

New Jersey
RIGHT TO KNOW
Coalition

April 8, 1986

Reply to:
16 Commerce drive
Cranford, NJ 07016

Commissioner Richard Dewling
N.J. DEP
CN 402
Trenton, New Jersey 08625

RE: Worker and Community Right to Know Act

Dear Commissioner,

The New Jersey Right to Know Coalition has worked closely with the Right to Know staff in the Office of Science and Research since the enactment of the law. We are impressed with the professionalism of the staff and their commitment to the project. There are two issues which we believe warrant your consideration.

The first concerns the budget of the DEP's Right to Know program. According to information provided by your staff, the DEP budget for Right to Know was around \$560,000 for Fiscal Year 1986. We also have been informed that your staff projected a need for \$1,000,000 for Fiscal Year 1987. While we have not been informed what Governor Tom Kean proposed for the DEP Right to Know budget for FY87, we can guess that it is substantially less than the \$1,000,000 which your staff projected it would need. We urge you to seek whatever additional and supplemental appropriations are needed to fully fund the DEP Right to Know program. We would very much like to work with you and your staff in seeking the additional funds before the two state legislative appropriations committees.

We would appreciate it if you would let us know what the FY87 DEP Right to Know budget is (as proposed by the Governor), what projects included in the Right to Know staff's \$1,000,000 budget will not be funded if the Governor's proposed budget is accepted, and what additional funds (and for what additional projects) you plan to seek from the appropriations committees. As we said, we'd very much like to coordinate our efforts with yours and hope to hear from you soon so that we may develop our campaign to fully fund the DEP Right to Know program.

The other question we have concerns additions to the Environmental Hazardous Substance list which were proposed during the March 6, 1986 Public Hearing. We hope the List will be expanded as proposed and would like to know from you whether you support the proposed additions and what process the DEP will use to decide how to expand the List.

Thank you very much for your consideration. We hope to hear from you soon.

Sincerely,



New Jersey Environmental Federation

April 22, 1987

State Office
46 Bayard Street
Suite 309
New Brunswick NJ 08901
(201) 846-4224

North Jersey Office
606 Bloomfield Ave., 2nd Floor
Bloomfield, NJ 07003
(201) 680-8446

Jersey Shore Office
600 Arnold Ave.
Pt. Pleasant Beach, NJ 08742
(201) 899-5544

National Office
317 Pennsylvania Ave., S. E.
Washington, DC 20003
(202) 547-1196

Richard Dewling, Commissioner
New Jersey DEP
Trenton, NJ 08625

RE: Right to Know Enforcement

Dear Commissioner Dewling:

More than three and one half years ago, New Jersey passed the Worker and Community Right to Know Act, the strongest toxics disclosure law in the nation. Unfortunately, the state has been extremely slow to implement and enforce the Right to Know program. As a result, we are deeply concerned about the Kean Administration's commitment to this landmark law.

Although about 25,000 Part I surveys have been sent to employers across the state, we understand that only slightly more than half have been returned. To date, the state has failed to take any enforcement action against those who are not complying with the law.

Moreover, we understand that the DEP has only sent out 100 to 200 Part II surveys and that you are only sending them to employers in Middlesex and Union Counties. This is extremely disturbing since the environmental surveys (Part II) will provide critical information on the use and discharge of hazardous substances throughout the state: information essential to analyzing statewide trends, preventing chemical accidents, and encouraging a reduction in the use and discharge of hazardous substances.

Finally, we are concerned about the lack of DEP enforcement staff to inspect facilities, to check for inaccurate reporting of information by employers, and to take enforcement action against violators of the law. It is our understanding that DEP presently has only two staff devoted to enforcement of the Right to Know program that involves over 20,000 employers.

Commissioner Dewling, we urge you to take the following specific actions to aggressively implement and enforce the Right to Know program which is critical to protecting New Jersey's environment and public health.

1. Commit to sending out all Part II surveys by September 1, 1987.



2. Increase the Right to Know enforcement staff and take immediate enforcement action against those not in compliance with the law.

3. Collect and manage the data generated through the Right to Know program in a way that makes the information accessible and affordable for the citizens of this state. The Environmental Federation would be pleased to consult with the Department in setting up such a system.

4. Expand the current list of 155 chemicals covered under the program. Title 3 of the new Superfund includes about 400 chemicals. At a minimum, the state should include these substances in our Right to Know program.

5. Commit all available resources within the Department toward implementing and enforcing the Right to Know law.

We look forward to your written response to these specific requests for action. Thank you for your consideration.

Sincerely,

Jane Nogaki
On Behalf of the New Jersey
Environmental Federation

from the **NEW JERSEY STATE
INDUSTRIAL UNION COUNCIL, AFL-CIO**

ARCHER COLE
President

THOMAS FRICANO
Secretary-Treasurer

16 COMMERCE DRIVE • CRANFORD, NJ 07016
(201) 272-4200



JAN PIERCE
First Vice-President

CAROLE GRAVES
Vice-President
for Public Employees

15 July 1987

Richard Dime
Chief
Bureau of Hazardous Substances Information
Dept. of Environmental Protection
CN 027
Trenton, New Jersey 08625

Dear Mr. Dime:

According to the New Jersey Worker and Community Right to Know Law, P.L. 1983, C.315, the Department of Environmental Protection shall "develop an environmental survey, which shall be designed to enable employers to report information about environmental hazardous substances at their facilities."

The Act further requires that "Within five days of the effective date of this act [August 29, 1984], the Department of Environmental Protection shall transmit an environmental survey to each employer whose business activities, according to criteria developed by the department, warrant the reporting of the information required on the environmental survey."

The Act also requires that "...within 90 days of receipt of an environmental survey, an employer shall complete the survey and transmit a copy of the completed survey to the Department of Environmental Protection..."

The Act also indicates that "...the several departments charged with the administration of this act shall take all actions necessary prior to the effective date of this act to implement the provisions of this act on the effective date thereof."

Based on this DEP responsibility, I am making the following requests on behalf of the New Jersey Right-to-Know Coalition:

1) Please send a list of employers (with facility location) which have been mailed the Environmental Survey Part II (long form).

2) Please send a list of employers (with facility location) who have completed and returned the Environmental Survey Part II to the DEP.

Please indicate the dates as of which both lists above are accurate.

3) Please provide copies of all returned and completed Environmental Survey Part II forms.

Please note that pursuant to Section 9.d. of the Act, the DEP must provide these to us within thirty days.

4) It is our understanding that relatively few employers have been sent, to-date, copies of the Environmental Survey, Part II, to complete.

We would be most appreciative of a detailed explanation of this and an indication of specific plans to correct this situation, including time frames.

5) Please indicate if any enforcement actions have been taken to-date by the DEP against any employer under the Right-to-Know law for failure to comply with the Act.

Please provide the name and location of these employers (if any).

6) Please provide a blank copy of the Part II form and employer instructions.

Thank you for your cooperation.

Sincerely,



Rick Engler
Director
Safety & Health
IUC, AFL-CIO

cc.: Senator Daniel Dalton
RTK Coalition members

Let's protect our earth



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
RICHARD T. DEWLING, Ph.D., P.E., COMMISSIONER
CN 402
TRENTON, N.J. 08625
609 - 292 - 2885

July 22, 1987

New Jersey Environmental Federation
46 Bayard Street
Suite 309
New Brunswick, New Jersey 08901
Attn: Ken Brown

Dear Members of the Federation,

This is in response to most of the inquiries and requests for action submitted by the Federation. The responses concerning Maywood/Stepan Chemical, Ciba-Geigy and adjudicatory hearings will follow shortly. With regard to your request for regional meetings, I would be glad to attend such meetings. Please call Sonia Evans or my office at (609)292-2885 to make the arrangements.

The letters I received raise some important and insightful questions ranging from general policy issues to the status of specific cases. In light of the wide range of issues and questions, this response will treat each letter separately, identifying the topic prior to the reply.

Waste Minimization/Toxics Reduction

You have proposed several regulatory and technical initiatives that would require industry to identify and curb the use of chemicals which pose a threat to the environment. Generally, the Department supports programs to reduce the use of toxic chemicals and minimize the generation of hazardous wastes, including legislation to achieve these goals. As you are aware, regulatory programs are presently in place to register all extremely hazardous substances in use at industrial locations and the routes that are used to transport these substances. Among these programs are the RCRA standards for hazardous waste management, and Right-to-Know laws which were recently expanded by Title III of the October 17, 1986 Superfund Amendments and Reauthorization Act of 1986 (SARA). These, coupled with the tax and penalty provisions under the Spill Act, user fees levied on industrial wastewater discharges, existing registration and environmental assurance programs such as the State's Discharge Prevention Containment and Countermeasures (DPCC) and Federal Spill Prevention Control and Countermeasures (SPCC) Programs, all serve as disincentives to the use of hazardous substances. They also provide strong incentives to control and limit their use.

With respect to hazardous waste minimization, the Department has implemented a Hazardous Waste Advisement Program. A major part of this program is designed to promote the reduction of hazardous wastes by encouraging and aiding industry in finding ways to eliminate waste at its source. The Advisement Program already oversees the collection and compilation of information obtained through waste summary forms as part of the annual reports filed with the Department by all waste generators pursuant to regulations, specifically N.J.A.C. 7:26-7.4(g)1 (Appendix #1). This information will aid the Department in identifying areas where source reduction can be implemented. To get this kind of information to industry, the Advisement Program, in cooperation with the United States Environmental Protection Agency (USEPA), is planning workshops for specific groups of industries, which will focus on the "how to's" of hazardous waste audit procedures for source reduction. In addition, the Advisement Program has already begun publishing the Hazardous Waste Quarterly, a newsletter devoted to the handling of hazardous wastes (Appendix #2). The program is also responsible for the Hazardous Waste Information Series, with the latest issue being devoted to Hazardous Waste Minimization (Appendix #3).

With regard to your request that I write a letter to certain companies "urging them to provide you with the information you requested on toxics reduction and prevention", I do not believe such an initiative would be appropriate without specific statutory authority.

New Jersey Worker and Community Right to Know Act

Since implementing the Right to Know (RTK) program, which became effective in 1984, the Department has sent out the Emergency Services Information Survey and the Environmental Survey - Part I to approximately 25,000 facilities. The Department is presently sending out the combined survey to approximately 9,200 non-manufacturing facilities which were added to RTK coverage by a January 1986 amendment. In the fall, DEP will be mailing out the second round of surveys to the manufacturing and non-manufacturing facilities covered by the original legislation.

Compliance for the 1984 survey has been approximately 55 percent. The Department is not satisfied with this rate of compliance. Unfortunately, the Department did not have the resources and the penalty regulations in place to develop a strong enforcement program at the time the 1984 survey was mailed out. The Department published proposed penalty regulations in the May 4, 1987 New Jersey Register. The comment period ended June 3, 1987, and the Department is now moving towards adoption of final regulations. The Department fully intends to use these penalties as soon as they are in place.

The Department recognizes the need for increased resources for the enforcement of this program. Presently, four positions are allocated to compliance/enforcement. Future plans call for the addition of three more positions. To increase our enforcement efforts with the present staff level, we are working with the Enforcement Element of the Division of Environmental Quality to have their inspectors conduct limited Right to Know inspections at the time of air pollution inspections. DEP has also worked with the Department of Health to develop a joint inspection

agreement for the combined survey. Combining the resources of DEP and DOH should result in increased compliance efforts for the survey.

The Department agrees with the Federation that the Part II surveys will provide critical information on the use of substances throughout the State. Presently, approximately 200 Part II surveys have been sent out. Early mailings focused on Middlesex and Union counties because the Department felt that the information obtained in these Part II surveys would be useful in a regional air emissions study. Surveys mailed in the future will be sent to employers in all counties. The Department is currently reviewing the approach to the Part II surveys including the criteria for selecting a facility to receive a survey and the impact of Section 313 of SARA - Title III. The Department welcomes the Federation's thoughts on this process. The goal of sending out all Part II surveys by September 1, 1987 (assumed to mean all facilities should receive a Part II) is unrealistic, considering the present resources in the program, and perhaps unnecessary. The Department, however, does recognize the value of Part II information and the need to survey more facilities throughout the state.

The direction of the New Jersey Community Right to Know program will be affected by the federal initiative in Title III of SARA. Although the federal program used NJRTK as a model, there are some differences between the two programs. The Department is currently developing a strategy to implement Title III. It is likely that the Department will integrate the information required by Title III (information not already required by NJRTK) into the NJRTK program so industry will not have to comply with the two Community Right to Know programs and also to avoid confusion on the community level. This will result in an expansion of the chemicals covered by the program. If possible, the Department would like to continue using the survey forms already used in the NJRTK program.

The Department is fully committed to providing the communities in the State of New Jersey with a comprehensive community safety program which will ensure our citizens live in a safe environment. A strong and effective Right to Know program coupled with emergency response and a release prevention program can and will achieve this goal. I believe New Jersey may be the only state in the nation with such a comprehensive community safety program.

Bonanno Lake and Fairfield Township

The Department is grateful to the Passaic River Coalition for its cooperation in the "Flood Plain Watch Program." The Department welcomes the Coalition's continued efforts to protect this sensitive area.

(a) Lake Bonanno

With regard to Lake Bonanno, the original stream encroachment permit for the lake was issued for excavation only and did not allow for any fill to be placed on the site. When the permit was issued ten years ago in 1977, regulations addressing wetland areas had not yet been promulgated. As a result, the Bonanno project was not reviewed in the same manner as such a project would be handled today. Because of the extent of the work involved and the ongoing work at the site, the project was extended on a yearly

basis until the Flood Hazard Area Regulations were adopted in 1984. These regulations gave the Department the authority to consider impact on wetlands in making decisions on stream encroachment permit applications. At that time, it was required that a new permit for continuing work on the lake be obtained. The first application for completing the lake was denied and a second revised application was approved. The approved application contains provisions for wetland mitigation and was approved subject to the condition that no fill removed from this site be deposited within the floodplain.

The Department is aware of the fact that the upper portion of the site has been filled and some buildings have been constructed. These matters are currently under investigation by the Department. A stream encroachment application for new construction on this site has already been denied on the grounds that a complete site development plan for the entire site showing all work performed and proposed to be undertaken is required before a permit can be issued.

(b) Fairfield

The Department has issued 14 Notices of Violation and Stop Work Orders for stream encroachment violations in Fairfield Township (Township). Enforcement options for several violations within the Township are being pursued. To date, three of the major violations have been settled through Administrative Consent Orders which imposed substantial monetary penalties and also required the violators to mitigate for destruction of wetlands and to bring the project into compliance with the Flood Hazard Area Regulations including the no fill provision. Additional penalties and mitigation requirements are likely to be imposed for the remaining violations.

Permanent Treatment at Hazardous Waste Sites

(a) Superfund Sites

The Department wholeheartedly agrees with the intent of SARA to promote and require the use of permanent solutions to treat, destroy or detoxify waste. This is critical to our shared goal of cleaning up hazardous waste sites in all communities in New Jersey. The Department is aggressively pursuing these permanent solutions and will continue to do so in the privately funded as well as the publicly funded side of the Superfund program.

Toward that end, the Department has already gone on record in the case of Ciba-Geigy to notify the EPA that several remedial alternatives that are currently being considered as part of the Feasibility Study will not be acceptable in meeting the criteria for "permanently reducing the volume, mobility or toxicity" of waste on-site (see letter from Jentis to Czapor dated May 6, 1987, Appendix #4). The Department has been working very closely with the EPA and its contractor to ensure that these criteria are met. In particular, although discharge of treated ground water to the ocean outfall is among the list of alternatives, the study is focusing on other alternatives, such as reinjection.

(b) Non-Superfund Sites

The Department must ensure that remedial actions taken at non-Superfund sites are protective of public health and the environment. Thus, it is already the Department's policy to pursue permanent solutions and apply the cleanup standards of the new Superfund. Both of these concerns are already being addressed within the various regulatory programs in the Department.

(c) Public Participation

The Department shares your concern regarding the time delay between the enactment of SARA and the availability of technical assistance grants from EPA. As I am sure you are aware, EPA must develop sound criteria on which to base their awards. Attached for your information is EPA's recently published Advance Notice of Rulemaking; Request for Comments entitled "Technical Assistance Grants to Groups at National Priorities List Sites" (Appendix #5).

International Flavors and Fragrances, Union Beach, N.J.

The contract for the Remedial Investigation and Feasibility Study (RI/FS) of the IFF site was recently awarded to TAMS Consultants, Inc. of Bloomfield New Jersey. The consultant will begin to develop a sampling plan and a health and safety plan which must be reviewed and approved by the Department. Actual field activities should commence in mid-September, with a public meeting to be scheduled at least two weeks prior to this start date. The complete RI/FS will take approximately eighteen (18) months, at the end of which the Department will select a remedial alternative for cleanup of the site. A remedial action plan cannot be developed until the conclusion of the RI/FS. Similarly, it cannot now be determined when remedial action will be completed. The Department will be able to estimate a completion date at the conclusion of the process for selecting the remedial alternative.

Department personnel inspected the IFF site on May 12, 1987. In addition, routine inspections were recently conducted by the Division of Environmental Quality (air), the Division of Water Resources (surface water) and the Division of Hazardous Waste Management.

At this point in time, the Department is satisfied with IFF's compliance with the ACO. IFF has obtained the \$4 million letter of credit required by the ACO and the company has executed the trust agreement needed to make these funds available to the Department, if necessary.

As for your request for Material Safety Data Sheets, the Department does not keep this form of data on file. This information may be obtained upon request from the New Jersey Department of Health or IFF.

With respect to concerns over stack emissions, IFF has Permits to Construct Install, or Alter Control Apparatus and Certificates to Operate for all regulated sources at the facility. As stated before, each permit and certificate contains emission limitations and the requirement for

monitoring through stack testing. There is not a single "facility-wide" permit for the IFF site.

As for questions concerning odors, IFF recently paid a penalty of \$18,000 for past odor violations reported to the Department by area residents. The Department is currently reviewing several options which should alleviate the majority of the odor problems at this facility.

Pesticides: Daminozide, Alachlor, Chlordane, Aldicarb

With regard to your request to ban the use of four pesticide compounds in the State, namely daminozide, alachlor, chlordane, and temik, the Department's position is as follows:

(a) Daminozide (Alar)

The Department has reviewed the Federal Government's position with respect to the use of this compound. EPA has lowered the tolerance (allowable residues) of Alar to 20 ppm from 30 ppm. The Science Advisory Panel did not feel banning the product was necessary nor thought it to be scientifically sound. The Department concurs with this position. As always, should new data reveal a potential problem the Department will reconsider this position.

Apparently, publicity surrounding the use of this compound has already resulted in most New Jersey growers discontinuing its use. Major food processors will not accept apples that have been treated, due to the stigma placed on this compound from publicity and, in order to avoid high levels of the metabolite UDMH. As such, the use of Alar in New Jersey may now be a moot issue.

(b) Alachlor (Lasso)

The Department is currently revising its rules to place Alachlor on the restricted use list. By limiting the use of this pesticide to licensed applicators, the potential hazards it poses to the public and to our groundwater resources will be minimized.

There were no detectable levels of Alachlor in any of the thirty-two farm water samples or ten public water supply samples in the ground water project conducted by the U.S. Geological Survey (USGS), in conjunction with the Department's Office of Science and Research (OSR), and Bureau of Pesticide Control last year. Additional sampling will be done this year in another aquifer. At this time, we have no scientific evidence to warrant suspension. EPA is currently reevaluating this compound. It is likely that EPA will also take the additional action of placing the compound on the restricted use list next year.

(c) Chlordane

In 1985, the Department implemented very stringent regulations governing termiticides in general, and has banned over the counter sale chlordane and other chlorinated compounds in certain types of construction prone to

contamination. Since their implementation, the percentage of misuse and contamination cases has declined.

An air monitoring study conducted by the Department's Office of Science and Research does not indicate a problem with chlordane in living areas that have been treated in the correct manner. In addition, recent review of a study requested by EPA from the registrant has not indicated any problems when chlordane is used according to label directions.

There is a concern with alternative products, especially chlorpyrifos (Dursban), which may warrant continued use of chlordane. Dursban has several problems associated with it: odor, higher acute toxicity, the need for repeated treatments, and shorter residual times.

EPA is also reevaluating the technical data, and will have a position on chlordane sometime this summer. If action is taken by EPA, it probably will reflect what New Jersey has already implemented.

(d) Aldicarb (Temik)

Temik use in New Jersey is essentially limited to ornamental plant production. A study published last year from Wisconsin, regarding immune suppression relating to Aldicarb, was criticized rather heavily by the scientific community. It certainly did warrant a closer examination of the problem. The Department does not believe, however, that the data warrants a banning of its registration.

Temik was found only once in New Jersey ground water. It was not found in the USGS ground water survey project last year. The few food uses of Aldicarb have been limited by the growers because of efficacy problems.

Vineland Chemical Company, Inc., Vineland, N.J.

As you know, Vineland Chemical has appealed the denial of its RCRA and NJPDES permits. While the Department recognizes your concern in this matter, we stand ready to vigorously defend our decision to deny these permits and have already made this a high Departmental priority. You can be assured that the Department will be working closely with the Attorney General's office to ensure that this matter will be handled in a proper and timely fashion.

Currently, USEPA, through its contractor, is performing Phase II investigatory work at the facility. The Department is working closely with USEPA and both agencies are reviewing all data generated at the site. As with all hazardous waste sites, it must be recognized that the investigations necessary to properly assess the contamination on-site and the impacted areas off-site are complex and time consuming. However, these investigations will lead to the selection and implementation of a remedial action alternative that will effectively address the environmental problems identified at this site.

Radiation Technology, Inc., Rockaway Township

While Radiation Technology, Inc. (RTI) has recently signed an Administrative Consent Order with NJDEP to pay for the Remedial Investigation/Feasibility Study (RI/FS), NJDEP is actually conducting the study. Accordingly, the contractor performing the RI/FS is working directly for NJDEP and not RTI. The Department shares your preference for a cleanup alternative which involves permanent treatment rather than containment. Finally, the Department will allow an opportunity for public input on the selection of the remedial alternative.

Chromium Sites, Hudson County

Please be assured that the Department is making serious efforts to address chromate contamination in all areas of Hudson County. A number of approaches are currently being pursued simultaneously. These include a large scale publicly funded study of the contamination sites.

On August 12, 1985, the NJDEP awarded a contract for \$900,000 to the firm of Environmental Science and Engineering Inc. (ESE) to perform a Remedial Investigation/Feasibility Study (RI/FS) at 42 chromium sites in Hudson County.

During the course of this project, ESE has secured the majority of the sites under study by fencing, developed extensive site screening procedures and has completed soil investigations. The feasibility study portion of this project will commence shortly. The NJDEP will be holding another public meeting in Jersey City at the completion of the RI/FS to discuss its findings and recommendations.

In addition, the Department has been working closely with local health and environmental officials in locating additional chromate contamination sites. Through these efforts, the NJDEP has become aware of approximately 80 additional locations identified as possible chromium sites in Hudson County. These sites must also be evaluated. The experience the NJDEP is gaining in the RI/FS presently under way will be highly valuable in evaluating and securing other chromium sites, either by the NJDEP or responsible parties with NJDEP oversight. The NJDEP is also developing a regional process to identify and evaluate other chromium sites in Hudson County.

The Department looks forward to working closely with the Jersey City Environmental Commission during the process of addressing these chromate contamination sites.

Ocean Incineration of Liquid Hazardous Wastes

As stated in my previous response on this issue to you last year, the Department is not promoting the incineration of liquid chemical waste at sea as a solution to the State's hazardous waste disposal problems. However, the Department does support efforts to investigate this disposal option as long as those efforts do not pose a threat to human health or the environment. At this time, New Jersey does not need to be "defended" against the imposition of ocean incineration, because this method is still

in the research stage. With respect to USEPA being forced to issue regulations governing this disposal method, it is clear that the only regulations that could be promulgated at this time would focus on test burns. Regulations of this nature could only aid in protecting against threats to human health or the environment during the research, testing and data gathering stage.

As for Waste Management, Inc.'s possible attempts to obtain a permit for State regulated activities, the Department will review such an application in the same manner that it reviews all similar applications: with a cautious eye towards protection of the people and environment of this State. The permit review process requires the Department to take a company's background and history into account. Waste Management will be treated no differently than any other company.

Statewide Sewage Sludge Management Plan

The questions raised by Clean Ocean Action have been raised during the public comment period on the Statewide Sludge Management Plan. Regulations require the Department to respond to significant comments in the Response Document for the Plan. The Response Document is currently under preparation and will be available when the final Plan adoption is noticed in the New Jersey Register sometime in the fall of this year.

F.L.R. Superfund Site

The comments of the geohydrologist hired by Mansfield regarding groundwater flow direction at this site have been reviewed and addressed in the responsiveness summary of the Record of Decision for this site. It is the position of both this Department and USEPA that groundwater flow direction is to the south/southeast.

With regard to the request for water to be supplied to residents in the area of the site, the Department will continue to monitor the situation in order to take this action when and if it becomes necessary. At the present time there is no data which supports such an action. Based on the results of the Remedial Investigation and Feasibility Study, it has been determined that potable wells in the vicinity of the landfill are currently unaffected and the situation does not warrant the initiation of public water hookups.

The New Jersey Department of Health (DOH) has been made aware of the situation at F.L.R. and this Department will assist DOH with respect to a health survey and any data that may be required if DOH requests such assistance.

Fisher-Scientific, Bridgewater, N.J.

(a) Health Survey and Air Monitoring

With respect to your request for a health survey for the area surrounding the Fisher-Scientific site in Bridgewater, this Department does not conduct such surveys. I suggest that you contact the State Department of Health in this regard.

The Department currently controls air emissions through the Permits to Construct, Install or Alter Control Apparatus or Equipment, and the Certificates to Operate issued to the company. The company is required to have a permit and certificate for each source of air emissions. The permits and certificates require the company to meet the standards established for each source. To demonstrate compliance, the company is required to undertake periodic testing and report the results to the Department. In addition, NJDEP air inspectors make routine inspections of all such facilities to ensure compliance.

(b) Remedial Actions

The Bridgewater site has been the subject of both RCRA and ECRA regulatory actions as well as a prior Division of Water Resources investigation and subsequent execution of an Administrative Consent Order in 1985.

In 1982, at the request of the Division of Water Resources, Fisher engaged an engineering consultant, Environmental Resources Management, Inc. (ERM) to conduct a hydrogeologic investigation to determine the extent and severity of any groundwater contamination. This included the installation and sampling of 29 groundwater monitor wells, collection and analysis of soil samples, and sampling from adjacent off-site private potable wells.

Following the initiation of the investigation, Fisher installed a concrete-lined berm containment area around the tank farm, containment facilities at the railroad siding and truck unloading areas and in the drum storage areas, rehabilitated or replaced sewer lines, and installed additional sewer lines for collecting potential leakage and contaminated rainfall. Any spills were to be collected for either proper recovery or disposal prior to discharge to the municipal sewer system.

Investigations completed by Fisher and the Department have led to the conclusion that shallow perched ground water in the area of the tank farm and railroad siding is contaminated by volatile organic compounds, including carbon tetrachloride, chloroform, methylene chloride and trichloroethylene. In addition, it was believed that the shallow regional ground water system beneath the site is also contaminated.

In 1984 Fisher proposed a program to remediate contaminated ground water from beneath the site. The details of the design for that treatment program as well as a time schedule for compliance were incorporated into the Administrative Consent Order executed on August 29, 1985. Fisher was also required to provide an alternative drinking water supply to affected Bridgewater residents.

In December of 1985, the Fisher site and thirteen other sites owned by Allied Corporation became subject to ECRA when Allied Corporation and Signal Corporation consummated a stock merger. As a result, the Department entered into an Administrative Consent Order under the ECRA program with Allied Corporation in return for the company's posting a total of \$18.9 million in financial assurance for all of Allied Corporation's fourteen ECRA subject sites. This ECRA Administrative Consent Order was executed in July of 1986. Fisher's Bridgewater site alone warranted Allied-Signal to

post \$3 million in financial assurance to guarantee the cleanup of the groundwater problem at the facility.

