

ANNUAL REPORT

by

Chief Engineer

S. A. LUBETKIN

to the

PASSAIC VALLEY

SEWERAGE COMMISSIONERS

FOR OPERATIONS DURING

THE YEAR

1976

FHM000001

Violation & Elimination - Public Service Electric & Gas Co.
Essex Generating Station (con't.)

On January 27, 1976, Mr. J. F. Schwanhausser, Division Superintendent of Elizabeth, replied, apologizing for not effectively controlling the transmission of this material, and he informed PVSC that all personnel of both divisions have been instructed in proper procedures so as to avoid repetition of this type of incident.

Violation and Elimination - Ridgewood Pollution Control
Plant, Prospect Street, Glen Rock, N.J.
May 4, 1976 (T. Costello)

The Village of Ridgewood has a pollution control plant which handles sewage from this village. This activated sludge plant has a design capacity of 5.0 MGD and treats approximately 3.2 MGD.

Since the effluent from this plant discharges into Saddle River, a tributary of the Passaic River, it comes under the jurisdiction of the PVSC, and PVSC personnel sample this effluent on a routine basis. The licensed operator is Mr. John La Grosa. The sample taken on May 4 was polluting, having high COD and TOC. Inspector Costello investigated and reported that treatment records showed slightly high suspended solids. Chief Operator Lyle Gillow could offer no explanation for the results. The subsequent samples taken by the PVSC were all satisfactory.

It is to be noted that this was the only sample of 51 taken in 1976 which was rejected by PVSC, therefore we shall assume a short time temporary upset and the violation was considered eliminated.

Violation & Elimination - The Seton Company,
849 Broadway, Newark, N.J.
June 8-9, 1976 (F. Cupo & J. McLaughlin)

At about 10 a.m. on June 8, 1976 PVSC received a complaint of a white substance discharging into the Passaic River near Verona Avenue, Newark. Mr. Cupo investigated and found that there was a blockage in the regulator chamber on Verona Avenue. The regulator then diverted the flow into the Passaic River, causing the pollution.

Since our records showed that the Seton Company had been the cause of a similar pollution in October 1971, Mr. Cupo visited the company located at 849 Broadway, Newark. He spoke to Mr. Peter Van Vleck, President, and showed him the polluting discharge. By 12:30 p.m. the PVSC line crew had removed the material causing the blockage. A cow hide which had entered the sanitary sewer from Seton Company had clogged the line at the regulator chamber and caused the problem.

FHM000002

iolation & Elimination - The Seton Company (con't.)

Investigation revealed that in 1972, after the previous problem, the Seton Company had installed bar screens to keep skins, etc., from entering the sanitary sewer. Mr. Jamison, Plant Engineer, reported to Inspectors McLaughlin and Colello that one of the four bar screens had malfunctioned and had been removed on May 28 and sent out for repairs. The drain was thus unprotected and on June 8 the pollution occurred. On June 9 the screen was returned and installed. Since this type of problem could occur again at any time a bar screen was removed, Mr. D'Ascensio wrote to Mr. Van Vleck on June 24 asking what action Seton Company intended to take to prevent a recurrence and suggested that a spare bar screen be kept on hand to replace any taken out for repairs. Mr. Jamison replied that Seton Leather Company had constructed a spare screen to be used should any screen need replacement.

PVSC billed and Seton Company paid \$177.18 for PVSC labor costs in removing the cow hide from the line.

Violation and Elimination - Standard Dyeing and Finishing Co., Inc. 1 Van Houten St., Paterson, N.J.
September 14-20, 1976 (M. Tomaro)

On September 14, 1976, during a routine inspection of the Passaic River in Paterson, Inspector Tomaro observed a blue colored liquid seeping into the Passaic River at the rear of the Allied Textile Print Company, 1 Van Houten St. Upon investigation he was informed by Mr. Sherb, Allied Plant Engineer, that the seepage was coming from a leak in a 16 inch industrial sewer line used by Standard Dyeing and Finishing Co. The material seeped into the river under the Allied Textile cooling water line. Mr. Wax, owner of Standard Dyeing and Mr. Sherb of Allied, at a meeting with Inspector Tomaro, agreed to excavate the line in order to make repairs. Part of the line was exposed on September 15. A delay arose later in the day due to a disagreement between the two companies over the responsibility of each. Inspector Tomaro met Mr. Wax and Mr. Sherb together and pointed out that the pollution had to be halted. Work then continued on September 16 and on September 20 a two inch hole in the line was sealed eliminating the violation.

Violation and Elimination - Tenneco Chemicals, Inc.
290 River Road, Garfield, N.J.
September 1-2, 1976 (J. Ferrapato & J. Parr)

On September 1, 1976 at 5 P.M. PVSC received a complaint of pollution in the Passaic River caused by Tenneco Chemicals. Inspectors Ferrapato and Parr investigated, arriving at the plant at 5:45 P.M. They requested the Security Guard call Mr. La Bue, Works Manager

FHM000003

HERMAN BLANK
CHAIRMAN
THEODORE K. FERRY
VICE-CHAIRMAN
WILLIAM W. WHITE
LIAM F. YEOMANS
JOSEPH V. MCGUIRE
COMMISSIONERS

PASSAIC VALLEY SEWERAGE COMMISSIONERS
CHAMBER OF COMMERCE BUILDING
24 BRANFORD PLACE
NEWARK 2, N. J.

