RONALD J. RICCIO

SITE ADMINISTRATOR

Direct Dial: 201-874-4581 Email: rriccio@mdmc-law.com McElroy, Deutsch, Mulvaney& Carpenter One Hovchild Plaza 4000 Route #66, 4th Floor Tinton Falls, New Jersey 07753 Tel. 732-733-6200 Fax 732-922-2702

August 6, 2024

VIA REGULAR MAIL AND EMAIL

The Honorable Jeffrey R. Jablonski, A.J.S.C. Superior Court of New Jersey Brennan Courthouse 583 Newark Avenue Jersey City, New Jersey 07306

Re: Progress Report (January 31, 2024 through the date of this Report) pursuant to New Jersey Department of Environmental Protection, et al. v. Honeywell International, Inc., et al. v. City of Jersey City, et al., Superior Court of New Jersey, Chancery Division, Hudson County, Civil Action No. HUD-C-77-05; Partial Consent Judgment Concerning the PPG Sites filed June 26, 2009 (the "JCO")

Dear Judge Jablonski:

I submit this Progress Report pursuant to paragraph 1(b)(i)1 of the "Order Administratively Dismissing This Matter Without Prejudice and Retaining Jurisdiction" entered by Judge Sarkisian on May 4, 2016. That Order requires that I provide Progress Reports to the Court twice per year. This is my seventeenth Progress Report since being appointed Site Administrator beginning in January 2016. The prior Progress Reports are dated July 29, 2016, January 27, 2017, July 28, 2017, January 30, 2018, July 31, 2018, January 24, 2019, July 31, 2019, March 5, 2020, July 31, 2020, January 29, 2021, July 30, 2021, January 31, 2022, July 27, 2022, January 31, 2023, July 31, 2023 and January 31, 2024. All of those Progress Reports have been posted to the Chromium Cleanup Partnership web site (www.chromiumcleanup.com) so that the public is kept apprised of the remediation activities at the PPG chromium sites.

In addition to serving as Site Administrator, I have functioned as a mediator pursuant to the February 22, 2016 "Order Referring Third-Party Complaint and Referring Certain Matters to Mediation and Entering Stay" or as requested by interested parties. In Section IV of my previous reports to the Court, I addressed the status of my function as mediator in connection with disputes between PPG and the designated redeveloper of Site 114. PPG and the designated redeveloper recently entered into an agreement that obviates the present need

for me to function as a mediator in connection with the prior disputes between those parties. Therefore, former Section IV, Mediation Proceedings, has been deleted from the current Report.

I. Master Schedule Revisions

A revised Master Schedule dated August 6, 2024 is attached as **Exhibit A** to this Report. The new Master Schedule provides the most up to date remediation activity milestones.

II. Good Progress with Respect to Approvals/Release of Sites from the JCO.

My January 31, 2022 Progress Report explained the procedures agreed upon among the JCO Principals¹ for the release of a site, or portions of sites, from the JCO following NJDEP approvals. A listing of each of the sites or portions of sites that have been released from the JCO is set forth as Attachment 1 to the new Master Schedule. Since my original appointment as Site Administrator, a total of 29² sites/portions of sites have obtained NJDEP remediation approval and have been released from the JCO with respect to impacted soil and/or groundwater. There are currently 9 PPG chromium sites that require further action on the soil and/or groundwater at those sites. The status of the remediation work at each of those sites is discussed in Section IV. below.

III. Status of Redevelopment.

Mention is required about the status of redevelopment of Site 114, which is one of the GAG Sites.³ In my July 2, 2024 letter to Your Honor I reported that the designated redeveloper of Site 114 and the Jersey City Redevelopment Authority entered into a Second Amendment to Redevelopment Agreement on March 5, 2024 (the "Second Amendment").

The Second Amendment includes a schedule that establishes milestones for the Redeveloper's application for building approvals and commencement of construction at Site 114. The timing of those milestones, however, does not commence until the New Jersey Department of Environmental Protection ("NJDEP") has issued approvals that are "in form and substance reasonably satisfactory to [the] Redeveloper" and confirm that "all soil and groundwater remediation has been completed....., in a manner that permits residential development and deems remediation complete."

As noted in my July 2, 2024 letter to the Court and in the next section of this Report, the technical issues related to the investigation and remediation of the groundwater at the GAG Sites, including Site 114, present potential obstacles to the redevelopment schedule resulting from continuing field work at Site 114 and the uncertainty associated with final NJDEP approval of PPG's proposed groundwater remedy.

2

¹ The "JCO Principals" are PPG, the City of Jersey City, NJDEP and the Site Administrator.

² This figure includes sites where it was decided after I was appointed Site Administrator in 2016 that some should be broken up into separate portions in order to facilitate remediation work and regulatory closure.

³ The term "GAG Sites" is defined on Schedule 1 to this Report.

IV. Sites Requiring Further Action.

1. GAG Sites Groundwater.4

My January 31, 2024 Progress Report provides a summary of the groundwater investigation and remediation efforts by PPG at the GAG Sites leading up to PPG's submittal on September 8, 2023 of a draft Groundwater Remedial Action Report for the GAG Sites (the "Groundwater RAR"). On January 10, 2024, NJDEP issued comments to the Groundwater RAR. In those comments, NJDEP characterized the Groundwater RAR submittal as "premature." Extensive additional field work was identified and required by NJDEP.

Following the January 2024 comments from NJDEP, numerous meetings were held amongst the JCO Principals, as well as smaller meetings that involved only the technical experts dealing with the complicated issues revolving around the investigation and remediation of the chromium impacts in the groundwater at the GAG Sites. In addition, at the request of PPG, an "all hands" meeting was held in Trenton with NJDEP Commissioner Sean LaTourette on February 8, 2024. Present at that meeting were the Commissioner and various members of his staff, the designated redeveloper of Site 114, the JCO Principals and the various representatives and technical experts of the JCO Principals.

At that meeting, among other things, the current status of PPG's groundwater remediation efforts was discussed, including issues raised in a May 5, 2023 letter from NJDEP Assistant Commissioner David Haymes (the "Haymes Letter"). That meeting resulted in Commissioner LaTourette directing that more work was needed to better understand the extent of chromium impacts in groundwater at the GAG Sites and that further remediation efforts were required to address those impacts.

