

ATTACHMENT D

NFA

COMMUNICATIONS CENTER NOTIFICATION REPORT

CASE NO. 87 - 09 - 03 - 23:17
(hr) (mo) (day) (time)RECEIVED - COMMUNICATIONS CENTER
DATE 09-03-87 3:11:17
REC'D BY C. McAFEE
REVIEWED BY

INCIDENT REPORT BY ENSIGN STENSON		Phone 212-668-7936
Name: ENSIGN STENSON		
Street: PORT OF NEW YORK		
City: PORT OF NEW YORK		State:
Affiliation/Title: USCG		
INCIDENT LOCATION: <input type="checkbox"/> Transportation <input checked="" type="checkbox"/> Facility <input type="checkbox"/> Other		
Name (Site): GORDON TERMINAL		Phone:
Street: CHEVRON FACILITY		
City: BAYONNE		County: HUDSON State: N.J. Zip Code:
Date of Incident: 09 - 03 - 87 (day) (month) (year)		Time: 21:30
IDENTITY OF SUBSTANCE(S) SPILLED, RELEASED, ETC.: <input checked="" type="checkbox"/> Known <input type="checkbox"/> Suspected <input type="checkbox"/> Unknown		
Name of Substance(s) (Gas, Liquid, Solid): STYRENE MONOMER		
CAS Number:		
Amount Released/Spilled: 100 GALLONS <input type="checkbox"/> Actual <input type="checkbox"/> Potential <input checked="" type="checkbox"/> Estimated		
Substance Contained: (Y/N/U)		
Type of Release/Spill: <input checked="" type="checkbox"/> Terminated <input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent		
Hazardous Material (Y/N/U)		
NATURE OF INCIDENT: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> WAKE Notification <input type="checkbox"/> Emergency <input type="checkbox"/> Sub. 20		
USCG		
INCIDENT DESCRIPTION:		
<input type="checkbox"/> Fire <input type="checkbox"/> Explosion <input type="checkbox"/> Air Rd <input checked="" type="checkbox"/> Spill <input type="checkbox"/> MVA <input type="checkbox"/> Derailment <input type="checkbox"/> Smoke/Dust		
<input type="checkbox"/> Odors <input type="checkbox"/> Sewage <input type="checkbox"/> NJPDES <input type="checkbox"/> Noise <input type="checkbox"/> Illegal Dumping <input type="checkbox"/> Wildlife		
<input type="checkbox"/> Equip Start-up/Shutdown, Equip Fail/Upset, etc.		
<input type="checkbox"/> Other (specify):		
Injuries (Y/N/U)		
Facility Evacuation (Y/N/U)		
Contamination of: <input type="checkbox"/> Air <input checked="" type="checkbox"/> Land <input type="checkbox"/> Water		
Potable Water Source (Y/N/U)		
Receiving Water: NONE		
Location Type: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Rural <input type="checkbox"/> Sensitive Population (Hosp, School, Nurs. Home)		
Public Exposure (Y/N/U)		
Police at Scene (Y/N/U)		
Assistance Requested (Y/N/U)		
Wind Direction/Speed: ? / ?		
Precipitation (rain/snow): NONE		
STATUS AT INCIDENT SCENE: TERMINAL MADE NO NOTIFICATION TO THE USCG. USCG RECEIVED SPILL NOTIFICATION FROM THE NRC.		
RESPONSIBLE PARTY: <input type="checkbox"/> Known <input checked="" type="checkbox"/> Suspected <input type="checkbox"/> Unknown		
Company Name: GORDON TERMINAL		
Contact: Title:		
Street:		
City: County: State: Zip Code:		
OFFICIALS NOTIFIED (Name/Title):		
NJSP: TROOPER ARTHURS / NJSP OEM Phone: 888-2000 Date/Time: 09-03 / 23:22 (T/M)		
Local Health: GARY GARITANO / HUDSON REG. OFFICE Phone: PAGER Date/Time: 09-03 / 23:20 (T/M)		
Local Munic: / Phone: Date/Time: / (T/M)		
USEPA: GAD TOWDROS / EDISON Phone: SERVICE Date/Time: 09-03 / 23:21 (T/M)		
INCIDENT REFERRED TO:		
<input checked="" type="checkbox"/> DED <input type="checkbox"/> DWR <input type="checkbox"/> DSWM <input type="checkbox"/> DHEN <input type="checkbox"/> DHWM <input type="checkbox"/> DDH <input type="checkbox"/> DFG <input type="checkbox"/> DPF <input type="checkbox"/> DCJ <input type="checkbox"/> DCR		
Region: <input type="checkbox"/> Northern <input type="checkbox"/> Metro <input type="checkbox"/> Central <input type="checkbox"/> Southern <input checked="" type="checkbox"/> ER1 <input type="checkbox"/> ER2		
1. Name/Aff: CHRIS DWYER / RES # 15 Phone: HOME Date/Time: 09-03 / 23:19 (T/M)		
2. Name/Aff: / Phone: Date/Time: / (T/M)		
3. Name/Aff: / Phone: Date/Time: / (T/M)		
IMMEDIATE DEP RESPONSE (Y/N) [Emergency (Y/N)] [Enforcement (Y/N)]		

COMMENTS: GARY GARITANO CLAIMS MATLACK TRUCKING WAS MAKING A DELIVERY OF SAID MATERIAL WHEN SPILL OCCURRED. UNCERTAIN AT THIS TIME HOW NRC RECEIVED NOTIFICATION. GAD TOWDROS CLAIMS THE SPILL AMOUNT WAS 1,450 KILOGRAMS, AND ALL MATERIAL CLEANUP COMPLETED.

Re: Hudson - Metro Reg. Office.
Per to last spill cleanup, I recommended NFA
COMES: White - Local Agency Yellow - Comm. Center Pink - ASIS Deleted - OtherATTACHMENT D
TIERRA-B-014156

HUDSON REGIONAL HEALTH COMMISSION

313 HARRISON AVENUE
HARRISON, NEW JERSEY 07029

(201) 485-7001

(201) 485-7002

FIELD REPORT

LOCATION: GORDON TERMINAL SERVICES, HOOK RD., BAYONNE

DATE : SEPT. 3, 1987

LOG# : B87-029

NATURE OF INCIDENT: SPILL OF STYRENE

FINDINGS:

23:35/ Received notification from Trenton Dispatch of spill at site at 21:30. Spill report was forwarded by USCG and NRC. Dispatch reported the spill was 'cleaned up' and no response was necessary. Follow up calls were made to USCG, Bayonne Fire Dept., and Police Dept. and the facility. No response to the facility had been made by the above agencies. The police reported receiving at least 2 odor complaints between 21:30 and 21:48 from 16th St. and Prospect St's which are in the general area of the spill.

Trenton Dispatch was notified that I would respond.

00:15/ Surveillance of the area's where complaints had originated indicated odors were no longer present.

00:30/ Arrived at Gordon Terminal, met with Jerry Billak, Foreman. He indicated there had been a spill of 90-100 gallons of styrene monomer. The material had been dispersed on the ground by washing it down with water. The area of the spill was inspected. A very slight odor was detected. No visible product was noted.

Mr. Billak reported the incident as follows:

Styrene monomer was being picked up by Matlack trailer #2049. The driver reportedly overfilled his vehicle by 400 gallons. He returned to the rack to pump off the overfill. Mr. Billak reported an improper hose (black rubber) was used to pump off the styrene. The hose failed and 90-100 gallons of product were spilled upon the ground. The spilled material was dispersed using water. No attempt was made to contain and remove the spilled materials. The National Response Center was notified of the incident by Matlack. Mr. Billak was unfamiliar with any notification requirements or discharge clean up

"SERVING BAYONNE, EAST NEWARK, GUTTENBERG, HARRISON, HOBOKEN,
JERSEY CITY, KEARNY, NORTH BERGEN, SECAUCUS,
UNION CITY, WEEHAWKEN, WEST NEW YORK."

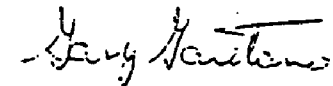
ATTACHM²TIERRA-B-014157

procedures. He was informed of NJ regulations regarding the above.

01:30/ Left the site.

RECOMMENDATION:

No remedial measures appeared feasible at this time. Follow up to be conducted with facility management regarding notification requirements and discharge clean up procedures.



Gary Garetano



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director

2 Babcock Place

West Orange, N.J. 07052

201 - 669 - 3960

5m00289

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

23 NOV 1988

Gordon Terminal Service Co. of N.J. Inc.
Foot of Hook Road
Bayonne, New Jersey 07002
Attention: Mr. John D. Gordon

Subject: Notice of Violation / Offer of Settlement

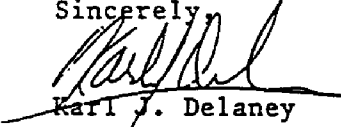
Dear Mr. Gordon:

There is enclosed for service upon you a Notice of Violation/Offer of Settlement issued by the New Jersey Department of Environmental Protection pursuant to the provisions of the Spill Compensation and Control Act.

The Department is available to meet with the principals of the case to discuss the enclosed enforcement document. Should you desire such a meeting please contact Daniel J. Burgoyne within 20 days of receipt of this letter. This does not affect the time frame within which you may request an administrative hearing under the Notice Of Right To Hearing provision of the enclosed document, nor does this affect the time frame within which you must verify compliance under the Verification Of Compliance section of the enclosed.

Should you have any questions concerning this Notice of Violation/Offer of Settlement, please contact Mr. Daniel J. Burgoyne at (201) 669-3976.

Sincerely,


Karl J. Delaney
Assistant Director
Hazardous Waste Enforcement

Enclosure(s)

c: Bureau of Compliance and Technical Services
Metro Region Field Office
Mayor's Office
Health Department



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201 - 669 - 3960

Sm 00289

RETURN RECEIPT REQUESTED

23 NOV 1988

NOTICE OF VIOLATION
AND OFFER OF SETTLEMENT

Gordon Terminal Service Co. of N.J. Inc.
Foot of Hook Road
Bayonne, New Jersey 07002

DHWM#87-09-08-01M

Attention: Mr. John D. Gordon

Dear Mr. Gordon:

FINDINGS

On or about September 3, 1987 a hazardous substance (styrene) was discharged by Gordon Terminal Service Co. of N.J. Inc. at the Foot of Hook Road, Block 'C', Lot 23, City of Bayonne, County of Hudson, State of New Jersey into the waters or onto the lands of the State.

The incident summarized above was investigated by members of the Hudson County Health Commission for the Division of Hazardous Waste Management, who determined that the following provisions of the Spill Compensation and Control Act and regulations promulgated thereunder were violated:

N.J.S.A. 58:10-23.11c

Discharging Hazardous Substances

N.J.S.A. 58:10-23.11e

Failure to Immediately Notify the
Department of the Discharge [See
N.J.A.C. 7:1E-2.1(a)]

The above cited violations carry maximum statutory civil penalties of \$50,000 per day for each violation.

Pursuant to N.J.S.A. 58:10-23.11u and based upon the above FINDINGS, the Department is amenable to compromise and settle this claim for penalties for the sum of \$3,375.

Should you decide to settle this matter, payment must be made within twenty (20) calendar days of receipt of this letter. Payment must be sent to:

New Jersey Department of Environmental Protection
Bureau of Revenue
CN 402
Trenton, NJ 08625

Only certified checks or money orders drawn to the order of " Treasurer, State of New Jersey " will be accepted. Your cancelled check or money order will serve as your receipt.

Should you decide not to accept this settlement offer or fail to forward payment within twenty (20) calendar days of receipt of this letter, this offer is rescinded, and this matter will be referred to the Office of the Attorney General with instructions to initiate a legal action for the maximum allowable penalty.

Acceptance of this settlement offer will satisfy your liability for civil penalties in connection with the above cited violations but will not relieve you of any other responsibility or obligation under the law, including the responsibility to pay for any damages which may have been caused by the discharge.

If you wish to make inquiries or discuss this settlement offer, you may contact Daniel J. Burgoyne, Division of Hazardous Waste Management, Metro Field Office, at 2 Babcock Place, West Orange, NJ 07054, or at (201)669-3976.

Sincerely,



Karl J. Delaney
Assistant Director
Hazardous Waste Enforcement

KD:DB:YH

cc: Metro Regional Office

NFO
File

Gordon Terminal Service Co. of NJ, Inc.

P. O. Box 143
Bayonne, N.J. 07002
201 - 437-8300

December 1, 1988

Mr. Karl J. Delaney
State of New Jersey
Department of Environmental Protection
2 Babcock Place
West Orange, NJ 07052

Dear Mr. Delaney:

This is in response to your "Notice of Violation/Offer of Settlement" dated 23 November 1988.

The Department's FINDINGS state that the Gordon Terminal Service Co. of NJ, Inc. violated the Spill Compensation and Control Act and regulations promulgated thereunder with regard to one: N.J.S.A. 58:10-23.11c Discharging Hazardous Substances and two: N.J.S.A. 58:10-23.11e Failure to Immediately Notify the Department of the Discharge.

We believe that the Departments FINDINGS concerning this incident are incorrect. We submit the following as substantiation of that belief.

At approximately 1:30 A.M. on September 3, 1987 during a transport loading operation of Styrene at Rack C at the company's Bayonne facility, a hose connection broke and approximately 90 gallons of Styrene spilled in one of the Styrene transport loading bays.

All of the loading racks in the facility, including Rack C, have been constructed to conform to the requirements established by N.J.A.C. 7:1E-1.1 et seq. concerning discharges of petroleum and other hazardous substances and particularly with regard to the "DCR Plan", N.J.A.C. 7:1E-4.21; and "DPCC Plan" N.J.A.C. 7:1E-4.5. All loading racks have been concreted to provide an impermeable liner, all have retainment berms, and drainage systems into impermeable concrete containment tanks that prevent any spill from reaching the ground waters of the State. The company's DPCC/DCR plan (copy enclosed), states the foregoing and has been approved by the Department.

In this instance the spill was entirely contained in the containment tank and later removed to regular tankage during daylight hours on September 3, 1987. At no time did the spill reach waters of the State or lands from which it might flow or drain into the waters of the State.

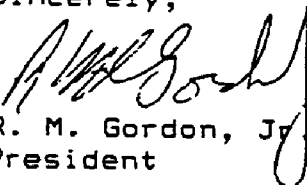
For your convenience, we have enclosed what we believe to be pertinent sections of RULES CONCERNING DISCHARGES OF PETROLEUM AND OTHER HAZARDOUS SUBSTANCES, and invite your attention to SUBCHAPTER 1. GENERAL PROVISIONS, part 7:1E-1.3 Definitions, paragraphs (f) "Discharge" and (t) "Spill".

Because of strict compliance with the appropriate facility and operational requirement of our DPCC/DCR Plan, this incident was clearly a "spill" not a "discharge".

As to the second alleged violation in the FINDINGS, we invite your attention to SUBCHAPTER 2. DISCHARGE NOTIFICATION AND RESPONSE, part 7:1E-2.1, Notification of Discharges, paragraph (a). The incident was a "spill" not a "reportable discharge", and we do not believe that there is a notification requirement for a spill under these circumstances.

We hope the information supplied in this letter is sufficient to enable your Department to rescind and cancel the Notice of Violation/Offer of Settlement. If it is not, please accept this letter as our request for an administrative hearing and forward to us a Notice of Right to Hearing provision which was not received with your letters of 23 November 1988.

Sincerely,


R. M. Gordon, Jr.
President

RMG,Jr/kd

cc: Daniel J. Burgoyne, Metro Regional Office

Enclosures



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201-669-3960

January 4, 1989

Mr. R.M. Gordon Jr.
President
Gordon Terminal Service Co.
P.O. Box 313
McKees Rocks, PA. 15136

REFERENCE: Gordon Terminal Service Co. of N.J., Inc.
Foot of Hook Road, Bayonne, N.J. 07002
NOTICE OF VIOLATION AND OFFER OF SETTLEMENT (NOV-OOS)
N.J.S.A. 58:10-23.11c and N.J.S.A. 58:10-23.11e
D.H.W.M. #87-09-08-01M
03-23:17

Dear Mr. Gordon:

This is in response to your letter dated December 1, 1988 addressed to Mr. Karl J. Delaney Assistant Director of Enforcement for the Division of Hazardous Waste Management, and the telephonic conversations between Mr. Daniel J. Burgoyne of my staff with Mr. John D. Gordon (November 21, 1988) and yourself (December 19, 1988) concerning the referenced matters.

During the November 21, 1988 conversation, Mr. John Gordon was informed that the cover letter he received with the referenced NOV-OOS was not the appropriate cover letter used in conjunction with an NOV-OOS document. The cover letter that the Corporation received is used exclusively for RCRA documents. There is no provision within the Spill Compensation and Control Act N.J.S.A. 58:10-23.11 et seq. entitling an aggrieved party to an administrative hearing. Enclosed for your review is the correct cover letter for the referenced document, my apologies for any inconvenience this oversight may have caused the Corporation.

Based upon information provided in your letter and further research into the referenced matter the Department's position remains unchanged. The referenced NOV-OOS is valid and will remain in effect. Unless you agree to accept the Departments offer of settlement, this matter will be referred to the Office of the Attorney General with instructions to initiate a legal action for the maximum allowable penalty since the \$3,375 assessed penalty had not been paid today. The following information supports the Department's decision:

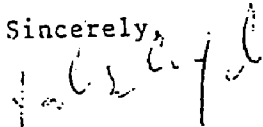
1/4/89

Page 2

- 1) The Hudson Regional Health Commission's (HRHC) inspector, Gary Garetano contacted the facility to determine the problem and proceeded to meet with Mr. Jerry Billak, the shift supervisor shortly thereafter in order to inspect the facility.
- 2) Mr. Billak escorted Mr. Garetano to the site of the spill located in close proximity to loading rack "B" between Building #5 and Building #6. The spill did not occur at loading rack "C" as stated in your letter.
- 3) Mr. Garetano confirms that the spill occurred on soil and not concrete or pavement, and that the area near rack "B" is sufficiently light to make this determination. Therefore the styrene release would be considered a discharge since the hazardous material could flow or drain into the waters of the State after percolating through the soil.

If you have any additional questions regarding this case, please contact Mr. John Barry, Section Chief of the Division of Hazardous Waste Management's Bureau of Compliance and Technical Services at (609) 633-0708.

Sincerely,


Yacoub E. Yacoub
Bureau Chief, Metro Bureau of Enforcement

DJB:hc

Enclosure

cc: D.Beeman
D.Burgoyne
Y.Yacoub
B.C.T.S.
H.R.H.C.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201-669-3960

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JAN 4 1989

Gordon Terminal Service Co. of N.J. Inc.
Foot of Hook Road
Bayonne, New Jersey 07002
Attention: Mr. John D. Gordon

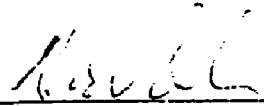
Subject: Notice of Violation / Offer of Settlement

Dear Mr. Gordon:

There is enclosed for service upon you a Notice of Violation/Offer of Settlement issued by the New Jersey Department of Environmental Protection pursuant to the provisions of the Spill Compensation and Control Act.

The Department is available to meet with the principals of the case to discuss the Notice of Violation/Offer of Settlement. Should you desire such a meeting or have any questions, please contact Mr. Daniel J. Burgoyne at (201) 669-3976 within 20 calendar days of receipt of this letter.

Sincerely,



Karl J. Delaney
Assistant Director
Hazardous Waste Enforcement

Enclosure(s)

c: Bureau of Compliance and Technical Services
Metro Region Field Office
Mayor's Office
Health Department

89-01-13

Gordon Terminal Service Co. of NJ Inc.
P.O. Box 143
Bayonne, NJ 07002
(201) 437-8300

January 5, 1989

NJDEP
Division of Hazardous Waste Management
2 Babcock Place
West Orange, NJ 07052
Attn: Karl J. Delaney
Assistant Director, Enforcement

Re: Our letter of December 1, 1988

Dear Mr. Delaney,

Robert M. Gordon, President of Gordon Terminal Service Co. of NJ Inc. wrote to you in reference to your Notice of Violation and Offer of Settlement dated November 23, 1988.

On December 19, 1988 he spoke with Dan Burgoyne of your office in reference to his letter. Mr. Burgoyne told him if we did not accept the Offer of Settlement that the matter would be referred to the Attorney General's office.

It is our hope that we may be able to resolve this situation by a less extreme method. The findings in the Notice of Violation are inaccurate and we believe that we have been denied due process under the law.

First, almost fifteen months passed between the date of this incident and the date on the Notice of Violation and Offer of Settlement without any communication from the Department.

Second, the findings in the Notice of Violation are inaccurate. Mr. Gordon's attempt to make that point in writing and by telephone were apparently unsuccessful.

Third, Mr. Burgoyne told Mr. Gordon that your letter of November 23, 1988 was in error and that we did not have the right to an administrative hearing as we requested in our December 1, 1988 letter. He indicated that Gordon Terminal Service's only recourse would be through the legal proceedings initiated through the Attorney General's office.

Fourth, Mr. Burgoyne told Mr. Gordon that a field inspector from the Hudson Regional Health Commission was investigating a report of an odor in a residential district in Bayonne close to the time of our reported spill. His inspection at our facility was a part of his investigation into the cause of the odor and not in direct response to our reported spill. This information was unavailable to us until the phone conversation of December 19, 1988.

NJH, Karl J Delaney, January 1989

It seems unlikely that an odor from a contained spill of less than one hundred gallons of monomer styrene could have been detected across the three chemical terminals and the one refinery between Gordon Terminal Service Co. and the nearest residence in Bayonne.


If it is the conclusion of the Department that the odor reported uptown was the result of our spill simply because our spill was reported, we must respectfully dissent.

A spill occurred and was contained. The incident was reported within the time framework specified by law, in accordance with state and local regulations.

We feel that the information presented in this letter and in the letter of December 1, 1988 justifies rescinding your Notice of Violation dated November 23, 1988. If this is not the case, the delinquent and unsupported contentions of the Department warrants a drastic reduction in the penalty.

We anticipate your response.

Sincerely Yours,



Thomas S. Gordon
GTSC of NJ Inc.

Gordon Terminal Service Co. of NJ, Inc.

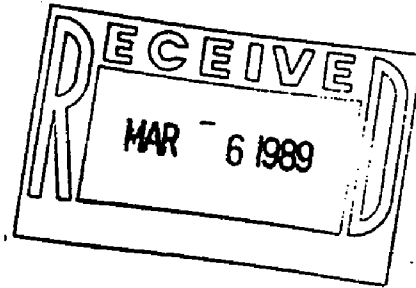
RECEIVED

P. O. Box 143
Bayonne, N.J. 07002
201 - 437-8300

MAR 8 1989

BUREAU OF COMPLIANCE
& TECHNICAL SERVICES

February 27, 1989



NJDEP
Division of Hazardous Waste Management -
2 Babcock Place
West Orange, NJ 07052
Attn: Karl J. Delaney
Assistant Director, Enforcement

Re: Notice of Violation & Offer of Settlement dated November 23, 1989

Dear Mr. Delaney,

A meeting was held on February 24, 1989 to discuss the Notice of Violation & Offer of Settlement dated November 23, 1988. In attendance at the meeting were Margaret Elsishans, Daniel Burgoyne and John Barry representing NJDEP; Gary Garetano representing HRHC; and myself, Thomas Gordon, representing Gordon Terminal Service.

Mr. Barry suggested that I correspond with you and outline the positions I put forth at the meeting.

Almost fifteen months had passed between the incident and the date of the Notice of Violation & Offer of Settlement. At the time of the incident, our foreman on duty was Jerry Billak. Mr. Billak's employment was terminated in November of 1987 and we could not interview him about this matter.

It was not until we received Mr. Yacoub's letter written January 4, 1989 that we had enough information to understand the events as they happened so long ago. We no longer dispute Mr. Garetano's report that the spill had occurred on soil. Billak never notified any level of our management that a spill had occurred or that an investigator had visited the site; so we assumed that any spill that may have occurred happened under a contained loading rack.

After receipt of Mr. Yacoub's letter, we found a notation in the scalemaster's log that a truck had been loaded overweight on the evening in question and that the carrier had pumped several hundred gallons back into the storage tank. The area over which this type of transfer typically takes place was not concrete. There was no report to the scalemaster of a spill. Typically, Gordon Terminal personnel supervise the carrier's connection of the carrier's pump and hose to our manifold; the carrier then transfers under our direction.

NJDEP, Karl J Delaney, February 27, 1989

At the meeting, I stated that we had a responsibility to ensure that the connection was proper but that our responsibility did not extend to the maintenance of a licensed carrier's equipment. Mr. Garetano then offered that the reason for the spill was the disintegration of the carrier's hose. Liability for the spill was clearly the carrier's responsibility as was reporting the spill.

We feel that the information presented in this letter justifies rescinding your Notice of Violation & Offer of Settlement dated November 23, 1988.

Sincerely Yours,



Thomas S. Gordon
GTSC of NJ Inc.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam
Deputy Director

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625-0028
(609)633-1408

Lance R. Miller
Deputy Director

Hazardous Waste Operations

Responsible Party Remedial Action

01 MAR 1989

Global Terminal & Container Services, Inc.
302 Port Jersey Boulevard
P.O. Box 273
Jersey City, New Jersey 07303
ATTENTION: David Brady

Re: Administrative Order and Notice of Civil Administrative Penalty
Assessment Dated January 19, 1989, Action # HM-032-89

Dear Mr. Brady:

Department records show that payment in the above referenced matter has not been received. This letter shall serve as a final reminder to you to forward payment as directed in the Administrative Order and Notice of Civil Administrative Penalty Assessment.

Failure to make payment within fifteen (15) days of receipt of this letter will result in this matter being referred to the Office of the Attorney General for the initiation of litigation to collect the maximum penalties allowed by law.

Payment shall be made by certified check payable to "Treasurer, State of New Jersey" and shall be submitted to: New Jersey Department of Environmental Protection, Bureau of Revenue, CN 402, Trenton, NJ 08625.

Should you have any inquiries regarding this matter, please contact Margaret Elshans at (609) 633-0708.

Sincerely,

Karl J. Delaney, Assistant Director
Hazardous Waste Enforcement

KJD/mte
cc: Case File



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam
Deputy Director

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625-0028
(609)633-1408

Lance R. Miller
Deputy Director

Hazardous Waste Operations

Responsible Party Remedial Action

TO: File

THROUGH: John Barry, Section Chief - Document Processing

FROM: Margaret Elsishans, Environmental Specialist

DATE: 3/6/89

SUBJECT: Summary of meeting held with Gordon Terminal Service Co. of N.J., Inc. on February 24, 1989, Trenton Headquarters regarding NOV OOS issued 11/24/88

ATTENDEES: John Barry, BCTS
Daniel J. Burgoyne, Metro Field Office
Margaret Elsishans, BCTS
Gary Garetano, Hudson Regional Health Commission
Thomas S. Gorden, Gorden Terminal

At the meeting, Thomas Gordon presented various topics he felt the Department should be aware of concerning the spill incident which resulted in the issuance of a NOV/OOS document. The points he explained were:

1. Mr. Gordon stated that when the driver of Matlack realized his truck was overfilled by approximately 400 gallons of styrene monomer, he decided to empty the extra liquid from the truck back into the storage tank. While emptying the truck, Mr. Gordon stated that Matlack hose disintegrated, resulting in the spill. Due to the alleged failure of Matlack's hose, Mr. Gordon felt that Matlack was responsible for the spill.
2. The truck driver of Matlack Co. called the National Response Center shortly after the spill occurred. The National Response Center then called the Coast Guard which in turn called the DEP to report the spill. Mr. Gordon felt that since the spill was reported to the Response Center initially, the responsibility of notifying the Department was met.
3. Mr. Billak, the foreman on duty at Gordonn's at the time of the spill, failed to notify Thomas Gordon of the entire spill incident including the follow-up investigation performed by Gary Garetano. Mr. Gordon explained that it was only through the Department's notification that he became aware of the situation. Mr. Gordon later discovered a notation in the scalemaster's log book stating that a truck had been over filled.

4. Mr. Gordon stated that the spill did occur on soil and not concrete as he had stated earlier.
5. When the spill did occur the styrene monomer was washed away with a water hose.

In summary, Mr. Gordon felt that the violation concerning failure to immediately notify the Department of the Discharge be rescinded since the National Response Center was notified. Mr. Gordon felt that Matlack was either completely or, at least, partially responsible for the spill since it was their hose that disintegrated.

CONCLUSIONS

1. We will review whether or not the requirement of immediate notification was met.
2. We will consult with the Department's lawyers as to which firm, if not both, is responsible for the spill.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Treia, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201-669-3960

M E M O R A N D U M

TO: File (09-01-13)

FROM: Daniel J. Burgoyne

RE: Enforcement Settlement Conference of 2/24/89 with
Gordon Terminal Service Co. of N.J., Inc.
Notice of Violation and Offer of Settlement
N.J.S.A. 58:10-23-11c and N.J.S.A. 58:10-23-11e
DHWM #87-09-08-01M

DATE: March 3, 1989

A conference was conducted on the referenced date among the attached list of attendees. The conference was scheduled at the request of the Corporation to further discuss the matter and obtain a reduction in the \$3,375 assessed penalty.

