

DIVISION OF WASTE MANAGEMENT
BUREAU OF FIELD OPERATIONS

INVESTIGATIVE REPORT

830613-04C

DWM Incident
Report #:

Inspector: F. GABRIANO Date: 7/25/83 Time: 1420

Company Name: Roman Asphalt Telephone: ()

Street: Cedron St Property Owner:

Town: Newark Address:

County: Essex

Lot: Block:

Type Ownership:

Investigative Findings:

Met with Sal Nisto. PSA stopped by to investigate. He reported that the facility mechanics were dumping crankcase oils down the slope. EPA's TAT representative (unknown) stopped by last week and spoke with Michael La Morgue, Jr. owner of Roman asphalt.

Mr. Nisto reported that since EPA's representative stopped by the dumping has ceased. I informed Mr. Nisto that this practice was a violation of the spill Act. I told him the contaminated soils must be removed. He agreed to clean the soil up as soon as he can get one of his large back hauls back to the yard from their jobs. The spill area is approximately 20' x 40' and contains oil filters and debris.

843440002

DEPARTMENT OF ENVIRONMENTAL PROTECTION

REPORT OF PHONE CALL
VISIT

In _____ Out _____
Date 8/8/83 Time 1120

File 83-06-73-04C

Routing _____

Person Contacted

Sal Nesto

Phone No. _____

Affiliation

Ronan Asphalt Corp

Subject of

Call

Visit

Change of oil contain. soil

Summary of

Call

Visit

Mr. Nesto reported that the soil was removed July 30, 1983. When asked where the soil was disposed of, he said he didn't know.

Action recommended

An NOV should be issued to this company.

Frank Lighins
Signature

843440003

DEPARTMENT OF ENVIRONMENTAL PROTECTION

REPORT OF PHONE CALL
VISIT

In _____ Out _____
Date 8/8/83 Time 1135 File 83-06-13-04C
Routing _____
Person Contacted Tom Berry / Walt Jank Phone No. 201-733-7994
Affiliation Newark Engineering
Subject of Call Roman Asphalt
Visit

Summary of Call I reported to Mr Jank that the
Visit site was located and informed him of my
investigation. I told him that the soil was
reportedly cleaned up and that I would like
a followup inspection made at the site. He
agreed to let Tom Berry know for his in-
spection.

Action Recommended _____

8/9
Hold open until
confirmed cleanup.
Please elaborate on
spill (ie. area, amt, etc)
Kall P

J. Lagimodiere
Signature

843440004

MEMOTO SPILL FILEFROM F. GAGLIARDI THROUGH B. COMFORT DATE 1-17-84SUBJECT ROMAN ASPHALT DWM 83-06-13-04C
SP 07-14

Spill was reportedly cleaned up. Newark Engineering was to followup and report back to DWM. After confirmation is established from Tom Serry, this case should be closed.

843440005

File 87-14-159

NEW JERSEY DEPARTMENT
OF
ENVIRONMENTAL PROTECTION

Report of Phone Call

Case Name: _____

Incident Notification Number: 86-08-06-07M

Date: 9/16/86 Referred to: _____

Time: 11:00 AM _____

Bureau or Office: DWM/WFO File: _____

Person Contacted: Jack Farley Phone Number: 675-1774

Affiliation/Address: Suburban Regional

Subject of Call: initial investigation

Summary of Call: Mr. Farley suspects source maybe Roman Asphalt located at 14 Cedar St (20' above McCarter Hwy) either dumping waste oil over fence or some kind of drainage discharge leading to embankment. Soil there is saturated with oil. Farley will go out with inspector. location: West shoulder of McCarter Hwy Southbound, South end of Viaduct & North of Oriental Place (if extended to McCarter Hwy). About 1000 - 1500 ft North of Oriental Place. Jack said area is rough so we should be cautious when approaching.

ACTION RECOMMENDED: Roman Asphalt. He says they are the type to try to harass you off the property.