In December 1986, the Department approved an interim groundwater remediation program under ECRA for the treatment of the contaminated plume and containment of the further spread of contamination. Allied-Signal will be submitting a final revised sampling plan to the Department this month. Once the plan is approved, the sampling will generate the data necessary to characterize the full extent of both soils and ground water contamination at the site. Allied will then propose a remedial alternative and cleanup plan to the Department. Following the Department's approval of a cleanup plan, Allied-Signal will implement the plan under NJDEP's supervision. Finally, the Department will monitor and if necessary, adjust the cleanup plan until it is completed. The history and specific remedial actions concerning RCRA are listed in the attached report (Appendix #6) entitled Report of Public Comment which in part is a record of a RCRA public comment hearing, held on August 14, 1986 concerning the Bridgewater site.

(c) Allied Corporation, the Fisher site and ECRA

Allied Corporation did not violate ECRA. The company fulfilled its obligations in the appropriate time frame, but contended that once the merger between Allied and Signal occurred that certain sites should not be subject to ECRA. After extensive negotiations with Allied, the Department's position to cover all 14 sites under the merger prevailed.

The ECRA ACO for the Fisher-Scientific Site was executed due to constraints imposed by federal laws governing securities and exchange which do not allow states to delay mergers once the merger is ready to proceed. The ACO is no different than any other ECRA ACO. In actuality, the Department has chosen to integrate the use of these ACOs, such as the ECRA ACO for the Fisher site, into the ECRA program for reasons other than constraints imposed by federal laws. For an example, there are cases where the owner or operator of an industrial establishment has no control over the timing of certain transactions, such as bankruptcy, foreclosure or condemnation. In these instances of "involuntary transactions" the Department must provide a viable way for ECRA to function and ensure that a cleanup will be undertaken. The ECRA ACO enables the Department to effectively impose cleanup responsibility for those properties subject to these types of "involuntary transactions". ECRA ACOs contain stringent compliance timetables and penalty provisions and require ordered parties to post financial assurance upfront, to ensure compliance. The Department has executed approximately 470 ECRA ACOs to date. The Department now maintains over \$450 million in financial assurance documents for these ACOs. In the 3½ years since ECRA's inception, the program has initiated the completion of 375 privately funded cleanups. Under the Allied-Signal ACO, the Department approved a \$5 million Cleanup Plan for the Fisher-Scientific Fairlawn Borough site for the remediation of groundwater contamination.

EPA Penalty Policy

You have requested that the Department adopt a penalty policy that would include loss of economic benefit, similar to that adopted by the United States Environmental Protection Agency, (EPA). The purpose of EPA's policy

is to ensure that a polluter does not obtain an unfair economic advantage over its competitors who obey environmental laws. As you know, earlier this year the Governor signed into law A-1270 (P.L. 1986 c.170) which increased the Department's authority to assess civil administrative penalties pursuant to the Solid Waste Management Act and the Water Pollution Control Act. The Department is already working on the regulatory changes required to implement these statutory changes. We intend to review EPA's penalty policy concerning economic benefits and will consider including this factor into our penalty regulations.

Miller Chemical Company, Robbinsville, N.J.

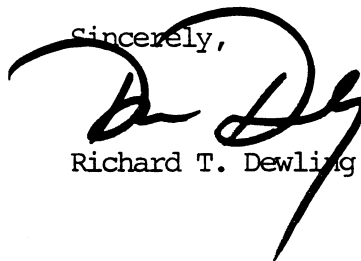
As you are no doubt aware, in mid-May the municipal water supply system finally was extended to the homes on Sharon Road. Presently, the Department is directing its attention to the investigation and remediation of the Miller Chemical site itself. As part of this effort, on June 3rd and 4th, Miller Chemical's consultant sampled potentially impacted wells on Sharon Road. On June 5, 1987, the Department's Industrial Site Evaluation Element received an amended Sampling Plan from Miller Chemical, designed to characterize and determine the extent of contamination on site.

The plan was reviewed by the Department and a meeting was held on June 25, 1987 to discuss revisions to the plan. A revised plan and time schedule, will be submitted by the end of July. Should Miller fail to conform the sampling plan to the Department's requirements or fail to adhere to the time schedule for submission of additional information necessary to characterize the problem, the Department will take appropriate enforcement action under the Environmental Cleanup Responsibility Act and other statutes.

Upon completion of the sampling plan, Miller Chemical will develop a proposed remedial approach for the site and submit it to the Department for approval.

I hope that you find this letter responsive to most of your inquiries and requests for action. I look forward to meeting with you again in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Dewling', with a large, sweeping flourish extending from the end of the signature.

Richard T. Dewling

cc: Lisa Plevin



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF ENVIRONMENTAL QUALITY
 JOHN FITCH PLAZA, CN 027, TRENTON, N.J. 08625

JORGE H. BERKOWITZ, Ph.D.
 DIRECTOR

(609) 292-5383

ATTENTION: CHIEF EXECUTIVE OFFICER

RE: Completion of Environmental Survey - Part II
 pursuant to Right to Know Act

Your company previously completed an Environmental Survey - Part I pursuant to the New Jersey Worker and Community Right to Know Act (P.L. 1983, c. 315, c. 34:5A-1 et. seq.). The Right to Know law gives the Department of Environmental Protection (DEP) the authority to require select employers to provide complete environmental information with respect to certain substances. Because of the nature of your business activities, the DEP is requiring that your company complete and return the enclosed Environmental Survey - Part II.

You are required by law to complete this survey and return it within 90 days of receipt to the DEP. Employers who do not comply or who provide false information are subject to fines ranging from \$2,500 to \$10,000 for each violation. You must complete the Part II survey only for the facility location which is indicated on the mailing label located at the top of the first page of the survey. You are required to complete Section A of the Environmental Survey-Part II which pertains to overall processes at your facility. In addition, you must complete an individual Section B form for each Environmental Hazardous Substance listed on the attached computer printout.

Time extensions to the 90 day deadline may be granted for good cause. If you require additional forms or assistance, please contact the Right to Know staff at (609) 292-6714. The DEP may schedule seminars to assist employers in completing the Part II survey; let us know if you are interested in attending a seminar of this kind. Your participation in completing the Part II survey is mandatory and your cooperation is urgently requested.

Very truly yours,

Jorge H. Berkowitz, Ph.D.
 Director

ADDITIONAL CRITERIA FOR SELECTION OF FACILITIES TO BE SENT PART II OF THE ENVIRONMENTAL SURVEY

A facility reporting any of the following substances on the Part I form in an inventory range of 11 (11 - 100 pounds, gallons or cubic feet) or above, and a mixture code indicating 50% or greater, would be selected to complete the Part II form.

Acrylonitrile	107-13-1
Asbestos	1332-21-4
Benzene	71-43-2
Beryllium and compounds	7440-41-7
Carbon tetrachloride	56-23-5
Chloroform	67-66-3
Chromium and compounds	7440-47-3
2,4-D	94-75-7
3,3-Dichlorobenzidine	91-94-1
Dioxane	123-91-1
Ethyleneimine	151-56-4
Ethylene dibromide	106-93-4
Formaldehyde	50-00-0
Ethylene dichloride	107-06-2
Lead and compounds	7439-92-1
Mercury	7439-97-6
4,4'-Methylene bis (2-chloroaniline)	101-14-4
alpha-Naphthylamine	134-32-7
Phosgene	75-44-5
1,1,2,2-Tetrachloroethane	79-34-5
Tetrachloroethylene	127-18-4
Toluene diisocyanate	584-84-9 and 91-08-7
1,1,2-Trichloroethane	79-00-5
Trichloroethylene	79-01-6
Vinyl chloride	75-01-4



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, N.J. 08625

JORGE H. BERKOWITZ, Ph.D.
DIRECTOR

(609) 292-5383

July 29, 1987

Mr. Rick Engler, Director, Safety and Health
New Jersey State Industrial Union Council, AFL-CIO
16 Commerce Drive
Cranford, NJ 07016

Dear Mr. Engler,

Thank you for your letter of July 15, 1987. The Community Right to Know program at the Department of Environmental Protection is dedicated to community safety and is pleased to provide information on our program.

I will address your requests in the same order as your letter.

- 1) Please find attached a list of employers (with facility location) who have been mailed the Environmental Survey Part II.
- 2) Also, please find attached a list of employers who have completed and returned the Environmental Survey Part II. The list is accurate as of July 27, 1987.
- 3) We would be pleased to provide copies of any completed Environmental Survey Part II forms that you require. However, these comprise (by my best estimate) approximately 2000 sheets of paper. Because of the size of your request, we must ask for a fee of \$.20 per page for copying. You may wish to restrict your request to only a few of the employers on the attached list. Please contact me again with your revised request.
- 4) Part II of the Environmental Survey is not sent to all facilities for their completion. Facilities are selected to receive Part II based on the compounds and inventory ranges as reported on the Environmental Survey Part I. If a facility reports any substance in an inventory amount of 13 G (over 1,000 gallons), 14 P (over 10,000 pounds), or 16 C (over 100,000 cubic feet), the company would be required to complete a Part II for that substance. Additionally, for certain substances, (see list attached) a facility is sent a Part II form for a lower inventory range. Thus, Part II forms are only completed by a facility for selected substances.

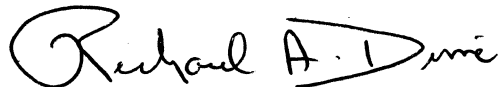
It is our procedure that as Part I of the Environmental Survey is reviewed by our technical staff, Part II surveys are sent out for any substance meeting the criteria outlined above. This is an ongoing process.

5) There have been no enforcement actions taken to date by the DEP against any employer under the Right to Know law for failure to comply with the Act. The Department has only recently published draft penalty regulations. The public comment period has ended and the Department is developing final regulations. Once the regulations are in place the Department will proceed with penalties for those companies who fail to return a survey, return an incomplete survey, or return an inaccurate survey.

6) Please find attached a blank copy of the Part II form and employer instructions.

Thank you for contacting the Bureau of Hazardous Substance Information. We hope the information we have provided is helpful to you. We look forward to hearing from you regarding part 3) of your request so that we may provide you with copies of any of the Part II forms you need.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Dime". The signature is written in dark ink and is positioned above the printed name and title.

Richard A. Dime, Ph.D.
Chief
Bureau of Hazardous Substance
Information

c:Neil Mulvey

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
49757500000	3079	1225	A & E PRODUCTS GROUP	INC	1460 ROUTE 9 NORTH	SUITE 204	WOODBIDGE TWP
17674000000	3496	1222	A M P C O INC	3 HOLLYWOOD CT	50 PLAINFIELD N J		SOUTH PLAINFIELD BORO
19527300000	2641	1205	AIR-O-PLASTIK	CORPORATION	150 FIELDCREST DR	RARITAN CENTER	EDISON TWP
17127200000	2842	0205	AIRWICK INDUSTRIES	111 COMMERCE ROAD	CARLSTADT, NJ		CARLSTADT BORO
18694600001	3490	1225	ALCAN BUILDING PRODS	11 CRAGWOOD RD	WOODBIDGE, NJ		WOODBIDGE TWP
18694600002	3490	2019	ALCAN POWDERS &	PIGMENTS	901 LEHIGH AVE	UNION, NJ	UNION TWP
02471200000	2819	1424	ALLIED CHEMICALS	SUB OF ALLIED CORP	COLUMBIA ROAD &	PARK AVENUE	MORRISTOWN TOWN
05768500000	3442	2009	ALUMINUM PRODUCTS	DISTRIBUTORS INC	801-815 STILES ST	LINDEN, NJ	LINDEN CITY
00647000000	3469	2010	AMERICAN ALUMINUM	COMPANY	230 SHEFFIELD ST	MOUNTAINSIDE, NJ	MOUNTAINSIDE BORO
00060201002	3411	1221	AMERICAN CAN COMPANY	GEORGES RD OFF RT 130	DEANS NJ		SOUTH BRUNSWICK TWP
49810800000	2819	2004	AMERICAN CHROME &	CHEMICALS INC	155 FRONT STREET	ELIZABETH, NJ	ELIZABETH CITY
00901401000	2844	2009	AMERICAN CYANAMID CO	CHEMICAL PRODUCTS DIV	TREMLEY POINT ROAD	BOX 31	LINDEN CITY
12369000000	3451	2019	AMERICAN PRODUCTS	COMPANY INC	610 RAHWAY AVE	UNION N J	UNION TWP
10689600000	3471	2009	APEX PLATING &	POLISHING CO INC	725 COMMERCE RD	LINDEN N J	LINDEN CITY
27011000000	2869	0205	ARSYNCO INC.	SUB OF ACETO CHEMICAL	COMPANY, INC	BOX 8	CARLSTADT BORO
20067100007	3661	2002	AT&T TECHNOLOGIES	CLARK SHOPS	100 TERMINAL AVE	CLARK, NJ	CLARK TWP
06395100000	2599	2019	ATLANTIC ALLOY	INDUSTRIES INC	POLK ST & JEFFERSON	AVE	UNION TWP
40234000000	3471	1217	ATLANTIC HARD	CHROMIUM INC	179 ELEVENTH ST	PISCATAWAY, NJ	PISCATAWAY TWP
01270400000	3444	2017	ATLANTIC METAL	PRODUCTS INC-N J-	21 FADEM ROAD	SPRINGFIELD N J	SPRINGFIELD TWP
12851700000	3471	2008	B & M FINISHERS INC	201 SOUTH 31ST ST	KENILWORTH, NJ		KENILWORTH BORO
17956400000	3471	2009	B AND B	ELECTROPLATING	CO INC	559 PENNSYLVANIA AVE	LINDEN CITY
06631300002	3841	2011	BARD UROLOGICAL DIV	C R BARD INC	111 SPRING ST	MURRAY HILL NJ	NEW PROVIDENCE BORO
15541800004	2821	1221	BASF WYANDOTTE	CRANBURY & SOUTH	RIVER ROADS	JAMESBURG, NJ	SOUTH BRUNSWICK TWP
12695200000	3567	1215	BBC BROWN BOVERI INC	1460 LIVINGSTON AVE	NORTH BRUNSWICK, NJ		NORTH BRUNSWICK TWP
54472700000	2834	2003	BEECHAM PRODUCTS	750 WALNUT AVENUE	CRANFORD, NJ		CRANFORD TWP
10884600000	2392	2001	BETTER SLEEP	MANUFACTURING CO	57 INDUSTRIAL RD	BERKELEY HEIGHTS, NJ	BERKELEY HEIGHTS TWP
10890200000	2819	1225	C P CHEMICALS INC	ARBOR ST	SEWAREN, NJ		WOODBIDGE TWP
10890200001	2819	1225	C P CHEMICALS INC	TERMINAL WAY	BUILDING 7B	AVENEL, NJ	WOODBIDGE TWP
29099100000	3079	1217	CAPTIVE PLASTICS, INC	251 CIRCLE DRIVE	NORTH	PISCATAWAY, NJ	PISCATAWAY TWP
21645700001	3317	2019	CARPENTER TECHNOLOGY	CORPORATION	1103 SPRINGFIELD RD	UNION, NJ	UNION TWP
55944000000	2834	1214	CELL PRODUCTS INC	5 GEORGES RD	NEW BRUNSWICK NJ		NEW BRUNSWICK CITY
00566100000	2874	1202	CHAMBERLIN & BARCLAY	INC	P O BOX 416	STANTON RD	CRANBURY TWP
00115401003	2879	1222	CHEVRON CHEMICAL CO	AGRICULTURAL CHEM DIV	METUCHEN & HARMICH	ROADS	SOUTH PLAINFIELD BORO
29943300000	2834	2018	CIBA-GEIGY	CORPORATION	PHARMACEUTICALS DIV	556 MORRIS AVENUE	SUMMIT CITY
29943300001	2865	1507	CIBA-GEIGY	CORPORATION	TOMS RIVER PLANT	P O BOX 71	DOVER TWP
39362100001	2865	1222	CLARK COLORS INC	% WHITTAKER CLARK &	DANIELS INC	3615 KENNEDY ROAD	SOUTH PLAINFIELD BORO
17363700000	4613	1225	COLONIAL PIPELINE CO	-CORP-	P O BOX 18855	ATLANTA GA	WOODBIDGE TWP
19634300000	2851	2006	COLOR CHIP	CORPORATION	124 SOUTH AVE	GARWOOD, NJ	GARWOOD BORO
07189700000	3446	2003	CONSTRUCTION	SPECIALTIES INC	55 WINANS AVE	CRANFORD, NJ	CRANFORD TWP
33610600000	2869	1209	CPS CHEMICAL CO INC	P O BOX 162	OLD WATERWORKS ROAD	OLD BRIDGE, NJ	OLD BRIDGE TWP
06775800000	3272	2015	CROSSFIELD PRODUCTS	CORP	140 VALLEY ROAD	ROSELLE PARK N J	ROSELLE PARK BORO
19237600000	3432	2009	D'ANGELO METAL	PRODUCTS CO INC	360 DALZIEL RD	LINDEN, NJ	LINDEN CITY
17424000000	3544	2019	DANLY MACHINE	CORPORATION	697 RAHWAY AVE	UNION NJ	UNION TWP
00638100002	2899	0904	DIAMOND SHAMROCK CORP	PROCESS CHEMICALS DIV	FIRST & ESSEX STREETS	HARRISON, NJ	HARRISON TOWN
46927900000	5161	0901	DOW CHEMICAL CO. USA	TEXAS DIV.	2 COMMERCE ST.	BOX 13	BAYONNE CITY
05808600000	3469	2019	DUREX INCORPORATED	5 STAHUBER AVE	UNION N J		UNION TWP
20330200000	3443	2003	E F BRITTEN & CO INC	-NEW-	22-26 SOUTH AVE	WEST	CRANFORD TWP
02112900001	2841	1225	ECONOMICS LABORATORY	INC	255 BLAIR ROAD	AVENEL, NJ	WOODBIDGE TWP
53304100002	3471	2019	ENGELHARD SYSTEMS	2655 US HIGHWAY 22 W	UNION, NJ		UNION TWP

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
11322700004	2891	1219	ESSEX SPECIALTY	PRODUCTS INC	1 CROSSMAN RD SOUTH	SAYREVILLE, NJ	SAYREVILLE BORO
28737800002	3079	1219	ETHYL CORPORATION	CHEMICALS GROUP	879 MAIN ST	SAYREVILLE, NJ	SAYREVILLE BORO
00370000000	3494	1222	EVERLASTING VALVE CO	108 SOMOGYI COURT	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO
33757700001	2869	2009	EXXON CHEMICAL	AMERICAS	BAYWAY CHEMICAL PLANT	1400 PARK AVENUE	LINDEN CITY
33757700003	2869	0901	EXXON CHEMICAL	AMERICAS	BAYONNE CHEMICAL	PLANT	BAYONNE CITY
33757700000	2911	2009	EXXON COMPANY, USA	BAYWAY REFINERY	1400 PARK AVENUE	LINDEN, NJ	LINDEN CITY
33757700002	2911	0901	EXXON COMPANY, USA	BAYONNE PLANT	250 EAST 22ND STREET	BAYONNE, NJ	BAYONNE CITY
43108200000	2834	2007	FARADAY LABORATORIES	CO INC	100 HOFFMAN PL	HILLSIDE N J	HILLSIDE TWP
03725100000	2842	2014	FEDERAL MINING &	MFG CO	288-12TH AVENUE	ROSELLE N J	ROSELLE BORO
16183600000	3079	2003	FEDERAL PLASTICS	CORP	715 SOUTH AVE EAST	CRANFORD, NJ	CRANFORD TWP
04794700000	2816	1222	FERRO CORPORATION	115 SKYLINE DRIVE	P O BOX 251	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
27654200000	3079	1225	FIBRENETICS INC	P O BOX 632	2 CUTTERS DOCK RD	WOODBIDGE, NJ	WOODBIDGE TWP
08202600001	2869	1806	FISHER SCIENTIFIC CO	INC.	SUB OF ALLIED CORP.	755 ROUTE 202	BRIDGEWATER TWP
06730000000	2819	1201	FMC CORPORATION	PHOSPHOROUS CHEMICALS	DIVISION	500 ROOSEVELT AVE	CARTERET BORO
13000900000	3469	2019	FOREMOST MFG CO INC	941 BALL AVE	UNION N J		UNION TWP
51949300000	2899	1410	FRITZSCHE DODGE &	OLCOTT INC.	MERRY LANE	EAST HANOVER, NJ	EAST HANOVER TWP
00604603000	2865	2009	GAF CORPORATION	FOOT OF SO WOOD AVE	P.O. BOX 12	LINDEN, NJ	LINDEN CITY
51941900000	3662	2002	GAMCO INDUSTRIES INC	-NEW-	19 WALNUT AVE	CLARK NJ	CLARK TWP
08999000000	3621	1225	GENERAL DYNAMICS	CORPORATION	ELECTRODYNAMIC	150 AVENEL ST	WOODBIDGE TWP
54730700000	2643	2004	GENERAL FILM PRODUCTS	INC	107 TRUMBULL ST	ELIZABETH, NJ	ELIZABETH CITY
14525100000	3471	2009	GENERAL MAGNAPLATE	CORPORATION	1331 US RT 1	LINDEN NJ	LINDEN CITY
00004010000	3691	1214	GENERAL MOTORS CORP	DELCO REMY DIVISION	PLANT 12	760 JERSEY AVE	NEW BRUNSWICK CITY
28919800000	5161	2009	GENERAL POLYMERS	CORPORATION	2 SHERMAN STREET	LINDEN, NJ	LINDEN CITY
01023401000	2821	1706	GOODRICH CHEMICAL	DIV. OF B.F.	GOODRICH CO.	BOX 400	OLDMANS TWP
43793600000	2879	2012	GRASS GROWERS INC	424 COTTAGE PLACE	PLAINFIELD, NJ		PLAINFIELD CITY
47062200000	2099	2019	GRIFFITH LABORATORIES	USA INC	855 RAHWAY AVE	UNION NJ	UNION TWP
00249900000	3441	1222	HARRIS STRUCTURAL	STEEL CO INC	1640 NEW MARKET AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
14526100000	3662	1314	HARVARD INDUSTRIES	INC	FREQUENCY ENGINEERING	LABORATORIES DIVISION	FARMINGDALE BORO
46728100000	2869	1225	HATCO CHEMICAL	CORPORATION	KING GEORGE POST ROAD	FORDS, NJ	WOODBIDGE TWP
54249800000	3079	2004	HAYWARD INDUSTRIAL	PRODUCTS INC	900 FAIRMOUNT AVE	ELIZABETH NJ	ELIZABETH CITY
00165900000	2821	0306	HERCULES INC.	NECK ROAD	BOX 249	BURLINGTON, NJ	BURLINGTON TWP
00165900001	2821	1219	HERCULES INC.	SOUTH MINNISINK AVE	PARLIN, NJ		SAYREVILLE BORO
00165900002	2892	1436	HERCULES INC.	HOWARD BOULEVARD	KENVIL, NJ		ROXBURY TWP
17539100000	3423	2015	HEXACON ELECTRIC	COMPANY-CORP-	161 W CLAY AVE	ROSELLE PARK N J	ROSELLE PARK BORO
17349500000	2841	2013	HI-BRETT CHEMICAL	CO INC	26 WEST INMAN AVE	RAHWAY, NJ	RAHWAY CITY
21861700000	3469	2019	HILLSIDE SPINNING &	STAMPING CO INC	1060 COMMERCE AVE	UNION N J	UNION TWP
00118500000	2834	0716	HOFFMAN-LA ROCHE INC	ROCHE CHEMICAL DIV	348 KINGSLAND ST	NUTLEY, NJ	NUTLEY TOWN
00118500001	2834	2103	HOFFMANN-LA ROCHE INC	ROCHE VITAMINS &	FINE CHEMICALS	ROCHE DRIVE	BELVIDERE TOWN
53824900000	3562	2002	HYATT CLARK	INDUSTRIES INC	ATTN D F EDELMAN,	PLT ENGR	CLARK TWP
37026900000	2865	2004	IMPERIAL COLOR	CORPORATION	824 LIVINGSTON ST	ELIZABETH, NJ	ELIZABETH CITY
57767500000	2661	1208	INTERNATIONAL	PERMALITE INC	45 STULTS ROAD	DAYTON, NJ	JAMESBURG BORO
17800500000	2899	0221	INTERNATIONAL CRYSTAL	LABORATORIES INC	11 ERIE ST	GARFIELD NJ	GARFIELD CITY
00200000000	2869	1350	INTERNATIONAL FLAVORS	AND FRAGRANCES	800 ROSE LANE	UNION BEACH, NJ	UNION BEACH BORO
00028100000	2851	2019	INTERNATIONAL PAINT	COMPANY INC	PO BOX 386	UNION N J	UNION TWP
00504000026	4911	1220	JERSEY CENTRL POWER &	LIGHT COMPANY	E H WERNER GENERATING	STATION	SOUTH AMBOY CITY
09760900000	5161	1219	JOHN B MOORE	CORPORATION	P O BOX 65	OUTER MAIN ST-RT 9 SO	SAYREVILLE BORO
00614700000	2851	1221	JOHN C DOLPH CO	MONMOUTH JUNCTION, NJ			SOUTH BRUNSWICK TWP
53392700000	2647	1217	JOHNSON & JOHNSON	BABY PRODUCTS CO CORP	GRANDVIEW RD	ADMINISTRATION BLDG	PISCATAWAY TWP
09227100000	3623	2009	JOYAL PRODUCTS INC	1233 WEST ST GEORGE	AVE	P O BOX 529	LINDEN CITY