Mr. Richard Gordon representing the Corporation stated that their contention to the subject NOV-OOS was the time it took N.J.D.E.P. to inform Gordon Terminals of the alleged violation since the incident occurred on 9/3/87, secondly that since the Matlack driver supplied the rubber transfer hose which caused the spill they should be considered the responsible party. My response to Mr. Gordon was the Corporation's representative Mr. Billak had been informed of the violation by Gary Garetano (H.R.H.C.) during his investigation on 9/3/87, secondly the Matlack driver could only transfer off the excess styrene under instruction by Gordon personnel.

John Barry (BCTS - Section Chief) stated that an interpretation is required from the Division of Regulatory Affairs as to determining the responsible party in this case, once this is established all parties would be notified. At this point the meeting was concluded.

c: D. Beeman
D. Burgoyne
J. Sterling

MEETING ATTENDANCE SHEET

SUBJECT <u>Gordon Terminal Service Co.</u>		DATE <u>2/24/89</u>
MEETING LOCATION <u>401 E. State St. 5th floor conference Room</u>		
GADT (S) ATTENDING		DET DIVISION OR UNIT

PLEASE PRINT ALL INFORMATION CLEARLY

[illegible]



SM-002-89

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam
Deputy Director

Hazardous Waste Operations

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625-0028
(609) 633-1408

Lance R. Miller
Deputy Director

Responsible Party Remedial Action

22 MAR 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gordon Terminal Service Co. of N.J. Inc.
Foot of Hook Road
Bayonne, New Jersey 07002

ATTENTION: Mr. Thomas Gordon

Dear Mr. Gordon:

There is enclosed for service upon you an AMENDMENT TO NOTICE OF VIOLATION AND OFFER OF SETTLEMENT issued by the New Jersey Department of Environmental Protection pursuant to the provisions of the Spill Compensation and Control Act. The enclosed enforcement action supersedes the Notice of Violation and Offer of Settlement dated November 23, 1988.

The Department is available to meet with the principals of the case to discuss the enclosed enforcement document. Should you desire such a meeting please contact Margaret Elsishans within 20 calendar days of receipt of this letter.

Should you have any questions concerning this matter, please contact Margaret Elsishans at (609) 633-0708.

Sincerely,

Karl J. Delaney, Assistant Director
Hazardous Waste Enforcement

KJD/mte

Enclosure(s)

cc Health Department
Mayor's Office
Bureau of Compliance and Technical Services
Regional Field Office
Case File



SM-002-89

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam
Deputy Director
Hazardous Waste Operations

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625-0028
(609)633-1408

Lance R. Miller
Deputy Director

Responsible Party Remedial Action

122 MAR 1989

IN THE MATTER OF	:	AMENDMENT TO
Gordon Terminal Service Co. of N.J. Inc.	:	NOTICE OF VIOLATION
Foot of Hook Road	:	AND OFFER OF SETTLEMENT
Bayonne, New Jersey 07002	:	DATED NOVEMBER 23, 1988

Dear Mr. Gordon:

Pursuant to the meeting held between Gordon Terminal Service Co. of N.J. Inc. (hereinafter "Gordon Terminal") and the Department on February 24, 1989, the Department has determined that Gordon Terminal was not in violation of N.J.A.C. 58:10-23.11e, "Failure to Immediately Notify the Department of a Discharge". Therefore, the penalty assessed in the Notice of Violation and Offer of Settlement dated November 23, 1988, is hereby reduced from \$3,375.00 to \$2,250.00.

Payment shall be made by certified check payable to "Treasurer, State of New Jersey" and shall be submitted along with the enclosed Enforcement Action Invoice to:

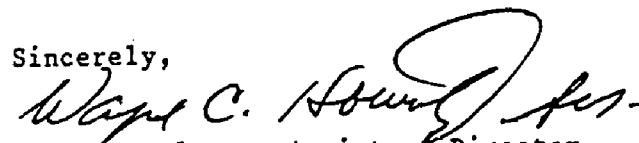
New Jersey Department of Environmental Protection
Bureau of Revenue
CN-402
Trenton, New Jersey 08625

If full payment is not received by the Department within fifteen (15) calendar days after receipt of this letter, this reduced penalty settlement offer is rescinded and this matter will be referred to the Office of the Attorney General with instructions to initiate legal action for the maximum allowable penalty.

Should you have any further questions regarding this matter, please contact

Should you have any further questions regarding this matter, please contact Margaret Elsishans at (609) 633-0708.

Sincerely,


Karl J. Delaney, Assistant Director
Hazardous Waste Enforcement

KJD/mte

c: Regional Field Office
case file
Bureau of Revenue
Mayor's Office
Health Department

SM-002-89

PENALTY JUSTIFICATION MEMO

COMPANY: Gordon Terminal Service Co. of N.J. Inc.

DATE OF VIOLATION:

As a result of the meeting between Gordon Terminal Service Co. of N.J. Inc. and Department personnel on February 24, 1989, it was determined that Gordon Terminal was not in violation of N.J.A.C. 58:10-23.11e, "Failure to Immediately Notify the Department of a Discharge". This decision was made due to the fact that an employee of Matlack notified the National Response Center which notified the National Coast Guard who in turn notified the Department of the spill.

TO FILE
09-01-13



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201 - 669 - 3960

January 4, 1989

Mr. R.M. Gordon Jr.
President
Gordon Terminal Service Co.
P.O. Box 313
McKees Rocks, PA. 15136

REFERENCE: Gordon Terminal Service Co. of N.J., Inc.
Foot of Hook Road, Bayonne, N.J. 07002
NOTICE OF VIOLATION AND OFFER OF SETTLEMENT (NOV-OOS)
N.J.S.A. 58:10-23.11c and N.J.S.A. 58:10-23.11e.
D.H.W.M. #87-09-08-01M

Dear Mr. Gordon:

This is in response to your letter dated December 1, 1988 addressed to Mr. Karl J. Delaney Assistant Director of Enforcement for the Division of Hazardous Waste Management, and the telephonic conversations between Mr. Daniel J. Burgoyne of my staff with Mr. John D. Gordon (November 21, 1988) and yourself (December 19, 1988) concerning the referenced matters.

During the November 21, 1988 conversation, Mr. John Gordon was informed that the cover letter he received with the referenced NOV-OOS was not the appropriate cover letter used in conjunction with an NOV-OOS document. The cover letter that the Corporation received is used exclusively for RCRA documents. There is no provision within the Spill Compensation and Control Act N.J.S.A. 58:10-23.11 et seq. entitling an aggrieved party to an administrative hearing. Enclosed for your review is the correct cover letter for the referenced document, my apologies for any inconvenience this oversight may have caused the Corporation.

Based upon information provided in your letter and further research into the referenced matter the Department's position remains unchanged. The referenced NOV-OOS is valid and will remain in effect. Unless you agree to accept the Department's offer of settlement, this matter will be referred to the Office of the Attorney General with instructions to initiate a legal action for the maximum allowable penalty since the \$3,375 assessed penalty had not been paid today. The following information supports the Department's decision:

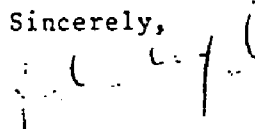
1/4/89

Page 2

- 1) The Hudson Regional Health Commission's (HRHC) inspector, Gary Garetano contacted the facility to determine the problem and proceeded to meet with Mr. Jerry Billak, the shift supervisor shortly thereafter in order to inspect the facility.
- 2) Mr. Billak escorted Mr. Garetano to the site of the spill located in close proximity to loading rack "B" between Building #5 and Building #6. The spill did not occur at loading rack "C" as stated in your letter.
- 3) Mr. Garetano confirms that the spill occurred on soil and not concrete or pavement, and that the area near rack "B" is sufficiently light to make this determination. Therefore the styrene release would be considered a discharge since the hazardous material could flow or drain into the waters of the State after percolating through the soil.

If you have any additional questions regarding this case, please contact Mr. John Barry, Section Chief of the Division of Hazardous Waste Management's Bureau of Compliance and Technical Services at (609) 633-0708.

Sincerely,


Yacoub E. Yacoub
Bureau Chief, Metro Bureau of Enforcement

DJB:hc

Enclosure

cc: D.Reeman
D.Burgoyne
Y.Yacoub
B.C.T.S.
H.R.H.C.

Let's protect our earth



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201 - 669 - 3960

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JAN 4 1989

Gordon Terminal Service Co. of N.J. Inc.
Foot of Hook Road
Bayonne, New Jersey 07002
Attention: Mr. John D. Gordon

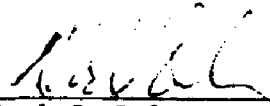
Subject: Notice of Violation / Offer of Settlement

Dear Mr. Gordon:

There is enclosed for service upon you a Notice of Violation/Offer of Settlement issued by the New Jersey Department of Environmental Protection pursuant to the provisions of the Spill Compensation and Control Act.

The Department is available to meet with the principals of the case to discuss the Notice of Violation/Offer of Settlement. Should you desire such a meeting or have any questions, please contact Mr. Daniel J. Burgoyne at (201) 669-3976 within 20 calendar days of receipt of this letter.

Sincerely,



Karl J. Delaney
Assistant Director
Hazardous Waste Enforcement

Enclosure(s)

c: Bureau of Compliance and Technical Services
Metro Region Field Office
Mayor's Office
Health Department

ATTACHMENT E

New Jersey Department of Environmental Protection
Division of Environmental Quality
Bureau of Emergency Response
Region I

INVESTIGATION

Case #: 87-11-23-0102

File #: 09-01

Investigator: L.H.Jones/W.S.Janicek Date: 11-23-87 Time Arrived: 0145
B.Folizzotti/J.Manuel 11-24-87 Time Departed: 1715
J.Hoyle

Location: Gordon Terminals Block: Lot:
Address: East 22nd Avenue, Bayonne, Hudson County
Location Phone #:

Responsible Party: Gordon Terminals
Mailing Address: East 22nd Avenue, Bayonne, N.J.

Health Dept. Rep: Gary Garatano NRC Phone #: 201-487-6015
Origin of Complaint: Pili. Railway Phone #: 201-819-7200
Nature of Complaint: On 11-23-87, B.Folizzotti received a call from
Trenton Dispatch, which advised a fire at a large, unrefined location. The
fire was reported to be in the warehouse section
of the terminal. The warehouse contained anti freeze, and there
was a lot of oil on site, and the fire.

Findings: W.S.Janicek and I arrived on scene at 0145 hours.
On our way to the incident location, we determined via Trenton Dispatch that
the wind direction was 170 at 3 knots. In addition, I requested Trenton
Dispatch to notify NYODEP of the incident. Upon arrival, we met with Gary
Garatano and Jim Kucowski, of the Hudson Regional Health Commission. We
found that the building was fully involved in fire and burning out of
control. There was a large thick black smoke plume heading in the
direction of New York City. The plume was approximately 500 feet above
ground level. We set up a command post, and proceeded to attempt to speak
with Bayonne fire officials. Mr. Garatano and I spoke with fire fighters
manning equipment away from the fire, and asked if we could speak with the
chief in charge. The fire fighters advised us the chief was at the front
line of the fire fighting operation, and we would have to go to that
location to speak with him. We asked if some one could speak with us at
the command post, as we were not equipped with turn out gear. The fire
fighters advised us that they could not leave the fire scene. We
proceeded to move closer to the fire and speak with either the chief in
charge or a representative for the responsible party. We spoke with Mr.
Earl Kessler - Terminal Manager, who requested to see our identification
and did not believe who we were. Mr. Kessler was uncooperative, however
we did ascertain that there was motor oil; and anti-freeze in the
building. Mr. Kessler would not give us any other information.

CCIS. Return to command post and meet with Sgt. Connolly - NJSPDEM. We
advised Sgt. Connolly of the lack of cooperation of personnel on site, and

the importance of obtaining an inventory of chemicals stored in the building, and in the large storage tanks. Accompanied by Sgt. Connolly, we again proceeded to the fire location to ascertain necessary information. After providing identification again to Mr. Kessler, we were able to obtain the following information. Janicek and Garetano obtained a sketched storage plot plan from the maintenance supervisor, indicating the capacity and inventory of surrounding storage tanks. The fire started at approximately 2230 hours, and there was a small crew on at the time the fire broke out. The building contains motor oil, ethylene glycol, oil additives. The company does their own injection molding of polyethylene plastics. In close proximity to the fire were storage tanks containing Perchloroethylene and 111 Trichloroethane, 600,000 gallons in capacity each. The tank of PCE was within 70-90 feet of the fire, and being cooled by a portable monitor unit. At this time it was very likely that the material reached its boiling point and was venting. Against the building on the west side were vertical tanks containing motor oil, oil additives, and ethylene glycol. These tanks were in great danger from the fire, and efforts were being taken to cool these tanks. There were storage tanks containing number six oil on the east side of the property, that were being cooled by fire boats.

0450: Return to the command post. We have not been contacted by NYCDEF on incident. The smoke plume is still heading in the direction of Manhattan. Contact Ursula Zygarzski of the NYCDEF, and advise her of the situation at this time. She will make contact with someone on the incident. It should be noted that three phone calls were made to the NYCDEF.

0510: Responder Janicek and I proceed to perform air monitoring with MSA Detector tubes, and G. Garetano with Hnu. The smoke plume is still 500 feet above ground level. Reading on detector tubes were as follows: HCl - 0, Phosgene - 0, Chlorine - 0, and Carbon Monoxide - <500ppm.

0530: Responder Jones holds a press conference with radio stations 1010 and 67.

0540: Weather report, winds out of E at 4 knots. Responder Jones, G. Garetano, Sgt. Connolly, conducted a search of the Bayonne residential area above and to the incident location. No readings were obtained on the area. The plume was rising off ground level to 500 feet and dropping into Manhattan and Brooklyn.

0607: Update was given to Commissioner Dewling, and Trenton Dispatch via radio.

0710: Update is given to Response Bravo via radio, and Response 16 is enroute to incident location with a 30 minute ETA. Response Bravo will arrange for helicopter for flyover of incident location.

Contact USCG Governors Island for status on smoke plume. I was advised by Petty Officer on duty that the plume was staying aloft and not impacting the island. I advised that they may want to perform some air monitoring on the island as a precautionary measure. They will do so and report back to OSC. Contact NYCDEF for updates. No results have been obtained from their monitoring teams.

0735: Responder Janicek and G. Garetano return from fire area with status update. The PCE and 111TCE tanks were now out of danger, as the fire is under control in that area. The insulation was burned off the PCE tank, on the side of the fire. Fire department is continuing cooling of tanks. The #6 fuel oil tanks on the east side of the fire are unharmed and intact. The fire was concentrated on the Exxon side of Gordon Terminals property. Fire Chief Brenner advised that the fire would be smoldering for a couple of days.

0806: Attempt to call Mr. Austin -NYCDEF, no answer on his car phone. Call USCG for update, no one available to perform monitoring on the island.

0818: Update Mr. Austin NYCDEF of incident status. He advised that monitoring stations will be checked.

0831: Call from Jim Alexander NYCDEF, who advised that monitoring teams received 5 ppm of Perchloroethylene, outside NYC City Hall.

0845: Responders Jones, Janicek, and Polizzotti conduct an inspection of the waterfront area. We found a large quantity of oil extending 100 feet from shore, in the Kill Van Kull. In addition, there was a very large quantity of fire water run off going into the Kull; and a green colored liquid, which later was presumed to be green dye used in anti-freeze.

0900-0930: Press conference with channels 2,7,9, Bayonne Cable, and Jersey Journal.

0915: USCG 1st Lt. is on scene, and proceeds to water side to coordinate clean up of the Kill Van Kull.

0935: Call from Fire Marmanick NYDEC, requesting update, which was given by Responder Jones.

0945: Saw a Marine Corps of state with oil clean up materials and containment boom.

1015: MSA tubes pulled for HCl and Formaldehyde, with no results on either.

1031: Responder Polizzotti was informed by G. Garetano that Fire Department advised that they lost a 38,000 gallon vertical oil tank.

1045: Assistant Director Mulvey and Chief Zachowski on scene, and meet with E. Polizzotti. Responder Jones and Sgt. Connolly participate in flyover of incident scene in NJSP helicopter. We found that the building was totally destroyed. There were an estimated 30,000 drums involved in the fire. Oil and green liquid continue to flow into the Kill Van Kull. Contractor is deploying containment boom in area of Gordon Terminals, at low Jocks closer to the fire. There was a heavy accumulation of oil in all berths along the Kill Van Kull. A large quantity of oil was found in

the Bay. Flyover of NYC found that the plume was now heading up the Hudson River past Manhattan.

1050: Ted Nabavi NYCDEF on scene. He advised us that readings of 5 ppm of PCE and 111TCE were detected in the city.

1104: Responders hold meeting with EPA and NYC. EPA has their mobile air monitoring unit enroute to the incident location. In addition, air monitoring will be performed in NYC.

1110: Fire department is concentrating efforts on the two story building at this time. Smoke plume continuously emitting from the fire. We are beginning to experience changes in the wind direction. EPA-TAT enters the site to perform air monitoring, with negative results on the Organic Vapor Analyzer. A propane tank was found at the front of the building, still intact.

1215: Call to Chief Zarnowski, no answer.

1230: Responder Janicek pulled MSA tubes, resulting in no readings above background.

1315: Call to Chief Zarnowski, not in office. Incident status is basically the same. Smoke plume is dissipating over the bay, and the impact to NYC has diminished. Clean up crew continue work on water front area. USCGS continues monitoring of clean up, with additional personnel on scene.

1400: Wind shift out of 180 at 3-5 knots. Plume impacting Bayonne residential area. Monitoring team from Hudson County sent out. Smoke is now a brownish white color, and is dissipating at a faster rate.

1445: Update given to Chief Zarnowski, he was concerned about residential area. Suggests a health advisory be put out for people to stay in door unless it is necessary to go out. G. Garatano works on health advisory. Monitoring team returns. Readings of 3 units obtained on Hnu. Smoke is trapping between the streets of Bayonne. Plume is heading towards Jersey City. Notified Jersey City officials.

1515: Responders Manuel and Moyle on scene to relieve Responders Jones and Janicek.

1530: We take of the entire property to show Responders Moyle and Manuel the current status of the incident, and complete the briefing.

1545: We spoke with Mr. John Gordon, who advised us of the following inventory.

- 30,000-40,000 55 gallon drums of oil
- 100,000 cases of motor oil
- 10,000 cases of grease
- 100,000 pails and kegs of industrial lube

Mr. Gordon advised us the green material was dye used in the preparation.

of ethylene glycol. The two large storage vessels of ethylene glycol in the building, appear to not have been impinged by fire. They will not be sure until tomorrow.

11-24-97

0749: Responder Janicek and I returned to the scene to relieve Responders Hoyle and Manuel. We were given updates on last evenings surveillance of the incident. We toured the area, and found the fire to still be burning in some areas of the building. Some drums were still erupting in the building. USCG still on scene supervising the water front clean up. The amount of oil leaving the site has diminished, however the green dye continues to flow. Responder Janicek performs photo documentation of incident.

1013: Update is given to B. Pollicott, who advised us that DHWM-M could not send anyone to incident scene until this afternoon. Advised we would remain on site to monitor incident until DHWM arrives.

1120: Smoke plume continues, however it is remaining on site. Smoke continues to become lighter in color. It should be noted that a wind shift of 360 degrees was experienced in the last 24 hours. This pattern is expected to occur again today.

1330: Water front clean up continues, USCG remains on site. Fire Department continues to fight small fires in building. BER continues monitoring of incident.

1500: Dave Evans and Ed Davis DHWM-M arrive on scene. They were briefed on incident status and given a tour of the facility. Fire Department personnel advised that the fire will be smoldering for another day. Tomorrow a fallow will be brought in to assist firefighter to get to lines under the rubble.

1715: Responders Jones and Janicek depart the site. The incident has now been turned over to DHWM-M for clean up actions.

Conclusions: Region I responded to a building fire in a warehouse at the Gordon Terminals facility in Bayonne. The building contained various amounts and types of oil products. Two 600,000 gallon storage tanks containing Perchloroethylene and 1,1,1-Trichloroethane respectively were endangered by the fire, and believed to have vented during the fire. The structure of the tanks held during the fire. The Kill Van Kull was impacted due to large quantities of oil that escaped the site. USCG monitored the clean up of the Kill, as BER, HRHC, NYCDER, NIOSH, and others monitored the effect of the smoke plume on the surrounding areas. Efforts were maintained on the site for two days. A wind shift of 360 degrees in 24

hours requires us to maintain surveillance of the incident. USEPA TAT assisted in air monitoring of the area, during the latter stages of the incident. The case was turned over to DHWM-M before BER personnel secured the site.

Recommendations:

1. USCG continue monitoring of the water front clean up being performed by Clean Ventura, Ken's Marine Service, and Clean Harbors Cooperative.
2. Case to be referred to DHWM-M for supervision of land clean up. Note that DHWM-M was contacted and responded to incident scene before BER would secure the site.
3. Case to be referred to DWR-M for case action, and follow up.
4. Case to be referred to DFG for follow up actions.
5. Case to be referred for no further action by BER at this time.

Case No. 87-11-23-0102

Lester L. Jones Jr.
Investigator/Author

1-4-87
Date

Matthew J. Jones
Investigator

1-4-87
Date

P. M. Allen
Supervisor

1/4/88
Date

New Jersey Department of Environmental Protection
Division of Environmental Quality
Bureau of Emergency Response
Region I

INVESTIGATION

Case #: 87-11-23-0102

File #:

Investigators: J. Hoyle/J. Manuel

Date: 11/13/87

Time Arrived: 1530

Time Departed: 1030

Location: Gordon Terminals
Address: Jersey City, N.J.

Location Phone #:

Health Dept. Rep:

Phone #:

Origin of Complaint:

Phone #:

Nature of Complaint:

Findings: Responded to an extremely hazardous materials fire located at the Gordon Terminals, Bayonne, N.J.

1530 hours arrived on site and met with Inspectors Bart Polizzotti, Lester Jones, and Walter Janicek. Mr. Polizzotti briefed on the days events. The company had a building storing thousands and thousands of drums containing various oils and lubricants. At 10:30pm Sunday, a fire started and erupted into a full fledged alarm. During our briefing, we took a site walk.

The buildings in question, #1 and #7, were destroyed. Massive water runoff could be observed. Thousands of gallons of oil related liquids were being discharged into the Kill Van Kull. Booms were positioned, but due to the magnitude of the incident much of the material escaped containment.

The first place we inspected was the water runoff. The water was grey and oily, this was primarily attributed to the colorization of possible hydrocarbons, amount unknown. I surveyed the fire scene. There both buildings sustained severe damage. Ruptured drums can be seen plus two large oil tanks. The plume coming off the burning debris, has a distinct composition of grey heavy black smoke, and extends beyond the Bayonne boundary into the Jersey City and New York metropolis. Finally, arriving back to the main entrance where the command post was set up, there we met with remaining federal and municipal agencies. The EPA response team was preparing their analyzers for testing the plume. Hudson Regional Health in preparation to do air monitoring in the municipality. James Manuel from Region II BSR arrived on site and being briefed on days events from Lester Jones.

Mr. James Monkowski and I went to the following locations to do air monitoring:

<u>Location</u>	<u>Description</u>	<u>Results</u>
Ave. E + 22nd Street	Intersection	1.5 ppm
Odors of burning material		
W. 22nd between Broadway and Ave. C	Intersection No odors	.5 ppm
45th + Ave. E	Odor of oil and water burning	1.5 ppm
36th + Ave. E	Underneath plumes	.5 ppm
Slight eye & nose irritation		
Rt. 169 + 32nd Street	Underneath plume	.9 ppm
Hook Road + Rt. 169	Underneath plume	.5 ppm
Hook Road (second location)	Near scene	1.0 ppm
Draeger Tube Carbon Monoxide	Near scene	52. ppm

Returned back to command post, there the decision was made to relocate into the main corporate office. Once at the corporate office, the Coast Guard established priorities of work.

1. Contain all off-site oil runoff with booms. This process entailed encompassing all impacted areas along shoreline, berths and shipping docks. The estimated shoreline to be contained is over 5 miles long in either direction of the discharge point.

2. Remove from all floating vessels oils and lubricants from the hulls and rudder systems.

3. Maintain a constant surveillance on all maritime movement through the channels.

After the briefing with the Coastal Guard, BER did an on-site surveillance of the fire.

1700 hours: Brown smoke with puff of heavy black smoke traveling in a northern direction. From advantage point there were no off-site odors associated with the incident. Several fire fighting apparatus were consumed in the smoke and flames. Damage was only superficial at this point. Able to approach fire from an upwind direction. Upon command from Coastal Guard all impacted vessels are to remain in port until released. Company owner highly distressed over incident, USEPA engaging in air monitoring.

1808 hours: Inspectors Polizzotti, Jones and Janicek off site.

1812 hours: Received weather report from Trenton Dispatch. Wind 170 degrees at 3 knots present time, to change at 0600 am. Coastal Guard is having Clean Harbor to go to Forts Elizabeth and Newark; must remove oil from vessels ready to leave. Exxon docks have a large quantity of oil to be removed from their pylons.

BER I reinspecting the fire zone. The booms have not performed effectively, material has started to Breach containment underneath. Adjacent tanks to building are in a precarious situation. Building integrity is questionable. Stress cracks are starting to form thereby indicating thermal fatigue. Tanks holding more than 264,600 gallons of glycol and oil additive are in danger of collapsing. The fire department using an unmanned remote monitor directed water on the tanks to keep them cool and also to extinguish any burning material in the building. The runoff (oil) at this point appeared to lessen. Coastal Guard issued a warning to all maritime vessels to stay clear of the area and if using channel proceed with caution. The following is a list of vessels to be detained and cleaned:

1. Hyundai - 107 - Port Elizabeth
2. Zim Pauen
3. Atlantic Cartier - Port Elizabeth
4. Helios
5. Shawn Venus - Constable Terminal
6. ST 114
7. Exxon 33
8. Exxon 31
9. Tug
10. Barge - IMTT
11. Neatrous Barge

Several other vessels have departed without adhering to the Coastal Guard warning. A ship to shore message was relayed to those units that a fine would be imposed if they continued to voyage.

2130 hours: New York Department of Environmental Protection on site. Mr. William Stephens briefed on current events and did a site survey. Plume at this time is less dense, with no organic vapor analyzer readings or HNU. The fire is still burning profusely, inside of the building drums are still rupturing.

2230 hours: Returning from making site survey, grey black thick plume can be observed. Throughout the survey the fire dept. changed the direction of their sprays. Working to extinguish much of the fire, more attention was focused to the internal section of the building. The wind has started to shift direction. An off-site surveillance shows that the plume will be touching down in northeastern direction.

2330 hours: Fire still burning out of control inside of the building, the plume is a grey/white. Drums are bursting at an alarming rate. Two large vertical tanks are reported inside of the building near the middle on the ground floor. The upper sections have started to collapse thereby exposing the steel "I" beam supports. Updated Trenton Dispatch.

Most of the Coastal Guard off-site, leaves one person as a debriefer.

0040 hours: No change in plume direction, building extremely hot, concrete starting to crystallize in sections.

0100 hours: Reinspected runoff area. All skimmers workers, vacuum trucks are hard pressed trying to accommodate the skimming operations. Massive dock and pylon cleanup commencing along the shoreline. Drums inside building are still rupturing, can be seen careening off the building walls "like playing billiards". Site survey revealed that more of the glycol was being released from the tanks inside the building.

0200 hours: Plume has shifted more in a northerly fashion. No OVA or HNU reading.

0300 hours: Wind shifting to west. Building ready to collapse fire still burning inside out of control. Everytime the fire would rupture a drum, a puff of black smoke would evolve from the building. The containment boom is virtually useless at this point, product has leaked beyond the boom itself. Skimmers are still working harder.

0330 hours: Inspector Hoyle calls Trenton Dispatch, update and weather.

0345 hours: Called Newark Airport for direct weather report also Trenton Dispatch, re: wind shifting. Plume is directly over the building housing the command post. Telephone rang 17 times before I tried again.

0357 hours: Called Newark, wind blowing NE - 3-5 knots. Plume is high above the building (OVA & HNU negative).

0430 hours: Reinspecting fire scene, drums are still rupturing, the fire starts and stops in a random fashion. The fire department again has repositioned it equipment in order to establish a controlling edge.

0530 hours: Winds have shifted again, Southeast at 3-5 knots. No HNU or OVA readings taken.

0600 hours: Called Bart Polinzotti, updated as required. Stated that there is still an uncontrolled fire inside of the building. No off-site odors or ill effects associated with incident. I explained to Inspector Polinzotti the need for a relief in place. The fire department will fight fire with more intensity during daylight hours and Coastal Guard would reinspect the impacted shoreline.