843440006

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
1259 ROUTE 46
PARSIPPANY, N.J. 07054

NOTICE OF VIOLATION

ID NO. _____ DATE 9/18/86
NAME OF FACILITY Roman Asphalt
LOCATION OF FACILITY 14 Ogden St., Newark
NAME OF OPERATOR Charles Wasner

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 NJSA 58:10-23.11(c) pooling
oil in facility yard and running off to
Rt. 21 drainage system and bank. Hazardous
substance discharge. (e) Non-notification
of said discharge. p7

Remedial action to correct these violations must be initiated immediately and be completed by 9/26/86. 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.

Received by
(1) Wasner

Robert D. Zollner
Investigator, Division of Waste Management
Department of Environmental Protection

Robert D. Zollner
201 669 3960

843440007

07-14-159

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION**MEMO:**TO Spill fileFROM Robert D. Zollner *RZ*DATE September 19, 1986SUBJECT Roman Asphalt Oil Spill

Contacts:

Jack Farley, Suburban Regional Health Officer
Mr. Rubin, Manager, Roman Asphalt
Charles Wasner, Yard Manager, Roman Asphalt

Background:

Received incident report #86-08-06-07M. Elia Ruiz (MFO) was assigned to follow up by phone on 8/15/86. Ruiz learned from Health Officer Jack Farley that oil was indeed found pooling in a storm drain and on the roadside (Rt. 21, McCarter Hwy, Newark) as reported. Mr. Farley further stated he suspected the source to be Roman Asphalt. No details of further Health Dept., investigation were noted by Ruiz. Case was assigned to Dave Beeman (MFO) for inspection 9/18/86.

Inspection:

Arrived at Savino Asphalt, Ogden Street, Newark approximately 1600 hrs., 9/18/86 with Dave Beeman (MFO). We circled onto Rt. 21 from Ogden street (see Map A and walked about 100 yards north on Rt. 21 southbound lane siding. We found an area about 30' x 10' of saturated and pooling oil like material. The material appeared to have run down the steep bank leading to the area. The bank was black stained and in places appeared shiny as if moist with fresh oil. The area surrounds a road storm drain. By the staining it appeared that oil had definitely run in and around the drain.

We circled back onto Ogden Street where we inspected Savino Asphalt and quickly determined Savino was not the source. The stained bank area was just below the adjacent property, Roman Asphalt.

Arrived Roman Asphalt 1613 hrs., met with Mr. Rubin, operations manager, we requested access for inspection to determine the source of the pooling oil below Roman property. Mr. Rubin suggested we discuss with Charles Wasner, yard manager. Mr. Wasner allowed us free access. We found the southern most end of the lot to be saturated with numerous oil pools. We found two points where the oil was running off Roman's lot, down the bank to the roadside and into the storm drain. The lot was full of heavy paving machinery. A few drums were also noted in and amongst the machinery. The source of the oil may have been leaking drums (damaged by heavy machinery.)

I issued an NOV for hazardous substance discharge (NJSA 58:10-23.11(c)) and non-notification (e). The NOV required complete clean up by 9/26/86.

843440008

Conclusion:

Roman Asphalt is the source and responsible party for the subject hazardous substance discharge. Roman did not report this discharge.

Recommendations:

Reinspect site on 9/26/86. If cleanup is incomplete, take pictures and samples as necessary to prepare enforcement referral to mandate complete cleanup and penalties.

843440009

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

2 Babcock Pl, West Orange, N.J. 07052
NOTICE OF VIOLATION

ID NO. Not Registered DATE 10-6-86
NAME OF FACILITY Roman Asphalt Co.
LOCATION OF FACILITY 14 Ogden St, Newark, N.J.
NAME OF OPERATOR _____

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 58:10-23.11(c) Discharge of hazardous substance, petroleum hydrocarbon. Oil has run off property onto embankment of State Hwy 21 South. Contaminated soil at bottom of embankment to be removed. Embankment to be cleaned of discharged oil. Facility not in compliance with previous N.O.V.

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

10-9-86 Within three (3) 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.

