

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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Clerk

IN THE MATTER OF:)
)
ABRACHEM GROUP, L.L.C.)
SUPERFUND SITE)
)
Clifton, New Jersey)
)
)
)
_____)

Civil Action No. 09-6013

To: Any authorized employee, representative, contractor, or subcontractor of the United States Environmental Protection Agency and any United States Marshal for the District of New Jersey:

The *Ex Parte* Application for an Administrative Warrant, submitted on behalf of the United States Environmental Protection Agency ("EPA"), demonstrates sufficient justification for entry onto and remaining on those portions of property located at 2 Peekay Drive in Clifton, New Jersey (hereinafter the "Property" or "Site") required in order for EPA to implement the response activities specified below. This entry is authorized by Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9604(e), and is for the purpose of conducting response activities pursuant to Sections 104(a) and 104(b) of CERCLA, 42 U.S.C. §§ 9604(a) and 9604(b). The response activities to be taken at the Property include monitoring Site conditions; inspecting drum containers on the Site, taking an inventory of drums and other containers at the Site, taking samples from drums and other containers at the Site; removing any hazardous and potentially hazardous drums from the Site; and taking any other response activities deemed necessary by EPA that are not inconsistent with the National Contingency Plan. These activities are necessary to investigate, evaluate,

and/or address the release or threat of release of hazardous substances at the Property.

YOU ARE HEREBY AUTHORIZED TO: Enter on and into, move about, remain on or about, and re-enter as necessary, the property described above in Clifton, New Jersey at all reasonable times for the purpose of conducting the following response actions authorized by Sections 104(a), (b), and (e)(1), (3) and (4) of CERCLA, 42 U.S.C. §§ 9604(a), (b), and (e)(1), (3) and (4), including:

- ✓ (1) monitoring Site conditions;
- ✓ (2) inspecting drum containers on the Site;
- ✓ (3) taking an inventory of drums and other containers at the Site;
- (4) taking samples from drums and other containers at the Site;
- (5) removing the drums from the Site; and
- (6) taking any other response activities deemed necessary by EPA that are not

inconsistent with the National Contingency Plan.

ACCORDINGLY, IT IS ORDERED:

All owners, occupants, and persons in control of the Property and in control of any drums or other hazardous materials at the Site, if any, shall permit the persons specified above to enter the Property for the purposes specified above.

A copy of this Warrant shall be delivered to the occupant, if any, of the Property at the time of initial entry. If no occupant is present, a copy of this Warrant shall be left at the Property at the time of initial entry.

The duration of this Warrant shall be of such reasonable length as to enable EPA personnel or their agents to complete satisfactorily those actions specified above and authorized

by Sections 104(a), (b), and (e) of CERCLA, 42 U.S.C. §§ 9604(a), (b), and (e), but in no event longer than one hundred and twenty (120) days from the date of this Warrant.

The United States Marshal is authorized to assist EPA in such manner as may be reasonably necessary and appropriate to execute this Warrant and all provisions contained herein.

A prompt return of this Warrant shall be made to this Court showing that the Warrant has been executed and that the entry has been completed within the specified time period above.

Dated this 1st day of January, 2009.



United States Magistrate Judge