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
50003700000	2834	2004	KALIPHARMA INC	200 ELMORA AVE	ELIZABETH, NJ		ELIZABETH CITY
54005100000	3449	1222	KELKEN-GOLD INC	P O BOX 336	HAZLET N J		SOUTH PLAINFIELD BORO
14356300000	3471	2008	KENILWORTH ANODIZING	CO -CORP-	201 S 31 ST	KENILWORTH, NJ	KENILWORTH BORO
09025400000	3292	1222	KENTILE FLOORS INC	50 PLAINFIELD PLANT	KENTILE ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
30654100000	3679	1222	KLEINER METAL	SPECIALTIES INC	4315 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
32595000000	2812	2009	LCP CHEMICALS &	PLASTICS, INC	CN 3106	EDISON, NJ	LINDEN CITY
19703500000	3679	1222	LENOX-FUGLE	ELECTRONICS INC	100 SYLVANIA PLACE	50 PLAINFIELD N J	SOUTH PLAINFIELD BORO
59430400000	3471	2009	LLL ENTERPRISES INC	T/A ARMOLOY	INTERNATIONAL	932 E ELIZABETH AVE	LINDEN CITY
12386400000	3356	2019	M C CANFIELD SONS	-CORP-	PO BOX 3100	1000 BRIGHTON ST	UNION TWP
12286900000	3079	2003	MADAN PLASTICS INC	370 NORTH AVE	P O BOX 487	CRANFORD, NJ	CRANFORD TWP
18183000000	2819	1209	MADISON INDUSTRIES	OLD WATERWORKS RD	OLD BRIDGE, NJ		OLD BRIDGE TWP
18867500000	2865	2004	MAGRUDER COLOR	CO INC	1029 NEWARK AVE	ELIZABETH, NJ	ELIZABETH CITY
17457500000	2869	1211	MARISOL, INC	125 FACTORY LANE	MIDDLESEX, NJ		MIDDLESEX BORO
22678000000	5161	1225	MELLEN SALES INC	211 RANDOLPH AVE	AVENEL NJ		WOODBRIIDGE TWP
00555601000	2833	2013	MERCK & COMPANY INC	P O BOX 2000	RAHWAY, NJ	ATTN: WM. TORTORIELLO	RAHWAY CITY
00555601001	2833	0262	MERCK CHEMICAL CO INC	111 CENTRAL AVE	TETERBORO, NJ		TETERBORO BORO
50898400000	3079	2016	MERN MANUFACTURING	CORP	813 JERUSALEM ROAD	SCOTCH PLAINS N J	SCOTCH PLAINS TWP
18716500000	2751	1107	METAL LITHO	INTERNATIONAL INC	6 LITHO RD	TRENTON N J	LAWRENCE TWP
37539900000	2752	2004	METAL LITHO	CORPORATION	582 PROGRESS ST	ELIZABETH N J	ELIZABETH CITY
18253100000	3496	1205	METEX CORPORATION	970 NEW DURHAM RD	EDISON, NJ		EDISON TWP
55218800000	3412	2009	MID ATLANTIC	CONTAINER CORP	1200 WEST BLANCHE ST	P O BOX 192	LINDEN CITY
59566700000	2879	1112	MILLER CHEMICAL &	FERTILIZER CORP.	122 SHARON ROAD	BOX B	WASHINGTON TWP
02608201000	2841	1221	MIRANOL CHEMICAL CO	INC	P.O. BOX 436	68 CULVER ROAD	SOUTH BRUNSWICK TWP
31238300000	2891	1216	MORTELL COMPANY	144 GRANT ST	PERTH AMBOY NJ		PERTH AMBOY CITY
02165700000	3915	1216	MOSER JEWEL COMPANY	544 FAYETTE ST	PERTH AMBOY, NJ		PERTH AMBOY CITY
02848600000	3544	1205	MOTOR MACHINE CO INC	1956 WOODBRIDGE AVE	CN 1906	EDISON, NJ	EDISON TWP
07485000000	3644	2019	MULBERRY METAL	PRODUCTS INC	BOX 443	STANLEY TERRACE	UNION TWP
01068701001	2891	2012	NATIONAL STARCH &	CHEMICAL CORPORATION	1735 WEST FRONT ST	PLAINFIELD, NJ	PLAINFIELD CITY
31972300000	3499	2008	NEWARK METAL PRODUCTS	INC	3 MARK RD (PO BOX 70)	KENILWORTH, NJ	KENILWORTH BORO
25091000000	2899	1205	NOX-CRETE CHEMICALS	INC	P O BOX 3764	OMAHA NEBRASKA	EDISON TWP
56705700003	2869	2004	NUODEX INC	ELIZABETH PLANT	830 MAGNOLIA AVE	ELIZABETH, NJ	ELIZABETH CITY
56705700004	3079	1205	NUODEX INC	NIXON PLANT	40 NIXON LANE	EDISON, NJ	EDISON TWP
07064700000	2841	2001	OAKITE PRODUCTS INC	50 VALLEY RD	BERKELEY HEIGHTS, NJ		BERKELEY HEIGHTS TWP
07064700001	2841	1210	OAKITE PRODUCTS INC	METUCHEN PLANT	700 MIDDLESEX AVE	METUCHEN, NJ	METUCHEN BORO
00638100009	2819	0906	OCCIDENTAL	ELECTROCHEMICAL CORP	SODA PRODUCTS DIV	651 TONNELE AVENUE	JERSEY CITY
00638100003	2843	0205	OCCIDENTAL CHEMICAL	CORPORATION	PROCESS CHEMICALS DIV	BERRY AVE AT RT 17 NO	CARLSTADT BORO
54571400000	2899	1217	OKAI CORPORATION	140-Q ETHEL RD WEST	PISCATAWAY, NJ		PISCATAWAY TWP
26715900000	2816	1209	OLD BRIDGE CHEMICALS	INC	OLD WATERWORKS RD	PO BOX 194	OLD BRIDGE TWP
54500300000	3679	1214	OMEGA CIRCUITS &	ENGINEERING CORP	8 TERMINAL RD	NEW BRUNSWICK NJ	NEW BRUNSWICK CITY
37479800000	3079	1205	OMNILAB INCORPORATED	P O BOX 1383	EDISON, NJ		EDISON TWP
44041600000	3079	1222	PACER TOOL & PLASTICS	INC	660 MONTROSE AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
11919600000	2834	2004	PHARMACAPS INC	1111 JEFFERSON AVE	ELIZABETH, NJ		ELIZABETH CITY
14074400000	2851	1205	PIGMENT DISPERSIONS	INC	P O BOX 412	EDISON, NJ	EDISON TWP
20879100000	2843	1225	PILOT LABORATORIES	INC	267 HOMESTEAD AVE	AVENEL, NJ	WOODBRIIDGE TWP
52336500000	2874	1202	PLANT FOOD CHEMICAL	CO, INC	P O BOX 173, R D 1	HIGHTSTOWN-CRANBURY	CRANBURY TWP
12978900000	3471	2013	PRECISION HARD CHROME	CO -CORP-	221 WESCOTT DR	RAHWAY, NJ	RAHWAY CITY
50561300000	2834	1205	PRIVATE FORMULATIONS	INC	460 PLAINFIELD AVE	EDISON, NJ	EDISON TWP
00553600001	5161	1225	PROCTER & GAMBLE	AVENEL PLANT	100 ESSEX AVE EAST	AVENEL, NJ	WOODBRIIDGE TWP
36713300000	2899	1222	PROSOCO INC	111 SNYDER ROAD	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
42697300000	3317	1222	QUANEX CORPORATION	ATLANTIC TUBE DIV	20 HARMICH ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
20453500000	3999	2009	R C INDUSTRIES INC	RED CAP	1320 WEST BLANCHE ST	LINDEN, NJ	LINDEN CITY
00457000001	2821	2004	REICHHOLD CHEMICALS	INC	726 ROCKEFELLER ST	ELIZABETH, NJ	ELIZABETH CITY
00457000002	2821	1201	REICHHOLD CHEMICALS	INC	MIDDLESEX AVE	CARTERET, NJ	CARTERET BORO
11707000011	2844	1205	REVLON RESEARCH CTR	2121 ROUTE 27	EDISON, NJ		EDISON TWP
10433300000	2869	1214	RHONE-POULENC INC.	120 JERSEY AVE.	BOX 2009	NEW BRUNSWICK, NJ	NEW BRUNSWICK CITY
10433300001	2869	1221	RHONE-POULENC INC.	AGROCHEMICAL DIV.	BOX 125	MONMOUTH JUNCTION, NJ	SOUTH BRUNSWICK TWP
18856200000	2643	1222	RONNIE BAG & ENVELOPE	CO INC	4301 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
16755000000	3555	1222	SAMUEL BINGHAM	COMPANY	110 SOMOGYI COURT	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
02389500000	2834	1410	SANDOZ	PHARMACEUTICALS CORP	ROUTE 10	EAST HANOVER, NJ	EAST HANOVER TWP
00326501001	2834	2019	SCHERING CORPORATION	1011 MORRIS AVE	UNION, NJ		UNION TWP
21466300000	3621	2012	SFM CORPORATION	HOWELL ELECTRIC MOTOR	900 NORTH AVE	P O BOX 952	PLAINFIELD CITY
07354500000	2821	0820	SHELL CHEMICAL CO INC	MANTUA GROVE ROAD	BOX 700	WOODBURY, NJ	WEST DEPTFORD TWP
07354500001	2992	1225	SHELL OIL COMPANY	P.O. BOX 68	SEWAREN, NJ		WOODBIDGE TWP
01835100000	2844	1602	SHULTON INC.	DIVISION OF AMERICAN	CYANAMID	697 ROUTE 46	CLIFTON CITY
00192601000	2891	2009	SOLAR COMPOUNDS	CORPORATION	1201 W BLANCHE ST	BOX 227	LINDEN CITY
16227700000	3361	2008	SPINDLER BROTHERS	COMPANY -CORP-	MARKET ST AT	VERNON AVE	KENILWORTH BORO
05775300000	2816	1205	STABILIZED PIGMENTS	INC	80 EXECUTIVE AVE	P O BOX 1364	EDISON TWP
16134000000	2851	2009	STANDARD T CHEMICAL	COMPANY INC	1312 W ELIZABETH AVE	LINDEN, NJ	LINDEN CITY
33190500000	3293	1211	STANETH CORPORATION	INC	T/A PHOENIX GASKET &	PACKING MFG CO	MIDDLESEX BORO
18543400000	3471	2014	STAR PLATING CORP	-INC 1964-	264 COLUMBUS AVE	ROSELLE N J	ROSELLE BORO
09980000001	2879	1221	STAUFFER CHEMICAL CO	AGRICULTURAL CHEM DIV	65 STULTS RD	DAYTON, NJ	SOUTH BRUNSWICK TWP
09980000002	2869	1205	STAUFFER CHEMICAL CO	AGRICULTURAL PRODUCTS	DIVISION	MEADOW ROAD	EDISON TWP
14819700000	2899	0234	STEPAN CHEMICAL CO	100 WEST HUNTER AVE	MAYWOOD, NJ		MAYWOOD BORO
14503000000	3559	1222	STERLING EXTRUDER	CORP	901 DURHAM AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
30622200000	2751	2015	SUBURBAN PRINTING CO	INC	247 W WESTFIELD AV	ROSELLE PARK N J	ROSELLE PARK BORO
14480000000	2431	1222	SUCKNO BROTHERS	COMPANY -CORP-	15 HARMICH ROAD	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
57904200000	3079	1205	TEMECON GROUP	INTERNATIONAL INC	600 PROSPECT AVE	PISCATAWAY, NJ	EDISON TWP
16336000000	3646	2009	THE CARACK COMPANY	INC	1251 EAST LINDEN AVE	LINDEN, NJ	LINDEN CITY
00004501002	2821	1225	THE SHERWIN-WILLIAMS	COMPANY	INDUSTRIAL AVE	FORDS, NJ	WOODBIDGE TWP
16422800000	2865	2114	THE SOUTHLAND CORP.	ALPHANO ROAD	GREAT MEADOWS, NJ		LIBERTY TWP
30877100000	2822	1102	THIOKOL CORPORATION	SPECIALTY CHEMICALS	DIVISION	930 LOWER FERRY ROAD	EWING TWP
48222800000	3497	1204	TRANSFER PRINT FOILS	INC	9 COTTERS LANE	PO BOX 518	EAST BRUNSWICK TWP
55779400000	3861	1217	U S FUJI ELECTRIC INC	240 CIRCLE DRIVE	NORTH	PISCATAWAY, NJ	PISCATAWAY TWP
40198700000	3331	1201	U.S. METALS REFINING	COMPANY	A DIVISION OF AMAX	400 MIDDLESEX AVE	CARTERET BORO
19417500000	2821	2009	U.S.S. CHEMICALS	1605 ELIZABETH AVE W	LINDEN, NJ		LINDEN CITY
02758600011	2813	1808	UNION CARBIDE CORP	CHEMICAL & PLASTIC	DIVISION	40 VERONICA AVE	FRANKLIN TWP
02758600001	2821	1217	UNION CARBIDE CORP	P O BOX 670	BOUND BROOK, NJ		PISCATAWAY TWP
17247500000	3316	2019	UNION STEEL	CORPORATION	PO BOX 156	UNION NJ	UNION TWP
20401500000	2295	2013	UNITED COATED FABRICS	CORP	245 WESCOTT DRIVE	BOX #1201-C	RAHWAY CITY
48111200000	2844	1222	UNIVERSAL FRAGRANCE	CORPORATION	124 CASE DRIVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
10275000000	3494	2004	UNIVERSAL VALVE	CO INC	478 SCHILLER ST	ELIZABETH, NJ	ELIZABETH CITY
32238100000	2842	1222	VALSPAR CORPORATION	FEDERAL INTERNATIONAL	CHEMICALS DIVISION	3474 RAND ROAD	SOUTH PLAINFIELD BORO
50132500000	2653	2014	VICTORY CORRUGATED	CONTAINER CORP OF N J	W 1ST AVE & ALDENE RD	ROSELLE NJ	ROSELLE BORO
13531900000	2879	0614	VINELAND CHEMICAL CO	INC	1611 WEST WHEAT ROAD	VINELAND N J	VINELAND CITY
27101300000	2891	1223	W W HENRY COMPANY	FOOT OF WHITEHEAD AVE	PO BOX 600	SOUTH RIVER NJ	SOUTH RIVER BORO
00295701001	3273	2009	WEL-DON CONCRETE CORP	141 CENTRAL AVE	WESTFIELD NJ		LINDEN CITY
10023100001	2647	1217	WHITESTONE PRODUCTS	INC	40 TURNER PL	PISCATAWAY, NJ	PISCATAWAY TWP
13641100005	2821	1216	WITCO CHEMICAL	CORPORATION	1000 CONVERY BLVD	PERTH AMBOY, NJ	PERTH AMBOY CITY

EMPLOYERS WHO HAVE COMPLETED AND RETURNED
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FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
49757500000	3079	1225	A & E PRODUCTS GROUP	INC	1460 ROUTE 9 NORTH	SUITE 204	WOODBIDGE TWP
17127200000	2842	0205	AIRWICK INDUSTRIES	111 COMMERCE ROAD	CARLSTADT, NJ		CARLSTADT BORO
18694600001	3490	1225	ALCAN BUILDING PRODS	11 CRAGWOOD RD	WOODBIDGE, NJ		WOODBIDGE TWP
18694600002	3490	2019	ALCAN POWDERS &	PIGMENTS	901 LEHIGH AVE	UNION, NJ	UNION TWP
02471200000	2819	1424	ALLIED CHEMICALS	SUB OF ALLIED CORP	COLUMBIA ROAD &	PARK AVENUE	MORRISTOWN TOWN
49810800000	2819	2004	AMERICAN CHROME &	CHEMICALS INC	155 FRONT STREET	ELIZABETH, NJ	ELIZABETH CITY
00901401000	2844	2009	AMERICAN CYANAMID CO	CHEMICAL PRODUCTS DIV	TREMLEY POINT ROAD	BOX 31	LINDEN CITY
12369000000	3451	2019	AMERICAN PRODUCTS	COMPANY INC	610 RAHWAY AVE	UNION N J	UNION TWP
27011000000	2869	0205	ARSYNCO INC.	SUB OF ACETO CHEMICAL	COMPANY, INC	BOX 8	CARLSTADT BORO
20067100007	3661	2002	AT&T TECHNOLOGIES	CLARK SHOPS	100 TERMINAL AVE	CLARK, NJ	CLARK TWP
01270400000	3444	2017	ATLANTIC METAL	PRODUCTS INC-N J-	21 FADEM ROAD	SPRINGFIELD N J	SPRINGFIELD TWP
12851700000	3471	2008	B & M FINISHERS INC	201 SOUTH 31ST ST	KENILWORTH, NJ		KENILWORTH BORO
17956400000	3471	2009	B AND B	ELECTROPLATING	CO INC	559 PENNSYLVANIA AVE	LINDEN CITY
06631300002	3841	2011	BARD UROLOGICAL DIV	C R BARD INC	111 SPRING ST	MURRAY HILL NJ	NEW PROVIDENCE BORO
15541800004	2821	1221	BASF WYANDOTTE	CRANBURY & SOUTH	RIVER ROADS	JAMESBURG, NJ	SOUTH BRUNSWICK TWP
12695200000	3567	1215	BBC BROWN BOVERI INC	1460 LIVINGSTON AVE	NORTH BRUNSWICK, NJ		NORTH BRUNSWICK TWP
54472700000	2834	2003	BEECHAM PRODUCTS	750 WALNUT AVENUE	CRANFORD, NJ		CRANFORD TWP
10884600000	2392	2001	BETTER SLEEP	MANUFACTURING CO	57 INDUSTRIAL RD	BERKELEY HEIGHTS, NJ	BERKELEY HEIGHTS TWP
10890200001	2819	1225	C P CHEMICALS INC	TERMINAL WAY	BUILDING 7B	AVENEL, NJ	WOODBIDGE TWP
21645700001	3317	2019	CARPENTER TECHNOLOGY	CORPORATION	1103 SPRINGFIELD RD	UNION, NJ	UNION TWP
00115401003	2879	1222	CHEVRON CHEMICAL CO	AGRICULTURAL CHEM DIV	METUCHEN & HARMICH	ROADS	SOUTH PLAINFIELD BORO
29943300000	2834	2018	CIBA-GEIGY	CORPORATION	PHARMACEUTICALS DIV	556 MORRIS AVENUE	SUMMIT CITY
29943300001	2865	1507	CIBA-GEIGY	CORPORATION	TOMS RIVER PLANT	P O BOX 71	DOVER TWP
39362100001	2865	1222	CLARK COLORS INC	% WHITTAKER CLARK &	DANIELS INC	3615 KENNEDY ROAD	SOUTH PLAINFIELD BORO
19634300000	2851	2006	COLOR CHIP	CORPORATION	124 SOUTH AVE	GARWOOD, NJ	GARWOOD BORO
07189700000	3446	2003	CONSTRUCTION	SPECIALTIES INC	55 WINANS AVE	CRANFORD, NJ	CRANFORD TWP
33610600000	2869	1209	CPS CHEMICAL CO INC	P O BOX 162	OLD WATERWORKS ROAD	OLD BRIDGE, NJ	OLD BRIDGE TWP
06775800000	3272	2015	CROSSFIELD PRODUCTS	CORP	140 VALLEY ROAD	ROSELLE PARK N J	ROSELLE PARK BORO
19237600000	3432	2009	D'ANGELO METAL	PRODUCTS CO INC	360 DALZIEL RD	LINDEN, NJ	LINDEN CITY
17424000000	3544	2019	DANLY MACHINE	CORPORATION	697 RAHWAY AVE	UNION NJ	UNION TWP
00638100002	2899	0904	DIAMOND SHAMROCK CORP	PROCESS CHEMICALS DIV	FIRST & ESSEX STREETS	HARRISON, NJ	HARRISON TOWN
46927900000	5161	0901	DOW CHEMICAL CO. USA	TEXAS DIV.	2 COMMERCE ST.	BOX 13	BAYONNE CITY
20330200000	3443	2003	E F BRITTEN & CO INC	-NEW-	22-26 SOUTH AVE	WEST	CRANFORD TWP
02112900001	2841	1225	ECONOMICS LABORATORY	INC	255 BLAIR ROAD	AVENEL, NJ	WOODBIDGE TWP
53304100002	3471	2019	ENGELHARD SYSTEMS	2655 US HIGHWAY 22 W	UNION, NJ		UNION TWP
11322700004	2891	1219	ESSEX SPECIALTY	PRODUCTS INC	1 CROSSMAN RD SOUTH	SAYREVILLE, NJ	SAYREVILLE BORO
00370000000	3494	1222	EVERLASTING VALVE CO	108 SOMOGYI COURT	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO
33757700001	2869	2009	EXXON CHEMICAL	AMERICAS	BAYWAY CHEMICAL PLANT	1400 PARK AVENUE	LINDEN CITY
33757700003	2869	0901	EXXON CHEMICAL	AMERICAS	BAYONNE CHEMICAL	PLANT	BAYONNE CITY
33757700000	2911	2009	EXXON COMPANY, USA	BAYWAY REFINERY	1400 PARK AVENUE	LINDEN, NJ	LINDEN CITY
33757700002	2911	0901	EXXON COMPANY, USA	BAYONNE PLANT	250 EAST 22ND STREET	BAYONNE, NJ	BAYONNE CITY
03725100000	2842	2014	FEDERAL MINING &	MFG CO	288-12TH AVENUE	ROSELLE N J	ROSELLE BORO
16183600000	3079	2003	FEDERAL PLASTICS	CORP	715 SOUTH AVE EAST	CRANFORD, NJ	CRANFORD TWP
04794700000	2816	1222	FERRO CORPORATION	115 SKYLINE DRIVE	P O BOX 251	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
27654200000	3079	1225	FIBRENETICS INC	P O BOX 632	2 CUTTERS DOCK RD	WOODBIDGE, NJ	WOODBIDGE TWP
08202600001	2869	1806	FISHER SCIENTIFIC CO	INC.	SUB OF ALLIED CORP.	755 ROUTE 202	BRIDGEWATER TWP
06730000000	2819	1201	FMC CORPORATION	PHOSPHOROUS CHEMICALS	DIVISION	500 ROOSEVELT AVE	CARTERET BORO
51949300000	2899	1410	FRITZSCHE DODGE &	OLCOTT INC.	MERRY LANE	EAST HANOVER, NJ	EAST HANOVER TWP
00604603000	2865	2009	GAF CORPORATION	FOOT OF SO WOOD AVE	P.O. BOX 12	LINDEN, NJ	LINDEN CITY

EMPLOYERS WHO HAVE COMPLETED AND RETURNED
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FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
08999000000	3621	1225	GENERAL DYNAMICS	CORPORATION	ELECTRODYNAMIC	150 AVENEL ST	WOODBIDGE TWP
54730700000	2643	2004	GENERAL FILM PRODUCTS	INC	107 TRUMBULL ST	ELIZABETH, NJ	ELIZABETH CITY
14525100000	3471	2009	GENERAL MAGNAPLATE	CORPORATION	1331 US RT 1	LINDEN NJ	LINDEN CITY
28919800000	5161	2009	GENERAL POLYMERS	CORPORATION	2 SHERMAN STREET	LINDEN, NJ	LINDEN CITY
01023401000	2821	1706	GOODRICH CHEMICAL	DIV. OF B.F.	GOODRICH CO.	BOX 400	OLDMANS TWP
46728100000	2869	1225	HATCO CHEMICAL	CORPORATION	KING GEORGE POST ROAD	FORDS, NJ	WOODBIDGE TWP
00165900000	2821	0306	HERCULES INC.	NECK ROAD	BOX 249	BURLINGTON, NJ	BURLINGTON TWP
00165900001	2821	1219	HERCULES INC.	SOUTH MINNISINK AVE	PARLIN, NJ		SAYREVILLE BORO
00165900002	2892	1436	HERCULES INC.	HOWARD BOULEVARD	KENVIL, NJ		ROXBURY TWP
17349500000	2841	2013	HI-BRETT CHEMICAL	CO INC	26 WEST INMAN AVE	RAHWAY, NJ	RAHWAY CITY
00118500000	2834	0716	HOFFMAN-LA ROCHE INC	ROCHE CHEMICAL DIV	348 KINGSLAND ST	NUTLEY, NJ	NUTLEY TOWN
00118500001	2834	2103	HOFFMANN-LA ROCHE INC	ROCHE VITAMINS &	FINE CHEMICALS	ROCHE DRIVE	BELVIDERE TOWN
00200000000	2869	1350	INTERNATIONAL FLAVORS	AND FRAGRANCES	800 ROSE LANE	UNION BEACH, NJ	UNION BEACH BORO
00504000026	4911	1220	JERSEY CENTRL POWER &	LIGHT COMPANY	E H WERNER GENERATING	STATION	SOUTH AMBOY CITY
53392700000	2647	1217	JOHNSON & JOHNSON	BABY PRODUCTS CO CORP	GRANDVIEW RD	ADMINISTRATION BLDG	PISCATAWAY TWP
09227100000	3623	2009	JOYAL PRODUCTS INC	1233 WEST ST GEORGE	AVE	P O BOX 529	LINDEN CITY
50003700000	2834	2004	KALIPHARMA INC	200 ELMORA AVE	ELIZABETH, NJ		ELIZABETH CITY
54005100000	3449	1222	KELKEN-GOLD INC	P O BOX 336	HAZLET N J		SOUTH PLAINFIELD BORO
14356300000	3471	2008	KENILWORTH ANODIZING	CO -CORP-	201 S 31 ST	KENILWORTH, NJ	KENILWORTH BORO
09025400000	3292	1222	KENTILE FLOORS INC	SO PLAINFIELD PLANT	KENTILE ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
30654100000	3679	1222	KLEINER METAL	SPECIALTIES INC	4315 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
32595000000	2812	2009	LCP CHEMICALS &	PLASTICS, INC	CN 3106	EDISON, NJ	LINDEN CITY
59430400000	3471	2009	LLL ENTERPRISES INC	T/A ARMOLoy	INTERNATIONAL	932 E ELIZABETH AVE	LINDEN CITY
12286900000	3079	2003	MADAN PLASTICS INC	370 NORTH AVE	P O BOX 487	CRANFORD, NJ	CRANFORD TWP
18867500000	2865	2004	MAGRUDER COLOR	CO INC	1029 NEWARK AVE	ELIZABETH, NJ	ELIZABETH CITY
22678000000	5161	1225	MELLEN SALES INC	211 RANDOLPH AVE	AVENEL NJ		WOODBIDGE TWP
00555601000	2833	2013	MERCK & COMPANY INC	P O BOX 2000	RAHWAY, NJ	ATTN: WM. TORTORIELLO	RAHWAY CITY
50898400000	3079	2016	MERN MANUFACTURING	CORP	813 JERUSALEM ROAD	SCOTCH PLAINS N J	SCOTCH PLAINS TWP
55218800000	3412	2009	MID ATLANTIC	CONTAINER CORP	1200 WEST BLANCHE ST	P O BOX 192	LINDEN CITY
02608201000	2841	1221	MIRANOL CHEMICAL CO	INC	P.O. BOX 436	68 CULVER ROAD	SOUTH BRUNSWICK TWP
31238300000	2891	1216	MORTELL COMPANY	144 GRANT ST	PERTH AMBOY NJ		PERTH AMBOY CITY
02848600000	3544	1205	MOTOR MACHINE CO INC	1956 WOODBIDGE AVE	CN 1906	EDISON, NJ	EDISON TWP
01068701001	2891	2012	NATIONAL STARCH &	CHEMICAL CORPORATION	1735 WEST FRONT ST	PLAINFIELD, NJ	PLAINFIELD CITY
31972300000	3499	2008	NEWARK METAL PRODUCTS	INC	3 MARK RD (PO BOX 70)	KENILWORTH, NJ	KENILWORTH BORO
56705700003	2869	2004	NUODEX INC	ELIZABETH PLANT	830 MAGNOLIA AVE	ELIZABETH, NJ	ELIZABETH CITY
56705700004	3079	1205	NUODEX INC	NIXON PLANT	40 NIXON LANE	EDISON, NJ	EDISON TWP
07064700001	2841	1210	OAKITE PRODUCTS INC	METUCHEN PLANT	700 MIDDLESEX AVE	METUCHEN, NJ	METUCHEN BORO
00638100009	2819	0906	OCCIDENTAL	ELECTROCHEMICAL CORP	SODA PRODUCTS DIV	651 TONNELE AVENUE	JERSEY CITY
00638100003	2843	0205	OCCIDENTAL CHEMICAL	CORPORATION	PROCESS CHEMICALS DIV	BERRY AVE AT RT 17 NO	CARLSTADT BORO
54571400000	2899	1217	OKAI CORPORATION	140-Q ETHEL RD WEST	PISCATAWAY, NJ		PISCATAWAY TWP
26715900000	2816	1209	OLD BRIDGE CHEMICALS	INC	OLD WATERWORKS RD	PO BOX 194	OLD BRIDGE TWP
44041600000	3079	1222	PACER TOOL & PLASTICS	INC	660 MONTROSE AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
11919600000	2834	2004	PHARMACAPS INC	1111 JEFFERSON AVE	ELIZABETH, NJ		ELIZABETH CITY
14074400000	2851	1205	PIGMENT DISPERSIONS	INC	P O BOX 412	EDISON, NJ	EDISON TWP
20879100000	2843	1225	PILOT LABORATORIES	INC	267 HOMESTEAD AVE	AVENEL, NJ	WOODBIDGE TWP
52336500000	2874	1202	PLANT FOOD CHEMICAL	CO, INC	P O BOX 173, R D 1	HIGHTSTOWN-CRANBURY	CRANBURY TWP
12978900000	3471	2013	PRECISION HARD CHROME	CO -CORP-	221 WESCOTT DR	RAHWAY, NJ	RAHWAY CITY
50561300000	2834	1205	PRIVATE FORMULATIONS	INC	460 PLAINFIELD AVE	EDISON, NJ	EDISON TWP
00553600001	5161	1225	PROCTER & GAMBLE	AVENEL PLANT	100 ESSEX AVE EAST	AVENEL, NJ	WOODBIDGE TWP

