



R02-24-C-002

# *The Township of Hamilton*

## OFFICE OF THE MAYOR

November 9, 2023

Michael S. Regan, Administrator  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Mr. Regan:

Enclosed please find an application for an EPA Brownfields Cleanup Grant for the Former Nearpara Rubber Factory site located at 1849 East State Street (Block 1636, Lot 4), Hamilton Township, Mercer County, New Jersey.

1. Applicant Identification:

Hamilton Township (Municipality)  
2090 Greenwood Avenue  
P.O. Box 00150  
Hamilton, New Jersey 08650-0150

2. Funding Requested:

Grant Type: Single Site Cleanup Grant  
Federal Funds Requested: \$2,000,000.00

3. Location: Hamilton Township, Mercer County, New Jersey

4. Property Information:

Former Nearpara Rubber Company Property  
1849 East State Street  
Block 1636, Lot 4  
Hamilton Township, Mercer County, New Jersey

Census Tract Block 29.02 Block Group 4 and part of Census Tract 28 Block Groups 2 & Census Block Group ID#s 340210029024, 340210028002, 340210028003

5. Contacts:

a. Project Director:

Robert C. Poppert, PP, AICP, Supervising Planner  
Division of Planning, Department of Community & Economic Development  
2090 Greenwood Avenue

2090 Greenwood Avenue • P.O. Box 00150 • Hamilton, NJ 08650-0150  
[www.HamiltonNJ.com](http://www.HamiltonNJ.com) • [Mayor@HamiltonNJ.com](mailto:Mayor@HamiltonNJ.com)

P.O. Box 00150  
 Hamilton, NJ 08650-0150  
 Phone: (609) 890-3674  
 Fax: (609) 890-3548  
 rpoppert@hamiltonnj.com

b. Chief Executive:  
 Jeffrey S. Martin, Mayor  
 Hamilton Township  
 2090 Greenwood Avenue  
 P.O. Box 00150  
 Hamilton, NJ 08650-0150  
 Phone: (609) 890-3507  
 mayor@hamiltonnj.com

6. Hamilton Township Population: 92,297 (2020 Census)

7. Other Factors Checklist:

Other Factors	Page #
Community population is 10,000 or less.	N/A
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	N/A
The proposed brownfield site(s) is impacted by mine-scarred land.	N/A
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	Included on Narrative Page #3
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	N/A
The proposed site(s) is in a federally designated flood plain.	N/A
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures	The Township encourages green building and offers incentives to developers that incorporate them into redevelopment plans.

8. Letter from the State or Tribal Environmental Authority: Please see attached letter from the New Jersey Department of Environmental Protection (NJDEP).

[REDACTED]

[REDACTED]

[REDACTED]

**Cover Letter Attachment 1**  
**Other Factors Checklist**

---

**Hamilton Township  
Other Factors Checklist**

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	N/A
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	N/A
The proposed brownfield site(s) is impacted by mine-scarred land.	N/A
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	Letter from the NJDEP Enclosed and described in Narrative Page #3
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	N/A
The proposed site(s) is in a federally designated flood plain.	N/A
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy	The Township encourages green building and offers incentives to developers that incorporate them into redevelopment plans.
The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.	The Township encourages green building and offers incentives to developers that incorporate them into redevelopment plans.
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.	N/A

**Cover Letter Attachment 2**  
**Letter from NJ State Environmental Authority**

---



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CONTAMINATED SITE REMEDIATION AND REDEVELOPMENT  
OFFICE OF BROWNFIELD AND COMMUNITY REVITALIZATION

SHAWN M. LATOURETTE  
Commissioner

TAHESHA L. WAY  
Lt. Governor

Mail Code 401-05K  
P.O. Box 420  
401 E. State Street  
Trenton, New Jersey 08625

November 6, 2023

Michael S. Regan, Administrator  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

**RE: Township of Hamilton, New Jersey  
USEPA 2024 Brownfields Cleanup Grant**

Dear Administrator Regan:

This letter of support acknowledges the New Jersey Department of Environmental Protection's endorsement of the Township of Hamilton, NJ application to the United States Environmental Protection Agency (USEPA) for a Brownfields Cleanup Grant to remediate environmental contaminants associated with discharges of hazardous substances. If approved, the US EPA cleanup grant will provide up to \$2M dollars.

As per the FY24 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS, please note that the State of New Jersey no longer has a Voluntary Cleanup Program. Rather, the enactment of the Site Remediation Reform Act (SRRA) in 2009 established the Licensed Site Remediation Professional (LSRP) program and fundamentally changed the process for how sites are remediated in the state of New Jersey. As such, LSRPs "step into the shoes" of the New Jersey Department of Environmental Protection (NJDEP) to oversee the remediation of contaminated sites. SRRA requires that cleanups must be conducted under the direction of an LSRP, who has responsibility for oversight of the environmental investigation and remediation. The LSRP is required to comply with all remediation statutes and rules and consider NJDEP guidance when making remediation decisions. The NJDEP monitors the remediation progress and the actions of LSRPs.

The site does have an LSRP of Record who has served as the Environmental Professional and can certify that a sufficient level of site characterization has been completed and the site is ready for cleanup. The site should be ready to proceed to remediation by June 15, 2024.

Please accept this letter of support for the Township of Hamilton, NJ Grant application. Please do not hesitate to contact me if I may be of further assistance. I may be telephoned at (609) 633-8227, or, e-mailed at [frank.mclaughlin@dep.nj.gov](mailto:frank.mclaughlin@dep.nj.gov)

Sincerely,

  
Franklin B. McLaughlin III, Manager

Office of Brownfield & Community Revitalization

Cc;/  
Anthony Findley, NJ DEP  
Paul Drucker, VHB, Inc.

**Narrative, in Response to  
Ranking Criteria (10 pages)**

---



## **PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

### **Target Area and Brownfields**

#### *Background and Description of Target Area*

The Target Area is known as the “Bromley Neighborhood” (Bromley) and occupies 1,400 acres within Hamilton Township, NJ (Township). The Township, directly adjacent to the City of Trenton, is experiencing similar impacts to its environment and demographics as other major cities. Bromley’s history dates to the late 18th century when the area was home to the NJ State Fairgrounds, Anderson Farm, Fashion Stud Farm, and Woodlawn Amusement Park. Later, Bromley became a reflection of America’s expanding industry and a well-developed suburb of Trenton, but when the factories began closing in the mid-20th century, there was nothing driving Bromley forward. The abandoned buildings and economic loss caused property values to plummet, and homeowners began renting properties with little attention paid to upkeep. In the mid-1960s, riots and severe social unrest resulted in “white flight” and further degradation of the area.

Demographics in Bromley closely reflect those of the City of Trenton, NJ’s State Capital. The NJ Department of Environmental Protection (NJDEP) Environmental Justice (EJ) Mapping Tool classifies the area as an Overburdened Community where 45% of the population is considered Low Income and 81% are Minority. Bromley is identified as an EJ community which will benefit from cleanup and redevelopment.

Bromley shows signs of disinvestment, and faces the challenges of addressing blight, high vacancy rates, and a weakened local economy. However, the Township is committed to improving conditions in Bromley. Bromley has a core of homeowners, churches, and schools, the Municipal Hall, proximity to two train stations, some local employment, the Grounds for Sculpture Museum and Arboretum, commercial centers, and parks, all which bode well for redevelopment.