0700 hours: Updated Trenton Dispatch. Condition of fire has not worsened on the visual impact it had on the building and drums.

The Building must be destroyed, (this through observation), the drums, thousands of them, have turned to an orange color, this is through intense heat water and oxidation. Escaping water and oil have a distinct lime green color. Odors associated with the fire are well contained on site. The wind shifts to the northeast, with a possible impact on New York City. Clean up crews still feverishly working to remove oil from all vessels and dock pylons. There is a meeting scheduled for 0900 hours to bring all agencies into perspective. This meeting will entail a priority of cleaning and the grading of oil runoff. Federal EPA will begin further air monitoring at this as per instructions of Ms. Margaret Chong down wind using the C.G. mode on the OVA and their air balloon. Michael Mentzell on site. (EPA TAT (201) 225-6116).

0745 hours: Inspector Jones on site, stated that Inspector Janicek is on his way. Briefed Inspector Jones on what had transpired. During our briefing, the warehouse roared with new vigor, black smoke belched from inside the building. More of the drums hidden on the bottoms were finally rupturing. Inspector Janicek arrived on site.

0830 hours: After the briefing we circumvent the building, pictures were taken. On the side that was not facing the command post, showed extreme stress cracks. None of the tanks adjacent to the building was impacted by falling debris.

1030 hours: After inspecting the remaining facility and answering questions pertaining to the incident, I secured the site.

Conclusions: BER I responded to a warehouse fire containing thousands and thousands of oil additive and lubricating oils. Air monitoring was accomplished by mutual agreement with Hudson Regional Health and the members of BER I. Massive containment efforts were put into effect. Company procured Clean Venture and Clean Harbors to mitigate runoff, clean vessel, and dock pylons. The cause of this fire is still under investigation.

Recommendations:

1. USCG continue monitoring of the water front clean up being performed by Clean Venture, Ken's Marine Service, and Clean Harbors Cooperative.
2. Case to be referred to DHWM-M for supervision of land clean up. Note that DHWM-M was contacted and responded to incident scene before BER would secure the site.
3. Case to be referred to DWR-M for case action, and follow up.
4. Case to be referred to DFG for follow up actions.
5. Case to be referred for no further action by BER at this time.

HUDSON REGIONAL HEALTH COMMISSION
215 HARRISON AVENUE
HARRISON, N.J. 07029

FIELD INVESTIGATION

Location: Gordon Terminal Services Inc.
Foot of Hook Road
Bayonne, NJ 07002

Date: 11/23/87
Log #: B87-043

Nature of Incident: Large fire at this petrochemical facility. Heavy plume traveling offsite.

Investigation:

0105: Gary Gareitano received notification of a large fire at the facility via Trenton Dispatch. Gareitano enroute. James Monkowski, HRHC paged and enroute also.

0125 - 0140: Monkowski while enroute conducts monitoring and surveillance of residential areas in closes proximity to the facility. Results as follows:

Oak St	no haze or odor	Hnu Reading
18th & E	smell of smoke, no haze	0.5 units
19th & E	smell of smoke, no haze	1.0 units
		0.5 units

0140 - 0200: Monkowski arrived at scene and was informed by Sgt. Trocenen that oil was involved and the fire had started at approximately 2245 on 11/22/87. Gareitano while enroute conducts surveillance of areas north of the facility. No odors or smoke were detected at ground level. Les Jones and Walt Janicek, Bureau of Emergency Response (BER) are at site and command post established at Powell Duffryn entrance on Hook Road just east of the facility. Winds were from the WSW at 7mph. Heavy black plume traveling ENE at an elevation of at least 500 ft.. The command post was located downwind and slightly lateral to the plume. No odors or smoke were detected. Hnu readings were 0.5 units. BER personnel informed that the plume may be impacting on New York. Updates to Dispatch and New York authorities to be handled by BER.

0200 - 0305: BER and HRHC personnel proceeded to fire line to attempt to ascertain the materials involved in the fire. Les Jones and Gareitano met with Karl Kessler, Gordon V.P.. Mr. Kessler was somewhat uncooperative but provided information that motor oils and oil additives were involved. The fire consumed a brick warehouse containing packaged products and packaging materials, largely polyethylene and cardboard. Several tanks were threatened including 2-6 million gallons #6 oil tanks at the southern end of the facility, 2 perchloroethylene tanks immediately east of the warehouse, and approximately 2 dozen 38,000 gallon "pencil"

tanks at the north end of the warehouse reported to contain oil and additives. Heavy plume still traveling ENE towards New York. Updates provided to Dispatch and New York Officials by BER regarding materials involved and possible venting of perchloroethylene tanks. Plume still greater than 500 feet high, with no smoke or odors noted at the command post.

Bob Ferraiuolo, Director, HRHC notified of incident and status at scene by G. Garetano.

0300 - 0430: John Connely, N.J.S.P. arrived at scene and provided with update. Fire Department dispatcher contacted by Garetano at 0315. Information provided on lack of significant findings in adjoining residential areas on previous surveillance. Recommendation was provided to advise residents to shut windows and remain out of smoke if complaints were received. The dispatcher was asked to notify Trenton Dispatch if complaints from residential areas were received.

Proceeded to fire line again with BER, N.J.S.P.. More detailed information on the materials involved and tanks threatened was obtained.

Packaging and Warehouse Building: Primarily finished products: oils and greases. Large quantities of polyethylene containers, no flammable liquids or chlorinated solvents were reported.

Threatened Tanks:

#42	6 million gallons #2 oil
#43	6 million gallons #6 oil
#41	3 million gallons heavy marine diesel
#40	600,000 gallons perchloroethylene
#19	600,000 gallons 111 trichloroethylene
#74-77	38,000 gallons each containing finished lube oils

The packaging and warehouse buildings were entirely consumed by fire. Reportedly, the insulation of #42 and #43 had caught fire but was controlled by water spray from USCG and New York City fireboats. #40 and #19 appeared to have had flame impingement but were being cooled with unmanned waterspray by Bayonne Fire Department.

Insulation on tank #77 had caught fire but it was uncertain whether this vessel had ruptured. No obvious spill was noted.

A representative of N.Y.D.E.C. contacted Garetano at the scene and requested information of where in New York the plume was impacting. Information was provided that the Brooklyn "promenade" area appeared downwind.

0430-0600: Air monitoring was conducted by BER using MSA detector tubes for CO, phosgene chlorinated solvents and

others. None was detected. Plume still traveling ENE towards New York at an elevation of approximately 500 feet.

0600 - 0630: Surveillance and monitoring of Bayonne residential areas conducted, no smoke, odors or Hnu readings above background (0.5 units) were detected. Wind was from the southwest at 8mph. Plume travel to the NW believed to be impacting Brooklyn and possibly lower Manhattan.

0630 - 0730: Met with Chief Brennan, Bayonne Fire Department. All tanks were reported to be intact and essentially out of danger from fire. A strong odor of "plastic" was detectable at the fireline but not downwind.

0730 - 0930: Surveillance conducted of waterfront area of Gordon Facility. Viscous oil was noted to be present in the Kill Van Kull. Dikes around the #6 oil tanks contained some oil but the tanks appeared intact. Several thousand 55 gallon drums were noted in the area of what had been a one story corrugated shed. Oily runoff was present from this area. USOC onsite to oversee remediation of water discharge. Clean Venture and Ken's Marine onsite to conduct remediation.

0930-1030: John Demjanick, HRMC onsite. Residential areas of Bayonne west of the facility surveyed. No smoke or odors, hnu readings not above background. Les Jones, B&R to conduct aerial surveillance of site with Director Mulvey. Additional monitoring conducted by B&R at command post without significant findings. Margaret Chong, USEPA-ERT and Mr. Nabavi, NYOEDP arrived at scene.

1030 - 1400: Les Jones reported that at least 20-30,000 drums were visible on aerial survey. Fire department dispatch reported no complaints from residential areas. Survey of waterfront area was conducted again. Remediation in progress booms were placed across facility piers. A bright green material believed to be antifreeze was observed discharging into the area identified as the barge berth. No storage tanks of antifreeze were reported to have ruptured and the source of the material was unknown. Hnu readings were taken at downwind locations and were negative. By 1315 the plume had become white smoke and decreased in intensity. It appeared to be dissipating before reaching New York Harbor.

1400 - 1500: At approximately 1410 the direction of the plume shifted to NNW at approximately 3mph. Immediate surveillance of residential areas was conducted by Monkowski with the following findings:

Avenue E & 46th	smell of smoke	1.0 Hnu units
Avenue E & 24th	smell of smoke, visible smoke	1.5 Hnu
Prospect & 22nd	smell of smoke, visible smoke	1.2 Hnu

Potentially irritant aspects of the smoke were considered due to incomplete combustion by-products of hydrocarbons. No chlorinated solvents were involved at this time. Les Jones updated Mike Zachowski, BER with findings. Based on the considerations of potential eye and throat irritation from the smoke, NJDEP issued a health advisory. Bob Ferraiuolo, Director, HRHC was provided with information on the plume shift and subsequent advisory. Ferraiuolo forwarded this information to Bayonne and Jersey City Health Officers.

1600 - 1800: Contacted John Gordon, Jr. of the company who provided the following estimate of the materials involved in the fire:

30-40,000 drums of motor oils
 200,000 cases of 1 qt. motor oil containers (6 gal/case)
 50,000 cases of lubricating grease tubes
 100,000 cases and kegs of industrial lube oils.

Mr. Gordon speculated the material believed to be antifreeze runoff was dye used to color the material. No large quantities of finished antifreeze was involved. Joe Hoyle, BER and Jim Monkowski conducted downwind surveillance between 1700-1740. Findings were as follows:

Avenue E & 22nd	visible haze	1.5 mnu units
22nd Bet Broadway/Ave C	visible haze	0.5
Avenue E & 45th	smoke odor	1.5
Avenue E & 36th	smoke odor	1.0
Rte. 163 & 32nd	visible haze	1.5
Hock Rd & Rte. 163	heavier smoke	1.0-1.5 and 52 ppm CO

Smoke from the fire was traveling WNW and visibly impacting residential areas at this time.

USEPA Technical Assistance Team to conduct additional sampling using weather balloons and a mass spectrophotometer.

Sean Straker ICI contacted Garetano onsite and expressed concerns about HVAC system on the facility's clean room due to heavy smoke impact at the facility. Mr. Straker was advised to shut the unit down. He stated the unit would be most affected by acid gases and was concerned whether chlorinated solvents were involved in the fire at present. He was informed that at this time the solvent tanks were not involved.

Carlos Rodriguez to remain onsite for HRHC. Joe Hoyle and Jim Manuel to remain onsite for NJDEP.

1800: Gary Garetano and Jim Monkowski left.

1830: Rodriguez called Newark Airport for weather information. Wind was 170 degrees at 5 knots.

1900: Rodriguez conducted perimeter surveillance of fire along with Joseph Hoyle. Fire has intensified. Plume of black and grey smoke continues as drums containing oil burst and are consumed. Fire department reports difficulty in extinguishing fire since roof of building has collapsed on top of drums acting as a shield.

1930: Margaret Chang of EPA reports sampling results obtained from smoke plume using balloon - 1 ppm of toluene and benzene and possibly some styrene. She was leaving for Manhattan.

1930 - 2000: Air monitoring using Hnu at 9.8 setting. Readings taken at Military Ocean Terminal in Bayonne directly downwind of plume as it appears to touch ground was .5 ppm. Slight odor detected.

2000: 2015: Trenton Dispatch was updated. No reports of complaints. Jersey City Police informed of smoke heading in their direction which may result in some complaints.

2130: William Stepan, N.Y. D.E.P. arrived and given a status update and tour. Conditions remains the same. No wind shift observed.

2230: Margaret Chang returned from air monitoring along Westside Avenue in Manhattan. No evidence of smoke observed. Levels taken were in the PPB range.

2300: Margaret Chang left site. She stated she would return tomorrow at 7:00 a.m. to continue air monitoring.

2315: Site continues to burn but well under control. No threat of fire spreading to nearby tanks. No excessive smoke observed which would create a problem for residents.

2330: Trenton Dispatch updated.

0100: Surveillance - wind south by southwest at 7 mph.

0330: Wind shifting to the east. Less fire and smoke observed. Coast Guard, Clean Venture and Ken's Marine Service still on site skimming oil and clearing hull of vessels.

0400: Left site. Joseph Hoyle, NJDEP will remain on site continuing surveillance.

Summary: A large fire occurred at this facility due to causes presently unknown. Greater than 2 million gallons of

finished product, largely lubricating and motor oils were involved. Adjacent tanks containing additional oils and chlorinated solvents were threatened but remained intact. It is believed chlorinated solvents may have been released by volatilization due to high temperatures until approximately 0600 on 11/23/87. This has not been confirmed. A dense plume traveled offsite generally NW towards New York until approximately 1300 on 11/23. New York officials were advised throughout. From approximately 1400 until 1800 on 11/23 the plume impacted on residential areas of Bayonne resulting in a health advisory being issued by NJDEP. No evacuation of citizens was ordered and no injuries were reported. Firefighting was conducted by the Bayonne Fire Department assisted by Jersey City, and U.S. Coast Guard and New York City fireboats.

HRHC was on scene for the first 25 hours of the incident with NJDEP. NJDEP to remain onsite until "emergency" situation is abated and remedial measures are in place. Remediation of water discharges is in progress under the supervision of the coast guard. Remedial measures on land to start when fire is sufficiently controlled.

Investigated by:

Gary Garetano,
County Env. Hlth. Coordinator

Carlos Rodriguez,
Inspector

James Monkowski,
Env. Inspector

John Demjanick,
Env. Specialist

07 ~~11~~ 488

09-01-13

U.S. ENVIRONMENTAL PROTECTION AGENCY

POLLUTION REPORT

JAN 11 1988

DATE: November 30, 1987

Region II
Response and Prevention Branch
Edison, New Jersey 08837

(201) 548-8730 - Commercial & FTS
24 Hour Emergency

TO: C. Daggett, EPA
S. Luftig, EPA
R. Salkie, EPA
F. Rubel, EPA
J. Marshall, EPA
J. Czapor, EPA
ERD, Washington, D.C.
(E-Mail)
T. Nabavi, NYCDEP
J. Rogalski, NJDEP
G. Garitano, HCRH
USCG, COPTNY
B. Sprague, EPA
G. Zachos, EPA
Database Manager
TAT
NRC

POLREP NO.: One (1) and Final
INCIDENT/SITE NO.: Gordon Terminal Services Fire/248-88
POLLUTANT: Fuel Oil #6, Ethylene Glycol,
Polyethylene
CLASSIFICATION: Major
SOURCE: Warehouse and Oil Fire
LOCATION: Bayonne, Hudson County, New Jersey
AMOUNT: Approx. 20,000 Drums containing #6 Fuel Oil, grease,
industrial & automotive lubricants, 200,000 cases of
oil, 50,000 cases of grease, 100,000 cases & kegs of
industrial lube oil.
WATER BODY: Kill Van Kull

1. SITUATION:

- A. At approximately 0100 hours on November 23, 1987, EPA was notified of a fire in Bayonne by an EPA employee. However, due to the fact that it was located in USCG jurisdiction and due to the limited amount of incoming information, EPA did not respond at that time.
- B. At approximately 0800 hours on November 23, 1987, the NYCDEP requested assistance from EPA in the air monitoring and sampling of a plume of smoke blowing into Manhattan caused by the fire in Bayonne, New Jersey.
- C. At approximately 0900 hours, EPA responded to the incident to aid NYCDEP in the air surveillance of the plume. The Emergency Response Team (ERT) was alerted to the possibility of the need of their expertise and equipment in the air surveillance of the plume.

CAUSE CODE: D. Fire

2. ACTION TAKEN:

- A. The first alarm occurred at 2230 hours on November 22, 1987. The Bayonne Fire Department, the Jersey City Fire Company along with the New York City Fire Service and United States Coast Guard (USCG) responded to the fire. A half hour later the fire went to a general alarm.
- B. EPA and TAT arrived at the scene of the fire and met at the command post located 1/2 mile from the fire with the various responding agencies. The fire involved three warehouses, used for storage and packaging of various oils, lubricants and antifreeze.
- C. During the night, the NJDEP was concerned that the flames may engulf nearby tanks containing 1,1,1-trichloroethane. It was later confirmed by Gordon Terminals' officials that none of the liquid was vented due to the intense heat. This was done by an inventory check.
- D. Upon EPA and TAT's arrival the fire had been contained to the 3 warehouses on-site. These warehouses stored and prepared motor oils and anti-freeze for packaging. Polyethylene was used as the primary plastic in the packaging process. The smoke from the fire created a large black and brown plume leaving the site in a northeast direction.
- E. TAT and EPA met with New Jersey Department of Environmental Protection (NJDEP) and the Hudson Regional Health Commission (HRHC). EPA and TAT were advised about the extent of the fire and the materials involved.
- F. At approximately 1200 hours, a member of the ERT was dispatched to NYC in order to perform air sampling at locations desired by the NYCDEP. ERT sampled at the Empire State Building Observation Tower, the Queensboro Bridge and Roosevelt Island.
- G. NJDEP, HRHC and TAT performed air monitoring in the nearby areas including Oak Street, E Avenue and Prospect Avenue. The results of the air monitoring using a photoionization detector (HNU), Organic Vapor Analyzer (OVA) and draeger tubes for CO, HCl, Halogenated compounds and alcohols showed no significant readings.
- H. At approximately, 1330 hours the Command Post was shifted closer to the fire away from the press and bystanders.
- I. TAT collected 2 air grab samples and 2 charcoal tube samples to assist in the air monitoring. The first air grab sample and charcoal sample were collected on Hook Road across from the Powell Duffryn facility (the original Command Post). The second samples were collected adjacent and in the plume of smoke. The air grab sample was taken near the pipe rack next to the burning warehouse. The charcoal tube and gillian pump assembly was placed 100 feet in the air over the Exxon facility next to Gordon Terminal. This was done with the aid of a helium ballon system deployed by TAT.
- J. The responsibility party contracted two clean-up services to do the clean up of the oil runoff from the fire. The USCG was the Agency who was overseeing the clean-up of all contaminants of the waterways.

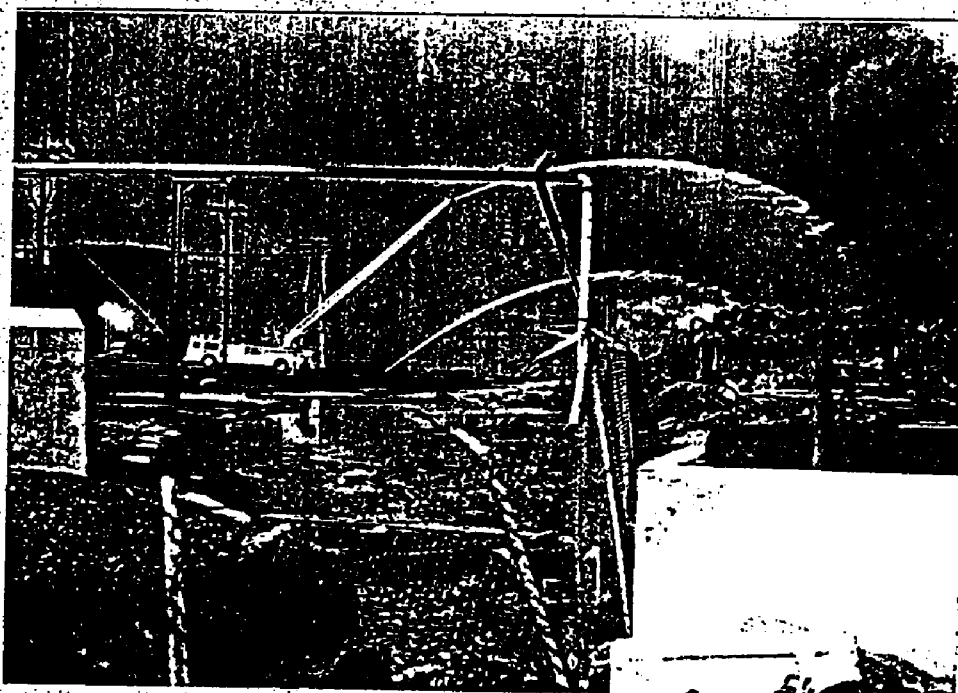
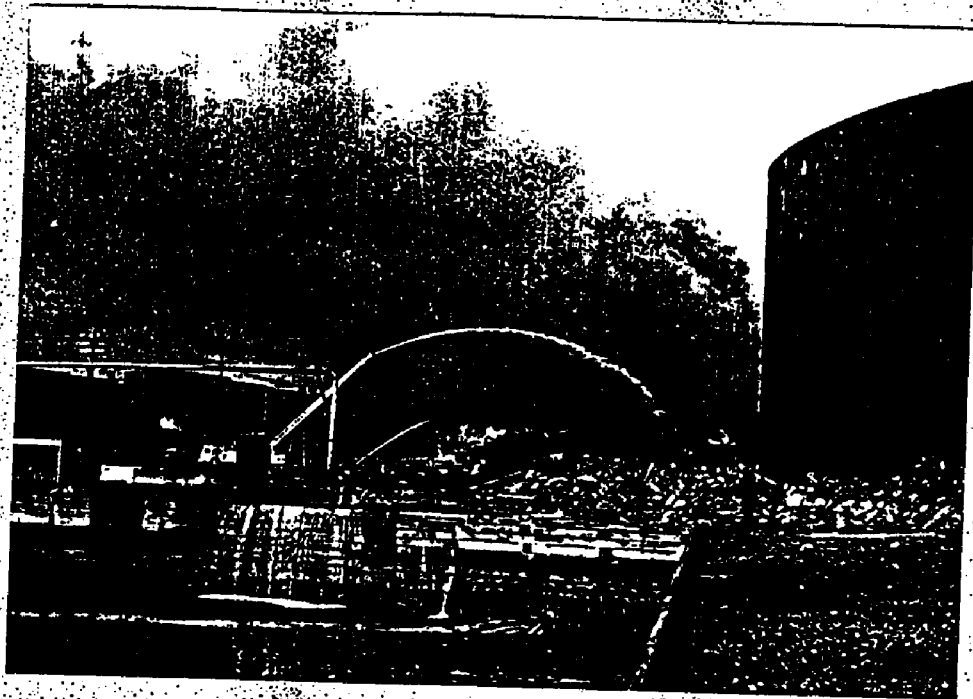
- K. At approximately 1900 hours, ERT air monitored the plume with the use of the TAGA unit. ERT used the helium balloon to assist them in sampling, by elevating a small diameter plastic hose into the plume of smoke.
- L. Initial readings indicated the presence of MEK. Later as results became more accurate 1 ppm of benzene and toluene were found.
- M. A bright green liquid was observed flowing in the Kill Van Kull along with the firefighting runoff. This was confirmed to be the dye stored on site for the packaging of ethylene glycol.
- N. At approximately 2000 hours, EPA, ERT's TAGA Unit and the NYCDEP proceeded to Manhattan under police escort to perform air monitoring of the plume. No significant readings were found.
- O. The fire continued throughout the night of November 23, 1987. EPA and TAT returned to the site at 0700 hours November 24, 1987. Firefighters continued to hose down the smoldering drums and warehouse.
- P. USCG continued monitoring the oil spill cleanup. It was estimated up to 2 million gallons of oil were involved in the fire. At least 10,000 gallons of oil were removed from the Kill Van Kull thus far.
- Q. All air monitoring with OVA and HNU was equivalent to background on this date (November 25, 1987).
- R. Two additional charcoal tube samples were collected by TAT for organic compound analysis. Samples were gathered at heights of 200 feet and 50 feet, again utilizing the helium balloon system. One was directly in the plume of smoke. The analysis will be completed on or about December 11, 1987.
- S. By the end of the day (November 24, 1987) the plume had lessened to a low lying haze blowing northwest. No evidence of smoke in Manhattan was reported.
- T. On Wednesday, November 25, 1987, the warehouse continued to smolder. Bayonne Fire Department deployed a bulldozer to access remaining hot spots. The USCG continued with their boom operation in the Kill Van Kull waterway and had hired a private subcontractor to clean any ships contaminated with oil.
- U. On Monday November 30, 1987 TAT again visited the site. The Bayonne Fire Dept. reported small pockets of fire continue to flare up, these were quickly extinguished. The fire is otherwise considered out. USCG continued to focus efforts on removing oil from the navigable waterway.
- V. On December 11, 1987, EPA received the analysis for all the samples. All compounds that the samples were analysed for were non-detectable.

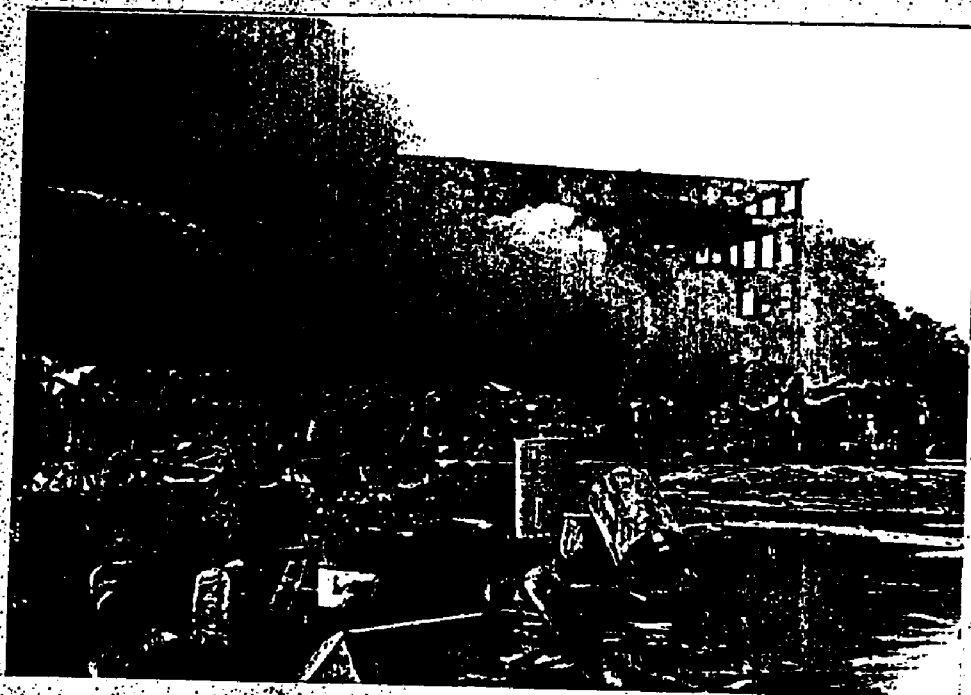
3. FUTURE PLANS AND RECOMMENDATIONS:

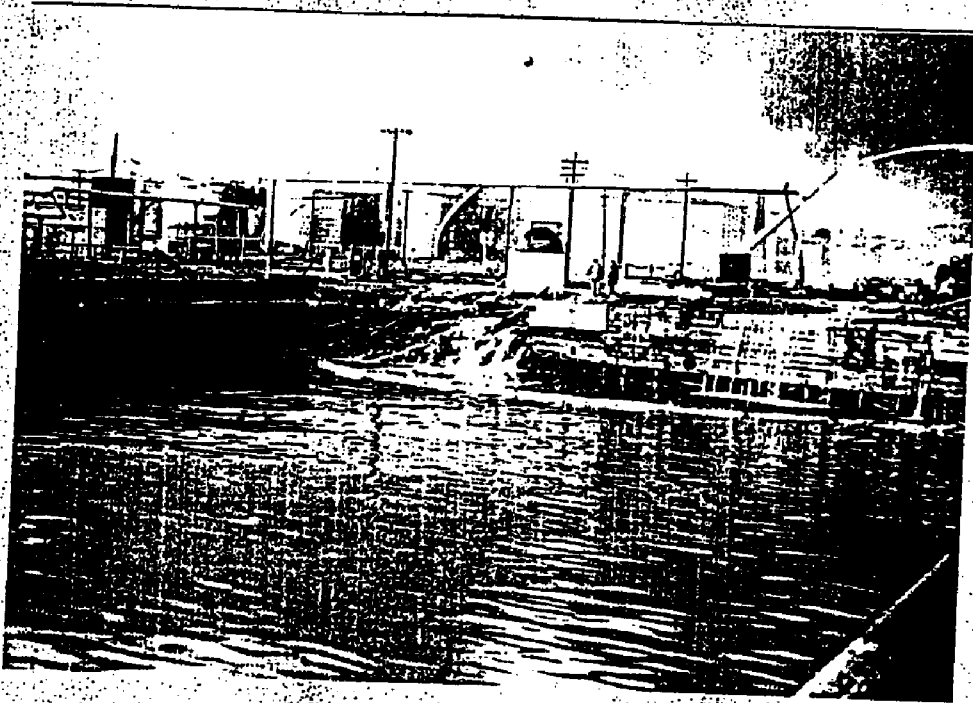
- A. This site falls under the jurisdiction of the USCG as proscribed in the Regional Contingency Plan, henceforth the EPA will play no active role in this site except for Spill Prevention Control and Countermeasure inspection.