In a follow-up meeting on February 26, 2024 with the Commissioner's staff, PPG was required to conduct a pilot study/supplemental remediation in the basal till/weathered bedrock formations, which PPG had opined was not suitable for immediate active in-situ treatment. But that was not the only area of the GAG Sites that was identified for further study and, potentially, additional remediation. For example, various "recalcitrant zones" located at the GAG Sites, including Site 114, require further attention. In addition, there are various questions raised in the Haymes letter that have not been resolved.

Following the February meeting with the Commissioner, PPG submitted a work plan to conduct a pilot study/supplemental remediation in certain zones of basal till and weathered bedrock. That work plan was approved by NJDEP and PPG commenced the field work in April 2024. In addition, we await submittals from PPG to define the scope of work to address the recalcitrant areas. Monitoring wells, injection wells and other infrastructure

⁴ All soil remediation activities have been completed and final NJDEP approvals issued at the GAG Sites. Therefore, this Progress Report and future reports will focus only on the groundwater work at the GAG Sites.

⁵ These "recalcitrant zones" are loosely defined as distinct areas within the geological formations where chromium contamination persists in groundwater in concentrations >1000ug/l.

may be required that could potentially interfere with the commencement of the redevelopment of Site 114.

Additional meetings are being scheduled to address the remaining unresolved items from the Haymes letter, including ongoing meetings among the technical experts as needed, and a broader meeting in late August at NJDEP's offices in Trenton. In addition, in the coming months, PPG will be submitting work plans to address the recalcitrant zones mentioned above. It is hoped that the current pilot study/supplemental remediation being performed in the basal till/weathered bedrock formations and the proposed work for the recalcitrant zones will provide favorable results and a path toward an approvable Remedial Action Report for the chromium groundwater impacts at the GAG Sites.

- 2. Forrest Street Properties (84, 86-90 and 98-100 Forrest Street). On March 27, 2024, PPG submitted a revised version of a Remedial Action Report documenting the current-use remedial action for CCPW-impacted soils at this site. On May 1, 2024, NJDEP issued an RAR Determination/Approval pertaining to the submittal. On May 30, 2024, during an inspection by PPG of the 98/100 Forrest Street Properties building, a new condition of chromium blooming was observed and reported in PPG's monthly inspection summary report submitted to NJDEP on June 28, 2024. On July 16, 2024, NJDEP issued comments to the PPG inspection report. Pursuant to those comments, PPG is required, among other things, to install a robust engineering control to address the new condition, and submit an RAR Addendum that documents the new condition and associated actions taken.
- 3. <u>Site 16, Linden Avenue East</u>: There are three remaining areas of concern at this Site that require attention.

AOC-3 (Area Underlying Building, Soil and Sidewalk South of Building): The building located at this site is a large, multi-tenanted warehouse. Historical records reflect that this site was filled in the 1960s. The fill material was apparently impacted with high concentrations of chromium and other contaminants. The building, which was constructed in the 1970s, was built on concrete slabs placed above the impacted fill material. Impacted soils exterior to the building (AOC-1) were excavated by PPG. That excavation received final approval by NJDEP in March 2021. The soil impacts underlying the building cannot feasibly be excavated given the current use of the building. PPG identified chromium blooming on portions of the floor slab in the building. PPG installed interim remedial measures ("IRMs"), including the application of epoxy sealant to the affected areas to control exposure to the blooming conditions. In March 2015, PPG also instituted a quarterly program to inspect the IRMs, conduct any needed repairs to the IRMs and report its findings to the JCO Principals. PPG has submitted several drafts of a Remedial Action Work Plan ("RAWP"), dating back to 2018, to address the CCPW⁶-related impacts beneath the building (AOC-3). The property owner consented to the concept of a restricted use remedy (i.e., use of engineering controls (capping) and

_

^{6 &}quot;CCPW" means Chromate Chemical Production Waste, a by-product generated from the production of sodium bichromate, including Chromite Ore Processing Residue ("COPR"), Green-Gray Mud, and fill mixed with COPR or Green-Gray Mud.

institutional controls (recording of a deed notice)), but concerns were raised about the efficacy of the IRMs and the IRM inspection program. The property owner recently requested sealing of the entire building floor slab with epoxy or some other suitable sealant. On June 17, 2024, PPG submitted a revised version of the AOC-3 RAWP. This version of the RAWP proposes application of sealant to the entire floor slab, as well as additional remedial actions in other portions of this AOC. NJDEP provided minor comments to the RAWP on August 2, 2024. Assuming RAWP approval in September 2024, PPG anticipates commencing installation of the floor sealant in December 2024 and completion of that work in March 2025. PPG projects submitting an RAR in May 2025 and obtaining NJDEP approval of that submittal in October 2025.

AOC-4 (CCPW-Related Impacts in the Right of Way): CCPW-related impacts were identified in the Linden Avenue East right of way adjacent to Site 16. This area, which is owned by parties other than the owner of Site 16, has been designated AOC-4. PPG submitted a revised RAWP/RAR for AOC-4 on November 22, 2023. Following NJDEP comments to that submittal in March 2024, PPG submitted a revised version of the RAWP/RAR on June 12, 2024. The RAWP/RAR proposes a restricted use remedy calling for institutional and engineering controls for this AOC. NJDEP provided minor comments to the RAWP/RAR on August 5, 2024. Assuming all comments are adequately addressed in a final submittal in August 2024, NJDEP approval of the RAWP/RAR is projected in September 2024.

AOC-2 (Groundwater): PPG submitted a Groundwater RAR in November 2023 to document completion of the remedial action for groundwater and requested lifting of a Classification Exception Area/Well Restriction Areas that was established in 2020. NJDEP issued comments to the RAR on March 14, 2024. The only substantive comment was that the Department required PPG to install one additional well within the footprint of the building where CCPW was observed in boring locations below the water table. PPG plans to install the additional well in August 2024. Assuming favorable results, PPG anticipates resubmitting the Groundwater RAR in December 2024.