#### *Description of the Brownfield Site(s)*

The Former Nearpara Rubber Company (Nearpara) occupies a 2.99-acre property, where recycling and production operations impacted the site with hazardous materials, petroleum products, volatile organic compounds, base neutral compounds, pesticides, polychlorinated biphenyls (PCBs), metals, asbestos containing materials (ACM), and lead-based paint (LBP). Nearpara was at one time a thriving employer, but is now a blighted, contaminated property, adversely impacting soil, groundwater, building materials, and the surrounding community.

Manufacturing operations at Nearpara began in the early 1920s and involved feeding rubber into a cracker mill, then heating with a water and oil solution. Water and dilute caustic were pumped into a settling reservoir which discharged to the sanitary sewer. Odor complaints and discharge violations occurred through the 1980s. The NJDEP filed an appeal to revoke the company’s operating permit in 1983 as documented in the Trenton Times article entitled “NJDEP may close smelly plant” which describes concerns raised by the community.

Nearpara was ordered closed by the federal bankruptcy court in 1992. Circa 1993, an NJDEP Communications Center Notification Report noted various chemicals abandoned at the Site. Gates were locked, workers were unpaid, and 800,000 tires were abandoned. An environmental report at the time documented Areas of Concern (AOCs) including underground storage tanks (USTs), transformers, railroad siding, loading dock, above ground storage tanks (ASTs), discharge from blade grinders, discharge from the surface impoundment, and groundwater contamination.

The United States Environmental Protection Agency (USEPA) became involved in 1989 when the NJDEP requested assistance. The NJDEP transferred the site/file to the USEPA which conducted a \$935,000 emergency removal action between 1994 and 1995 to address immediate environmental concerns. Contaminants removed by the USEPA included solvents, solvent sludge, lead-containing grease and sludge, waste oil, caustics, lab reagents and PCBs. A USEPA memo noted 150 containers of hazardous materials, nine ASTs, four USTs, 150,000 cubic feet of tires, 11 transformers, compressed gas cylinders, and 50 containers of laboratory chemicals. The USEPA posted asbestos warning signs, secured and locked the site.

A Certificate of Sale for unpaid municipal liens in 1996 transferred ownership of Nearpara to the Township. Environmental reports since that time identified three abandoned buildings and AOCs including ASTs, USTs, rail spur, aboveground pump station, sumps, loading/unloading areas, drum storage areas, coal storage area, chemical storage cabinets, floor drains and trenches, roof leaders, waste piles, electrical transformers, underground piping, pits, surface impoundment, industrial production wells, boiler room, air vents, hazardous dust, asbestos-containing building materials, lead-based paint, and groundwater contamination with free product.

The Nearpara site is heavily contaminated with chemicals discharged during the former manufacturing process. Surrounding Nearpara are densely populated urban areas consisting of residential, commercial and industrial properties. Contamination is present in drums, ASTs, USTs, surface impoundments, waste piles, and ACM. Contamination is impacting soil, groundwater, and building materials. The project area and community would realize substantial benefits from environmental cleanup of this highly contaminated brownfield site.

### **Revitalization of the Target Area**

#### *Reuse Strategy and Alignment with Revitalization Plans*

Nearpara is in a light industrial/warehouse zone, consistent with the Township's 2010 Master Plan, which was created with extensive community input. The Site is located in an EJ community and within a federally designated Opportunity Zone (OZ), which are indicators of the municipal need and the Township's desire to attract developers and investors. The property sits in both the Arts & Culture District Overlay Zone and a Redevelopment Area; both provide development options beyond those permitted in the underlying industrial zone. The Township's 2020 Master Plan Update encourages the redevelopment of brownfields and underutilized sites through marketing and/or rezoning.

Due to Bromley disinvestment, the Township applied in 2007 for a Building Livable Communities Grant to conduct the Bromley Neighborhood East State Planning Initiative. The planning initiative, coordinated by Isles, Inc. and PlanSmartNJ, identified priorities, responsible parties and potential funding sources. The purpose of the planning initiative was to identify a community vision and priorities whereby stakeholders identified issues and objectives for the neighborhood in the following categories: Public Safety; Land Use and Sense of Community; Local Businesses; Parks and Public Spaces; Transportation and Infrastructure; and Youth. The Township has a history of promoting economic development opportunities and routinely works with organizations whose missions are consistent with the Township's development goals. The Township applied for a USEPA Cleanup Grant for Nearpara in Fiscal Year 2021 and while not awarded, a debrief was held and the Township was encouraged to reapply. The Township applied for USEPA Cleanup Grant for Nearpara in Fiscal Year 2022 and was awarded \$500,000 to conduct an environmental cleanup at the Site. This awarded USEPA Cleanup Grant is currently being conducted and includes the removal and offsite disposal of ASTs, drums, waste piles, solid waste, USTs, and surface impoundment.

Environmental cleanup at Nearpara will have a significant impact on the Target Area including protecting human health, the environment and spurring redevelopment at nearby abandoned and dilapidated sites. To ensure that the end use improves environmental quality, proposed redevelopment applications will be reviewed by the Health Department and Environmental Commission before presentation to the Planning Board and the NJDEP. The Township pledges to hold quarterly community meetings for the project term to offer interested developers opportunities to present and discuss redevelopment plans. Several local developers have expressed interest in discussing redevelopment options once remediation is complete. As part of the Community Engagement Plan, the public will be asked for their comments and suggestions on site reuse.

#### *Outcomes and Benefits of Reuse Strategy*

Environmental remediation and redevelopment at Nearpara will improve the health and economics of this overburdened community by increasing employment, rehabilitating property, expanding the tax base and increasing property values. The Township will work with its partners to track data for completion of required reports as per the negotiated work plan with USEPA. The Township will monitor the redevelopment of the site and coordinate with new owners/developers to evaluate the number of jobs created, the total value of leveraged

funding, the total acreage of brownfields redeveloped, and the anticipated number of people impacted by remediation of the site. The Township will maintain files to ensure public accountability and transparency of data collection and measurement activities. The proposed cleanup activities are anticipated to have a significant positive impact on Bromley by reducing health risks and exposure to environmental contaminants, increasing tax revenue, creating new jobs, drawing new business into the area and increasing civic pride.

### **Strategy for Leveraging Resources**

#### *Resources Needed for Site Reuse*

The Township intends to leverage the financial commitment from the NJDEP Hazardous Discharge Site Remediation Fund (HDSRF) and awarded USEPA Cleanup Grant with the requested USEPA grant funds and apply Community Development Block Grant (CDBG) resources in addition to municipal personnel time. An HDSRF grant was awarded in October 2021 for \$241,501 to be used for Site Investigation and Remedial Investigation. A USEPA Cleanup Grant was awarded in October 2022 for \$500,000 to be used for Remedial Action. The Township has used CDBG money to perform clearing of vegetation from the site to allow for the site investigation, remedial investigation, and remedial action tasks. After soliciting public input, the Township use the cleanup process to find an appropriate developer for the Site. The Township will seek the assistance of USEPA's Technical Assistance to Brownfields (TAB) provider, NJ Institute of Technology (NJIT) to leverage redevelopment options.

#### *Use of Existing Infrastructure*

Redevelopment at Nearpara will be driven by policies supportive of sustainable development. The project will reuse the Township's existing utilities infrastructure framework. Future site use will benefit from the Target Area's proximity to the network of roadways, interstate highways and rail stations. The Hamilton "Interstate Highway Complex" has afforded the Township an advantage over other municipalities in attracting new business and offers superior access to the rest of the county, state and east coast markets. Site redevelopment will comply with strict stormwater ordinances and employ best practices of green design. No additional infrastructure is needed for the redevelopment.