FUTURE
POLREPS
FINAL POLREP X FORTHCOMING SUBMITTED BY Margaret Chong
(TAT) Margaret Chong, OSC
Response and Prevention
Branch

Date Released 12/17/87







ATTACHMENT F

R 042314Z DEC 87
FM COGARD COTP NEW YORK NY
TO CCGDONE BOSTON MA //MER//
INFO ZEN/EPA REGION TWO EDISON NJ
ZEN/NEW YORK STATE DEC ALBANY NY
ZEN/NEW JERSEY STATE DEP YARDVILLE NJ
COGARD NATIONAL RESPONSE CENTER WASHINGTON DC
B9/COGARD AIRSTA BROOKLYN NY

NC B9 DE N9

DEC 29 1987

BT

UNCLAS//N16460//

SUBJ: POLREP SEVEN MOTOR OIL MEDIUM DISCHARGE, GORDON TERMINAL,
BAYONNE, NEW JERSEY
PIN 87-11-23/4/04771.

SITUATION

A. 041322R DEC87 CLEAN UP CONTINUES, SEVENTY THOUSAND GALLONS OF
WASTE MOTOR OIL AND WATER RECOVERED TO DATE.

B. WX: TEMP 41 DEG. F WINDS: 10 KNT SW SEAS: N/A TIDE: HIGH

2 ACTION TAKEN

A. 0900R SURVEYED ELIZABETH MARINA AND OBSERVED SORBENT SWEEP
DEPLOYED THROUGHOUT. SLIGHT SHEEN IN MARINA VSLS LIGHTLY
STAINED.

B. 0950R SURVEYED IMTT. OBSERVED SOILED SWEEP ALONG DOCK. LIGHT
SHEEN COMING FROM THE SOILED SORBENT.

C. 1115R SURVEYED ROBBINS REEF MARINA. OBSERVED SOILED SORBENTS
AROUND ENTIRE FINGER PIER. LIGHT SHEEN IN MARINA,
VSLS LIGHTLY STAINED.

D. 1145R SURVEYED ELCO MARINA. OBSERVED SORBENT MATERIALS
DEPLOYED THROUGHOUT. HVY SHEEN STILL PRESENT. VSLS STAINED.

E. 1215R SURVEYED GORDONS TERMINAL. OBSERVED CONTAINMENT
BOOM DEPLOYED ALONG BULKHEADS AND AT BOTH ENDS OF THE
TERMINAL. SORBENT MATERIAL DEPLOYED INSIDE OF CONTAINMENT
BOOM. HVY SHEEN WITHIN CONTAINMENT SMALL ACCUMULATION OF
EMULSIFIED PRODUCT AT WEST END OF THE TERMINAL.

F. 1245R INVESTIGATORS MET WITH THOMAS GORDON, MANAGER
OF GORDONS TERMINAL. ISSUED CGCD1-15

3. FUTURE PLANS AND RECOMMENDATIONS

A. ELIZABETH MARINA- REMOVE SORBENT SWEEP AND BEGIN CLEANING
STAINED VESSELS.

B. IMTT- REMOVE SORBENT SWEEP. CLEAN UP COMPLETE THIS AREA.

C. ROBBINS REEF MARINA- REMOVE SOILED SORBENTS AND REPLACE.
CLEAN VESSELS.

D. ELC MARINA- REMOVE SOILED SORBENTS AND REPLACE. REMOVE
OIL STAINED DEBRIS. CLEAN VSLS.

E. GORDONS TERMINAL- REMOVE SOILED SORBENTS AND REPLACE.
CONTINUE REMOVING OIL PRODUCT FROM WATER.

CASE PENDING MESSAGE TO FOLLOW AS DEVELOPMENTS OCCUR.

4. CASE PENDING. MESSAGE TO FOLLOW AS DEVELOPMENTS OCCUR

BT

NNNN

TOD-12:05:03:48:35

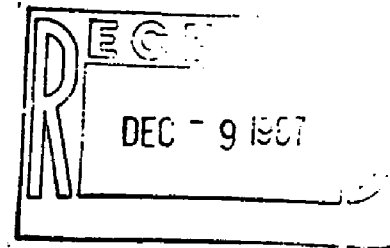
GROUP NEW YORK COMMUNICATIONS			
GROUP	COTP	SLCT	
COGARD	COGARD	NY	
OPS	OPS	NY	
DEFS	DEFS	NY	
ENR	ENR	NY	
INT	INT	NY	
REG	REG	NY	
SEC	SEC	NY	
SORREL	DEP	NY	
REG MESS	DEC	NY	
4 - ACTION OFFICE EPA			
1 - BFD OFFICE			

File Name {master}[SYS]<MSGTEMP>BA1TTY>05035221DEC87

27-01-15

NO DE N9

P 300046Z NOV 87
FM COGARD COTP NEW YORK NY
TO CCGDONE BOSTON MA
INFO ZEN2/EPA REGION TWO EDISON NJ
ZEN2/NEW JERSEY STATE DEP YARDVILLE NJ
M9/COGARD MID NEW YORK NY
COGARD NATIONAL RESPONSE CENTER WASHINGTON DC
BT



UNCLAS //N16460//

SUBJ: POLREP FIVE MOTOR OIL MEDIUM DISCHARGE GORDON
TERMINAL BAYONNE NEW JERSEY, KILL VAN KULL PIN 87-11-23/4/0477

1. SITUATION:

A. CLEANUP CONTINUES. SHEEN DISSIPATING NEWARK BAY, KILL
VAN KULL.

B. OIL CONTAINED AT IMTT BAYONNE, EXXON BAYONNE AND GORDON
TERMINAL.

C. SORBENT SWEEP DEPLOYED SEA LAND, PORT ELIZABETH.

2. ACTION TAKEN:

A. REMOVAL OF CONTAINED OIL CONTINUES USING SORBENT MATERIAL
VACUUM TRUCK OPS COMPLETE.

B. CLEANUP EXXON CONSTABLE HOOK COMPLETE.

3. FUTURE PLANS AND RECOMMENDATIONS:

A. CONTINUE CLEANUP AS BEFORE.

B. BEGIN CLEANING P/C AT ELCO, ROBBINS REEF AND ELIZABETH MARINAS.

4. CASE PENDING, MESSAGE TO FOLLOW AS DEVELOPMENTS OCCUR.

BT

NNNN

TOD-11:30:00

File Name {master}[SYS]<MSGTEMP>8A1TTY>30005759NOV87

GROUP NEW YORK COMMUNICATIONS			
GROUP	COTP	SUIT	
COGARD	COGARD	NTS NY	
COGARD	COGARD	STA NY	
PEPS	PEPS	ANT NY	
SWP	SWP	ANT	
RTD	RTD	ANT	
EEB	EEB	ANT	
COGARD	COGARD	ANT	
RED	RED	ANT	
A - ADVERTISING			
J - INFO OFFICE			

P 280028Z NOV 87 ZDS
 FM COGARD COTP NEW YORK N.
 TO CCGDONE BOSTON MA
 INFO ZEN2/EPA REGION TWO EDISON NJ
 ZEN2/NEW JERSEY STATE DEP YARDVILLE NJ
 M9/COGARD MIO NEW YORK NY
 COGARD NATIONAL RESPONSE CENTER WASHINGTON DC
 BT

03-01-13

NC DE N9

"CORRECTED COPY"

UNCLAS //N16460//

SUBJ: POLREP FOUR MOTOR OIL MEDIUM DISCHARGE GORDON TERMINAL
 BAYONNE NEW JERSEY. KILL VAN KULL PIN 87-11-23/4/0477

1. SITUATION:

- A. CLEANUP CONTINUES. SHEEN DISSIPATING NEWARK BAY, KILL VAN KULL, UPPER AND LOWER BAYS.
- B. OIL CONTAINED NORTH SHORE KILL VAN KULL.
- C. CLEANUP CONTINUES ELIZABETH MARINE TERMINAL.

2. ACTION TAKEN:

- A. CONDUCTED MORNING AIRCRAFT SURVEY OF NEWARK BAY, KILL VAN KULL AND SHORE LINE.
- B. REMOVAL OF CONTAINED OIL CONDUCTED UTILIZING VACUUM TRUCKS. SORBENTS.
- C. CONTAINMENT BOOM AND SORBENT SWEEP REMOVED AS CLEANUP AT SITES IS COMPLETED.
- D. STRIKE TEAM PERSONNEL RELEASED.

3. FUTURE PLANS AND RECOMMENDATIONS:

- A. CONTINUE CLEANUP AS BEFORE.
- 4. CASE PENDS. MESSAGE TO FOLLOW AS DEVELOPMENTS OCCUR.

BT

NNNN

TOD-11:28:01:40:49

GROUP NEW YORK COMMUNICATIONS				
GROUP	COTP	SLOT		
COGARD	1	COXO	WTS NY	
OPS	1	PSO	STA NY	
PERF		WFO	ART NY	
SUPP		WFO	WFO	
PLC		WFO	WFO	
ENG		WFO	WFO	
SARAO			WFO	
PER REGION			WFO	
A - AIRCRAFT			WFO	
L - INFO OFFICE			WFO	

"CORRECTED COPY"

File Name {master}{SYSJ<MSGTEMP>8A1TTY>28014012NOV87

EPA REGION TWO
 545-8735
 11/1/87

RECEIVED
 DEC - 9 1987

INVESTIGATIONCASE #: 87 - 11 - 23 - 0102DWM FILE #: 09 - 01 - 13INVESTIGATOR: Dave OsterDATE: 2/1/88TIME ARRIVED: 1500TIME DEPARTED: 1615LOCATION: Gordon Terminal ServicesPROPERTY OWNER: John GordonADDRESS: 2 Hook Rd. - Box 143MAILING ADDRESS: SameBayonne 07002Hudson CountyLOCATION TELEPHONE #: 201-437-8300BLOCK: CLOT: 23 + OthersEPA ID #: NJD061076063LOCAL HEALTH DEPT. REP. ----TELEPHONE #: ----ORIGIN OF COMPLAINT: ----TELEPHONE #: ----NATURE OF COMPLAINT: ----PHOTOGRAPHS TAKEN: NOSAMPLE #: NONEFINDINGS: -----Contacts: Karl Kessler, Plant ManagerBob Hellein:Robert K. Hellein & Associates Inc.416 Utopia RoadApolla, Pa. 15613412-339-1188

Investigation: Arrived at Gordon Terminal and noted that clean-up has begun as per the recent letter from Robert Gordon to Dave Beeman, MFO. I contacted plant manager Karl Kessler, who directed me to Bob Hellein of Robert K. Hellein & Associates, who is directing the clean-up operation (field telephone # 339-9714). Mr. Hellein accompanied on an inspection of the facility and outlined procedures to be followed. The clean-up would appear to be a long-term operation as the entire surface of the facility remains coated with petroleum products.

As described by Mr. Hellein, the initial clean-up involves the repeated washing of a large pile of oil-contaminated metals with 190° water under 80 lbs. pressure. The water is stored in a 22,000-gal. tank and periodically the burned cut drums, pails and metallic building debris are sprayed with the hot water. The oil which leaches out is contained within an earthen dike and sucked up with a vac truck which operates full-time when weather conditions permit. Mr. Hellein said that the truck has been operating for days and picks up 3000 gallons of oil under good conditions.

INVESTIGATION

CASE # 87 - 11 - 23 - 0102

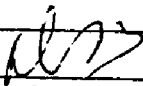
DATE 2/1/88

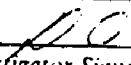
RECOMMENDATIONS AND CONCLUSIONS:

The metallic debris is periodically turned before rewashing and will ultimately be shipped off-site. During my inspection the metal pile was being turned but no washing was being done. I noted a small, steady stream of oil and water which flowed out of the pile and into a diked area where the vac truck was operating. This work is being done by A.C. Mazzocchi Co. of Madison, under supervision by Mr. Hellein. There will be no shredding operation on site, as MFO was previously informed. Mr. Hellein stated that the metal clean-up would probably take until the end of March.

Mr. Hellein informed me that the next step will be demolition of the burned-out building. They will clean out the foundation and fill in with decontaminated soil before beginning construction of a new building. Decontamination of soil will be done by flushing out the oil with hot water or steam. Mr. Hellein stated that petroleum penetration of soil is generally "minimal" and that for most of the facility 3-4" of soil need to be removed and treated. Ultimately the entire surface will be graded with concrete and all storage tanks will be contained within concrete dikes.

I inspected an earthen dike near the Kill Van Kull which contains several inches of oil, water and scum. Within the dike are 2 storage tanks which hold water that had been used in fire-fighting. No petroleum appears to be entering the waterway from this system—a few small sheens (one up to 4" across) were noted near the diked area but these may not even be attributable to Gordon Terminal. Although there is a discharge valve at the low end of the diked area, and a pipe leading to the Kill Van Kull, the petroleum does appear to be contained. Mr. Hellein stated that in each diked area he is attempting to keep water levels above the level of the discharge valve so that oil floating on top will not immediately discharge should a mishap occur.


Supervisor Signature


Investigator Signature

COPIES:

White - DWM File

Yellow - Local Health Dept

Pink - Inmate

ATTACTIERRA-B-014215.

INVESTIGATION

CASE # 87 - 11 - 23 - 0102

DATE 2/1/88

RECOMMENDATIONS AND CONCLUSIONS:

An oil-water separator is also operating near the Kill Van Kull dike and petroleum is periodically removed by vac truck.

Mr. Hellein said that in the future he will be diking the rest of the facility area by area and removing as much oil as possible. Another oil-water separator will be installed near the 22,000-gal. hot water tank. Mr. Hellein stated that the entire clean-up will take at least a year.

Recommendations & Conclusions: Clean-up should be closely monitored as potential exists for contamination of the Kill Van Kull. Although petroleum penetration of soil is undoubtedly greater than Mr. Hellein indicated (at least in some places), clean-up parameters should be considered in light of the extensive contamination which already exists on the Bayonne Hook. Additionally, Gordon Terminal itself is so contaminated that some procedures may have to be developed as the clean-up progresses. Clean-up should be monitored at least monthly, and perhaps more often when conditions warrant. MFO may want to request a written description of remedial action and possible time-table for completion.

AD

Supervisor Signature

David E. Carter

Investigator Signature

COPIES:

White - DWM File

Yellow - Local Health Dept.

Pink - Investigator

TIERRA-B-014216

INVESTIGATION

CASE # 87-11-23-CIC

DATE 2/1/88

SKETCH

Golden Terminal Services
2 Hek Rd, Roseton

Remediation
Building

machinery

oil-contaminated
mud

oil
runoff

oil & water
LULU TRUCK
HERE
on 2/1/88

earth dike

oil & water
Discharge Pt.

tank

burned
tank

VAC
TRUCK

Create Discharge Pits
with sump
(also vac truck)
(removal)

K. J. Van Kull

* will floating
oil

filtering
out solids

22000 gal
Hot Water
Tank *
PPG8

PPG7

will install
oil-water separator
in containment pit.

contain
water used
in firefighting
(w/ floating oil)

SCALE: 1" = 50' / 100'
Include directional arrow.

Supervisor Signature

[Signature]

Investigator Signature

[Signature]

COPIES

White - DWM File

Yellow - Local Health Dept.

Pink - Investigator

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

January 13, 1988

Mr. David Beeman
Bureau of Field Operations
Metro Region
2 Babcock Place
West Orange, NJ 07052

Dear Mr. Beeman:


On Monday, January 18, we plan to commence the first phase of our plant clean up and reconstruction program. The A.G. Mazzocchi Company of Madison, N.J. has been engaged to remove all non-contaminated metals from the fire site area. All contaminated metals will be segregated for treatment.

We anticipate awarding the building demolition contract soon.

We welcome your inspection of our clean up operation at all times.

Yours Truly,

GORDON TERMINAL SERVICE CO.
OF N.J., INC.


Robert M. Gordon
President

RMG/kah

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
METRO FIELD OFFICE

Phone Log

Date: 1/12/88 Time: 1:00

Case Name: Geneco Terminal Service File #: 09-CI-13

Summary Of Call: Talked to Carl Kessler (plant
manager) regarding progress of clean-up. Mr.
Kessler said that nothing was going on right
now but he thought that the shredding
operation would begin about 18 January 1988.
Mr. Kessler said that a letter regarding clean-up
was recently sent to Dave Beeman (NFC
Spills Supervisor).

I was informed that John Gordon had just
left, so I was unable to speak with him
regarding details.

Steve P. S.
Signature

INVESTIGATION

CASE #: _____

DWM FILE #: 07-01-13INVESTIGATOR: Dave OsterTIME ARRIVED: 1730LOCATION: Golden Terminal ServicesDATE: 1/5/88TIME DEPARTED: 1415ADDRESS: East of Hick RdPROPERTY OWNER: John GerkenBayonne 07002MAILING ADDRESS: SameHudson CountyLOCATION TELEPHONE #: 201-437-8300BLOCK: CLOT: 23 + othersEPA ID #: NJ00061076063

LOCAL HEALTH DEPT. REP. _____

TELEPHONE #: _____

ORIGIN OF COMPLAINT: _____

TELEPHONE #: _____

NATURE OF COMPLAINT: _____

PHOTOGRAPHS TAKEN: NoSAMPLE #: None

FINDINGS: I inspected Golden Terminal on 1/5/88 in order to determine progress of clean-up following a fire in late November 1987. Arriving on site I met with plant manager Carl Kessler. He informed me that John Gerken had just left and that he could take me around the facility.

Although conditions were poor for an inspection (frozen soil & snow cover), there was evidence of much surface contamination by oil. I kicked up several soft tarry lumps from under the snow, and there were several large piles of burnt-out metal drums, buckets and scrap all coated with oil. There was residual material in some containers, but none were leaking. Mr. Kessler informed me that a vacuum truck was regularly cleaning up surface contamination and removing leachate from the piles of metallic debris. He then instructed the Golden Terminal was telling bids that the shredding of scrap metal, which would then be vacuumed up and stored in a tank on site. I informed him that the Department was anxious to see the clean-up proceed as quickly as possible. Mr. Kessler stated that the snow cover and frozen soil were hindering clean-up efforts, and that he did not know when the shredding might begin as Mr. Gerken was handling the details of this.

Although conditions for inspection were poor, TIERRA-B-014220

INVESTIGATION

CASE # _____

DATE 1/5/88

RECOMMENDATIONS AND CONCLUSIONS:

was seen discharging into the Kill Van Kull. Mr. Kessler assured me that nothing was reaching the waterway and he showed me the earthen dike which has been raised between Kill Van Kull and the contaminated area. This dike is about 3 feet wide at the base and about 4 feet high.

It is recommended that further inspection be made, especially when weather conditions allow further observation of the containment system and its effectiveness in preventing discharge into the Kill Van Kull.

Supervisor Signature

Investigator Signature

COPIES:

White - DWM File

Yellow - Local Health Dept

Pink - Investigator

ATTACH: TIERRA-B-014221

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

5th Fl., 401 E. State St., Trenton, N.J. 08625

2 Babcock Place, West Orange, N.J. 07062

NOTICE OF VIOLATION

ID NO. NJ0061076063

DATE 3/9/88

NAME OF FACILITY Garden Terminal Service Co. at N.J. Inc.

LOCATION OF FACILITY 2 Hook Road, Bayonne Hudson County

NAME OF OPERATOR Robert M. Garden President

NOV issued to Robert Hellein (Garden Contractor)

You are hereby NOTIFIED that during my inspection of your facility on the above date, the following violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and Regulations (N.J.A.C. 7:26-1 et seq.) promulgated thereunder and/or the Spill Compensation and Control Act, (N.J.S.A. 58:10-23.11 et seq.) and Regulations (N.J.A.C. 7:1E-1 et seq.) promulgated thereunder were observed. These violation(s) have been recorded as part of the permanent enforcement history of your facility.

DESCRIPTION OF VIOLATION

N.J.S.A. 58:10-23.11c The discharge of a
hazardous substance (specifically petroleum
hydrocarbon) is prohibited.

Remedial action to correct these violations must be initiated immediately and be completed by as soon as possible. Within fifteen (15) days of receipt of this Notice of Violation, you shall submit in writing, to the investigator issuing this notice at the above address, the corrective measures you have taken to attain compliance. The issuance of this document serves as notice to you that a violation has occurred and does not preclude the State of New Jersey, or any of its agencies from initiating further administrative or legal action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are punishable by penalties of \$25,000 per violation.

David M. Cister
Investigator, Division of Waste Management
Department of Environmental Protection

David M. Cister

201-659-3981

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Spill FileFROM Dave Oster through Dave BeemanDATE March 14, 1988SUBJECT Clean-up at Grodon Terminal DHWM# 09-01-13

Gordon Terminal was re-inspected on 3 March 1988 in order to monitor clean-up progress. Dave Oster of MFO was joined on this inspection by George Cook of ECRA. Arriving on-site we met briefly with Bob Hellein, who is directing the clean-up and is the contractor for the new building. Mr. Hellein informed us that the first step in the clean-up process, washing contaminated metals with hot water under pressure, was not effective and that he would retain another contractor to remove these. Waste Conversion will be doing some of the work and Mr. Hellein is forwarding details by mail to MFO. Unfortunately Mr. Hellein was departing for Pennsylvania and could not accompany us on the inspection.

Proceeding to the work area we noted that the old Gordon Terminal building has been demolished. Contaminated debris and oily water in the fundation will be removed by Waste Conversion. The piles of oil-coated metals remain in place, but washing has ceased. A vac truck from Ken's Marine continues to operate daily as large quantities of oil and water remain within the diked areas. Mr. Hellein will also be placing a boom in the lower containment area near the Kill Van Kull, although this dike and its discharge valve appeared to be secure. However, sheens were observed on the water near pipes which drain the 2 concrete discharge pits (see map, previous inspection report). Although Mr. Hellein had said he was monitoring these pits, water levels were high and the oily water should be removed.

About 40 55-gallon drums of oily waste have been collected and are stored on-site. Drum condition is variable and a number of drums are not secure. An NOV could be written for this, but as most of the soil, debris and standing structures in the fire area are still covered with oil it seems pointless at this time. However, MFO should begin to exercise authority over the clean-up where appropriate.

The above problems should be brought to Mr. Hellein's attention with a possible NOV for the discharge to the Kill Van Kull. MFO should also request a written outline of clean-up plans for review, comment and approval. Although Mr. Hellein appears to be a competent engineer and builder he may not be sufficiently experienced in environmental remediation to undertake the entire job at Gordon Terminal.

D.O.
NOV sent 3/17/88



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director

2 Babcock Place

West Orange, N.J. 07052

201 - 669 - 3960

March 16, 1988

mailed 3/17/88

Robert K. Hellein
c/o Gordon Terminal Service Co.
2 Hook Road - Box 143
Bayonne, N.J. 07002

Dear Bob:

Please be aware that on our inspection of 9 March 1988 the following problems were noted at Gordon:

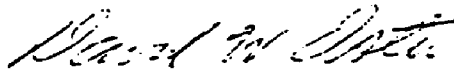
- 1) Extensive petroleum sheens were observed on the Kill Van Kull adjacent to the Gordon bulkhead. The sheens appeared to be emanating from a pipe draining one of the two concrete discharge pits. Water levels in the pits were high. The discharge is a violation of the N.J. Spill Compensation and Control Act, which prohibits the release of any hazardous substance into ground or surface waters of the State. Therefore enclosed find a Notice of Violation (NOV) for this discharge. Please take corrective action as soon as possible and inform this office.
- 2) About 40 55-gallon drums of oil and oily waste are stored on-site. Many of these drums are not secure and drum management could be improved. This would normally represent a violation of hazardous substance regulations, but as so much contamination remains in the area an NOV will not be issued at this time.

Robert K. Hellein
Page 2

Please give your attention to the above matters. We are also awaiting information regarding arrangements with Waste Conversion as NJDEP must review and approve any removal or disposal of contaminants. I will be scheduling another inspection shortly and will discuss these points with you.

If you have any questions or require further information, please contact me at 669-3981.

Sincerely,



David W. Oster
Environmental Specialist

cc: Robert M. Gordon

DWO/gr

ATTACHMENT F15

TIERRA-B-014225

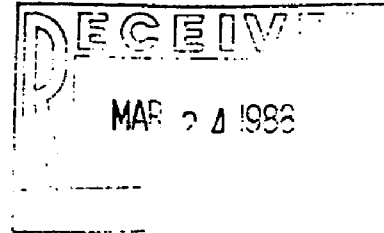
Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

March 18, 1988



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
2 Babcock Place
West Orange, New Jersey 07052

Attn: Mr. David W. Oster

Dear Mr. Oster:

We are in receipt of your letter of March 16, 1988 regarding your inspection of our facility on March 9, 1988.

The petroleum sheens you reference in paragraph numeral (1) have been cleaned up. Containment and sorbent boom had been deployed around all discharge points within 9 hours of the outbreak of the fire. Due to a misunderstanding with one of our clean-up Contractors, Ken's Marine, the boom had been temporarily removed. The boom has been redeployed and will remain in place at all times until the entire clean-up operation is completed.

The pipe to which you refer has been blinded off and there is no discharge into the Kill. The discharge points are being carefully monitored as we continue the clean-up and demolition operations.

The 55 gallon drums referred to in paragraph numeral (2) were in fact part of the clean-up operation. In the first hours of the fire, we had contracted four separate clean-up companies. Prior to determining where we would store the large volume of oil these companies were capturing, we filled 34 drums from the initial vacuum truck. A tank was chosen shortly thereafter and all of the drums have been pumped off.

I believe Mr. Robert Gordon spoke to you on March 17, 1988 regarding arrangements made with Waste Conversion. I trust this is satisfactory with the Department, and hope that this information will be helpful.

State of New Jersey
D.E.P.
Division of Hazardous Waste Management
2 Babcock Place
West Orange, N.J. 07052
Page 2

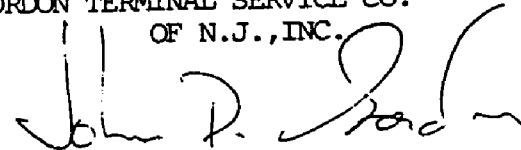
March 18, 1988

As always, we are very anxious to comply with the DEP, and appreciate your help and input.

If I can be of any further service, please do not hesitate to call.

Sincerely,

GORDON TERMINAL SERVICE CO.
OF N.J., INC.


John D. Gordon

JDG/ajk

cc: Bob Hellein

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
METRO FIELD OFFICE

09-01-1

Phone Log

Date: 3/18/88 Time: 1030

Case Name: Garden Terminal File #: 09-01-13

Summary Of Call: Returned Robert Garden's call concerning

the letter & NEW sent to Garden Terminal, NJ.

Garden said the sheen was present on the

kill Van Kill because Ken's person had mistakenly

removed boom- it is now back in place. They

are also mowing out the skins of oil spill

material via West's Corporation. They are being

properly monitored & MFD can receive an out

inspection. I told Mr. Garden that I would be

returning on 3/22/88 to inspect and speak with

Ken's person.

L. J.
Signature

ATTACHMENT F10

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

March 30, 1988

State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
2 Babcock Place
West Orange, New Jersey 07052

Attn: Mr. David W. Oster

Dear Mr. Oster:

Enclosed please find a cross-section sampling of copies of Manifests for material removed from Gordon Terminal Service Co. of N.J., Inc. as a result of the fire of November 22, 1987.

As discussed during your inspection of March 23, 1988, the Contractors involved in this project are as follows:

- a) R. K. Hellein Assn. is the primary Contractor overseeing the demolition, containment, recovery, separation, and logistical coordination of all parties involved;
- b) A. G. Mazzocchi, Inc. is the demolition Contractor;
- c) Ken's Marine Co. is the recovery and clean-up Contractor;
- d) Waste Conversions, Inc. is handling the waste disposal.

Our best estimate of completion of the clean-up phase of this Project is the end of April.

If I can be of any further assistance, please do not hesitate to call.

Sincerely,

GORDON TERMINAL SERVICE CO.
OF N.J., INC.


