

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

OFFICE OF NATURAL RESOURCE RESTORATION

**Notice to Receive Interested Party Comments on Proposed Consent Judgment in the
Matter of *NJDEP v. Hercules, Inc.*, Docket No. MID-L-8749-07**

Take notice that the New Jersey Department of Environmental Protection (Department), its Commissioner, and the Administrator of the New Jersey Spill Compensation Fund (collectively, “NJDEP”) hereby give notice of a proposed Consent Judgment settling claims for damage to natural resources resulting from discharges of hazardous substances and pollutants at the following four sites:

1. Hercules Parlin Site “Hercules Aqualon”

Located at: 50 South Minisink Avenue, Borough of Sayreville, Middlesex County, New Jersey, also known and designated as Block 43, Lot 1 on the Tax Map of the Borough of Sayreville.

2. Chester/Simmonds Precision Incorporated

Located at: 100 Oakdale Road, Chester Township, Morris County, New Jersey, also known and designated as Block 39, Lot 3 on the Tax Map of the Township of Chester.

3. Hercules Kenvil “Alliant Techsystems Inc.”

Located at: 100 Howard Boulevard, Roxbury Township, Morris County, New Jersey, also known and designated as Block 6701, Lot 1, Block 6802, Lot 11, Block 4002, Lot 5, Block 6802, Lot 12, and Block 6701, Lot 4 on the Tax Map of the Township of Roxbury.

4. Hercules Gibbstown “Geo Specialty Chemicals Inc.”

Located at: 50 North Market Street, Greenwich Township, Gloucester County, New Jersey, also known and designated as Block 8, Lots 1 and 2 on the Tax Map of the Township of Greenwich.

(collectively, the “Sites”).

The NJDEP, pursuant to the authority of the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq. (Spill Act), proposes to enter into a Consent Judgment with Hercules LLC, f/k/a Hercules Incorporated (Hercules) (On August 17, 2016, Hercules Incorporated, a Delaware corporation, was converted to Hercules LLC, a Delaware limited liability company).

Pursuant to the proposed Consent Judgment, Hercules has agreed to settle its alleged liability to the NJDEP for natural resource injuries to groundwater, soils, sediments, surface water, and biota, excluding natural resources impacted in the Delaware River, resulting from discharges of hazardous substances and pollutants at the Sites, by paying a total of \$4.5 million to the NJDEP and to preserve, through Conservation Easements, approximately 640 acres of wetlands and uplands in New Jersey.

Any natural resource damages from contamination discharged at the Hercules Gibbstown Site into the Delaware River are excluded from this proposed settlement.

This Consent Judgment does not address Hercules’s ongoing obligations to conduct or complete the remediation of all discharges at the Sites.

It is the intent of the NJDEP and Hercules that this Consent Judgment constitutes an administratively approved settlement within the meaning of 42 U.S.C. § 9613(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA),

42 U.S.C. §§ 9601 et seq., for the purpose of providing protection from contribution actions or claims for matters addressed in this Consent Judgment.

A copy of the proposed Consent Judgment is available for inspection virtually through the internet at <http://www.nj.gov/dep/nrr/settlements/index.html> and physically through the NJDEP's Office of Record Access at 401 East State Street, Trenton, New Jersey. Requests to inspect a paper copy of the proposed Consent Judgment should be directed to records.custodian@dep.nj.gov. Interested persons may submit comments on the entry of this Consent Judgment: (1) by email to the Office of Natural Resource Restoration at onrr@dep.nj.gov; or (2) by mail to Stacey MacEwan, Manager, NJDEP, Office of Natural Resource Restoration, 501 East State Street, Mail Code 501-03, PO Box 420, Trenton, NJ 08625-0420. All comments must be submitted within 60 calendar days of the date of this public notice. NJDEP will consider all comments received and may decide to withdraw or withhold consent to the entry of the Consent Judgment if comments received disclose facts or considerations that demonstrate that the Consent Judgment is inappropriate, improper or inadequate.