215526

SILLS BECK CUMMIS ZUCKERMAN RADIN TISCHMAN & EPSTEIN

A PROFESSIONAL CORPORATION

33 WASHINGTON STREET
NEWARK, NEW JERSEY 07102-3179
(201) 643-3232 N.Y. (212) 349-7600

TELEX: 820630 SILLSBECK NWK
TELECOPIER: (201) 643-6383

ATLANTIC CITY OFFICE:
ONE SOUTH NEW YORK AVENUE
ATLANTIC CITY, NEW JERSEY 08401
(609) 344-2800

HACKENSACK OFFICE:
ONE ESSEX STREET
HACKENSACK, NEW JERSEY 07601
(201) 343-6612

ARTHUR J. SILLS (1917-1982)

CLIVE S. CUMMIS
STEVEN S. RADIN
MICHAEL B. TISCHMAN
STANLEY TANNENBAUM
STEVEN E. GROSS
GERALD SPAN
JEFFREY BARTON CAHN
LAWRENCE S. HORN
JERALD D. BARANOFF
BARRY L. SHAPIRO
LEE ALAN ADLERSTEIN
ROBERT M. BECKER
VICTOR FUTTER*
STEVEN M. GOLDMAN

DAVID BECK
HERBERT L. ZUCKERMAN
MORTON S. BUNIS
BARRY M. EPSTEIN
ROBERT A. BAIME
THOMAS J. DEMSKI
JEFFREY H. NEWMAN
CHARLES J. WALSH
JEFFREY J. GREENBAUM
STEPHEN J. MOSES
NOAH BRONKESH
JOEL C. BALSAM
THOMAS J. DENITZIO, JR.
CECIL J. BANKS

* N.Y. BAR ONLY

KENNETH F. OETTLE
ROBERT J. ALTER
HENRY C. MAIMIN*
ROBERT CRANE
JOSEPH A. HEYISON
MARC S. KLEIN
MENELAOS W. TOSKOS
ELIZABETH S. GASSER
THOMAS S. NOVAK
STEVEN H. SHOLK
DIANE E. SAMMONS
TRENT S. DICKEY
KATHLEEN BURNS
DAVID W. LENTZ
SHERI K. SIEGELBAUM
DAVIS J. HOWARD*
LYNN CIOLINO
DIANE L. BODENSTEIN

ALAN E. SHERMAN
MARGARET F. BLACK
IRA A. ROSENBERG
STUART M. FEINBLATT
STEPHEN H. JOSEPH
PHILIP R. SELLINGER
ROBERT M. AXELROD
JERRY GENBERG
JAY L. WILENSKY
ANDREW S. PRINCE
BRIAN S. COVEN
RICHARD D. TRENK
JANET P. GERARD
DAVID J. RABINOWITZ
ANITA WEINSTEIN
ALLAN C. BELL
RONALD C. RAK

January 23, 1986

VIA FEDERAL EXPRESS
No. 172833356

PLEASE REPLY TO:
NEWARK

Mr. Michael Mandracchia
New Jersey Department of Environmental Protection
Bureau of Industrial Site Evaluation
428 East State Street
Trenton, New Jersey 08625

Re: Spartech - Franklin Plastics Corp. - ECRA

Dear Mike:

As we discussed earlier this afternoon by telephone, I have enclosed a photocopy of a Potential Hazardous Waste Site Identification and Preliminary Assessment which I received today from Carole Petersen of the EPA's Emergency & Remedial Response Division in New York. Based upon my conversations with Ms. Petersen, it appears that Franklin Plastics Corp. was listed on the "Eckhardt Survey" you referred to and that as a result of such listing a site visit was conducted. As you will note in the Assessment, Thomas Brady of the DEP visited Franklin's facilities on January 7, 1980, and indicated in his report that the Preliminary Assessment Rating assigned to the site was "Low" and also indicated the Tentative Disposition of the matter as "No Action Needed". The Assessment goes on to reflect the EPA's recommendation that "No Action Needed -- No Hazard."

I request that you include the Assessment in the Franklin Plastics Corp. file relating to this matter, and am assuming that these materials eliminate the concerns that you expressed in your evaluation of the potential environmental problems relating to Franklin's premises. After you have had the opportunity to review the Assessment, I would appreciate your giving me a call so that we can work on finalizing the Administrative Consent Order.