- 4. <u>Site 63, Baldwin Oil (1 Burma Road)</u>. NJDEP approved PPG's remediation of the soils at this Site in 2018. PPG's efforts are now focused on groundwater at this Site. PPG submitted a Groundwater RAR on June 28, 2022. NJDEP issued comments to the RAR on October 6, 2022 disapproving the RAR submittal because an insufficient number of sampling rounds were completed to demonstrate the proposed Monitored Natural Attenuation (MNA) remedy and that an additional well (sentinel well) was required. Based upon comments from NJDEP, PPG commenced additional periodic groundwater sampling. On June 26, 2024, PPG and NJDEP agreed on a proposed location for the sentinel well. An access agreement will have to be negotiated with the adjacent property owner.
- 5. <u>Site 107</u>. All excavation, backfilling and restoration of soils at this Site have been completed and NJDEP approvals issued. PPG's efforts are now focused on groundwater at this Site. PPG submitted a groundwater RIR/RAWP on May 3, 2022.

NJDEP issued comments to the RIR/RAWP on July 8, 2022 disapproving that submittal because an additional well (sentinel/delineation well) was required. PPG continued additional periodic groundwater sampling to support the Remedial Action Report. PPG is currently negotiating an access agreement with an adjacent property owner to install the sentinel/delineation well.

- 6. Site 108. PPG completed some excavation of CCPW-related impacts at this Site. In May 2021, PPG submitted a RAWP/RAR that called for institutional and engineering controls with respect to the remaining CCPW-related impacts. NJDEP provided its review of the RAWP/RAR in September 2021. The current property owner refused to consent to the proposed institutional and engineering controls. Instead, the property owner has requested a "Conceptual Excavation Plan," which PPG submitted to the owner in October 2023. PPG and property owner negotiations of the excavation plan and an access agreement to perform the work are continuing, but have been unsuccessful to date.
- 7. <u>Conrail Property (Adjacent to Site 107)</u>. PPG completed a supplemental remedial excavation at this site in November 2023. PPG submitted a revised version of an RAR for this site on June 12, 2024. NJDEP provided their review on July 31, 2024. Assuming all comments are adequately addressed in a final submittal in August 2024, NJDEP approval of the RAR is projected in September 2024.

8. <u>Site 174 – Portion of Dennis Collins Park (Bayonne)</u>.

<u>Soils</u>. PPG submitted a Soil RAP application to NJDEP in December 2023. The RAP was issued in June 2024 and a Consent Judgment Compliance Letter is anticipated in August 2024. The soils at this site will then be transitioned out of the JCO.

<u>Groundwater</u>. PPG submitted a revised groundwater RIRA/RAWP in October 2022. NJDEP issued comments in February 2023. The principal comments were focused on: (1) insufficient number of rounds of sampling to demonstrate MNA, and (2) the need to further support PPG's proposed groundwater flow direction. PPG currently anticipates submitting an RIRA/RAWP/RAR for groundwater in August 2024 and NJDEP review by March 2025.

9. <u>457 Communipaw Avenue</u>. Additional work remains with respect to the soils and the groundwater at this Site, as follows:

<u>Soils</u>. PPG made submittals in 2021 and 2022 that proposed a restricted use remedy with institutional and engineering controls, as opposed to excavation of CCPW-impacted soils. PPG's submittals expressed concern about potential safety issues associated with conducting excavation at the site given the current condition and age of the buildings on and adjacent to the site, including a building partially occupied by residents. Over the last 12 months or more PPG and NJDEP have exchanged comments and responses to technical submittals focused on the potential dangers to the structures located on and adjacent to the site that could result from excavation at

the site. PPG anticipates submitting a work plan for a Pre-Design Investigation ("PDI") that would include vibration testing and additional sampling. Once the PDI work plan is approved and implemented, PPG will re-submit a RIR/RAWP revision that will define the proposed scope of any excavation to be performed at the site to maximize the removal of the CCPW-impacted soils in the most protective manner feasible. Firm milestones for the commencement of excavation at the site cannot currently be established. All parties are focused on attempting to ensure that any excavation at the site will not threaten the building structures and the occupants of those structures.

<u>Groundwater</u>. In June 2023, PPG submitted a summary of groundwater analytical data for the two completed groundwater sampling events (February 26, 2023 and May 21, 2023). NJDEP and PPG exchanged comments and responses about the data through 2023. PPG agreed to conduct a groundwater RI at the site subsequent to completion of the soil excavation work discussed above.

V. Communications with the Site 114 Property Owner/Redeveloper

Pursuant to the Court's direction during an August 27, 2020 conference call with the Redeveloper, PPG, NJDEP and the City of Jersey City, I have filed the following reports with the Court regarding the progress of PPG's remediation activities at Site 114 and any potential impacts on redevelopment: November 30, 2020, February 26, 2021, June 2, 2021, September 10, 2021, November 10, 2021, February 18, 2022, May 19, 2022, September 23, 2022, January 20, 2023, July 27, 2023, January 22, 2024 and July 2, 2024.

VI. Current and Future Activities

Web Site: My office, with the help of the JCO Principals, maintains a web site referred to as the Chromium Cleanup Partnership, which can be found at www.chromiumcleanup.com. Critical remediation reports and other important documents are posted to the web site. We continually update the web site to include the most recent information about the PPG chromium sites. This Progress Report with all attachments/enclosures, including the new Master Schedule, will be posted to the web site. All of my prior Progress Reports have also been posted to the web site.

<u>Newsletters</u>: The last newsletter summarizing the status of activities at the PPG chromium sites was circulated in December 2022. Once the groundwater remediation and redevelopment issues at the GAG Sites are resolved I intend to circulate another newsletter. All newsletters published from 2016 through December 2022 are posted to the Chromium Cleanup Partnership web site.

<u>Public Meetings/Communications</u>: At the present time, I have not scheduled any public meetings. Our postings to the Chromium Cleanup Partnership web site, which include this Progress Report, all my previous Progress Reports, substantive remediation submittals made by PPG and other relevant information, will hopefully be sufficient to advise the public of the status of the remediation work.

I am always available to address public inquiries via phone and email. I have done so on many occasions. I have responded to public inquiries whenever requested and will continue to do so.

<u>PPG Employment Reports</u>: PPG's Employment Reports for Q1-Q4 2024 will be submitted with the next Progress Report in January 2025.

Should Your Honor have any questions about this Report, please do not hesitate to contact me.