SEYMOUR A. LUBETKIN
CHIEF ENGINEER
LOUIS AUERBACH, JR.
COUNSEL
RUSSELL H. HANFORD
CLERK AND TREASURER

April 13, 1956.

Mr. Seymour A. Lubetkin, Chief Engineer,
Passaic Valley Sewerage Commissioners,
24 Branford Place,
Newark 2, N. J.

Dear Mr. Lubetkin:

Re: - Mc Carter Highway and Verona Ave.
P.V.S.C. Sand Catcher Debris.

On Friday April 13, 1956 at 9:45 A.M. Mr. Neilly, Mr. Andolino, and Mr. Goldberg visited the Seton Leather Company to discuss the problem of dumping solid industrial waste into the sanitary sewer.

Mr. Weldon, the plant superintendent, readily admitted dumping various solids into their sanitary sewer in the process of cleaning. He also stated that frequently his men have to clean out the Newark sewer outside their building because of clogging with their waste.

He came down to the Second River Yard and was shown several tanned skins that we had taken out of our sand-catcher. Some fibrous and fleshy material which was drying in our laboratory oven, was also shown to him and he admitted that this was typical of their waste.

Mr. Weldon promised to write a report covering this situation and that he would forward this report to us.

Very truly yours,

Alexander S. Goldberg
Alexander S. Goldberg

Michael D. Andolino
Michael D. Andolino

ASG:WP
MDA:

FHM000004

DUTY OFFICER NOTIFICATION REPORT

CASE NO. 90 - 12 - 11 - 1208
(Yr) (Mo) (Day) (Time)DATE 12 - 11 - 90
(Mo) (Day) (Yr)

REC'D BY

TIME

1215

INCIDENT REPORT BY:

Name T.O. Piscitello Phone 578 8173

Street _____

City _____ State _____

Affiliation/Title State Police

INCIDENT LOCATION:

Transportation

Facility

Other:

Name (Site): Seton Leather Phone 485 4800Street VERONA & BROADWAYCity Newark County Essex State _____ Zip Code _____Date of Incident: 12 - 11 - 90 Time: 1207
(Mo) (Day) (Yr)

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

Suspected

Unknown

Name of Substance(s) [Gas, Liquid, Solid]: Blue Liquid

Amount Released/Spilled _____ Actual _____ Potential _____ Estimated _____ Substance Contained Y N U

Type 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 ☐ U ☐Public Exposure Y ☒ N ☐ U ☐Facility Evacuation Y ☒ N ☐ U ☐Fire Department at Scene Y ☒ N ☐ U ☐Population Evacuation Y ☒ N ☐ U ☐Police at Scene Y ☒ N ☐ U ☐

Potable Water Source Y N U

Assistance Requested Y ☒ N ☐ U ☐

Contamination of Air _____ Land _____ Water _____

Precipitation Y N U

Receiving Water Passaic River

Wind Direction/Speed _____

Location Type: _____ Residential _____ Industrial _____ Commercial _____ Rural _____ Sensitive Population (Hosp., School, Nur. Home)

STATUS AT INCIDENT SCENE

Material is coming from
outfall into river.

RESPONSIBLE PARTY:

Suspected

Unknown

Company Name Seton Leather Phone FHM000005

Contact _____ Title _____

Street _____

City _____ County _____ State _____ Zip Code _____

OFFICIALS NOTIFIED (Name/Title):

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

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

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

INCIDENT LOCATION: Seton Leather Transportation 485 4800 Facility 485 4800 Other: 485 4800
Name (Site): Seton Leather Phone: 485 4800
Street: VERONA & BROADWAY
City: Newark County: Essex State: _____ Zip Code: _____
Date of Incident: 12-11-90 Time: 1207
(Mo) (Day) (Yr)

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

Name of Substance(s) [Gas, Liquid, Solid]: Blue Liquid Suspected _____ Unknown _____
Amount Released/Spilled _____ Actual _____ Potential _____ Estimated _____ Substance Contained Y N U
Type 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) U Public Exposure Y (N) U
Facility Evacuation Y (N) U Fire Department at Scene Y (N) U
Population Evacuation Y (N) U Police at Scene Y (N) U
Potable Water Source Y N U Assistance Requested Y (N) U
Contamination of Air Land Water Precipitation Y N U
Receiving Water Passaic River Wind Direction/Speed _____
Location Type: Residential Industrial Commercial Rural Sensitive Population (Hosp., School, Nurs. Home)

STATUS AT INCIDENT SCENE

Material is coming from outfall into river.

RESPONSIBLE PARTY:

Company Name Seton Leather Suspected _____ Unknown _____
Contact _____ Title _____
Street _____
City _____ County _____ State _____ Zip Code _____

OFFICIALS NOTIFIED (Name/Title):

NJSP: TD / _____ Phone _____ Date/Time _____ / _____ (T/M)
Local Health: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)
Local Munic: TDABIO / _____ Phone _____ Date/Time _____ / _____ (T/M)
USEPA: _____ / _____ Phone _____ Date/Time _____ / _____ (T/M)

INCIDENT REFERRED TO:

DEQ X DWR DSWM DHSM DHWM DOH DFG DPF DCJ DCR
Region: Northern X 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 _____

MENTS contacted NJSP and advised them that this is part of an ongoing DWR case.