### **COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

#### *The Community's Need for Funding*

The Township is unable to generate tax revenue or recover lost tax revenues from the sale of municipally-owned brownfields as the properties are difficult to sell. Current economic conditions and the Township's high density have created a demand for a wide range of social and economic services per taxable area, while the Township foregoes tax revenue annually from more than 100 brownfield sites. Nearpara exemplifies the community's need for brownfield funding as the site has been environmentally impaired and vacant for more than 30 years.

The location of the Nearpara site in an OZ and designation as an EJ community confirms the need for USEPA grant funding. As the Township acquired the site through tax delinquency, it must clear and remediate the site, and transfer ownership of the property to a developer at a deflated price and/or through tax abatement as a means of incentivizing redevelopment. If a site such as Nearpara cannot be cost effectively remediated, the Township's ability to market the property for redevelopment is severely limited.

### **Threats to Sensitive Populations**

#### *Health or Welfare of Sensitive Populations*

The Bromley Neighborhood is comprised of nearly 6,000 residents, 83% of which are either black or Hispanic. Between 2009 and 2014, the white population dropped by half, from 1,519 to 723, and stabilized in the 2019 American Community Survey (ACS). Meanwhile, the black population nearly doubled, from 1,820 to 3,610. The area is also comprised of a growing Hispanic community of nearly 25% of the population. Like much of the surrounding area, Bromley experiences a high poverty rate, with nearly 20% of families living below the poverty line, of which two-thirds are made up of female households (no husband present) with children under 18 years old. This poverty rate is compared to 8% county-wide. At \$46,632 the median household income is significantly below average, and about 70% lower than the other households in Hamilton Township, Mercer County and NJ.

Nearpara and Bromley are listed in Census Tract Block 29.02 Block Group 4. Parts of Bromley are also located in Census Tract 28 Block Groups 2 & 3.

The high rate of poverty in Bromley compounds the health issues of the sensitive populations and affects a wide range of resources that diminish quality of life. Bromley has comparatively larger numbers of children, pregnant women, minority groups and low-income populations. As reinforced by the data, sensitive populations are adversely impacted by environmental issues and disproportionately affected by brownfields in comparison to non-sensitive populations and residents of larger geographic areas. The presence of Nearpara and other brownfield sites in the Target Area suggests a correlation between exposure to hazardous substances, and the higher incidences of cancer, asthma, and other health factors.

<b>USEPA Environmental Justice Index for Target Area</b>	<b>State Percentile</b>	<b>EPA Region Percentile</b>	<b>USA Percentile</b>
EJ Index for PM2.5	86	84	83
EJ Index for Ozone	87	85	84
EJ Index for NATA* Diesel PM	82	75	86
EJ Index for NATA* Air Toxics Cancer Risk	85	81	82
EJ Index for NATA* Respiratory Hazard Index	84	78	82
EJ Index for Traffic Proximity and Volume	89	83	89
EJ Index for Lead Paint Indicator	92	89	96
EJ Index for Superfund Proximity	70	71	83
EJ Index for RMP Proximity	85	87	85
EJ Index for Hazardous Waste Proximity	85	73	91
EJ Index for Wastewater Discharge Indicator	88	92	91

<b>Demographic Index for Target Area from USEPA EJ Screen</b>	<b>1 mile Radius of Site</b>	<b>State Avg.</b>	<b>%ile in State</b>	<b>EPA Region Avg.</b>	<b>%ile EPA Region</b>	<b>USA Avg.</b>	<b>%ile in USA</b>
People of Color Population	81%	44%	81	44%	77	39%	84
Low Income Population	45%	24%	84	29%	78	33%	73
Linguistically Isolated Population	17%	7%	86	8%	83	4%	91
Less Than High School Educ.	24%	10%	87	13%	83	13%	84
Population Under 5 years of age	8%	6%	72	6%	71	6%	69
Population over 64 years of age	11%	16%	33	16%	31	15%	34

*Greater Than Normal Incidence of Disease and Adverse Health Conditions*

The prevalence of brownfields near residential neighborhoods and schools contributes to the disproportionate rates of asthma and other health affects as exposure to harmful substances is a major risk factor, especially among children and other sensitive populations. Public health impacts data was gathered from the NJ Department of Health (NJDOH) and Trenton Health Team <https://trentonhealthteam.org> include: Asthma: 9.5% of adults in Mercer County have asthma higher than the statewide average. 8.7% of children in NJ currently have asthma. Lead: The County is comprised of 3.5% of NJ children under the age of three with an elevated blood lead level during 2014, 45% higher than the State average. One of the sources of lead in Mercer County are brownfields which are suspected/known to have lead contamination, as well as Bromley’s housing stock (many units 80+ years old), which pre-dates the lead-based paint ban of 1978. Per USEPA EJ Index for Lead Paint Indicator, the Target Area is in the 92 percentile for the State. Lead levels increased by 29% in 2020 because of children staying home during the COVID-19 pandemic. Low Birth Weight (LBW): The LBW rate in Mercer County is 8%. LBW disproportionately impacts minorities, who are 13% more likely to deliver LBW infants. Given that the Target Area is 81% minority, this is particularly worrisome. Cancer: Mercer County residents suffer from invasive cancer with a 6% greater incidence rate than the NJ average and 15% greater than the US. Cancer is the second leading cause of death in NJ.

### *Promoting Environmental Justice*

Nearpara is located within an EJ community that will directly benefit from cleanup and redevelopment by increasing access to job opportunities, increasing property values and eliminating disinvestment. The population surrounding the Site is disproportionately impacted by the environmental conditions because of the industrial history of the Target Area. Twenty percent of the Bromley population lives below the poverty line, and in NJ 18.6% of low-income residents are without health insurance. The uninsured are significantly more likely to be in poor health and to have unmet medical needs. Bromley residents are dually impacted by the negative socioeconomic and environmental impacts of brownfields. Residents of Bromley face low property values, high taxes, and increased risk of health conditions related to air, water, and soils contaminated by historic operations. Environmental cleanup of the site will reverse the decay in the neighborhood, decrease health risks and promote civic pride, encouraging adjacent property owners and residents to upgrade their properties and structures.

### **Community Engagement**

#### *Project Involvement*

The NJDEP requires all sites undergoing environmental investigation/remediation in the State to identify sensitive populations around the site (such as daycare centers, schools, residential properties or playgrounds) and to provide public notification regarding proposed cleanup. Signs will be posted at the site in English, Spanish, and (if needed) other languages, notifying people of the project and providing a contact for additional information. A designated contact person, the retained Licensed Site Remediation Professional (LSRP)/Environmental Consultant (EC), will be made available to answer any technical questions citizens may have regarding cleanup activities.

The Township will engage the public through a designated community engagement representative. This individual will work through relevant entities to keep residents aware of the project's status. At the neighborhood level, the Township's community engagement representative will work through the Bromley Neighborhood Civic Center and Isles, Inc., whose mission is to foster self-reliant families and healthy, sustainable communities, to ensure public input on the remediation and potential reuse of the site occurs. All environmental documents will be made available at a designated location at the Township's Municipal building. The Township's Health Department will provide input on health-related issues.

The future of the Township and Bromley is dependent upon reclaiming derelict properties such as Nearpara. As such, staff time committed to this effort will include multiple Township departments as reflected in the chart below. In addition, the Township intends to consult with NJIT TAB Communities and Rutgers University, to leverage technical assistance.