Respectfully submitted,

/s/ Ronald J. Riccio

Ronald J. Riccio Site Administrator

Attachments:

- <u>Schedule 1</u>: Definitions/Descriptions
- Exhibit A: Master Schedule dated August 6, 2024

cc: <u>Via email</u>: PPG, NJDEP, the City of Jersey City and the Redeveloper

SCHEDULE 1

DEFINITIONS/DESCRIPTIONS

Attached to the revised Master Schedule (<u>Attachment 1</u> to this Progress Report) are <u>Figure 1</u> and <u>Figure 2</u>. These figures depict the "Garfield Avenue Group" of sites (the "GAG Sites"), the Garfield Avenue Group Phase 4 Roadways (the "GAG Roadways") and the Garfield Avenue Group Phase 5 – Off-Site Properties (the "GAG Off-Site Properties"). The "Non-GAG Sites" include all PPG sites that are not GAG Sites, GAG Roadways or GAG Off-Site Properties.

The "GAG Sites" include the following parcels, broken down as soil excavation "Phases," shown on Figure 1 and Figure 2:

- IRM #1, located within Site 114;
- Phases 1A and 1B, considered the Southwest Area within Site 114;
- Phase 1C, located within Site 114;
- Phase 2A, located within Site 114;
- Phase 2B, which includes Phases 2B-1 through 2B-4, located within Site 114;
- Phase 3A, which includes Site 132 and most of Site 143;
- Phase 3B North, which includes a portion of Site 132 and a portion of Site 137;
- Phase 3B South, which includes Site 133 West, a portion of Site 137, the former Fishbein property, the former Ten West Apparel property, and a small portion of Halladay Street South; and
- Phase 3C, which includes Site 133 East, the remainder of Halladay Street South, and Site 135 North.

The "GAG Roadways" are roadways surrounding the GAG Sites where chromium-impacted soils were identified, including Halladay Street, Forrest Street, Carteret Avenue, Garfield Avenue (from Carteret Avenue to the Light Rail) and in portions of Pacific Avenue and Caven Point Avenue.

The "GAG Off-Site Properties" include chromium-impacted properties adjacent to the GAG Sites, including the following properties: former Halsted Corporation, Forrest Street Properties, Ten West Apparel, 816 Garfield Avenue (former Fishbein Parcel) and Al Smith Moving.

EXHIBIT A

MASTER SCHEDULE

(ATTACHED)

Master Schedule for the NJ PPG Chrome Remediation Sites (Exhibit 2/3) - Revision Date: August 6, 2024

<u>Soils</u>

Group/Phase or Site	Property Description (Owner)	Access/Road Closure Plan	Excavation Start Actual OR Required	Excavation Complete Actual OR Required	Backfill Complete Actual OR Required	Restoration Complete Actual OR Required	RAR Determination	Comments
GA Group Phase 5 Off-Site Properties	Forrest Street Properties 84, 86-90, and 98-100 Forrest St (Halladay Forest LLC)	Access Agreement in Place	See Comments	See Comments	See Comments	See Comments	May 1, 2024 (See Comments)	On March 27, 2024, PPG submitted a revised version of a Remedial Action Report, Forrest Street Properties (AOC FSP-1C, AOC FSP-1D, AOC FSP-1F, AOC FSP-1F, AOC FSP-1G, AOC FSP-1H, AOC FSP-1I, AOC FSP-1J, and AOC FSP-1K) Soil, Current-Use, Final (Revision 2), documenting the current-use remedial action for CCPW-impacted soils in Forrest Street Properties. On May 1, 2024, NJDEP issued an RAR Determination/Approval pertaining to the submittal. On May 30, 2024, during an inspection by PPG of the 98/100 Forrest Street Properties building, a new condition of chromium blooming was observed and reported in PPG's monthly inspection summary report submitted to NJDEP on June 28, 2024. On July 16, 2024, NJDEP issued comments to the PPG inspection report that addressed this newly discovered condition requiring, among other things, installation of an engineering control to address the new condition, modification of the draft deed notice that had previously been approved by the Department to reflect the new engineering control and submittal of an RAR Addendum that identifies the new CCPW impacts and documents the actions taken to address those impacts, identifies the revised limits of the presumed impacts beyond the northern wall of the Forrest Street Properties building (i.e., to the property line), revises certain tables and figures, and includes the revised draft deed notice.
	45 Linden Ave. East (Etzion) (AOC-3)	Access Agreement in Place	6/16/2014 (See Comments)	See Comments	See Comments	See Comments	October 2025	PPG resubmitted a RAWP on June 17, 2024. NJDEP provided minor comments to the RAWP on August 2, 2024. Assuming RAWP approval in September 2024, PPG anticipates commencing installation of the floor coating in December 2024 and completion of that work in March 2025. PPG projects submitting an RAR in May 2025 and obtaining NJDEP approval of that submittal in October 2025.
Site 16	Linden Ave. East (CenterPoint LLC and NJDOT) (AOC-4)	Access Agreement in Place	See Comments	See Comments	See Comments	See Comments	September 2024	PPG submitted the RAWP/RAR on June 12, 2024. NJDEP provided minor comments to the RAWP/RAR on August 5, 2024. Assuming all comments are adequately addressed in a final submittal in August 2024, NJDEP approval of the RAWP/RAR is projected in September 2024.
Conrail Right- of-Way (AOC Adjacent to Site 107 and Site 108)	Conrail Right- of-Way (Conrail)	Access Agreement in Place	6/13/2018 (See Comments)	10/29/2023	10/29/2023	10/29/2023	TBD	PPG completed a supplemental remedial excavation in November 2023. PPG submitted a revised version of an RAR for this site on June 12, 2024. NJDEP provided their review on July 31, 2024. Assuming all comments are adequately addressed in a final submittal in August 2024, NJDEP approval of the RAR is projected in September 2024.
Site 108	Albanil Dyestuff (Jersey City Logistics, LLC)	Access Agreement in Place	6/13/2018 (See Comments)	TBD	TBD	TBD	TBD	PPG completed some excavation of CCPW-related impacts at this Site. In May 2021, PPG submitted a RAWP/RAR that called for institutional and engineering controls with respect to the remaining CCPW-related impacts. NJDEP provided its review of the RAWP/RAR in September 2021. The property owner refused to consent to the proposed institutional and engineering controls and, instead, requested a "Conceptual Excavation Plan," which PPG submitted to the owner in October 2023. PPG and property owner negotiations of the excavation plan and an access agreement to perform the work are continuing but have been unsuccessful to date.
Site 174	Dennis Collins Park (City of Bayonne)	Access Agreement in Place (See Comments)	4/8/2013	9/30/2016	9/30/2016	9/30/2021	2/1/2023	PPG submitted a Soil RAP application to NJDEP in December 2023. The RAP was issued in June 2024 and a Consent Judgment Compliance Letter is anticipated in August 2024. The soils at this site will then be transitioned out of the JCO.
457 Communipaw	457 Communipaw Right-of-Way (285 Lincoln Avenue, LLC)	Access Agreement in Place	January 2016	TBD	TBD	TBD	TBD	PPG projects doing a Pre-Design Investigation for the excavation beginning in September and ending in November 2024. PPG will then submit the geotechnical data in a revised Geotechnical/Structural Evaluation memorandum in January 2025. Assuming NJDEP approval of the Geotechnical/Structural Evaluation in February 2025, PPG will revise and resubmit the RIR/RAWP (which will include a preliminary remedial excavation design) in April 2025. Assuming NJDEP approval of the RIR/RAWP in May 2025, PPG projects starting the excavation in September 2025.