FHM000006

July 10, 1978

MEMO TO: F. D'Ascensio

FROM: A. S. Goldberg

SUBJECT: Seton Leather Company, 849 Broadway,
Newark, New Jersey 07104

At 10:15 A.M. today, representatives of P.V.S.C. met with Mr. Al Jamison, Environmental Quality Manager and Mr. Joseph Giordano, V.P. Engineering, of the Seton Leather Company. M. Cordasco, V. Roselli, Frank Cupo and the writer represented P.V.S.C.

The discussion involved the poor housekeeping and illegal industrial discharges to the combined sanitary and storm sewer system on Verona Avenue. The material contains high pH liquids as well as animal fats, greases and oils. There is also large amount of yard debris, including pieces of wood, that find its way into the sewer.

I advised Mr. Jamison that he would be obligated to neutralize his wastes and to provide a separator to remove the unwanted grease and oil. He was also to clean up the yard to prevent debris from reaching the sewer. He stated that he would apply for an exception or exemption to the sewer ordinance because they were only a marginal profit company and could not afford the pre-treatment that was required. But he was informed that exemptions were not allowed under EPA regulations.

They proposed to clean up the yard and construct barriers to prevent debris and other solid wastes from reaching the sewer. Your department will have to follow up the pre-treatment procedures that will be necessary.

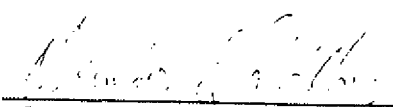
ASG:dhb

cc: R. Ricci
E. Moller

T. MACK

V. ROSELLI

R. GOLDSTEIN



Alexander S. Goldberg

FHM0000007

Metcalf & Eddy

April 24, 1990

Eddie L. Davis
NJDEP/DHWM
Metro Field Office
2 Babcock Place
West Orange, New Jersey 07652

DAY - 2 1990

Re: Seton Co. - Radel Leather Co., Newark, New Jersey
Case No. 90-01-30-0918

Dear Mr. Davis:

As per our conversation, the following is the report of activities conducted by Metcalf & Eddy (M&E) in conjunction with PCB remediation at the above referenced facility.

In September 1989, M&E collected soil samples of stained soil adjacent to four (4) transformers behind the site's boiler room and three (3) transformers located near Oraton Street. Analysis of these samples indicated concentrations of 5.4 parts per million (ppm) and 39 ppm, respectively. The apparent source of these levels was dripping valves, with the staining limited to a small area surrounding the valves.

On April 9, 1990, these two (2) exterior areas were addressed. The concrete pad beneath the transformers on Oraton Street was scraped, and all visually contaminated soil was removed. Oil staining was limited to the top inch of the soil. One and one quarter drums of soil and debris were collected. One confirmatory sample (RLPCB-1) was collected.

The second area addressed was the exterior area behind the boiler room. All four (4) transformers were labeled as certified non-PCB. All soil and debris within two (2) feet surrounding the pad down to approximately three (3) inches were manually removed to four (4) drums. One confirmatory sample (RLPCB-2) was collected at the location previously sampled by M&E.

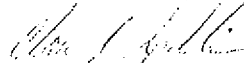
All drums were labeled and will be stored in Seton's centralized hazardous waste storage area pending the results of the waste classification analysis. Once these results are obtained, the wastes will be transported to an approved disposal facility under Seton's RCRA generator identification number.

A report outlining the results of the confirmatory samples analyses will be forwarded to your office when available.

If you have any questions regarding these activities, please do not hesitate to contact me at 201/685-4868.

Yours very truly,

METCALF & EDDY, INC.



Clare P. Sullivan
Senior Environmental Scientist

CPS:cel
cc: Robert Kunze
Carl Zipfel

FHM000009



State of New Jersey

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT**

Metro Regional Office
2 Babcock Place, West Orange, N.J. 07052
(201) 6 9-3960

September 25, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
P 258 818 142

Seton Company
2600 Monroe Boulevard
Norristown, PA 19403
Attn: Carl Zipfel

Dear: Mr. Zipfel:

The attached Notice of Violation (NOV) is being sent to you for the violation of New Jersey Hazardous Waste Regulations and Spill Compensation and Control Act:

- NJSA: 58:10-23.11(c) - Discharge of a hazardous substance prohibited (P.C.B., Transformer oil).
- NJAC: 7:26-7.4(e)4 - Generator permitting the shipment of hazardous waste to an unauthorized facility.
- NJAC: 7:26-7.4(a)3 - Generator failed to prepare a manifest before offering a hazardous waste for transport off-site.

Please submit in writing the corrective measures that will be taken to attain compliance.

FHM000016

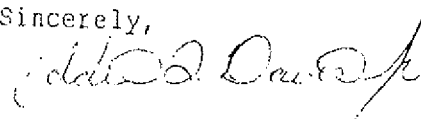
Seton Company

September 25, 1990

Page 2

Should questions arise concerning this matter, feel free to contact me at
(201)669-3960.

Sincerely,



Eddie L. Davis
Senior Environmental Specialist

ELD:jap
Attachments

c: Mark Jacobs

FHM000017

Jersey Department of Environmental Protection
Division of Hazardous Waste Management
Twin Rivers Professional Building
East Windsor, N.J. 08520
2 Babcock Pl., West Orange N.J. 07052
NOTICE OF VIOLATION

ID NO. 105D002147312 DATE 9-24-90
NAME OF FACILITY Sutton Co. AKA Zandel leather
LOCATION OF FACILITY 849 Broadway Newark, N.J. 07104
NAME OF OPERATOR Mr. Carl Zigel - Mr. Mark Jacobs

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 NSAC 7:26-7.4(c)4 - Generator permitting
the shipment of haz waste to an unauthorized facility.
NSAC 7:26-7.4(a)3 - Generator failed to prepare a manifest before
offering haz. waste for transport off-site.
NJSSA 58:10-23.11(c) - Discharge of a hazardous sub-
stance prohibited. (PCB contaminated transformer oil)

Remedial action to correct these violations must be initiated immediately and be completed by

ASAP. 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.