Dan Beeman

Investigator, Division of Waste Management
Department of Environmental Protection

(201)-669-3960

843440010

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

TO File thru Robert Zollner
FROM David Beeman *DB* DATE October 8, 1986
SUBJECT Roman Asphalt, Incident #86-08-06-07M, File #07-14-159

Background:

See R. Zollner's memo of 9-19-86

Findings:

Arrived at area of contamination along Rte 21 at approximately 1245 hrs, 10-6-86. No cleanup has been done here or on the embankment adjacent to Roman asphalt.

I collected a composite sample of soil along the road and on the embankment. Six photos were taken.

I drove to the Roman Asphalt facility. The oil pools on the southern end of the property had been cleaned up.

I issued a field NOV (attached) to Mr. Wasner.

DB:jap

843440011



File 07-14-159

ROMAN ASPHALT CORP.

October 08, 1986

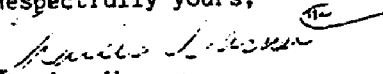
New Jersey Department of Environmental Protection
Division of Waste Management
2 Babcock Pl
West Orange, New Jersey 07052

Attention: Mr. David Beeman

Dear Sir:

In reference to your letter dated October 06, 1986, we have excavated all contaminated soil and replaced it with clean fill.

Respectfully yours,


Charles Wasner
Director of Operations

cw/mc

cc: file

ROAD BUILDERS & ENGINEERS

14 OGDEN STREET, NEWARK, N.J. 07104 (201) 482-1113

AN EQUAL OPPORTUNITY EMPLOYER

843440012

07-14-159

MEMORANDUM

TO: File through Robert Zollner 12-17-86
FROM: David Beeman
SUBJECT: Roman Asphalt, Incident #86-08-06-07, File #07-14-159

BACKGROUND:

See memos of 9-19-86 and 10-8-86

FINDINGS:

Arrived at site of contamination along Rte 21 at 1330 hrs, 12-17-86. All of the contaminated soil at the bottom of the embankment has been removed. I dug to a depth of approximately 18 inches. There was no visible evidence of oil.

The embankment still has oil stains on it. There was no active run off of oil observed from Roman Asphalt.

RECOMMENDATIONS:

An N.O.V./O.O.S be issued to Roman Asphalt for violations of N.J.S.A. 58:10-23.11(c) and (e).

843440013

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
BUREAU OF FIELD OPERATIONS

ENFORCEMENT REFERRAL

12/26/86
12/27/86
12/28/86
12/29/86
12/30/86
1/1/87
07-14-11

TO: ANTHONY CAVALIER THEU R. Zoller DATE: 12-17-86
FROM: DAVID BEEMAN DB REGION: Metco
RE: ROMAN ASPHALT CORP. 14 OGDEN ST NEWARK
Name of Facility ID Number Location Address
BLOCK 570 LOT 53 NEWARK ESSEX
Lot and Block Township County
14 OGDEN ST, NEWARK, N.J. 07104
Mailing Address Responsible Party
Incident # 86-08-06-07M File 07-14-159

The attached inspection/investigation report(s) dated 9/19, 10-8, 11/2-17-86 is being referred and it is recommended a NOV 1005 be issued for violations of:

NJAC 7:26-

NJSA 58:10-

23.11(e)
23.11(e)

Discharge of hazardous substance - Pet. by detection
Failure to notify at above

Suggested penalty: _____

ADDITIONAL COMMENTS:

From file search - condition existed
for years -
Did not respond to first field
N.O.V.