EMPLOYERS WHO HAVE COMPLETED AND RETURNED
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FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
36713300000	2899	1222	PROSOCO INC	111 SNYDER ROAD	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO
42697300000	3317	1222	QUANEX CORPORATION	ATLANTIC TUBE DIV	20 HARMICH ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
20453500000	3999	2009	R C INDUSTRIES INC	RED CAP	1320 WEST BLANCHE ST	LINDEN, NJ	LINDEN CITY
00457000001	2821	2004	REICHHOLD CHEMICALS	INC	726 ROCKEFELLER ST	ELIZABETH, NJ	ELIZABETH CITY
11707000011	2844	1205	REVLON RESEARCH CTR	2121 ROUTE 27	EDISON, NJ		EDISON TWP
10433300000	2869	1214	RHONE-POULENC INC.	120 JERSEY AVE.	BOX 2009	NEW BRUNSWICK, NJ	NEW BRUNSWICK CITY
10433300001	2869	1221	RHONE-POULENC INC.	AGROCHEMICAL DIV.	BOX 125	MONMOUTH JUNCTION, NJ	SOUTH BRUNSWICK TWP
18856200000	2643	1222	RONNIE BAG & ENVELOPE	CO INC	4301 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
16755000000	3555	1222	SAMUEL BINGHAM	COMPANY	110 SOMOGYI COURT	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
02389500000	2834	1410	SANDOZ	PHARMACEUTICALS CORP	ROUTE 10	EAST HANOVER, NJ	EAST HANOVER TWP
21466300000	3621	2012	SFM CORPORATION	HOWELL ELECTRIC MOTOR	900 NORTH AVE	P O BOX 952	PLAINFIELD CITY
07354500000	2821	0820	SHELL CHEMICAL CO INC	MANTUA GROVE ROAD	BOX 700	WOODBURY, NJ	WEST DEPTFORD TWP
07354500001	2992	1225	SHELL OIL COMPANY	P.O. BOX 68	SEWAREN, NJ		WOODBURGE TWP
01835100000	2844	1602	SHULTON INC.	DIVISION OF AMERICAN	CYANAMID	697 ROUTE 46	CLIFTON CITY
00192601000	2891	2009	SOLAR COMPOUNDS	CORPORATION	1201 W BLANCHE ST	BOX 227	LINDEN CITY
16227700000	3361	2008	SPINDLER BROTHERS	COMPANY -CORP-	MARKET ST AT	VERNON AVE	KENILWORTH BORO
05775300000	2816	1205	STABILIZED PIGMENTS	INC	80 EXECUTIVE AVE	P O BOX 1364	EDISON TWP
33190500000	3293	1211	STANETH CORPORATION	INC	T/A PHOENIX GASKET &	PACKING MFG CO	MIDDLESEX BORO
18543400000	3471	2014	STAR PLATING CORP	-INC 1964-	264 COLUMBUS AVE	ROSELLE N J	ROSELLE BORO
09980000001	2879	1221	STAUFFER CHEMICAL CO	AGRICULTURAL CHEM DIV	65 STULTS RD	DAYTON, NJ	SOUTH BRUNSWICK TWP
09980000002	2869	1205	STAUFFER CHEMICAL CO	AGRICULTURAL PRODUCTS	DIVISION	MEADOW ROAD	EDISON TWP
14819700000	2899	0234	STEPAN CHEMICAL CO	100 WEST HUNTER AVE	MAYWOOD, NJ		MAYWOOD BORO
14480000000	2431	1222	SUCKNO BROTHERS	COMPANY -CORP-	15 HARMICH ROAD	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
57904200000	3079	1205	TEMECON GROUP	INTERNATIONAL INC	600 PROSPECT AVE	PISCATAWAY, NJ	EDISON TWP
00004501002	2821	1225	THE SHERWIN-WILLIAMS	COMPANY	INDUSTRIAL AVE	FORDS, NJ	WOODBURGE TWP
16422800000	2865	2114	THE SOUTHLAND CORP.	ALPHANO ROAD	GREAT MEADOWS, NJ		LIBERTY TWP
30877100000	2822	1102	THICKOL CORPORATION	SPECIALTY CHEMICALS	DIVISION	930 LOWER FERRY ROAD	EWING TWP
55779400000	3861	1217	U S FUJI ELECTRIC INC	240 CIRCLE DRIVE	NORTH	PISCATAWAY, NJ	PISCATAWAY TWP
40198700000	3331	1201	U.S. METALS REFINING	COMPANY	A DIVISION OF AMAX	400 MIDDLESEX AVE	CARTERET BORO
19417500000	2821	2009	U.S.S. CHEMICALS	1605 ELIZABETH AVE W	LINDEN, NJ		LINDEN CITY
02758600011	2813	1808	UNION CARBIDE CORP	CHEMICAL & PLASTIC	DIVISION	40 VERONICA AVE	FRANKLIN TWP
02758600001	2821	1217	UNION CARBIDE CORP	P O BOX 670	BOUND BROOK, NJ		PISCATAWAY TWP
20401500000	2295	2013	UNITED COATED FABRICS	CORP	245 WESCOTT DRIVE	BOX #1201-C	RAHWAY CITY
48111200000	2844	1222	UNIVERSAL FRAGRANCE	CORPORATION	124 CASE DRIVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
10275000000	3494	2004	UNIVERSAL VALVE	CO INC	478 SCHILLER ST	ELIZABETH, NJ	ELIZABETH CITY
32238100000	2842	1222	VALSPAR CORPORATION	FEDERAL INTERNATIONAL	CHEMICALS DIVISION	3474 RAND ROAD	SOUTH PLAINFIELD BORO
50132500000	2653	2014	VICTORY CORRUGATED	CONTAINER CORP OF N J	W 1ST AVE & ALDENE RD	ROSELLE NJ	ROSELLE BORO
27101300000	2891	1223	W W HENRY COMPANY	FOOT OF WHITEHEAD AVE	PO BOX 600	SOUTH RIVER NJ	SOUTH RIVER BORO
00295701001	3273	2009	WEL-DON CONCRETE CORP	141 CENTRAL AVE	WESTFIELD NJ		LINDEN CITY
10023100001	2647	1217	WHITESTONE PRODUCTS	INC	40 TURNER PL	PISCATAWAY, NJ	PISCATAWAY TWP
13641100005	2821	1216	WITCO CHEMICAL	CORPORATION	1000 CONVERY BLVD	PERTH AMBOY, NJ	PERTH AMBOY CITY

Distributed RTK mtg.
1/15 J

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, N.J. 08625

JORGE H. BERKOWITZ, Ph.D.
DIRECTOR

(609) 292-538

Dear Manufacturing Employer,

This package contains a Community Right to Know Survey and instructions for its completion. The New Jersey Worker and Community Right to Know Act (N.J.S.A. 34:5A-1 et seq.) and the federal Superfund Amendments and Reauthorization Act of 1986 (SARA) (PL 99-499), Title III - Emergency Planning and Community Right to Know Act both have inventory reporting requirements that all manufacturers must meet. These laws establish a procedure for the disclosure of hazardous substance information and guarantee public access to that information. Pursuant to these laws, facilities are required to provide inventory information on the enclosed survey about hazardous substances used, produced, or stored on their site.

SURVEY COMPLETION IS MANDATORY. NONCOMPLIANCE WILL RESULT IN PENALTIES.

The enclosed Community Right to Know Survey has been developed by the New Jersey Department of Environmental Protection (NJDEP) to meet the inventory reporting requirements of both the State and federal programs. However, you should be aware that there are differences in the requirements of the two programs, and it is important that you read all the instructions very carefully when you are completing the survey form. If you have questions, please call the Bureau of Hazardous Substances Information at 609/292-6714.

The federal law requires that this survey must be completed and returned to the NJDEP by March 1, 1988, and annually on that date thereafter. The New Jersey statute provides 90 days from receipt for the completion and return of the survey. In this first reporting year, the NJDEP plans to enforce the 90 day requirement, but recommends that you complete the survey as soon as possible. In addition, you must send copies of the survey to those organizations listed on page 1 of the instructions.

New Jersey has compiled a list of substances subject to reporting under the State's Worker and Community Right to Know law, the New Jersey Right to Know Hazardous Substance List. It is available for your reference at state depository libraries (Appendix D, Instructions), county lead agencies (Appendix C, Instructions), or from the NJDEP. If you would like to obtain a copy of the Right to Know Hazardous Substance List, please send a self-addressed 9x12 envelope with \$1.95 postage affixed to it and marked FIRST CLASS. Send it to NJDEP, RTK Program, CN-405, Trenton, NJ 08625.

This list does not include all of the substances subject to reporting requirements under the federal law. Any substance subject to the U.S. Occupational Safety and Health Administration's Hazard Communication Standard (29 CFR 1910.1200) is reportable under SARA, Title III Community Right to Know inventory reporting if it is present on site in a quantity greater than 10,000 pounds. If you have any Extremely Hazardous Substance (April 22, 1987 Federal Register 13397-13410) at your facility in a quantity greater than the threshold planning quantity or 500 pounds, whichever is less, this must also be reported. Please read the instructions carefully for specific reporting requirements of the State and federal programs.

There are additional reporting requirements specified in Title III, Section 313, for manufacturers (SIC codes 20-39), with 10 or more full-time employees. Facilities will be required to complete a toxic chemical release form for specified chemicals if they are manufactured or processed in quantities greater than 75,000 pounds, or used in quantities greater than 10,000 pounds. These surveys must be sent to both the U.S. Environmental Protection Agency and the N.J. Department of Environmental Protection. The deadline for this reporting requirement is July 1, 1988, and annually on that date thereafter. The forms are not provided in this mailing since the EPA has not yet finalized them. Please consult the proposed rule in the June 4, 1987 Federal Register, 21152-21208, and follow the Federal Register and the New Jersey Register for the final rule and guidance. You may also call EPA's Chemical Emergency Preparedness Program Hotline at 1-800-535-0202 for current information.

The Right to Know program in New Jersey is one of the most comprehensive in the nation, establishing a database of information about hazardous substances produced, used or stored throughout the State. This database with accurate, comprehensive reporting on hazardous substances can be a valuable support tool for industry, communities, government, and citizens. It can help them to establish priorities in planning, monitoring, emergency response, regulatory actions, and personal decision making. We are working to form a partnership between industry, the community, and the NJDEP to make New Jersey a safe, healthy, and informed state. We look forward to your cooperation in helping achieve this important goal.

Sincerely,

Richard A. Dime, Ph.D.
Chief
Bureau of Hazardous Substances
Information

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, N.J. 08625

JORGE H. BERKOWITZ, Ph.D.
DIRECTOR

(609) 292-5381

INSTRUCTIONS FOR COMPLETION OF THE
COMMUNITY RIGHT TO KNOW SURVEY

PLEASE READ THESE INSTRUCTIONS CAREFULLY. THEY HAVE BEEN WRITTEN AS CLEARLY AS POSSIBLE AND EXAMPLES ARE PROVIDED FOR YOUR REVIEW. IF YOU HAVE QUESTIONS AFTER READING THESE INSTRUCTIONS, PLEASE CALL THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP), BUREAU OF HAZARDOUS SUBSTANCES INFORMATION AT 609/292-6714.

READ ALL INSTRUCTIONS FIRST!

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General Information

On August 29, 1983 the New Jersey Worker and Community Right to Know Act (N.J.S.A. 34:5A-1 et seq.) was signed into law. It established a procedure for the disclosure of hazardous substance information and guaranteed public access to that information.

On October 16, 1986 the federal Superfund Amendments and Reauthorization Act of 1986 (SARA) (PL 99-499) was signed into law. Title III - Emergency Planning and Community Right to Know established a procedure, similar to New Jersey's, for disclosure of and public access to hazardous substances information.

The mechanism for hazardous substances information disclosure is inventory surveys to be completed by the regulated community (industry). The surveys call for general administrative information about the reporting facilities and chemical specific information about their inventories of hazardous substances used, produced, or stored on site. These inventories can be valuable tools to industry, communities, government, and citizens for establishing priorities in planning, monitoring, emergency response, regulatory actions, and personal decision making.

The COMMUNITY RIGHT TO KNOW SURVEY has been developed, by the New Jersey Department of Environmental Protection (NJDEP), to meet the inventory reporting requirements of both the State and federal programs. SURVEY COMPLETION IS MANDATORY. NONCOMPLIANCE WILL RESULT IN PENALTIES. After completing the survey, make five (5) copies and distribute as follows:

- 1 - The signed original to NJDEP. (The mailing address is at the lower right hand corner of the front page of the survey.)
- 2 - One copy to your local fire department.
- 3 - One copy to your local police department.
- 4 - One copy to your local emergency planning committee.
(See Appendix D.)
- 5 - One copy to your county lead agency.
(See Appendix C.)
- 6 - Keep one copy for your files.

Hazardous Substances Subject to Inventory Reporting

The New Jersey Right to Know Act requires that you report from two defined lists of substances. They are the Environmental Hazardous Substance List (N.J.A.C. 7:1G-2.1) and the U.S. Department of Transportation's Hazardous Materials Table (N.J.A.C. 7:1G-4.1). All substances regulated under the New Jersey law must be reported at a "zero" threshold. In other words, any quantity present on site must be reported.

Under the federal law, SARA Title III, reporting is required for all

substances that must have a material safety data sheet (MSDS) prepared in accordance with the requirements of the U.S. Department of Labor, Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard (29 CFR 1910.1200). These substances must be reported if they exceed a threshold of 10,000 pounds.

In addition, special reporting requirements (40 CFR 370.20) are established for extremely hazardous substances (40 CFR 355, Appendix A & B), a group of more than 400 compounds that have been designated by the U.S. Environmental Protection Agency as having exceptional hazards. These substances must be reported if they exceed their threshold planning quantity or 500 pounds, whichever is less.

Since reporting thresholds for the different substances vary, NJDEP recommends that facilities use the "zero" threshold for all substances to ensure compliance.

A list of many of the compounds that must be reported under both the state and federal programs is available for general reference and review. You can obtain a copy of the list from any state depository library (Appendix D), county lead agency (Appendix C) or by sending a self-addressed 9 x 12 envelope marked FIRST CLASS, with \$1.95 postage on it. Send it to NJDEP, RTK Program, CN-405, Trenton, NJ 08625. Requests without a prepaid envelope will not be honored. When you receive the list and review it you will note that every substance has one or more "Source Numbers" assigned, any substance with source numbers 3 or 6 is regulated under the New Jersey program and must be reported at the "zero" threshold.

Reporting Exemptions

SARA Title III exempts all research laboratories. Under the NJ Right to Know law there is not an automatic exemption for research and development laboratories. Instead, any laboratory that feels it qualifies for an exemption must apply to the NJ Department of Environmental Protection. The Department will review all exemption applications and make decisions regarding each laboratory's claim. Call the NJDEP, at 609/292-6714, to request an R & D exemption application.

Under the federal program, certain production processes and uses exempt some substances from inventory reporting (Federal Register, October 15, 1987, p. 38374), and certain small quantities of substances are exempt from reporting (Federal Register, October 15, 1987, p. 38366). BUT, any substance regulated under the New Jersey Community Right to Know program must be reported regardless of process, use, or quantity.

Completing the Front Page

All the information requested on the front page must be supplied! Print or type all responses.

Mailing Label - Each survey has a preprinted label which contains a mailing address, the New Jersey Employer Identification Number (NJEIN), 11 digits; the Standard Industrial Classification (SIC) code, 4 digits; and the County/Municipal code, each 2 digits. Please make any changes to the

mailing address on the label, but do not mark over the top row of identifying numbers.

Box A - It is important for State records to know the actual facility location(s). Surveys may be mailed to corporate headquarters or financial accounting offices because mailing labels are generated from the New Jersey Department of Labor's unemployment insurance records. Therefore, the surveys may not be sent directly to the actual facility site, especially if there are multiple facilities. You can correct this and assist NJDEP in developing an accurate mailing list by supplying the actual address of each facility location. Please note that for each facility location you must complete a separate survey. (See Box E for a definition of "Facility".) Be certain to photocopy enough blank forms to meet the requirement of one survey per facility.

Box B - If you are required to prepare or maintain material safety data sheets (MSDS's) for any substances that you produce, use, or store at your facility, then you must check YES. If your answer is NO, you still must complete the rest of the front page and the Facility Identification and Site Location information at the top of the inventory page (second side of the survey form).

Box C - Provide the maximum number of employees, full and part time, that worked at the facility at any one time, in the previous calendar year.

Box D - Briefly describe the main function or operations of the facility, such as, "manufacturing textiles - dyeing and finishing cotton fabrics" or "retail - gasoline service station".

Box E - Enter the number of facilities in New Jersey. A facility is defined as "buildings, equipment and contiguous area at a single location used for the conduct of business". As stated in the instructions for "Box A", a separate survey must be completed for each facility in New Jersey.

Box F - If available, provide the Dun and Bradstreet number for your business.

Box G - Provide the name, title, and telephone number of the facility owner/operator or authorized representative. This individual must be someone who can be contacted to verify and/or clarify information that has been reported on the survey form. The official must sign and date the form.

Box H - Police and fire information must be provided. Be certain to find out which local police and fire departments have jurisdiction over the facility, so that you will be providing correct information.

Box I - Provide the name, title, and phone numbers of the person assigned as the contact in case of an emergency situation at the facility, such as, a fire or a spill. The facility phone number should be where the person can be reached during the regular working day and the emergency contact phone number should be where the person can be reached before and after regular working hours. If your facility has assigned alternate emergency contacts, you do not need to provide that information on the

survey form. Please give only the lead or main contact.

Completing the Inventory Page

If you have no substances regulated under the OSHA Hazard Communication Standard (Box B, front page), you still must provide the "Facility Identification and Site Location" information requested at the top of the inventory page (second side of the survey form). Also, give the year for the "Reporting Period" (top right, inventory page).

Please print or type all responses.

Photocopy this sheet, if you need additional forms.

All the CODES are contained on page 7.

Chemical Description

Substance Name - Provide the chemical name of the hazardous substance you are reporting or the generic group that the substance is contained in, such as, paint, waste oil, or compressed gases. DO NOT PROVIDE TRADE NAMES.

CAS Number - This is the Chemical Abstracts Service number, a unique numerical identifier of individual chemical substances. The RTK Hazardous Substance List provides the CAS numbers, and many material safety data sheets also provide these numbers. Provide the CAS NUMBER WHEREVER APPLICABLE.

DOT Number - This is a four digit number used by the U.S. Department of Transportation as an identifier of hazardous materials. Individual substances or groups of substances (e.g., pesticides or paints) are assigned a number to serve as an identifier of type of hazard in an emergency situation. If the substance you are reporting has no DOT number, leave the line blank.

Substance Number - Refers to the number assigned in the Right to Know Hazardous Substance List, a reference document prepared jointly by the New Jersey Departments of Environmental Protection and Health. If you are not using this list to provide inventory information or you are reporting a substance that is not on the list, leave the line blank.

Percent - If you are reporting a hazardous component of a material, fill in the appropriate code for the percentage range of the component in the product. If you are reporting a substance in its pure state be certain to enter the appropriate code. (Codes, page 7.)

State - Provide the code for the physical state of the substance. (Codes, page 7.)

Trade Secret - Check this box if you are claiming a trade secret. If the substance is on the New Jersey list, call the NJDEP at 609/292-6714 to request a trade secret application.

If the substance is in a quantity greater than 10,000 pounds, or is an Extremely Hazardous Substance in excess of 500 pounds or its threshold planning quantity, whichever is less, you must also supply trade secret documentation that will be reviewed by the USEPA. The draft regulations can be found in the October 15, 1987 Federal Register, p. 38312-38337. For more information, call the USEPA at 1-800/535-0202.

Hazards

The U.S. Environmental Protection Agency has established five (5) hazard categories for reportable substances. These are based on the U.S. Occupational Safety and Health Administration's twenty-three (23) categories, developed for the Hazard Communication Standard. Appendix B explains how the original OSHA categories fit into the EPA's new categories. Provide all applicable hazard codes for each reportable substance. (Codes, p. 7.)

Inventory

Maximum Daily - For each hazardous substance that you are reporting, estimate in pounds the greatest amount present at your facility on any single day during the reporting period. Regardless of physical state (i.e., gas, liquid, or solid), the substance must be reported in pounds. Provide the appropriate inventory range code. (Codes, page 7.)

Average Daily - For each hazardous substance that you are reporting, estimate in pounds the average amount present at your facility on any single day during the reporting period. Regardless of physical state (i.e., gas, liquid, or solid), the substance must be reported in pounds. Provide the appropriate inventory range code. (Codes, page 7.)

Days Onsite - Provide the number of days that the hazardous substance was onsite at the facility during the reporting period. Note, you must supply an actual number. There are no codes for this reporting requirement.

Storage Codes and Locations

Container - If a hazardous substance is present in different containers, provide an individual report for each type of storage container. (Codes, page 7.)

Conditions - For each hazardous substance that you are reporting, provide the appropriate codes for both "Pressure" and "Temperature". (Codes, page 7.) You will be entering two code numbers for "Conditions".

Location(s) - For each hazardous substance that you are reporting, provide a brief narrative description of its onsite location. If the substance is found commonly throughout the site or a majority of the site you may report it as "ubiquitous".

Confidential Location Information Sheet

All the information on the Community Right to Know Survey is available

to the public, but under Title III, Section 324, an owner/operator may request that substance location information be withheld from the public. You should enter the word CONFIDENTIAL in the "Location" section of the inventory page, and complete a "Confidential Location Information Sheet" (included in this mailing with the Community Right to Know Survey).

For any substances that you report the "Location" as confidential, you must complete a "Confidential Location Information Sheet". Provide the substance name, the CAS number, the DOT number, and the Substance number of each chemical you are claiming as having a confidential location. Enter all the appropriate storage codes and locations. This page will not be released to the public.

C O D E S

STORAGE CONDITION CODES

PRESSURE

- 01 Ambient pressure
- 02 Greater than ambient pressure
- 03 Less than ambient pressure

TEMPERATURE

- 04 Ambient temperature
- 05 Greater than ambient temperature
- 06 Less than ambient temperature
but not cryogenic (freezing
conditions)
- 07 Cryogenic conditions
(less than -200 C)

PERCENTAGE CODES

- 61 Unknown
- 60 100%
- 59 90 to 99%
- 58 80 to 89%
- 57 70 to 79%
- 56 60 to 69%
- 55 50 to 59%
- 54 25 to 49%
- 53 10 to 24%
- 52 1 to 9%
- 51 0.1 to 0.9%

CONTAINER CODES

- 50 Above ground tank
- 49 Below ground tank-steel
- 48 Tank inside building
- 47 Steel drum
- 46 Can
- 45 Carboy
- 44 Silo
- 43 Fiber drum
- 42 Bag
- 41 Box
- 40 Cylinder
- 39 Bottles or jugs (glass)
- 38 Bottles or jugs (plastic)
- 37 Tote bin
- 36 Tank wagon
- 35 Railcar
- 34 Other (describe)
- 33 Below ground tank-fiberglass
- 32 Plastic drums

INVENTORY RANGE (In pounds)

- 20 Greater than 10 million
- 19 1,000,001 to 10 million
- 18 500,001-1 million
- 17 250,001-500,000
- 16 100,001-250,000
- 15 50,001-100,000
- 14 10,001-50,000
- 13 1,001-10,000
- 12 101-1,000
- 11 11-100
- 10 1-10
- 09 less than 1

PHYSICAL STATE

- S - Solid
- L - Liquid
- G - Gas

HAZARD CATEGORIES

- 70 Fire hazard
- 69 Sudden release of pressure
- 68 Reactive
- 67 Immediate (acute) health hazard
- 66 Delayed (chronic) health hazard

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMUNITY RIGHT TO KNOW SURVEY

to satisfy requirements under SARA, Title III, Section 312
and New Jersey Community Right to Know

COUNTY/
MUNICIPALITY

NJEIN

SIC

12345600000-2345-7777-03/01/88

1. XYZ INCORPORATED

2. 77 PINE ST

3. ANYVILLE, N J

4.

5. 07440

6.

MU:

IMPORTANT: A separate survey must be completed for each facility.

(A) FACILITY LOCATION

If the facility location is different than the mailing address on the label, enter facility address below.

XYZ Incorporated1 Main StreetAnyville, New Jersey 08700

Check here if you would like your survey mailed to above address ☒

Indicate changes to mailing address on label

(B) Is any substance or material covered by the OSHA Hazard Communications Standard present at this facility?

☒ Yes☐ No

(C) Number of employees at facility

25

(D) Briefly describe the nature of the operations or business conducted at this facility: Assembly of machine parts

(E) Number of facilities in New Jersey

1

(F) Dun and Bradstreet No.

999 999 999 999

(G) CERTIFICATION OF OWNER/OPERATOR OR AUTHORIZED REPRESENTATIVE — I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Signature Robert SmithDate 1/6/88Phone Number (609) 555-5555Name (Print) Robert SmithTitle President**(H) POLICE AND FIRE DEPARTMENT**

Enter the respective phone numbers, names and addresses (including Zip Code) of your local fire and police departments in the spaces below.

POLICE DEPT. Phone Number (609) 555-5554

Name Anyville South StationAddress 2 Main StreetMunicipality Anyville, NJ Zip Code 08700

FIRE DEPT. Phone Number (609) 555-5556

Name Nearby PoliceAddress 3 Main StreetMunicipality Nearby, NJ Zip Code 08700**(I) EMERGENCY CONTACT**Name John BrownTitle Environmental SpecialistFacility Phone Number (609) 555-5557Emergency Contact Phone Number (609) 555-5558

NOTE: Make copies of both sides of this survey! The law requires that you send a copy to your County Lead Agency (see list in instructions), Local Emergency Planning Committee and your local fire and police departments.

Return original to:

NJDEP — RTK SURVEY
CN 405
Trenton, NJ 08625-0405

FACILITY IDENTIFICATION AND SITE LOCATION

NJEIN 12345600000
Facility Name XYZ Incorporated

Street Address 1 Main Street
City Anyville State NJ Zip 08700

CHEMICAL DESCRIPTION	HAZARDS	Inventory (Ranges)	STORAGE CODES AND LOCATIONS
Substance Name <u>Acetylene</u> CAS No. <u>74-86-2</u> DOT No. <u>1001</u> Substance No. (if available) <u>0015</u> Percent <u>60</u> State <u>G</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	(Enter for all that apply.) <u>70, 69, 67,</u> _____	(Enter Code) Max. Daily <u>12</u> Avg. Daily <u>12</u> Days Onsite <u>100</u> (Actual Number)	(Enter Codes, except Location(s); supply narrative.) Container <u>48</u> Conditions <u>02 04</u> Location(s) <u>Assembly room in</u> <u>gear shop, back wall</u>
Substance Name <u>Adhesives</u> CAS No. _____ DOT No. <u>1133</u> Substance No. (if available) <u>2067</u> Percent <u>60</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>79, 69, 67,</u> <u>66, _____</u>	Max. Daily <u>11</u> Avg. Daily <u>10</u> Days Onsite <u>190</u> (Actual Number)	Container <u>34-Tubes</u> Conditions <u>01 04</u> Location(s) <u>Storage room of</u> <u>package shop</u>
Substance Name <u>Gasoline</u> CAS No. <u>6006-61-9</u> DOT No. <u>1203</u> Substance No. (if available) <u>0957</u> Percent <u>60</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>70, 69, 67,</u> <u>66, _____</u>	Max. Daily <u>14</u> Avg. Daily <u>13</u> Days Onsite <u>365</u> (Actual Number)	Container <u>49</u> Conditions <u>01 04</u> Location(s) <u>Rear yard of</u> <u>Vehicle maintenance shop</u>
Substance Name <u>Gasoline</u> CAS No. <u>6006-61-9</u> DOT No. <u>1203</u> Substance No. (if available) <u>0957</u> Percent <u>60</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>70, 69, 67,</u> <u>66, _____</u>	Max. Daily <u>11</u> Avg. Daily <u>10</u> Days Onsite <u>250</u> (Actual Number)	Container <u>46</u> Conditions <u>01 04</u> Location(s) <u>Front yard of</u> <u>maintenance shop</u>
Substance Name <u>Petroleum Oil</u> CAS No. _____ DOT No. <u>1270</u> Substance No. (if available) <u>2651</u> Percent <u>60</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>70, 69, 67,</u> <u>66, _____</u>	Max. Daily <u>12</u> Avg. Daily <u>11</u> Days Onsite <u>365</u> (Actual Number)	Container <u>47</u> Conditions <u>01 04</u> Location(s) <u>Rear section of</u> <u>gear shop, products room</u>
Substance Name <u>Sulfuric Acid</u> CAS No. <u>7664-93-9</u> DOT No. <u>1831</u> Substance No. (if available) <u>1761</u> Percent <u>54</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>68, 67, _____</u> _____	Max. Daily <u>11</u> Avg. Daily <u>11</u> Days Onsite <u>50</u> (Actual Number)	Container <u>39</u> Conditions <u>01 04</u> Location(s) <u>Assembly room</u> <u>in gear shop, bench area</u>
Substance Name <u>Trichloroethylene</u> CAS No. <u>79-01-6</u> DOT No. <u>1710</u> Substance No. (if available) <u>1890</u> Percent <u>60</u> State <u>L</u> Trade Secret <input type="checkbox"/> (Code) (Code) (Check if Claiming)	<u>69, 67, 66,</u> _____	Max. Daily <u>12</u> Avg. Daily <u>11</u> Days Onsite <u>365</u> (Actual Number)	Container <u>47</u> Conditions <u>01 04</u> Location(s) <u>Rear section of</u> <u>gear shop, product room</u>

APPENDIX B

DEFINITIONS OF HAZARD CATEGORIES

"Hazard Category" means any of the following:

- (1) "Fire hazard," including "flammable," "combustible liquid," "pyrophoric," and "oxidizer" (as defined under 29 CFR 1910.1200);
- (2) "Sudden release of pressure," including "explosive" and "compressed gas" (as defined under 29 CFR 1910.1200);
- (3) "Reactive," including "unstable reactive," "organic peroxide," and "water reactive" (as defined under 29 CFR 1910.1200);
- (4) "Immediate (acute) health hazard," including "highly toxic," "toxic," "irritant," "sensitizer," "corrosive," (as defined under 29 CFR 1910.1200) and other hazardous chemicals that cause an adverse effect to a target organ and which effect usually occurs rapidly as a result of short term exposure and is of short duration; and
- (5) "Delayed (chronic) health hazard," including "carcinogens" (as defined under 29 CFR 1910.1200) and other hazardous chemicals that cause an adverse effect to a target organ and which effect generally occurs as a result of long term exposure and is of long duration.