Master Schedule for the NJ PPG Chrome Remediation Sites (Exhibit 2/3) - Revision Date August 6, 2024:

<u>Groundwater</u>

GA GROUP GROUNDWATER MILESTONES								
Group/Phase or Site	Property Description (Owner)	RIR Submittal /Anticipated Review-Approval	RAWP Submittal /Anticipated Review- Approval	RAR Submittal /Anticipated Review-Approval	Comments			
Remedial Investigation Report	Entire Site	3/24/2021	N/A	N/A				
(Overburden)	Group	1/7/2022						
Remedial Investigation	Entire Site Group	9/23/2022	RAWP Addendum:	N/A	In April 2024, PPG and NJDEP concurred on the location of one additional bedrock monitoring well that is anticipated to complete the			
Report/Remedial Action Work Plan (Bedrock)		RIR: TBD	TBD		delineation of Cr impacts in the Bedrock Water Bearing Zone. The well has been installed and was sampled in July 2024. A technical meeting was held on 7/29/24 to discuss the draft data from the new well, but further discussions are required.			
Remedial Action Work Plan	Entire Site Group	21/2	3/31/2021	N/A	Pursuant to the approved RAWP, PPG has submitted quarterly Groundwater Remedial Action Progress Reports covering the period that commenced in Q1 2022.			
(Overburden)		N/A	1/31/2022					
Remedial Action Report	Entire Site Group		N/A N/A	TBD	PPG submitted a draft GAG Groundwater RAR on September 8, 2023. NJDEP issued comments to that submittal on January 10, 2024. In			
		N/A		TBD	those comments, NJDEP characterized the RAR submittal as "premature" and required additional field work. Since that time, numerous technical meetings have been held, additional information has been exchanged, a pilot study/supplemental remediation is being performed in the basal till/weathered bedrock formations and consideration of additional delineation/remediation of Cr impacts is being considered in recalcitrant zones. Timing for the submittal of a revised RAR for the GAG Groundwater has not been established.			

ION-GA GROUP GROUNDWATER MILESTONES							
Group/Phase or Site	Property Description (Owner	RIR Submittal /Anticipated Review-Approval	RAWP Submittal /Anticipated Review- Approval	RAR Submittal /Anticipated Review-Approval	Comments		
	(see non- GAG Soils table)	10/28/2019	N/A	11/30/2023	PPG submitted a Groundwater RAR in November 2023 to document completion of the remedial action for groundwater and requested lifting of a CEA/WRA that was established in 2020. NJDEP issued comments to the RAR on March 14, 2024. The only substantive comment was that the Department required PPG to install one additional well within the footprint of the building where CCPW was observed in boring locations below the water table. PPG anticipates installing the additional well in September 2024 and, assuming favorable results, anticipates resubmitting the RAR in December 2024.		
Site 16		8/13/2020	N/A	March 2025			
Site 63	(see non- GAG Soils	RIRA/RAWP Submittal: 12/6/2021		RAR Submittal: 6/28/2022 (See Comments)	PPG submitted a Groundwater RAR on June 28, 2022. NJDEP issued comments to the RAR on October 6, 2022 disapproving the RAR submittal because an insufficient number of sampling rounds were completed to demonstrate the proposed Monitored Natural Attenuation (MNA) remedy and that an additional well (sentinel well) was required. Based upon comments from NJDEP, PPG commenced additional periodic groundwater sampling. PPG and NJDEP have agreed on a proposed location for the sentinel well. An access agreement will have to be negotiated with the adjacent property owner.		
	table)	RIRA/RAWP Approval: 3/31/2022		TBD			
Site 107, Site 108 and Conrail Right-of-Way	(see non- GAG Soils table)	RIR/RAWP Submittal: 5/3/2022		TBD	PPG submitted an RIR/RAWP on May 3, 2022. NJDEP provided comments on July 8, 2022. Additional responses and comments were subsequently exchanged between PPG and NJDEP. PPG is currently negotiating an access agreement with an adjacent property owner to install the sentinel well.		
		TBD		TBD			
	(see non- GAG Soils table)	RIRA/RAWP Submittal: 2/25/2022 (See Comments)		August 2024	PPG resubmitted an RIRA/RAWP in October 2022. NJDEP issued comments in February 2023. The principal comments were focused on: insufficient number of rounds of sampling to demonstrate MNA, and (2) the need to further support PPG's proposed groundwater fle		
Site 174		Ma	rch 2025	March 2025	direction. PPG currently anticipates submitting an RIRA/RAWP/RAR for groundwater in August 2024 and obtaining NJDEP approval in Marc 2025.		
457 Communipaw	(see non- GAG Soils table)	TBD	TBD	TBD	On June 22, 2023, PPG submitted a summary of groundwater analytical data for the two completed groundwater sampling events (February 26, 2023 and May 21, 2023). NJDEP provided comments to that submittal on August 7, 2023, PPG responded on September 12, 2023 and NJDEP provided further comments on November 14, 2023. PPG agreed to conduct a groundwater RI at the site, which is pending completion of the soil remedy.		

