

**New Jersey Department of Environmental Protection & Energy  
Division of Responsible Party Site Remediation  
Bureau of Emergency Response  
Region J**

**INVESTIGATION**

**Case Number:** 93-04-19-1228-26

**PAC:** XPS  
**File:**

**Investigator:** Bruce F Doyle  
Chris Gibbons  
Lisa Jones  
Gary Allen

**Time Arrived:** 1400  
**Time Departed:** 2300

**Location:** Alden Leeds Inc.  
**Address:** 55 Jacobus Avenue  
Kearny, Hudson County, NJ

**Responsible Party:** Alden Leeds Inc.  
**Address:** 55 Jacobus Avenue  
Kearny, NJ

**Location Phone #:** (201)569-6159  
(201)456-0789

**Health Dept. Rep:** Gary Garetano HRHC

**Phone #:** (201)485-7001

**Origin of Complaint:** Sgt. Ciecwisz Kearny PD

**Phone #:** (201)998-1313

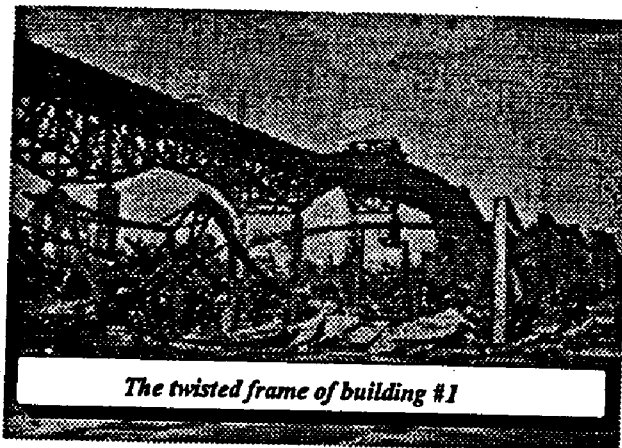
**Nature of Complaint:** Structure fire at facility that stores large quantities of chlorinating agents for swimming pools. DEPE assistance is requested.



**Findings:** Emergency Response Specialists Gary Allen, Bruce Doyle, Chris Gibbons and Lisa Jones Responded to Kearny to assess, assist and advise the Kearny Fire Department at the scene of a structure fire suspected (and later confirmed) to involve hazardous materials. Due to the large scope of this incident additional manpower and logistics were marshaled from the Environmental Protection Agency; T.A.T. and E.R.T. US Coast Guard Strike Force, Hudson Regional Health Commission, Suburban Regional Health Commission, Bergen County Police and Health

Department, Union County Office of Emergency Management, Jersey City Hazardous Materials Response Team, Newark Fire Department and Nutley Hazardous Materials Response Team. These agencies were coordinated through the incident command and BER staff to provide site assessment and logistics, downwind air monitoring site entry and water monitoring. Although the fire did involve the chlorinating agents stored in one of the buildings, the decision was made early on in the incident to recommend sheltering for the impacted area residents. This decision was supported by DEPE and HRHC Personnel on scene. The materials involved in the fire were known to be calcium hypochlorite, trichloro-s-triazonetrione and 1-bromo-3-chloro-5,5-dimethylhydantoin. Down-wind air monitoring for chlorine (and/or bromine) found persistent levels between 0.1 ppm and 0.3 ppm in the Western extremes of Hudson County with intermittent peaks of 0.5 ppm, but levels, as monitored, never exceeded 0.5 ppm. Atmospheric conditions throughout the incident were beneficial in keeping air borne hazardous materials to reasonable levels. The principal product of the fire was heavy smoke and calcium chloride (a decomposition product of one of the involved materials.) Chlorine was detected at the T.W.A. of 0.5 ppm (NIOSH) intermittently and was reported as an odor over a large area of the region (see map.) Hydrogen chloride and sulfur dioxide were also monitored but not detected in the plume.

The Fire, which is believed to have begun at approximately 1300 hours was declared under control by 1700 hours although smoke continued to emerge from the fire site until the next day. As a result of the fire, smoke, and suspected hazardous materials plume, several transportation corridors were closed until the assessment was made by DEPE that levels of chlorine were not excessive. These included; the New Jersey Turnpike (Exit 14 to Exits 15E & 15W, Routes 1&9, Route 280 through Harrison, Pulaski Skyway, Lincoln Highway, and Stickers Draw Bridge and the NJ Transit Rail Way that parallels Route 280.

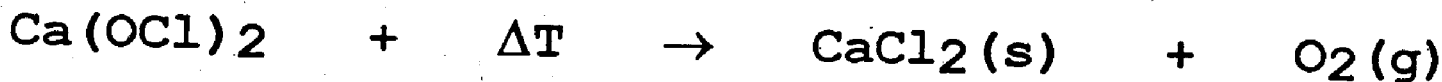


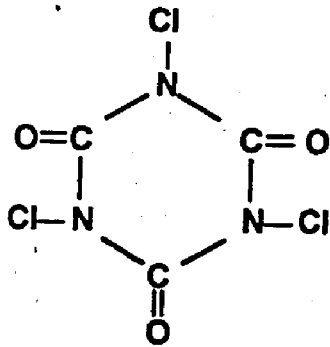
The twisted frame of building #1

Both calcium hypochlorite and trichloro-s-triazinetrione are commercial chemicals for the chlorination of swimming pools. These two materials are incompatible with each other as well as with most other chemicals. Both of these chlorinating agents are dry solids with powerful oxidizing properties. Under normal conditions they are stable, however, when subjected to contaminants, water or heat, they react and become unstable. These compounds are, in themselves, not flammable, however as oxidizers, they significantly increase the burning rate and intensity of combustion. As a result of the decomposition of these materials, the fire was energized and burned with sufficient heat to deform the steel beams of the buildings structure.

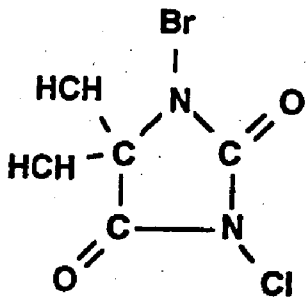
## OCl - Ca - OCl

Calcium hypochlorite is a Class 3 Oxidizer (by NFPA 43A-1980 Code for the storage of liquid and solid oxidizing materials Standards) that will cause a severe increase in the burning rate of combustible material with which it comes in contact or which will undergo vigorous self sustained decomposition when catalyzed or exposed to heat. This compound will rapidly decompose at temperatures exceeding 350°F. (177°C) generating oxygen and heat. Direct exposure of this material to an external fire will cause decomposition, eruption of the container and greatly increase the intensity of the fire. Decomposition results in an inert white residue consisting mainly of calcium chloride.





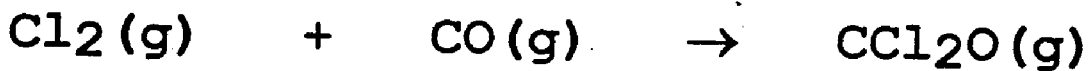
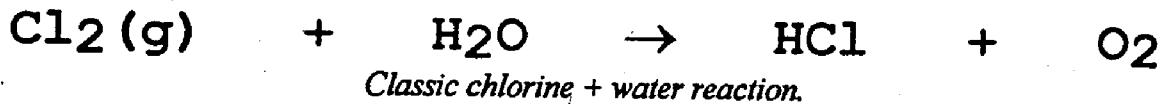
Trichloro-s-triazinetrioxane is a Class 2 Oxidizer (by NFPA 43A-1980 *Code for the storage of liquid and solid oxidizing materials Standards*) that will moderately increase the burning rate or may cause spontaneous ignition of the combustible material with which it comes in contact. This compound will undergo decomposition at temperatures above 460°F. generating oxygen and heat. If the heat source is removed from the decomposition will cease. Partial decomposition leaves a yellow or brown residue, complete decomposition leaves very little residue. In a fire situation, this compound can be expected to react with quantities of water to form nitrogen trichloride an unstable liquid that will explode at temperatures in excess of 93°F. Common oxides of nitrogen are also anticipated from both direct oxidation of the nitrogen molecule, dissociated from the Trichloro-s-triazinetrioxane complex, and from the ammonium trichloride reduction.



with calcium hypochlorite.

DiHalo (1-bromo-3-chloro-5,5-dimethylhydantoin) is a halogenating agent used for spas and hot tubs. Like the Chlorinating agents listed previously, this compound is not flammable, but is classified by DOT as an oxidizing agent. The manufacturer, Hydrotech Chemical of Marietta Georgia reports that the material when subjected to fire conditions can be expected to decompose to bromine, chlorine, bromine and chlorine containing compounds particularly, hydrogen bromide and hydrogen chloride. As with any oxidizer, the material is expected to aggravate a fire situation. Thermal decomposition of the material can be halted by flooding the material with large quantities of water. This material is specifically incompatible

In addition to the already noted decomposition products, hydrogen chloride and phosgene are compounds that are routinely produced in oxidation reactions involving chlorine.



*Phosgene is produced from the reaction of chlorine with carbon monoxide.*

Hydrogen chloride and phosgene, like Chlorine gas itself, are particular concerns to the environmental health of the citizens of this state. These gasses have an extremely irritating effect upon the respiratory system of humans. They react in the lungs to form hydrochloric acid which in turn results in pulmonary edema, this pathology may manifest immediately from acute high concentrations or, more insidiously, may manifest up to two hours following exposure to moderate concentrations. This pathology is aggravated by prior respiratory conditions and age extremes. The exposure indicies for these complexes, decomposition constituents and by-products are listed below. Air monitoring for hazardous materials found only appreciable levels of chlorine, however, other hazardous materials may have existed as transient pockets within the plume during the evolution of the fire.