FHM0000018

Robert J. Davis 9-24-90
Division of Hazardous Waste Management
Department of Environmental Protection

TO: Ed Moller

FROM: M. Graglia

DATE: August 18, 1980

SUBJECT: MATERIALS ENTERING VERONA AVENUE CHAMBER

Attached is a report of our investigation into the complaints you made in your letter to Frank D'Ascensio on 8/8/80, you will note that the two sources are unrelated. We will continue to monitor Seton Leather to see that their problem stays corrected.

Mario Graglia
Mario Graglia

MG/saj

cc: F. D'Ascensio

FHM000058

DATE: August 13, 1980

WEATHER: Clear

COMPANY NAME: Seton Leather Company

ADDRESS: 349 Oraton Street

NAME & TITLE OF PERSON CONTACTED: Al Jamison, Environmental Quality Control
Manager

TELEPHONE:

PURPOSE OF VISIT: Skins entering PVSC interceptor Sewer at Verona Avenue

ISCA RECEIVED:

ISCP ISSUED:

ISCP NUMBER:

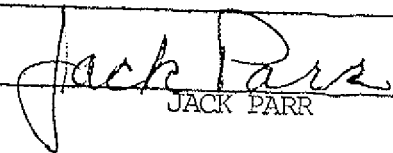
SAMPLE TAKEN:

FHM000059

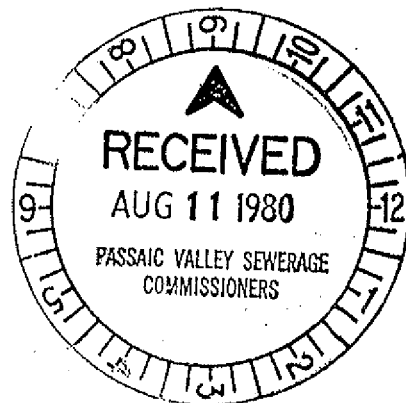
NARRATIVE

On Wednesday 8/13/80 Mr. Mario Graglia assigned me to investigate skins entering PVSC interceptor sewer at the Verona Avenue regulator chamber. He stated that the "skins" have been known in the past to come from the Seton Leather Company on Oraton Street, Newark, NJ. I then contacted Mr. Belli, Superintendent of our cleaning crews and requested that they supply me with some samples of the "skins" obstructing our lines. He stated that he would have these samples for me tomorrow. On Thursday 8/14/80, I went to 2nd River Yard and Mr. Belli gave me several pieces of leather skins taken from our interceptor sewer. These skins were on the average 4 to 5 in. long by 2 in. wide. I then went to Seton Leather at 349 Oraton Street Newark, NJ and spoke with Mr. Al Jamison, Environmental Quality Control Manager. After showing him the skins recovered from our sanitary line I requested to look over his plant operation. This request was honored and in his color room I observed the same

skins on the floor about the same size as I had in my possession. Further investigation revealed that these skins were being washed down the catch basin type floor drains in the color room when the rinse water tanks were emptied onto the floor. I informed Mr. Jamison that smaller screening would have to be placed over these grates to keep these leather scraps from going into our lines. He informed me that this would be done. We then spoke with the Supervisor of the Color Room and he stated that the small pieces of leather are being torn off in the tumbling process. He further stated that the leather was of a cheaper grade and was not trimmed before going into the dyeing vats and rinsing vats because the scrap skin pieces had no retail value, however, he stated this practice would be discontinued and that as of Monday August 16, all skins would be trimmed before going to the color room. I thanked him and informed him that PVSC would keep a close watch on our interceptor sewer for signs of improvement. My supervisor, Mr. Graglia had also instructed me to investigate the smell of Ammonia in the area of Verona Ave on a Saturday, date unknown. I spoke about the Ammonia odor with Mr. Jamison and he stated that they did use Ammonia in their processing but he knew of no spill at the plant. I then contacted a Mr. Rocco Palestina Fire Captain of Engine #13, Newark Fire Department on Mt. Prospect Street and he informed me that on Thursday July 31, 1981, they responded to a leaking Ammonia Railroad Tank Car at O'Pak Corporation on McCarter Highway in Newark, about 1/2 block from Verona Avenue.


JACK PARR

FHM000060



MEMORANDUM

TO: Frank D'Ascensio,
FROM: E.J. Moller, Mg'r. Line Eng'r.
DATE: AUGUST 8, 1980
SUBJECT: MATERIALS ENTERING VERONA AVENUE CHAMBER

It has been recently reported by the Cruz Construction Company that skins, etc. are still entering our interceptor sewer at the Verona Avenue regulator chamber. Our cleaning crew removes them intermittantly from the sandcatcher.

In addition to the skins which have a past history of coming from the Seaton Leather Company on Verona Avenue, there were reports of strong ammonia fumes coming from an unknown source. It was reported that on one Saturday the fumes were so strong that local residents had the City Fire Department out.

