

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

Notice to Receive Interested Party Comments on a Proposed Administrative Consent Order to Recover Cleanup and Removal Costs on the Property Known as New Swift Cleaners, 101 Paterson Street, New Brunswick, Middlesex County

Take notice that the New Jersey Department of Environmental Protection (Department) hereby gives notice of an Administrative Consent Order concerning the recovery of unreimbursed cleanup and removal costs at the property known as the New Swift Cleaners Site located at 101 Paterson Street, New Brunswick, Middlesex County (Property). The site is also known and designated as Block 23.01, Lot 10.02 (previously known as Lots 10 and 10.01) on the Tax Map of the City of New Brunswick, which the Department has designated as Site Remediation Program Interest No. 002989.

The Department, under the authority of N.J.S.A. 13:1D-1 through 19, and by the authority of the Spill Compensation and Control Act (Spill Act), N.J.S.A. 58:10-23.11 through 23.24, the Site Remediation Reform Act, N.J.S.A. 58:10C-1 through 29, and pursuant to the authority vested in the Administrator of the New Jersey Spill Fund and the authority delegated to the Acting Director of the Enforcement, Technical and Financial Support Element within the Site Remediation and Waste Management Program pursuant to N.J.S.A. 13:1B-4, proposes to enter into this Administrative Consent Order with WSH Enterprises, Inc.

Under the terms of the proposed Administrative Consent Order, WSH Enterprises, Inc. would agree to settle their alleged liability to the Department for the Department's past

remediation costs through the effective date of the Administrative Consent Order, by paying the Department \$58,464. The Department would, among other things, file a Warrant of Satisfaction with the Clerk of the Superior Court to remove WSH Enterprises, Inc. from the list of responsible parties the First Priority Lien (Docketed Judgment No. DJ-078514-16) filed against the site, and agree to provide WSH Enterprises, Inc. with a covenant not to sue for all past cleanup and removal costs prior to the effective date of the Administrative Consent Order.

It is the intent of the Department and WSH Enterprises, Inc. that the Administrative Consent Order constitutes 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 Administrative Consent Order.

A copy of the proposed Administrative Consent Order is available for inspection at the Department's main office at 401 East State Street, in Trenton, New Jersey and via the Internet at www.nj.gov/dep/srp/settlements. A copy of the Department's files concerning the Property is available for review by contacting the Office of Record Access, NJDEP, PO Box 420, Mail Code 401-06Q, Trenton, NJ 08625-0420 or via e-mail at records.custodian@dep.state.nj.us.

Interested persons may submit comments on the entry of the Administrative Consent Order concerning the remediation of the Property to Kevin F. Kratina, Assistant Director, NJDEP, Site Remediation and Waste Management Program, Enforcement and Information Support Element, 401 East State Street, PO Box 420 - Mail Code 401-06A, Trenton, NJ 08625-0420.

All comments must be submitted within 60 calendar days of the date of this public notice.

The Department will consider all comments received and may decide to withdraw or withhold consent to the entry of the Administrative Consent Order if comments disclose facts or considerations that show that the Administrative Consent Order is inappropriate, improper, or inadequate.