For further information on assigning Hazard Categories, review material safety data sheets (MSDS's), contact product manufacturers, or call the USEPA at 1-800/535-0202.

APPENDIX C

COUNTY LEAD AGENCIES

<u>County</u>	<u>Address</u>	<u>Telephone</u>
Atlantic	Health Officer Atlantic County Health Department 201 South Shore Road Northfield, N.J. 08225	609/645-7700 X4371
Bergen	Director Bergen County Dept of Health Services 327 E. Ridgewood Avenue Paramus, N.J. 07652	201/599-6170
Burlington	Public Health Coordinator Burlington County Health Department Raphael Meadow Health Center Woodlane Road Mount Holly, N.J. 08060	609/265-5513
Camden	Public Health Coordinator Camden County Department of Health 1800 Pavilion Building West 2101 Ferry Avenue Camden, N.J. 08104	609/757-8600
Cape May	Public Health Coordinator Cape May County Department of Health Crest Haven Complex Cape May Court House, N.J. 08210	609/465-1208
Cumberland	Health Officer Cumberland County Health Department 790 East Commerce Street Bridgeton, N.J. 08302	609/451-8000 X374
Essex	Essex County Dept of Health and Rehab Environmental Health Office P. O. Box 500 Cedar Grove, N.J. 07009	201/228-8319
Gloucester	Public Health Coordinator Gloucester County Health Department Carpenter Street and Allens Lane Woodbury, N.J. 08096	609/853-3428
Hudson	Hudson Regional Health Commission 215 Harrison Avenue Harrison, N.J. 07029	201/485-7001
Hunterdon	Director of Health Hunterdon County Health Department Administration Building Flemington, N.J. 08822	201/788-1351

APPENDIX D

DIRECTORY OF ADDITIONAL INFORMATION SOURCES

For assistance in completing the Community Right to Know survey, to obtain an R & D exemption application, a Trade Secret application, or a 30 day extension, call the New Jersey Department of Environmental Protection at 609/292-6714.

For information on federal reporting requirements under SARA Title III or to receive copies of the federal regulations and other materials related to SARA Title III, call the U.S. Environmental Protection Agency at 1-800/535-0202.

For assistance in obtaining the address of your local emergency planning committee, call the New Jersey State Police, Office of Emergency Management at 609/882-2000.

To obtain a copy of the New Jersey Right to Know Hazardous Substance List, please send a self-addressed 9 x 12 envelope with \$1.95 postage affixed to it and marked FIRST CLASS. Send to NJDEP, RTK Program, CN-405, Trenton, NJ 08625.

The New Jersey Right to Know Hazardous Substance List is available for your reference at the county lead agencies (Appendix C) and at the state depository libraries listed below.

DEPOSITORY LIBRARIES FOR NEW JERSEY DOCUMENTS

College Libraries

Camden County College, Blackwood, NJ
Drew University, Madison, NJ
Fairleigh Dickinson University, Rutherford, NJ
Glassboro State College, Glassboro, NJ
Jersey City State College, Jersey City, NJ
Montclair State College, Upper Montclair, NJ
Monmouth College, West Long Branch, NJ
County College of Morris, Dover, NJ
Kean College of New Jersey, Union, NJ
Ocean County College, Toms River, NJ
Princeton University, Princeton, NJ
Ramapo College of New Jersey, Mahwah, NJ
Richard Stockton State College, Pomona, NJ
Rider College, Lawrence Township, NJ
Rutgers, the State University:
 Alexander/Sci. Med. New Brunswick, NJ
 Kilmer Area, Piscataway, NJ
 Douglass College, New Brunswick, NJ
 College of Arts and Sciences, Newark. Newark, NJ
 Law School, Newark. Newark, NJ
 College of Arts and Sciences, Camden. Camden, NJ
Seton Hall University. South Orange, NJ
Seton Hall University, Law School. Newark, NJ
Trenton State College, Ewing, NJ
William Paterson College of New Jersey, Wayne, NJ
Salem Community College, Penns Grove, NJ

County Libraries

Atlantic County Library. Mays Landing, NJ
Burlington County Library. Mount Holly, NJ
Camden County Library. Echelon Urban Complex, Voorhees, NJ
Cape May County Free Library. Cape May Court House, NJ
Cumberland County Library. Bridgeton, NJ
Monmouth County Library. Freehold, NJ
Morris County Free Library. Whippany, NJ
Ocean County Library. Toms River, NJ
Somerset County Library. Somerville, NJ
Sussex County Library. Newton, NJ

Public Libraries

Bloomfield, NJ	Hackensack, NJ	Paterson, NJ	Wayne, NJ
Cherry Hill, NJ	Jersey City, NJ	Phillipsburg, NJ	Woodbridge, NJ
East Brunswick, NJ	Linden, NJ	Plainfield, NJ	Woodbury, NJ
East Orange, NJ	New Brunswick, NJ	Ridgewood, NJ	
Elizabeth, NJ	Newark, NJ	Trenton, NJ	

NEW JERSEY RIGHT TO KNOW COALITION
46 Bayard Street, Room 309
New Brunswick, NJ 08901
201-846-4224

August 25, 1987

The Honorable Thomas Kean
Governor of New Jersey
State House
Trenton, NJ 08625

Dear Governor Kean:

We are writing to express our deep concern about your Administration's failure to implement and enforce New Jersey's Right to Know Law and to request a meeting with you to discuss the status of this program which is so critical to the health and safety of the residents of our state.

Four years ago, you signed the Worker and Community Right to Know Act calling it "a landmark piece of legislation" and proclaiming that "we are making sure that New Jersey is a safe place to work and live." You also stated that you agree with the premise of this legislation: "Individuals have an inherent right to know the full range of the risks they face so that they can make reasoned decisions and take informed action concerning their employment and living conditions."

It has now been four years since you signed this landmark legislation and the citizens of New Jersey still do not have the "Right to Know." Specifically, we are concerned about the following aspects of the Community Right to Know program:

1. Although the DEP sent out the simple, two-page Part I Survey to 33,000 employers in the state back in 1984, only 60 percent have complied with the law. To date, the state has failed to take any enforcement action against those who are not complying with the law. Moreover, four years after the enactment of the law, there is no penalty policy in place.

2. As of July 29, 1987, the DEP had sent out the more detailed Part II environmental surveys to only 195 employers. This is extremely disturbing since these environmental surveys will provide critical information on the discharge and use of hazardous substances throughout the state -- the environmental surveys are the "heart and soul" of the community right to know

program. Furthermore, 29 percent of the 195 employers have not complied with this part of the law and again the state has failed to take any enforcement action.

3. Although the program has been severely underfunded and understaffed, you vetoed an additional \$250,000 for Right to Know enforcement approved by the legislature.

4. There is presently no environmental representative on the Right to Know Advisory Council and the position has been vacant since November of 1986 when Jim Lanard resigned. Environmental groups unanimously recommended Nancy Hedinger to fill this position early in 1987 and you have failed to take action on this critical appointment.

Your personal commitment and leadership, Governor Kean, is essential to making New Jersey's Right to Know law effective. We urge you to take the following actions to aggressively implement and enforce New Jersey's Community Right to Know program which is critical to safeguarding New Jersey's environment and public health:

1. Develop a tough penalty program and take immediate enforcement action against those not in compliance with the law.

2. Send out Part II environmental surveys to as many employers as possible and no less than 15,000 employers by the end of this year (December 31, 1987).

3. Appoint Nancy Hedinger as the environmental representative to the Right to Know Advisory Council immediately.

4. Expand the list of chemicals for New Jersey's program to include those covered under the Superfund Community Right to Know.

5. Collect and manage the data generated through the Right to Know program in a way that makes the information accessible and affordable for the citizens of New Jersey. We would be pleased to assist you in setting up such a system.

6. Take out large display advertisements in the major New Jersey newspapers to inform people of their rights in the community and workplace under the state and federal Right to Know programs.

Again, we would like to meet with you to discuss these and any other ideas you might have to improve implementation and enforcement of New Jersey's Right to Know program. We believe that the people of New Jersey can have and are entitled to jobs and a safe environment.

We look forward to hearing from you.

Sincerely,

Jane Nogaki, Chair
NEW JERSEY ENVIRONMENTAL FEDERATION

Archer Cole, President
NEW JERSEY INDUSTRIAL UNION COUNCIL, AFL-CIO

Phyllis Elston, Director
NEW JERSEY ENVIRONMENTAL LOBBY

Linda Stansfield
AMERICAN LUNG ASSOCIATION

Phyllis Salowe-Kaye, Director
NEW JERSEY CITIZEN ACTION

Madelyn Hoffman, Director
GRASS ROOTS ENVIRONMENTAL ORGANIZATION

Tom Fricano, Assistant Regional Director
UNITED AUTO WORKERS, REGION 9

Kenneth Ward, Executive Director
NEW JERSEY PUBLIC INTEREST RESEARCH GROUP

Marco Lacatena, President
NEW JERSEY FEDERATION OF TEACHERS

Arnold Cohen
IRONBOUND COMMITTEE AGAINST TOXIC WASTE

Joseph Colangelo, Secretary-Treasurer
CAMDEN-GLOUCESTER CENTRAL LABOR UNION, AFL-CIO

Cindy Zipf, Coordinator
CLEAN OCEAN ACTION

Jan D. Pierce, International Vice-President
COMMUNICATIONS WORKERS OF AMERICA

Steve Fowler
JERSEY SHORE AUDUBON SOCIETY

Victor Garcia, President
DISTRICT 1199J, NATIONAL UNION OF HOSPITAL AND HEALTH CARE
EMPLOYEES

Wynne Falkowski, Chair
COALITION AGAINST TOXICS

Eric Scherzer, Secretary-Treasurer
OIL, CHEMICAL, AND ATOMIC WORKERS LOCAL 8-149

Ray Salek, Chair
CITIZENS ORGANIZED FOR POLLUTION PREVENTION

Ira Stern, Legislative Representative
INTERNATIONAL LADIES GARMENT WORKERS

Ed Lloyd, Director
RUTGERS ENVIRONMENTAL LAW CLINIC

Salvatore Esposito, President
INTERNATIONAL ASSOCIATION OF MACHINISTS LOCAL 1445

Peter Montague, Director
ENVIRONMENTAL RESEARCH FOUNDATION

Lillian S. Holbrook, Recording Secretary
INTERNATIONAL UNION OF ELECTRICAL WORKERS, LOCAL 401

Barbara Beitel
CAPE MAY COURT HOUSE NEIGHBORHOOD ASSOCIATION

Ron Agresta and Mike Woods
INTERNATIONAL BROTHERS OF ELECTRICAL WORKERS, LOCAL 827

Peter Allison, Political Director
LEAGUE OF CONSERVATION VOTERS

Rick Engler, Director of Safety and Health
NEW JERSEY STATE INDUSTRIAL UNION COUNCIL, AFL-CIO

**Report to the People of New Jersey on
The State's Right-to-Know Law:
Where Does It Stand After Four Years
of Governor Kean's Leadership?**

August 25, 1987

New Jersey Right-to-Know Coalition

**Ken Brown
New Jersey Environmental Federation
(201) 846-4224**

**Rick Engler
Industrial Union Council
(201) 272-4200**

**Report to the People of New Jersey on
The State's Right-to-Know Law:
Where Does It Stand After Four Years
of Governor Kean's Leadership?**

Four years ago the legislature of the State of New Jersey passed, and Governor Kean signed, a law that many considered the most important environmental legislation of this decade--the New Jersey Worker and Community Right to Know Law.

The law was passed as a result of the largest effort ever made by a coalition of New Jersey citizens. More than 100 groups and organizations representing labor, the environment, senior citizens, churches, and many individual communities worked together for three years to assure passage of this law.

When he signed the legislation into law, Governor Kean himself acknowledged the importance of right-to-know. He said, "In signing this bill today, I am signalling the State's concern for the health and welfare of its workers and its inhabitants. We are making sure that New Jersey is a safe place to work and live. This Right to Know bill is truly a landmark piece of legislation. Once again New Jersey is taking the lead in addressing the challenges posed by the complicated industrial environment in which we live."

Today, as we approach the fourth anniversary of Governor Kean's signing of this law, we have reviewed the state's actual accomplishments under right-to-know, to tell the people of the state what has happened to this important law under Governor Kean's leadership. Consider these facts:

** The law called for a simple two-page survey (called the "Part I form") to be sent to all employers in the state, requiring them to report on their use of 154 different, specific hazardous chemicals. In 1984 the DEP (Department of Environmental Protection) sent Part I forms to 33,000 employers. Today, three years later, the DEP has received Part I forms back from only 19,800 employers. This means that 13,200 employers are violating the law today. The DEP has not penalized a single one of these 13,200 violators of the law.

** After the Part I forms have been returned, the law calls for a second set of survey forms to be sent to employers, asking more details about their use of chemicals, including information on what quantities of chemicals are released into the environment. This is the most important part of our Right-to-Know law from the viewpoint of communities; Part II forms are the "heart and soul" of community right-to-know in New Jersey. As of July 29, 1987, the DEP has sent Part II forms to only 195 employers. This is an average of only one form sent out each week since the law was passed four years ago. Furthermore, only 139 forms (71% of the Part II forms) have been returned. The remaining 56 forms (29%) have not been returned (as of July 29,

1987); these 56 employers are in violation of the law and the DEP has not penalized them in any way.

** Violators of the Part II portion of this law include: American Can Company in South Brunswick Township; the Ethyl Corporation in Sayreville; General Motors Corp. (Delco-Remy Division) in New Brunswick City; Harvard Industries in Farmingdale Township; Madison Industries in Old Bridge Township; Marisol, Inc., in Middlesex Borough; Miller Chemical in Washington Township; Oakite Products in Berkeley Heights Township; Reichold Chemicals in Carteret Borough; the Schering Corporation in Union Township; and Vineland Chemical in Vineland City. This is just a partial list of violators of our right-to-know law, but it includes some of the major polluters in the state--polluters whose violations have been brought to the attention of the DEP previously.

** The DEP has decided that it will require Part II forms from only those companies using very large quantities of any of 25 selected chemicals (selected by the DEP from the 154 chemicals covered by the Part I forms) instead of requiring Part II forms from a broader range of chemical users. This choice by the DEP will severely restrict the total number of Part II forms that will ever be sent out. This arbitrary action by the DEP will seriously undermine the clear intent of the law, which is to let the citizens of New Jersey know who is using what chemicals in our towns and cities.

** The DEP has never penalized anyone for failing to comply with the right-to-know law. In fact, as of today, the DEP has not even adopted a penalty policy. They have proposed one, but after four years no penalty policy has been adopted. Thus employers are free to ignore the law.

** The DEP's right-to-know program has been underfunded and understaffed for four years. Yet Governor Kean recently vetoed an appropriation of \$250,000 earmarked by the legislature for stepped-up right-to-know enforcement. Without adequate staff and funding, the program can never work.

** There is presently no environmental representative on the Right-to-Know Advisory Council. The position has been vacant since November, 1986, when Jim Lanard resigned. Early in 1987, environmental groups unanimously recommended Nancy Hedinger to fill this position but Governor Kean has failed to take action on this critical appointment.

In summary, it is clear that Governor Kean has subverted the intention of the right-to-know law. His leadership has made a mockery of the law. His words say that he is committed to a strong right-to-know, but his actions give the opposite message. His program has sent a clear signal to the polluters of this state, telling them that right-to-know is a law they can ignore without fear of penalty.

Today we are calling on Governor Kean to change his past policies that have subverted our right-to-know law. We are calling upon the Governor to take the following actions:

1) Develop a tough penalty program and take immediate enforcement action against the more than 13,000 violators of our right-to-know law.

2) Send out Part II surveys to 15,000 employers by December 31, 1987. This is essential to the success of right-to-know.

3) Appoint Nancy Hedinger as the environmental representative on the Right to Know Advisory Council immediately.

4) Expand the list of 154 chemicals to include all those covered by the federal Superfund Community Right-to-Know law.

5) Collect and manage the information generated by the right-to-know program in a way that makes information accessible and affordable to the citizens of New Jersey. We offer our assistance to the DEP in this regard.

6) Take out large advertisements in major New Jersey newspapers to inform people of their rights in the community and in the workplace under New Jersey's landmark right-to-know law.

7) We ask the Governor to meet with us, to hear our concerns and to explain to us why his administration talks about the importance of right-to-know, yet acts in ways that only subvert the intent of the law, thus denying the people of New Jersey their right to know.

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

* = Violators of N.J.'s Right to Know Law; these
employers have not returned the Environmental Survey
Part II.

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
49757500000	3079	1225	A & E PRODUCTS GROUP	INC	1460 ROUTE 9 NORTH	SUITE 204	WOODBIDGE TWP
*17674000000	3496	1222	A M P C O INC	3 HOLLYWOOD CT	50 PLAINFIELD N J		SOUTH PLAINFIELD BORO
*19527300000	2641	1205	AIR-O-PLASTIK	CORPORATION	150 FIELDCREST DR	RARITAN CENTER	EDISON TWP
17127200000	2842	0205	AIRWICK INDUSTRIES	111 COMMERCE ROAD	CARLSTADT, NJ		CARLSTADT BORO
18694600001	3490	1225	ALCAN BUILDING PRODS	11 CRAGWOOD RD	WOODBIDGE, NJ		WOODBIDGE TWP
18694600002	3490	2019	ALCAN POWDERS &	PIGMENTS	901 LEHIGH AVE	UNION, NJ	UNION TWP
02471200000	2819	1424	ALLIED CHEMICALS	SUB OF ALLIED CORP	COLUMBIA ROAD &	PARK AVENUE	MORRISTOWN TOWN
*05768500000	3442	2009	ALUMINUM PRODUCTS	DISTRIBUTORS INC	801-815 STILES ST	LINDEN, NJ	LINDEN CITY
*06470000000	3469	2010	AMERICAN ALUMINUM	COMPANY	230 SHEFFIELD ST	MOUNTAINSIDE, NJ	MOUNTAINSIDE BORO
*00602010002	3411	1221	AMERICAN CAN COMPANY	GEORGES RD OFF RT 130	DEANS NJ		SOUTH BRUNSWICK TWP
49810800000	2819	2004	AMERICAN CHROME &	CHEMICALS INC	155 FRONT STREET	ELIZABETH, NJ	ELIZABETH CITY
00901401000	2844	2009	AMERICAN CYANAMID CO	CHEMICAL PRODUCTS DIV	TREMLEY POINT ROAD	BOX 31	LINDEN CITY
12369000000	3451	2019	AMERICAN PRODUCTS	COMPANY INC	610 RAHWAY AVE	UNION N J	UNION TWP
*10689600000	3471	2009	APEX PLATING &	POLISHING CO INC	725 COMMERCE RD	LINDEN N J	LINDEN CITY
27011000000	2869	0205	ARSYNCO INC.	SUB OF ACETO CHEMICAL	COMPANY, INC	BOX 8	CARLSTADT BORO
20267100007	3661	2002	AT&T TECHNOLOGIES	CLARK SHOPS	100 TERMINAL AVE	CLARK, NJ	CLARK TWP
*06395100000	2599	2019	ATLANTIC ALLOY	INDUSTRIES INC	POLK ST & JEFFERSON	AVE	UNION TWP
*40234000000	3471	1217	ATLANTIC HARD	CHROMIUM INC	179 ELEVENTH ST	PISCATAWAY, NJ	PISCATAWAY TWP
01270400000	3444	2017	ATLANTIC METAL	PRODUCTS INC-N J-	21 FADEM ROAD	SPRINGFIELD N J	SPRINGFIELD TWP
12851700000	3471	2008	B & M FINISHERS INC	201 SOUTH 31ST ST	KENILWORTH, NJ		KENILWORTH BORO
17956400000	3471	2009	B AND B	ELECTROPLATING	CO INC	559 PENNSYLVANIA AVE	LINDEN CITY
06631300002	3841	2011	BARD UROLOGICAL DIV	C R BARD INC	111 SPRING ST	MURRAY HILL NJ	NEW PROVIDENCE BORO
15541800004	2821	1221	BASF WYANDOTTE	CRANBURY & SOUTH	RIVER ROADS	JAMESBURG, NJ	SOUTH BRUNSWICK TWP
12695200000	3567	1215	BBC BROWN BOVERI INC	1460 LIVINGSTON AVE	NORTH BRUNSWICK, NJ		NORTH BRUNSWICK TWP
54472700000	2834	2003	BEECHAM PRODUCTS	750 WALNUT AVENUE	CRANFORD, NJ		CRANFORD TWP
10884600000	2392	2001	BETTER SLEEP	MANUFACTURING CO	57 INDUSTRIAL RD	BERKELEY HEIGHTS, NJ	BERKELEY HEIGHTS TWP
10890200000	2819	1225	C P CHEMICALS INC	ARBOR ST	SEWAREN, NJ		WOODBIDGE TWP
10890200001	2819	1225	C P CHEMICALS INC	TERMINAL WAY	BUILDING 7B	AVENEL, NJ	WOODBIDGE TWP
*29099100000	3079	1217	CAPTIVE PLASTICS, INC	251 CIRCLE DRIVE	NORTH	PISCATAWAY, NJ	PISCATAWAY TWP
21645700001	3317	2019	CARPENTER TECHNOLOGY	CORPORATION	1103 SPRINGFIELD RD	UNION, NJ	UNION TWP
*55944000000	2834	1214	CELL PRODUCTS INC	5 GEORGES RD	NEW BRUNSWICK NJ		NEW BRUNSWICK CITY
*00566100000	2874	1202	CHAMBERLIN & BARCLAY	INC	P O BOX 416	STANTON RD	CRANBURY TWP
00115401003	2879	1222	CHEVRON CHEMICAL CO	AGRICULTURAL CHEM DIV	METUCHEN & HARMICH	ROADS	SOUTH PLAINFIELD BORO
29943300000	2834	2018	CIBA-GEIGY	CORPORATION	PHARMACEUTICALS DIV	556 MORRIS AVENUE	SUMMIT CITY
29943300001	2865	1507	CIBA-GEIGY	CORPORATION	TOMS RIVER PLANT	P O BOX 71	DOVER TWP
39362100001	2865	1222	CLARK COLORS INC	% WHITTAKER CLARK &	DANIELS INC	3615 KENNEDY ROAD	SOUTH PLAINFIELD BORO
*73637000000	4613	1225	COLONIAL PIPELINE CO	-CORP-	P O BOX 18855	ATLANTA GA	WOODBIDGE TWP
19634300000	2851	2006	COLOR CHIP	CORPORATION	124 SOUTH AVE	GARWOOD, NJ	GARWOOD BORO
07189700000	3446	2003	CONSTRUCTION	SPECIALTIES INC	55 WINANS AVE	CRANFORD, NJ	CRANFORD TWP
33610600000	2869	1209	CPS CHEMICAL CO INC	P O BOX 162	OLD WATERWORKS ROAD	OLD BRIDGE, NJ	OLD BRIDGE TWP
06775800000	3272	2015	CROSSFIELD PRODUCTS	CORP	140 VALLEY ROAD	ROSELLE PARK N J	ROSELLE PARK BORO
19237600000	3432	2009	D'ANGELO METAL	PRODUCTS CO INC	360 DALZIEL RD	LINDEN, NJ	LINDEN CITY
17424000000	3544	2019	DANLY MACHINE	CORPORATION	697 RAHWAY AVE	UNION NJ	UNION TWP
00638100002	2899	0904	DIAMOND SHAMROCK CORP	PROCESS CHEMICALS DIV	FIRST & ESSEX STREETS	HARRISON, NJ	HARRISON TOWN
46927900000	5161	0901	DOW CHEMICAL CO. USA	TEXAS DIV.	2 COMMERCE ST.	BOX 13	BAYONNE CITY
*05808600000	3469	2019	DUREX INCORPORATED	5 STAHUBER AVE	UNION N J		UNION TWP
20330200000	3443	2003	E F BRITTEN & CO INC	-NEW-	22-26 SOUTH AVE	WEST	CRANFORD TWP
02112900001	2841	1225	ECONOMICS LABORATORY	INC	255 BLAIR ROAD	AVENEL, NJ	WOODBIDGE TWP
53304100002	3471	2019	ENGELHARD SYSTEMS	2655 US HIGHWAY 22 W	UNION, NJ		UNION TWP