Would you please look into these two sources of illegal materials entering into our sewerline.

EJM:rv

FHM000061

DOCUMENT 18 OF 23

NSL7001613513

SE NEWS

HD Company owned by P.A. official cited for dumping into sewers

BY GUY STERLING

WC 691 Words

CC 4566 Characters

PD 05/15/90

SN The Star-Ledger Newark, NJ

CY (Copyright Newark Morning Ledger Co., 1990)

LP A leather goods company owned by Port Authority commissioner and former chairman Philip Kaltenbacher has been cited twice this month for dumping pieces of animal skins into the sewers.

* The citations were issued to the Seton Leather Co. by the Passaic Valley Sewerage Commission (PVSC). Certified letters were sent to the Newark company May 15 and 21 for violations that occurred May 4 and 16, said Frank D'Ascensio, manager of the commission's stream pollution control program.

TD D'Ascensio said the firm told the commission yesterday that the problem had been corrected. PVSC inspectors will check today to see if it has, he added.

Once the problem has been remedied, the commission's technical staff and lawyers for the parties to the case will sit down and discuss penalties, D'Ascensio said. Penalties could include recovery of what it cost the commission to dispose of the skins, along with additional fees, he added.

The letters of citation were mailed to Seton after commission workers came across the hides in what are known as "sand catches," areas intended to pick up sand and grit from the sewers, said D'Ascensio. He described the skins as "of good size," saying one piece measured 2 by 3 feet.

D'Ascensio said the leather pieces were waterlogged and heavy but did not damage the sewer system. "If they had, our response would have been different," he added.

The strips filled a bucket that holds several cubic feet of material, the PVSC official said. Commission workers were forced to remove them from the sand catches and then transport them to a landfill, he added.

The commission has had problems with Seton over the dumping of skins into the sewers going back at least several years, according to D'Ascensio. Those difficulties were previously resolved when the company installed screens to prevent the hides from discharging into the disposal network, he said.

Commission officials do not know what happened to the screens to

FHM000082

allow the discharge of skins into the sewers again. Kaltenbacher, a resident of West Orange, was not available for comment yesterday.

A woman answering the phone in his office said the former assemblyman and chairman of the New Jersey Republican State Committee would not return from a trip until next week. No other executive at Seton responded to a request for information yesterday.

Leather can hinder the operation of certain mechanisms in the sewerage system, D'Ascensio said. He was not certain how many screens Seton had installed but said they had been put in place wherever they were needed.

"The idea behind the screens is to keep the skins and pieces of skin out of the sewers," D'Ascensio said.

He added that the commission, in its deliberations concerning the most recent discovery of hides in the sewer system, might do nothing more than require Seton to make certain the screens remain in place.

"We wouldn't necessarily require them to do something new," D'Ascensio said. "But we would require that they maintain the system as it is supposed to be maintained, with the screens."

Arnold Cohen of the Ironbound Committee Against Toxic Waste, a citizen watchdog group that monitors PVSC activities, urged the commission to fine Seton for the infractions. "The commission should be sending out a strong message that if you dump, you pay," he said.

The PVSC, a Newark-based agency that provides sewerage service to more than two dozen communities in North Jersey, has had other problems with Seton.

The commission and the company are engaged in litigation in Superior Court in Newark over the company's alleged violation of its sewer connection permit and its alleged violation of PVSC rules concerning the pre-treatment of discharge into the sewer system.

The 52-year-old Kaltenbacher serves as chairman of the board and chief executive officer of Seton, a firm primarily engaged in tanning and distributing leather goods to the auto and furniture upholstery industries. His grandfather co-founded the company in 1906.

Kaltenbacher was appointed to Port Authority's board of commissioners by Gov. Thomas Kean in January 1983. In September 1985, he succeeded Alan Sagner as the bistate agency's chairman.

Kaltenbacher, an attorney, resigned the chairmanship early last month but remains one of the Port Authority's 12 commissioners.

FHM000083

DOCUMENT 16 OF 23

NSL001159691

HD Leather goods firm again cited in dumping

BY GUJSTERLING

WC 594 Words

CC 3881 Characters

PD 06/22/90

SN The Star-Ledger Newark, NJ

CY (Copyright Newark Morning Ledger Co., 1990)

LP For the third time in less than two months, the Newark leather-goods company owned by a Port Authority commissioner who once served as the bi-state agency's chairman has been cited for dumping pieces of animal skin into the sewers.

* The Seton Leather Co. was sent its most recent citation Monday for a violation that occurred June 12. The earlier violations occurred May 4 and 16.

TD Frank D'Ascensio, manager of stream pollution control for the Passaic Valley Sewerage Commission (PVSC), yesterday confirmed the latest violation.

It came even after the company owned by Philip Kaltenbacher of West Orange had promised last month that there would be no more discoveries of hides in the sewer system and spent time to prevent a repeat of such incidents, D'Ascensio said.

* Seton Leather welded additional screens onto existing grates to block any more leather strips from passing into the sewers, he added. Inspectors from the PVSC, a Newark-based agency that provides sewerage service to more than two dozen North Jersey communities, checked the work and believed it would remedy the difficulty, D'Ascensio said.

"We're at a loss to explain how this happened and I'm sure they (Seton officials) are, too," he said. "They clearly expended an effort to correct the problem, but it appears that effort wasn't 100 percent effective. The problem still has to be corrected."

* PVSC and Seton Leather officials have a conference scheduled for next Friday to review the situation.