#### *Project Roles*

Name of Organization/Entity	Point of contact	Specific Involvement Assistance Provided
Bromley Neighborhood Civic Center (Community Partner)	Thomas G. Mladenetz, Director Tmladenetz@cyomercer.org; 609.883.1560	Community Education, Outreach, Reuse Planning, Community Meeting Location
Isles, Inc. (Community Partner)	Michael Nordquist, Community Planning & Development, mnordquist@isles.org; 609.341.4716	Community Education, Outreach, Connections with Community and Faith Based Groups; Reuse Planning
Hamilton Township Health Department	Chris Hellwig, Health Officer CHellwig@HamiltonNJ.com; 609.890.3828	Health Related Issues, Regulatory Compliance
Hamilton Township Environmental Commission	John H. Balletto, Chair, [REDACTED]; 609.581.3643	Community Education, Outreach, Reuse Planning

Hamilton Township Fire Engine 3	Christopher Tozzi, Fire Chief; PIO@HamiltonFireNJ.org; 609.586.4194	Site Safety, Community Education, Outreach
---------------------------------	---	--

### *Incorporating Community Input*

The Township held its first community meeting regarding Nearpara and the USEPA grant on November 1, 2023. The public meeting was advertised in The Trentonian. The meeting was attended by the Township’s LSRP/EC, interested citizens, municipal officials, and members of the environmental commission did not attend.

Upon notification of a USEPA grant award, the Township will implement a community engagement plan (as per Task 2) including hosting a public meeting to share detailed plans and timeline of the cleanup process which will be advertised and posted. Community Partners will assist in sharing the meeting dates/times with residents and soliciting public input. Meetings on environmental progress and site reuse will be held quarterly or more frequently when necessary. The Township’s Supervising Planner and LSRP/EC will be available to receive comments and answer questions. Meeting minutes including questions and answers will be posted on the Township’s website. The Township will maintain files to ensure public accountability and transparency of data collection and measurement activities. Pertinent documentation will be housed in an electronic repository on the Township’s website and hard copy files will be made available for inspection at the Planning Office. The public will be notified of the meetings via a notice in the newspaper, Township eblast, Township social media pages, flyers posted at the Bromley Community Center and/or the Township website. These tasks will be conducted in accordance with the Community Relations Plan identified below in Task 2. If in-person meetings are not possible the Township will offer virtual meetings via Zoom or a similar platform.

## **TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

### **Proposed Cleanup Plan**

The proposed Cleanup Plan outlines the scope of work for oversight and removal of ACM by wet demolition and offsite disposal at a licensed facility. The ACM is documented in the 1997 Bulk Asbestos Containing Materials & Lead-Based Paint Survey by Remington & Vernick Engineers and the June 20, 2022 Pre-Demolition Limited Asbestos Survey Report by Vanasse Hangen Brustlin, Inc. The Cleanup Plan will be detailed in a Remedial Action Workplan (RAW) and site-specific health and safety plan (HASP). Prior to removal, building materials will be assessed to determine appropriate handling, loading, transportation, and offsite disposal procedures.

### **Description of Tasks/Activities and Outputs**

#### **Task 1 - Programmatic Management, Remedial Oversight, and Report Preparation**

Project Implementation: Programmatic management tasks include project planning, scheduling and coordination of tasks, and subcontractor management. Remedial oversight will include field supervision, coordination of offsite disposal, and monitoring site activities. Review of field reports and laboratory analytical data and preparation of an asbestos abatement report will be completed in accordance with NJDOH, NJDOLWD, NJDEP, and USEPA requirements and guidance documents. Activities will be supervised, and deliverables certified by an LSRP/EC. Coordination between the Township, LSRP/EC, NJDOH, NJDOLWD, NJDEP, and USEPA will be managed under this task. The Township will procure and provide diligent oversight of a professional environmental grant management consultant to meet environmental and grant requirements; perform grant budget and contractor invoice tracking, compliance, and reporting activities; and assist with community outreach. The grant management firm will be retained in accordance with all federal, state, and local procurement requirements.

Anticipated Project Schedule: Project Duration

Task/Activity Lead(s): Robert Poppert, PP, AICP, Supervising Planner, Hamilton Township

Output(s): The outputs from this task will include ACRES updates; quarterly reports, MBE/WBE reports, and financial reports submitted; QAPP, Bid Request/RFP, asbestos abatement report.

## Task 2 – Community Engagement

Project Implementation: Community Engagement includes development and implementation of a Community Relations Plan (with consultant assistance), posting of signs at the Site describing the work in progress and a contact for additional information, and the establishment of a public repository. This task includes a budget for coordination of community meetings and visits with neighboring businesses and interested groups to discuss the ongoing work and redevelopment plans. The Township will work with the community to obtain input and provide information about program implementation. This engagement may be in person, virtual, or a hybrid, depending on availability and which method is expected to provide the greatest participation. The Township will be assisted in community outreach activities by a consultant which will be competitively retained in accordance with all federal, state, and local procurement requirements.

Anticipated Project Schedule: Project Duration

Task/Activity Lead(s): Robert Poppert, PP, AICP, Supervising Planner, Hamilton Township

Output(s): Public Engagement/Community Relations Plan, public notices, public meetings, meeting agendas and minutes, website updates, social media postings, signs at the Site.

## Task 3 – ACM Abatement and Offsite Disposal

Project Implementation: This task includes the abatement of ACM by wet demolition of all site structures. This does not include the removal of the structure's concrete slabs and hardscapes across the Site. Laboratory analytical data will be evaluated to assess disposal options and to develop a materials management plan. Waste disposal will meet federal Resource Conservation and Recovery Act (RCRA) guidelines and NJDEP Division of Solid and Hazardous Waste requirements. The LSRP/EC will evaluate the data and determine if additional characterization is required and the appropriate disposal options for each waste stream. This task includes plan development, subcontractor management, field management of asbestos abatement, demolition, and waste disposal operations, review and approval of waste manifests which will be catalogued for inclusion with NJDOH, NJDOLWD, NJDEP, and USEPA reporting, and perimeter air monitoring for particulates and asbestos.

Anticipated Project Schedule: 2nd and 3rd Quarter 2025

Task/Activity Lead(s): Robert Poppert, PP, AICP, Supervising Planner, Hamilton Township, Environmental Consultant, Subcontractors

Output(s): Outputs include lab reports for disposal facility acceptance, manifests, and weight tickets for disposal of ACM, lab reports for perimeter air monitoring, and perimeter air monitoring reports.

## Cost Estimates

The estimated project cost totals \$2,000,000 to be provided by this USEPA Brownfield Cleanup Grant. The scope of work and cost estimate were prepared by an experienced LSRP/EC with input from the Township, and includes environmental professional services, and subcontractor services.