<u>Chemical</u>	<u>Odor</u>	<u>TLV</u>	<u>STEL</u>	<u>IDLH</u>	<u>Class</u>
Br <sub>2</sub>	3.5 ppm	0.1 ppm	0.4 ppm	10 ppm	Corrosive, Oxidizer
Ca(OCl) <sub>2</sub>		Not	Established	*****	Oxidizer
(ClNO <sub>2</sub> ) <sub>3</sub>		Not	Established	*****	Oxidizer
NCl <sub>3</sub> EXPLOSIVE	*****	*****	*****	*****	
CaCl <sub>2</sub>		Not	Established	*****	None
Cl <sub>2</sub>	3.5 ppm	0.5 ppm	1 ppm	30 ppm	Nonflammable gas/ Poison (Oxidizer)
HBr	0.5 ppm		3 ppm	50 ppm	Non-Flammable gas/ Corrosive
HCl	1 ppm	5 ppm	5 ppm	100 ppm	Nonflammable gas/ Corrosive
HCl <sub>2</sub> O	0.5 ppm	0.1 ppm	0.2 ppm	2 ppm	Nonflammable gas
NO		25 ppm	100 ppm	100 ppm	Poison gas
NO <sub>2</sub>			56,000 ppm		Nonflammable gas/ Oxidizer
N <sub>2</sub> O <sub>4</sub>	5 ppm	3 ppm	25 ppm	50 ppm	Poison gas/ Oxidizer

In addition to the threat to the public environmental health posed by the plume, these materials also represent a threat to the marine environment of the Passaic River and Newark Bay as carried through the fire water run off. Also present in the burned building, of concern, in this regard was 40,000 pounds of brochloro1-bromo-3-chloro-5,5- dimethylhydantoin. stored with the chlorinating agents. These products mixed with the volumes of water applied to the fire and flowed directly into the Passaic River on the Western boundary of the facility. Water samples taken from the river tested positive for the chlorine ion although no concentration in ppm was obtained at the time of the initial entry. The pH of the River in the immediate vicinity of the discharge was found to be 5. In contrast to the pH of the River, the pH of the run off to the street East of the facility was found to be between 10 and 11. The probable explanation for this discrepancy is that the facility is higher than both of these monitoring points; fire water run-off from the site separated into two semi distinct pathways, one for the hypochlorite and one for the trichloro-s-triazinetrione. Fire water run-off in the street was easily diverted to the combined sewer that flow to PVSC a POTW. Run-off to the River was not easily controlled; thus, the River was contaminated with an unknown quantity of chlorine (as hypochlorus acid). Bromine can be expected to follow the same reaction mechanics as chlorine. Both of these elements are found in column 7A of the periodic table of elements and are considered halogens.

After the fire was officially declared under control by the Kearny Fire Department an entry was made to the site by a joint team comprised of personnel from US Coast Guard Strike Force, US EPA, NJ DEPE and HRHC. The purpose of this entry was to assess the status of the material stored within building #1 that had been involved in the fire, and to assess the extent of the pollution of the Passaic River with halogen by-products. During this entry it was necessary to pull all of the Hudson Regional Personnel out of the down wind air monitoring operation due to man power constraints. To effectively monitor the air in Hudson County's impacted Municipalities, Bergen County Health Department personnel were deployed to monitoring sites on Schuyler Avenue at the request of the DEPE OSC. Air samples taken within the Alden Leeds Compound detected no levels of either halogen or halogen complex. Air samples were taken at ground zero and at a height of approximately 90' above the surface directly within the body of the plume. Water samples were taken at the run-off point (in the Passaic River) and within the complex these samples positively identified chlorine contamination. It should be noted that the entry team observed white masses littering the fire scene; these masses were roughly cylindrical, approximately 8-12 inches in length and 6 inches in diameter. These masses were later identified as the trichloro-s-triazinetrione pellets that had not completely decomposed or dissolved. Consistent with the chemistry illuminated previously in this report, there was no remaining calcium hypochlorite at the fire scene.

Although the Responsible Party was present, and consulted, during the operations at the fire, it was decided to conduct a meeting on Sunday 11 April, 1993 to determine a course of action for this remediation. Participating in this meeting were EPA, DEPE, HRHC Kearney OEM/FD and the Responsible Party. One of the principal concerns at this meeting was the disposition of the remaining product and fire water. It was suggested and later agreed upon (EPA) to permit the RP to treat this material on site using frac tanks to dilute the chlorine down below 3 ppm and then discharge the solution to the Passaic River.

**Conclusions:** BER 1 responded to Kearny to assist the Fire Department at the scene of a fire involving chlorinating agents. These agents; calcium hypochlorite, trichloro-s-triazonetrione and 1-bromo-3-chloro-5,5dimethylhydantoin were in storage at the RP's facility prior to the fire. Although these products are not in themselves flammable, they are both powerful oxidizers and decompose in fire to produce, principally O<sub>2</sub>, and some Cl<sub>2</sub> as a gas. Both of these gasses are oxidizers and will significantly increase the rate of burning for any material. The fire which ensued after exceeding the confines of the initial structure involved, ran out of control once impacting the shed where these chemicals were stored, generated a plume of significant magnitude that impacted three counties and closed numerous major roadways. The impacted Municipalities are as Follows: Bergen; North Arlington, Essex; Newark, Belleville and Nutley, Hudson; Harrison, Kearny and E. Newark. Transportation closed: NJ Turnpike, Routs 1 & 9, Linclon Highway, Pulaski Skyway and Route 280. Air Monitoring performed at the incident scene and down wind of the incident found intermittent contacts with chlorine gas in the plume at concentrations ranging from 0 to 0.5 ppm. This monitoring was conducted by teams representing the following agencies: Hudson Regional Health Commission, Suburban Regional Health Commission, Bergen County Police & Health Department, Union County Office of Emergency Management, Nutley HazMat and BER. In addition to DEPE involvement, USEPA was requested to respond along with TAT and ERT. US Coast Guard Pollution Strike Team also responded from Fort Dix and assisted on scene with the level B Entry to the site and with the conduction of water monitoring. These agencies worked in concert with one another under the direction of the DEPE OSC in a professional and proficient manner above and beyond the distinctions of political subdivision, jurisdiction or mission statement.

**Recommendations:** Case is referred to DEQ-M for consideration of the plume as a hazardous air release and appropriate enforcement action. Case is referred to BSA for consideration of the remediation necessary at the site of impacted environmental media (soil). Case is referred to DFG&W for consideration of the impact to the Waters of the State and for the potential Harm to wild life as a result of the exposure to these halogens and halogen complexes.

Participating DEPE BER Personnel:

B. DeLoach  
Investigator

4/29/93  
Date

Christopher Miller  
Investigator

4/29/93  
Date

\_\_\_\_\_  
Investigator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Investigator

\_\_\_\_\_  
Date

R. L. Allen  
Supervisor

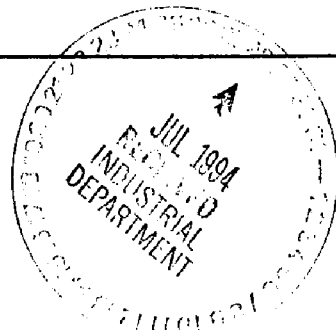
4/29/93  
Date

PASSAIC VALLEY SEWERAGE COMMISSIONERS  
APPLICATION FOR A SEWER CONNECTION PERMIT

120-644

SECTION A

1. Company Name: Alden Leeds, Inc.
2. Permit number if applicable, \_\_\_\_\_
3. Location: 100 Hackensack Avenue  
South Kearny NJ Zip Code: 07032
4. Mailing Address: 55 Jacobus Avenue  
South Kearny NJ Zip Code: 07032
5. Person to contact concerning information provided in this application:  
Name of Contact Official: Mark Epstein  
Title: President Phone No. 201-589-3544  
Address: 55 Jacobus Avenue South Kearny NJ Zip Code 07032
6. Number of Employees - Full Time: 20 Part Time: 6  
Number of Work Days Per Year: 250  
Number of Shifts Per Day: 1
7. If property is owned indicate block and lot numbers:  
Block 298 Lots 12 and 15  
Assessed Value: \$458,500 + \$331,800 19 93
8. If property is rented indicate name and address of owner:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
Total square feet rented: \_\_\_\_\_
9. List NJPDES Permit number if applicable, \_\_\_\_\_ None \_\_\_\_\_ and  
name of receiving body of water entered \_\_\_\_\_



SECTION B

WATER DATA

10. Water Source: (Circle all appropriate answers)

- Purchased                       Y - N
11. Well                              Y -  N      If Y, is it metered                      Y - N
- River                                Y -  N      If Y, is it metered                      Y - N

11. Name of purchased water supplier: Town of Kearny Water Department

List all Acct #s: 5-043-027.00 (Arco Terminal Inc.)

12. Water Received: From Mo. 2 Yr. 93 Through Mo. 2 Yr. 94

(\* Next to a figure means it is estimated).