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
*11322700004	2891	1219	ESSEX SPECIALTY	PRODUCTS INC	1 CROSSMAN RD SOUTH	SAYREVILLE, NJ	SAYREVILLE BORO
*28737800002	3079	1219	ETHYL CORPORATION	CHEMICALS GROUP	879 MAIN ST	SAYREVILLE, NJ	SAYREVILLE BORO
00370000000	3494	1222	EVERLASTING VALVE CO	108 SOMOGYI COURT	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO
33757700001	2869	2009	EXXON CHEMICAL	AMERICAS	BAYWAY CHEMICAL PLANT	1400 PARK AVENUE	LINDEN CITY
33757700003	2869	0901	EXXON CHEMICAL	AMERICAS	BAYONNE CHEMICAL	PLANT	BAYONNE CITY
33757700000	2911	2009	EXXON COMPANY, USA	BAYWAY REFINERY	1400 PARK AVENUE	LINDEN, NJ	LINDEN CITY
33757700002	2911	0901	EXXON COMPANY, USA	BAYONNE PLANT	250 EAST 22ND STREET	BAYONNE, NJ	BAYONNE CITY
*43108200000	2834	2007	FARADAY LABORATORIES	CO INC	100 HOFFMAN PL	HILLSIDE N J	HILLSIDE TWP
03725100000	2842	2014	FEDERAL MINING &	MFG CO	288-12TH AVENUE	ROSELLE N J	ROSELLE BORO
16183600000	3079	2003	FEDERAL PLASTICS	CORP	715 SOUTH AVE EAST	CRANFORD, NJ	CRANFORD TWP
04794700000	2816	1222	FERRO CORPORATION	115 SKYLINE DRIVE	P O BOX 251	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
27654200000	3079	1225	FIBRENETICS INC	P O BOX 632	2 CUTTERS DOCK RD	WOODBIDGE, NJ	WOODBIDGE TWP
08202600001	2869	1806	FISHER SCIENTIFIC CO	INC.	SUB OF ALLIED CORP.	755 ROUTE 202	BRIDGEWATER TWP
06730000000	2819	1201	FMC CORPORATION	PHOSPHOROUS CHEMICALS	DIVISION	500 ROOSEVELT AVE	CARTERET BORO
*13000900000	3469	2019	FOREMOST MFG CO INC	941 BALL AVE	UNION N J		UNION TWP
51949300000	2899	1410	FRITZSCHE DODGE &	OLCOTT INC.	MERRY LANE	EAST HANOVER, NJ	EAST HANOVER TWP
00604603000	2865	2009	GAF CORPORATION	FOOT OF SO WOOD AVE	P.O. BOX 12	LINDEN, NJ	LINDEN CITY
51941900000	3662	2002	GAMCO INDUSTRIES INC	-NEW-	19 WALNUT AVE	CLARK NJ	CLARK TWP
08999000000	3621	1225	GENERAL DYNAMICS	CORPORATION	ELECTRODYNAMIC	150 AVENEL ST	WOODBIDGE TWP
54730700000	2643	2004	GENERAL FILM PRODUCTS	INC	107 TRUMBULL ST	ELIZABETH, NJ	ELIZABETH CITY
14525100000	3471	2009	GENERAL MAGNAPLATE	CORPORATION	1331 US RT 1	LINDEN NJ	LINDEN CITY
*20004010000	3691	1214	GENERAL MOTORS CORP	DELCO REMY DIVISION	PLANT 12	760 JERSEY AVE	NEW BRUNSWICK CITY
28919800000	5161	2009	GENERAL POLYMERS	CORPORATION	2 SHERMAN STREET	LINDEN, NJ	LINDEN CITY
01023401000	2821	1706	GOODRICH CHEMICAL	DIV. OF B.F.	GOODRICH CO.	BOX 400	OLDMANS TWP
*43793600000	2879	2012	GRASS GROWERS INC	424 COTTAGE PLACE	PLAINFIELD, NJ		PLAINFIELD CITY
*47062200000	2099	2019	GRIFFITH LABORATORIES	USA INC	855 RAHWAY AVE	UNION NJ	UNION TWP
*00249900000	3441	1222	HARRIS STRUCTURAL	STEEL CO INC	1640 NEW MARKET AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
*14526100000	3662	1314	HARVARD INDUSTRIES	INC	FREQUENCY ENGINEERING	LABORATORIES DIVISION	FARMINGDALE BORO
46728100000	2869	1225	HATCO CHEMICAL	CORPORATION	KING GEORGE POST ROAD	FORDS, NJ	WOODBIDGE TWP
*54249800000	3079	2004	HAYWARD INDUSTRIAL	PRODUCTS INC	900 FAIRMOUNT AVE	ELIZABETH NJ	ELIZABETH CITY
00165900000	2821	0306	HERCULES INC.	NECK ROAD	BOX 249	BURLINGTON, NJ	BURLINGTON TWP
00165900001	2821	1219	HERCULES INC.	SOUTH MINNISINK AVE	PARLIN, NJ		SAYREVILLE BORO
00165900002	2892	1436	HERCULES INC.	HOWARD BOULEVARD	KENVIL, NJ		ROXBURY TWP
*17539100000	3423	2015	HEXACON ELECTRIC	COMPANY-CORP-	161 W CLAY AVE	ROSELLE PARK N J	ROSELLE PARK BORO
17349500000	2841	2013	HI-BRETT CHEMICAL	CO INC	26 WEST INMAN AVE	RAHWAY, NJ	RAHWAY CITY
*18617000000	3469	2019	HILLSIDE SPINNING &	STAMPING CO INC	1060 COMMERCE AVE	UNION N J	UNION TWP
00118500000	2834	0716	HOFFMAN-LA ROCHE INC	ROCHE CHEMICAL DIV	348 KINGSLAND ST	NUTLEY, NJ	NUTLEY TOWN
00118500001	2834	2103	HOFFMANN-LA ROCHE INC	ROCHE VITAMINS &	FINE CHEMICALS	ROCHE DRIVE	BELVIDERE TOWN
53824900000	3562	2002	HYATT CLARK	INDUSTRIES INC	ATTN D F EDELMAN,	PLT ENGR	CLARK TWP
*37026900000	2865	2004	IMPERIAL COLOR	CORPORATION	824 LIVINGSTON ST	ELIZABETH, NJ	ELIZABETH CITY
*57767500000	2661	1208	INTERNATIONAL	PERMALITE INC	45 STULTS ROAD	DAYTON, NJ	JAMESBURG BORO
*78005000000	2899	0221	INTERNATIONAL CRYSTAL	LABORATORIES INC	11 ERIE ST	GARFIELD NJ	GARFIELD CITY
00200000000	2869	1350	INTERNATIONAL FLAVORS	AND FRAGRANCES	800 ROSE LANE	UNION BEACH, NJ	UNION BEACH BORO
*00028100000	2851	2019	INTERNATIONAL PAINT	COMPANY INC	PO BOX 386	UNION N J	UNION TWP
00504000026	4911	1220	JERSEY CENTRAL POWER &	LIGHT COMPANY	E H WERNER GENERATING	STATION	SOUTH AMBOY CITY
*09760900000	5161	1219	JOHN B MOORE	CORPORATION	P O BOX 65	OUTER MAIN ST-RT 9 SO	SAYREVILLE BORO
*00614700000	2851	1221	JOHN C DOLPH CO	MONMOUTH JUNCTION, NJ			SOUTH BRUNSWICK TWP
53392700000	2647	1217	JOHNSON & JOHNSON	BABY PRODUCTS CO CORP	GRANDVIEW RD	ADMINISTRATION BLDG	PISCATAWAY TWP
09227100000	3623	2009	JOYAL PRODUCTS INC	1233 WEST ST GEORGE	AVE	P O BOX 529	LINDEN CITY

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50003700000	2834	2004	KALIPHARMA INC	200 ELMORA AVE	ELIZABETH, NJ		ELIZABETH CITY
54005100000	3449	1222	KELKEN-GOLD INC	P O BOX 336	HAZLET N J		SOUTH PLAINFIELD BORO
14356300000	3471	2008	KENILWORTH ANODIZING	CO -CORP-	201 S 31 ST	KENILWORTH, NJ	KENILWORTH BORO
09025400000	3292	1222	KENTILE FLOORS INC	SO PLAINFIELD PLANT	KENTILE ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
30654100000	3679	1222	KLEINER METAL	SPECIALTIES INC	4315 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
32595000000	2812	2009	LCP CHEMICALS &	PLASTICS, INC	CN 3106	EDISON, NJ	LINDEN CITY
19702500000	3679	1222	LENEX-FUGLE	ELECTRONICS INC	100 SYLVANIA PLACE	SO PLAINFIELD N J	SOUTH PLAINFIELD BORO
59430400000	3471	2009	LLL ENTERPRISES INC	T/A ARMOLLOY	INTERNATIONAL	932 E ELIZABETH AVE	LINDEN CITY
12386400000	3356	2019	M C CANFIELD SONS	-CORP-	PO BOX 3100	1000 BRIGHTON ST	UNION TWP
12286900000	3079	2003	MADAN PLASTICS INC	370 NORTH AVE	P O BOX 487	CRANFORD, NJ	CRANFORD TWP
18183000000	2819	1209	MADISON INDUSTRIES	OLD WATERWORKS RD	OLD BRIDGE, NJ		OLD BRIDGE TWP
18867500000	2865	2004	MAGRUDER COLOR	CO INC	1029 NEWARK AVE	ELIZABETH, NJ	ELIZABETH CITY
17457500000	2869	1211	MARISOL, INC	125 FACTORY LANE	MIDDLESEX, NJ		MIDDLESEX BORO
22678000000	5161	1225	MELLEN SALES INC	211 RANDOLPH AVE	AVENEL NJ		WOODBIDGE TWP
00555601000	2833	2013	MERCK & COMPANY INC	P O BOX 2000	RAHWAY, NJ	ATTN: WM. TORTORIELLO	RAHWAY CITY
00555601001	2833	0262	MERCK CHEMICAL CO INC	111 CENTRAL AVE	TETERBORO, NJ		TETERBORO BORO
50898400000	3079	2016	MERN MANUFACTURING	CORP	813 JERUSALEM ROAD	SCOTCH PLAINS N J	SCOTCH PLAINS TWP
18716500000	2751	1107	METAL LITHO	INTERNATIONAL INC	6 LITHO RD	TRENTON N J	LAWRENCE TWP
37539900000	2752	2004	METAL LITHO	CORPORATION	582 PROGRESS ST	ELIZABETH N J	ELIZABETH CITY
18253100000	3496	1205	METEX CORPORATION	970 NEW DURHAM RD	EDISON, NJ		EDISON TWP
55218800000	3412	2009	MID ATLANTIC	CONTAINER CORP	1200 WEST BLANCHE ST	P O BOX 192	LINDEN CITY
59566700000	2879	1112	MILLER CHEMICAL &	FERTILIZER CORP.	122 SHARON ROAD	BOX B	WASHINGTON TWP
02608201000	2841	1221	MIRANOL CHEMICAL CO	INC	P.O. BOX 436	68 CULVER ROAD	SOUTH BRUNSWICK TWP
31238300000	2891	1216	MORTELL COMPANY	144 GRANT ST	PERTH AMBOY NJ		PERTH AMBOY CITY
21657000000	3915	1216	MOSER JEWEL COMPANY	544 FAYETTE ST	PERTH AMBOY, NJ		PERTH AMBOY CITY
02848600000	3544	1205	MOTOR MACHINE CO INC	1956 WOODBRIDGE AVE	CN 1906	EDISON, NJ	EDISON TWP
07485000000	3644	2019	MULBERRY METAL	PRODUCTS INC	BOX 443	STANLEY TERRACE	UNION TWP
01068701001	2891	2012	NATIONAL STARCH &	CHEMICAL CORPORATION	1735 WEST FRONT ST	PLAINFIELD, NJ	PLAINFIELD CITY
31972300000	3499	2008	NEWARK METAL PRODUCTS	INC	3 MARK RD (PO BOX 70)	KENILWORTH, NJ	KENILWORTH BORO
25091000000	2899	1205	NOX-CRETE CHEMICALS	INC	P O BOX 3764	OMAHA NEBRASKA	EDISON TWP
56705700003	2869	2004	NUDEX INC	ELIZABETH PLANT	830 MAGNOLIA AVE	ELIZABETH, NJ	ELIZABETH CITY
56705700004	3079	1205	NUDEX INC	NIXON PLANT	40 NIXON LANE	EDISON, NJ	EDISON TWP
07064700000	2841	2001	OAKITE PRODUCTS INC	50 VALLEY RD	BERKELEY HEIGHTS, NJ		BERKELEY HEIGHTS TWP
07064700001	2841	1210	OAKITE PRODUCTS INC	METUCHEN PLANT	700 MIDDLESEX AVE	METUCHEN, NJ	METUCHEN BORO
00638100009	2819	0906	OCCIDENTAL	ELECTROCHEMICAL CORP	SODA PRODUCTS DIV	651 TONNELE AVENUE	JERSEY CITY
00638100003	2843	0205	OCCIDENTAL CHEMICAL	CORPORATION	PROCESS CHEMICALS DIV	BERRY AVE AT RT 17 NO	CARLSTADT BORO
54571400000	2899	1217	OKAI CORPORATION	140-Q ETHEL RD WEST	PISCATAWAY, NJ		PISCATAWAY TWP
26715900000	2816	1209	OLD BRIDGE CHEMICALS	INC	OLD WATERWORKS RD	PO BOX 194	OLD BRIDGE TWP
54500300000	3679	1214	OMEGA CIRCUITS &	ENGINEERING CORP	8 TERMINAL RD	NEW BRUNSWICK NJ	NEW BRUNSWICK CITY
37479800000	3079	1205	OMNILAB INCORPORATED	P O BOX 1383	EDISON, NJ		EDISON TWP
44041600000	3079	1222	PACER TOOL & PLASTICS	INC	660 MONTROSE AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
11919600000	2834	2004	PHARMACAPS INC	1111 JEFFERSON AVE	ELIZABETH, NJ		ELIZABETH CITY
14074400000	2851	1205	PIGMENT DISPERSIONS	INC	P O BOX 412	EDISON, NJ	EDISON TWP
20879100000	2843	1225	PILOT LABORATORIES	INC	267 HOMESTEAD AVE	AVENEL, NJ	WOODBIDGE TWP
52336500000	2874	1202	PLANT FOOD CHEMICAL	CO, INC	P O BOX 173, R D 1	HIGHTSTOWN-CRANBURY	CRANBURY TWP
12978900000	3471	2013	PRECISION HARD CHROME	CO -CORP-	221 WESCOTT DR	RAHWAY, NJ	RAHWAY CITY
50561300000	2834	1205	PRIVATE FORMULATIONS	INC	460 PLAINFIELD AVE	EDISON, NJ	EDISON TWP
00553600001	5161	1225	PROCTER & GAMBLE	AVENEL PLANT	100 ESSEX AVE EAST	AVENEL, NJ	WOODBIDGE TWP
36713300000	2899	1222	PROSOCO INC	111 SNYDER ROAD	SOUTH PLAINFIELD, NJ		SOUTH PLAINFIELD BORO

EMPLOYERS WHO HAVE BEEN SENT
ENVIRONMENTAL SURVEY PART II (LONG FORM)

FACILITY IDENTIFIER	SIC CODE	C/M CODE	FACILITY LINE 1	FACILITY LINE 2	FACILITY LINE 3	FACILITY LINE 4	MUNICIPALITY NAME
42637300000	3317	1222	QUANEX CORPORATION	ATLANTIC TUBE DIV	20 HARMICH ROAD	SOUTH PLAINFIELD NJ	SOUTH PLAINFIELD BORO
20453520000	3999	2009	R C INDUSTRIES INC	RED CAP	1320 WEST BLANCHE ST	LINDEN, NJ	LINDEN CITY
*00457000001	2821	2004	REICHOLD CHEMICALS	INC	726 ROCKEFELLER ST	ELIZABETH, NJ	ELIZABETH CITY
*00457000002	2821	1201	REICHOLD CHEMICALS	INC	MIDDLESEX AVE	CARTERET, NJ	CARTERET BORO
11707000011	2844	1205	REVLON RESEARCH CTR	2121 ROUTE 27	EDISON, NJ		EDISON TWP
10433300020	2869	1214	RHONE-POULENC INC.	120 JERSEY AVE.	BOX 2009	NEW BRUNSWICK, NJ	NEW BRUNSWICK CITY
10433300001	2869	1221	RHONE-POULENC INC.	AGROCHEMICAL DIV.	BOX 125	MONMOUTH JUNCTION, NJ	SOUTH BRUNSWICK TWP
18856200000	2843	1222	RONNIE BAG & ENVELOPE	CO INC	4301 NEW BRUNSWICK	AVE	SOUTH PLAINFIELD BORO
16755000000	3555	1222	SAMUEL BINGHAM	COMPANY	110 SOMOGYI COURT	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
*02389500000	2834	1410	SANDOZ	PHARMACEUTICALS CORP	ROUTE 10	EAST HANOVER, NJ	EAST HANOVER TWP
*00326501001	2834	2019	SCHERING CORPORATION	1011 MORRIS AVE	UNION, NJ		UNION TWP
21466300000	3621	2012	SFM CORPORATION	HOWELL ELECTRIC MOTOR	900 NORTH AVE	P O BOX 952	PLAINFIELD CITY
07354500000	2821	0820	SHELL CHEMICAL CO INC	MANTUA GROVE ROAD	BOX 700	WOODBURY, NJ	WEST DEPTFORD TWP
07354500001	2992	1225	SHELL OIL COMPANY	P.O. BOX 68	SEWAREN, NJ		WOODBURIDGE TWP
01835100000	2844	1602	SHULTON INC.	DIVISION OF AMERICAN	CYANAMID	697 ROUTE 46	CLIFTON CITY
00192601000	2891	2009	SOLAR COMPOUNDS	CORPORATION	1201 W BLANCHE ST	BOX 227	LINDEN CITY
16227702000	3361	2008	SPINDLER BROTHERS	COMPANY -CORP-	MARKET ST AT	VERNON AVE	KENILWORTH BORO
*05775300000	2816	1205	STABILIZED PIGMENTS	INC	80 EXECUTIVE AVE	P O BOX 1364	EDISON TWP
*16134000000	2851	2009	STANDARD T CHEMICAL	COMPANY INC	1312 W ELIZABETH AVE	LINDEN, NJ	LINDEN CITY
33190500000	3293	1211	STANETH CORPORATION	INC	T/A PHOENIX GASKET &	PACKING MFG CO	MIDDLESEX BORO
18543400000	3471	2014	STAR PLATING CORP	-INC 1964-	264 COLUMBUS AVE	ROSELLE N J	ROSELLE BORO
09980002001	2879	1221	STAUFFER CHEMICAL CO	AGRICULTURAL CHEM DIV	65 STULTS RD	DAYTON, NJ	SOUTH BRUNSWICK TWP
09980002002	2869	1205	STAUFFER CHEMICAL CO	AGRICULTURAL PRODUCTS	DIVISION	MEADOW ROAD	EDISON TWP
14819702000	2899	0234	STEPAN CHEMICAL CO	100 WEST HUNTER AVE	MAYWOOD, NJ		MAYWOOD BORO
*14503000000	3559	1222	STERLING EXTRUDER	CORP	901 DURHAM AVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
*30622000000	2751	2015	SUBURBAN PRINTING CO	INC	247 W WESTFIELD AV	ROSELLE PARK N J	ROSELLE PARK BORO
14480000000	2431	1222	SUCKNO BROTHERS	COMPANY -CORP-	15 HARMICH ROAD	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
57904200000	3079	1205	TEMECON GROUP	INTERNATIONAL INC	600 PROSPECT AVE	PISCATAWAY, NJ	EDISON TWP
*16336000000	3646	2009	THE CARACK COMPANY	INC	1251 EAST LINDEN AVE	LINDEN, NJ	LINDEN CITY
00004501002	2821	1225	THE SHERWIN-WILLIAMS	COMPANY	INDUSTRIAL AVE	FORDS, NJ	WOODBURIDGE TWP
16422800000	2865	2114	THE SOUTHLAND CORP.	ALPHANO ROAD	GREAT MEADOWS, NJ		LIBERTY TWP
30877100000	2822	1102	THIOLKOL CORPORATION	SPECIALTY CHEMICALS	DIVISION	930 LOWER FERRY ROAD	EWING TWP
*48222800000	3497	1204	TRANSFER PRINT FOILS	INC	9 COTTERS LANE	PO BOX 518	EAST BRUNSWICK TWP
55779400000	3861	1217	U S FUJI ELECTRIC INC	240 CIRCLE DRIVE	NORTH	PISCATAWAY, NJ	PISCATAWAY TWP
40198700000	3331	1201	U.S. METALS REFINING	COMPANY	A DIVISION OF AMAX	400 MIDDLESEX AVE	CARTERET BORO
19417500000	2821	2009	U.S.S. CHEMICALS	1605 ELIZABETH AVE W	LINDEN, NJ		LINDEN CITY
02758600011	2813	1808	UNION CARBIDE CORP	CHEMICAL & PLASTIC	DIVISION	40 VERONICA AVE	FRANKLIN TWP
02758600001	2821	1217	UNION CARBIDE CORP	P O BOX 670	BOUND BROOK, NJ		PISCATAWAY TWP
*17247500000	3316	2019	UNION STEEL	CORPORATION	PO BOX 156	UNION NJ	UNION TWP
20401500000	2295	2013	UNITED COATED FABRICS	CORP	245 WESCOTT DRIVE	BOX #1201-C	RAHWAY CITY
48111200000	2844	1222	UNIVERSAL FRAGRANCE	CORPORATION	124 CASE DRIVE	SOUTH PLAINFIELD, NJ	SOUTH PLAINFIELD BORO
10275000000	3494	2004	UNIVERSAL VALVE	CO INC	478 SCHILLER ST	ELIZABETH, NJ	ELIZABETH CITY
32238100000	2842	1222	VALSPAR CORPORATION	FEDERAL INTERNATIONAL	CHEMICALS DIVISION	3474 RAND ROAD	SOUTH PLAINFIELD BORO
50132500000	2653	2014	VICTORY CORRUGATED	CONTAINER CORP OF N J	W 1ST AVE & ALDENE RD	ROSELLE NJ	ROSELLE BORO
*35319000000	2879	0614	VINELAND CHEMICAL CO	INC	1611 WEST WHEAT ROAD	VINELAND N J	VINELAND CITY
27101300000	2891	1223	W W HENRY COMPANY	FOOT OF WHITEHEAD AVE	PO BOX 600	SOUTH RIVER NJ	SOUTH RIVER BORO
00295701001	3273	2009	WEL-DON CONCRETE CORP	141 CENTRAL AVE	WESTFIELD NJ		LINDEN CITY
10023100001	2647	1217	WHITESTONE PRODUCTS	INC	40 TURNER PL	PISCATAWAY, NJ	PISCATAWAY TWP
13641100005	2821	1216	WITCO CHEMICAL	CORPORATION	1000 CONVEY BLVD	PERTH AMBOY, NJ	PERTH AMBOY CITY

NEW JERSEY RIGHT TO KNOW COALITION
46 Bayard Street, Room 309
New Brunswick, NJ 08901
201-846-4224

FOR IMMEDIATE RELEASE:
August 25, 1987

CONTACT:
Ken Brown 201-846-4224
Jeff Scott 609-394-1967

COALITION URGES KEAN COMMITMENT TO RIGHT TO KNOW

A coalition of community, environmental and labor groups today issued a report criticizing New Jersey Governor Thomas Kean for failing to aggressively enforce the state's Community Right to Know program and called on the Governor to renew his commitment to this landmark law.

"Four years ago, Governor Kean signed the Worker and Community Right to Know Act with great fanfare, calling it a 'landmark piece of legislation' and proclaiming that 'we are making sure New Jersey is a safe place to work and live,'" remarked Jane Nogaki, Chair of the New Jersey Environmental Federation. "Here we are on the fourth anniversary of this model law and the people of New Jersey still do not have the right to know."

The report prepared by the Right to Know Coalition and entitled, "Report to the People of New Jersey on the State's Right to Know Law: Where Does it Stand After Four Years of Governor Kean's Leadership?" points out the following :

* There are more than 13,000 violators of New Jersey's Right to Know law.

* The State has failed to take enforcement action against anyone for violating the Community Right to Know.

* The State has failed to implement the most important part of the Community Right to Know Program which provides information on the quantities of chemicals released into the environment; the State has sought this information from only 195 employers in New Jersey.

* Although the program has been understaffed and underfunded for four years, Governor Kean vetoed an appropriation of \$250,000 earmarked for stepped up Right to Know enforcement.

* There has been no environmental representative on the Right to Know Advisory Council since November of 1986 and the Governor has failed to take action to fill this critical position.

"The citizens of New Jersey fought hard for the 'Right to Know' because it is the inherent right of people to know about the chemicals they live near and work with," commented Bert Goldberg of the New Jersey Environmental Lobby. "Moreover, this information is critical for responding to emergencies, preventing chemical accidents, planning for waste reduction, and tracking trends in the overall use and discharge of toxic chemicals in the state."

"The Governor has the opportunity to show his commitment to the Right to Know Program," stated Tom Salimone of New Jersey Citizen Action. "We are calling on Governor Kean to use his personal leadership to make sure that New Jersey aggressively implements and enforces the Right to Know law because it is so critical to safeguarding our state's public health and environment."

Specifically, the Coalition urged the Governor to do the following to show his commitment to New Jersey's Right to Know:

- * Develop a tough penalty program and take immediate enforcement action against the more than 13,000 violators of the Right to Know law.

- * Send out Part II environmental surveys gathering information on the use and release of toxic chemicals to at least 15,000 employers by the end of this year.

- * Appoint Nancy Hedinger as the environmental representative on the Right to Know Advisory Council immediately.

- * Expand the list of 154 chemicals to include those covered by the federal Superfund Community Right to Know.

- * Collect and manage the information under the program in a way that makes it affordable and accessible to the citizens of New Jersey.

- * Take out large display advertisements in New Jersey newspapers to inform people of their rights under the Right to Know law.

"We are asking Governor to meet with us, to hear our concerns, and to step up his commitment to the Right to Know," concluded Jane Nogaki.

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* The State has failed to implement the most important part of the Community Right to Know Program which provides information on the quantities of chemicals released into the environment; the State has sought this information from only 195 employers in New Jersey.

* Although the program has been understaffed and underfunded for four years, Governor Kean vetoed an appropriation of \$250,000 earmarked for stepped up Right to Know enforcement.

* There has been no environmental representative on the Right to Know Advisory Council since November of 1986 and the Governor has failed to take action to fill this critical position.

"The citizens of New Jersey fought hard for the 'Right to Know' because it is the inherent right of people to know about the chemicals they live near and work with," commented Bert Goldberg of the New Jersey Environmental Lobby. "Moreover, this information is critical for responding to emergencies, preventing chemical accidents, planning for waste reduction, and tracking trends in the overall use and discharge of toxic chemicals in the state."

"The Governor has the opportunity to show his commitment to the Right to Know Program," stated Tom Salimone of New Jersey Citizen Action. "We are calling on Governor Kean to use his personal leadership to make sure that New Jersey aggressively implements and enforces the Right to Know law because it is so critical to safeguarding our state's public health and environment."

Specifically, the Coalition urged the Governor to do the following to show his commitment to New Jersey's Right to Know:

- * Develop a tough penalty program and take immediate enforcement action against the more than 13,000 violators of the Right to Know law.
- * Send out Part II environmental surveys gathering information on the use and release of toxic chemicals to at least 15,000 employers by the end of this year.
- * Appoint Nancy Hedinger as the environmental representative on the Right to Know Advisory Council immediately.
- * Expand the list of 154 chemicals to include those covered by the federal Superfund Community Right to Know.
- * Collect and manage the information under the program in a way that makes it affordable and accessible to the citizens of New Jersey.
- * Take out large display advertisements in New Jersey newspapers to inform people of their rights under the Right to Know law.

"We are asking Governor to meet with us, to hear our concerns, and to step up his commitment to the Right to Know," concluded Jane Nogaki.



RECEIVED OCT 01 1987

STATE OF NEW JERSEY

OFFICE OF THE GOVERNOR

CN-001

TRENTON

08625

THOMAS H. KEAN
GOVERNOR

SIMONE TUCHI
APPOINTMENTS SECRETARY
TO THE GOVERNOR

September 28, 1987

Jane Nogaki, Chair
NJ Environmental Federation
49 Bayard Street
Suite 309
New Brunswick, NJ 08901

Dear Ms. Nogaki:

Governor Kean has asked me to thank you for your recent letter requesting a meeting with him to discuss the Right to Know Program.

Unfortunately, because of the extremely heavy demands on the Governor's time, it will not be possible to include this appointment on his calendar.

We do appreciate your understanding in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Simone Tuchi".

Simone Tuchi
Appointments Secretary
to the Governor



STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR
CN-001
TRENTON
08625

THOMAS H. KEAN
GOVERNOR

December 15, 1987

New Jersey Right to Know Coalition
46 Bayard Street
Room 309
New Brunswick, New Jersey 08901

Dear Friends:

I apologize for not responding sooner to your letter expressing concern about the status of the New Jersey Worker and Community Right to Know program.

I assure you that I am committed to the law's mandate for a program that discloses hazardous substance information and provides the public with access to that information. I do believe that "individuals have an inherent right to know the full range of the risks they face so that they can make reasoned decisions and take informed action concerning their employment and living conditions." The Right to Know program is a valuable tool that contributes to our understanding of the state's environment and the hazardous substances that affect it.

Initially, the State program was delayed by lawsuits questioning the validity of the New Jersey Law in view of the U.S. Occupational Safety and Health Administration's Hazard Communication Program. Those delays were major obstacles in program implementation; many businesses were confused about compliance, and funding under the Right to Know assessment process was drastically cut. Furthermore, the Department of Environmental Protection (DEP) designated the Office of Science and Research to implement the Community Right to Know program because of its experience with the Industrial Survey project. This office developed the survey forms and planned the database for the information, but was not adequately staffed for compliance and enforcement activities. The DEP has since transferred the administration of the Right to Know program to the Division of Environmental Quality's Bureau of Hazardous Substances Information where it will be able to take full advantage of that division's existing enforcement network.

To address your concern about the compliance rate, I must agree that a 60% compliance rate isn't good enough. The Bureau of Hazardous Substances Information has developed a strategy for increasing compliance by having the Division of Environmental Quality's inspectors request Right to Know data whenever they are inspecting a facility for any of the other divisional programs. This strategy provides forty additional inspectors to increase the Right to Know presence among employers throughout the state. This strategy was implemented in September, and there has been an increase in facilities requesting information so that they can comply with the law.

It is true that the DEP has not penalized any facility for failure to complete and return its Right to Know surveys. Compliance letters have been sent, however, to facilities who were delinquent in providing survey information. The penalty regulations were proposed in the New Jersey Register on May 4, 1987, and the comment period ended on June 3, 1987. However, the DEP opted to extend the comment period because it did not feel that there was proper notice to the public. The final penalty regulations should be published sometime in late February or early March. Penalties may be assessed for failure to complete the surveys within the required time period and for surveys incorrectly completed. The extent of the penalty will depend upon several factors, such as the type, seriousness, and duration of the violation.