REVIEWED AND APPROVED BY:

12/18/86
Anthony J. Cavalier
12-24-86

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT - BUREAU OF COMPLIANCE & ENFORCEMENT

MS ID 36-C8-C6-C7 JUL 10 1986 EPA ID N J

VIOLATOR INFORMATION

NAME Roman Asphalt Corporation
ADDRESS 14 Locky Street
Paterson NJ 07654

LOCATION OF VIOLATION

BLOCK 570 LOT 53
OTHER Same C/M 0714
DATE (FOLLOW UP EVAL.) 1/1

VIOLATION DATE 08/10/86
09/18/86

ALL TYPE EVAL.	HAZ. WASTE ONLY TYPE INSP.	TYPE RECORD REV.	REQUESTING AGENCY
<input checked="" type="checkbox"/> EVAL. INSP.	<input type="checkbox"/> GEN	<input type="checkbox"/> CLOSURE PLAN	<input checked="" type="checkbox"/> BFO
<input type="checkbox"/> SAMP. INSP.	<input type="checkbox"/> TRANS	<input type="checkbox"/> FINAN. DOC.	<input type="checkbox"/> SWE
<input type="checkbox"/> SPEC. INSP.	<input type="checkbox"/> TSD	<input type="checkbox"/> GWM REPORT	<input type="checkbox"/> HWE
<input type="checkbox"/> FOLLOW-UP	<input type="checkbox"/> GWM	<input type="checkbox"/> ANNUAL REPORT	<input type="checkbox"/> CSM
<input type="checkbox"/> RECORD REV		<input type="checkbox"/> OTHER:	<input type="checkbox"/> ECRA
			<input type="checkbox"/> EPA
			<input type="checkbox"/> RSP
			<input type="checkbox"/> DWR
			<input type="checkbox"/> HSMA

ENFORCEMENT ACTION (GWM ACTION NO. SM-012-87)

VIOLATIONS (ALL)

		DL	ACTION DATE: <u>07/10/87</u>	REG	CLASS	REG	CLASS
<input type="checkbox"/> SOLID WASTE	<input type="checkbox"/>	NOV	COMP. DATE: <u>08-22-86</u>	<u>I</u>			
<input type="checkbox"/> LIQ. WASTE	<input checked="" type="checkbox"/>	AC	SCHED: <u>1/1</u>	<u>IV</u>			
<input checked="" type="checkbox"/> SPILL FUND	<input type="checkbox"/>	ACD	ACTUAL: <u>07/24/87</u>				
<input checked="" type="checkbox"/> NEW	<input type="checkbox"/>	CIV A	PENALTY:				
<input type="checkbox"/> AMEND	<input type="checkbox"/>	PSO	ASSESSED: \$ <u>2,375.00</u>				
<input type="checkbox"/> RESCIND	<input checked="" type="checkbox"/>	CCO	COLLECTED: \$				

REFERRALS

REFERRALS	REQUESTED ACTION
<input checked="" type="checkbox"/> CRS	<input checked="" type="checkbox"/> REVIEW
<input type="checkbox"/> LAW (AG)	<input type="checkbox"/> INC. RELIEF
<input type="checkbox"/> CJ	<input type="checkbox"/> PENALTY COLL.
<input type="checkbox"/> DWR	<input checked="" type="checkbox"/> COMPL. PLAN
<input type="checkbox"/> HWE	
<input type="checkbox"/> HSMA	DATE OF REQUEST
<input checked="" type="checkbox"/> 07/24/87	<u>03/04/87</u>

REFERRAL RESPONSE

REFERRAL RESPONSE	
<input type="checkbox"/> CRS	<input type="checkbox"/> HOLD
<input type="checkbox"/> LAW (AG)	<input type="checkbox"/> RELEASE
<input type="checkbox"/> CJ	
<input type="checkbox"/> DWR	
<input type="checkbox"/> HWE	
<input type="checkbox"/> HSMA	DATE OF RESP.
	<u>1/1</u>

VIOL. SUM. (HW ONLY)

CLASS	HP	I	LI
GWM			
C/PL			
FR			
Pc.S			
CS			
MAN			
OTHER			

COMMENTS: 07/24/87

843440015



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**

Michael J. La Morgese, President
Roman Asphalt Corporation
14 Ogden Street
Newark, NJ 07104

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

Dear Mr. La Morgese:

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 Roman Asphalt Corporation 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 Roman Asphalt Corporation facility located at 14 Ogden Street, 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, Roman Asphalt Corporation 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

Enclosures *6-06*