* Environmental litigation brought by the PVSC against Seton Leather will also be on the agenda. That case, which involves the company's alleged violation of its sewer connection permit and its alleged violation of PVSC rules concerning the pre-treatment of discharge into the sewer system, is pending in Superior Court in Newark.

The city of Newark will be represented at the meeting as well, said Al Zach, director of the city's department of engineering.

Among the issues to be discussed at the session will be fines and penalties the PVSC may impose against Seton for the violations, a

FHM000084

compliance schedule for the leather firm's pre-treatment of its sewer discharge and Newark's role in the case, said a PVSC lawyer.

Newark officials have been concerned for a number of years about * discharges of high sulfides from Seton Leather, said Zach. Seton has wanted to install a "modified sewer" in the city street that would be designed to solve its sulfide troubles, he added.

Newark has not allowed Seton to make the change and denied it permits for the work but recently "had a change of heart," the city's chief engineer said.

Sulfides affect the acidity of water.

Zach described the discharge of leather into the sewers as a problem that was "not unsolvable."

* Donald Robinson, a counsel for Seton Leather, said the firm had been adhering to the PVSC's wishes.

"In the past several weeks, the PVSC asked the company to place safeguards to prevent the discharge of leather pieces into the sewerage system," he said. "The company complied 100 percent with these requests.

"The PVSC inspected the new installations. The company will be meeting with the PVSC next week to discuss whether there is a need for additional safeguards."

Kaltenbacher, 52, serves as chairman of the board and chief executive officer of the Seton Co., a firm primarily engaged in tanning and distributing leather goods to the auto and furniture upholstery industries.

He was appointed to the Port Authority's board of commissioners in 1983 and from 1985 until April served as its chairman. While Kaltenbacher resigned the chairmanship, he remains one of the Port Authority's 12 commissioners.

I0607 * End of document.

FHM000085

MEMORANDUM

TO: Mario Graglia
FROM: Anthony Gammaro
DATE: October 19, 1987
SUBJECT: SULFIDES RESULTS

The following had a high sulfide result:

ID #	Company Name	WO #	Date Schedule	Date Complete	Results
20401361	Seton Leather	134019	09/02/87	09/29/87	50.0

FHM000143

MEMORANDUM

TO: Mario Graglia
FROM: Anthony Gammaro
DATE: April 14, 1988
SUBJECT: HEAVY METAL RESULTS

The following company had high Heavy Metal results.

<u>Company Name</u>	<u>I.D.#</u>	<u>W.O#</u>	<u>W.O. Date</u>	<u>Completed</u>	<u>Results</u>
Seton Leather	20401362	137238	03/14/88	04/13/88	Cr 9.42

AG/mc

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MEMORANDUM

TO: Mario Graglia
FROM: Anthony Gammara
DATE: July 19 1988
SUBJECT: SULFIDES RESULTS

The following had a high sulfide result:

<u>Company Name</u>	<u>I.D.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
Seton Leather	20401362	I38875	06/22/88	07/12/88	High 40.0

/ug

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copy

MEMORANDUM

TO: MARIO GRAGLIA
FROM: DAISY ELLISON
DATE: NOVEMBER 7, 1988
SUBJECT: HEAVY METAL RESULTS

The following company had high Heavy Metal results.

<u>Company Name</u>	<u>LD #</u>	<u>W.O #</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Results mg/l</u>
Seton Leather	20401361	I39940	09/08/88	11/02/88	Cr 51.9
Seton Leather	20401362	I39946	09/09/88	10/31/88	Cr 39.87
N.J. Tanning	21401330	I39847	09/01/88	11/02/88	Cr 85.7

de

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MEMORANDUM

COPY

TO: MARIO GRAGLIA
FROM: DAISY ELLISON
DATE: MARCH 08, 1989
SUBJECT: SULFIDES RESULTS

The following had a high sulfide result:

<u>Company Name</u>	<u>LD.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
Seton Leather	20401361	I43379	02/22/89	3/03/89	High 174.40

de

FHM000147

MEMORANDUM

TO MARIO GRAGLIA
FROM Laura Ditchkus
DATE: August 1, 1989
SUBJECT: HIGH SULFIDE RESULTS

<u>Company Name</u>	<u>LD.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
SETON LEATHER	20401361	145495	5/23/89	7/28/89	238.7
SETON LEATHER	20401361	146187	6/20/89	7/28/89	63.73

ld

FHM000148

MEMORANDUM

TO MARIO GRAGLIA
FROM Laura Ditchkus
DATE: OCTOBER 18, 1989
SUBJECT: SULFIDE RESULTS

<u>Company Name</u>	<u>I.D.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
SETON LEATHER	20401362	I48006	09/20/89	9/20/89	46.04

ld

FHM000149

MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 12/13/89
SUBJECT: VIOLATION CHROMIUM

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	148846	11/6/89	11/30/89	24.46

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: JANUARY 9, 1990
SUBJECT: CHROMIUM TOTAL VIOLATION

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SETON LEATHER CO	20401362	49385	12/05/89	01/03/90	50.75
SETON LEATHER CO	20401361	49394	12/05/89	01/03/90	10.97

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 01/25/90
SUBJECT: SULFIDE VIOLATION

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	49727	12/19/89	01/24/90	52.04

NOT FOR ENFORCEMENT PURPOSES

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 02/01/90
SUBJECT: CHROMIUM VIOLATION