Notes To Master Schedule for the NJ PPG Chrome Remediation Sites Revision Date: August 6, 2024

GENERAL NOTES:

1) Defined Terms:

"JCO" means the Partial Consent Judgment Concerning the PPG Sites entered in the matter captioned <u>New Jersey Department of Environmental Protection, et al.</u> v. Honeywell International, Inc., et al. v. City of Jersey City, et al., Superior Court of New Jersey, Chancery Division, Hudson County, Civil Action No. HUD-C-77-05.

"JCO Stakeholders," for the purpose of this Master Schedule, means PPG, the City of Jersey City, NJDEP and the Site Administrator (Ronald J. Riccio).

"Consent Judgment Compliance Letter" means a letter issued by the Department pursuant to the 2011 Consent Judgment. The Consent Judgment Compliance Letter is the Department's equivalent of a No Further Action letter that is issued after all appropriate remediation documents have been finalized, an RAR Determination has been made, and after the issuance by the Department of any required remedial action permits with respect to the applicable media and areas of concern.

"2011 Consent Judgment" means the Consent Judgment in the matter captioned New Jersey Department of Environmental Protection, et al. v. Honeywell International Inc., et al., Docket No C-77-05, Superior Court of New Jersey, Chancery Division, Hudson County (filed September 7, 2011).

"LSRP" means Licensed Site Remediation Professional.

"Principals" means, collectively, PPG, NJDEP, the City of Jersey City and the Site Administrator.

2) PPG, NJDEP and the City of Jersey City entered into (and the Site Administrator acknowledged and accepted) that certain Memorandum of Understanding dated as of September 22, 2020 establishing detailed procedures for the removal of PPG sites, portions of sites or media from jurisdiction pursuant to the JCO and the 2011 Consent Judgment and, in certain instances, transitioning same to the LSRP Program (the "MOU"). On October 22, 2020, the Superior Court of New Jersey entered the First Consent Order Transitioning Certain PPG Sites, Portions of Sites or Media to the LSRP Program (the "First Consent Order"). The First Consent Order included an Exhibit A that identified the sites, portions of sites or media that were being removed from jurisdiction pursuant to the JCO and the 2011 Consent Judgment and, in certain instances, transitioned to the LSRP Program.

SOILS NOTES:

- 1) Green shading indicates that milestones have been attained.
- 2) "Excavation Start" means access has been gained, building demolition and shoring installation, if required, have been completed, there are no known impediments to proceeding with excavation and excavation has actually commenced.
- 3) For Garfield Avenue Group Sites, "Backfill Complete" means backfill is brought to elevations approved by NJDEP.
- 4) For the purpose of this Master Schedule, "restoration" is defined as final remediation grading in accordance with an NJDEP-approved Restoration Technical Execution Plan or other NJDEP-approved document identifying restoration requirements, and a capillary break has been installed if required. In-kind replacement of existing infrastructure (i.e., pavement and utilities) is covered under the PPG/Jersey City Infrastructure Settlement Agreement, which has been agreed to by all Parties.

- 5) Restoration within specific areas under/around infrastructure necessary to support on-going remediation may be delayed if such a delay is acceptable to NJDEP and property owners.
- 6) For the purpose of this Master Schedule, "RAR Determination" means that the Department has determined whether the Remedial Action Report ("RAR") meets the requirements of applicable Department regulations and guidance. The Department will make this determination assuming: (i) the RAR Figures/Tables have been submitted by PPG and reviewed/approved by the Department prior to complete RAR submittal, and (ii) the initial submittal of the complete RAR (i.e., text plus figures, tables and other Department-required information) is received 26 weeks prior to the RAR Determination milestone. (The referenced 26 week time period assumes 12 weeks for the Department/Weston and the City of Jersey City to provide comments to the initial complete RAR submittal, 7 weeks thereafter for PPG to review and incorporate such comments and submit the final version of the full RAR, and 7 weeks thereafter for the Department to make the RAR Determination).
- 7) This version of the Master Schedule has combined "Exhibit 2" and "Exhibit 3" from the version of the Master Schedule dated October 13, 2015. The term Exhibits 2/3 is used here because prior orders entered by the court in NJDEP, et al. v. Honeywell International, Inc., et al. reference those exhibits as exhibits to the Master Schedule, which Master Schedule remains in effect as modified by these changes to Exhibits 2 and 3.
- 8) PSE&G will take the lead on manufactured gas plant ("MGP") AOCs located within and emanating from Site 114 under the LSRP program. See letter from PPG and PSE&G to Wayne Howitz, NJDEP, dated July 9, 2019 confirming same.

GROUNDWATER NOTES:

- 1) For purposes of this schedule, the Garfield Avenue Group Access date is assumed to be March 2017.
- 2) "N/A" means not applicable.
- 3) PSE&G will take the lead on manufactured gas plant ("MGP") AOCs located within and emanating from Site 114 under the LSRP program. See letter from PPG and PSE&G to Wayne Howitz, NJDEP, dated July 9, 2019 confirming same.

Attachment 1 to Master Schedule for the NJ PPG Chrome Remediation Sites Revision Date: August 6, 2024 List of Sites Released from JCO/Transitioned to LSRP Program¹

Group/Phase or Site ²	Property Description (Owner)	Date of Issuance of Consent Judgment Compliance Letter	Comments
GA Group IRM #1 and Phases 1A, 1B, 1C, 2A, 2B-1, 2B-2, 2B-3, and 2B-4	Site 114 (JCRA/ Hampshire)	6/1/2020	An RAR Approval Letter was issued by the New Jersey Department of Environmental Protection ("NJDEP") on December 5, 2019 and a Consent Judgment Compliance Letter (as defined in the General Notes attached to this Master Schedule) (Restricted Use - Soil) was issued on June 1, 2020 for chromate chemical production waste ("CCPW"), CCPW-related metals, historic fill, former underground storage tanks, and other historic operations Areas of Concern ("AOCs") (114-1A, 114-3, 114-4A, 114-4B, and 114-5) at Site 114. As part of the approved remedy for Site 114 soils, deed notices were recorded in December 2019 with respect to all parcels constituting Site 114 and soil remedial action permits were issued on February 7, 2020. All of the referenced approvals exclude: (i) Soil AOC 114-1B (CCPW-impacted soils in portions of Grids A5B, A6B, A7B, and B7B within the Western Sliver), and (ii) manufactured gas plant ("MGP") related contaminants, which are being managed by PSE&G under NJDEP's Licensed Site Remediation Professional program. See Soil Note 8 attached to this Master Schedule regarding MGP contamination. Restoration was deemed complete for all of Site 114, except for the soil IRM #1 area where active groundwater remediation is being performed. Restoration of the soil IRM #1 area is on hold pending the referenced groundwater remediation activities.
GA Group	Site 132 (824 Garfield) (JCRA)	11/1/2019	An RAR Approval Letter was issued by NJDEP on June 27, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use - Soil - for CCPW and CCPW-related metals) was issued on November 1, 2019 for AOC 132-1.
Phase 3A	Site 143 (846 Garfield) (PPG)	6/26/2020	An RAR Approval Letter was issued by NJDEP on September 30, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on June 26, 2020 for AOC 143-1.