John D. Gordon

JDG/ajk

cc: RMGordon
RKHellein
TSGordon

ATTACHMENT F1

TIERRA-B-014229



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

Form Approved: OMB No. 2050-0039. Expires 9-30-88

Please type or print in black letters. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. NJ1010141107161016310121011		Manifest Document No. 2. Page 1 of 1		Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address GORDON'S TERMINAL SERVICES 2 HOOK ROAD BAYONNE NJ 07002				A. State Manifest Document Number NJ 0415584			
4. Generator's Phone (201) 437-8300 440				B. State Generator's ID SAME			
5. Transporter 1 Company Name WASTE CONVERSION, INC.				C. State Trans. ID DEC NO. 5-6309			
7. Transporter 2 Company Name WASTE CONVERSION, INC.				D. Transporter's Phone (201) 632-8996			
9. Designated Facility Name and Site Address WAYNE DISPOSAL 41350 N. SERVICE DR BELLEVILLE NJ 08011				E. State Trans. ID DEC NO. 5-6309			
				F. Transporter's Phone (201) 632-8996			
				G. State Facility's ID			
				H. Facility's Phone (201) 632-8996			
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM		12. Containers No. Type		13. Total Quantity		14. Unit Wt/Vol	
a. WASTE OIL CONTAMINATED SOIL NON-REGULATED		1		18 Y		X171215	
b.							
c.							
d.							
J. Additional Descriptions for Materials Listed Above a. S/T oil-contam soil b. debris		K. Handling Codes for Wastes Listed Above a. b. c. d.					
15. Special Handling Instructions and Additional Information L20 CODE 3561 NL 44180 LC NET NOT A HAZARDOUS WASTE AS DEFINED BY 40CFR PART 261							
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford							
Printed/Typed Name R. K. HELLEN				Signature [Signature]		Month Day Year 10/31/61812	
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name Carl S. [Signature]				Signature [Signature]		Month Day Year 10/31/61812	
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name				Signature		Month Day Year	
19. Discrepancy Indication Space							
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19 Printed/Typed Name				Signature		Month Day Year	

NJ 0415584



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

Form Approved. OMB No. 2050-0039. Expires 9-30-88

Please type or print in block letters. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. NJDD0611076063000017	Manifest Document No. 1	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address GORDON'S TERMINAL SERVICES 2 HOOK ROAD BAYONNE NJ 07002			A. State Manifest Document Number NJ A 0415671			
4. Generator's Phone (201) 437-8300			B. State Generator's ID SAME			
5. Transporter 1 Company Name JACK GRAY TRUCKING			C. State Trans. ID S-8775			
6. US EPA ID Number INID04125341875			D. Transporter's Phone (219) 938-7000			
7. Transporter 2 Company Name			E. State Trans. ID			
8. US EPA ID Number			F. Transporter's Phone			
9. Designated Facility Name and Site Address WAYNE DISPOSAL, INC 49350 N. SERVICE DR BELLEVILLE, ME 48111			G. State Facility's ID			
10. US EPA ID Number MIID048090633			H. Facility's Phone (313) 687-7830			
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM a. WASTE OIL CONTAMINATED SOIL NONE REGULATED			12. Containers No. Type	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
			XX 1 LT	XX 1	Y	X 725
J. Additional Descriptions for Materials Listed Above CONTAMINATED SOIL SAT AND DEBRIS			K. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information LAB CODE 8561 WC NJ SPECIAL WASTE - NOT A HAZARDOUS WASTE AS DETERMINED BY 40 CFR PART 261						
16. GENERATOR CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
Printed/Typed Name A. H. HARRIS			Signature A. H. HARRIS		Month Day Year 11/1/88	
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name MIKE MARSHALL			Signature MIKE MARSHALL		Month Day Year 03/18/89	
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name			Signature		Month Day Year	
19. Discrepancy Indication Space						
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name			Signature		Month Day Year	

NJA0415671



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

Form Approved. OMB No. 2050-0039. Expires 9-30-88

Please type or print in block letters. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. NJ100611017606350015	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address GORDON'S TERMINAL SERVICES 2 HOOK ROAD BAYONNE NJ 07002 4. Generator's Phone (201) 437-8300			A. State Manifest Document Number NJ0415679		
5. Transporter 1 Company Name VO-CON			B. State Generator's ID SAME		
6. US EPA ID Number PA1009711550114			C. State Trans. ID DE-S-7465		
7. Transporter 2 Company Name			D. Transporter's Phone (215) 807-8300		
8. US EPA ID Number			E. State Trans. ID		
9. Designated Facility Name and Site Address WAYNE DISPOSAL, INC. 49350 N. SERVICE DRIVE BELLEVILLE, MI 48111			F. Transporter's Phone		
10. US EPA ID Number MTIND4180910633			G. State Facility's ID		
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM			H. Facility's Phone (313) 647-7830		
			12. Containers	13. Total Quantity	14. Unit Wt/Vol
			No.	Type	
a. WASTE OIL CONTAMINATED SOIL NON REGULATED			XXI	DT	XXI X113
b.					
c.					
d.					
J. Additional Descriptions for Materials Listed Above CONTAMINATED SOIL AND DEBRIS			K. Handling Codes for Wastes Listed Above		
15. Special Handling Instructions and Additional Information LAB CODE 8561 WC NET WT 43.060 LB N.I.S. SPECIAL WASTE - NOT A HAZARDOUS WASTE AS DEFINED BY 40CFR PART 261					
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this assignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment, OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.					
Printed/Typed Name Mark L. Hollen			Signature Mark L. Hollen		Month Day Year 10/3/85
17. Transporter 1 Acknowledgement of Receipt of Materials			Month Day Year		
Printed/Typed Name Gordon			Signature Gordon		Month Day Year 10/3/85
18. Transporter 2 Acknowledgement of Receipt of Materials			Month Day Year		
Printed/Typed Name			Signature		Month Day Year
19. Discrepancy Indication Space					
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19					
Printed/Typed Name			Signature		Month Day Year



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

Form Approved. OMB No. 2050-0039. Expires 9-30-88

Please type or print in block letters. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.	Manifest Document No.	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address GORDON'S TERMINAL SERVICES 2 Hook Road BAYONNE NJ 07008 4. Generator's Phone (201) 437-9300		5. Transporter 1 Company Name WASTE CONVERSION		6. US EPA ID Number RAD0456910598	
7. Transporter 2 Company Name		8. US EPA ID Number		9. Designated Facility Name and Site Address WAYNE DISPOSAL, INC 49350 N. SERVICE DRIVE BELLEVILLE MI 48111	
10. US EPA ID Number		11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM a. WASTE OIL CONTAMINATED SOIL NON REGULATED		12. Containers No. Type XX1 DT XX1/8 Y X725	
13. Total Quantity		14. Unit Wt/Vol		15. Waste No.	
16. Additional Descriptions for Materials Listed Above CONTAMINATED SOIL ST AND DEBRIS		17. Handling Codes for Wastes Listed Above		18. Special Handling Instructions and Additional Information LAB CODE: 8561 WC NET WEIGHT 48,960 LB NJ SPECIAL WASTE - NOT A HAZARDOUS WASTE AS DEFINED BY 40CFR PART 261	
19. Generator's Certification: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford		20. Printed/Typed Name Mark L. Hellein		21. Signature Mark L. Hellein	
22. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name Signature		23. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name Signature		24. Discrepancy Indication Space	
25. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. Printed/Typed Name		26. Signature		27. Month Day Year 03/22/88	

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Spill File *DU* DATE 5/12/88
FROM Dave Oster thru Dave Beeman
SUBJECT Cleanup at Gordon Terminal DHWM #09-01-13

Gordon Terminal was re-inspected on 5/10/88 in order to monitor cleanup progress. Arriving on-site I met with Bob Hellein, Gordon contractor, who accompanied me on a tour around the facility. Mr. Hellein told me that 226 truck loads of X725 soil have been removed from Gordon, and he estimates another 300 tons remain. In the upper area of Gordon, near the old building, only a small amount of highly contaminated soil remains, and much surface soil has been scraped off. The concrete pad where oil-coated metals were stacked for washing was being ground down on the day of my inspection. The concrete wall above this pad has been scoured and washed, and will remain in place.

In the lower diked area next to the Kill Van Kull a fairly large amount of oil and water is still present, but less than in the past. Ken's Marine continues to use a vac-truck here on a daily basis. Mr. Hellein also plans on using a floating skimmer pump which will operate 24 hours a day. Booms are in place around the discharge points (below the diked area and below the concrete discharge pits) and only a slight sheen was observed around the Gordon bulkhead. The discharge pipes will be dead headed. The two concrete discharge pits had a considerable amount of material in them (water, oil and green dye used in anti-freeze), and I suggested to Mr. Hellein that he have this pumped out.

Mr. Hellein has also completed work on a large oil-water separator which will be used to treat contaminated water presently stored in several 200,000-gallon tanks. This water had been used to wash the oil-coated metals and in the initial fire-fighting. He has also renovated several smaller storage tanks and recently put one back into service. Mr. Hellein told me that the Gordons were in the process of obtaining a permit for the new building and that work would begin as soon as possible.

Conditions at Gordon Terminal have improved markedly over the last two months. Only a small amount of visible contamination exists in the upper area, and oil in the lower diked area is still present but reduced. Cleanup is proceeding more quickly than I expected, and should be completed with a few months. However, monitoring and spot remediation will likely be necessary as contaminants may continue to migrate downgradient via the old discharge pipes or be flushed out of soils.

ATTACHMENT **F29**

TIERRA-B-014234

MEMO**NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

TO Spill File ^{no} AB DATE June 9, 1988
 FROM Dave Oster through Dave Beeman
 SUBJECT Cleanup Progress at Gordon Terminal DHWM #09-01-13

Gordon Terminal was reinspected on 6/8/88 in order to monitor cleanup progress. Manifests for removal and disposal of contaminated soils were also examined. Gordon is now mostly "dry" (i.e., most standing liquid and wet soils have been removed) and construction for the new building has been approved by the City of Bayonne.

The manifest review indicated that 129 truck loads of X725 waste (oil contaminated soil and debris) have been sent to Michigan for disposal. Most of this amount was carried by Waste Conversion, via their Hatfield, Pa. facility to Wayne Disposal in Belleville, Mich. Some loads were taken by other carriers. Eleven truck loads, designated as "wet loads" or "slop" by Waste Conversion, were subsequently manifested from Hatfield to Michigan Disposal (same address as Wayne but different EPA ID number). On Michigan manifest forms with reference to the original N.J. Manifest. All manifests appear to be in order, including copies from the disposal facilities.

Inspection of Gordon Terminal indicated that additional soils will have to be removed, especially around the foundation of the demolished building. The lower diked area near the Kill Van Kull, now mostly dry, must also be scraped out. This should amount to at least several more truckloads. Only a small pool of oily water remains within the dike, and seepage of ~~contaminant~~ ^{contaminant} from up-gradient seems to have stopped. A boom is still in place around one of the discharge valves-the other will be by-passed when a new oil-water separator is constructed.

Another oil-water separator, inspected on my previous visit, is almost ready to operate. This will be used to ^{at} contaminated water stored in tanks PPG 7 and 8 (water used in initial firefighting and in washing of oil-coated metals). This water will first be treated by draining off the underlying water layer to another tank, leaving the petroleum and accumulated sludge. The water will then be piped to the separator, and subsequently discharged. I told Mark Hellein (of Robert K. Hellein Associates-Gordon Contractor) that any such discharge would have to be approved by the DEP. Mr. Hellein also inquired about DEP approval for the new building. If this is forthcoming, construction can begin in July. I did not give Mr. Hellein a definite answer, but pending removal of additional contaminated soils, approval should be given.

09-01-13

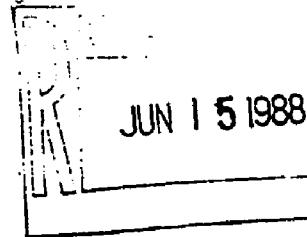
Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

June 13, 1988



State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
2 Babcock Place
West Orange, New Jersey 07052

Attn: Mr. David W. Oster

Dear Mr. Oster:

We have completed the property clean up of the pollutants resulting from the fire of November 22, 1987. We plan to begin construction of a new warehouse and manufacturing building to replace the structure destroyed in the fire in three or four weeks. This new building will be erected on the site of the former building.

Please advise if you require any further information. In the absence of such a request, we presume that all DEP requirements with respect to this matter have been met.

Yours very truly,

A handwritten signature in dark ink, appearing to read "John D. Gordon". The signature is fluid and cursive, with a large initial "J" and "D".

John D. Gordon
Vice President

JDG/ajk



9-01-13

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Treia, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201 - 669 - 3960

June 17, 1988

Gordon Terminal Service Co.
of New Jersey, Inc.
Box 143
2 Hook Road
Bayonne, NJ 07002

Attn: Mr. John D. Gordon

Dear Mr. Gordon:

In response to your letter of June 15, 1988, please be advised that Gordon Terminal may begin construction of the new building once removal of contaminated soil in the area of the old foundation is completed. On my last inspection of Gordon (June 8), I noted that a small amount of "dirty" soil remains here. Once removal is accomplished, Metro Field Office will have no objection to beginning the new construction. I will schedule a visit to Gordon Terminal during the week of June 20, or at a time of your choosing, in order to make a final pre-construction check. I have also spoken to the Bureau of ECRA Applicability and Compliance regarding this construction. BEAC has informed me that although Gordon Terminal may be considered as subject to ECRA cleanup, there are no provisions regarding construction, and ECRA will therefore not object to beginning work on the new facility.

Please also be advised that any discharge of the water presently stored in the 400,000-gallon tank (PPG-7) may require an appropriate permit or permit modification from Division of Water Resources. As I understand, this tank holds oily water which was used in the initial fire-fighting and in the washing of contaminated metals. Current plans call for the water to be treated in an oil-water separator and then discharged to the Kill Van Kull. I have spoken to Thomas Harrington, DWR Supervisor for Monitoring and Compliance, Metro Office, regarding this matter and am awaiting a decision. You may wish to contact him directly at 201-669-3900.

Gordon Terminal Service Co.

June 17, 1988

Page 2

If you have any questions, or require further information, please call me at 669-3981.

Sincerely,

David W. Oster
Environmental Specialist

DWO:jap



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Treia, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201 - 669 - 3960

JUL 28 1988

MEMORANDUM

TO: Tom Harrington, Supervisor
Monitoring and Compliance
DWR Metro Field Office

FROM: ^{P.O.} David Oster, Environmental Specialist
Metro Bureau of Field Operations

THROUGH: ¹⁶ David Beeman, Section Chief
Metro Bureau of Field Operations

SUBJECT: Proposed Discharge at Gordon Terminal, Bayonne
DHWM #09-01-13

DATE: July 22, 1988

On 6/16/88 MBFO verbally informed DWR Metro Office that Gordon Terminal wishes to treat and discharge to the Kill Van Kull oily water stored in a 400,000-gal above-ground tank. This tank (PPG-7) holds water used in fighting the fire of November 1987, and water used in washing down oil-coated metals during cleanup operations. At this time the treatment and discharge of water from tank PPG-7 should be formally referred to DWR. The owners of Gordon Terminal have been informed that any discharge from this tank may require an appropriate permit or permit modification from Water Resources.

MBFO also refers to DWR the possible need for a NJPDES discharge to ground-water permit at Gordon, as the fire may have caused the release of some contaminants to sub-surface waters. Installation of wells may be necessary in order to establish discharge parameters and to monitor for compliance.

Any additional questions regarding the initial spill incident at Gordon Terminal, remedial actions subsequently undertaken, or proposed discharge from tank PPG-7 should be directed to Dave Oster of MBFO.

DWO:jap

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Spill File *DD* *nb* DATE August 8, 1988
FROM Dave Oster through Dave Beeman
SUBJECT Status of Cleanup at Gordon Terminal
DHWM #09-01-13

Gordon Terminal was inspected on 8/4/88 in order to monitor cleanup progress. On this date I met with Bob Hellein, Gordon contractor, who accompanied me on a tour of the facility. Gordon Terminal is now virtually "dry," with only a few small puddles of water and no observable petroleum contamination. Mr. Hellein is currently working around the foundation of the old building in preparation for new construction.

We inspected a portion of the old foundation alongside which oily soil was noted on a previous visit. This soil (about 10 cubic yards) has been removed and is stored on a concrete slab. Mr. Hellein said he wanted to keep the material on-site until a full truck-load is accumulated, at which time another shipment will be made via Waste Conversion. This would be the 130th shipment of X725 soil.

We next inspected the new oil-water separators which are larger and hopefully more efficient than the old system. Mr. Hellein hopes to have these separators tied in and on-line by mid-August. The discharge pipe below the shell dike will then be dead-headed. The pipe leading from the old building to the concrete discharge pit will be cut and blocked, eliminating the second of the old discharge points. The pit will then be reconditioned to act as a catch basin to drain rain water from the southeast corner of the property (stormwater would otherwise collect here as a containment wall will be built around the seaward sides of the pit). Although a discharge of oil and green antifreeze dye was noted on a previous visit, following heavy rains, no discharge to the Kill Van Kull was noted on this date.

Mr. Hellein also inquired about run-off from the roof of the new building. He wondered if a single pipe carrying the run-off to the Kill Van Kull would require permitting by the DEP. I informed him that if probably would. I also mentioned that the 400,000-gal. tank of oily water has been referred to DWR for appropriate permit or modification of existing permit. Mr. Hellein was already aware of this.

ATTACHMENT F30

TIERRA-B-014240

CONCLUSION:

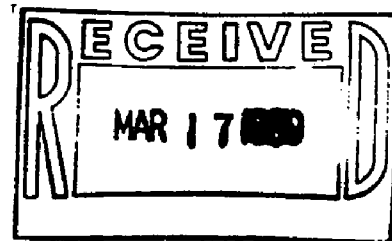
Conditions at Gordon Terminal continue to improve. No surface petroleum remains and virtually all visibly contaminated soil has been removed. The new separators are larger and purportedly more efficient than the old system, and will be tied into individual diked and surfaced area so inflow can be better regulated. The new system is designed to minimize any discharge to soils or surface water. As remaining sub-surface contaminants may represent a continuous discharge to groundwater an appropriate referral has been made to DWR. In consideration of the above, MBFO should soon be able to phase out involvement with the Gordon cleanup.

DO:jap

07-01-13

Gordon Terminal Service Co. of NJ, Inc.

P. O. Box 143
Bayonne, N.J. 07002
201 — 437-8300



March 14, 1989

New Jersey Dept. of Environmental Protection
Metro Bureau of Regional Enforcement
Division of Water Resources
2 Babcock Place
West Orange, NJ 07052

Dear Mr. Harrington:

This is in response to Mr. David Oster's letter of July 26, 1988 to our Mr. John Gordon.

We propose to dispose of the oil and water mixture in tank PPG-7 by employing the services of Safety-Kleen Oil Services, Inc. of Buffalo, New York. Safety-Kleen's method of disposal is outlined in the enclosed letter proposal which we have accepted subject to your concurrence.

We will call you in a few days to discuss any questions you may have concerning this matter.

Very truly yours.

Thomas S. Gordon
Vice President

TSG/kc

Enclosure

cc: Mr. David W. Oster ✓

ATTACHMENT F³²

TIERRA-B-014242

C. Div. of Water -
RME
TSC
MHE
JDC
MARK H. HELLIN
CWIC



JUL 23 1988

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
John J. Trela, Ph.D., Acting Director
2 Babcock Place
West Orange, N.J. 07052
201-669-3960

July 26, 1988

Mr. John D. Gordon
Gordon Terminal Service Co
Box 143
1 Hook Road
Bayonne, NJ 07002

Dear Mr. Gordon:

Please be advised that the matter of oily water stored in tank PPG-7 has been officially referred by Division of Hazardous Waste Management to Division of Water Resources, Metro Office. Any proposed discharge from this tank should be discussed with Thomas Harrington, DWR Supervisor for Monitoring and Compliance (201-669-3900).

If you have any questions please feel free to contact me at 201-669-3981.

Sincerely,

A handwritten signature in cursive script, appearing to read "David W. Oster".

David W. Oster
Environmental Specialist

DWO:jap



TEL (716) 855-2311
FAX (519) 648-2658

February 3, 1989

Robert Gordon
Gordon Terminal Service Co.
P.O. Box 313
McKees Rocks, PA 15136

Dear Mr. Gordon:

We have extensively analyzed the oil and water mixture which you are now holding in your Tank #PPG-7. We propose to process this material in the following manner:

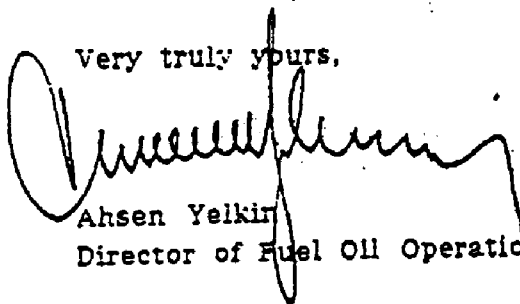
We will be pretreating the oil water emulsions by use of emulsion breaking (surfactants) chemicals at below boiling temperature of the mixture, while agitating. After allowing it to settle we will pump off the water phase into a holding tank. The remaining emulsion still containing some water but not possible to separate by the pretreatment methods then will be sent to our dehydration plant. At this section we will boil off the remaining water then condense it and pump it off to the holding tank mentioned above. From this holding tank the water then flows to a neutralization tank where the pH is adjusted. After further pH adjustment, flocculating agents are added to aid in the coagulation and flocculation of the settleable solids. After treatment by a combination dissolved air floatation and clarifier, the treated water is directed to a holding tank where it is sampled and analyzed prior to sewer discharge.

Our charge for this service will be \$0.3025 per gallon. This is based on a volume of approximately 215,000 gallons of material to be delivered via transports at the rate of one transport per day, five days per week. If we find that we can handle the material at a faster rate, we will do so, but we do not anticipate that faster processing will effect our fee. The cost of transportation from your facility to our Buffalo plant is not included in our fee; we will expect you to handle that charge and all carrier demurrage charges directly with the carriers of your choice.

If you should choose Safety-Kleen Oil Services to handle your transportation needs we will be happy to supply you with our transport units. The charges for these loads will be \$1,400.00 per load (minimum 6000 gallons) including four (4) hours of loading and unloading time. The demurrage charges will be at a rate of \$35.00 per hour when allowable limit is exceeded.

Thank you in advance for choosing Safety-Kleen Oil Services for your disposal and treatment needs. Please do not hesitate to call me at 716/855-2311 if you should have any questions.

Very truly yours,



Ahsen Yelkin
Director of Fuel Oil Operations

ATTACHMENT G



State of New Jersey

ORDER APPROVALS

Order addressed to:

Mr. John Gordon, General Manager
Gordon Terminal Service Company

Administrative Order and Notice
Subject: of Civil Administrative Penalty
Assessment

For Signature of: Asst. James K. Hamilton

(SIGN-OFFS)

Sicy Jacob
Person who prepared Order

Peter T. Lynch
Bureau Chief

REMARKS:

This administrative order is issued to
Gordon Terminal Service Company for
Violations of the New Jersey Water
Pollution Control Act, N.J.S.A. 10A-1
et seq. A Civil Administrative Penalty
in the amount of \$259,000 has been assessed
against Gordon Terminal for exceeding the
discharge limits of its NJPDES permit.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES

CN 029

Trenton, N.J. 08625-0029

Jorge H. Berkowitz, Ph.D.
Acting Director

(609) 292-1637
Fax # (609) 984-7938

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Gordon, General Manager
Gordon Terminal Service Company
2 Hook Road
Bayonne, NJ 07002

Dear Mr. Gordon:

Re: Administrative Order and
Notice of Civil Administrative Penalty Assessment
Gordon Terminal Service Company
Bayonne/Hudson County

There is enclosed for service upon you an Administrative Order and Notice of Civil Administrative Penalty Assessment issued by the Department pursuant to the provisions of the Water Pollution Control Act, N.J.S.A. 58:10A-10b and d.

If you have any questions concerning this Administrative Order and Notice of Civil Administrative Penalty Assessment please contact Mr. Peter T. Lynch, P.E., Chief, Bureau of Regional Enforcement, 2 Babcock Place, West Orange, New Jersey, 07052 or by telephoning (201) 669-3900.

Very truly yours,

James K. Hamilton
Assistant Director
Enforcement Element

Enclosure



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES

CN 029

Trenton, N.J. 08625-0029

Jorge H. Berkowitz, Ph.D.
 Acting Director

(609) 292-1637
 Fax # (609) 984-7938

IN THE MATTER OF : ADMINISTRATIVE ORDER AND
 GORDON TERMINAL : NOTICE OF CIVIL ADMINISTRATIVE
 SERVICE COMPANY : PENALTY ASSESSMENT

This Administrative Order and Notice of Civil Administrative Penalty Assessment is issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (hereinafter "NJDEP" or "Department") by N.J.S.A. 13:1D-1 et seq. and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and duly delegated to the Assistant Director or Bureau Chief of the Division of Water Resources, Enforcement Element pursuant to N.J.S.A. 13:1B-4.

FINDINGS

1. Gordon Terminal Service Company (hereinafter "Gordon") operates a facility located at Block C, Lot 23, 2 Hook Road, Bayonne, Hudson County, New Jersey.
2. NJDEP issued a New Jersey Pollutant Discharge Elimination System ("NJPDES") Permit No. NJ0033014 (hereinafter " the Permit") to Gordon on June 4, 1987. The effective date of the Permit was August 1, 1987 and the expiration date is July 31, 1992.
3. Pursuant to the Permit Gordon, discharges pollutants, as defined by N.J.A.C. 7:14A-1.9, into the waters of the State.
4. No person shall discharge any pollutant except in conformity with a valid NJPDES Permit issued pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT
PAGE 2 OF 6

5. Part III Section B/C of the Permit sets forth specific parameters to be reported on Discharge Monitoring Reports (hereinafter "DMRs") and identifies discharge limitations for each parameter for each permitted outfall.

6. Gordon has submitted DMRs to NJDEP as required by Part 11 Section I(1) of the Permit for the period of February 1, 1988 through January 31, 1989. The DMRs demonstrate that Gordon has violated the discharge limits of the Permit. Listed below are the dates and parameters which were violated.

Monitoring Period	Outfall #	Discharge Parameter	Permit Limits	Reported Results
2/1/88- 4/30/88	002	Trichloro-ethylene	65 ug/l	2200 ug/l
2/1/88- 4/30/88	002	Methylene Chloride	55 ug/l	900 ug/l
2/1/88- 4/30/88	002	BOD	50 mg/l	99 mg/l
2/1/88- 4/30/88	002	TOC	50 mg/l	52.8 mg/l
2/1/88- 4/30/88	002	TSS	50 mg/l	131 mg/l
2/1/88- 4/30/88	001	pH	6.5/8.5	8.75/11.6
2/1/88- 4/30/88	001	BOD	50 mg/l	170 mg/l
2/1/88- 4/30/88	001	TOC	50 mg/l	362 mg/l
2/1/88- 4/30/88	001	Methylene Chloride	55 ug/l	430 ug/l
2/1/88- 4/30/88	001	Trichloro-ethylene	65 ug/l	1300 ug/l
5/1/88- 7/31/88	001	BOD	50 mg/l	60 mg/l
8/1/88- 10/31/88	001	BOD	50 mg/l	93.6 mg/l

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT
PAGE 3 OF 6

8/1/88- 10/31/88	001	TOC	50 mg/l	132 mg/l
8/1/88- 10/31/88	001	Trichloro- ethylene	65 ug/l	71 ug/l
11/1/88- 1/31/89	001	BOD	50 mg/l	106 mg/l
11/1/88- 1/31/89	001	TOC	50 mg/l	175 mg/l
11/1/88- 1/31/89	001	pH	6.5/8.5	8.85/9.25
11/1/88- 1/31/89	001	Trichloro- ethylene	65 ug/l	144.5 ug/l
11/1/88- 1/31/89	001	Tetrachloro- ethylene	65 ug/l	99.5 ug/l

The following abbreviations were used in the table above:

TOC - Total Organic Carbon
BOD - Biochemical Oxygen Demand
TSS - Total Suspended Solids

7. Based on the facts set forth in these FINDINGS, the Department has determined that Gordon has violated the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., specifically N.J.S.A. 58:10A-6, and the regulations promulgated pursuant thereto, N.J.A.C. 7:14A-1 et seq., specifically N.J.A.C. 7:14A-1.2.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

8. Gordon shall discharge pollutants only in conformity with NJPDES Permit No. NJ0033014, the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the regulations promulgated pursuant thereto, N.J.A.C. 7:14A-1.1 et seq.

9. No obligations imposed by this Administrative Order are intended to constitute a debt, damage claim, penalty or other civil action which should be limited or discharged in a bankruptcy proceeding. All obligations

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT
PAGE 4 OF 6

imposed by this Administrative Order shall constitute continuing regulatory obligations imposed pursuant to the police powers of the State of New Jersey, intended to protect the public health, safety, welfare and environment.

10. This Administrative Order shall be effective upon receipt.

NOTICE OF CIVIL ADMINISTRATIVE PENALTY ASSESSMENT

11. Pursuant to N.J.S.A. 58:10A-10d and N.J.A.C. 7:14-8.1 et seq., and based upon the above FINDINGS, NJDEP has determined that a civil administrative penalty should be assessed against Gordon in the amount of \$259,000.00. NJDEP's rationale for this Civil Administrative Penalty is set forth in Appendix A which is attached hereto and incorporated herein.

12. Payment of the penalty is due when a final order is issued by the Commissioner subsequent to a hearing if any, or when this Notice of Civil Administrative Penalty Assessment becomes a final order (see following paragraph). Payment shall be made by certified or cashier's check payable to "Treasurer, State of New Jersey" and shall be submitted to:

Peter T. Lynch P.E., Chief
Metro Bureau of Regional Enforcement
Division of Water Resources
2 Babcock Place
West Orange, NJ 07052

13. If no request for a hearing is received within twenty (20) calendar days from receipt of this Notice of Civil Administrative Penalty Assessment, it shall become a final order upon the twenty-first calendar day following its receipt by Gordon, and the penalty shall be due and payable.