	<u>PURCHASED</u>	<u>WELL</u>	<u>RIVER</u>	<u>TOTAL</u>
1st Qtr.	207,750	0	0	207,750
2nd Qtr.	676,500	0	0	676,500
3rd Qtr.	419,250	0	0	419,250
4th Qtr.	207,750	0	0	207,750

**GRAND TOTAL** 1,511,250

Report in gallons

13. Water Use and Disposition (\* Next to a figure means it is estimated).

	<u>Gallons Sanitary/Combined Sewer</u>	<u>Discharged Stormsewer/River/Ditch</u>	<u>Gallons Used Other</u>
Sanitary Service Only	111,250*		X
Process Waste Water	300,000*		
Cooling Water		1,100,000 *	
Evaporation	X	X	
Contained in the product	X	X	
Other (Describe)	X	X	

**GRAND TOTAL** 1,511,250



SECTION B (CONTINUED)

14. Process wastewater which is discharged as above is metered as follows:

- to the Separate Sanitary Sewer                    Y - (N)
- to the Combined Sewer                            Y - N
- to a storm sewer                                    Y - N
- river or ditch                                      Y - N

15. Waste Hauler Information: List all firms and/or independent contractors used to remove process waste or sludge from this facility.                    None

Contractor	Address	icc#	Waste type handled

SECTION C

OPERATIONAL CHARACTERISTICS

16. Discharge of Industrial Waste is continuous \_\_\_\_\_  
or intermittent   X   each operating day. (Typically 0-1 batch/day)  
If the discharge is intermittent, it occurs between the following hours:   morning   or   afternoon  

17. Brief description of Manufacturing or other activity performed:   repackager of swimming    
  pool chemicals  

List SIC CODE #:   2899  

18. Principal Raw Materials used:   Trichloro-s-triazine trione, Soda ash,    
  Dichloro-s-triazine trione  

19. Principal Products or Services:   Swimming pool chemicals

SECTION C (CONTINUED)

20. Describe seasonal variations, if significant, giving dates, volumes, rates, hours, etc. Include variations in product lines which affect waste characteristics: Greatest volumes are from March through September due to increased activity

Does this facility shutdown for vacations? Yes If so, is it basically the same time each year Yes. Provide dates usually shut down mid-December to early-mid January

SECTION D

MONITORING

21. Describe any pretreatment process or effluent monitoring system in use:

Outlet #001 Waste neutralization process by OxyChem through ejector pump. Neutralizes chlorine compounds to salt, neutralizes pH to neutral before discharge.

Outlet #002 Sanitary waste  
(Process wastewater is combined with sanitary waste in ejector tank and then

Outlet discharged into sewer system.)

22. Sampling information:

<u>Outlet</u>	<u>Contains Ind. Waste</u>	<u>Sampler Type</u>	<u>Refrigerated</u>
# 001	Y	Grab sample of homogeneous (mixed) batch from neutralization tank before being discharged into ejector tank.	Y

SECTION D (CONTINUED)

23. Volume Information;

<u>Outlet</u>	<u>Daily Flow (Gallons)</u>	<u>Metered (Y - N)</u>	<u>Type</u>	<u>Date</u>
# 001	1250-2500	N	N/A	N/A
#002	300-600	N	N/A	N/A

24. Frequency of calibration of each flow meter: None used.

25. Attach a plot plan of the property showing:

- (a) all existing or proposed sewer and drain lines (including outlets to a storm sewer, river or ditch);
- (b) sample point(s); Monitoring or Pretreatment Equipment; Incoming meter(s); Well meter(s); Internal meter(s); Flowmeter(s).
- (c) details of the connection (s) to the municipal (or PVSC) sewer, including the distance and direction of each connection from the nearest street intersection.

See Attached

SECTION E

ANALYSIS OF INDUSTRIAL WASTE

26. Analysis for Industrial Waste must be a proper sample taken for each outlet.

OUTLET NO. 001

Report to the nearest unit: XX. except where indicated with (1) Example: 15 mg/l			Report to the nearest hundredth: 0.XX except where indicated Example: 0.36 mg/l		
Code	Parameter	Value (mg/l)	Code	Parameter	Value
0200 *	Radioactivity (PL-1)		1097 *	Antimony (Sb)	
0500	Total Solids	8940	1002 *	Arsenic (As)	
0510	Total Mineral Solids	7600	1022 *	Boron (B)	
0530	Total Suspended Solids	57	1027 *	Cadmium (Cd)	
0552	Mineral Suspended Solids	18	1034 *	Chromium Total (Cr)	
0555 (1)(3)	Petroleum Hydrocarbons	13.3	1042 *	Copper (Cu)	
0310	Biochemical Oxygen Demand (BOD)	180	1045 *	Iron (Fe)	
			1051 *	Lead (Pb)	
0340	Chemical Oxygen Demand (COD)	505	0720 *(3)	Cyanide (CN)	
			1900 *	Mercury(Report to 0.XXX)	
0680	Total Organic Carbon (TOC)	201	1067 *	Nickel (Ni)	
			1147 *	Selenium (Se)	
9000	pH (standard unit range)	8.06	1077 *	Silver (Ag)	
0610 (1)	Ammonia as N	25.0	1102 *	Tin (Sn)	
0550 (1)(3)	Total Oil & Grease	18.0	1092 *	Zinc (Zn)	
0745 * (1)	Sulfide		2730	Phenol	0.08
0507 * (1)	Ortho Phosphates as P		4053 *	Pesticides (Report to 0.XXX)	
0625 * (1)	Kjeldahl N as N				
9998 * (2)(3)	TTO (Report to 0.XXX)		9999 *(3)	TTVO(Report to 0.XXX)	

**FOOTNOTES:**

(1) Report results to the nearest tenth, i.e., 1.6 mg/l.

(\*) Analyze for this if reasonably expected to be present in the discharge unless otherwise exempted.

(2) See instructions.

(3) Grab sample required.

REVISED 1/87  
REVISED 8/89  
REVISED 7/90

SECTION E (CONTINUED)

Samples collected by: Ambient Engineering, Inc. 180 Highway 34 Matawan, NJ 07747

Date: June 28, 1994

Samples analyzed by: Analab Inc., 205 Campus Plaza 1, Raritan Center

Edison, NJ 08837 (Ambient Eng. Analyzed pH)

Date: See Report

Products being manufactured when sample was collected: Swimming pool chemicals

27. Who performs the analyses of the samples for User Charge? N/A

28. Is the Laboratory certified by NJDEP to conduct all the analyses? Y - N Y

29. Who performs the analyses of the samples for the Pretreatment Parameters?

N/A

(If monitoring has not commenced for Pretreatment, indicate Laboratory you plan to use. If unknown, so state):

30. Is The Laboratory certified by NJDEP to conduct all the required Pretreatment analyses?

Y - N N/A

31. Based upon knowledge of materials and processes used at this facility check the appropriate box that best describes the potential that a Priority Pollutant, listed on Tables 1, 2, & 3 is present in your discharge.

SECTION F

**PRETREATMENT**

32. Industrial Category: N/A  
Subpart (s): \_\_\_\_\_

33. Compliance date(s): N/A

34. Is facility in compliance? N/A If not, and if compliance date has passed, explain actions being taken to get into compliance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

35. Date Baseline Monitoring Report (BMR) submitted to PVSC: N/A

36. Compliance schedule submitted? N/A  
If yes is facility on schedule? \_\_\_\_\_ Explain if compliance date will not be met:  
\_\_\_\_\_  
\_\_\_\_\_

37. Does this facility come under the Resource Conservation and Recovery Act (RCRA)?  
Alden Leeds has an EPA ID no. for a waste generated in the past. They do not generate hazardous waste regularly as part of normal operations.

38. Does this facility have a Spill Prevention Control and Countermeasures (SPCC) plan?  
If yes, describe: NO

39. Has this facility ever been cited by NJDEP or EPA for a violation of State or Federal Regulations for the nature of its wastewater discharge? Y - N N

40. Is this facility under an ECRA Clean-up? NO If so, has a plan been approved by NJDEP: \_\_\_\_\_  
Is there any plan to discharge groundwater? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION\*:**

The information contained in this application is familiar to me and, to the best of my knowledge and belief, such information is true, complete, and accurate.

If the applicant is a corporation, a corporate resolution is attached granting me the authority to sign the application on behalf of the corporation.

Name of signing official: Mark Epstein

**PRINT**

TITLE: President

7/18/94  
DATE

Mark Epstein  
SIGNATURE

**\*APPLICATION MUST BE SIGNED BY ONE OF THE FOLLOWING:**

- a. Principal Officer of Corporation
- b. President or Owner of Company
- c. General Partner if a Partnership
- d. Plant Manager or Authorized Representative

**TABLE 1 EPA PRIORITY POLLUTANTS**

**CHECK APPROPRIATE BOX**

NAME	A	B	C	D		A	B	C	D
acenaphthene			X		2,4 dimethylphenol			X	
acrolein			X		2,4 dinitrotoluene			X	
acrylonitrile			X		2,6 dinitrotoluene			X	
benzene			X		1,2 diphenylhydrazine			X	
benzidine			X		ethylbenzene			X	
carbon tetrachloride (tetrachloromethane)			X		fluoranthene			X	
chlorobenzene			X		4-chlorophenyl phenyl ether			X	
1,2,4-trichlorobenzene			X		4-bromophenyl phenyl ether			X	
hexachlorobenzene			X		bis(2-chloroisopropyl) ether			X	
1,2 dichloroethane			X		bis(2-chloroethoxy) methane			X	
1,1,1, trichloroethane			X		methylene chloride			X	
hexachloroethane			X		(dichloromethane)				
1,1, dichloroethane			X		methyl chloride			X	
1,1,2 trichloroethane			X		(chloromethane)				
1,1,2,2, tetrachloroethane			X		methyl bromide			X	
chloroethane			X		(bromomethane)				
bis(chloromethyl) ether			X		bromoform(tribromomethane)			X	
bis(2 chloroethyl) ether			X		dichlorobromomethane			X	
2-chloroethyl vinyl ether (mixed)			X		trichlorofluoromethane			X	
chloronaphthalene			X		dichlorodifluoromethane			X	
2,4,6, trichlorophenol			X		chlorodibromomethane			X	
parachlorometa cresol			X		hexachlorobutadiene			X	
chloroform (trichloromethane)			X		hexachlorocyclopentadiene			X	
2 chlorophenol			X		isophorone			X	
1,2, dichlorobenzene			X		naphthalene			X	
1,3, dichlorobenzene			X		nitrobenzene			X	
1,4, dichlorobenzene			X		2-nitrophenol			X	
3,3, dichlorobenzidine			X		4-nitrophenol			X	
1,1, dichloroethylene			X		2,4-dinitrophenol			X	
1,2, trans-dichloroethylene			X		4,6 dinitro-o cresol			X	
2,4, dichlorophenol			X		N-nitrosodimethylamine			X	
1,2, dichloropropane			X		N-nitrosodiphenylamine			X	
1,3 dichloropropylene			X		N-nitrosodi-n-propylamine			X	
(1,3 dichloropropene)			X		pentachlorophenol			X	
					phenol			X	

