

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

CONTAMINATED SITE REMEDIATION AND REDEVELOPMENT

**Notice to Receive Interested Party Comments on Proposed Administrative Consent Order
Regarding the Gotthelf Knitting Mills Inc Site in Boonton Town, Morris County, New
Jersey in the Matter of *New Jersey Department of Environmental Protection v. ITCA
Partners, Limited Partnership and Gotthelf Knitting Mills, Inc***

Take Notice that the New Jersey Department of Environmental Protection (Department) and the Administrator of the New Jersey Spill Compensation Fund (collectively, “NJDEP”) hereby give notice of a proposed Administrative Consent Order concerning the cleanup and removal of hazardous substances resulting from discharges at the Gotthelf Knitting Mills Inc Site, located at 677 Myrtle Avenue, in Boonton Town, Morris County, New Jersey, identified on the current tax maps of Boonton Town as Block 72.01, Lot 2.01 (the Site). The Department has designated the Site as Program Interest Number G000042728.

NJDEP proposes to enter this Administrative Consent Order with ITCA Partners, Limited Partnership (ITCA), and Gotthelf Knitting Mills, Inc (collectively, “the Settling Defendants”). ITCA is the current owner of the Site. Gotthelf Knitting Mills, Inc. was the former operator of the Industrial Establishment at the site.

Pursuant to the proposed Administrative Consent Order, the Settling Defendants have agreed to fulfill specific commitments, including ITCA shall establish a Remediation Trust Fund in the amount of \$956,560. ITCA shall pay the Department a total amount of \$260,000 as reimbursement for the NJDEP’s past cleanup and removal costs through June 13, 2023. ITCA shall withdraw its requests for adjudicatory hearings and its Spill Fund Damage Claim.

ITCA shall remediate the entire Contaminated Site, including all discharges at the Site discovered during the remediation as the Department directs, pursuant to N.J.A.C. 7:26C-14.2(b)1, and according to this Administrative Consent Order. Specifically,

- By August 22, 2025, ITCA shall submit to the Department an Immediate Environmental Concern Contaminant Source Control Report
- By December 1, 2026, ITCA shall submit to the Department a remedial investigation report.
- By December 1, 2037, ITCA shall complete the implementation of all remedial actions and obtain all applicable remedial action permits for the entire Contaminated Site.
- By December 1, 2037, ITCA shall submit to the Department a final remedial action report

The NJDEP would, among other things, provide the Settling Defendants with a covenant not to sue for all past cleanup and removal costs and for injunctive relief with respect to the Site, conditioned upon the satisfactory performance by ITCA of its obligations pursuant to the Administrative Consent Order.

This Administrative Consent Order 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 (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 proposed Administrative Consent Order.

A copy of the proposed Administrative Consent Order is available for inspection on the internet at <http://www.nj.gov/dep/srp/legal/> and at the Department's Office of Record Access at 401 East State Street, Trenton, New Jersey. Requests to inspect a paper copy of the proposed Administrative Consent Order should be directed to records.custodian@dep.nj.gov. Interested

persons may submit comments on the entry of this proposed Administrative Consent Order electronically (preferred) to frank.defeo@dep.nj.gov or by mail to Frank DeFeo, Director, NJDEP, Division of Enforcement and Financial Operations, Contaminated Site Remediation and Redevelopment, 401 East State Street, Mail Code 401-06K, PO Box 420, Trenton, NJ 08625-0420. All comments must be submitted within 60 calendar days of the publication 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 received disclose facts or considerations that show that the Administrative Consent Order is inappropriate, improper, or inadequate.