Budget Categories		Task 1	Task 2	Task 3	Total Budget
Direct Costs	Personnel	\$0.00	\$0.00	\$0.00	\$0.00
	Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00
	Travel	\$0.00	\$0.00	\$0.00	\$0.00
	Equipment	\$0.00	\$0.00	\$0.00	\$0.00
	Supplies	\$0.00	\$0.00	\$0.00	\$0.00
	Contractual	\$100,000.00	\$25,000.00	\$1,875,000.00	\$2,000,000.00
	Other (N/A)	\$0.00	\$0.00	\$0.00	\$0.00
Total Direct Costs		\$0.00	\$0.00	\$0.00	\$0.00
Indirect Costs		\$0.00	\$0.00	\$0.00	\$0.00

Total Budget	\$100,000.00	\$25,000.00	\$1,875,000.00	\$2,000,000.00
--------------	--------------	-------------	----------------	----------------

**Task 1: Programmatic Management, Engineering Oversight, and Report Preparation:** Grant Management Consultant \$15,000 (\$5,000/year for 3 years); Technical Professionals \$50,000 (500 hours @ \$100/hour); Remedial Action Workplan \$15,000 lump sum; Quality Assurance Project Plan/Sampling, ACM Abatement Report \$20,000, lump sum; Bid/Request for Proposal \$15,000, lump sum; **Task 2: Community Engagement:** Outreach Plan/Strategy Document \$7,500 lump sum; Plan Implementation \$10,000 lump sum; Technical Professionals/LSRP \$5,000 (50 hours @ \$100/hour); \$1,000 for travel and parking; Contractual \$1,500 for signs and other printing; **Task 3: ACM Abatement and Offsite Disposal:** Technical Professionals \$25,000 (250 hours @ \$100/hour); Administrative Management \$4,875 (75 hours @ \$65/hour) ; Contractual ACM Characterization and Analysis \$75,000 lump sum; Wet Demolition and Disposal of ACM \$1,77,000 lump sum.

**Measuring Environmental Results**

The LSRP/EC will evaluate data as collected to determine appropriate cleanup concentrations of identified contaminants and will coordinate and report on cleanup goals with the NJDOH, NJDOLWD, NJDEP, and USEPA. The Township will monitor positive impact on the redevelopment of Bromley, evaluate the number of jobs created, the value of leveraged funding, the number of affordable housing units created, and the anticipated number of people impacted by the cleanup. The Township will work with its partners, including higher education and non-profit organizations, to measure and evaluate performance towards achieving desired outputs and outcomes. Data tracked will be used to complete reports as per the negotiated work plan with USEPA.

**PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

**Programmatic Capability**

*Organizational Structure*

The Hamilton Township Department of Community & Economic Development (CED) and Finance Department will manage financial and operational aspects of project implementation. The Supervising Planner will serve as the project lead and will work directly with the selected consultants and Township staff to keep the project on time and within budget. The CED has a team of experienced engineers, planners, land use professionals and support staff.

To expand local capacity and to increase the number of brownfields being addressed at any given time, the Township has contracts with several environmental firms, including those with LSRPs that can provide program assistance, technical assistance and grant management on an as-needed basis. Cleanup activities will be conducted under the oversight of an LSRP. Through this approach, the Township has increased capacity for utilizing grant funds effectively, while ensuring that grant requirements are followed, sites are properly addressed, and the work is completed on schedule and within budget.

*Description of Key Staff*

Fred Dumont, the Director of the Department of Community and Economic Development (CED) is the 2nd longest standing board member of the NJEDA and served as the Vice-President of the New Jersey State Building and Construction Trades Council, as well as other leadership positions with Mercer/Burlington and Monmouth/Ocean Trades Councils. Additionally, Dumont was a member of the Mercer County Workforce Investment Board. Mr. Dumont serves as the executive in charge of the project.

Robert Poppert, PP, AICP, Supervising Planner for the Township has experience with municipal project management, public interaction and managing consultants. Mr. Poppert has effectively managed NJ Department of Transportation (NJDOT) and US Department of Energy (DOE) grants ranging from \$300K to \$800K. Mr. Poppert will serve as the Municipal Manager for the project and provide project oversight including strategic planning and the day-to-day operations, and participation in public engagement activities.



### *Acquiring Additional Resources*

When the need arises, the Township will prepare Requests for Proposal, Bid/Quotes for review and implementation by the Township. Documents will meet federal, state and local procurement requirements. Initial scopes of works will be drafted by the selected LSRP/EC with input from the Township, NJDOH, NJDOLWD, NJDEP and USEPA. Formal RFPs will be prepared and undergo a rigorous QA/QC process before being presented. The Township will be responsible for advertising the RFPs and the LSRP/EC and associated staff will assist with site walks, Q&A and selection of the winning contractor. Each procurement contract goes through the Township's authorization process and a professional services agreement is executed. Procurement will be conducted competitively per 2 CFR 200. 317 through 200. 326.

### *Past Performance and Accomplishments*

The Township has received a USEPA Brownfields Cleanup Grant totaling \$500,000 for the Nearpara site and is currently working with the LSRP/EC to conduct the remedial action determined for the Site including the removal and offsite disposal of ASTs, drums, waste piles, solid waste, USTs, and surface impoundment. Additional grants received and managed by the Township to demonstrate past performance are detailed below:

NJDEP/NJEDA HDSRF Grants totaling \$250,000 for PA, SI/RI secured in 1997-2005 for evaluation and characterization of the Nearpara site. The initial PA, SI and RI were prepared and resulted in development of the cleanup plan for which this grant applies. All administrative requirements were met for this grant.

Safe Routes to School Grants in 2018 for \$342,000 for new sidewalks, ADA ramps, crosswalks, pedestrian crossing flashing signals, pedestrian warning signage. A 2012 grant was also awarded for \$322,500. The Township, as Responsible Charge (RC), was successful in administering the grant in all phases of development, construction, inspection, and grant closeout. Outcomes included improved pedestrian accessibility to and from three Elementary Schools, added segments of sidewalk and safer road crossings.

ARRA Energy Efficiency and Conservation Block Grant in 2009 of \$835,300 from the DOE for projects including Municipal Building HVAC and electrical upgrades, windows and lighting upgrades and a rooftop solar PV system at the Department of Public Works (DPW). Investment Grade Energy and Water Assessments were completed for municipal owned buildings. The Township completed projects on time and within budget and filed closeout federal paperwork with the DOE.

**Narrative Attachment  
Threshold Criteria Response**

---

**HAMILTON TOWNSHIP, NEW JERSEY  
US ENVIRONMENTAL PROTECTION AGENCY  
BROWNFIELDS CLEANUP GRANT PROPOSAL  
THRESHOLD CRITERIA**

**1. Applicant Eligibility:** The grant applicant is Hamilton Township, New Jersey (The Township). The Township is an eligible grant applicant and is a general-purpose unit of a “Local Government as defined and stated under 2 CFR & 200.64

**2. Previously Awarded Cleanup Grants:** The Former Nearpara Rubber Company site has received funding from a previously awarded United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant identified by USEPA Cooperative Agreement Grant Number 96238122 in the amount of \$500,000.

**3. Expenditure of Existing Multipurpose Grant Funds:** \$34,882.50 of the \$500,000 USEPA Brownfields Cleanup Grant have been expended to date.

**4. Site Ownership:** Hamilton Township is the sole owner of the Former Nearpara Rubber Company property having acquired the property via tax lien foreclosure on December 3, 1996.

**5. Basic Site Information:**

**Name of the site:** Former Nearpara Rubber Factory Site

**Site address:** 1849 East State Street, Hamilton, NJ 08619

**Current owner:** Hamilton Township, which acquired the site via tax lien foreclosure on December 3, 1996

**6. Status and History of Contamination at the Site**

**(a) Is this site contaminated by hazardous substances or petroleum?**

The Site contains both petroleum and other hazardous materials contamination with the other hazardous materials being the primary source of contamination. The primary site contaminants are attributable to the former contents of aboveground storage tanks (ASTs), underground storage tanks (USTs), transformers and the surface impoundment on the property. The ASTs on the property were historically used to store oils and solvents. The USTs were historically used to store gasoline. A discharge from the transformers onsite is attributed to soils contaminated with polychlorinated biphenyls (PCBs). A concrete surface impoundment was used to discharge wastewater from the former operations which included caustic material.