NOTICE OF RIGHT TO A HEARING

14. Gordon is entitled to an administrative hearing. Any hearing request shall be delivered to the address referenced in paragraph 12 above within twenty (20) calendar days after receipt by Gordon of this Administrative Order and Notice of Civil Administrative Penalty Assessment.

15. Gordon shall, pursuant to N.J.A.C. 7:14-8.4(a) in its request for a hearing furnish NJDEP with the following:

- a. The name, address and telephone number of Gordon and its authorized representative;

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT
PAGE 5 OF 6

- b. Gordon's defenses to each of the findings of fact stated in short and plain terms;
- c. an admission or denial of each of the findings of fact. If Gordon is without knowledge or information sufficient to form a belief as to the truth of a finding, Gordon shall so state and this shall have the effect of a denial. A denial shall fairly meet the substance of the findings denied. When Gordon intends in good faith to deny only a part or a qualification of a finding, Gordon shall specify so much of it as is true and material and deny only the remainder. Gordon may not generally deny all of the findings but shall make all denials as specific denials of designated findings. For each finding Gordon denies, Gordon shall allege the fact or facts as Gordon believes it or them to be;
- d. information supporting the request and specific reference to/or copies of other written documents relied upon to support the request;
- e. an estimate of the time required for the hearing (in days and/or hours); and,
- f. a request, if necessary, for a barrier-free hearing location for physically disabled persons;

GENERAL PROVISIONS

- 17. This Administrative Order and Notice of Civil Administrative Penalty Assessment is binding on Gordon, its principals, directors, officers, agents, successors, assigns, any trustee in bankruptcy or other trustee, and any receiver appointed pursuant to a proceeding in law or equity.
- 18. Gordon shall submit all documents required by this Administrative Order and Notice of Civil Administrative Penalty Assessment by certified mail, return receipt requested or by hand delivery to the address in paragraph 12 above.
- 19. Notice is given that pursuant to N.J.S.A. 58:10A-10d, NJDEP is authorized to assess a civil administrative penalty of not more than \$50,000 for each violation, and each day during which the violation continues shall constitute an additional, separate and distinct offense.

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT
PAGE 6 OF 6

20. Notice is given that this Administrative Order and Notice of Civil Administrative Penalty Assessment is issued only for the violations identified in the Findings hereinabove and that violations of any statutes, rules or permits other than those herein cited may be cause for additional enforcement actions, either administrative or judicial, being instituted without further notice. By issuing this Administrative Order and Notice of Civil Administrative Penalty Assessment the Department does not waive its rights to initiate additional enforcement actions.
21. Notice is further given that pursuant to N.J.S.A. 58:10A-10e, any person who violates N.J.S.A. 58:10A-1 et seq., or an administrative order issued pursuant to N.J.S.A. 58:10A-10b, or who fails to pay the civil administrative penalty in full after it is due shall be subject to a civil penalty not to exceed \$50,000 per day of such violation, and each day's continuance of the violation shall constitute an additional, separate and distinct violation.
22. Notice is further given that pursuant to N.J.S.A. 58:10A-10f, any person who willfully or negligently violates this act shall, upon conviction, be guilty of a crime of the fourth degree and shall be punished by fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than one year or by both. Punishment for a second offense under this subsection shall be a fine of not less than \$10,000 nor more than \$100,000 per day of violation, or by imprisonment for not more than two years, or both. Any person who knowingly makes a false statement, representation, or certification in any application, record, or other document filed or required to be maintained under this act or who falsifies, tampers with or knowingly renders inaccurate, any monitoring device or method required to be maintained pursuant to this action shall, upon conviction, be subject to a fine of not more than \$20,000.00 or by imprisonment for not more than six months, or by both.

BY THE AUTHORITY OF
JORGE H. BERKOWITZ, Ph.D.
ACTING DIRECTOR
DIVISION OF WATER RESOURCES
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DATE:

James K. Hamilton
Assistant Director
Enforcement Element

11/1/88-
1/31/89

001

TOC

50 mg/l

175 mg/l

PART A FORMULA: \$20,000 x 6 violations = \$120,000.

PART B

Discharge of Effluent in Excess of Permit Limitations
N.J.A.C. 7:14-8.5

SERIOUSNESS: Pursuant to N.J.A.C. 7:14-8.5(d)2.ii(2) the seriousness factor is considered to be moderate when a discharge violation has exceeded the effluent limitation set forth in the Permit by 51 to 100 percent for a non-hazardous pollutant. Since BOD is considered a non-hazardous pollutant and permit effluent limitations have been exceeded by 51 to 100 percent, the seriousness factor is considered to be moderate.

CONDUCT: The Department does not currently have information available to it that would support the firm conclusion that these violations were due to intentional, deliberate, purposeful, knowing, willful, or foreseeable conduct on the part of the violator. Therefore the conduct is minor.

Pursuant to N.J.A.C. 7:14-8.5(c), the civil administrative penalty assessed for each violation is \$4,500.

<u>Monitoring Period</u>	<u>Outfall #</u>	<u>Discharge Parameter</u>	<u>Permit Limits</u>	<u>Reported Results</u>
2/1/88- 4/30/88	002	BOD	50 mg/l	99 mg/l
2/1/88- 4/30/88	001	BOD	50 mg/l	93.6 mg/l

PART B FORMULA: \$4,500 x 2 violations = \$9,000.

PART C

Discharge of Effluent in Excess of Permit Limitations
N.J.A.C. 7:14-8.5

SERIOUSNESS: Pursuant to N.J.A.C. 7:14-8.5(d)3.ii(2) the seriousness factor is considered to be minor when a discharge violation has exceeded the effluent limitation set forth in the Permit by up to 50 percent for a non-hazardous pollutant. Since TOC, and BOD are considered non-hazardous

pollutants and the permit effluent limitations have been exceeded by up to 50 percent, the seriousness factor is considered to be minor.

CONDUCT: The Department does not currently have information available to it that would support the firm conclusion that these violations were due to intentional, deliberate, purposeful, knowing, willful, or foreseeable conduct on the part of the violator. Therefore the conduct is minor.

Pursuant to N.J.A.C. 7:14-8.5(c), the civil administrative penalty assessed for each violation is \$1,750.

<u>Monitoring Period</u>	<u>Outfall #</u>	<u>Discharge Parameter</u>	<u>Permit Limits</u>	<u>Reported Results</u>
2/1/88- 4/30/88	002	TOC	50 mg/l	52.8 mg/l
5/1/88- 7/31/88	001	BOD	50 mg/l	60 mg/l

PART C FORMULA: \$1,750 x 2 violations = \$3,000.

PART D

Discharge of Effluent in Excess of Permit Limitations
N.J.A.C. 7:14-8.5

SERIOUSNESS: Pursuant to N.J.A.C. 7:14-8.5(d)3.1 the seriousness factor is considered to be minor when a violation has occurred which is not considered major or moderate, and is not measured by concentration or mass, the seriousness factor is considered to be minor.

CONDUCT: The Department does not currently have information available to it that would support the firm conclusion that these violations were due to intentional, deliberate, purposeful, knowing, willful, or foreseeable conduct on the part of the violator. Therefore the conduct is minor.

Pursuant to N.J.A.C. 7:14-8.5(c), the civil administrative penalty assessed for each violation is \$1,750.

<u>Monitoring Period</u>	<u>Outfall #</u>	<u>Discharge Parameter</u>	<u>Permit Limits</u>	<u>Reported Results</u>
2/1/88- 4/30/88	001	pH	6.5/8.5	8.75/11.6

11/1/88-
1/31/89

001

pH

6.5/8.5

8.85/9.25

PART D FORMULA: \$1,750 x 2 violations - \$3,500.

PART E

Discharge of Effluent in Excess of Permit Limitations
N.J.A.C. 7:14-8.5

SERIOUSNESS: Pursuant to N.J.A.C. 7:14-8.5(d)1.ii(1) the seriousness factor is considered to be major when a discharge violation has exceeded the effluent limitation set forth in the Permit by more than 50 percent for a hazardous pollutant. Since methylene chloride, trichloroethylene, and tetrachloroethylene are considered hazardous pollutants and the permit effluent limitations have been exceeded by more than 50 percent, the seriousness factor is considered to be major.

CONDUCT: The Department does not currently have information available to it that would support the firm conclusion that these violations were due to intentional, deliberate, purposeful, knowing, willful, or foreseeable conduct on the part of the violator. Therefore the conduct is minor.

Pursuant to N.J.A.C. 7:14-8.5(c), the civil administrative penalty assessed for each violation is \$20,000.

Monitoring Period	Outfall #	Discharge Parameter	Permit Limits	Reported Results
2/1/88- 4/30/88	001	Methylene Chloride	55 ug/l	430 ug/l
2/1/88- 4/30/88	001	Trichloro ethylene	65 ug/l	1300 ug/l
2/1/88- 4/30/88	002	Methylene Chloride	55 ug/l	900 ug/l
2/1/88- 4/30/88	002	Trichloro ethylene	65 ug/l	2200 ug/l
11/1/88- 1/31/89	001	Trichloro ethylene	65 ug/l	99.5 ug/l
11/1/88- 1/31/89	001	Tetrachloro ethylene	65 ug/l	144.5 ug/l

PART E FORMULA: \$20,000 x 6 violations - \$120,000.

PART F

Discharge of Effluent in Excess of Permit Limitations
N.J.A.C. 7:14-8.5

SERIOUSNESS: Pursuant to N.J.A.C. 7:14-8.5(d)3.ii(1) the seriousness factor is considered to be minor when a discharge violation has exceeded the effluent limitation has set forth in the Permit by up to 25 percent for a hazardous pollutant. Since Trichloroethylene is considered to be a hazardous pollutant and the permit effluent limitations have been exceeded by up to 25 percent, the seriousness factor is considered to be minor.

CONDUCT: The Department does not currently have information available to it that would support the firm conclusion that these violations were due to intentional, deliberate, purposeful, knowing, willful, or foreseeable conduct on the part of the violator. Therefore the conduct is minor.

Pursuant to N.J.A.C. 7:14-8.5(c), the civil administrative penalty assessed for each violation is \$1,750.

<u>Monitoring Period</u>	<u>Outfall #</u>	<u>Discharge Parameter</u>	<u>Permit Limits</u>	<u>Reported Results</u>
8/1/88- 10/31/88	001	Trichloro ethylene	65 ug/l	71 ug/l

PART F FORMULA: \$1,750 x 1 violation - \$1,750.

TOTAL FINE:

\$120,000	(Part A)
9,000	(Part B)
3,000	(Part C)
3,500	(Part D)
120,000	(Part E)
<u>1,750</u>	<u>(Part F)</u>
\$257,250	

*DMR Violations
NOV issued*

Let's protect our earth



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
METRO BUREAU OF REGIONAL ENFORCEMENT
2 BABCOCK PLACE
WEST ORANGE, NEW JERSEY 07052

GEORGE G. McCANN, P.E.
DIRECTOR

DIRK C. HOFMAN, P.E.
DEPUTY DIRECTOR

April 19, 1989

Mr. John Gordon, General Manager
Gordon Terminal Service Company
2 Hook Road
Bayonne, NJ 07002

Re: Compliance Evaluation Inspection
Gordon Terminal Service Company
NJPDES No. NJ 0033014
Bayonne/Hudson County

Dear Mr. Gordon:

A Compliance Evaluation Inspection of your facility was conducted by a representative of this Division on March 23, 1989. A copy of the completed inspection report form is enclosed for your information.

Your facility received a rating of "UNACCEPTABLE" due to the following deficiencies:

1. A review of the facility's Discharge Monitoring Reports (DMR's) for the period August 1, 1988 to October 31, 1988 revealed that Effluent Limitations were exceeded for BOD, pH, TOC and TCE at DSN 001 and pH was exceeded at DSN 002.
2. Permit effluent limitations for BOD, pH, TOC, TCE and PCE at DSN 001 were exceeded on DMR dated November 1, 1988 to January 31, 1989.

At the time of the inspection, a Notice of Violation (NOV) was issued to Gordon Terminals for the deficiencies listed above.

The deficiencies noted above are significant violations of the terms and conditions of your NJPDES permit and/or the Water Pollution Control Act Regulations (N.J.A.C. 7:14A-1 et seq.). You are therefore DIRECTED to institute corrective measures. A written report concerning specific details of remedial measures to be instituted, as well as an implementation timetable, must be submitted to this Department and USEPA, Permits

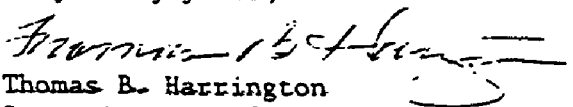
Administration Branch within thirty (30) calendar days of the date of this correspondence.

You are advised that the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.) provides for substantial monetary and criminal penalties in cases of permit violations.

Please direct all correspondence and inquiries to Sicy Jacob, the Environmental Specialist responsible for this case, who can be reached at (201) 669-3900, or by letter through this Division.

Failure to fully comply with the above will result in the initiation of enforcement action by this Department. This shall in no way be construed, however, to indicate any exemption on your part from possible penalties for violations indicated by the Compliance Evaluation Inspection, as stated above.

Very truly yours,

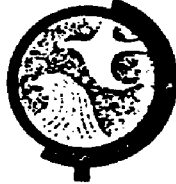

Thomas B. Harrington
Supervisor, Surface Water Unit
Metro Bureau of
Regional Enforcement

E21:G26

C: Dr. Richard A. Baker, USEPA
Mr. Paul Molinari, USEPA
Ms. Jeanne Massavelli, H.O.

bc: Zaheer Hussain
James Lyko
Central File

Let's protect our earth



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
METRO BUREAU OF REGIONAL ENFORCEMENT
2 BABCOCK PLACE
WEST ORANGE, NEW JERSEY 07052

GEORGE G. McCANN, P.E.
DIRECTOR

June 8, 1988

DIRK C. HOFMAN, P.E.
DEPUTY DIRECTOR

Mr. John Gordon, General Manager
Gordon Terminal Service Company of New Jersey
Foot of Hook Road
Bayonne, NJ 07002

Re: Compliance Evaluation Inspection
Gordon Terminal Service Company
NJPDES No. NJ0033014
Bayonne/Hudson County

Dear Ms. Gordon:

A Compliance Evaluation Inspection of your facility was conducted by a representative of this Division on March 29, 1988. A copy of the completed inspection report form is enclosed for your information.

Your facility received a rating of "UNACCEPTABLE" due to the following deficiencies:

1. A review of the January 1988 Discharge Monitoring Report (DMR) reveal that limitations for Turbidity, Total Suspended Solids, and pH have been exceeded in violation of the facility's NJPDES permit.
2. As a result of the November 1987 explosion and fire, the facility's Discharge Prevention, Containment and Countermeasure/Discharge Cleanup and Removal (DPCC/DCR) Plan must be amended as required by NJAC 7:1E-4.23. For information regarding this procedure, please contact Mr. Snyra Shah of the Bureau of Waste Management at (609) 292-0407.
3. Pursuant to NJAC 7:14A-6 et seq., Gordon Terminals may be required to apply for a NJPDES Discharge to Groundwater Permit for the discharge of contaminants through infiltration of stormwater to the groundwaters of the State. For information regarding the application for this permit, please contact Mr. Steve Johnson, Chief, Bureau of Groundwater Discharge Control at (609) 292-0424.

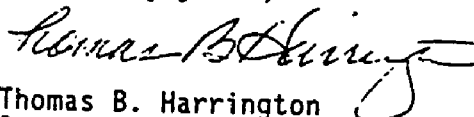
Since the deficiencies cited are presently, or could, in the future, adversely affect effluent quality, you are DIRECTED to institute measures to correct the deficiencies. A written report concerning specific details of remedial measures to be instituted, as well as an implementation timetable, must be submitted to this Department and USEPA Administration Branch, within thirty (30) calendar days of the date of this correspondence.

Both the New Jersey Water Pollution Control Act (N.J.S.A 58:10A-1 et seq.) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.) provide for substantial monetary and criminal penalties in cases of permit violations.

Please direct all correspondence and inquiries to Matthew D. Watson, the Environmental Specialist responsible for this case, who can be reached at (201) 669-3900 or by letter through this Division.

Failure to fully comply with the above will result in the initiation of enforcement action by this Department and/or the United States Environmental Protection Agency. This shall in no way be construed, however, to indicate any exemption on your part from possible penalties for violations indicated by the Compliance Evaluation Inspection, as stated above.

Very truly yours,



Thomas B. Harrington
Supervisor, Compliance
Monitoring Unit
Metro Bureau of
Regional Enforcement

E11:G26

C: Dr. Richard A. Baker, USEPA
Mr. Paul Molinari, USEPA
Ms. Mary Ann Walsh, H.O.
Mr. Berg, BGWQM
Mr. Fitzsimmons, USDEPA
Mr. Dave Beeman, DHWM/MBRE



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029, Trenton, N.J. 08625

DISCHARGE SURVEILLANCE REPORT



PERMIT # NT0033014 NO. OF DISCHARGES 002 CLASS MUN IND
DISCHARGER GORDON TERMINAL SERVICE COMPANY OF N.J. INC.
OWNER SAME AS ABOVE

MUNICIPALITY DAYTONE COUNTY HADSON WATERSHED CODE Metro

LOCATION FOOT OF HOOK ROAD

RECEIVING WATERS KILL VAN KILL STREAM CLASS TN-3

LICENSED OPERATOR & PLANT CLASS MR. JOHN GORDON

TRAINEE ASSISTANT GENERAL MANAGER OTHER INFO. (201) 437-4300

DEFICIENCIES OR COMMENTS

OVERALL RATING ☐ Acceptable ☐ Conditionally Acceptable ☒ Unacceptable

EVALUATOR MATTHEW WATSON TITLE ENVIRONMENTAL SPECIALIST

INFORMATION FURNISHED BY (Name) MR. JOHN GORDON

(Title) GENERAL MANAGER (Organization) GORDON TERMINAL

DATE OF INSPECTION MARCH 29, 1988



N.J.D.E.P.
D.W.R.

DISCHARGE SURVEILLANCE REPORT



Page 2 of 3 (I)

Permit #: NT0032014

Date: MAR 29, 1989

INDUSTRIAL TREATMENT PROCESS EVALUATION

RATING CODES: S = Satisfactory M = Marginal U = Unsatisfactory NA = Not Applicable

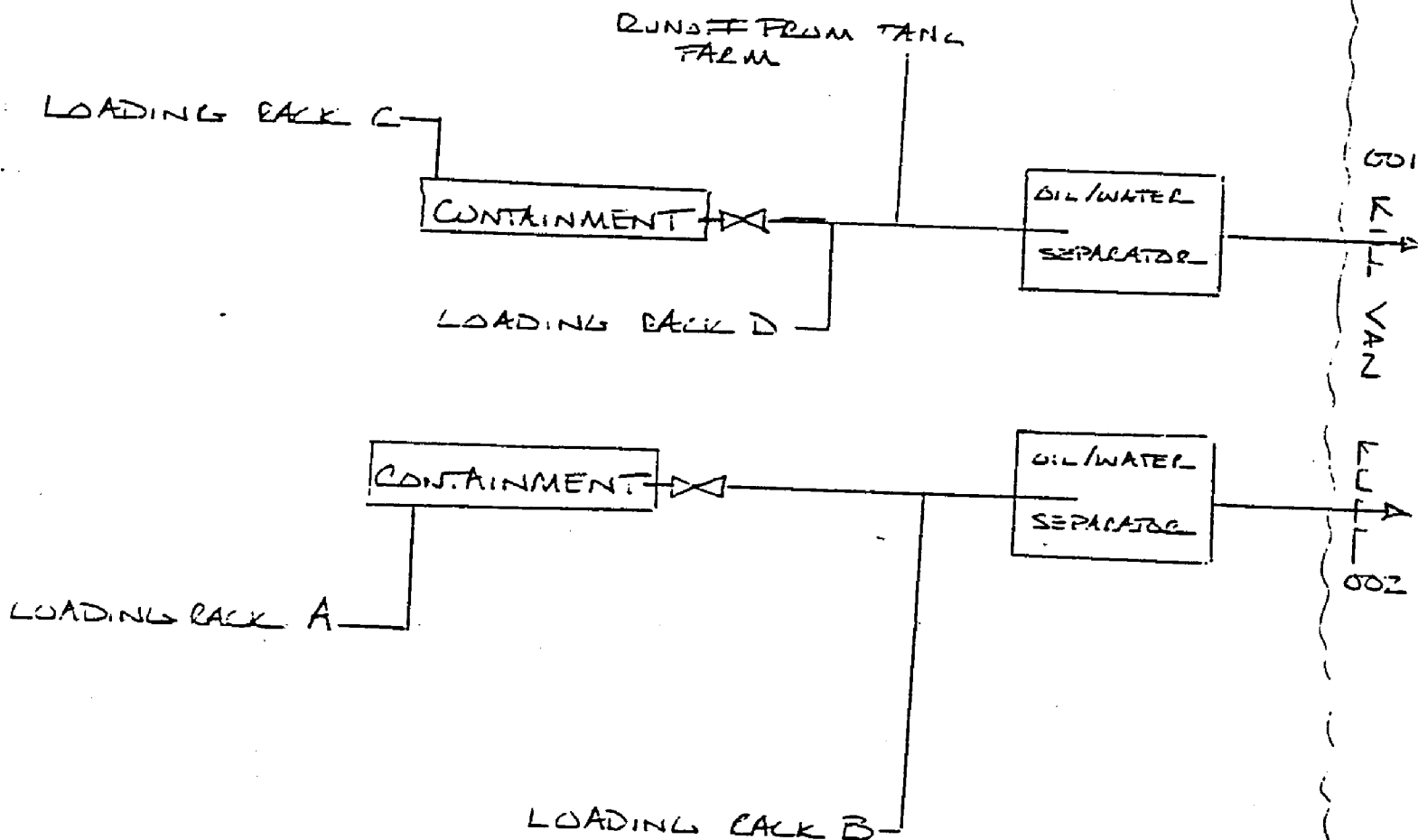
		RATING	COMMENTS
GENERAL	DISCHARGE # 001, 002	---	STORMWATER RUNOFF
	WASTEWATER SOURCE(S)	---	OIL WATER SEPARATORS
	CONTINUITY OF OPERATION	---	INTERMITTENT
	BYPASSES/OVERFLOWS	S	NONE
	S.P.C.C. PLAN		
	ALARM SYSTEMS		
	ALTERNATE POWER SUPPLY		
TREATMENT PROCESSES	DPL/DLR	U	MUST BE RENEWED
	OIL WATER SEPARATORS (2)	S	MANUALLY SKIMMED
SLUDGE HANDLING			
INFORMATION	DISPOSAL SITE	NA	CLEANUP IN PROGRESS - KILL VAN KULL
	FLOW METER & RECORDER RECORDS	S	ESTIMATE
	SAMPLING PROCEDURES	S	PERMIT ITA'S
	ANALYSES PERFORMED BY	S	FACILITY PERSONNEL
			CEM TECH INC.
			NY TESTING INC.
	PERMIT FILE HAS RECORDS CONTAINING TO THE GROUNDWATERS OF THE STATE.	-	FILE FOR NT0032014 PERMIT
VERIFICATION	FINAL EFFLUENT APPEARANCE	NT	NO DISCHARGE
	REC. WATERS APPEARANCE	-	KILL VAN KULL



DISCHARGE SURVEILLANCE REPORT

Permit # NJ0033014
Date MARCH 29, 1983

PLANT DIAGRAM AND FLOW SEQUENCE: 001, 002



DISCHARGE DATA

RCE: FEBRUARY DMR

PERIOD: NO SAMPLES TAKEN

PARAMETER	SAMPLE TYPE	PERMIT LIMITS	DATA	DIS	PARAMETER	SAMPLE TYPE	PERMIT LIMITS	DATA
Turb.	GCAB	50 - 150 max	180 [*] mg/l	001	Turb.	GCAB	50 - 150 max	180 [*] mg/l
PH	GCAB	6.5 - 8.5	8.95 [*]	002	PH	GCAB	6.5 - 8.5	7.35
TSS	GCAB	50 max	138 [*]	002	TSS	GCAB	50 max	26
PHC	GCAB	15 max	< 1.0	002	PHC	GCAB	15 max	< 1.0
TDC	GCAB	50 max	14.9	002	TDC	GCAB	50 max	19.2
BO ₅	GCAB	50 max	7.6	002	BO ₅	GCAB	50 max	19.1
Flow	—	MONITOR	—	002	Flow	—	MONITOR	—

REPORTING DEFICIENCIES: * EXCEEDED PERMIT LIMITATIONS



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029
TRENTON, NEW JERSEY 08625

GEORGE G. McCANN, P.E.
DIRECTOR

NOTICE OF VIOLATION

DATE December 7, 1990

Metro

ENFORCEMENT ELEMENT
BUREAU OF REGIONAL ENFORCEMENT
TELEPHONE NO. 201 669-3900

PCWS # _____ TYPE SUPPLY NJPDES # NJ0033014 TYPE DISCH DSW RCRA# _____
NAME OF FACILITY GORDON TERMINAL
LOCATION OF FACILITY 2 FOOT OF Hook Road MUN. Bayonne COUNTY Hudson
FACILITY REPRESENTATIVE AND TITLE Mike Edson

You are hereby NOTIFIED that during an inspection of your facility on the above date, the following violations were noted and remedial actions are required:

DESCRIPTION OF VIOLATION/REMEDIAL ACTION: Effluent analytical results exceeded
the limitations set forth in NJPDES Permit No NJ 0033014.

The above noted violations are in violation of the following N.J. Statutes/Regulation, and will be recorded as part of the permanent enforcement history of your facility:

- ☒ New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Water Supply Management Act (N.J.S.A. 58:1A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Underground Storage of Hazardous Substance Act (N.J.S.A. 58:10A-1 et seq.) and appropriate Regulations.

Remedial action to correct the violations must be initiated immediately. Within five (5) calendar days of receipt of this Notice of Violation, you shall telephone the investigator issuing this notice at the above number with the corrective measures you have initiated to attain compliance. The issuance of this document serves as notice to you that the Department has determined that a violation has occurred and does not preclude the State of New Jersey or any of its agencies, from initiation of further administrative or judicial enforcement action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are subject to penalties of up to \$25,000 per day.

Further enforcement action, which will require a written response, may be issued on these violation(s) and any additional violations found during the inspection.

Kathleen Beyer
Investigator, Division of Water Resources, DEP

Violation received by

Mike Edson

White - Original

Canary - Bureau File

Pink - Criminal Justice

Goldenrod - Central File

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 07002-0143

(201) 437-8300

RECEIVED
NATURAL RESOURCES
ENFORCEMENT ELEMENT
JAN 26 11 05 AM '91

January 24, 1991

NJDEP
Metro Bureau of Regional Enforcement
Attn: Kathleen P. Beyer
2 Babcock Place
West Orange, NJ 07052

Re: December 31, 1990 Letter
Compliance Evaluation Inspection
Gordon Terminal Service Co. of N.J., Inc.
NJPDES No. NJ0033014

Dear Ms. Beyer:

The recent Compliance Evaluation Inspection of our facility resulted in an "UNACCEPTABLE" rating as described in Ms. Carroll's letter of December 31, 1990. We believe that this represents an incomplete description of our NPDES compliance. A more complete review of the history of the current NPDES permit at our facility would demonstrate that our company has taken extraordinary measures to comply with all of the terms of our permit.

Only two of the violations listed in Appendix A to that letter have occurred in the last fifteen months. During that period, 124 tests were performed on our effluents to determine compliance or non-compliance with DEP standards. 42 tests were performed to determine levels of Petroleum Hydrocarbons; our average result was 3.75 mg/L, the permit limit is 15 mg/L. 14 tests were performed to determine levels of BOD; our average was 26.6 mg/L, the permit limit is 50 mg/L. 14 tests were run to determine pH; our average was 7.5, the permit limit is between 6.5 - 8.5. 14 tests were run to determine TOC; our average was 16.3 mg/L, the permit limit is 50 mg/L. 14 tests were run to determine TSS; our average was 13.2 mg/L, the permit limit is 50 mg/L. 14 tests were run to determine Turbidity; our average was 8.4 NTU, the permit limit is 150 NTU. 4 tests were run to determine levels of Methylene Chloride; our average was .016 mg/L, the permit limit is .055 mg/L. 4 tests were run to determine levels for III Trichloroethane; our average was .005 mg/L, the permit limit is .065 mg/L. 4 tests were run to determine levels of Tetrachloroethane; our average was .003 mg/L, the permit limit is .065 mg/L.

We recognize that the two excesses over permit limits by slight amounts are unacceptable, but believe it should be noted that both the vast majority and the averages of our tests establish a compliance record at the low end of permit limits.

This record is the result of capital expenditures in excess of two hundred fifty thousand dollars, revised management procedure, formalized training of personnel at all levels, and consultation with specialists in the specific deficient areas.