- A. KNOWN TO BE PRESENT
- B. SUSPECTED TO BE PRESENT
- C. KNOWN TO BE ABSENT
- D. SUSPECTED TO BE ABSENT



**TABLE 1 EPA PRIORITY POLLUTANTS (CONTINUED)**

**CHECK APPROPRIATE BOX**

NAME	A	B	C	D		A	B	C	D
bis(2-ethylhexyl) phthalate			X		endrin			X	
butylbenzylphthalate			X		endrin aldehyde			X	
di-n-butylphthalate			X		heptachlor			X	
di-n-octylphthalate			X		heptachlor (epoxide)			X	
diethylphthalate			X		BHC Alpha			X	
dimethylphthalate			X		BHC Beta			X	
benzo(a)anthracene			X		BHC Gamma			X	
benzo(a)pyrene			X		BHC Delta			X	
3,4 benzofluoranthene			X		PCB-1242			X	
benzo(k)fluoranthene			X		PCB-1254			X	
chrysene			X		PCB-1221			X	
acenaphthylene			X		PCB-1232			X	
anthracene			X		PCB-1248			X	
benzo(ghi)perylene			X		PCB-1260			X	
fluorene			X		PCB-1016			X	
phenanthrene			X		toxaphene			X	
dibenzo(a,h)anthracene			X		antimony (total)			X	
indeno(1,2,3-c,d)pyrene			X		arsenic (total)			X	
pyrene			X		asbestos (fibrous)			X	
tetrachloroethylene			X		beryllium (total)			X	
luene			X		cadmium (total)			X	
trichloroethylene			X		chromium (total)			X	
vinyl chloride			X		copper (total)			X	
aldrin			X		cyanide (total)			X	
dieldrin			X		lead (total)			X	
chlordane			X		mercury (total)			X	
4,4 DDT			X		nickel (total)			X	
4,4 DDE			X		selenium (total)			X	
4,4 DDD			X		silver (total)			X	
endosulfan I			X		thallium (total)			X	
endosulfan II			X		zinc (total)			X	
endosulfan sulfate			X		2,3,7,8, tetrachlorodibenzo p-dioxin			X	

- A. KNOWN TO BE PRESENT
- B. SUSPECTED TO BE PRESENT
- C. KNOWN TO BE ABSENT
- D. SUSPECTED TO BE ABSENT

**TABLE 2 NJDEP EXPANDED PRIORITY POLLUTANTS**

**CHECK APPROPRIATE BOX**

NAME	A	B	C	D		A	B	C	D
acrylamide			X		n,n-dimethyl aniline			X	
amitrole			X		3,3-dimethyl benzidine			X	
amyl alcohols			X		1,1-dimethylhydrazine			X	
aniline hydrochloride			X		dioxane			X	
anisole			X		diphenylamine			X	
auramine			X		ethylenimine			X	
benzotrifluoride			X		hydrazine			X	
benzylamine			X		4,4'-methylene bis (2-chloroaniline)			X	
o-chloroaniline			X		4,4'-methylenedianiline			X	
m-chloroaniline			X		methyl isobutyl ketone			X	
p-chloroaniline			X		alpha-naphthylamine			X	
1-chloro-2-nitrobenzene			X		beta-naphthylamine			X	
1-chloro-4-nitrobenzene			X		n-methylaniline			X	
chloroprene			X		1,2-phenylenediamine			X	
chrysoidine			X		1,3-phenylenediamine			X	
cumene			X		1,4-phenylenediamine			X	
2,3-dichloroaniline			X		sudan 1 (solvent yellow 14)			X	
2,4-dichloroaniline			X		thiourea			X	
2,5-dichloroaniline			X		toluene sulfonic acids			X	
4-dichloroaniline			X		toluidines			X	
3,5-dichloroaniline			X		xylydines			X	
1,3-dichloropropene			X						
1,3-dimethoxybenzidine			X						

- A. KNOWN TO BE PRESENT
- B. SUSPECTED TO BE PRESENT
- C. KNOWN TO BE ABSENT
- D. SUSPECTED TO BE ABSENT

**TABLE 3 EPA HAZARDOUS SUBSTANCES**

**CHECK APPROPRIATE BOX**

NAME	A	B	C	D		A	B	C	D
acetaldehyde			X		isopropanolamine			X	
allyl alcohol			X		kelthane			X	
allyl chloride			X		kepone			X	
amyl acetate			X		malathion			X	
aniline			X		mercaptodimethur			X	
benzotrile			X		methoxychlor			X	
benzyl chloride			X		methyl mercaptan			X	
butyl acetate			X		methyl methacrylate			X	
butylamine			X		methyl parathion			X	
captan			X		mevinphos			X	
carbaryl			X		mexacarbate			X	
carbofuran			X		monoethyl amine			X	
carbon disulfide			X		monomethyl amine			X	
chlorpyrifos			X		naled			X	
coumaphos			X		napthenic acid			X	
cresol			X		nitrotoluene			X	
crotonaldehyde			X		parathion			X	
cyclohexane			X		phenolsulfanate			X	
2,4-D (2,4-dichlorophenoxy acetic acid)			X		phosgene			X	
azinon			X		propargite			X	
dicamba			X		propylene oxide			X	
dichlobenil			X		pyrethrins			X	
dichlone			X		quinoline			X	
2,2-dichloropropionic acid			X		resorcinol			X	
dichlorvos			X		strontium			X	
diethyl amine			X		strychnine			X	
dimethyl amine			X		stryrene			X	
					2,4,5-T (2,4,5-trichloro- phenoxy acetic acid)			X	
dinitrobenzene			X		TDE (tetrachloro- diphenylethane)			X	
diquat			X		2,4,5-TP 2-(2,4,5- trichlorophenoxy)			X	
					propanoic acid			X	
disulfoton			X		trichlorofon			X	
diuron			X		triethylamine			X	
epichlorohydrin			X		trimethylamine			X	

- A. KNOWN TO BE PRESENT
- B. SUSPECTED TO BE PRESENT
- C. KNOWN TO BE ABSENT
- D. SUSPECTED TO BE ABSENT

**TABLE 3 EPA HAZARDOUS SUBSTANCES (CONTINUED)**

**CHECK APPROPRIATE BOX**

NAME	A	B	C	D		A	B	C	D
ethanolamine			X		uranium			X	
ethion			X		vanadium			X	
ethylene diamine			X		vinyl acetate			X	
ethylene dibromide			X		xylene			X	
formaldehyde			X		xlenol			X	
furfural			X		zirconium			X	
guthion			X						
isoprene			X						

- A. KNOWN TO BE PRESENT
- B. SUSPECTED TO BE PRESENT
- C. KNOWN TO BE ABSENT
- D. SUSPECTED TO BE ABSENT

# **ANNUAL REPORT**

by

**Chief Engineer**  
**S. A. LUBETKIN**

to the

**PASSAIC VALLEY**  
**SEWERAGE COMMISSIONERS**

**FOR THE YEAR**

**1971**



**840520002**

TIERRA-B-011460

Violation & Elimination-Alden-Leeds, Inc., 2145 Mc-  
Carter Highway, Newark, New Jersey.  
July 26, 1971

(R. Goldstein)

A fire destroyed this building on July 26, 1971, During the course of putting out the fire, a large quantity of chlorinated cyanuric acid was washed into the Second River. Pollution halted when the fire was put out.

Violation & Elimination-American Biscuit Company, 2 Brigh-  
ton Avenue, Passaic, New Jersey.  
March 25 to June 11, 1971

( F Wendt)

A representative of the Manhattan Rubber Company called the Passaic Valley Sewerage Commissioners because of a clogged storm sewer causing a back-up into their plant. Inspector R. Goldstein was assigned to investigate, and his inspection revealed that the American Biscuit Company had a barrel cleaning operation near a storm drain. The washings, containing grease, went together with cooling water, into this storm drain, thence to Weasel Brook, a tributary of the Passaic River. It was material from this operation that had clogged the storm sewer, Mr. W. Marsden, Plant manager, was told that the barrel cleaning operation was polluting and the pollution must stop. Mr. Marsden immediately halted this work, and made arrangements to move this to another section, and pipe the liquid to the sanitary sewer.

Mr. Lubetkin wrote to them on March 31, requesting them to install traps so that the grease does not go into the sanitary sewer. The company replied on April 1, that this was done.

Subsequent sampling of their discharge was found to be polluting. Mr. Lubetkin wrote to this company again, on April 20, explaining that they were still polluting Weasel Brook, despite the fact that they had halted discharging the barrel washings to the storm sewer.

On April 22, the company replied that they have a company of consultant engineers investigating the plant sewage system, and as soon as a report is received on what is necessary to rectify the situation, they would proceed immediately.

On May 12, Mr. Lubetkin again wrote , explaining that a sample of their discharge taken May 6, was extremely polluting. Also on May 12, Mr. Marsden wrote to the Commissioners that a contractor was hired to start Monday, May 17, to install the necessary plumbing to halt the pollution. Inspector F. Wendt reported plumbing work did start May 17 and continued until pollution was eliminated on June 11, 1971, by pumping polluting material to the sanitary sewer.

