

# News Release

Region 2 – New Jersey, New York, Puerto Rico and the U.S. Virgin Islands

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## **Seventy Companies Reach Agreement with EPA to Remove Highly Contaminated Mud from Lyndhurst Section of the Passaic River**

Cleanup work estimated to cost \$20 million

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(New York, N.Y. – June 18, 2012) – The U.S. Environmental Protection Agency announced today that it has reached agreement with 70 companies considered potentially responsible for contamination of the lower Passaic River to remove approximately 16,000 cubic yards of highly contaminated sediment from a half-mile long area of the Passaic River in Lyndhurst, New Jersey at their expense. High levels of contaminants, including PCBs, mercury and dioxin, are present in the sediment and can cause health effects. The work is scheduled to begin in spring 2013.

The agreement calls for the parties to remove contaminated sediment from a mud flat area near the north section of Riverside County Park, install a protective cap over the approximately five-acre excavated area and conduct lab tests of sediment treatment technologies. Based on the results, testing of treatment technologies at a larger scale may also be performed. The cap will be monitored and maintained to ensure that it remains protective until a final cleanup plan for the lower 17 miles of the Passaic River is selected by the EPA. The excavated material will be disposed of in a licensed, permitted EPA-approved disposal facility if the sediment treatment technologies do not prove effective during testing.

“This agreement triggers actions that will reduce exposure of people and wildlife to the highly toxic contaminants in the Passaic River sediment and keep it from spreading to other parts of the river,” said EPA Regional Administrator Judith A. Enck. “Under the Superfund agreement, the companies responsible for the contamination will conduct and pay for the work with EPA oversight, rather than passing the costs on to taxpayers.”

Dioxin can cause cancer and other serious health effects. PCBs are likely cancer-causing substances and mercury can cause serious damage to the nervous system. The highly contaminated sediment was discovered in Lyndhurst during sampling performed by the EPA and the parties in late 2011.

Superfund is the federal cleanup program established in 1980 to investigate and clean up the country's most hazardous waste sites. The Superfund program operates on the principle that polluters should pay for the cleanups, rather than passing the costs to taxpayers. When sites are placed on the Superfund list, the EPA looks for parties responsible for the pollution and requires them to pay for the cleanups.

Under the agreement announced today, the companies will conduct and pay for the cleanup work and EPA's costs in overseeing it. The cost of the work to be performed is estimated at \$20 million, in addition to the costs of EPA oversight.

The EPA will work closely with the New Jersey Department of Environmental Protection, local officials, river and park users, the Passaic River Community Advisory Group, community organizations and Lyndhurst residents throughout the planning and cleanup process. The agency will provide information on the plans, coordinate the cleanup and minimize possible disruptions to river and park use to the extent possible.

The agreement includes a statement of work that identifies planning and reporting requirements associated with the cleanup. The agreement and additional information on the lower Passaic River restoration project are available at <http://www.epa.gov/region02/superfund/npl/diamondalkali/> or <http://www.ourpassaic.org>.

Follow EPA Region 2 on Twitter at <http://www.twitter.com/eparegion2> and visit our Facebook page, <http://www.facebook.com/eparegion2>.

## Attachment - List of Parties that Signed the Settlement

1. Arkema Inc.
2. Ashland Inc.
3. Atlantic Richfield Company
4. BASF Corporation, on its own behalf and on behalf of BASF Catalysts LLC
5. Belleville Industrial Center
6. Benjamin Moore & Co.
7. CBS Corporation, a Delaware corporation, f/k/a Viacom Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation
8. Chevron Environmental Management Company, for itself and on behalf of Texaco, Inc. and TRMI-H LLC
9. CNA Holdings LLC
10. Coats & Clark, Inc.
11. Coltec Industries
12. Conopco, Inc. d/b/a Unilever (as successor to CPC/Bestfoods, former parent of the Penick Corporation (facility located at 540 New York Avenue, Lyndhurst, NJ))
13. Cooper Industries, LLC
14. Covanta Essex Company
15. Croda Inc.
16. DII Industries, LLC
17. DiLorenzo Properties Company on behalf of itself and the Goldman /Goldman/DiLorenzo Properties Partnerships
18. E. I. du Pont de Nemours and Company
19. Eden Wood Corporation
20. Elan Chemical Company
21. EPEC Polymers, Inc. on behalf of itself and EPEC Oil Company Liquidating Trust
22. Essex Chemical Corporation
23. Exelis Inc. for itself and for ITT Corporation
24. Flexon Industries Corp.
25. Franklin-Burlington Plastics, Inc.
26. Garfield Molding Co., Inc.
27. General Electric Company
28. Givaudan Fragrances Corporation (Fragrances North America)
29. Goodrich Corporation on behalf of itself and Kalama Specialty Chemicals, Inc.
30. Hess Corporation, on its own behalf and on behalf of Atlantic Richfield Company
31. Hexcel Corporation
32. Hoffmann-La Roche Inc. on its own behalf, and on behalf of its affiliate Roche Diagnostics
33. Honeywell International Inc.
34. ISP Chemicals LLC
35. Kao USA Inc.
36. Leemilt's Petroleum, Inc. (successor to Power Test of New Jersey, Inc.), on its behalf and on behalf of Power Test Realty Company Limited Partnership and Getty Properties Corp., the General Partner of Power Test Realty Company Limited Partnership
37. Legacy Vulcan Corp.
38. Linde LLC on behalf of The BOC Group, Inc.
39. Lucent Technologies Inc. now known as Alcatel-Lucent USA, Inc.
40. Mallinckrodt Inc.
41. National-Standard LLC
42. Newell Rubbermaid Inc., on behalf of itself and its wholly-owned subsidiaries Goody Products, Inc. and Berol Corporation (as successor by merger to Faber-Castell Corporation)
43. News Publishing Australia Ltd. (successor to Chris-Craft Industries)
44. Novelis Corporation (f/k/a Alcan Aluminum Corporation)

### **List of Parties that Signed the Settlement (Continued)**

45. Otis Elevator Company
46. Pfizer, Inc.
47. Pharmacia Corporation (f/k/a Monsanto Company)
48. PPG Industries, Inc.
49. Public Service Electric and Gas Company
50. Purdue Pharma Technologies, Inc.
51. Quality Carriers, Inc. as successor to Chemical Leaman Tank Lines, Inc. and Quality Carriers, Inc.'s corporate affiliates and parents
52. Reichhold, Inc.
53. Revere Smelting and Refining Corporation
54. Safety-Kleen EnviroSystems Company by McKesson, and McKesson Corporation for itself
55. Sequa Corporation
56. Seton Tanning
57. STWB Inc.
58. Sun Chemical Corporation
59. Tate & Lyle Ingredients Americas LLC (f/k/a A.E. Staley Manufacturing Company, including its former division Staley Chemical Company)
60. Teva Pharmaceuticals USA, Inc. (f/k/a Biocraft Laboratories, Inc.)
61. Teval Corporation
62. Textron Inc.
63. The Hartz Consumer Group, Inc., on behalf of The Hartz Mountain Corporation
64. The Newark Group
65. The Sherwin-Williams Company
66. Stanley Black & Decker, Inc.
67. Three County Volkswagen
68. Tiffany and Company
69. Vertellus Specialties Inc. f/k/a Reilly Industries, Inc.
70. Wyeth, on behalf of Shulton, Inc.