1347

TIERRA-B-014267

A communication error with the firm contracted to conduct the hydrology survey which is part of the Treatment Works Application, caused our failure to complete the Treatment Works Application within the required time. Our environmental consultant has assured us that the application can be complete within 30 days of his receipt of those drawings. We anticipate receipt of those drawings by January 31, 1991. However, we have been operating with department approved Temporary Permits throughout this entire period (copies attached).

We have a program in place to locate the source of our problem as relates to BOD. One of the two tests over the past fifteen months which exceeded permit limits was a test for BOD, and since we do not know of any operation in the facility that would contribute to this problem, we have set up four gathering stations, physically upstream from our discharge point, to pinpoint the source of the problem so that we may eliminate it.

The Metro Bureau inspection of December 7, 1990 and subsequent report on December 31, 1990, illustrate the dramatic improvements we have made in our program which is on course for continued improvement and total compliance with Departments standards. This program has been and will continue to be a top priority of our senior management, as well as the entire company.

Yours very truly,

GORDON TERMINAL SERVICE CO.
OF N.J., INC.


John D. Gordon
Vice President

JDG/kah

Enclosures



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
METRO BUREAU OF REGIONAL ENFORCEMENT
2 BABCOCK PLACE
WEST ORANGE, NEW JERSEY 07052

(201) 669-3900

December 31, 1990

Mr. John Gordon, General Manager
Gordon Terminal Service Company
2 Hook Road
Bayonne, NJ 07002

Re: Compliance Evaluation Inspection
Gordon Terminal Service Company
NJPDES No. NJ0033014
Bayonne/Hudson County

Dear Mr. Gordon:

A Compliance Evaluation Inspection of your facility was conducted by a representative of this Division on December 7, 1990. A copy of the completed inspection report form is enclosed for your information.

Your facility received a rating of "UNACCEPTABLE" due to the following deficiencies:

1. A review of the Discharge Monitoring Reports (DMRs) has revealed that the discharge exceeded the effluent limitations set forth in Part III B/C 1.A of NJPDES Permit No. NJ0033014 for the parameters and report periods listed in Appendix A. A Notice of Violation was issued at the time of the inspection for these violations.
2. Permittee did not submit a completed Treatment Works Approval Application within 60 days of August 1, 1989 in violation of condition Part IV-B/C 1.C of the Permit.

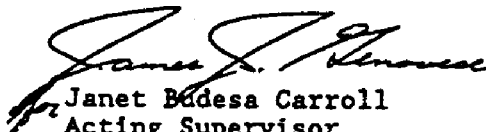
The deficiency noted above has placed your facility in significant violation of the terms and conditions of your permit and/or the Water Pollution Control Act Regulations (N.J.A.C. 7:14A-1 et seq.). You are therefore DIRECTED to institute corrective measures. A written report concerning specific details of remedial measures to be instituted, as well as an implementation timetable, must be submitted to this Department and USEPA, Permits Administration Branch within thirty (30) calendar days of the date of this correspondence.

You are advised that the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.) provides for substantial monetary and criminal penalties in cases of permit violations.

Please direct all correspondence and inquiries to Kathleen P. Beyer, the Senior Environmental Specialist responsible for this case, who can be reached at (201) 669-3900 or by letter through this Division.

Failure to fully comply with the above will result in the initiation of enforcement action by this Department. This shall in no way be construed, however, indicate any exemption on your part from possible penalties for violations indicated by the Compliance Evaluation Inspection, as stated above.

Very truly yours,



Janet Badesa Carroll
Acting Supervisor
Surface Water and
Sewer System Enforcement
Metro Bureau of
Regional Enforcement

E17:G26

C: Chief, Permits Administration Branch, USEPA
Mr. Patrick Durack, USEPA
Ms. Jeanne Massavelli, H.O.



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029, Trenton, N.J. 08625

DISCHARGE SURVEILLANCE REPORT



PERMIT # NJ0033014 NO. OF DISCHARGES 001,001 CLASS MIN/IND
DISCHARGER Gordon Terminal Service Company
OWNER Gordon Terminal Service Company
MUNICIPALITY Bayonne COUNTY Hudson WATERSHED CODE K
LOCATION 2 Foot of Hook Road 07002
RECEIVING WATERS Kill Van Kull STREAM CLASS TW-3
LICENSED OPERATOR & PLANT CLASS Mike Edson N-1
TRAINEE/ASSISTANT - OTHER INFO. (201) 437-8300

DEFICIENCIES OR COMMENTS See Attached Letter

Notice of Violation issued at inspection for effluent analytical
results exceeded the limitations set forth in NJPDES No NJ 0033014.

OVERALL RATING ☐ Acceptable ☐ Conditionally Acceptable ☒ Unacceptable

EVALUATOR Kathleen P. Beyer TITLE Senior Environmental Specialist

INFORMATION FURNISHED BY (Name) Mike Edson

(Title) Safety & Compliance Manager (Organization) Gordon Terminal Service

DATE OF INSPECTION December 7, 1990



N.J.D.E.P.
D.W.R.

DISCHARGE SURVEILLANCE REPORT



Permit #: NJ 0033014

Date: December 7, 1990

Gordon Terminal

INDUSTRIAL TREATMENT PROCESS EVALUATION

RATING CODES: S = Satisfactory M = Marginal U = Unsatisfactory NA = Not Applicable

		RATING	COMMENTS
GENERAL	DISCHARGE # 001, 002	---	
	WASTEWATER SOURCE(S)	---	Storm water Run-off
	CONTINUITY OF OPERATION	---	Intermittent
	BYPASSES/OVERFLOWS	S	Separators 3/4 during high rainfall events
	S.P.C.C. PLAN	S	July 1988
	ALARM SYSTEMS	S	Separator high level
	ALTERNATE POWER SUPPLY	NA	
TREATMENT PROCESSES	DPCC/DUR	S	July 1988
	Oil-Water Separators (4)	S	Oil Reclaimed, Automatic skimmers
	Stripper	-	to reduce volatiles
	Treatment Work Approval	U	Facility must apply for a Treatment Work Approval
			DPCC plan suggests monitoring wells.
			Groundwater application received 3/7/84.
SLUDGE HANDLING			
		NA	
	DISPOSAL SITE		
INFORMATION	FLOW METER & RECORDED RECORDS	S	
	SAMPLING PROCEDURES	S	Permit, DMR's, SPCC, DPCC
	ANALYSES PERFORMED BY	NE	Facility Personnel
		S	Chung Associates # 11198
			Princeton NJ
	Bulk Oil & Solvent Storage Terminal		
	Lubricants		
OTHER	Permit Status	S	Final issued 6/4/87 Expires 7/31/92
	FINAL EFFLUENT APPEARANCE	-	No Discharge
	REC. WATERS APPEARANCE	-	Kill Van Kull

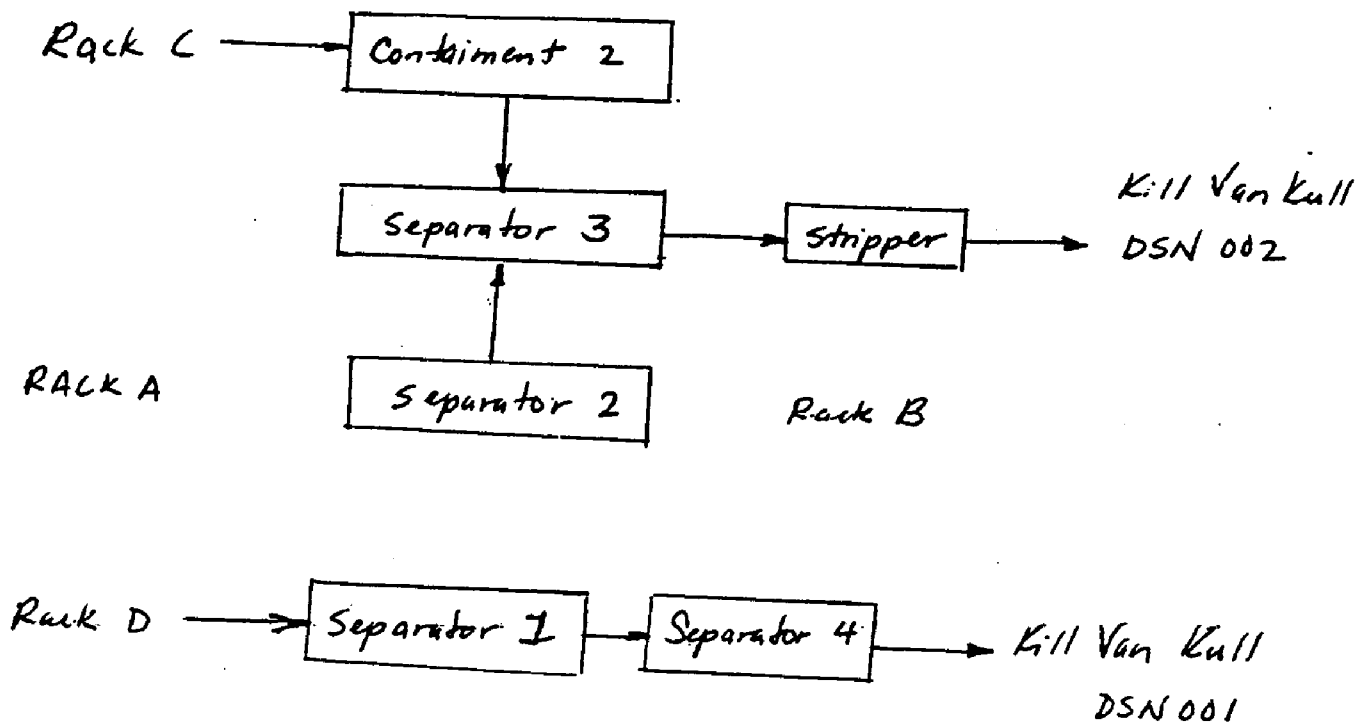


Gordon Terminal

DISCHARGE SURVEILLANCE REPORT

Permit # NJ 0033014
Date December 7, 1990

PLANT DIAGRAM AND FLOW SEQUENCE:



No Samples taken

DISCHARGE DATA

SOURCE: DMR's Reviewed

PERIOD: 2/89 to 10/90

DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA	DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA
1	pH	grab	8.5 std. Max	9.1 std. 2-89 to 4/89	002	TSS	Grab	50 mg/l Max	214 mg/l 2/89 to 4/89
2	TSS	grab	50 mg/l Max	300 mg/l 2/89 to 4/89	002	Methylene Chloride	Grab	55 µg/l Max	470 µg/l 2/89 to 4/89
	Methylene Chloride	grab	55 µg/l Max	190 µg/l 2/89 to 4/89	002	Tetrachloroethylene	Grab	65 µg/l Max	85 µg/l 2/89 to 4/89
	Tetrachloroethylene	grab	65 µg/l Max	300 µg/l 2/89 to 4/89	001	pH	Grab	8.5 std. Units Max	9.6 std. 5/89 to 7/89
	Tetrachloroethylene	grab	65 µg/l Max	190 µg/l 2/89 to 4/89	001	TSS	Grab	50 mg/l Max	88 mg/l 5/89 to 7/89
	Turbidity	grab	150 JTU Max	300 JTU 2/89 to 4/89	002	Turbidity	Grab	150 JTU Max	400 JTU 5/89 to 7/89
2	Turbidity	grab	50 JTU Average	109.6 JTU 2/89 to 4/89	002	Turbidity	Grab	50 JTU Average	160 JTU 5/89 to 7/89

MONITORING DEFICIENCIES: None



DISCHARGE SURVEILLANCE REPORT

Permit # NJ 6033c14
Date December 7, 1990

DISCHARGE DATA

SOURCE: DMR's ReviewedPERIOD: 2/89 to 10/90

DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA	DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA
002	BOD	Grab	50mg/L Max	100mg/L 5/89 → 7/89	001	BOD	Grab	50mg/L Max	75mg/L 8/90 → 10/90
002	TSS	Grab	50mg/L Max	290mg/L 5/89 → 7/89					
002	TOL	Grab	50mg/L Max	180mg/L 5/89 → 7/89					
001	BOD	Grab	50mg/L Max	88mg/L 8/89 → 10/89					
001	TSS	Grab	50mg/L Max	73mg/L 8/89 → 10/89					
001	Petro hydro	Multi Grab	15mg/L Max	21mg/L 2/89 → 10/89					
001	Petro hydro	Multi Grab	15mg/L Max	19mg/L 2/90 → 4/90					

DISCHARGE DATA

SOURCE: _____

PERIOD: _____

DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA	DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA

DISCHARGE DATA

SOURCE: _____

PERIOD: _____

DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA	DIS	PARA	SAMPLE TYPE	PERMIT LIMITS	DATA



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ENFORCEMENT POLICY
METRO BUREAU OF REGIONAL ENFORCEMENT
2 BABCOCK PLACE
WEST ORANGE, NEW JERSEY 07052

(201) 669-3900

December 20, 1991

Mr. John D. Gordon, Vice President
Gordon Terminal Service Co. of NJ., Incorporated
2 Hook Road
Bayonne, NJ 07002

Re: Compliance Evaluation Inspection
Gordon Terminal Service Co. of NJ., Incorporated
NJPDES No. NJ0033014
Bayonne/Hudson County

Mr. Gordon:

A Compliance Evaluation Inspection of your facility was conducted by a representative of this Division on October 23, 1991. A copy of the completed inspection report form is enclosed for your information.

Your facility received a rating of "CONDITIONALLY ACCEPTABLE" due to the following deficiency:

Your facility may require a Permit Modification due to the unpermitted steam condensate (non contact cooling water) discharge through outfall 001. Please include information about the discharge in the permit application forms required to be submitted to the Bureau of Information Systems for your permit renewal.

The deficiency noted above is or may result in violations of the terms and conditions of your NJPDES permit and/or the rules and regulations of this Department. You are requested to institute corrective measures. A written report concerning specific details of remedial measures to be instituted, as well as an implementation timetable, must be submitted to this Department and USEPA, Permits Administration Branch within thirty (30) calendar days of the date of this correspondence.

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Recycled Paper




ATTACH:TIERRA-B-014276

- 2 -

Please direct all correspondence and inquiries to Louis P. Pelletta, the member of my staff responsible for this case, who can be reached at (201) 669-3900, or by letter through this Bureau.

Very truly yours,


Janet Budesca Carroll
Acting Section Chief
Surface Water and
Sewer System Enforcement
Metro Bureau of Water
and Hazardous Waste
Enforcement Field Operations

E33:G26

c: Chief, Permit Administration Branch, USEPA
Mr. Patrick Durack, USEPA
Ms. Brigid Brievoegel, Health Officer
Hudson Regional Health Commission

bc: Zaheer Hussain
Central File
✓Bureau File



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029, Trenton, N.J. 08625

DISCHARGE SURVEILLANCE REPORT



PERMIT # NJ0033014 NO. OF DISCHARGES 001,002 CLASS MIN/IND
DISCHARGER Gordon Terminal Service Company
OWNER Gordon Terminal Service Company
MUNICIPALITY Bayonne COUNTY Hudson WATERSHED CODE I
LOCATION 2 Foot of Hook Road
RECEIVING WATERS Kill Van Kull STREAM CLASS SE-3
LICENSED OPERATOR & PLANT CLASS Mike Edson N-1
TRAINEE/ASSISTANT _____ OTHER INFO. (201) 437-8300

1) Please be advised that your facility may require a Permit Modification due to the unpermitted steam condensate (NON CONTACT COOLING WATER) discharge through Outfall 001. Please include information about the discharge in the Permit Application Forms required to be submitted to the Bureau of Information Systems for your permit renewal. 2) The utilization of Separators 3's by-pass valve, during periods of maintenance would be unacceptable if such an operation allowed the discharge of untreated stormwater to the Kill Van Kull.

OVERALL RATING ☐ Acceptable ☒ Conditionally Acceptable ☐ Unacceptable

EVALUATOR Louis P. Polletta TITLE Environmental Specialist
INFORMATION FURNISHED BY (Name) Mike Edson
(Title) Safety & Compliance Manager (Organization) Gordon Terminal Service

DATE OF INSPECTION October 23, 1991



N.J.D.E.P.

D.W.R.

DISCHARGE SURVEILLANCE REPORT



Page 2 of 3 (I)

Permit #: NJ0033019

Date: OCTOBER 23, 1991

GORDON TERMINAL

INDUSTRIAL TREATMENT PROCESS EVALUATION

RATING CODES: S = Satisfactory M = Marginal U = Unsatisfactory NA = Not Applicable

		RATING	COMMENTS
GENERAL	DISCHARGE #	001, 002	---
	WASTEWATER SOURCE(S)	---	NOTE: DSN 002 is closed by a valve, All discharge goes through DSN 001
	CONTINUITY OF OPERATION	---	STORM WATER RUNOFF
	BYPASSES/OVERFLOWS	---	INTERMITTANT
	S.P.C.C. PLAN	S	Partial bypass of Separator 1 during heavy rain to separator 4
	ALARM SYSTEMS	S	REVISED FEBRUARY 1990
	ALTERNATE POWER SUPPLY	S	Separator - high level
TREATMENT PROCESSES	DPCL/DCL	NA	---
		S	REVISED FEBRUARY 1990
			NO MONITORING WELLS AND/OR UNDERGROUND STORAGE TANKS
	OIL/WATER SEPARATORS (4)	S	Oil reclaimed, AUTOMATIC SKIMMERS (DAILY)
	AIR STRIPPER	-	AFTER SEPARATOR NO. 3
			NOTE: TREATMENT WORKS APPROVAL (TWA) application for the AIR STRIPPER is being prepared by Greene Tree Consulting. Submission of the TWA application has been delayed due to a reevaluation, by the facility, on the Air Strippers ability to adequately treat the amount of Storm water runoff.
		-	NOTE: SEPARATOR NO. 3 HAS THE ABILITY TO BE BYPASSED VIA A SHUT-OFF VALVE DURING PERIODS OF MAINTENANCE. STORMWATER THAT BYPASSES SEPARATOR NO. 3 GOES DIRECTLY TO THE KILL VAN KULL.
SLUDGE HANDLING	WASTE OIL REMOVED ONCE PER YEAR	S	342 L OIL - EPA ID NO. NJ00064981984 472 FREELINGHUYSEN AVE. NEWARK, NJ 07114
	DISPOSAL SITE	-	
INFORMATION	FLOW METER & RECORDER RECORDS	S	ESTIMATED
	SAMPLING PROCEDURES	S	
	ANALYSES PERFORMED BY	S	FACILITY PERSONNEL
		S	CHYUN ASSOCIATES # 11198 PRINCETON, NJ
	PAVE OIL & SOLVENT STORAGE TERMINAL: LUBRICATED OIL, FUEL OIL, CHLORINATED SOLVENTS		
OTHER	PERMIT STATUS	S	FINAL ISSUED 6/1/87, EXPIRES 7/31/92
	FINAL EFFLUENT APPEARANCE	S	CLEAR
	REC. WATERS APPEARANCE	-	KILL VAN KULL

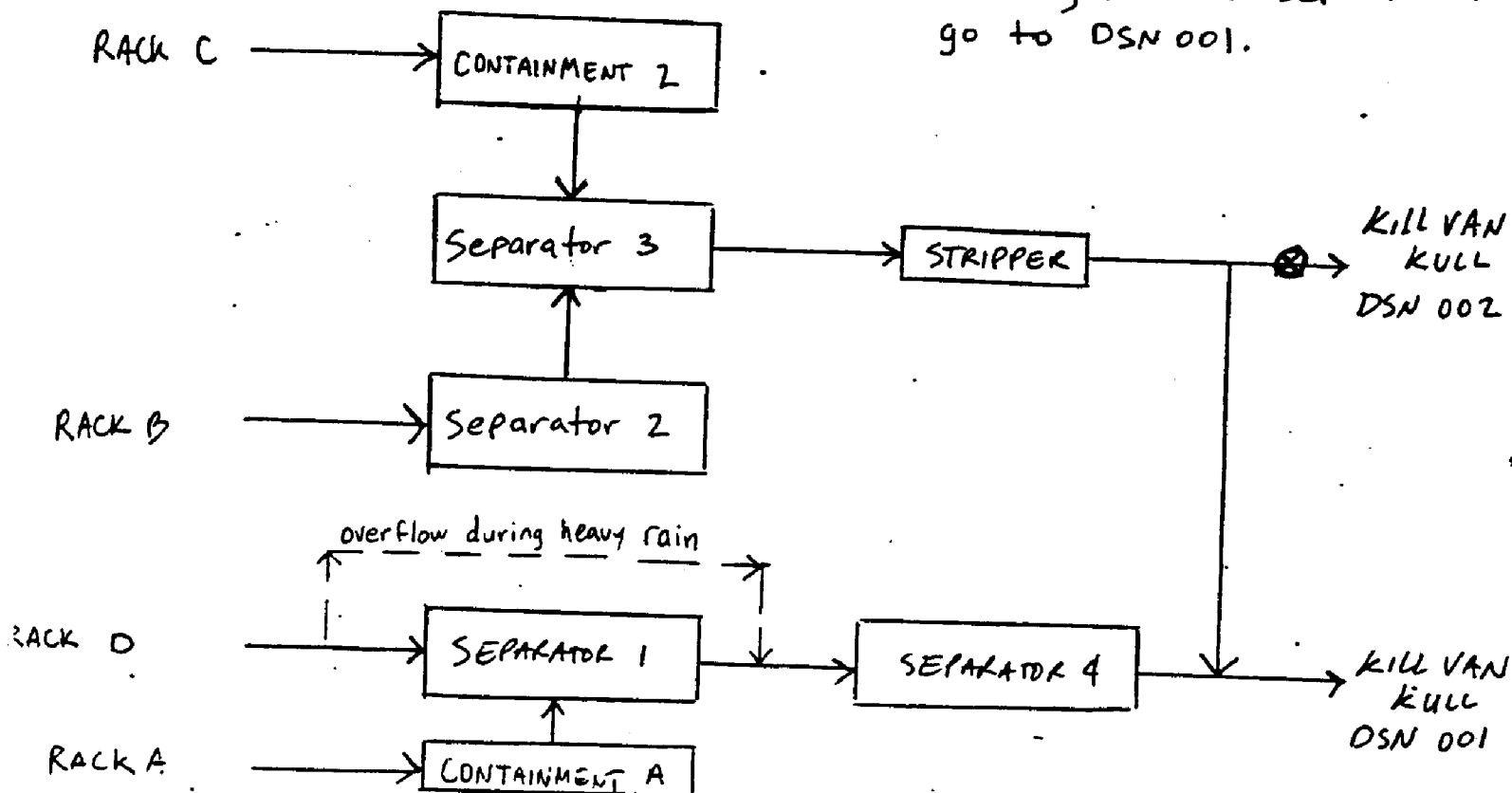


DISCHARGE SURVEILLANCE REPORT

Permit # NJ0033014
Date OCTOBER 23, 1991

PLANT DIAGRAM AND FLOW SEQUENCE:

NOTE: DSN 002 is closed by a valve. All discharges from separator 3 go to DSN 001.



DISCHARGE DATA

SOURCE: DMR's

PERIOD: 11/1/90 to 8/31/91

[illegible]

MONITORING DEFICIENCIES: NONE

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

RECEIVED
WATER RESOURCES
ENFORCEMENT TELETYPE

(201) 437-8300

JAN 13 10 45 AM '92

January 10, 1992

Louis P. Pelletta
NJDEPE
Office of Enforcement Policy
Metro Bureau of Regional Enforcement
2 Babcock Place
West Orange, NJ 07052

Mr. Pelletta:

This is in response to Janet B. Carroll's letter of December 20, 1992.

The letter assigned a rating of "conditionally acceptable" to our facility due to an unpermitted steam condensate discharge through outfall 001.

Pursuant to the request in that letter, we have instituted corrective measures and hereby submit our written report concerning specific details of the remedial measures to be instituted as well as an implementation timetable:

Our NJPDES permit # NJ0033014 is due for renewal. The renewal application will include information about steam condensate which can be a constituent of our effluent and will be submitted on or before the February 2, 1992 deadline.

Sincerely yours,



Thomas S. Gordon
Vice President

cc: Chief, Permit Administration, USEPA Region II
Mr. Patrick Durack, USEPA
Ms. Brigid Brievogel, HRHC

5
Memoli

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Resources
Management Services Element
Bureau of Information Systems
CN 029
TRENTON, NEW JERSEY 08625

RECEIVED
JAN 17 9 00 AM '92

JAN 16 1992

GORDON TERMINAL SVC.CO.OF NJ
PO BOX 143
BAYONNE NJ 07002

RE: Violation of Effluent Limits or Parameter Reporting
Requirements of NJPDES Permit on Discharge Monitoring Report.
NJPDES Permit No: NJ0033014

Dear Permittee:

The 'Water Pollution Control Act' (hereinafter 'The Act'), N.J.S.A. 58:10A-1 et seq. prohibits the discharge of pollutants, except in conformity with a valid New Jersey Pollutant Discharge Elimination System (hereinafter 'NJPDES') permit pursuant to N.J.A.C. 7:14A-1 et seq.. The Department has issued this facility a permit in accordance with the Act. Your facility was provided an opportunity to comment on the draft permit in accordance with N.J.A.C. 7:14A-8.1. Your facility has been on notice of the requirements of the permit since the final permit was issued.

The Department has determined that your facility is in violation of the 'Water Pollution Control Act' and the implementing regulations (N.J.A.C. 7:14A-1 et seq.) by failing to comply with the following permit condition:

Your Discharge Monitoring Report (DMR) for the period ending 91/11/30 indicated that you are not complying with certain effluent limitations or parameter reporting requirements specified in your permit (see enclosure).

According to the conditions of your permit, it is required that you provide the State and the Regional Administrator with a report concerning any apparent non-compliance, action taken to correct it, and action to be taken to prevent continuation or recurrence of the situation.

Please note that if you are required to monitor and report the parameters Copper, Chromium, or Zinc only if these pollutants are used in water treatment, you must submit your DMR with Code = 'NODI' in the appropriate sample measurement block(s) if these pollutants are not being used. Code 'NODI' will assure that violation notices are not produced for failure to report.

In accordance with N.J.S.A. 58:10A-10.d. and the NJPDES Regulations, specifically N.J.A.C. 7:14-8.5 and 8.9, failure to comply with the NJPDES Permit effluent limits or to submit complete DMR's, respectively, subjects this facility to civil administrative penalties of up to \$50,000 per day per violation, including MANDATORY civil administrative penalties effective July 1, 1991 pursuant to amendments to the Act for Serious Violations, for Significant Non-Compliance Violations, and for failure to submit effluent parameter information within 10 days of receipt of this letter.

Please note that nothing shall preclude the Department from assessing penalties if the missing DMR effluent parameter information was not inadvertently omitted or if the Department was not notified within 30 days of the DMR due date of the existence of extenuating circumstances beyond the control of the permittee.

Furthermore, N.J.S.A. 58:10A-10.f. provides that any person who negligently violates the Act shall, upon conviction, be guilty of a crime of the fourth degree, and shall be subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment, or by both. Any person who purposely, knowingly, or recklessly violates the Act shall, upon conviction, be guilty of a crime of the third degree as a minimum and shall be subject to a fine of not less than \$5,000 nor more than \$75,000 (\$250,000 if the violation causes a significant adverse environmental effect) per day of violation, or by imprisonment, or by both.

If there is a discrepancy between the DMR information you submitted and the violations listed in the enclosure or you have not already submitted the required non-compliance report, please submit the information to me immediately at the address below.

Very truly yours,

Peter T. Lynch, Chief

Metro Bureau of Regional Enforcement
2 Babcock Place
West Orange, NJ 07052-5504

Enclosure

NJPDÉS Number: NJ0033014

Facility Name: GORDON TERMINAL SVC.CO.OF NJ

Monitoring Period End Date: 91/11/30 Pipe Num: 001A Mon. Loc.: 1

Parameter: 00310 Description: BOD, 5-DAY (20 DEG. C)

VIOLATION: E90 NUMERIC VIOLATION

	Quantity			Concentration	
	Average	Maximum	Minimum	Average	Maximum
MEASUREMENT:	0.0000	0.0000	0.0000	80.0000	80.0000

Monitoring Period End Date: 91/11/30 Pipe Num: 001A Mon. Loc.: 1

Parameter: 00680 Description: CARBON, TOT ORGANIC (TOC)

VIOLATION: E90 NUMERIC VIOLATION

	Quantity			Concentration	
	Average	Maximum	Minimum	Average	Maximum
MEASUREMENT:	0.0000	0.0000	0.0000	62.0000	62.0000

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143

BAYONNE, N. J. 070020143

RECEIVED
WATER RESOURCES
ENFORCEMENT ELEMENT
FEB 10 1 30 PM '92

(201) 437-8300

February 3, 1992

NJDEP
Metro Bureau of Regional Enforcement
Attn: Peter T. Lynch, Chief
2 Babcock Place
West Orange, NJ 07052

Re: Your letter dated January 16, 1992; NJPDES Permit No. NJ0033014

Mr. Lynch:

This morning, we received your letter of January 16, 1992. Pursuant to that letter, we submit the following information:

Description of event: The effluent sample drawn from DSN001 for the November Discharge Monitoring Report on November 22, 1991 was above the permit limits for BOD and TOC.