**(b) Operational History/Current Use of the site**

The site is a 2.99-acre property located in an industrial and residential area of the Township of Hamilton. The Nearpara Rubber Factory (Nearpara) was established in 1920 when Hyman Rosenthal purchased the farmland from Rudolph Kuser. Nearpara’s operation included reclaiming used rubber products such as tires and inner tubes and returning them to their raw state. The process included feeding the used rubber materials into a cracker mill which consisted of two large steel rollers that reduced the rubber to 0.125-inch particles. The particles were then passed over magnets to remove metals and then cooked in a water and oil solvent for approximately five hours. The cooked material was passed through two steel rollers and flattened into sheets. The water and oil were separated with the oil being returned to the cooking process, and the water and dilute caustic

pumped into a settling reservoir. The water was then diluted and discharged into the sanitary sewer.

The former property owner, William Edward Wallace, declared bankruptcy in 1990. In 1992, the former owner turned in his keys to the US Trustee's office and disappeared. The site was liquidated in 1993 via Chapter 7 with \$225,000 owed to the New Jersey Department of Environmental Protection (NJDEP) in fines and violations. The USEPA conducted a \$935,000 emergency removal action in 1994-1995 to address environmental concerns left behind upon vacancy. The contaminants removed by the USEPA included solvents, solvent sludges, lead containing grease and sludges, waste oil, caustics, lab reagents and PCBs.

The property is currently vacant and non-operational since the bankruptcy and subsequent shut down in 1993. The three structures, the plant building on the east side of the property, the office/lab space on the southwest side of the property, and the storage shed near the northern property boundary, are in various stages of disrepair. Asbestos Containing Materials (ACM) were identified throughout the three structures. Based on an engineering structural evaluation of the three structures, the three structures were determined unsafe to enter for the purpose of ACM abatement. The New Jersey Department of Labor (NJDOL) has determined that a wet demolition of the three structures is appropriate to abate ACM at the site.

#### **(c) Environmental Areas of Concern (AOC)**

##### **AOC-1: FORMER ABOVEGROUND STORAGE TANKS (ASTs)**

- Historically, up to nine (9) ASTs were associated with the site.
- The ASTs reportedly contained various liquids including air oil, solvent residue, water, 410 oil and 1102 oil.
- During Brinkerhoff's site visit, several ASTs were observed on the property, emptied, cleaned and cut in half to prevent re-use.
- 2005 PMK Group (PMK) remedial investigation (RI): arsenic, zinc and total petroleum hydrocarbon (TPH) were reported over the applicable NJDEP Direct Contact Soil Cleanup Criteria (SCC).
- Removal of ASTs and additional investigation is recommended.

##### **AOC-2: FORMER UNDERGROUND STORAGE TANKS (USTs)**

- According to the 1997 Preliminary Assessment (PA) from Remington and Vernick (R&V), five (5) USTs were noted for the site: Two (2) 20,000-gallon gasoline USTs are located beneath the tank farm area, one (1) 1,000-gallon gasoline UST is located near the entrance, one (1) UST of unknown size is also located in the tank farm area and one (1) 500-gallon gasoline UST is reported to be near the center of the property. None of the USTs are currently registered with the NJDEP.
- 2005 PMK RI: TPH, volatile organic compounds (VOC) and zinc were reported in the soil sample data.
- Removal of the USTs and additional investigation is recommended.

##### **AOC-3: RAIL LINES, SPURS OR SIDINGS**

- 2005 PMK RI: TPH and PCBs were reported above the soil cleanup criteria. Additional investigation is recommended.

##### **AOC-4: ABOVE GROUND PUMP STATION**

- 2004 PMK installed one (1) soil boring to 10 feet below grade at the location of the pump station and collected one (1) soil sample for PP+40 which was below SCC. Investigation is proposed to confirm the soil results at AOC-4 since remedial standards and analytical parameters have changed. Additional investigation is recommended.

#### **AOC-5: SUMPS/PITS**

- Several sumps/pits were historically noted onsite.
- 2004 PMK RI: TPH, metals, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, butyl benzo phthalate, indeno(1,2,3-cd) pyrene, and benzo(a)anthracene were reported above the NJDEP SCC for AOC-5.
- 2005 PMK RI: Zinc, antimony, lead, and arsenic were reported over SCC.
- Additional investigation is recommended.

#### **AOC-6: LOADING/UNLOADING AREA**

- Historically, two (2) loading/unloading areas were noted, one (1) for the plant and one (1) for the office/lab.
- 2005 PMK RI: Soil samples were reported below the applicable SCC for base neutral compounds and PCBs. The laboratory data package was not included in the NJDEP file for review.
- Additional investigation is recommended.

#### **AOC-7: DRUM STORAGE AREAS**

- Four (4) areas were noted for drum storage on the historic Sanborn maps.
- 2004 PMK RI: benzene, benzo(a)pyrene, benzo(b)fluoranthene, zinc, PCBs, antimony, and arsenic were at concentrations over the SCC.
- Additional investigation is recommended.

#### **AOC-8: STORAGE AREA – COAL**

- The Sanborn maps from 1955 through 1991 depict an 8-foot coal pile near the northern limit of the property.
- 2005 PMK RI: PCBs concentrations at AOC-8 were reported above the SCC.
- Additional investigation is recommended.

#### **AOC-10: TRENCHES AND FLOOR DRAINS**

- Not well investigated historically, SI/RI proposed.

#### **AOC-11: ROOF LEADERS**

- PMK 2004 RI: PCBs and zinc were reported at concentrations above the SCC.
- 2005 PMK RI: PCBs were reported at concentrations above the SCC.
- Additional investigation is recommended.

#### **AOC-12: WASTE PILES**

- 2005 PMK RI: PCBs were reported at concentrations over the SCC.
- Additional investigation is recommended.

### **AOC-13: TRANSFORMERS**

- According to the USEPA memo dated April 19, 1994, 11 transformers were emptied and rinsed by the USEPA during their clean-up process; the transformers were left onsite. The site was vandalized, and the copper parts were removed from inside the transformers. During this process, remaining parts of the transformers were discarded onsite and led to the release of residual oils containing PCBs. PCB-contaminated soil was removed from the site by the USEPA in April 1995.
- 2004 PMK SI/RI: TPH and lead over the SCC.
- 2005 PMK SI/RI: PCBs above SCC in several of the soil samples.
- 2005 PMK SI/RI: PCBs above EPA limits with concentrations as high as 12.9 parts per billion (ppb)
- Additional investigation is recommended.

### **AOC-14: UNDERGROUND PIPING**

- Underground piping was used for sanitary sewage and for process water.
- PMK 2005 RI/SI: Arsenic and TPH were reported at concentrations above the SCC.
- Additional investigation is recommended.

### **AOC-15: SURFACE IMPOUNDMENT**

- Formerly used to process water waste streams
- PMK 2004 SI/RI: Zinc, antimony, TPH, benzo(a)pyrene, benzo(b)fluoranthene, indeno (1,2,3-dc) pyrene, benzo(a)anthracene, benzo(k)fluoroanthene, chrysene, dibenzo(a,h)anthracene, VO tentatively identified compounds (TICs), and xylenes were reported in excess of the SCC.
- 2006 PMK SI/RI: Benzo(a)pyrene, benzo(b)fluoranthene, zinc, antimony, and lead were reported above the SCC.
- Additional investigation is recommended.