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	50061	01/11/90	01/30/90	24.16
	20401362	50062	01/11/90	01/30/90	22.52

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 02/14/90
SUBJECT: SULFIDE VIOLATION

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE</u> <u>DATE</u>	<u>DATE</u> <u>COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	50327	01/23/90	02/13/90	24

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 03/07/90
SUBJECT: SULFIDE VIOLATION

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	50905	02/19/90	03/06/90	28.0

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 04/17/90
SUBJECT: SULFIDE VIOLATION
425 REG.LIMIT 24

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE DATE</u>	<u>DATE COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	51673	03/21/90	04/06/90	38

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JACK TRAINA
DATE: 04/17/90
SUBJECT: CHROMIUM VIOLATION
425 REG. LIMIT 8

<u>COMPANY NAME</u>	<u>ID#</u>	<u>W.O#</u>	<u>SAMPLE</u> <u>DATE</u>	<u>DATE</u> <u>COMPLETED</u>	<u>RESULTS</u>
SEATON LEATHER	20401361	51263	03/08/90	04/01/90	468.0

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MEMORANDUM

TO MARIO GRAGLIA
FROM Laura Ditchkus
DATE: JUNE 20, 1990
SUBJECT: HIGH CHROMIUM TOTAL

<u>Company Name</u>	<u>I.D.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
SETON	20401361	152145	4/10/90	6/18/90	CR
SETON	20401361	152767	5/3/90	5/22/90	66.30
					8.39

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MEMORANDUM

TO MARIO GRAGLIA
FROM Laura Ditchkus
DATE: JUNE 21, 1990
SUBJECT: HIGH SULFIDE

<u>Company Name</u>	<u>I.D.#</u>	<u>W.C.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>
SETON LEATHER	20401361	53201		6/11/90	66

ld

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MEMORANDUM

TO MARIO GRAGLIA
FROM Laura Ditchkus
DATE: July 16, 1990
SUBJECT: HIGH SULFIDE

<u>Company Name</u>	<u>I.D.#</u>	<u>W.O.#</u>	<u>Sample Date</u>	<u>Date Completed</u>	<u>Result</u>	<u>Limit</u>
SETON	20401361	I53977	6/19/90	7/12/90	SFD 40	24

ld

FHM000160

MEMORANDUM

TO: MARIO GRAGLIA
FROM: JOE SMITH
DATE: OCT.24, 1990
SUBJECT: SULFIDES VIO. OVER 24
CAT. 425

<u>COMPANY NAME</u>	<u>ID #</u>	<u>WO #</u>	<u>SAMPLE DATE</u>	<u>DATE COMP.</u>	<u>RESULT</u>	<u>LIMIT</u>
ETON LEATHER	20401361	55887	9/18/90	10/17/90	26.4	OVER 24

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MEMORANDUM

TO: MARIO GRAGLIA
FROM: JOE SMITH
DATE: DEC. 3, 1990
SUBJECT: SULFIDES VIO
CAT. 425

<u>COMPANY</u> <u>NAME</u>	<u>ID #</u>	<u>WO #</u>	<u>SAMPLE</u> <u>DATE</u>	<u>DATE</u> <u>COMP.</u>	<u>RESULT</u>	<u>LIMIT</u>
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OVER

SETON LEATHER CO.	20401361	56691	10/31/90	11/16/90	245	24
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MEMORANDUM

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TO: MARIO GRAGLIA
FROM: JOE SMITH
DATE: DEC.26, 1990
SUBJECT: . SULFIDE VIO
CAT 425
MAX. 24 DAILY

<u>COMPANY NAME</u>	<u>ID #</u>	<u>WO #</u>	<u>SAMPLE DATE</u>	<u>DATE COMP.</u>	<u>RESULT</u>	<u>LIMIT</u>
SETON LEATHER CORP. 20401361		57261	11/27/90	12/21/90	436.0	OVER

FHM000163 .



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN - 8 2006

**GENERAL NOTICE LETTER
URGENT LEGAL MATTER
PROMPT REPLY NECESSARY
CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Philip D. Kaltenbacher, CEO
Seton Company, Inc.
1000 Madison Avenue
Norristown, PA 19403

Re: Diamond Alkali Superfund Site
Notice of Potential Liability for
Response Actions in the Lower Passaic River Study Area, New Jersey

Dear Mr. Kaltenbacher:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release and/or threatened release of hazardous substances, pollutants, and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601 et seq. EPA is seeking your cooperation in an innovative approach to environmental remediation and restoration activities for the Lower Passaic River.

EPA has documented the release or threatened release of hazardous substances, pollutants and contaminants into the six-mile stretch of the river known as the Passaic River Study Area, which is part of the Diamond Alkali Superfund Site ("Site") located in Newark, New Jersey. Based on the results of previous CERCLA remedial investigation activities and other environmental studies, including a reconnaissance study of the Passaic River conducted by the United States Army Corps of Engineers ("USACE"), EPA has further determined that contaminated sediments and other potential sources of hazardous substances exist along the entire 17-mile tidal reach of the Lower Passaic River. Thus, EPA has decided to expand the area of study to include the entire Lower Passaic River and its tributaries from Dundee Dam to Newark Bay ("Lower Passaic River Study Area").

By this letter, EPA is notifying Seton Company, Inc. of its potential liability relating to the Site pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a). Under CERCLA, potentially responsible parties ("PRPs") include current and past owners and operators of a facility, as well as persons who arranged for the disposal or treatment of hazardous substances at the Site, or the transport of hazardous substances to the Site.