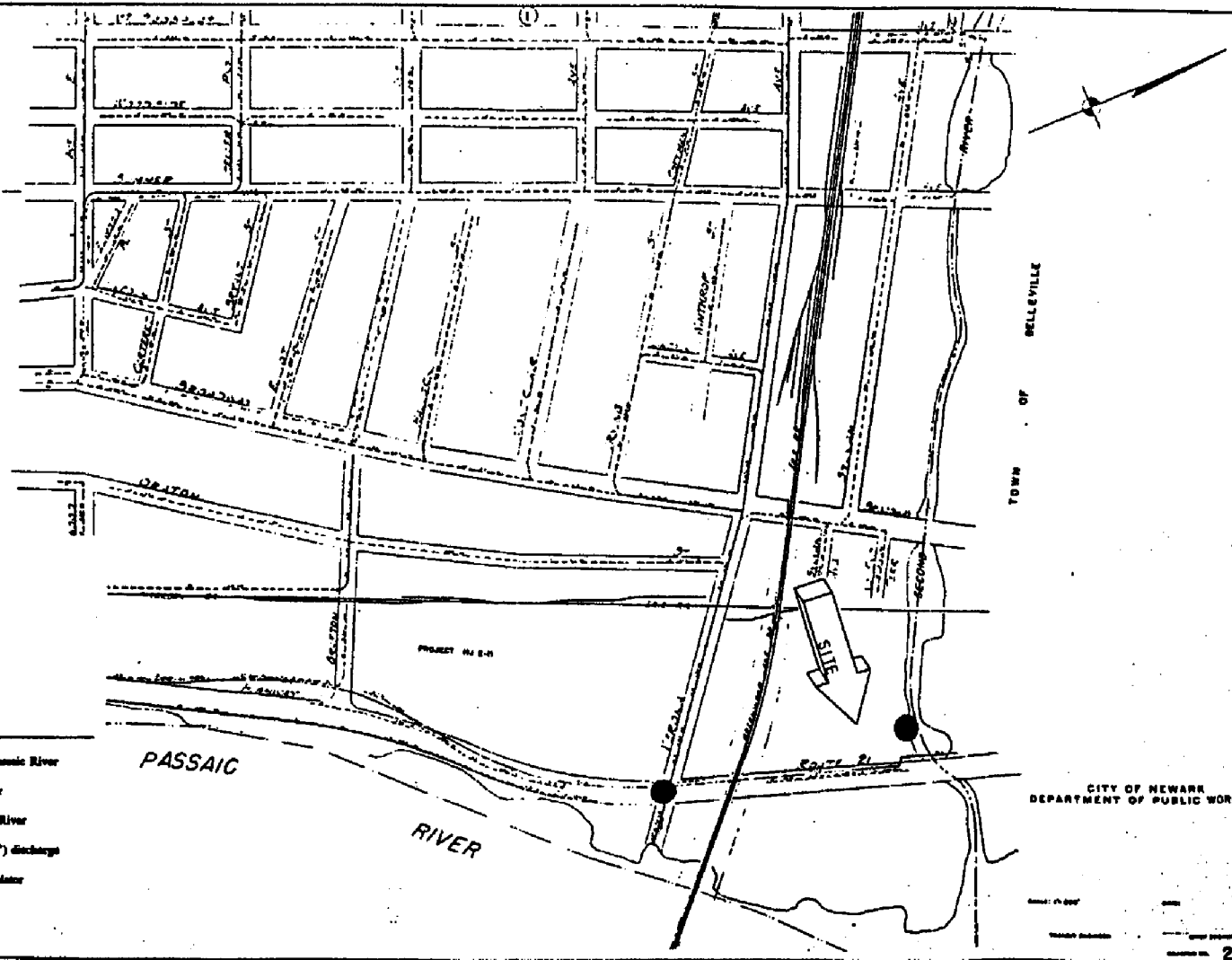
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**PASSAIC RIVER STUDY AREA**

Alden Leach, Incorporated  
2145 McCarter Highway  
Newark, New Jersey

**KEY TO MAP:**

- Yellow Line - Sewer discharge pathway to Passaic River
- Green Dot - Direct discharge to Passaic River
- Blue Dot - Storm sewer discharge to Passaic River
- Yellow Dot - Combined sewer outfall ("CSO") discharges
- Red Dot - Approximate location of CSO regulator



CITY OF NEWARK  
DEPARTMENT OF PUBLIC WORKS

840520004

WHITMAN BREED ABBOTT & MORGAN

LONDON  
TOKYO

ONE GATEWAY CENTER  
NEWARK, N.J. 07102-5398

NEW YORK  
GREENWICH  
LOS ANGELES  
PALM BEACH  
SACRAMENTO

WRITER'S DIRECT NUMBER

201-621-2230

212-724-3400

TELECOPIER: 201-623-4640

RESIDENT PARTNERS

ANDREW MUSCATO  
DAVID A. ROTH  
JOHN M. SCAONELLI

August 9, 1996

BY FEDEX

Mr. Lance R. Richman, P.G.  
Emergency and Remedial Response Division  
United States Environmental Protection Agency  
290 Broadway, 19th Floor  
New York, New York 10007-1886

Re: Response to § 104(e) Request for  
Information - Diamond Alkali Superfund  
Site, Passaic River Study Area

Dear Mr. Richman:

We represent Alden Leeds, Inc. ("Alden Leeds"). Set forth below are Alden Leeds' objections and responses to the USEPA's July 10, 1996 Request for Information (the "Request") under 42 U.S.C. §9604(e) concerning the Diamond Alkali Superfund Site, Passaic River Study Area (the "Diamond Alkali Site").

GENERAL OBJECTIONS

Alden Leeds incorporates by reference each of the following General Objections into its responses to each of the USEPA's Requests.

1. Alden Leeds objects to each request to the extent that the terms used imply definitions broader than those set forth in the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601, et seq., as amended.

2. Alden Leeds objects to each request to the extent that it seeks information from time periods other than when Alden Leeds operated at the facility located at 2145 McCarter Highway (the "Facility").

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3. Alden Leeds objects to each request as unduly burdensome to the extent that information requested is in the possession, custody or control of third parties not related to Alden Leeds or is a matter of public record.

RESPONSES

1. Alden Leeds does not currently operate at the Facility. Alden Leeds operated at the Facility from approximately July, 1961 to July, 1971. All documents in Alden Leeds' possession relating to the Alden Leeds' operations at the Facility was destroyed either in a fire at the Facility in July, 1971 or a subsequent fire at Alden Leeds' present facility in April, 1993.
2.
  - a) Alden Leeds operated at the Facility prior to the enactment of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 ("RCRA"). Alden Leeds' current EPA ID Number is NJD 9827171000.
  - b) Alden Leeds operated at the Facility prior to the enactment of the Federal Water Pollution Control Act ("FWPCA"), 33 U.S.C. §1251.
3. Alden Leeds did not receive, utilize, manufacture, discharge, release or dispose of any of the substances listed in Request No. 3 at the Facility.
4.
  - a) Alden Leeds incorporates by reference its response to Request No. 3. Alden Leeds did not conduct any manufacturing operations at the Facility. Alden Leeds' operations at the Facility were limited to pressing chlorine tablets and the packaging of cyanuric acid, soda ash, sodium carbonate, sodium bisulfate and trichloroisocyanuric acid for use in the treatment of swimming pool water.
  - b) Alden Leeds incorporates by reference its response to Request No. 4(a).
5. Alden Leeds incorporates by reference its responses to Request Nos. 3 and 4 into its response to this request and each of its subparts. In further response to this request, Alden Leeds does not possess any information describing the methods, if any existed during the period Alden Leeds occupied

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the Facility, of collecting, storing, treating or disposing of any substances used at the Facility.

- a) Alden Leeds does not possess any information responsive to this Request.
  - b) Alden Leeds does not possess any information responsive to this request. In further response to this request, Alden Leeds does not believe that it used any hauler or transporter to remove any substances from the Facility between 1961 and 1971.
  - c) Alden Leeds does not possess any information responsive to this request.
    - i) Alden Leeds incorporates by reference its Response to Request No. 5(c).
    - ii) Alden Leeds incorporates by reference its Response to Request No. 5(c).
- 6.
- a) Alden Leeds did not generate any process wastewaters at the Facility.
    - i) Alden Leeds incorporates by reference its Response to Request No. 6(a).
    - ii) Alden Leeds incorporates by reference its Response to Request No. 6(a).
  - b) Alden Leeds does not possess any information responsive to this request.
    - i) Alden Leeds incorporates by reference its response to Request No. 6(b).
    - ii) Alden Leeds incorporates by reference its response to Request No. 6(b).
  - c) Alden Leeds incorporates by reference its response to Request No. 6(b) for this request and each of its subparts.
  - d) Alden Leeds does not possess any information responsive to this request.
- 7.
- a) Alden Leeds objects to this request because it is duplicative of Request Nos. 3 and 4. Alden

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Leeds incorporates by reference its responses to Request Nos. 3 and 4.

- b) No.
- 8. a) A fire occurred at the Facility in July, 1971. To the best of Alden Leeds' knowledge, the fire resulted from the spontaneous decomposition of trichloroisocyanuric acid used by Alden Leeds at the Facility. Alden Leeds does not possess any documents concerning this fire. In further response to this request, Alden Leeds incorporates by reference its response to Request No. 7(b).
- b) Alden Leeds incorporates by reference its response to Request No. 8(a).
- 9. a) No.
- 10. During the period Alden Leeds operated at the Facility, there were no civil, criminal or administrative proceedings against it for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal.
- 11. Alden Leeds does not possess any information responsive to this request.
- 12. a) Alden Leeds objects to this request to the extent it seeks information relating to the activities of third-parties for time periods other than the time Alden Leeds operated at the Facility. Without waiving this objection, Alden Leeds did not conduct any soil, groundwater, surface water, ambient air or other environmental sampling at the Facility.
- b) Alden Leeds incorporates by reference the response to Request No. 12(a).
- c) Alden Leeds operated at the Facility prior to the enactment of either New Jersey's Environmental Cleanup Responsibility Act ("ECRA") or Industrial Site Recovery Act ("ISRA").