-

¹ Pursuant to the MOU described in General Note 4 to this Master Schedule, the media, contaminants and AOCs referenced in the Consent Judgment Compliance Letters listed in this Attachment 1 were removed from jurisdiction pursuant to the JCO and the 2011 Consent Judgment and, in those situations involving Remedial Action Permits, were transitioned to the LSRP Program to implement the requirements of the Remedial Action Permits.

² The Garfield Avenue Group ("GA Group") of Sites are depicted on Figures 1 and 2 attached.

Group/Phase or Site ²	Property Description (Owner)	Date of Issuance of Consent Judgment Compliance Letter	Comments
GA Group Phase 3B North (45 Halladay and a portion of 25 Halladay)	Site 137 North (PPG)	6/26/2020	An RAR Approval Letter was issued by NJDEP on September 30, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on June 26, 2020 for AOC 137-1A. See Soil Note 8 regarding MGP contamination. The referenced approvals exclude MGP-related AOCs (AOC 137-2A).
GA Group Phase 3B South (15 Halladay, the remainder of 25 Halladay with 800 and 816 Garfield Avenue added)	Site 133 West (PPG) and Site 137 South (PPG) Fishbein (816 Garfield Avenue) (PPG) Ten West Apparel (800 Garfield Avenue) (PPG)	7/26/2023	An RAR Approval letter was issued by NJDEP on July 6, 2023 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on July 26, 2023 for Phase 3B South and Portions of Site 133 East and Halladay Street South (AOC P3B-1A, AOC 133E-1B, AOC HSS-1B, and AOC 137-1B). See Soil Note 8 regarding MGP contamination. The referenced approvals exclude MGP-related AOCs.
GA Group Phase 3C	Halladay Street South (AOC HSS- 1B) (Jersey City Site 133 East (22- 68 Halladay) (AOC 133E-1B) (PPG)		
GA Group	Halladay Street South (AOC HSS- 1A) (Jersey City)	6/30/2020	An RAR Approval letter was issued by NJDEP on November 15, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on June 30, 2020 for AOC HSS-1A. See Soil Note 8 regarding MGP contamination. The referenced approvals exclude MGP-related AOCs.
Phase 3C	Site 133 East (22- 68 Halladay) (AOC 133E-1A) (PPG)	3/24/2020	An RAR Approval letter for Site 133 East AOC 133E-1A was issued by NJDEP on October 11, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on March 24, 2020 for AOC 133E-1A. See Soil Note 8 regarding MGP contamination. The referenced approvals exclude MGP-related AOCs (AOC 133E-2A).

Group/Phase or Site ²	Property Description (Owner)	Date of Issuance of Consent Judgment Compliance Letter	Comments
	Site 135 North (Portion of 51-99 Pacific) (PPG)	1/15/2021	An RAR Approval Letter was issued by NJDEP for Site 135 AOC 135-1 on October 11, 2019. Antimony (a CCPW-related metal) associated with re-used fill materials remains at concentrations greater than the Residential Direct Contact Soil Remediation Standards and will be addressed by an engineering control (Clean Fill Soil Cap) and institutional control (deed notice). As part of the approved remedy for soils at this Site, a deed notice was recorded in June 2020 and a soil remedial action permit was issued on November 13, 2020. A Consent Judgment Compliance Letter (Restricted Use - Soil) was issued on January 15, 2021 for CCPW and CCPW-related metals for AOC-1 covering Site 135 North and Site 135 South.
GA Group Site 135 South	Site 135 South (Remainder of 51-99 Pacific) (PPG)	1/15/2021	An RAR Approval Letter was issued by NJDEP for Site 135 AOC 135-1 on October 11, 2019. Antimony (a CCPW-related metal) associated with re-used fill materials remains at concentrations greater than the Residential Direct Contact Soil Remediation Standards and will be addressed by an engineering control (Clean Fill Soil Cap) and institutional control (deed notice). As part of the approved remedy for soils at this Site, a deed notice was recorded in June 2020 and a soil remedial action permit was issued on November 13, 2020. A Consent Judgment Compliance Letter (Restricted Use - Soil) was issued on January 15, 2021 for CCPW and CCPW-related metals for AOC-1 covering Site 135 North and Site 135 South.
	Al Smith Moving (33 Pacific Avenue) (GND Pacific Holdings LLC)	10/11/2019	An RAR Approval letter was issued by NJDEP on May 28, 2019 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil - for CCPW and CCPW-related metals) was issued on October 11, 2019 for AOC ASM-1.
GA Group Phase 5 Off Site Properties	Forrest Street Properties 108 Forrest St (Halladay Forest LLC)	6/23/2022	An RAR Conditional Approval was issued by NJDEP on November 15, 2019 and a Consent Judgment Compliance Letter (Restricted Use) was issued by NJDEP on June 23, 2022 for CCPW and CCPW-Related Metals Only in Soil within a portion of the Forrest Street Properties, formerly known as the Skyways property, AOC FSP-1A and AOC FSP-1B.
	Halsted Corporation (78 Halladay St.) (PPG)	3/7/2023	An RAR Approval was issued by NJDEP on February 1, 2023 and a Consent Judgment Compliance Letter (Unrestricted Use) was issued by NJDEP on March 7, 2023 for CCPW and CCPW-Related Metals Only in Soil within a Portion of the Former Halsted Corporation Property (AOC HSD-1A). (An RAR Approval was issued by NJDEP on December 29, 2021 and a Consent Judgment Compliance Letter (Unrestricted Use) was issued by NJDEP on June 23, 2022 for CCPW and CCPW-Related Metals Only in Soil for a portion of the former Halsted Corporation Property - AOC HSD-1B.)
GA Group Phase 4 Roadways	Halladay Street North (Jersey City)	6/23/2022	An RAR Approval was issued by NJDEP on December 29, 2021 and a Consent Judgment Compliance Letter (Unrestricted Use) was issued by NJDEP on June 23, 2022 for CCPW and CCPW-Related Metals Only in Soil within Halladay Street North and a portion of the former Halsted Corporation Property, AOC HSN-1A and AOC HSD-1B.

