



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

DATE: September 7, 2017

SUBJECT: Confirmation of Verbal Authorization for an Emergency Removal Action at the Riverside Industrial Park Site, Newark, Essex County, New Jersey

FROM: David Rosoff, On-Scene Coordinator
Removal Action Branch *29-1-186*

TO: Angela Carpenter, Acting Deputy Director
Emergency and Remedial Response Division

THRU: Joseph D. Rotola, Chief
Removal Action Branch *Rotola*

Site ID: 02PC

The purpose of this memorandum is to confirm the Acting Deputy Division Director's September 6, 2017, verbal authorization of a \$150,000 total project ceiling, of which \$125,000 is for mitigation contracting, for an emergency Comprehensive Environmental Response Compensation and Liability Act (CERCLA) response action (RV4) at the Riverside Industrial Park Site (Site). The previously approved total project ceiling for this Site was \$2,886,000, and the revised mitigation ceiling was \$2,496,000. With this verbal authorization, the new total project ceiling authorized is \$3,036,000, of which \$2,621,000 is for mitigation contracting. A complete Action Memorandum, further documenting this funding increase and providing more detailed Site information, will be submitted for approval in the near future. This is the fourth removal action taken at the Site.

The Site is a former paint and varnish manufacturing facility located in an industrial area in the Riverside Industrial Park, 29-47 Riverside Avenue, Newark, New Jersey. The address is divided into several properties, either currently operational or abandoned, within the industrial park. The area of concern for this removal action is an abandoned portion of the Site bordered to the north by other portions of the industrial park, to the west U.S. Route 21 (McCarter Highway), and the east by the Passaic River. The approximately one and one-half acre property includes two multi-story buildings designated as buildings #7 and #12. The City of Newark is the current owner of record of this property.

Investigations into an October 2009 spill of oily material into the Passaic River revealed multiple potentially immediate threats to human health and the environment from the release and threat of release of hazardous substances on the Site. Samples of waste, soil and groundwater contained volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals and

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polychlorinated biphenyls (PCBs). The industrial park was listed on the Superfund National Priorities List in May 2013.

At the request of the New Jersey Department of Environmental Protection (NJDEP), EPA has conducted several CERCLA removal actions at the Site. The first removal action (RV1) conducted in March of 2000 addressed an abandoned trailer containing orphan 55-gallon drums containing hazardous wastes. A second removal action (RV2) was conducted in 2009 as an emergency response to eliminate the discharge of oily waste from on-site tanks to the Passaic River. The third removal action (RV3) was the largest action to date and addressed drums, tanks, contaminated liquid and sludge in the basement of building #7 and additional contaminated media located throughout the Site. Work associated with RV3 was completed in 2014.

During a pre-Remedial Investigation Site walk in June 2017, EPA personnel noticed piles of construction debris that had been recently dumped south of buildings #7 and #12. This construction debris contained bags labeled "Asbestos". These bags had been torn open and contents were mixed with other construction and demolition debris in three large piles. Approximately 400 yards of construction debris was observed within these piles. On July 5, 2017, EPA collected twelve samples of this debris from within these piles. Three of the samples showed asbestos containing material (ACM) greater than 1%, with a high of 2.39% Chrysotile. Currently, the Site is not secured with evidence of trespassing, illegal dumping and vandalism.

Asbestos, when friable, is considered a hazardous substance under CERCLA. Accordingly, a hazardous substance has been released into the environment due to the dumping of ACM. There is a significant threat to human health for individuals who may come in contact with this uncontrolled release of ACM.

On September 6, 2017, biohazard waste (blood bags, blood tubes, syringes and biohazard bags) was observed in bags dumped between buildings #7 and #12. Some of this material was no longer in the bags and could be seen on the ground. Biohazard waste is a pollutant or contaminant under CERCLA and could pose a significant threat to human health for those who come in contact with it. RV4 will mitigate the threat posed by the piles of ACM and the biohazard waste found on the Site. The City of Newark has indicated that it does not have the funding to perform the removal action.

The sampling results, along with field observations made by EPA concluded that conditions at the Site meet the criteria for an emergency removal action under CERCLA, as documented in Section 300.415(b)(2) of the National Contingency Plan.

EPA will mobilize an Emergency and Rapid Response Service (ERRS) contractor to the Site the week of September 11, 2017. The ERRS contractor will secure, stabilize and properly dispose of ACM and biohazard waste found at the Site.

Should you have any questions or require additional information, please feel free to contact the On-Scene Coordinator assigned to the Site, Mr. David Rosoff, at 732-321-4465.

cc: J. Prince, ERRD-AD
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