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13. Alden Leeds incorporates by reference its response to Request No. 1.
- a) No.
  - b) Alden Leeds leased the Facility from Leeds Terminal, Inc. Alden Leeds does not possess any information responsive to this request.
  - c) The Facility has been owned by Leeds Terminal since the early 1960s. Upon information and belief, the Facility has been operated by Q-Pak since sometime in the 1960s.
14. a) The legal name of the company is Alden Leeds, Inc.
- b) The President of the Company is:  
  
Mark Epstein  
Alden Leeds, Inc.  
55 Jacobus Avenue  
South Kearny, NJ 07032
  - c) The Company is incorporated in New York.
  - d) A copy of the Certificate of Incorporation is attached.
  - e-h) During the period that Alden Leeds operated at the Facility, it had no subsidiaries and was not a successor or subsidiary of any other company. Leeds Terminal, Inc. is an affiliate of Alden Leeds.
  - i) None.
15. The person answering this request and with personal knowledge of the responses is:
- Mark Epstein, President  
Alden Leeds, Inc.  
55 Jacobus Avenue  
South Kearny, NJ 07032

WHITMAN BREED ABBOTT & MORGAN

Mr. Lance R. Richman, P.G.

6

August 9, 1996

A notarized Certification of Answers to Request For Information is attached.

Very truly yours,



Eric S. Aronson

ESA/lel

cc: Ms. Amelia Wagner Assistant Regional Counsel  
Office of the Regional Counsel  
United States Environmental Protection Agency  
290 Broadway, 17th Floor  
New York, New York 10007-1886

Mark Epstein  
Mid-Continent Packaging  
1200 North 54th Street  
Enid, Oklahoma 73701

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TIERRA-B-011468

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey :

County of Essex :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

MARK EPSTEIN  
NAME (print or type)

PRESIDENT  
TITLE (print or type)

Mark Epstein  
SIGNATURE

Sworn to before me this <sup>9<sup>th</sup></sup>  
day of August, 1996

Nancy M. Mogavero  
Notary Public

**NANCY M. MOGAVERO**  
A Notary Public of New Jersey  
My Commission Expires Aug. 17, 1997

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DO

CERTIFICATE OF INCORPORATION

*King* 157011

OF

ALDEN LEEDS, INC.

---

*NO*

PURSUANT TO ARTICLES OF  
INCORPORATION FILED IN  
DEPARTMENT OF STATE  
JULY 24 1996

TAX: *U*

FRONT FEES: *40*

*King*

*9 King*

ALDEN LEEDS, INC.

157011

CERTIFICATE OF INCORPORATION

OF

ALDEN - LEEDS, INC.

Pursuant to Article II of the Stock Corporation Law.

We, the undersigned, for the purpose of forming a corporation pursuant to Article II of the Stock Corporation Law of the State of New York, do hereby certify:

FIRST: The name of the proposed corporation is ALDEN - LEEDS, INC.

SECOND: The purposes for which the corporation is formed are as follows:

167014

1. To engage in the business of buying and selling chemicals, soaps, detergents, and/or any other cleaning materials in any form whatsoever, liquid, capsul or otherwise.
2. To buy, sell, rent, exchange, or otherwise acquire real estate and property, improved and unimproved, and any interest or right therein, and to own, hold, control, maintain, manage and develop the same in any State of the United States.
3. To purchase, exchange, hire or otherwise acquire such personal property, chattels, rights, easements, permits, privileges and franchises as may lawfully be purchased, exchanged, hired or acquired under the Stock Corporation Law of New York; and to sell the same.
4. To erect, construct, maintain, improve, alter, manage and control, directly or indirectly, any and all kinds of shops, factories, plants, buildings, houses, hotels, stores, offices, warehouses and mills, and any and all other structures which may in the judgment of the Board of Directors be advisable for the purposes of the corporation, and which can lawfully be done under the Stock Corporation Law of New York.
5. To assign, transfer, lease, sublease, pledge or otherwise alienate or dispose of, and to mortgage or otherwise encumber the lands, buildings, real property, chattels and other property of the corporation, wherever situated, and any and all legal and equitable interests therein; and to make, purchase and sell mortgages on real property.

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6. To borrow money with or without pledge of or mortgage on all or any of its property, real and personal, as security, and to lend and advance money upon mortgages, on personal and real property, with or without security.

To purchase or otherwise acquire, undertake, carry on, improve or develop any or all of the business, good will, rights, assets or liabilities of any person, firm, association or corporation, carrying on any kind of business, the same as or similar to that which this corporation is authorized to carry on, pursuant to the provisions of this certificate.

8. To do any and all of the foregoing in all parts of the world and either as principal or agent; to do everything necessary, suitable or proper for the accomplishment of any of the purposes of the attainment of any of the objects or the furtherance of any of the powers hereinabove set forth, either alone, or in association with other corporations, firms or individuals, and to do every other act or thing incidental or appurtenant to or growing out of or connected with the aforesaid business or powers or any part thereof.

9. This corporation shall have the power to conduct its business in all branches in the state of New York or any other state of the United States, and in all foreign countries and generally to do all acts and things and to exercise all the powers, now or hereafter authorized by law, necessary to carry on the business of this corporation or to promote any of the objects for which this corporation is formed.

10. To do any and all of the things herein set forth to the same extent as natural persons might or could do and in any part of the world, as principals, agents, contractors, or otherwise, and either alone or in company with others.

THIRD: The number of shares that may be issued by the said corporation shall be one hundred shares, of no par value common stock. That no shares of par value stock may be issued.

FOURTH: The capital of the corporation shall be at least equal to the sum of the aggregate par value of all

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issued shares having par value, plus the aggregate amount of consideration received by the corporation for the issuance of shares without par value, plus such amounts as from time to time, by resolution of the Board of Directors, may be transferred thereto.

FIFTH: The principal office of the corporation shall be located at 390 Butler Street, Brooklyn, New York, and the address within the State of New York to which the Secretary of State of New York shall mail a copy of process in any action or proceeding against the corporation which may be served upon him is 390 Butler Street, Brooklyn, New York.

SIXTH: The duration of the corporation shall be perpetual.

SEVENTH: The number of its directors shall be four.

EIGHTH: The officers and directors of this corporation need not be stockholders.

NINTH: The names and post-office addresses of the directors until the first annual meeting of the stockholders, at least two-thirds of whom are citizens of the United States, and all of whom are residents of the State of New York, are as follows:

<u>NAMES</u>	<u>POST-OFFICE ADDRESSES</u>
LILLIAN GORDON	154 Nassau Street, New York, New York
LEONORA RESNICK	26 Court Street, Brooklyn, New York
SYLVA GROSS	26 Court Street, Brooklyn, New York
MICHAEL GRUNDT	26 Court Street, Brooklyn, New York

TENTH: The names and post office addresses of the subscribers to the certificate, together with a statement of the number of shares of stock that each one agreed to take are as follows:

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NAMES	POST-OFFICE ADDRESSES	NO. OF SHARES
LILLIAN GORDON	151 Nassau Street, New York, New York	1.
LEONORA RESNICK	26 Court Street, Brooklyn, New York	1.
SYLVIA GROSS	26 Court Street, Brooklyn, New York	1.
RHODA GRUNDT	26 Court Street, Brooklyn, New York	1.

**ELEVENTH:** All the subscribers to this certificate are of full age; at least two thirds of them are citizens of the United States; at least one of them is a resident of the State of New York; and at least one of the persons named as a director is a citizen of the United States and a resident of the State of New York.

**TWELFTH:** The Secretary of State of New York is hereby designated as the agent of the corporation upon whom process in any action or proceeding against it may be served.

IN WITNESS WHEREOF, we have made, subscribed and acknowledged this certificate in duplicate.

Dated: Brooklyn, New York,  
June 25, 1959.

*Lillian Gordon*  
Lillian Gordon.

*Leonora Resnick*  
Leonora Resnick

*Sylvia Gross*  
Sylvia Gross

*Rhoda Grundt*  
Rhoda Grundt

STATE OF NEW YORK  
CITY OF NEW YORK } SS.  
COUNTY OF KINGS

On this 25 day of June 1959, before me personally appeared LILLIAN GORDON, LEONORA RESNICK, SYLVIA GROSS and RHODA GRUNDT, to me known and known to me to be the individuals mentioned and described in the within Certificate of Incorporation, and they duly acknowledged to me that they executed the same.

*Edward S. ...*  
NOTARY PUBLIC

EDWARD S. ...  
Notary Public, State of New York  
His Office is at ...  
New York, New York, 10001

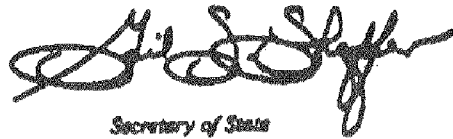
840460012

State of New York }  
Department of State }

*I hereby certify that I have compared the annexed copy with the original document filed by the Department of State and that the same is a correct transcript of said original.*

*Witness my hand and seal of the Department of State on*

AUG - 5 1994



Secretary of State

DOP-200 (1/8/87)

840460013



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

SEP 15 2003

**GENERAL NOTICE LETTER  
CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Mark Epstein, President  
Alden Leeds Inc.  
55 Jacobus Ave.  
Kearny, New Jersey 07032

RE: Diamond Alkali Superfund Site  
Notice of Potential Liability for  
Response Actions in the Lower Passaic River, New Jersey

Dear Mr. Epstein:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release and/or threatened release of hazardous substances, pollutants, and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq. Accordingly, EPA is seeking your cooperation in an innovative approach to environmental remediation and restoration activities for the Lower Passaic River.

EPA has documented the release or threatened release of hazardous substances, pollutants and contaminants into the six-mile stretch of the river, known as the Passaic River Study Area, which is part of the Diamond Alkali Superfund Site ("Site") located in Newark, New Jersey. Based on the results of previous CERCLA remedial investigation activities and other environmental studies, including a reconnaissance study of the Passaic River conducted by the United States Army Corps of Engineers ("USACE"), EPA has further determined that contaminated sediments and other potential sources of hazardous substances exist along the entire 17-mile tidal reach of the Lower Passaic River. Thus, EPA has decided to expand the Study to include the areal extent of contamination to which hazardous substances from the six-mile stretch were transported; and those sources from which hazardous substances outside the six-mile stretch have come to be located within the expanded Study Area.