Steps being taken to determine the cause of noncompliance: We have conducted a thorough investigation into why these parameters were exceeded. There were no leaks or unusual operating problems during that time period. We have interviewed terminal personnel to ascertain if there were any unreported events and have determined that there were none.

Steps being taken to reduce and eliminate the noncomplying discharge: The effluent sample drawn from DSN001 for the December Discharge Monitoring Report on December 13, 1991 was in compliance; BOD-5 was 16 and the permit limit for BOD-5 is 50, TOC was 11 and the permit limit for TOC is 50.

The period of noncompliance: The effluent sample drawn from DSN001 for the October Discharge Monitoring Report on October 15, 1991 was in compliance; BOD-5 was 6 and TOC was 8. The effluent sample drawn for the December Discharge Monitoring Report on December 13, 1991 was also in compliance. Our sampling is done on a monthly grab. The only sample drawn in that interim was the noncomplying sample for the November DMR.

The cause of the noncompliance: It is our conclusion that the noncompliance was a minor excursion for reasons that we have yet to determine. We are continuing our investigation by analyzing potential constituents of the effluent to determine what, if any, conceivable scenario might have contributed to these unique results. We have also requested quicker turn around times on test results from the certified lab which performs our analysis.

page 2

Steps being taken to reduce eliminate, and prevent reoccurrence of the noncomplying discharge: We have submitted our NJPDES permit renewal, we are in the process of filing a Treatment Works Approval and we are engineering upgrades to our facility's containment and stormwater systems in order to meet the requirements of the newly promulgated DPCC\DCR regulations. The end result of these renewals, filings and upgrades will be to improve the quality of our effluents.

We hope that the information provided above satisfies the requirements of your January 16, 1992 letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Thomas S. Gordon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thomas S. Gordon
Vice President

Handwritten:
Saffox
Memorandum

RECEIVED
DIVISION OF
WATER RESOURCES
ENFORCEMENT ELEMENT

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY
WASTEWATER FACILITIES REGULATION PROGRAM

FEB 14 10 00 AM '92

MEMORANDUM

TO: Bureau of Industrial Discharge Permits

FROM: Anthony Walker
Bureau of Information Systems

FEB 10 1992

RE: NJPDES Permit No. NJ0033014

Facility Name: GORDON TERMINAL SERVICES
Municipality : BAYONNE CITY
County : HUDSON

Permit Application:

Category(ies):

New
Renewal
Modification
Termination

05					

On February 3, 1992 the Bureau of Information Systems received the above referenced application. Attached you will find a Permit Cover Page based on the current permit information. This Permit Cover Page will be generated upon issuance of the Draft and/or Final Permit unless we are instructed otherwise to revise its contents by you. If you have any questions concerning the application please contact me at 292-9941. Thank you for your time.

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY
WASTEWATER FACILITIES REGULATION PROGRAM

CNO29

Trenton, N J 08625-0029

(609) 292-1637
Fax # (609) 984-7938

Gordon Terminal Service Co.
c/o Greentree Compliance Inc.
163 Stockton Street
Hightstown, N.J. 08520

FEB 10 1992

Attn: Peter M. Hines

RE: NJPDES Permit No. NJ0033014

Facility Name: GORDON TERMINAL SERVICES
Municipality : BAYONNE CITY
County : HUDSON
Category(ies): 05 GROUP I - STORMWATER RUNOFF

Dear Mr. Hines

On February 3, 1992 the Bureau of Information Systems received your application for a New Jersey Pollutant Discharge Elimination System (NJPDES) permit. It has been forwarded for further review to the Bureau(s) of:

Industrial Discharge Permits

If this is a renewal application please be advised that the conditions of an expired permit are continued in force pursuant to the "Administrative Procedure Act", N.J.S.A. 52:14B-11, until the effective date of a new permit if:

1. The permittee has submitted a timely and complete application for renewal as provided in N.J.A.C. 7:14A-2.1, 3.2 (DSW), 4.4 (IWME), 5.8 (UIC), and 10; and
2. The Department, without fault on the part of the permittee, fails to issue a new permit with an effective date on or before the expiration date of the previous permit (e.g., when issuance is impractical due to constraints of time or resources).

Any questions concerning the status of your application should be directed to the Bureau(s) of:

Industrial Discharge Permits

(609)292-4860

Sincerely,

Anthony Walker
Bureau of Information Systems
Wastewater Facilities Regulation Program

C: Bureau of Industrial Discharge Permits
Enforcement - Metro Region



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF FACILITY WIDE ENFORCEMENT
METRO BUREAU OF REGIONAL ENFORCEMENT
2 BABCOCK PLACE
WEST ORANGE, NEW JERSEY 07052

(201) 669-3900

November 13, 1992

Mr. John D. Gordon, Vice President
 Gordon Terminal Service Co., of NJ., Incorporated
 2 Hook Road
 Bayonne, NJ 07002

Re: Compliance Evaluation Inspection
 Gordon Terminal Service Co. of NJ., Incorporated
 NJPDES No. NJ0033014
 Bayonne/Hudson County

Dear Mr. Gordon:

A Compliance Evaluation Inspection of your facility was conducted by a representative of this Bureau on October 28, 1992. A copy of the completed inspection report form is enclosed for your information.

Your facility received a rating of "UNACCEPTABLE" due to the following deficiencies:

A review of the Discharge Monitoring Reports (DMRs) for DSN 001 has revealed several effluent limitation violations for the period September 1, 1991 through August 31, 1992

DMR Number	Monit Period END DATE	VIOL	DSN No	PARAM	LOAD CONC	LIMIT TYPE	LIMIT	UNITS	DATA
91110752	11/30/91	EFF	001	BOD	CONC	MAX	50.00	mg/l	80.00
	11/30/91	EFF	001	TOC	CONC	MAX	50.00	mg/l	62.00
91120752	12/31/91	EFF	001	TURB	CONC	MAX	50.00	NTU	83.00
92040756	4/30/92	EFF	001	pH	CONC	MIN	6.5	S.U.	6.4

Definitions of abbreviations used above:

TOC -Total Organic Carbon	TURB -Turbidity
BOD -Biochemical Oxygen Demand	EFF -Effluent
MAX -Maximum	MIN -Minimum
S.U. -Standard Units	mg.l -Milligram per liter

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Recycled Paper



ATTACH TIERRA-B-014290



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029, Trenton, N.J. 08625



DISCHARGE SURVEILLANCE REPORT

PERMIT # NJ0033014 NO. OF DISCHARGES 001,002 CLASS Mig/Ind
DISCHARGER Gordon Terminal Service Company
OWNER Gordon Terminal Service Company
MUNICIPALITY Bayonne COUNTY Hudson WATERSHED CODE I
LOCATION 2 Foot of Hook Road
RECEIVING WATERS Hill Van Nall STREAM CLASS SE3
LICENSED OPERATOR & PLANT CLASS Mike Edson N-1
TRAINEE/ASSISTANT _____ OTHER INFO. (201) 437-8300

DEFICIENCIES OR COMMENTS

- Permit Effluent Limitation Violations for
The Period 9/1/91 - 8/31/92.

OVERALL RATING ☐ Acceptable ☐ Conditionally Acceptable ☒ Unacceptable

EVALUATOR Anthony J. Menali TITLE Environmental Specialist
INFORMATION FURNISHED BY (Name) Mike Edson
(Title) Safety & Compliance Manager (Organization) Gordon Terminal Service

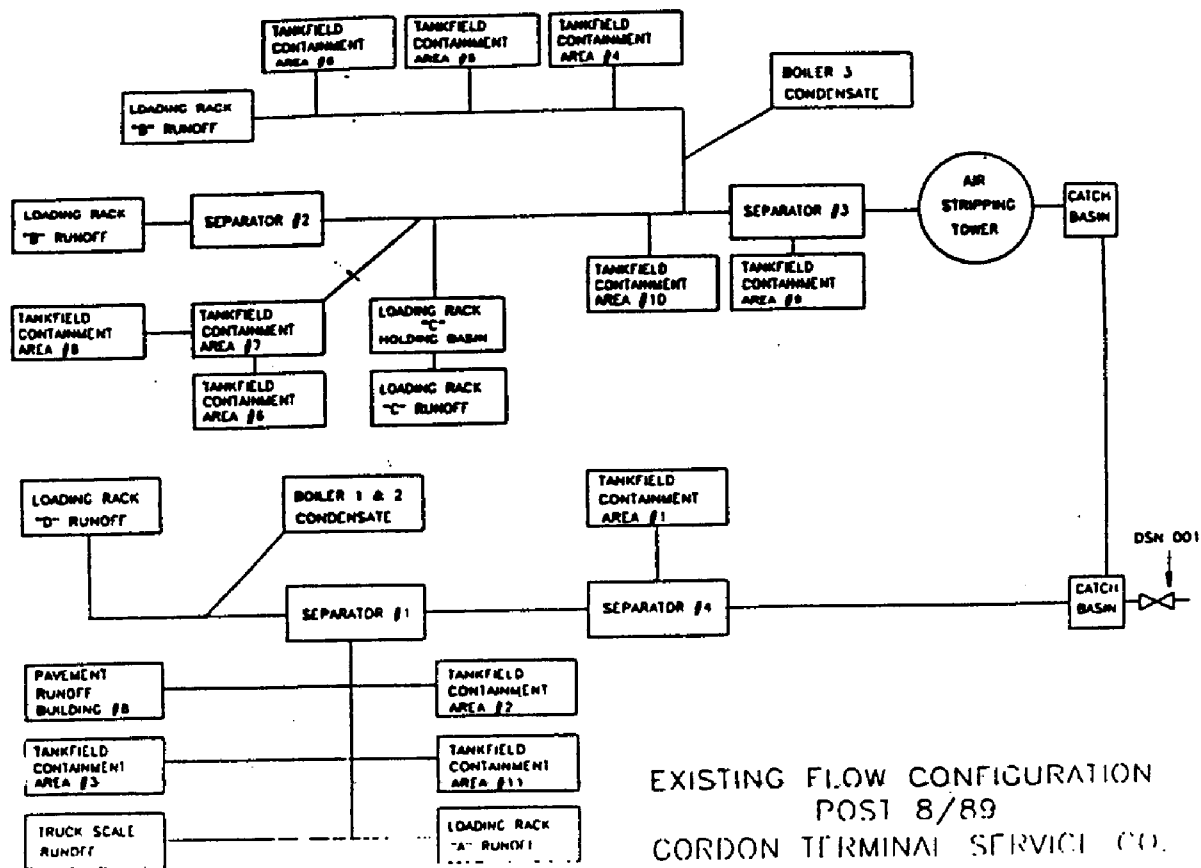
DATE OF INSPECTION October - 28/1992



DISCHARGE SURVEILLANCE REPORT

Permit # NT 0033014
Date 10/28/92

DIAGRAM AND FLOW SEQUENCE:

EXISTING FLOW CONFIGURATION
POST 8/89
CORDON TERMINAL SERVICE CO.
NJ 0033014

DISCHARGE DATA

DE: D. L. K.PERIOD: 9/1/91 - 8/31/92

BER	MONITORING PERIOD	VIOLATION TYPE	DSN No.	SAMPLE TYPE	PARAMETER	PERMIT LIMITS	DATA
2752	11/1/91 - 11/4/91	EPA	001	Grab	BOD Max	50 mg/L	80 mg/L
			001	Grab	TOC Max	50 mg/L	62 mg/L
2752	11/1/91 - 11/3/91	EPA	001	Grab	Turb Avg	50 NTU	83 NTU
2752	11/1/91 - 11/2/91	EPA	001	Grab	pH Min	6.5 S.U.	6.4 S.U.

MONITORING DEFICIENCIES: Listed AboveATTACHMENT G50

mini

Gordon Terminal Service Co. of N. J. Inc.

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

2 HOOK ROAD

March 4, 1993

NJDEPE
Metro Bureau of Regional Enforcement
Attn: Peter T. Lynch, Chief
2 Babcock Place
West Orange, NJ 07052

Re: Your letter dated February 16, 1993; NJPDES Permit No. NJ0033014

Mr. Lynch:

Pursuant to your above letter, we have enclosed a copy of our letter to the Bureau of Information Systems that fulfilled the non-compliance reporting requirements for our November 1992 DMR. Please direct any questions that you or your staff may have to either Mike Edson or me.

Sincerely yours,



Thomas S. Gordon
Vice President

enc.

cc: Bureau of Information Systems (w/enc.)

Gordon Terminal Service Co. of N. J. Inc.

2 HOOK ROAD

BOX 143
BAYONNE, N. J. 070020143

(201) 437-8300

December 22, 1992

NJDEPE
Wastewater Facilities Regulatory Element
Bureau of Information Systems
CN-029
Trenton, NJ 08625-0029

Re: November DMR Report; NJPDES Permit # NJ0033014

Sirs:

Our DMR report for the month of November 1992 showed test results for pH that were below the permit limit. Pursuant to the conditions of our permit, we submit the following information:

Description of event: The effluent sample taken on November 3, 1992 for the November DMR had a pH test result of 6.2, which is below our minimum limit of 6.5. Our permit requires a monthly grab sample be tested for pH.

Steps being taken to determine the cause of noncompliance: We have conducted an investigation into why the test result was below this parameter. We reviewed sampling and testing procedures with our contracted certified lab. We determined that there were no leaks, inventory losses, unusual operating problems or unreported events during the monitoring period. In part, our investigation focused on changes to our physical plant that had been made and were in progress. Large earthen areas have been paved with asphalt and concrete. It is our opinion that lime in those earthen areas had neutralized the acidity of the rainwater and, because of the installation of asphalt and concrete, that neutralization is no longer occurring.

Steps being taken to reduce and eliminate the noncomplying discharge: The effluent sample drawn for the December DMR on December 17, 1992 was in compliance.

The period of noncompliance: The period of non-compliance was limited to the monthly grab sample drawn on November 3, 1992. Samples drawn for the October and December DMR'S were both in compliance.

The cause of the noncompliance: It is our opinion that this excursion is most likely acidic rainfall. A rainwater sample taken and tested on December 17, 1992 had a pH value of 4.0.

ATTACHMENT G

TIERRA-B-014294

F. NJDEP
CC: RMC
MIKE
TAM
JOHN

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY
Environmental Regulation
Wastewater Facilities Regulation Element
CN 029
Trenton, NJ 08625-0029

FEB 16 1993

GORDON TERMINAL SERVICE CO
2 HOOK ROAD
PO BOX 143
BAYONNE NJ 07002

RE: Violation of Effluent Limits or Parameter Reporting
Requirements NJPDES Permit No: NJ0033014

Dear Permittee:

The New Jersey Department of Environmental Protection and Energy (Department) has issued your facility a New Jersey Pollutant Discharge Elimination System (NJPDES) permit pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. The permit requires that discharge monitoring results obtained during the previous monitoring period shall be summarized and reported to the Department on Discharge Monitoring Report (DMR) forms.

Your NJPDES permit requires that you submit to the Department a report concerning any non-compliance, including the action taken to correct it and prevent its continuation or recurrence. Additionally, the Clean Water Enforcement Amendments to the New Jersey Water Pollution Control Act and the regulations adopted pursuant thereto, specify reporting requirements for claiming an affirmative defense for certain violations.

The Department has reviewed the DMR submitted for your facility for the period ending 92/11/30. This review indicated that you are not complying with one or more effluent limitations or parameter reporting requirements specified in your permit. These apparent violations are noted on the attached violation summary forms.

Please review the subject DMR carefully against the information on the violation summary form. If there is a discrepancy between the DMR information you submitted and the data listed on the violation summary form you must immediately submit a copy of the submitted DMR with a notation of the discrepancy to the Bureau of Permit Management, CN029, Trenton, NJ 08625-0029. If your DMR was incomplete or completed incorrectly you must submit a revised DMR to the Bureau of Permit Management with a copy to this office. The corrected information must be submitted in red ink and each revised value must be initialed and dated by the original signatory. DMRs must be completed in accordance with the Department's Discharge Monitoring Report Instruction Manual (Revised June 1991).

ATTACHMENT G⁵⁴

Nothing shall preclude the Department from assessing penalties if the missing DMR effluent parameter information was not inadvertently omitted or if the Department was not notified within 30 days of the DMR due date of the existence of extenuating circumstances beyond the control of the permittee. Failure to submit missing effluent parameter data within ten (10) days from receipt of this letter subjects you to mandatory civil administrative penalties of \$100 per parameter per day up to a maximum of \$50,000 per DMR. These penalties accrue as of the fifth day following the date on which the DMR was due.

If the information listed on the enclosed form is correct and you have fulfilled your non-compliance reporting requirements, no response to this letter is necessary. The violations will be evaluated and addressed during the Department's compliance evaluation inspection process.

Very truly yours,

Peter T. Lynch, Chief

Metro Bureau of Water &
Hazardous Waste Enforcement
2 Babcock Place
West Orange, NJ 07052-5504

Enclosure

ATTACHMENT G^{ss}

NJPDES Number: NJ0033014

Facility Name: GORDON TERMINAL SERVICE CO

Monitoring Period End Date: 92/11/30

Pipe Num: 001A

Mon. Loc. 1

PARAMETER: 00400 DESCRIPTION: PH

VIOLATION: E90 NUMERIC VIOLATION

QUANTITY

CONCENTRATION

Average

Maximum

Minimum

Average

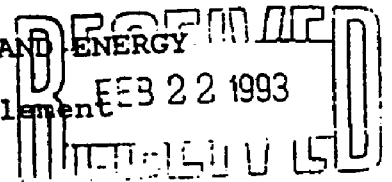
Maximum

MEASUREMENT:

6.2000

6.2000

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY
Environmental Regulation
Wastewater Facilities Regulation Element
CN 029
Trenton, NJ 08625-0029



FEB 16 1993

GORDON TERMINAL SERVICE CO
2 HOOK ROAD
PO BOX 143
BAYONNE NJ 07002

RE: Violation of Effluent Limits or Parameter Reporting
Requirements NJPDES Permit No: NJ0033014

Dear Permittee:

The New Jersey Department of Environmental Protection and Energy (Department) has issued your facility a New Jersey Pollutant Discharge Elimination System (NJPDES) permit pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. The permit requires that discharge monitoring results obtained during the previous monitoring period shall be summarized and reported to the Department on Discharge Monitoring Report (DMR) forms.

Your NJPDES permit requires that you submit to the Department a report concerning any non-compliance, including the action taken to correct it and prevent its continuation or recurrence. Additionally, the Clean Water Enforcement Amendments to the New Jersey Water Pollution Control Act and the regulations adopted pursuant thereto, specify reporting requirements for claiming an affirmative defense for certain violations.

The Department has reviewed the DMR submitted for your facility for the period ending 92/10/31. This review indicated that you are not complying with one or more effluent limitations or parameter reporting requirements specified in your permit. These apparent violations are noted on the attached violation summary forms.

Please review the subject DMR carefully against the information on the violation summary form. If there is a discrepancy between the DMR information you submitted and the data listed on the violation summary form you must immediately submit a copy of the submitted DMR with a notation of the discrepancy to the Bureau of Permit Management, CN029, Trenton, NJ 08625-0029. If your DMR was incomplete or completed incorrectly you must submit a revised DMR to the Bureau of Permit Management with a copy to this office. The corrected information must be submitted in red ink and each revised value must be initialed and dated by the original signatory. DMRs must be completed in accordance with the Department's Discharge Monitoring Report Instruction Manual (Revised June 1991).

ATTACHMENT G-58

Nothing shall preclude the Department from assessing penalties if the missing DMR effluent parameter information was not inadvertently omitted or if the Department was not notified within 30 days of the DMR due date of the existence of extenuating circumstances beyond the control of the permittee. Failure to submit missing effluent parameter data within ten (10) days from receipt of this letter subjects you to mandatory civil administrative penalties of \$100 per parameter per day up to a maximum of \$50,000 per DMR. These penalties accrue as of the fifth day following the date on which the DMR was due.

If the information listed on the enclosed form is correct and you have fulfilled your non-compliance reporting requirements, no response to this letter is necessary. The violations will be evaluated and addressed during the Department's compliance evaluation inspection process.

Very truly yours,

Peter T. Lynch, Chief

Metro Bureau of Water &
Hazardous Waste Enforcement
2 Babcock Place
West Orange, NJ 07052-5504

Enclosure

ATTACHMENT G⁵

TIERRA-B-014299

NJPDES Number: NJ0033014

Facility Name: GORDON TERMINAL SERVICE CO

Monitoring Period End Date: 92/10/31 Pipe Num: 001A Mon. Loc.: 1

PARAMETER: 00310 DESCRIPTION: BOD, 5-DAY (20 DEG. C)

VIOLATION: E90	NUMERIC VIOLATION QUANTITY		Minimum	CONCENTRATION	
	Average	Maximum		Average	Maximum
				76.0000	76.0000

MEASUREMENT:

ATTACHMENT G⁶⁰

We hope that the information provided above satisfies the reporting conditions of our permit. If there are any questions, please contact our Compliance Manager, Mike Edson or this writer.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Thomas S. Gordon', with a stylized, flowing script.

Thomas S. Gordon
Vice President



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
CN 029
TRENTON, NEW JERSEY 08625

NOTICE OF VIOLATION

DATE 4/28/43

Metre ENFORCEMENT ELEMENT
BUREAU OF REGIONAL ENFORCEMENT
TELEPHONE NO. (201) 664-3400

PCWS # _____ TYPE SUPPLY _____ NJPDES # NEWB010 TYPE DISCH OSW RCRA# _____
NAME OF FACILITY Gordon Tree & Saw Co. Company
LOCATION OF FACILITY 2 Foot of Hill MUN. Barri COUNTY Madison
FACILITY REPRESENTATIVE AND TITLE _____

You are hereby NOTIFIED that during an inspection of your facility on the above date, the following violations were noted and remedial actions are required:

DESCRIPTION OF VIOLATION/REMEDIAL ACTION: Plaintiff's Motion for Summary Judgment
Plaintiff's Motion for Summary Judgment
Plaintiff's Motion for Summary Judgment
Plaintiff's Motion for Summary Judgment

The above noted violations are in violation of the following N.J. Statutes/Regulation, and will be recorded as part of the permanent enforcement history of your facility:

- ☒ New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Water Supply Management Act (N.J.S.A. 58:1A-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) and appropriate Regulations.
- ☐ New Jersey Underground Storage of Hazardous Substance Act (N.J.S.A. 58:10A-21 et seq.) and appropriate Regulations.

Remedial action to correct the violations must be initiated immediately. Within five (5) calendar days of receipt of this Notice of Violation, you shall telephone the investigator issuing this notice at the above number with the corrective measures you have initiated to attain compliance. The issuance of this document serves as notice to you that the Department has determined that a violation has occurred and does not preclude the State of New Jersey or any of its agencies, from initiation of further administrative or judicial enforcement action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are subject to penalties of up to \$25,000 per day.

Further enforcement action, which will require a written response, may be issued on these violation(s) and any additional violations found during the inspection.

Violation received by

Investigator, Division of Water Resources, DEP

Michael O'Brien

White - Original

Canary - Bureau File

Pink - Criminal Justice

Goldenrod - Central File

New Jersey Is An Equal Opportunity Employer

ATTACHMENT G⁶

TIERRA-B-014302

ATTACHMENT J

DUTY OFFICER NOTIFICATION REPORT

DATE 10-25-89 REC'D BY 110 CASE NO. 89-10-25-1459 TIME 10:14

INCIDENT REPORT BY:

Name Mike Edlin Phone 201 437 8300

Street _____

City _____ State _____

Affiliation/Title Gardex Term.

INCIDENT LOCATION: _____

Name (Site) Gardex Term. Phone (601) 437-8300Street 112 Hook Rd.City Bayonne County Hudson State _____ Zip Code _____Date of Incident 89-10-25 Time 1410

IDENTITY OF SUBSTANCE(S) SPILLED/RELEASED, ETC.:

Name of Substance(s) (Gas, Liquid, Solid) Hub oil ☒ Suspected ☐ UnknownAmount Released/Spilled 300 gallons ☒ Actual ☐ Potential ☐ Estimated Substance Contained ☒ N ☐ UType of Release/Spill: ☐ Terminated ☐ Continuous ☐ Intermittent Hazardous Material ☒ Y ☐ N ☐ U

INCIDENT DESCRIPTION:

☐ Fire ☐ Explosion ☐ Air Rel ☒ Spill ☐ MVA ☐ Derailment ☐ Smoke/Dust☐ Odors ☐ Sewage ☐ NJPDES ☐ Noise ☐ Wildlife ☐ Illegal Dumping ☐ Drums☐ Equip Start-Up/Shutdown, Equip Fail/Upset, etc. _____☐ Other (specify) _____Injuries ☐ Y ☒ N ☐ UFacility Evacuation ☐ Y ☒ N ☐ UPopulation Evacuation ☐ Y ☒ N ☐ UPotable Water Source ☐ Y ☐ N ☐ UContamination of ☐ Air ☒ Land ☐ Water

Receiving Water _____

Location Type: ☐ Residential ☒ Industrial ☐ Commercial ☐ Rural ☐ Sensitive Population (Hosp., School, Nurs. Home)STATUS AT INCIDENT SCENE Spill caused by leaking pipe - M. Edlincleaned up by company

RESPONSIBLE PARTY:

Company Name Gardex Term. ☒ Suspected ☐ UnknownContact Mike Edlin Phone (601) 437-8300Street 112 Hook Rd. Title _____City Bayonne County Hudson State _____ Zip Code _____

OFFICIALS NOTIFIED (Name/Title):

NJSP: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

Local Health: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

Local Munic: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

USEPA: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

INCIDENT REFERRED TO:

☐ DEQ ☐ DWR ☒ DSWM ☐ DHSM ☐ SHWM ☐ DOH ☐ DFG ☐ DPF ☐ DCJ ☐ DCRRegion: ☐ Northern ☒ Metro ☐ Central ☐ Southern ER1 ☐ ER2 ☐ BUST

1. Name/Affil _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

2. Name/Affil _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

3. Name/Affil _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

DEP RESPONSE ☐ Emergency ☐ Immediate ☐ Priority ☒ No Response N/A BECAUSECOMMENTS Called Mike Edlin, Gardex Term. -Hub oil spill caused by leaking pipe - M. Edlincleaned up by companySpill caused by leaking pipe - M. Edlincleaned up by company

- NPSH -

Gordon Terminal Service Co. of NJ, Inc.

P. O. Box 143
Bayonne, N.J. 07002
201 — 437-8300

July 18, 1984

Office of Hazardous Substances Control
Division of Water Resources
P.O. Box 2809
Trenton, NJ 08625

ATTN: Discharge Confirmation

Gentlemen:

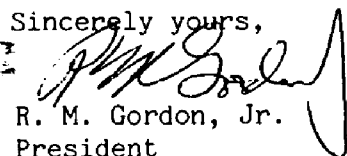
In accordance with CHAPTER 1E DISCHARGE OF PETROLEUM AND OTHER HAZARDOUS SUBSTANCES, SUBCHAPTER 2. DISCHARGE NOTIFICATION AND RESPONSE 7:1E-2.2 Confirmation of Notification; Report, we submit the following:

On May 25, 1984 at approximately 5 A.M. the Gordon Terminal Service Co. of NJ, Inc. experienced a spill of approximately 4,000 gallons of I,I,I-Trichlorethane. This spill was reported in accordance with provisions of 7:1E-2.1 Notification of Discharges.

I,I,I-Trichlorethane was being transferred from the motor vessel Chilbar, owner Keystone Shipping Company, into Gordon Terminal Service Co. of NJ, Inc.'s Tank No. PPG-6. Gordon personnel were on duty at the tank and at the ship at all times during the discharge and particularly at the moment of discharge. The ships pumps were immediately shut down. The spilled product was immediately recaptured by the company's vacuum truck, pumped into an empty standby storage tank and subsequently sold to Rambach Company, Inc., Newark, New Jersey. The primary reason for the spill was an incorrect tank gauge chart maintained by Gordon Terminal Service Co. of NJ, Inc. In order to comply with Air Pollution regulations of the Department of Environmental Protection an internal floating roof had been installed in storage Tank No. PPG-6. This lowered the usable portion of the tank from 41½ feet to 38½ feet, a difference of 31,104 gallons. Although this change was known to terminal employees, the companies gauge chart books were not properly changed, and the person in charge of this particular discharge did not remember the change and did not have an accurate gauge chart to remind him of the change.

New guage charts have been issued, the old charts have been destroyed, and all personnel concerned with ship discharges have been fully briefed on this entire incident in order to prevent any possible recurrence.

Sincerely yours,


R. M. Gordon, Jr.
President

RMG,Jr/kn

TIERRA-B-014305