

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

Notice to Receive Interested Party Comments on Proposed Consent Decree Regarding the Woodbrook Road Dumpsite Superfund Site in South Plainfield, Middlesex County, New Jersey, In the Matter of the United States of America and State of New Jersey v. Cornell Dubilier Electronics, Inc.

TAKE NOTICE that the New Jersey Department of Environmental Protection and the Administrator of the New Jersey Spill Compensation Fund (“NJDEP”) hereby give notice of a proposed Consent Decree concerning the cleanup and removal of hazardous substances resulting from alleged discharges at the Woodbrook Road Dumpsite Superfund Site, located at 936 Woodbrook Road, South Plainfield, Middlesex County, New Jersey, identified on the current tax map of the Borough of South Plainfield at Block 388, Lot 26. The Department has designated the Site as Site Remediation Program Interest No. G000041275.

NJDEP proposes to enter this Consent Decree with *Cornell Dubilier Electronics, Inc.* (“Settling Defendant”).

Under the proposed Consent Decree, the Settling Defendant shall agree to settle its alleged liability to the NJDEP for the NJDEP’s past and future cleanup and removal costs by paying NJDEP \$373,500. Settling Defendant agrees to settle its alleged liability to the EPA for the EPA’s past and future remediation costs by paying the EPA \$3,361,500. In addition, the Settling Defendant agrees to settle its alleged liability to the State of New Jersey and the United States for Natural Resource Damages in the amount

of \$265,000 to be deposited in the Natural Resource Damage Assessment and Restoration Fund, said amount to be subject to disbursement only on joint request of the Trustees. Settling Defendant agrees to secure letters of credit for the benefit of the EPA in the aggregate amount of \$3,626,500 and to the state of New Jersey in the amount of \$373,500. NJDEP would, among other things, provide Settling Defendant with a covenant not to sue for all past cleanup and removal costs and all future cleanup and removal costs conditioned upon the satisfactory performance by Settling Defendant of its obligations under the Consent Decree.

This Consent Decree would constitute a judicially approved settlement within the meaning of 42 U.S.C. § 9613(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9601 et seq., and N.J.S.A. 58:10-23.11f.a (2)(b) of the Spill Act for the purpose of providing protection from contribution actions or claims for matters addressed in the proposed Consent Decree.

A copy of the proposed Consent Decree is available for inspection via the internet at <http://www.nj.gov/dep/srp/legal/> and at the Department's Office of Record Access at 401 East State Street, Trenton, New Jersey. Requests to inspect a paper copy of the proposed Consent Decree should be directed to records.custodian@dep.nj.gov. Interested persons may submit comments on the entry of this Consent Decree electronically (preferred) to david.haymes@dep.nj.gov or by mail to David E. Haymes, Director, NJDEP, Enforcement and Information Support Element, Site Remediation and Waste Management Program, 401 East State Street, Mail Code 401-06K, P.O. Box 420, Trenton, NJ 08625-0420. All comments must be submitted within 60 calendar days of the date of this public notice. NJDEP will consider all comments received and may

decide to withdraw or withhold consent to the entry of the Consent Decree if comments received disclose facts or considerations that show that the Consent Decree is inappropriate, improper, or inadequate.