In recognition of our complementary roles, EPA has formed a partnership with USACE and the New Jersey Department of Transportation-Office of Maritime Resources ("OMR") ["the governmental partnership"] to identify and address water quality improvement, remediation, and restoration opportunities in the 17-mile Lower Passaic River Study Area. This governmental partnership is consistent with a national Memorandum of Understanding ("MOU") executed on July 2, 2002 between EPA and USACE. This MOU calls for the two agencies to cooperate, where appropriate, on environmental remediation and restoration of degraded urban rivers and related resources. In agreeing to implement the MOU, the EPA and USACE will use their existing statutory and regulatory authorities in a coordinated manner. These authorities for EPA include CERCLA, the Clean Water Act, and the Resource Conservation and Recovery Act. The USACE's authority stems from the Water Resources Development Act ("WRDA"). WRDA allows for the use of some federal funds to pay for a portion of the USACE's approved projects related to ecosystem restoration.

For the first phase of the Lower Passaic River Restoration Project, the governmental partners are proceeding with an integrated five-to-seven-year study to determine an appropriate remediation and restoration plan for the river. The study will involve investigation of environmental impacts and pollution sources, as well as evaluation of alternative actions, leading to recommendations of environmental remediation and restoration activities. The study is being conducted pursuant to CERCLA and WRDA.

Based on information that EPA evaluated during the course of its investigation of the Site, EPA believes that hazardous substances were released from the Seton Company, Inc. facility located at 849 Broadway, Newark, New Jersey, into the Lower Passaic River Study Area. Hazardous substances, pollutants and contaminants released from the facility into the river present a risk to the environment and the humans who may ingest contaminated fish and shellfish. Therefore, Seton Company, Inc. may be potentially liable for response costs which the government may incur relating to the study of the Lower Passaic River. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the cost of assessing such damages.

EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at the Site may be substantially limited. If you believe, and can document, that you fall within that category, please inform Sarah Flanagan and William Hyatt in writing at the addresses identified below in this letter. You will be asked to submit financial records including federal income tax returns as well as audited financial statements to substantiate such a claim.

Please note that, because EPA has a potential claim against you, you must include EPA as a creditor if you file for bankruptcy. You are also requested to preserve and retain any documents now in the possession or control of your Company or its agents that relate in any manner to your facility or the Site or to the liability of any person under CERCLA for response actions or response costs at or in connection with the facility or the Site, regardless of any corporate document retention policy to the contrary.

Enclosed is a list of the other PRPs who have received notices of potential liability. This list represents EPA's findings on the identities of PRPs to date. We are continuing efforts to locate additional PRPs who have released hazardous substances, directly or indirectly, into the Lower Passaic River Study Area. Exclusion from the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at the Site. Please be advised that notice of your potential liability at the Site may be forwarded to all parties on this list as well as to the Natural Resource Trustees.

We request that you become a "cooperating party" for the Lower Passaic River Restoration Project. As a cooperating party, you, along with many other such parties, will be expected to fund the CERCLA study. Upon completion of the study, it is expected that CERCLA and WRDA processes will be used to identify the required remediation and restoration programs, as well as the assignment of remediation and restoration costs. At this time, the commitments of the cooperating parties will apply only to the study. For those who choose not to cooperate, EPA may apply the CERCLA enforcement process, pursuant to Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. § 9606(a) and § 9607(a) and other laws.

You may become a cooperating party by participating in the Cooperating Parties Group ("Group") that has already formed to fund the CERCLA study portion of the Lower Passaic River Restoration Project.

We strongly encourage you to contact the Group to discuss your participation. You may do so by contacting:

William H. Hyatt, Esq.
Common Counsel for the Lower Passaic River Study Area Cooperating Parties Group
Kirkpatrick & Lockhart LLP
One Newark Center, 10th Floor
Newark, New Jersey 07102
(973) 848-4045
whyatt@kl.com

Written notification should be provided to EPA and Mr. Hyatt documenting your intention to join the Group and settle with EPA no later than 30 calendar days from your receipt of this letter. The result of any agreement between EPA and your Company as part of the Group will need to be memorialized in an Administrative Order on Consent. Your written notification to EPA

should be mailed to:

Sarah Flanagan, Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway - 17th Floor
New York, New York 10007-1866

Pursuant to CERCLA Section 113(k), EPA must establish an administrative record that contains documents that form the basis of EPA's decision on the selection of a response action for a site. The administrative record file and the Site file are located at EPA's Region 2 Superfund Records Center, at 290 Broadway, New York, NY on the 18th floor. You may call the Records Center at (212) 637-4308 to make an appointment to view the administrative record and/or the Site file for the Diamond Alkali Site, Passaic River.

As you may be aware, the Superfund Small Business Liability Relief and Brownfields Revitalization Act became effective on January 11, 2002. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at <http://www.epa.gov/swerosps/bf/sblrbra.htm> and review EPA guidances regarding these exemptions at <http://www.epa.gov/compliance/resources/policies/cleanup/superfund>.

Inquiries by counsel or inquiries of a legal nature should be directed to Ms. Flanagan at (212) 637-3136. Questions of a technical nature should be directed to Elizabeth Butler, Remedial Project Manager, at (212) 637-4396.

Sincerely yours,



Ray Basso, Strategic Integration Manager
Emergency and Remedial Response Division

Enclosure 6-06