Very truly yours,

ROBERT M. BECKER

RMB/msw
Encls.

cc: Mr. Lawrence M. Powers (w/encls.)
Mr. Robert Wolfertz (w/encls.)
Sanford Mozes, Esq. (w/encls.)
Mr. Daniel Pomerantz (wo/encls.)
Ms. Carole Petersen (wo/encls.)

EPA

POTENTIAL HAZARDOUS WASTE SITE
IDENTIFICATION AND PRELIMINARY ASSESSMENT

REGION: II

SITE NUMBER (to be assigned by Hq): NJ000010042

NOTE: This form is completed for each potential hazardous waste site to help set priorities for site inspection. The information submitted on this form is based on available records and may be updated on subsequent forms as a result of additional inquiries and on-site inspections.

GENERAL INSTRUCTIONS: Complete Sections I and III through X as completely as possible before Section II (*Preliminary Assessment*). File this form in the Regional Hazardous Waste Log File and submit a copy to: U.S. Environmental Protection Agency; Site Tracking System; Hazardous Waste Enforcement Task Force (*EN-335*); 401 M St., SW; Washington, DC 20460.

I. SITE IDENTIFICATION

A. SITE NAME: FRANKLIN PLASTICS Co

B. STREET (or other identifier): 113 PASSAIC AVE

C. CITY: KEARNY

D. STATE: N.J.

E. ZIP CODE:

F. COUNTY NAME: HUDSON

G. OWNER/OPERATOR (*if known*)

1. NAME: FRANKLIN PLASTICS Co.

2. TELEPHONE NUMBER: 201-998-8002

H. TYPE OF OWNERSHIP

☐ 1. FEDERAL ☐ 2. STATE ☐ 3. COUNTY ☐ 4. MUNICIPAL ☒ 5. PRIVATE ☐ 6. UNKNOWN

I. SITE DESCRIPTION

MANUFACTURE OF PLASTIC RESIN

J. HOW IDENTIFIED (*i.e., citizen's complaints, OSHA citations, etc.*)

NJDEP SITE VISIT

K. DATE IDENTIFIED (*mo., day, & yr.*): 1-7-80

L. PRINCIPAL STATE CONTACT

1. NAME: Thomas Brady

2. TELEPHONE NUMBER: (609)-292-9120

II. PRELIMINARY ASSESSMENT (*complete this section last*)

A. APPARENT SERIOUSNESS OF PROBLEM

☐ 1. HIGH ☐ 2. MEDIUM ☒ 3. LOW ☐ 4. NONE ☐ 5. UNKNOWN

B. RECOMMENDATION

☐ 1. NO ACTION NEEDED (*no hazard*)

☐ 2. IMMEDIATE SITE INSPECTION NEEDED
a. TENTATIVELY SCHEDULED FOR:
b. WILL BE PERFORMED BY:

☐ 3. SITE INSPECTION NEEDED
a. TENTATIVELY SCHEDULED FOR:
b. WILL BE PERFORMED BY:

☐ 4. SITE INSPECTION NEEDED (*low priority*)

C. PREPARER INFORMATION

1. NAME: Richard Ramon

2. TELEPHONE NUMBER: (212)-264-1573

3. DATE (*mo., day, & yr.*): 6-16-80

III. SITE INFORMATION

A. SITE STATUS

☒ 1. ACTIVE (*Those industrial or municipal sites which are being used for waste treatment, storage, or disposal on a continuing basis, even if infrequently.*)

☐ 2. INACTIVE (*Those sites which no longer receive wastes.*)

☐ 3. OTHER (*specify*): (*Those sites that include such incidents like "midnight dumping" where no regular or continuing use of the site for waste disposal has occurred.*)

B. IS GENERATOR ON SITE?

☐ 1. NO ☒ 2. YES (*specify generator's four-digit SIC Code*):

C. AREA OF SITE (*in acres*): 4

D. IF APPARENT SERIOUSNESS OF SITE IS HIGH, SPECIFY COORDINATES

1. LATITUDE (*deg.—min.—sec.*):

2. LONGITUDE (*deg.—min.—sec.*):

E. ARE THERE BUILDINGS ON THE SITE?

☐ 1. NO ☒ 2. YES (*specify*):

Continue On Reverse

Continued From Front

IV. CHARACTERIZATION OF SITE ACTIVITY

Indicate the major site activity(ies) and details relating to each activity by marking 'X' in the appropriate boxes.