By this letter, EPA is notifying Alden Leeds Inc ("Alden Leeds") of its potential liability relating to the Site pursuant to Section 107(a) of CERCLA, 42 U.S.C. §9607(a). Under CERCLA, potentially responsible parties ("PRPs") include current and past owners of a facility, as well as persons who arranged for the disposal or treatment of hazardous substances at the Site, or the transport of hazardous substances to the Site.

Internet Address (URL) • <http://www.epa.gov>

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In recognition of our complementary roles, EPA has formed a partnership with USACE and the New Jersey Department of Transportation-Office of Maritime Resources ("OMR") ["the governmental partnership"] to identify and to address water quality improvement, remediation, and restoration opportunities in the 17-mile Lower Passaic River. This governmental partnership is consistent with a national Memorandum of Understanding ("MOU") executed on July 2, 2002 between EPA and USACE. This MOU calls for the two agencies to cooperate, where appropriate, on environmental remediation and restoration of degraded urban rivers and related resources. In agreeing to implement the MOU, the EPA and USACE will use their existing statutory and regulatory authorities in a coordinated manner. These authorities for EPA include CERCLA, the Clean Water Act, and the Resource Conservation and Recovery Act. The USACE's authority stems from the Water Resources Development Act ("WRDA"). WRDA allows for the use of some federal funds to pay for a portion of the USACE's approved projects related to ecosystem restoration.

For the first phase of the Lower Passaic River Project, the governmental partners are proceeding with an integrated five- to seven-year study to determine an appropriate remediation and restoration plan for the river. The study will involve investigation of environmental impacts and pollution sources, as well as evaluation of alternative actions, leading to recommendations of environmental remediation and restoration activities. This study is being conducted by EPA under the authority of CERCLA and by USACE and OMR, as local sponsor, under WRDA. EPA, USACE, and OMR are coordinating with the New Jersey Department of Environmental Protection and the Federal and State Natural Resource Trustee agencies. EPA, USACE, and OMR estimate that the study will cost approximately \$20 million, with the WRDA and CERCLA shares being about \$10 million each. EPA will be seeking its share of the costs of the study from PRPs.

Based on information that EPA evaluated during the course of its investigation of the Site, EPA believes that hazardous substances were being released from Alden Leeds' facility located at 2145 McCarter Highway in Newark, New Jersey, into the Lower Passaic River. Hazardous substances, pollutants and contaminants released from the facility into the river present a risk to the environment and the humans who may ingest contaminated fish and shellfish. Therefore, Alden Leeds may be potentially liable for response costs which the government may incur relating to the study of the Lower Passaic River. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the cost of assessing such damages.

Enclosed is a list of the other PRPs who have received Notice letters. This list represents EPA's findings on the identities of PRPs to date. We are continuing efforts to locate additional PRPs who have released hazardous substances, directly or indirectly, into the Passaic River. Inclusion on, or exclusion from, the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at the Site. Be advised that notice of your potential liability at the Site is being forwarded to all parties on this list.

We request that you consider becoming a "cooperating party" for the Lower Passaic River

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Project. As a cooperating party, you, along with many other such parties, will be expected to fund EPA's share of the study costs. Upon completion of the study, it is expected that CERCLA and WRDA processes will be used to identify the required remediation and restoration programs, as well as the assignment of remediation and restoration costs. At this time, the commitments of the cooperating parties will apply only to the study. For those who choose not to cooperate, EPA may apply the CERCLA enforcement process, pursuant to Sections 106 (a) and 107(a) of CERCLA, 42 U.S.C. §9606(a) and §9607(a) and other laws.

Pursuant to CERCLA Section 113(k), EPA must establish an administrative record that contains documents that form the basis of EPA's decision on the selection of a response action for a site. The administrative record files, which contain the documents related to the response action selected for this Site are located at EPA's Region 2 office (290 Broadway, New York) on the 18<sup>th</sup> floor. You may call the Records Center at (212) 637-4308 to make an appointment to view the administrative record for the Lower Passaic River Project.

EPA will be holding a meeting with all PRPs on October 29, 2003 at 10:00 AM in Conference Room 27A at the Region 2 office. At that meeting, EPA will provide information about the actions taken to date in the Lower Passaic River, as well as plans for future activities. After the presentation, PRPs will be given the opportunity to caucus, and EPA will return to answer any questions that might be generated during the private session. Please be advised that due to increased security measures, all visitors need to be registered with the security desk in the lobby in order to gain entry to the office. In order to ensure a smooth arrival, you will need to provide EPA with a list of attendees no later than October 15, 2003.

EPA recommends that the cooperating parties select a steering committee to represent the group's interest as soon as possible, since EPA expects a funding commitment for the financing of the CERCLA share of the \$20 million study by mid-November 2003. If you wish to discuss this further, please contact Ms. Alice Yeh, Remedial Project Manager, at (212) 637-4427 or Ms. Kedari Reddy, Assistant Regional Counsel, at (212) 637-3106. Please note that all communications from attorneys should be directed to Ms. Reddy.

Sincerely yours,



George Pavlou, Director  
Emergency and Remedial Response Division

Enclosure

cc: Eric Aronson, Esq.  
Whitman Breed Abbott & Morgan

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**PRPs in Receipt of Notice Letters:**

PRP	Legal Counsel
<p>J. Roger Hirl                      President and Chairman of the Board                      Occidental Chemical Co.                      Occidental Tower                      5005 LBJ Freeway                      Dallas, Texas 75244</p>	<p>Paul W. Herring, Esq.                      Andrews &amp; Kurth L.L.P.                      1717 Main Street, Suite 3700                      Dallas, Texas 75201</p>
<p>Joseph Gabriel                      Vice President of Operations                      360 North Pastoria Environmental Corp.                      1100 Ridgeway Avenue                      Rochester, New York 14652-6280</p>	<p>Philip Sellinger, Esq.                      Sills Cummis Zuckerman                      One Riverfront Plaza                      Newark, NJ 07102</p>
<p>Robert Ball, President                      Alcan Aluminum Corporation                      100 Erieview Plaza, 29th Floor                      Cleveland, Ohio 44114</p>	<p>Lawrence Salibra, Esq.                      Alcan Aluminum Corporation                      6060 Parkland Blvd.                      Mayfield Hts., OH 44124</p>
<p>Mark Epstein, President                      Alden Leeds Inc.                      55 Jacobus Ave.                      Kearny, New Jersey 07032</p>	<p>Eric Aronson, Esq.                      Whitman Breed Abbott &amp; Morgan                      One Gateway Center                      Newark, NJ 07102</p>
<p>Alan Bendelius, President                      Alliance Chemical, Inc.                      Linden Avenue                      Ridgefield, New Jersey 07657</p>	<p>Fredi L. Pearlmutter, Esq.                      Cooper, Rose &amp; English, LLP                      480 Morris Avenue                      Summit, New Jersey 07901-1527</p>
<p>William Gentner, President                      The Andrew Jergens Co.                      2535 Spring Grove Ave.                      Cincinnati, Ohio 45214</p>	<p>A. Christian Worrell III, Esq.                      Head &amp; Ritchey, LLP                      1900 Fifth Third Center                      511 Walnut Street                      Cincinnati, OH 45202</p>
<p>Gary Cappeline, President                      Ashland Specialty Chemical Co.                      5200 Blazer Parkway                      Dublin, Ohio 43017</p>	<p>Stephen Leermakers, Esq.                      Ashland Specialty Chemical Co.                      5200 Blazer Parkway                      Dublin, OH 43017</p>
<p>Klaus Peter Loebbe, President                      BASF Corporation                      3000 Continental Drive North                      Mount Olive, New Jersey 07828</p>	<p>Nan Bernardo, Esq. and Nancy Lake Martin, Esq.                      BASF Corporation                      3000 Continental Drive North                      Mount Olive, NJ 07828</p>

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Joseph Akers, Vice President Bayer Corporation 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741	Gerard Hickel, Esq. Bayer Corporation 100 Bayer Road Pittsburgh, PA 15205-9741
Yvan Dupay, President Benjamin Moore & Co. 51 Chestnut Ridge Road Montvale, New Jersey 07645	Arthur Schulz, Esq. Environmental Counsel 4910 Massachusetts Ave., N.W. Suite 221 Washington, DC 20016
Alberto Celleri, President Chemical Compounds Inc. 10 Baldwin Court Roseland, New Jersey 07086	Jim Giannotti Chemical Compounds Inc. 29-75 Riverside Avenue Newark, NJ 07104
President Chris-Craft Industries, Inc. 767 Fifth Avenue, 46th Floor New York, New York 10153	Brian Kelly, Esq. Chris-Craft Industries, Inc. 767 Fifth Avenue, 46th Floor New York, NY 10153
John Guffey, President Coltec Industries, Inc. 3 Coliseum Centre 2550 West Tyvola Road Charlotte, North Carolina 28217	John R. Mayo, Esq. Coltec Industries, Inc. 430 Park Avenue New York, NY 10022
Roger Marcus, President Congoleum Corporation 3705 Quakerbridge Road Mercerville, New Jersey 08619	Russell Hewit, Esq. Dughi & Hewit 340 North Avenue Cranford, NJ 07016
Martin Benante, Chairman Curtiss-Wright Corp. 4 Becker Farm Road Roseland, New Jersey 07068	James Maher, Esq. Curtiss-Wright Corp. 4 Becker Farm Road Roseland, NJ 07068
Antonio Perez, President Eastman Kodak Company 343 State Street Rochester, New York 14650	Elliot Stern, Esq. Eastman Kodak Company 343 State Street Rochester, NY 14650
Edgar Woolard, Chairman E.I. du Pont de Nemours & Co. 1007 Market Street Wilmington, Delaware 19898	Bernard J. Reilly, Esq. Corporate Counsel E.I. du Pont de Nemours & Co. 1007 Market Street Wilmington, DE 19898