The Environmental Survey - Part II collects information on hazardous substances released into any environmental media: air, water, or land. Sufficient information is required on the survey to allow a mass balance to be performed. This form of reporting provides the amount of substances brought on site, how much left the site as a final product, the amount of material disposed of as waste, and what amount is unaccounted for as estimated releases. All of this is very valuable information. An initial 195 facilities were chosen to receive Part II surveys as part of a pilot study. Incidentally, the information from these surveys is being shared with the State of New York in a cooperative air toxics study. To date, 158 surveys have been returned, bringing the compliance rate to 81%. The delinquent facilities are being sent compliance letters, and will be put on record that they must comply. When the penalty regulations are in place, further action can be taken.

New federal legislation, the Superfund Amendments and Reauthorization Act (SARA), has similar requirements to New Jersey's Environmental Survey - Part II. The DEP is working with the U.S. Environmental Protection Agency (EPA) to coordinate the survey information and to reduce duplicate reporting requirements for New Jersey's regulated community. The DEP will continue issuing Part II until the EPA has finalized its reporting requirements under Section 313 of SARA Title III. At that time, the Section 313 survey will be mailed in place of our Part II survey, and mailings will be timed to meet the Federal Reporting Requirements. The information collected on these surveys will be part of a national database and will be available to every citizen in the United States.

Page Three

Another issue under discussion with the EPA is which substances must be reported. The DEP is adamant that the regulated community should not be subject to duplicate reporting. The situation is complicated by two factors. The federal program does not regulate a defined list of chemicals as does the New Jersey program, and the federal program only requires reporting when a facility has a large quantity of the chemical substance on site. The threshold for the first reporting year is 10,000 pounds. New Jersey, on the other hand, has no threshold, so every regulated substance present on the site must be reported.

The data collected in New Jersey is available to any citizen who makes a request in writing to the DEP's Bureau of Hazardous Substances Information. Although no charge has been made in the past for any of the information, a minimal fee for copying may be charged in the future. If you have made a request and it has not been answered, please bring it to the attention of Dr. Richard A. Dime at the Bureau of Hazardous Substances Information.

The last point you raise is in regard to advertising the availability of the Right to Know information to New Jersey citizens. This is another part of the Right to Know program that has been recently addressed by the DEP. A community outreach strategy has been outlined, and will be implemented in the coming year. The Bureau of Hazardous Substances Information's staff looks forward to working with you to keep the citizens of our state informed about their right to know. You mentioned in your letter that one way to reach people is through advertisements in major New Jersey newspapers. The staff will certainly take your suggestion into consideration in its outreach strategy.

Many of the problems you raised have been recognized by the program staff, and progress has been made in addressing the issues. The integration of the Federal Community Right to Know Law into the State program is a major new challenge for New Jersey, and the assistance of interested parties will be appreciated. I recommend that you contact Dr. Dime, Chief of the Bureau of Hazardous Substances Information, at (609) 292-6714, and arrange to meet directly with him and his staff about the issues that you have raised in your letter to me.

Best wishes.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Kean". The signature is written in a cursive, slightly stylized font.

Thomas H. Kean
Governor

cc: Dr. Richard A. Dime

(a)

**Worker and Community Right to Know Act
Assessment of Civil Administrative Penalties****Adopted Amendments: N.J.A.C. 7:1G-3.2 and 5.2****Adopted New Rules: N.J.A.C. 7:1G-7**

Proposed: May 4, 1987 at 19 N.J.R. 703(a).

Adopted: January 22, 1988 by Richard T. Dewling,

Commissioner, Department of Environmental Protection.

Filed: January 22, 1988 as R.1988 d.90, with substantive and technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30-4.3).

Authority: N.J.S.A. 13:1B-3, 13:1D-2 and 34:5A-1 et seq.

DEP Docket Number: 011-87-04.

Effective Date: February 16, 1988.

Expiration Date: October 1, 1989.

Summary of Public Comments and Agency Responses:

The public comment period was held open until December 30, 1987 (19 N.J.R. 2234(b)). The Department of Environmental Protection received four written comments regarding the proposed amendments to N.J.A.C. 7:1G-3.2 and 5.2 and the proposed new rules, N.J.A.C. 7:1G-7. One comment from the union representing health care professionals was in support of the proposal and stated "that the Department will need to have the ability to assess penalties in order to force certain employers to comply with the Act." The Department appreciates this comment in support of the proposal.

The Department would like all business and industry that will be subject to the provisions of this subchapter to view these rules in the context of the entire Right to Know program. The Department has committed significant resources to the implementation and operation of the Right to Know program and it seeks a comparable commitment on the part of New Jersey business and industry. The Department is willing to provide assistance to the regulated community. If employers have concerns or questions at any time in the survey process, the Department is available to help clarify issues and answer inquiries.

The other three comments were from two public utility systems and an attorney representing two manufacturing trade organizations.

COMMENT: Three comments concerning the proposed amendments to N.J.A.C. 7:1G-3.2 and 5.2, recommended that the deadline for submission of clarifying information should be extended from 14 days to 30 days.

RESPONSE: The Department has considered this suggestion and is in agreement. Both sections have been changed to provide that "Submission of the clarifying information by the employer to the Department is mandatory within 30 days of notification, or other date specified by the Department."

COMMENT: A comment was received suggesting that the definition of a "completed survey", as found in N.J.A.C. 7:1G-7.2, be amended to provide that if a company has received no response from the Department within 45 days, the survey would be "deemed" complete.

RESPONSE: The Right to Know program must constantly review and update survey information for accuracy in order to develop the most complete and useful database possible. More than 30,000 surveys are sent out to covered employers throughout the State and all must be reviewed when returned. Therefore the Department does not feel that it is appropriate to impose such a time constraint on itself which may undermine its ability to enforce the reporting provisions of the Act.

COMMENT: One comment opposed N.J.A.C. 7:1G-7.3(f) which provides that a hearing may be denied by the Department based on an incomplete hearing request. The commenter suggested that a 10 day extension be granted automatically, rather than at the discretion of the Department.

RESPONSE: The Department believes that the information to be provided in the hearing request is adequately described by the rule and that sufficient time is allowed for preparing the request. Any employer who has questions about preparing a request for hearing is encouraged to contact the Department for assistance. The decision to grant a 10 day extension to correct deficiencies in an incomplete filing will be made on a case-by-case basis.

COMMENT: One comment was opposed to the "seriousness factor" in N.J.A.C. 7:1G-7.8(a)1 being based on the quantity, instead of on the hazard posed by the specific substance.

APPENDIX C

RESPONSE: While the hazard posed by a specific substance depends on its chemical and physical characteristics, categorizing all hazardous substances into several seriousness factors would be both a difficult and extremely subjective process. Whereas, the failure to report or inaccuracy in reporting a large quantity of a hazardous substance is clearly a more serious violation of the rule than overlooking or inaccurately reporting a small quantity of the same hazardous substance. Therefore, the Department will not change the proposed basis for determining the seriousness factor.

COMMENT: Another comment concerned the quantity ranges proposed in N.J.A.C. 7:1G-7.8(a)1 for the seriousness categories. It stated that the three ranges were too low and recommended that they be increased.

RESPONSE: In developing the proposed quantity ranges, the Department considered the fact that the failure to report or inaccuracy in reporting relatively small amounts of some substances could pose rather significant hazards. Therefore, the Department will not increase the proposed quantity ranges upon which the seriousness factor is based.

COMMENT: An additional comment on N.J.A.C. 7:1G-7.8(a)1 stated that "the proposal appears to provide for a separate penalty for each chemical omitted from the surveys".

RESPONSE: While this comment accurately reflects the Department's intent that a separate violation occurs and a separate penalty can be assessed for each compound or substance which is not reported or is inaccurately reported, this paragraph and its subparagraphs have been revised to further clarify that intent.

COMMENT: Two comments were received about the "type factors" described in N.J.A.C. 7:1G-7.8(a)2 and 3ii. Both commenters disagreed with a penalty factor being levied for "unintentional and unforeseeable" violations.

RESPONSE: The Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 et seq., provides for the imposition of penalties for violations without regard to the employer's intentions. The Department may, of course, consider an employer's intent on a case by case basis in assigning a value to the type factor in accordance with the schedule of factor values. Therefore, if the Department determines that the violation was unintentional and unforeseeable, the type factor with the lowest value would be applied in assessing the penalty amount.

COMMENT: Two comments opposed N.J.A.C. 7:1G-7.8(a)4 because they believed the Right to Know program was exceeding its authority by penalizing employers for releases of hazardous substances in addition to non-reporting of the substances on Right to Know surveys. They argued that the program was levying multiple penalties.

RESPONSE: The Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 et seq., covers reporting not releasing. The authority to penalize for releases exists under separate laws and regulations enforced by the Department. Instead, the Department is proposing to penalize the employer because it discovers through a release episode that a reportable hazardous substance was omitted or reported inaccurately on the Right to Know Survey. An additional value is being placed on the penalty to emphasize to employers that they must completely and accurately disclose all of the information required on the survey forms. This section has been clarified.

COMMENT: A second comment concerning N.J.A.C. 7:1G-7.8(a)4 requested a definition of "release of a reportable substance".

RESPONSE: As the Department is not seeking to assess penalties for environmental releases under this rule, the definition of "release" is not appropriate here.

The Department has made the following changes based on the Department's own review which indicated a need for citation corrections, typographic corrections or further clarification.

The citation to the section entitled "Clarification of Completed ESI Survey" has been corrected to read "N.J.A.C. 7:1G-5.2".

In the definition of "Time related violations", the term "or" was corrected to read "are".

In N.J.A.C. 7:1G-7.3(a)4, (c) and (d), the phrase "an adjudicatory" has been added to clarify the type of hearing to which an alleged violator is entitled under this section.

At N.J.A.C. 7:1G-7.3(c), the address to which a written request for an adjudicatory hearing should be submitted is changed to:

Assistant Director
Environmental Enforcement
Division of Environmental Quality
CN 027
Trenton, N.J. 08625

In N.J.A.C. 7:1G-7.7(a), the first sentence has been rewritten to clarify that the type of penalty referred to is the civil administrative penalty assessed by the Department.

In the table at N.J.A.C. 7:1G-7.7(a), the phrase in line 1 has been corrected to read "Less than four weeks late".

N.J.A.C. 7:1G-7.8(a)1 was changed by the addition of "or inaccurately reported" at the end of the first sentence. This language clarifies the seriousness factor determination in light of the inclusion of "misrepresentation of information" in the N.J.A.C. 7:1G-7.2 definition of "non-time related violation".

In N.J.A.C. 7:1G-7.8(a)1i, the phrase describing the maximum inventory for the seriousness factor "Major" is corrected to read "(greater than 1000)".

In the table at N.J.A.C. 7:1G-7.8(a)3ii(1), the term "Willfull" is corrected to read "Willful", and at N.J.A.C. 7:1G-7.8(a)3ii(3) the phrase "unintentionable and unforeseeable" is corrected to read "Unintentional and unforeseeable".

In N.J.A.C. 7:1G-7.8(a)4, the last sentence has been deleted as it merely provides one basis for the rule.

In N.J.A.C. 7:1G-7.8(b)1, the phrases "for any violation" and "for each such violation" have been added to clarify that the \$2,500 maximum penalty referred to applies to each individual violation.

At N.J.A.C. 7:1G-7.10(a), the term "Department" has been substituted for the phrase "Commissioner, as he deems appropriate," to clarify that the election as to the type of penalty to be assessed in a particular case has been properly delegated to employees within the Department.

Full text of the adoption follows (additions to the proposal shown in boldface with asterisks *thus*; deletions from the proposal shown in brackets with asterisks *[thus]*).

7:1G-3.2 Clarification of completed Environmental Survey

The Department may require an employer to submit information clarifying any statement made on Part I and Part II of the Environmental Survey. The Department shall transmit this clarifying information to the county health department (or county clerk if there is no county health department), as it deems necessary. Submission of the clarifying information by the employer to the Department is mandatory within 14 days of notification, or other date specified by the Department.

7:1G-3.3**5.2* Clarification of completed ESI Survey

The Department may require an employer to submit information clarifying any statement made on the Emergency Services Information Survey. The Department shall transmit this clarifying information to the local fire department and police department as it deems necessary. Submission of the clarifying information by the employer to the Department is mandatory within *[14]* *30* days of notification, or other date specified by the Department.

SUBCHAPTER 7. ASSESSMENT OF CIVIL ADMINISTRATIVE PENALTIES

7:1G-7.1 Authority and scope

(a) This subchapter is promulgated to provide a schedule and procedures for the assessment of civil administrative penalties as provided in the Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 et seq., at N.J.S.A. 34:5A-31(d).

(b) N.J.S.A. 34:5A-31(a) provides four options for enforcement actions whenever an employer is in violation of the Worker and Community Right to Know Act, or any rule or regulation issued pursuant to the Act. One of the options is to levy a civil administrative penalty in accordance with N.J.S.A. 34:5A-31(d). Under that section, the Commissioner is authorized to assess a penalty of not more than \$2,500.00 for each violation, and additional penalties of not more than \$1,000.00 for each day during which a violation continues after receipt of an order from the Department. N.J.S.A. 34:5A-31(d) further provides that, "Any amount imposed under this subparagraph shall fall within a range established by regulation by the commissioner for violations of similar type, seriousness, and duration." This subchapter establishes those ranges.

(c) This subchapter shall govern the assessment of civil administrative penalties for violations of the Worker and Community Right

to Know Act, N.J.S.A. 34:5A-1 et seq., or of any rule or regulation issued pursuant to that Act by the Department of Environmental Protection.

7:1G-7.2 Definitions

In addition to the definitions set forth in N.J.A.C. 7:1G-1.2, the following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Completed survey", as used in N.J.S.A. 34:5A-7 and this subchapter, means a survey form entirely filled out, and free from deficiencies, errors or omissions.

"Inventory range" means the range in which the quantity of the hazardous substance and material at the facility is reported on the Environmental Survey or on the Emergency Services Information Survey.

"Non-time related violation" means a violation other than a time related violation. These may occur when there is a failure to carry out a duty imposed by statute, order, or regulation. Examples of such violations include the failure to list all reportable substances and misrepresentation of information.

"Order" means any and all orders issued or entered into by the Department including, but not limited to, Administrative Orders and Administrative Consent Orders.

"Reportable substance" means those substances and/or materials which are on the Environmental Hazardous Substance List set forth in N.J.A.C. 7:1G-2 or the Hazardous Materials List set forth in N.J.A.C. 7:1G-4.

"Time related violation" means that type of violation that occurs when there is a failure to meet a time limit or deadline imposed by statute, order, or regulation. Examples of such violations *[or]* *are* failure to submit the Environmental Survey or Emergency Services Information Survey within the required time frame and failure to supply clarifying information as requested by the Department within the required time frame.

7:1G-7.3 Procedures for assessment of civil administrative penalties

(a) Before any assessment is levied pursuant to this subchapter, the alleged violator shall be notified by certified mail, return receipt requested, or by personal service. Such notice shall include:

1. A reference to the statute, regulation, and/or order violated;
2. A concise statement of the facts alleged to constitute the violation;
3. A statement of the amount of civil administrative penalties sought to be imposed; and
4. A statement of the alleged violator's right to *[a]* *an adjudicatory* hearing and notice of the procedure for requesting *[a]* *an adjudicatory* hearing.

(b) A notice of assessment of a civil administrative penalty may be issued separately or as part of an administrative order issued pursuant to N.J.S.A. 34:5A-31(b) requiring the alleged violator to take affirmative action to comply with the Worker and Community Right to Know Act or a rule or regulation issued pursuant to the Act.

(c) The alleged violator shall have 20 calendar days from receipt of the notice of civil administrative penalty assessment within which to deliver a written request for a hearing to:

Assistant Director
 Environmental Enforcement
 Division of Environmental Quality
 CN *[405]* *027*
 Trenton, New Jersey 08625

(d) The party requesting *[a]* *an adjudicatory* hearing shall, in its request for a hearing, furnish the Department with the following:

1. A statement of the legal authority and jurisdiction under which the hearing or action to be taken is to be held;
2. A reference to the particular sections of the statutes and rules involved;
3. A short and plain statement of the matters of fact and law asserted; and

4. The provisions of the order or notice of assessment to which the party objects, the reasons for such objections, and any alternative provisions proposed.

(e) If a hearing request is not timely received by the Department, the Department shall deny the request.

(f) If a request is incomplete the Department may deny the hearing request. An additional 10 days to correct deficiencies in an incomplete filing may be granted by the Department.

(g) The hearing shall be held pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Practice Rules, N.J.A.C. 1:1-1 et seq.

(h) After a hearing, and upon finding that a violation has occurred, the Commissioner or his authorized representative may issue a final assessment of the amount of the fine specified in the notice or such lesser amount as he may assess pursuant to the provisions on compromise of N.J.S.A. 34:5A-31(d). If no hearing is requested or if the Department denies the request, the original notice of assessment becomes a final order upon the twenty-first calendar day following its receipt.

(i) Payment of an assessed civil administrative penalty is due when a final order is issued by the Commissioner subsequent to a hearing, if any, or the notice becomes a final order. If the alleged violator fails to pay the penalty to the Department or to make acceptable arrangements to pay the penalty within a reasonable period of time thereafter, the Department may institute a civil action pursuant to N.J.S.A. 34:5A-31(e) for a civil penalty not to exceed \$2,500.00 per day.

7:1G-7.4 Compromise of penalties

(a) At his discretion, the Commissioner or his authorized representative may compromise a penalty assessed pursuant to this subchapter in whole or part, on the following terms and conditions:

1. Upon the posting by the violator of a performance bond or similar form of security in an amount and upon terms deemed satisfactory by the Commissioner;

2. On the basis of mitigating or extenuating circumstances;

3. Upon any other terms or conditions acceptable to the Commissioner or his authorized representative.

7:1G-7.5 Alternative remedies

Neither the assessment of a civil administrative penalty nor the payment of any such penalty shall be deemed to affect the availability to the Department of any other enforcement provision provided for by N.J.S.A. 34:5A-31, or any other statute, in connection with the violation for which the assessment is levied.

7:1G-7.6 Records of assessments

(a) In order to promote consistency in the application of this subchapter, the Department shall collect and maintain in a discrete file a record of each assessment made pursuant to this subchapter. Such file shall be a public record and shall be kept available for public inspection pursuant to N.J.S.A. 47:1A-1 et seq.

(b) The file shall, at a minimum, include a copy of each notice and all final orders issued pursuant to N.J.A.C. 7:1G-7.3, and the terms of any compromise agreed to pursuant to N.J.A.C. 7:1G-7.4.

7:1G-7.7 Penalty for time related violations

(a) The ***assessed*** penalty for ***a*** time related ***[violations]* *violation*** is determined by the number of weeks or fraction thereof that the Environmental Survey, the Emergency Services Information Survey or the clarifying information requested by the Department is overdue. The following table shall be used to determine the penalty:

1. Less than four weeks late*[r]*	\$100.00
2. Four weeks to six weeks late	\$500.00
3. Six weeks to eight weeks late	\$1000.00
4. Eight weeks to 10 weeks late	\$1500.00
5. Ten weeks to 12 weeks late	\$2000.00
6. More than 12 weeks late	\$2500.00

7:1G-7.8 Penalty for non-time related violations

(a) The penalty which may be assessed for a non-time related violation under this subchapter is \$2,500.00 or a fraction thereof, to be determined pursuant to N.J.S.A. 34:5A-31(d) by application of

factors indicative of the type, seriousness, and duration of the violation, as described below:

1. Seriousness factor: The seriousness of a violation is determined with reference to the maximum inventory of a ***[single]* chemical *[or group of chemicals]*** stored, handled, or manufactured at any one time at the facility but not reported ***or inaccurately reported***. There are three degrees:

i. Major: The maximum inventory of a ***[single]* chemical *[or a group of chemicals]*** stored, handled, or manufactured at the facility at any one time is within inventory range 13 to 20, inclusive (greater than ***[1,001]* *1000***), as defined in N.J.A.C. 7:1G-7.2.

ii. Moderate: The maximum inventory of a ***[single]* chemical *[or a group of chemicals]*** stored, handled, or manufactured at the facility at any one time is within inventory range 11 or 12 (10 to 1,000).

iii. Minor: The maximum range of a ***[single]* chemical *[or a group of chemicals]*** stored, handled, or manufactured at the facility at any one time is within inventory range 10 (less than 10).

2. Type factor: The type factor reflects the circumstances of the violation and the responsibility of the violator. There are three degrees:

i. Willful: A willful violation is one which is the result of some deliberate, knowing or purposeful action or inaction by the violator.

ii. Unintentional but foreseeable: An unintentional but foreseeable violation is one which the violator, by the exercise of reasonable diligence, could have or should have foreseen and prevented but was not caused by a deliberate, knowing, or purposeful action or inaction by the violator.

iii. Unintentional and unforeseeable: An unintentional and unforeseeable violation is one which the violator could not be expected to have foreseen, even by the exercise of reasonable diligence.

3. Schedule of factor values: Penalties for non-time related violations shall be computed after assigning values to the seriousness and type factors from the table below:

i. Seriousness:	Values
(1) Major	1.00
(2) Moderate	0.50
(3) Minor	0.25
ii. Type:	Values
(1) Willful	1.00
(2) Unintentional but foreseeable	0.50
(3) *[Unintentionable]* *Unintentional* and unforeseeable	0.25

4. In the event ***[there is]* *that the Department becomes aware through*** an environmental release of a reportable substance which was not reported or inaccurately reported to the Department ***on a survey***, an additional value between 0.10 and 0.25, depending on ***[the]* inherent toxicity or harmful characteristics of the substance**, shall be added to the type factor. ***[This is intended to reflect the higher standard of care in the storage and use of hazardous substances and/or materials which the Department seeks to encourage.]***

(b) Computation of penalty: The penalty for non-time related violations shall be computed as follows:

$$(\text{seriousness}) \times (\text{type}) \times (\$2,500.00) = \text{penalty}$$

1. If the penalty computed by this method is greater than \$2,500 ***for any violation*** the \$2,500 maximum penalty shall be assessed ***for each such violation***.

7:1G-7.9 Daily penalty

(a) After receipt of an Administrative Order from the Department to cease a violation, either time related or non-time related, and for each day during which the violator fails to comply with the terms of the Administrative Order, a daily penalty shall be assessed, in addition to any other penalties provided for in this subchapter, based on the following table:

1. During first week after deadline	\$100.00/day
2. During second week after deadline	\$200.00/day
3. During third week after deadline	\$500.00/day
4. During fourth week after deadline and subsequently	\$1000.00/day

7:1G-7.10 Violations which are both time and non-time related

(a) In some cases a single offense may constitute both a time related and a non-time related violation. In such cases, the *[Commissioner, as he deems appropriate,]* *Department* may elect to:

1. Assess penalties for the time related violation only; or
2. Assess penalties for the non-time related violation only; or
3. Assess penalties for both the time related violation and the non-time related violation.

(a)

DIVISION OF WATER RESOURCES

Flood Hazard Area Delineation

Redelineation of Raritan River and Peters Brook

Adopted Amendment: N.J.A.C. 7:13-7.1(d)

Proposed: January 20, 1987 at 19 N.J.R. 167(b)

Adopted: January 18, 1988 by Richard T. Dewling,

Commissioner, Department of Environmental Protection.

Filed: January 20, 1988 as R.1988 d.79, without change.

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et seq.

DEP Docket Number: 060-86-12.

Effective Date: February 16, 1988.

Expiration Date: May 4, 1989.

Summary of Public Comments and Agency Responses:

The proposed amendment originally appeared in the April 7, 1986 New Jersey Register at 18 N.J.R. 600(a). The Department of Environmental Protection ("Department") held a public hearing on the proposed rule amendment on May 21, 1986 at the Hillsborough Township Municipal Building in Neshanic, New Jersey. Sixteen people were in attendance with four people offering comments. Three written comments were also received. Comments received during the public comment period indicated that the public notice was inadequate and misleading. The Department subsequently withdrew the proposal at 19 N.J.R. 167(a).

The proposal was repropose on January 20, 1987 in the New Jersey Register at 19 N.J.R. 167(b). The notice advised that a public hearing had been scheduled for February 5, 1987 at 1:00 P.M. at the Hillsborough Township Municipal Building, 330 Amwell Road, Neshanic, New Jersey to afford the public an opportunity to be heard on the proposed action by the Department. In addition, the Department issued a notice of public hearing on December 17, 1987 which was published in the Hillsborough Beacon. Both notices invited written comments to be submitted on or before February 19, 1987. Of the approximately 18 people that were in attendance at the hearing, seven people commented. One written letter was received during the comment period.

At the hearing, the Department proposed an additional floodway revision at Route 206 in the vicinity of the municipal boundaries of Somerville and Raritan Boroughs at Orlando Drive. The revision reflected an optimization of the existing hydraulic modeling of the floodway. That revision is not, however, being adopted as part of this proposed amendment. Although no adverse comments were received, the Department has decided to propose this revision separately because it had not been proposed and the maps were not available prior to the hearing. The proposal appeared in the July 20, 1987 New Jersey Register at 19 N.J.R. 1277(a) and the adoption appeared in the October 5, 1987 New Jersey Register at 19 N.J.R. 1797(a).

COMMENT: Since the proposed redelineation is essentially identical to the redelineation proposed in April 1986, the comments made on the earlier version of this proposal should be incorporated in this adoption summary.

RESPONSE: The following 12 comments represent the comments from the May 21, 1986 hearing. The comments and the Department's responses appeared in the summary to the second proposal at 19 N.J.R. 167(b).

COMMENT: The summary and economic impact statement set forth in the notice of proposal for the amendment (18 N.J.R. 600(a)) failed to adequately describe the actual, foreseeable impacts of the proposal.

RESPONSE: In most cases, the impact of a redelineation of a stream is minor. Updated hydraulic and hydrologic information usually results in some limited expansion of the area regulated under the Department's flood hazard area control rules, N.J.A.C. 7:13-1. However, because of the special circumstances of this commenter, the impact of the redelineation is potentially greater.

The notice of proposal for this amendment does fail to draw attention to the actual increases in the elevation of the design flood which the redelineation describes. The lack of this information in the preamble of the proposal might have interfered with the ability of members of the public to comprehend the potential impact of the proposal upon them. It is the Department's policy to err on the side of public participation in cases where there is some doubt regarding the adequacy of the notice. Therefore, the Department has concluded that it is appropriate to repropose the Raritan River redelineation.

COMMENT: The redelineation will stagnate further individual lot development in some areas and discourage home owners who want to expand or make substantial improvements to existing dwellings.

RESPONSE: The redelineation will restrict development where land falls within the Department's expanded jurisdiction. However, the purpose of redelineation is to identify and control development in areas subject to flooding in order to minimize loss or damage. The risk of flooding is weighed against the right of property owners to develop their property. Some restrictions are necessary to insure the safety and welfare of the community.

COMMENT: Property that has never been subject to flooding is being designated as being in a flood hazard area.

RESPONSE: Redelineations are based on a theoretical 100-year storm rather than historical records of flooding. The proposal process is not the appropriate forum in which to seek removal of property from a flood hazard area. Federal Emergency Management Agency ("FEMA") map amendments are processed through the Federal government.

COMMENT: The Flood Hazard Area Control Act requires that stream delineations identify the various subportions of the flood hazard area for reasonable and proper use according to relative risk, including the delineation of floodways necessary to preserve the flood carrying capacity of natural streams (see N.J.S.A. 58:16A-52). The Department does not evaluate the "relative risk", as required by this section of the Act.

RESPONSE: When the Department developed the flood hazard area control rules, N.J.A.C. 7:13-1 et seq., the risk of flooding was weighed against the rights of property owners in the flood plain to develop their properties as they please. Those rules reveal a balance between competing interests which reasonably meets this requirement in the Flood Hazard Area Control Act. What the commenter appears to be suggesting is that the law requires a risk assessment for each property along each stretch of stream to be delineated. A reasonable interpretation of what the legislature intended is that the Department balance the risk against the right to develop on a programmatic basis. This is what the Department did when adopting the flood hazard area control rules. The rules only prohibit significant development in the floodway (the main stream channel). Within the flood fringe, most types of uses are allowed, within the reasonable restrictions set by the rules. To set different standards for each property owner or each stream, as this comment suggests, would create a method of operation for the flood control program which could, in the Department's opinion, have resulted in unacceptable piecemeal, and possibly inconsistent, delineations.

COMMENT: The elevations on the flood insurance map should not be based on the failure of the dam at Chimney Rock.