Group/Phase or Site ²	Doccrintion		Comments
	Forrest Street (Jersey City)	6/23/2022	An RAR Approval/Consent Judgment Compliance Letter (Restricted Use) was issued by NJDEP on June 23, 2022 for CCPW and CCPW Related Metals Only in Soil, AOC FS-1A, AOC FS-1B and AOC FS-1C.
	Carteret Avenue (Jersey City)	1/25/2024	An RAR Approval was issued by NJDEP on September 28, 2021 and a Consent Judgment Compliance Letter (Restricted Use) was issued by NJDEP on January 25, 2024 for CCPW and CCPW Related Metals Only in Soil within Carteret Avenue Roadway (AOC CAR-1A)
	Pacific Avenue/Caven Point Avenue (Jersey City)	1/25/2024	An RAR Approval was issued by NJDEP on March 31, 2022 and a Consent Judgment Compliance Letter (Restricted Use) was issued by NJDEP on January 25, 2024 for CCPW and CCPW Related Metals Only in Soil within Caven Point Avenue and Pacific AvenueRoadways (AOC CPA-1A)
	Garfield Avenue (Jersey City)	1/25/2024	An RAR Approval was issued by NJDEP on February 1, 2023 and a Consent Judgment Compliance Letter (Restricted Use) was issued by NJDEP on January 25, 2024 for CCPW and CCPW Related Metals Only in Soil within Garfield Avenue Roadway (AOC GAR-1A and AOC114-1B).
Site 63	Baldwin Oil (Nisan 12)	1/30/2018	An RAR Approval was issued by NJDEP on April 27, 2017 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil – for CCPW and CCPW-related metals) was issued by NJDEP on January 30, 2018.
Site 65	Burma Road/Morris Pesin Drive (Jersey City)	4/6/2020	PPG, the City of Jersey City, JCMUA and NJDEP entered into a Settlement Agreement dated January 9, 2018 with respect to this site. Pursuant to the Settlement Agreement, the remedy for this site consists of institutional and engineering controls. An RAR Approval Letter was issued by NJDEP on May 31, 2019, a Soil Remedial Action Permit was issued on March 9, 2020 and a Consent Judgment Compliance Letter (Restricted Use for CCPW and CCPW-related metals in soil) was issued on April 6, 2020. Pursuant to the Settlement Agreement, impacted groundwater at Site 65 was deemed to have emanated from Site 63; no action vis-à-vis groundwater was required for Site 65. Therefore, the April 6, 2020 Consent Judgment Compliance Letter approved an Unrestricted Use remedy for CCPW and CCPW-related metals in groundwater.
Site 156 (AOC-1 and AOC-2)	Metro Towers (ALMA)	6/28/2019	An RAR Approval was issued by NJDEP on October 12, 2018 and a Consent Judgment Compliance Letter was issued on June 28, 2019 (Unrestricted Use) for: (1) Area of Concern 1 for CCPW and CCPW Related Metals Only in Soil Beyond AOC 3 Footprint, and (2) Area of Concern 2 for CCPW and CCPW-Related Metals Only in Groundwater.

Group/Phase or Site ²	Property Description (Owner)	Date of Issuance of Consent Judgment Compliance Letter	Comments
Site 156 (AOC-3)	Metro Towers (ALMA)	6/30/2022	An RAR Approval was issued by NJDEP on October 30, 2020 and a Consent Judgment Compliance Letter (Restricted Use – Soil) was issued by NJDEP on June 30, 2022 for CPW and CCPW-Related Metals in Building No. 2 Boiler Room Sub-slab Soil and Interior Concrete Surfaces (AOC 3).
Site 186	Garfield Avenue #1	7/14/2015	An RAR Approval letter was issued by NJDEP on April 16, 2014 and a Consent Judgment Compliance Letter (Unrestricted Use - Soil; Entire Site) for CCPW and CCPW-related metals in soil was issued July 15, 2015.
Site 16 (AOC-1)	45 Linden Ave. East (Etzion)	3/3/2021	An RAR Approval letter was issued by NJDEP on August 13, 2020 and a Consent Judgment Compliance Letter (Unrestricted Use) for CCPW and CCPW-related metals in exterior soils only (AOC-1) was issued on March 3, 2021.
Site 107 (AOC-1A)	18 Chapel Avenue (Ancam, LLC)	1/10/2022	An RAR Approval was issued by NJDEP on October 28, 2021 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil – for CCPW and CCPW-related metals) was issued by NJDEP on January 10, 2022 for AOC-1A: Majority Site Area Soil.
Site 107 (AOC-1B)	18 Chapel Avenue (Ancam, LLC	3/25/2022	An RAR Approval was issued by NJDEP on December 29, 2021 and a Consent Judgment Compliance Letter (Unrestricted Use – Soil – for CCPW and CCPW-related metals) was issued by NJDEP on March 5, 2022, 2022 for AOC-1B: Material Staging Area Soil

DATE: 07/25/2022

DRWN: JAG

FIGURE 1

Piscataway on uspsw2vfp001\Data_uspsw2vfp001\Environment\(J)
User: NicholsM1 Plotted: Jan 30, 2023 - 9:40am
File: \\na.aecomnet.com\\fs\AMER\Chelmsford-USCHL1\Legacy\USCHL1FP001\D

Piscataway on uspsw2vfp001\Data_uspsw2vfp001\Environment\(J)
User: NicholsM1 Plotted: Jan 30, 2023 - 9:46am
File: \\na.aecomnet.com\lfs\AMER\Chelmsford-USCHL1\Legacy\USCHL1F