### **AOC-16: PRODUCTION WELLS**

- Two (2) production wells are located near the southern property boundary. NJDEP records indicate one (1) well was installed in 1952 to 46 feet below grade. The second well was installed in 1958 to 35 feet below grade.
- Historic NJDEP files indicate the production wells were sampled in January of 1985 and trichloroethylene was detected at 10 parts per million (ppm) in one (1) well; however, it is unclear which well reported the trichloroethylene concentration.
- 2006 PMK inspected the pit adjacent to the process building and surrounding area for the production wells. A concrete pad (24 inches by 24 inches) was identified; inside the pit, the disassembled pumping equipment was left on the floor, indicative of the wells being abandoned. Subsequently, PMK requested abandonment reports for the two (2) production wells. Documentation of the well closure was not provided. Inspection of the wells by a licensed well driller followed by sampling and sealing of the wells, if they remain open, is recommended.

### **AOC-17: BOILER ROOM**

- The 1997 R&V PA noted the boiler room as an AOC due to extensive staining.
- Additional investigation is recommended.

#### **AOC-18: AIR VENTS AND DUCTS**

- Several ducts and vents are present throughout the plant building including one (1) permitted stack.
- Several violations were issued by the NJDEP with regard to the air permit for the facility.
- 2005 PMK SI/RI: Zinc, PCBs, TPH, ethylbenzene and xylenes were reported over the SCC.
- Additional investigation is recommended.

#### **AOC-19: HAZARDOUS DUST**

- R&V cited hazardous dust as an AOC in their 1997 PA due to the volume of the dust inside the plant building.

#### **AOC-20: SITEWIDE DRUMS, BUCKETS, PAINT CANS, RUBBER & SOLID WASTE**

- Brinkerhoff observed several 55-gallon drums on the property containing varying amounts of unknown liquid, several 5-gallon buckets containing roofing tar, paint cans, piles of rubber debris and various solid waste during the site inspection. Waste characterization, removal of material and confirmatory sampling is proposed.

#### **AOC-21: GROUNDWATER**

- Nine (9) monitoring wells onsite, one (1) located during PA site walk
- Groundwater historically reported 8-9' below grade
- Most recent groundwater data, January 2006, reported VO TICs, benzene, xylenes, BN TICs, antimony, lead, and zinc above the NJDEP Class IIA Ground Water Quality Standards (GWQS)
- Additional investigation is recommended.

#### **AOC-22: ASBESTOS CONTAINING MATERIALS (ACM)**

Three structures were confirmed to contain ACM. The ACM is documented in the 1997 Bulk Asbestos Containing Materials & Lead-Based Paint Survey by Remington & Vernick Engineers and the June 20, 2022 Pre-Demolition Limited Asbestos Survey Report by Vanasse Hangen Brustlin, Inc.

#### **(d) How the site became contaminated including the nature/extent of contamination**

The site became contaminated from former site operations which included the recycling of rubber. The solvents and oil used for the rubber recycling process were stored in ASTs which were reported to be in poor condition with evidence of discharge. The USTs used primarily for petroleum storage may have discharged to the environment based on the evidence of corrosion. Transformers were left onsite which discharged to the surface soils when they were vandalized for copper salvage. The surface impoundment was historically used to discharge wastewater from the rubber recycling process. Discharges from the surface impoundment were noted historically due to leaks in the system. ACM contamination exists because asbestos was used in the building materials in cement, plaster, insulation, floor tiles, and roofing. Contamination occurred due to the deterioration of the building and building materials.

## **7. Brownfields Site Definition:**

- (a) The site is not currently, nor has it ever been, listed or proposed for listing on the National Priorities List
- (b) The site is not subject to unilateral administrative orders, court orders, administrative orders on consent,
- (c) The site is not subject to judicial consent decrees issued to or entered into by parties under CERCLA; or subject to the jurisdiction, custody or control of the United States government.
- (d) The Nearpara site meets the definition of a Brownfield Site.

## **8. Environmental Assessment Required for Cleanup Grant Applications**

The historic Preliminary Assessment (PA), Site Investigation (SI) and Remedial Investigation (RI) reports available for the property include the following:

- The Whitman Companies, Inc. (Whitman) Revised Sampling Plan, dated December 4, 1985: This report identified six (6) AOCs: 1) leaking gasoline tank; 2) transformer discharge; 3) railroad siding loading dock; 4) tank farm with 7 tanks; 5) discharge of blade grinder; 6) discharge from decommissioned settling reservoir and outlined the revised soil and groundwater sampling planned for the property. The routes for exposure, site characteristics, and geology were discussed, and sampling locations were developed based on the above-noted characteristics and historic documents reviewed for the property.
- Scott Environmental Inc. (Scott) report dated ~1985 (no date is identified on the report, publication is estimated). The report indicated there were seven (7) ASTs located in the tank farm area for the storage of processing oils, and one (1) AST containing diesel near the front gate. Four (4) USTs were noted: one (1) containing #6 fuel oil, one (1) UST not in use, one (1) UST containing gasoline that was located near the front gate and one (1) UST containing caustic material located under the cook house. The Scott report indicated there were eight (8) air permits with the NJDEP for the property, a New Jersey Pollution Discharge Elimination System (NJPDES) discharge to groundwater permit and a Township of Hamilton sanitary sewer permit. Violations to the air permits and sanitary sewer permit were reported. The Scott report also referenced six (6) AOCs:
  1. Leaking gasoline UST;
  2. Transformer leakage at the front right corner of the property;
  3. Railroad siding loading dock was noted in the center of the property near the storage building;
  4. Tank Farm including multiple AST and USTs;
  5. Discharge from the blade grinder located near the Cook house door;
  6. Discharge from the decommissioned settling reservoir in the north corner of the property; and,
  7. Groundwater: Two (2) production wells are present and when sampled in January 1985 reported trichloroethylene. Four (4) monitoring wells were installed as part of the NJPDES permit for the surface impoundment. VOCs and base neutral compounds were reported in the groundwater.
- Remington and Vernick Engineers (R&V) PA report dated January 15, 1997. The PA identifies the ownership history for the property back to 1894, a history of operations which



includes Nearpara from 1927 to 1993, a hazardous waste inventory associated with former operations, and discharge permits associated with former operations. The following 23 AOCs were identified for the site:

1. ASTs
2. USTs
3. Rail spurs,
4. Pump stations,
5. Sumps
6. Pits
7. Loading/unloading areas
8. Storage pads
9. Surface lagoons/impoundments
10. Chemical storage cabinets
11. Floor drains or trenches
12. Roof leaders when process operations vent to roof
13. Septic system, leachfield or seepage pit
14. Waste piles
15. Electrical transformers
16. Underground piping
17. Non-contact cooling water discharges
18. Production wells
19. Boiler rooms
20. Air ducts and vents
21. Asbestos
22. Lead based paint and
23. Hazardous dust

The tanks were reported to contain oils, solvents and other liquids. Tanks were reportedly emptied and cleaned by the USEPA. R&V recommended sampling at each AOC to assess current conditions.