RESPONSE: Failure of the dam was not a consideration in the redelineation as proposed.

COMMENT: The definition of "flood hazard area design flood" in the rules, N.J.A.C. 7:13-1.2, appears to have been based on an old Water Policy and Supply Council resolution dated December 16, 1974. What was the justification for the December 1974 Water Policy and Supply Council resolution calling for a design flood discharge flood hazard area of 25 percent greater than the design discharge used for defining floodway limits ("25 percent add-on")?

RESPONSE: The United States Geological Survey ("U.S.G.S.") within the Department of the Interior through a cooperative program with this Department completed a study to develop a method for computing design discharges which takes into consideration the rapid urbanization that increases flood peaks. By resolution of the Water Policy and Supply Council, the method of computing flood discharges shall be consistent with the methodology in "Magnitude and Frequency of Floods in New Jersey with Effects of Urbanization" by Doctor Stephen J. Stankowski of the U.S. Department of Interior. It was further resolved that alternative methods may be used to compute the design flood discharges and under the provisions of N.J.S.A. 58:16A-52, the State design flood discharge shall be 25 percent greater than the design discharge used for defining the floodway limits.

NEW JERSEY RIGHT TO KNOW COALITION
921 Main Street
Belmar, NJ 07719

For release 9:00 a.m. March 9, 1988
PRESS CONFERENCE BEING HELD
MARCH 9, 9:30 a.m., STEPS OF
THE STATE LIBRARY, WEST STATE STREET,
TRENTON, NJ

For further
information, contact:
Debbie Keller
(201) 280-8988
Madelyn Hoffman
(201) 429-8965

The New Jersey Right to Know Coalition and its member groups are boycotting the public hearing being held from 10:00 a.m. to 12:30 p.m., and 2:00 p.m. to 5:00 p.m. today, March 9, 1988, by the state's Right to Know Advisory Council. Instead of attending the public hearing, Coalition members are holding a press conference on the steps of the State Library in Trenton to express their displeasure with Governor Kean and his failure to implement the state's right to know law.

By law, the state's Right to Know Advisory Council is required to have as one of its members a representative from the state's environmental groups. The former environmental representative on the committee resigned 14 months ago and left the state, and Governor Kean has refused to appoint a replacement. The Right to Know Coalition has been asked twice to suggest the names of candidates to the Governor, and we have provided names to the Governor, but the Governor has never acted.

Thus today's hearing will be held without the Advisory Council having representation from the environmental community, and this is unacceptable, so we are boycotting the hearing. The NJ Department of Environmental Protection is going to testify today, describing the condition of the state's right to know program. But there will be no environmental representative on the Advisory Council to ask the DEP tough questions about why the state's right to know program is in such a shambles (see enclosed fact sheet).

In addition, our member groups had planned to present testimony before the hearing, but we do not believe our testimony would receive a sympathetic hearing from the existing members of the Advisory Council.

The Advisory Council itself bears partial responsibility for the failure of state government to implement the right to know program. The DEP has failed to implement the program, thus violating state law, and the Advisory Council has never taken steps to bring the DEP into compliance.

(Over, please.)

In August, 1987, we asked Governor Kean for six actions to improve the state's right to know program. He refused all six. Today we are calling upon the Governor once again to take those six actions:

1) To take tough enforcement action against the thousands of New Jersey companies that have refused to give information to the DEP about the chemicals they use; so far the DEP has taken no enforcement action.

2) To send out Part II Forms to at least 15,000 companies by April 1, 1988; so far, in four and a half years, the DEP has sent out only 196 Part II Forms.

3) To appoint an environmental representative to the Advisory Council. Nancy Hedinger and Madelyn Hoffman would both be acceptable to the environmental community and the governor should appoint one of them within two weeks.

4) The list of approximately 155 chemicals covered by New Jersey Right to Know should be expanded to include the 300-or-so chemicals covered by the federal SARA Title III amendments.

5) The right to know data should be made available to citizens across the state, as is called for in the original law. Local officials do not know that they are supposed to receive the data and make it available to local citizens. In addition, we call upon the Governor to initiate a program of outreach, including media advertising campaigns, to tell citizens that the data is available and how they can get it.

6) We ask the Governor to meet with us to discuss the flagrant shortcomings of the DEP's right to know program.

It is clear that Governor Kean is subverting the New Jersey right to know law. We want an explanation of this unlawful behavior.

(Over, please.)

Fact Sheet:
The Status of Community Right to Know in New Jersey
as of March 1, 1988

From 1981 to 1983 a state-wide coalition of over 200 citizen groups fought for passage of the nation's toughest right-to-know law. The Governor signed the law August 29, 1983, so we have had the law about 4 1/2 years.

The law requires the state to establish a "comprehensive system for the disclosure and dissemination of information about hazardous substances in the workplace and in the environment."

Specifically, the community portion of the law requires the DEP to develop two documents: (1) an ENVIRONMENTAL HAZARDOUS SUBSTANCES LIST naming the nasty chemicals that are covered by community right to know; and (2) "The ENVIRONMENTAL SURVEY, a document employers will be required to complete for each environmental hazardous substance present at their facilities. The survey will require disclosure of information including the quantity of the substance produced, consumed, brought into, and shipped out of the facility, the point source and fugitive emissions of the substance, and waste treatment information" about the substance. The law also requires DEP to require companies to report the quantity of each chemical that passes through their facility in a year's time (so-called "throughput" information).

Obviously, for people concerned about water quality (or, for that matter, about air quality), this would be very valuable information. With the community right-to-know information you should be able to locate all the users of hazardous chemicals in a watershed and then use that information to build public awareness of the problem, to target a plant to try to negotiate for reduction in the use of one chemical or another, or to make sensible decisions about siting new plants (based on a company's standard industrial classification code, you could anticipate what chemicals they would tend to use--so you'd know whether you wanted them sited on the edge of a river or across the street from a school, for example). Emergency response personnel need the data for their own safety.

Unfortunately, the DEP decided to ignore the requirements of the law. Instead of asking for all the information listed above, they broke the survey form into two parts: a Part I form, to be sent to 40,000 companies, and a Part II form, to be sent to an unspecified number of companies.

The Part I form simply asked what amount of each chemical is stored at a facility and what kind of container it's in.

For Part I, the companies were not asked how much of a chemical they spill or leak into the environment, they were not asked how much they intentionally discharge into the air, they were not asked about waste disposal, they were not asked how much they ship into or out of a facility and they were not asked to estimate how much of a chemical passes through their facility each year. (A company may have a 5,000 gallon tank; but if they empty that tank once a week and fill it again, they'll use 260,000 gallons each year; if they empty the tank and fill it each day [for example, through a pipeline], they'll use about

(Over, please.)

1.8 million gallons of that chemical each year. Obviously the "throughput" information tells you a lot about the transportation of that chemical, the opportunities for leaks and spills, the potential for disasters, and the waste problems that might be associated with that chemical. Without the "throughput" information, you have only an instantaneous "snapshot" of the problem but you have no idea about the real size of the problem.

The DEP sent Part I forms to 40,000 firms, starting in 1984. Our study of Part I forms containing data on one or more chemicals reveals that the DEP has received data from only 6,512 companies. This means that about 33,500 companies are violating the law today. The DEP has never taken action against a single violator.

Richard Dime, the DEP man in charge of the Right-to-Know Program, said in a letter to the New Jersey Industrial Union Council July 27, 1987, that they will send Part II forms to any company that reports storing 11 or more pounds of any of 20 chemicals. (These criteria for selecting firms to receive Part II forms have never been published anywhere and were not subject to public comment.)

The Part II forms were sent to 197 companies. About 60% of those have responded--a 40% rate of violations. The DEP has taken no action against the violators. The DEP has never computerized any of the Part II data, so it can only be analyzed with pencil and paper (as tedious a job for the DEP as it would be for citizens, essentially guaranteeing that the data will not be analyzed because of the time and effort that would be required).

The DEP announced to the NJ Environmental Federation and others at a public meeting February 26 that they have ceased distributing Part II forms. They have decided to let the federal EPA take over the data collection effort. The EPA (under federal SARA Title III Section 313) has a similar data collection effort they plan to begin some time later this year and they plan to computerize by spring, 1989. The DEP now says New Jersey citizens can get New Jersey right-to-know data out of the EPA's computer in Washington, if they want the data. The DEP does not know what it will do if the EPA fails to collect the data in a timely fashion.

The EPA data collection effort does not include throughput information, so the DEP plans to send additional forms to the companies that will be receiving the federal SARA 313 forms. The DEP said they are not sure whether they will computerize the throughput information that they gather.

In addition the DEP said Feb. 26 that they have changed the criteria for selecting firms that will get Part II forms: Now, because of the way SARA is being implemented, instead of 11 or more pounds being the selection criterion, 75,000 or more pounds will be the new selection criterion.

New Jersey Right to Know law has been completely subverted by Governor Tom Kean. The DEP's program makes a mockery of the enormous effort citizens made to get it passed.

(Over, please.)

Since the implementation of the Worker and Community Right to Know Act (N.J.A.C. 34:5A-1 et seq.) in 1984, New Jersey has developed a comprehensive database on chemicals used or stored at 12,000 facilities throughout the state which are of particular concern in the workplace or the environment. The information on this database is currently available to the public. Although initial implementation of the state program was delayed due to lawsuits and amendments, this program served as the model for the federal Superfund Amendments and Reauthorization Act of 1986 (SARA) (PL 99-499), Title III—"Emergency Planning and Community Right to Know Act". The Environmental Protection Agency (EPA) and the National Governors Association have recognized the advancements that the NJ program has made in implementing Community Right to Know, and consult the NJ program staff for information and assistance for other State programs.

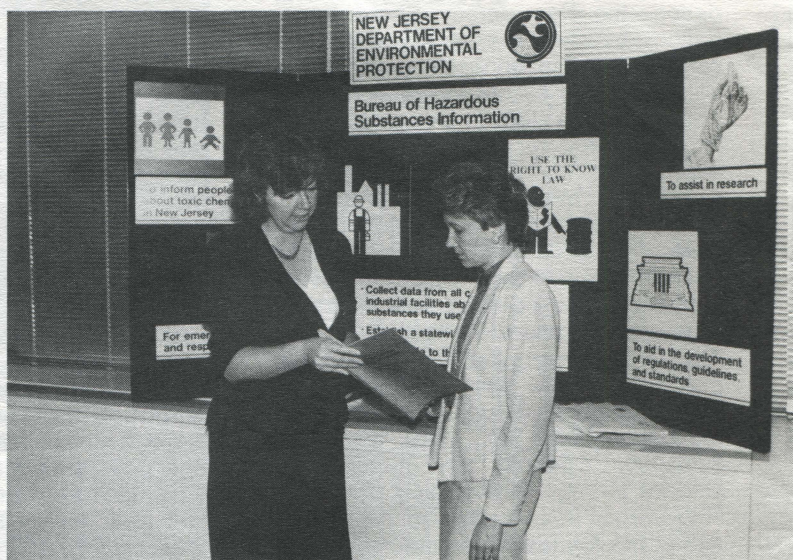
Who is responsible for what

THE NEW JERSEY WORKER and Community Right to Know law is administered by the state departments of Health (DOH), Labor (DOL), and Environmental Protection (DEP). The DOH is responsible for the parts of the program dealing with worker safety. The DOL assesses the fees on covered employers, and is involved in employee-employer relations. The DEP is responsible for the "Community" part of the program, and has regulations which cover all manufacturing facilities and selected non-manufacturers who have been identified as possible users of hazardous substances.

DEP role

TO OBTAIN DATA ON hazardous substances which are used or stored at a facility, DEP Office of Science and Research (OSR) in 1985 developed and sent out two surveys. The Environmental Survey—Part I required employers in certain Standard Industrial Classification codes to report ranges of maximum storage quantities, method of storage, and purity of any substance which appears on the Environmental Hazardous Substance List (N.J.A.C. 7:1G). There are 154 compounds on this list, all of which are present in New Jersey and all of which are associated with potential environmental and health hazards. A second survey, the Emergency Services Information Survey (ESIS), requested the reporting of information on the inventory, storage, or use of any of the approximately 2200 chemicals listed on the US Department of Transportation Hazard-

Barbara Sergeant (left), principal environmental specialist, practices to "man" the Community Right to Know exhibit for an upcoming conference by explaining the information in the displayed publications to Dr. Jill Lipoti, coordinator of communications and outreach for the program.



ous Materials Table. All of these substances are of primary concern in emergency situations and of particular interest to first responders. The law requires facilities to send copies of the ESIS to the local Police and Fire Departments, which typically are first responders in an emergency.

BASED ON the data received from the Environmental Survey—Part I in 1987 an initial 200 facilities were selected to complete the Environmental Survey—Part II for selected chemicals. The Part II survey requires the facility to complete a mass balance for the selected chemical: The total quantity of a substance brought onto a facility must balance with the amount that is shipped out as product or waste, or released into the environment in any media: air, water or land. This information is useful for determining waste reduction efficiency and for evaluating hazardous substance management practices at the facilities. It will assist in the compliance and enforcement of many environmental programs by cross-checking the data with information supplied to the DEP under air permits, water discharge permits, hazardous waste manifests, and other regulatory programs including the Environmental Cleanup Responsibility Act and waste minimization programs. In the broader picture, this data will aid in the development of regulations, guidelines and standards to minimize adverse effects of a hazardous substance on an integrated basis throughout the environment, rather than piecemeal regulations for water, air, and land.

Enforcement

TO ENHANCE THE ENFORCEMENT

of the Community Right to Know Act, in July 1986 the program was relocated from (OSR) into the Division of Environmental Quality (DEQ), Bureau of Hazardous Substances Information (BHSI). The bureau will rely on the division environmental enforcement element to conduct additional field investigations and assist in administrative aspects of penalty assessment.

PENALTY REGULATIONS have been adopted and they provide for penalties of up to \$2500 for not returning a survey, and \$1000 per day for a continuing violation after an administrative order is issued. Of 9200 facilities surveyed in summer 1987, over 4000 have not returned the survey. DEP has sent certified letters

Earl Baker



Program—A Model For Other States

advising them of their responsibilities, and will initiate action to penalize them if a completed survey is not received.

State Police Role

UNDER THE FEDERAL LAW, the Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III there are emergency planning and community right to know provisions. Subtitle A includes emergency planning and notification requirements which are designed to help communities better meet their responsibilities in regard to planning for and responding to potential hazardous material emergencies. Responsibility for implementation of these requirements in our state was delegated to the New Jersey State Police, Office of Emergency Management. For more information, please contact that office at 609-882-2000.

DEP role under federal law

SUBTITLE B OF SARA Title III contains provisions which are designed to help increase the public's knowledge and access to information on the presence of hazardous substances in their communities and releases of these substances into the environment. Responsibility for implementation of these provisions was delegated to DEP, Bureau of Hazardous Substances Information. While the intent of the federal legislation is the same as the New Jersey law, there are differences in the details such as reporting forms, hazardous substance lists used, threshold quantities of substances which must be reported, reporting schedules, and facilities covered. DEP has developed a pro-

gram that meets the requirements of both the federal and state legislation so that the regulated community is not subjected to duplicate reporting.

BHSI HAS developed the Community Right to Know Survey (DEQ 094) (See Photo, Page 5) which meets the inventory reporting requirements of both the state and federal programs. This form was mailed to all manufacturing facilities in New Jersey (18,535 facilities) in February 1988. The surveys are to be completed and returned within 90 days. This information will be added to the existing Right to Know database. Copies of the completed surveys are to be sent to the appropriate local fire and police departments, the local emergency planning committee, and the county lead agency to both assist in emergency planning and give public access to the information.

UNDER THE federal program, certain manufacturers also must provide information on a Toxic Release Inventory report form. Establishment of a national database will allow the federal information to be analyzed on a regional basis so that the boundary between states will not be an artificial barrier to using the pollutant information. In addition, this information will be available at the state and local levels. The DEP plans to use the information supplied to us on these federal forms, as well as to require covered facilities to supply us with additional information currently required by the Environmental Survey—Part II.

THE BUREAU has taken the opportunity to reassess its database capacity while Community Right to Know requirements are changing. BHSI wants to be able to provide information on a 24-hour basis, with minimal search time, in a cost-effective manner, and in a useful and user-friendly format for all of the various user groups. A new computer system which meets these goals is under development and will be in place this year.

THE BUREAU has enhanced its outreach effort to educate the regulated community, local government, and the public to increase awareness and understanding of the program and to encourage the use of the data. Several articles have been written for publication in trade journals. Over 1000 letters have been written to answer direct inquiries to the bureau. In the past year, 62 presentations have been made to over 4000 people. Speakers are available to address groups of interested individuals. Two contracts have been awarded for the development of additional materials for providing information to the public

and to local groups.

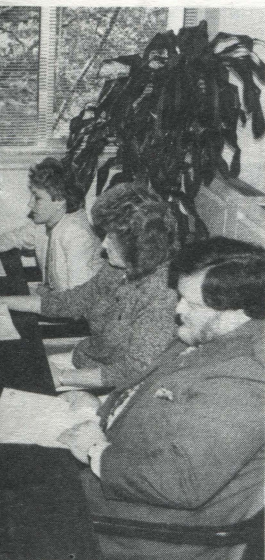
Community Safety

THE COMMUNITY RIGHT TO Know program is a part of a larger program, the Community Safety Program. The goal of the community safety program is to make New Jersey communities safe by establishing program requirements for accidental release prevention, community right to know and emergency response. This program encompasses chemical release prevention through the Toxic Catastrophe Prevention Act; information gathering through the Right to Know program; and effective emergency response in the event of an accident through the Emergency Response program. New Jersey is the only state in the nation to have such an integrated approach to community safety.

REQUESTS FOR information from the Right to Know database are welcome. Please write to Dr. Jill Lipoti, DEP, Bureau of Hazardous Substance Information, and specify the facility or municipality about which you wish information. There is an INFO-line—609-292-6714, if you would like to discuss any aspect of the program.

—by Dr. Jill Lipoti, coordinator of communication/outreach for the BHSI implementation of the Right to Know laws.

Editor's Note: This article was approved for publication in March. In mid May Dr. Dime was promoted to Acting Assistant Director for Release Prevention and Emergency Response, and Dr. Lipoti was promoted to Acting Chief, Bureau of Hazardous Substances Information, both units of DEQ. Also OSR, is now the Division of Science and Research.



Dr. Richard A. Dime, chief, Bureau of Hazardous Substance Information, reviews completed Community Right to Know Surveys with his staff. Above, clockwise: Dr. Dime, Dr. Jill Lipoti, Cindy Cox, Peter Burkhalter, Barbara Sergeant, Betty Sigafos, Alan Bookman and Steve Moskowitz.

Community Right to Know Survey (DEQ 094)



DEP Commissioner Dewling and Dawn Sedlmeir affix a "Trees Please" bumper sticker to the Commissioner's car. Dawn, a student at Saddle Brook High School, submitted the design judged the best from the 250 entries received from schools around the state. Dawn received a \$100 U.S. Savings Bond and the first bumper sticker printed. Saddle Brook High School received 1,000 white pine seedlings. The Division of Parks and Forestry ran the contest and printed the bumper stickers. To obtain one, contact the Bureau of Forest Management at 609-292-2532.

Peggy Matthews

Assures park entry Island Beach Bus Shuttle Runs Weekends and Holidays

A comfortable, convenient and economical way to reach Island Beach State Park on weekends and holidays this summer is to use the Island Beach Bus Shuttle. Using the shuttle guarantees entrance to the park even on the busiest weekend or holiday—the park is closed to cars when the parking area is full. The NJ Transit bus service, which begins on July 2, will operate Saturdays, Sundays, July 4 (Monday) and Labor Day (September 5).

The shuttle service begins its run at the Dover Township Park-Ride lot off Exit 81 of the Garden State Parkway, stops at the Seaside Heights Bus Terminal at Hamilton and Central avenues and continues to Island Beach. The shuttle is scheduled to leave the Park-Ride lot every half hour between 9 a.m. and 3 p.m., and to leave Island Beach every half hour between 1 p.m. and 6 p.m. On days when shuttle use is heavier than normal, additional buses will be added. The shuttle will not operate on rainy days.

The \$1 per person charge covers parking at the Park-Ride lot, transportation to and from Island Beach and admittance to the park. Children under 13 ride free but must be accompanied by an adult. The buses are air-conditioned, large and roomy, and can accommodate beach gear—even beach umbrellas!

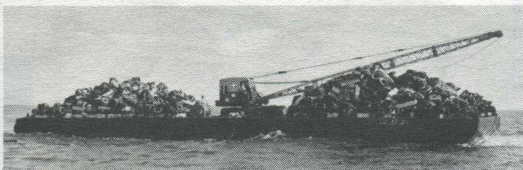
The bus service and low fare are made possible by funding provided by the New Jersey Highway Authority and NJ Transit, in cooperation with DEP, Ocean County and the Dover Township Parking Authority. (DEP's Division of Coastal Resources has administered the program for the department since the service began in 1977.) For more information or a schedule, call NJ Transit: In New Jersey, 1-800-772-2222; from out-of-state, 1-201-460-8444.

OLD TIRES FOR NEW 'FISH HOMES.' (Below) About 175,000 discarded car and truck tires have been used to make artificial reefs along the New Jersey coast since the Marine Fisheries Administration within DEP's Division of Fish, Game and Wildlife began the program in 1984. The reefs have been constructed from old ships and barges, concrete and steel building demolition debris, quarry rock and concrete ballasted tire units. The network of reef sites along the New Jersey shore is 1½ to 15 miles offshore and is evenly spaced along the coast to provide access to fishermen and divers from each of the state's ocean inlets.

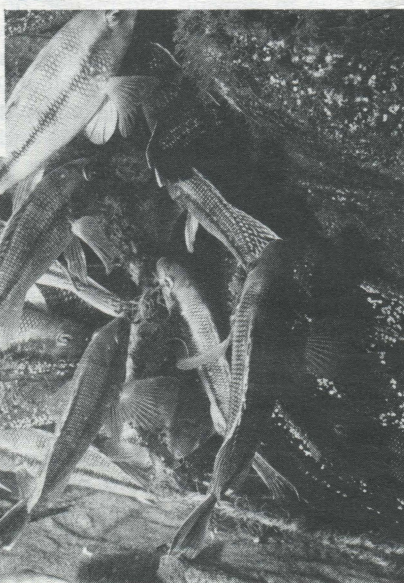
The project's aim is three-fold—to improve marine habitat for fish and shellfish, provide new fishing areas for anglers, and to provide new structures for divers. In addition, the use of discarded tires alleviates, somewhat, the problem of tire disposal.

Marine fisheries has perfected a 25-tire concrete ballasted unit that is stable on the sea floor and a favorite home for sea bass. Thousands of these units are being constructed by the Southern State Correctional Facility and the Ocean County Road Department. The tire units make excellent habitat by providing a hard surface for encrusting organisms, such as barnacles, blue mussels and hydroids. Sea bass, tautog, cunner, porgy, ling fluke, lobsters and rock crabs quickly use the tires as shelter.

For more information on artificial reefs and their LORAN C coordinates, write to Reef Program—Location of Structures, Nacote Creek Research Station, Star Route 9, Absecon, 08201.



FG&W



A barge loaded with 13,000 tires made into concrete ballasted units makes its way to the Ocean City Artificial Reef.



Sea bass take up residence in their new homes.



Help from the private sector

New Jersey Shore Foundation Joins 'Clean Shore' Campaign

On May 4 Governor Kean announced the formation of a private foundation—the New Jersey Shore Foundation—by the New Jersey corporate community. The nonprofit organization will be funded by corporate donations. The foundation plans to give grants totaling \$2 million for the 1988 and 1989 seasons to shore municipalities and groups for beach cleanup programs. This money will be in addition to any state or local funding of such projects. The Schering-Plough corporation, the Madison-based company which makes Coppertone suntan lotion, and Caesars Atlantic City were the first to become part of the New Jersey Shore Foundation. Schering-Plough established the foundation with an initial grant of \$250,000. Caesars will match that amount through fund-raising projects.

Governor Kean remarked the formation of this foundation "is the best example of a private-sector initiative which helps solve a public-sector problem. The activities funded by the Shore Founda-

tion will provide a much needed incentive to expand beach cleanup and anti-litter programs."

Robert P. Luciano, chairman and chief executive officer of Schering-Plough, said, "Corporations have a responsibility to support and contribute to enhancing the physical and social environment in which they operate. The foundation can make a difference in making New Jersey's greatest natural resource a cleaner, better place. I urge corporate citizens throughout the state to join us in our effort."

Luciano, and Peter Boynton, chief executive officer of Caesars, said the pollution problems of last summer tarnished the reputations of New Jersey's beaches nationally and "it is time the private sector stepped in to help." They said the foundation, with the aid of the New Jersey Business and Industry Association, would ask corporations for donations.

John Schmidt, executive director of the foundation, said any shore municipality, interested community group (Boy Scouts or Girl Scouts, for example), or environmental organization is eligible to apply for money. The foundation will aim at funding innovative ideas, which, if they work, can be repeated in other communities. The projects will be selected by



the foundation's board of trustees.

Governor Kean is honorary chairman of the foundation. Board of Trustees members include Luciano, Boynton, Richard T. Dewling, commissioner, Department of Environmental Protection; Noreen Bodman, director, state Division of Travel and Tourism; Bruce Coe, president, New Jersey Business and Industry Association; Eugene Haring of the law firm of McCarter and English; Frederick A. Westphal, president, New Jersey Chamber of Commerce; and Phyllis Elston, president, New Jersey Environmental Lobby. As of May 31, board membership was incomplete. In addition to the board of trustees, the foundation will create an advisory board made up of shore area mayors and community leaders.

For more information about the foundation or grant applications, contact John Schmidt, executive director, New Jersey Shore Foundation Inc., 1441 Irving Street, Rahway 07065. Phone: 201-382-1066.

Coastal Watch Hotline

1-800-451-0252 in New Jersey
1-800-458-1966 out-of-state

For the second year, DEP has established a Coastal Watch Hotline to receive reports of pollution incidents from the beach-going public. There are two toll-free numbers: 1-800-451-0252 for calls originating in New Jersey, and 1-800-458-1966 for calls from out of state.

In NJ, Call Toll-free For Air Permits Info

DEP's Division of Environmental Quality, in a continuing effort to improve processing of air permits, has established a toll-free Air Permits Information Line for calls originating in New Jersey. The service will operate during normal business hours. From New Jersey locations, the number to call is **1-800-441-0065**.

Beach Conditions

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one toll-free phone number for in-state and out-of-state callers from eastern seaboard states (except Maine) and the Canadian provinces of Ontario and Quebec, to use for daily information concerning Shore ocean and beach conditions. The number: **1-800-648-7263 (SAND)**.

1988 CEHA Grants Awarded

DEP Commissioner Dewling recently announced that grants totaling close to \$1.8 million were awarded to 17 counties under the County Environmental Health Act.

The County Environmental Health Act (CEHA)*, implemented in 1978, provides for grants to local health agencies to carry out investigation, enforcement, monitoring, training and public information activities in accordance with work programs prepared by each participating agency. The 1988 grant awards will be used for a variety of purposes, including sampling and monitoring equipment for emergency response activities; personnel to investigate and enforce solid waste flow regulations; and upgrading of laboratories to support water pollution control programs.

The state/local partnership has enhanced DEP's ability to quickly respond to and assess citizen complaints and emergency response incidents. A cooperative coastal monitoring program to check ocean and bay and water quality is largely carried out through the efforts of health departments in coastal counties. (*See Beach Conditions, Page 1*)

The 1988 CEHA grant awards, totaling \$1,796,000, are given below by county. Atlantic, \$111,100; Bergen, \$111,000; Burlington, \$106,500; Camden, \$110,000; Cape May, \$107,000; Cumberland, \$105,400; Gloucester, \$103,700; Hudson, \$105,500; Hunterdon, \$110,000; Middlesex, \$102,600; Monmouth, \$105,000; Ocean, \$111,700; Passaic, \$108,500; Salem, \$90,000; Sussex, \$102,700; Union, \$100,000; and Warren, \$105,300.

DEP will hold a series of workshops in early fall to assist local health agencies in developing CEHA program objectives for 1989. For further information about the CEHA program, contact Thomas A. Pluta, manager, Office of Local Environmental Management, DEP, CN 402, Trenton 08625. Phone: 609-292-6028.

*See *Environmental News*, March/April 1987