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David Weisman, CEO Elan Chemical Company 268 Doremus Ave. Newark, New Jersey 07105	Jeffrey Schwartz, Esq. Sarber Schlesinger Satz & Goldstein One Gateway Center Newark, NJ 07102
Al Reisch, President E M Sergeant Pulp & Chemical Co. Inc. 6 Chelsea Road Clifton, New Jersey 07102	None
Mark Tucker, Esq. Essex Chemical Corp. 2030 WMDC Midland, Michigan 48674	Kenneth Mack, Esq. Fox, Rothschild, O'Brien & Frankel Princeton Pike Corp.Center 997 Lenox Drive, Building 3 Lawrenceville, NJ 08648
Todd Walker, President Fairmount Chemical Co. Inc. 117 Blanchard St. Newark, New Jersey 07105	John Ix, Esq. Porzio Bromberg & Newman 163 Madison Ave. Morristown, NJ 07962
Bradley Buechler, President Franklin-Burlington Plastics Inc. 113 Passaic Ave. Kearny, New Jersey 07032	Robert M. Becker, Esq. Kraemer, Burns, Mytelka & Lovell, P.A. 675 Morris Ave. Springfield, NJ 07081
Henry Benz, President Hoescht Celanese Chemicals, Inc. Route 202-206 P.O.Box 2500 Somerville, New Jersey 08876	Anne Conley-Pitchell, Esq. Hoescht Celanese Corp. Route 202-206 P.O.Box 2500 Somerville, NJ 08876
Francine Rothschild, President Kearny Smelting & Refining 936 Harrison Ave #5 Kearny, New Jersey 07032	None
Henry Schact, CEO Lucent Technologies, Inc. 600 Mountain Avenue Murray Hill, New Jersey 07974	Ralph McMurry, Esq. Hill, Betts & Nash LLP 1 Riverfront Plaza, Suite 327 Newark, NJ 07102-5401
Richard Meelia, President Mallinckrodt, Inc. 675 McDonnell Blvd. Hazelwood, Missouri 63042	Patricia Duft, Esq. Mallinckrodt, Inc. 675 McDonnell Blvd. Hazelwood, MO 63042

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Richard Mahoney, CEO Monsanto Company 800 N. Lindbergh Blvd. St. Louis, Missouri 63167	L. William Higley, Esq. Monsanto Company 800 N. Lindbergh Blvd. St. Louis, MO 63167
Joseph Galli, President Newell Rubbermaid, Inc. 29 E. Stephenson St. Freeport, Illinois 61032	Peter Schultz, Director Environmental Affairs Newell Co. 4000 Auburn St. Rockford, IL 61101
Jean-Pierre van Rooy, President Otis Elevator Company North American Operations 10 Farm Springs Road Farmington, Connecticut 06032	Sarah Hurley, Esq. Robinson & Cole LLP 695 East Main Street Stamford, CT 06904-2305
Richard Ablon, President Ogden Corporation Two Pennsylvania Plaza, 25 <sup>th</sup> Floor New York, New York 10121	J.L. Effinger, Esq. Ogden Corporation Two Pennsylvania Plaza, 25 <sup>th</sup> Floor New York, NY 10121
Henry McKinnell, Chairman Pfizer Inc. 235 E. 42 <sup>nd</sup> St. New York, New York 10017	Michael McThomas, Esq. Pfizer Inc. 235 E. 42 <sup>nd</sup> St. New York, NY 10017
Raymond LeBoeuf, President PPG Industries, Inc. One PPG Place Pittsburgh, Pennsylvania 15272	Joseph Karas, Esq. PPG Industries, Inc. One PPG Place Pittsburgh, PA 15272
Lawrence Codey, President PSE&G Co. P.O. Box 570 Newark, New Jersey 07101-0570	Hugh Mahoney, Esq. PSE&G Co. P.O. Box 570 Newark, NJ 07101
Phillip D. Ashkettle, President Reichhold Chemicals, Inc. P.O. Box 13582 Research Triangle Park, North Carolina 27709	Adam S. Walters, Esq. Phillips, Lytle, Hitchcock, Blaine & Huber 3400 Marine Midland Center Buffalo, NY 14203
Robert McNeeley, President Reilly Industries, Inc. 1510 Market Square Center 151 North Delaware Street Indianapolis, Indiana 46204	Paul Rivers, Director Corporate Environmental Affairs Reilly Industries, Inc. 1500 S. Tibbs Avenue Indianapolis, IN 46242

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Robert Finn, President RSR Corporation 2777 Stemmons Freeway, Suite 1800 Dallas, Texas 75207	Howard Myers, Esq. RSR Corporation 2777 Stemmons Freeway, Suite 1800 Dallas, TX 75207
Christopher Connor, CEO The Sherwin-Williams Company 101 Prospect Avenue, N.W. Cleveland, Ohio 44115-1075	Donald McConnell, Esq. The Sherwin-Williams Co. 101 Prospect Ave., N.W. Cleveland, OH 44115
George Barrett, President Teva Pharmaceuticals USA Inc. 1090 Horsham Road North Wales, Pennsylvania 19454	Kirsten E. Bauer, Esq. Teva North America 1090 Horsham Road North Wales, PA 19454
Robert Senior, President Three County Volkswagen 701 Riverside Ave. Lyndhurst, New Jersey 07071	Robert DiLascio, Esq. 30 Park Avenue, Suite 101 Lyndhurst, NJ 07071
Michael Jordan, President Westinghouse Electric Corp. 11 Stanwix Street Pittsburgh, Pennsylvania 15222	Roger Willis, Esq. Westinghouse Electric Corp. 11 Stanwix Street Pittsburgh, PA 15222
Isaac Weinberger, President Wiggins Plastics Inc. 547 Maitland Ave. Teaneck, New Jersey 07666	None

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New Jersey Department of Environmental Protection & Energy  
Division of Facility Wide Enforcement-Metro Field Office

M E M O R A N D U M

September 9, 1993

**TO:** File through Jeff Sterling, Acting Section Chief,   
**FROM:** John Dotterweich, Senior Environmental Specialist  
**RE:** Alden Leeds Inc. (ALI), EPA ID# NJD982717100

On August 31, 1993 I conducted a investigation at the above mentioned facility. The facility is located at 100 Hackensack Avenue in Kearny. I met with Mr. Mark Epstein who is the Vice President for the company. The facility manufacturers chlorinating agents tablets for swimming pools. ALI receives bulk product from outside venders and presses this material into various sized tablets and granules. The finished product is then packaged into one quart to five gallon containers. The only hazardous waste that this facility would generate is from floor sweepings of the chlorinating agents (D003). Other hazardous waste that were shipped off site were generated due to a clean-up of soil contaminated with chromium and oil in 1989 and 1992.

According to Mr. Epstein, the floor sweepings are added to their waste water treatment system. ADI discharges approximately once a week into the combined sewage system. When I asked Mr. Epstein if he had authorization or a permit for PVSC, Mr. Epstein would change the subject. I spoke with Mr. Gary Garetano of HRHC, he did not think there was a line that connected to the facility. Mr. Garetano is of the opinion that the discharge is going into the Hackensack River. Due to this information it is my opinion that this should be referred to Steve Sedlak's section for further investigation, which should include a dye test of the facility's treatment system and scrubber system.

I inspected ADI's 55 Jacobus Avenue facility during the same day. The facility has been relocated to a new building due to a fire that occurred on April 19, 1993. The investigation was conducted to determine if any hazardous waste was generated due to the fire. There was no hazardous waste stored onsite at this location. This location is used as office space and storage of raw materials and finished product. No hazardous waste is generated at this facility.

I spoke with Bruce Doyle of BER1, who was the lead investigator at the fire. Mr. Doyle is of the opinion that the only hazardous waste that could have been generated during the fire would be from a small quantity of solvent that was in the print shop that was located in the old building. The

chlorinating agents that were stored at this location during the fire would have oxidized due to the fire or the water used to put out the fire. I also asked this question to Mr. Garetano, he agreed with Mr. Doyle. ADI was given oral permission by BER, EPA, and the Coast Guard to treat onsite approximately 50 tons of partially oxidized chlorinating agents. Permission was given due to the fact that the material was unstable and the parties involved feared a problem may happen while the material was in transit. Olin chemical gave ADI a treatment system for the material. The waste water was discharged to Passaic River. This would have been the only waste to have been generated from the fire. At this time no further enforcement action is required at this time for the 55 Jacobus Avenue location. Attached is a copy of BER1's report for the April 19, 1993 fire.

HUDSON REGIONAL HEALTH COMM. SION  
215 Harrison Ave.  
HARRISON, N.J. 07029

FIELD INVESTIGATION

SOURCE <u>Alden Leeds Company</u>	COMPLAINT # <u>101</u>
LOCATION <u>55 Jacobus Ave., Kearny, NJ 07032</u>	DATE <u>4/21/87</u> TIME <u>9:20 am</u>
MAILING ADDRESS _____	CHAPTER REF. <u>5</u>
PERSON(S) INTERVIEWED <u><del>Mr. Alfano daughter</del></u>	SINGLE _____ MULTIPLE _____
<u>Mr. Larry Epstein</u> a.m. _____ a.m. _____	CLIMATIC CONDITIONS
Premises Entered / Time In <u>12:45 p.m.</u> Out <u>1:15 p.m.</u>	Clear _____ Cloudy _____ Fog _____
N.C.A. _____ V.N. _____ Specific _____	Rain _____ Snow _____
	WIND: Vel <u>5-10</u> Temp _____
	Dir <u>NW</u>

OBSERVATIONS:

Company purchased warehouse building #4 and 5 from Tompkins Terminal  
that is now owned by Miller Construction Co., 921 Bergen Ave., Jersey City  
but still D/B/A Tompkins Terminal.

Violation order being sent to Alden Leeds Company, attn: Larry Epstein  
as a septic holding tank located under the east platform of building #4  
has a pump and line that runs into the storm water drain area between  
warehouses 4&5. Odor area is located next to the warehouse #5 office  
section and is source of complaint.

Kearny Health Department advised.

RECOMMENDATIONS:

INVESTIGATED BY: Milton R. MacDonald FURTHER ACTION: \_\_\_\_\_