- R&V Site Investigation Report, October 19, 2000. The SIR identifies Nearpara operation dates from 1927 to 1993. According to the SIR, the site was abandoned in 1993 as a result of bankruptcy and the USEPA removed materials including several drums, PCB-contaminated transformers and unknown chemicals. The USEPA also decommissioned (i.e., emptied) several ASTs but did not remove them. According to the SI, 22 AOCs were investigated:
  1. ASTs and piping
  2. USTs and piping
  3. Railroad spur
  4. Pump stations
  5. Sumps
  6. Pits
  7. Loading/unloading areas
  8. Storage areas – drums
  9. Storage areas – coal

10. Surface impoundments/lagoons
11. Chemical storage cabinets
12. Floor drains and trenches
13. Roof leader
14. Waste piles
15. Electrical transformers
16. Underground piping
17. Industrial production wells
18. Boiler room
19. Air ducts and vents
20. Asbestos materials
21. Lead based paints
22. Hazardous dust

The SIR confirmed soil and groundwater impacts at several AOCs and recommended remedial investigation to delineate the impacts observed. The SIR also recommended removal of raw materials and wastes from the site and the removal of free product from MW-2. Removal of USTs, asbestos materials and contaminated soil were also identified as important steps in the remediation of the property.

- PMK Group (PMK) Supplemental Site Investigation Workplan (SIW) dated February 3, 2004. The SIW discussed the site history and identifies 13 AOCs remaining to be addressed including: two (2) #6 fuel oil 20,000-gallon USTs, pump station near front gate, sumps and pits (located in the tank farm area), drum storage areas, chemical storage cabinets, trench and piping, roof leaders, waste piles, electrical transformer areas, underground piping including process sewers, surface impoundments, production wells, and air vents and ducts. PMK is proposing a supplemental site investigation to determine impacts to soil and groundwater and address the NJDEP letter from Linda Range, case manager, dated October 30, 2001. PMK anticipated installing 75-80 soil borings and 11 additional monitoring wells. The proposed sampling plan included the newly installed monitoring wells and additional soil sampling at each remaining AOC.
- PMK Supplemental SIW dated January 26, 2005. This report identified 22 AOCs including:
  1. ASTs
  2. USTs
  3. Rail spur
  4. Aboveground pump station
  5. Sumps
  6. Loading/unloading areas
  7. Storage area – drums
  8. Storage area – coal
  9. Chemical storage cabinets
  10. Floor drains and trenches
  11. Roof leaders
  12. Waste piles
  13. Electrical transformers

14. Underground piping
15. Pits
16. Surface impoundments
17. Industrial production wells
18. Boiler room
19. Air vents
20. Hazardous dust
21. Asbestos-containing material and
22. Lead-based paint

PMK summarized the previous investigation completed by R&V. The SOW was amended based on a meeting with NJDEP case manager, Linda Range. The proposed sampling plan or preliminary results for each AOC were summarized. Site figures with sample locations and laboratory data packages were provided with the SIR. The PMK SIW did not address the septic system or non-contact cooling water as an AOC.

- PMK Remedial Investigation Workplan (RIW) dated April 20, 2005. Historic site operations and a brief overview of the previous investigations were included. The proposed remedial investigation includes an additional 48 soil borings and an estimated 91 soil samples plus three (3) additional monitoring wells to investigate the previously identified AOCs on the site.
- PMK Remedial Investigation Report (RIR) dated June 8, 2006. The RIR summarized the completed site investigation work completed on the property and detailed the additional remedial investigation completed December 21 through December 27, 2005. Additional sampling was completed at most of the AOCs on the property. Monitoring wells MW-1 through MW-6 and newly installed wells MW-7 through MW-9 were also sampled. Free product was noted in MW-2. Based on the RIR, PMK made the following recommendations:
  1. A deed notice and cap to address remaining impacted soil containing zinc, lead, arsenic, and PAHs;
  2. A Remedial Action Workplan (RAW) to outline the institutional and engineering controls recommended for the site;
  3. Closure/removal of the ASTs and USTs;
  4. Two (2) additional monitoring wells to delineate impacted groundwater;
  5. A baseline ecological evaluation;
  6. A rising slug test to estimate the hydraulic conductivity;
  7. Fingerprint analysis of the free product observed in MW-2;
  8. Groundwater sampling program for a minimum of one (1) year on a quarterly basis followed by a Classification Exception Area (CEA);
  9. Completion of a Remedial Action Selection Report/RAW for the impacts to groundwater. {Volume 4-7 not provided}

## **9. Enforcement or Other Actions**

No ongoing or anticipated enforcement actions.

**10. Sites Requiring a Property-Specific Determination**

A property-specific determination is not required for this site.

**11. Threshold Criteria Related to CERCLA/Petroleum Liability**

**a. Property Ownership Eligibility - Hazardous Substance Sites**

**i. Exemptions to CERCLA Liability**

(1) Indian Tribes; Does not apply.

(2) Alaska Native Village Corporations and Alaska Native Regional Corporations; Does not apply.

(3) Property Acquired Under Certain Circumstances by Units of State and Local Government

- The Nearpara property was acquired by Hamilton Township via tax lien foreclosure.
- The property was acquired on December 3, 1996.
- The disposal of hazardous substances at the site occurred before the Township acquired the property.
- The Township has not caused or contributed to any release of hazardous substances at the site.
- The Township has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

**ii. Exceptions to Meeting the Requirement for Asserting an Affirmative Defense to CERCLA Liability**

Hamilton Township is a public entity/municipality and acquired the Nearpara site prior to January 11, 2002 and is eligible for a Brownfields Grant and may use grant funds to address contamination at the property, even if the Township does not qualify as a bona fide prospective purchaser. The Township did not cause or contribute to the release or threatened release of a hazardous substance at the property.

**Provide the following information to demonstrate that the applicant qualifies for the exception at CERCLA § 104(k)(3)(E):**

- (a) The former Nearpara Rubber Factory property was acquired by Hamilton Township via tax lien foreclosure.
- (b) The property was acquired on December 3, 1996.
- (c) The disposal of hazardous substances at the site occurred before the Township acquired the property.
- (d) The Township has not caused or contributed to any release of hazardous substances at the site.
- (e) The Township has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

**iii. Landowner Protections from CERCLA Liability**

**(1) Bona Fide Prospective Purchaser Liability Protection**

Does not apply.

**a. Property Ownership Eligibility – Petroleum Sites**

Does not apply.

**12. Cleanup Authority and Oversight Structure**

a. The Township’s Supervising Planner will serve as the Municipal Project Manager. The Municipal Project Manager will also coordinate the review and approval process for the remedial action with the Township’s Health Department. Cleanup activities will be conducted under the oversight of a Licensed Site Remediation Professional (LSRP) that is contracted with the Township. LRSPs are licensed by the NJDEP and have the necessary technical expertise to conduct, manage, and oversee the cleanup of the Nearpara site and ensure the cleanup is protective of human health and the environment. The Township contracts with experienced environmental engineering firms to conduct cleanup activities. Procurement will be conducted competitively per 2 CFR 200.317 through 200.326. The selected firms and agreement amount will be subject to City Council authorization.

b. Environmental investigations conducted to date do not confirm offsite contamination impact on adjacent properties. However, in the event that off-site access is required, the Township will negotiate such access with surrounding property owners.

**13. Community Notification**

**a. Draft Analysis of Brownfield Cleanup Alternatives:**

A draft Analysis of Brownfield Cleanup Alternatives (ABCA) was prepared for the site. A public notice was published in The Trentonian on October 25, 2023.

**b. Community Notification Ad**

A paragraph describing the application and inviting public comment was run in The Trentonian on October 25, 2023.

**c. Public Meeting**

Platforms for public comment were provided at an open public forum, held on November 1, 2023, whose sole purpose was to present and discuss the Township’s USEPA grant application.

**d. Submission of Public Notification Documents**

Please see Attachment 6 for Community Notification documentation, which include:

- Draft ABCA;
- Public notification advertisement posted in The Trentonian newspaper;
- Public meeting notes Q&A; and
- Public meeting sign-in sheet