X	A. TRANSPORTER	X	B. STORER	X	C. TREATER	X	D. DISPOSER
X	1. RAIL	X	1. PILE		1. FILTRATION	X	1. LANDFILL
	2. SHIP		2. SURFACE IMPOUNDMENT		2. INCINERATION		2. LANDFARM
	3. BARGE	X	3. DRUMS		3. VOLUME REDUCTION	X	3. OPEN DUMP
X	4. TRUCK	X	4. TANK, ABOVE GROUND		4. RECYCLING/RECOVERY		4. SURFACE IMPOUNDMENT
	5. PIPELINE		5. TANK, BELOW GROUND		5. CHEM./PHYS. TREATMENT		5. MIDNIGHT DUMPING
	6. OTHER (specify):		6. OTHER (specify):		6. BIOLOGICAL TREATMENT		6. INCINERATION
					7. WASTE OIL REPROCESSING		7. UNDERGROUND INJECTION
					8. SOLVENT RECOVERY		8. OTHER (specify):
					9. OTHER (specify):		

E. SPECIFY DETAILS OF SITE ACTIVITIES AS NEEDED

V. WASTE RELATED INFORMATION

A. WASTE TYPE

☐ 1 UNKNOWN ☐ 2 LIQUID ☒ 3. SOLID ☐ 4. SLUDGE ☐ 5. GAS

B. WASTE CHARACTERISTICS

☐ 1 UNKNOWN ☐ 2. CORROSIVE ☐ 3. IGNITABLE ☐ 4 RADIOACTIVE ☐ 5 HIGHLY VOLATILE
☐ 6. TOXIC ☐ 7 REACTIVE ☒ 8 INERT ☐ 9 FLAMMABLE

☐ 10. OTHER (specify):

C. WASTE CATEGORIES

1. Are records of wastes available? Specify items such as manifests, inventories, etc. below.

2. Estimate the amount (specify unit of measure) of waste by category; mark 'X' to indicate which wastes are present.

a. SLUDGE	b. OIL	c. SOLVENTS	d. CHEMICALS	e. SOLIDS	f. OTHER
AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
UNIT OF MEASURE	UNIT OF MEASURE	UNIT OF MEASURE	UNIT OF MEASURE	UNIT OF MEASURE	UNIT OF MEASURE
X (1) PAINT, PIGMENTS	X (1) OILY WASTES	X (1) HALOGENATED SOLVENTS	X (1) ACIDS	X (1) FLYASH	X (1) LABORATORY PHARMACEUT.
(2) METALS SLUDGES	(2) OTHER (specify):	(2) NON-HALOGNTD SOLVENTS	(2) PICKLING LIQUORS	(2) ASBESTOS	(2) HOSPITAL
(3) POTW		(3) OTHER (specify):	(3) CAUSTICS	(3) MILLING/ MINE TAILINGS	(3) RADIOACTIVE
(4) ALUMINUM SLUDGE			(4) PESTICIDES	(4) FERROUS SMLTG. WASTES	(4) MUNICIPAL
(5) OTHER (specify):			(5) DYES/INKS	(5) NON-FERROUS SMLTG. WASTES	(5) OTHER (specify):
			(6) CYANIDE	(6) OTHER (specify):	
			(7) PHENOLS		
			(8) HALOGENS		
			(9) PCB		
			(10) METALS		
			(11) OTHER (specify)		

Continue On Page 3

Continued From Page 2

WASTE RELATED INFORMATION (continued)

3. LIST SUBSTANCES OF GREATEST CONCERN WHICH MAY BE ON THE SITE (place in descending order of hazard).

4. ADDITIONAL COMMENTS OR NARRATIVE DESCRIPTION OF SITUATION KNOWN OR REPORTED TO EXIST AT THE SITE.

VI. HAZARD DESCRIPTION

A. TYPE OF HAZARD	B. POTENTIAL HAZARD (mark 'X')	C. ALLEGED INCIDENT (mark 'X')	D. DATE OF INCIDENT (mo., day, yr.)	E. REMARKS
1. NO HAZARD				
2. HUMAN HEALTH				
3. NON-WORKER INJURY/EXPOSURE				
4. WORKER INJURY				
5. CONTAMINATION OF WATER SUPPLY				
6. CONTAMINATION OF FOOD CHAIN				
7. CONTAMINATION OF GROUND WATER				
8. CONTAMINATION OF SURFACE WATER				
9. DAMAGE TO FLORA/FAUNA				
10. FISH KILL				
11. CONTAMINATION OF AIR				
12. NOTICEABLE ODORS				
13. CONTAMINATION OF SOIL	X			SOME OVERTURNED DRUMS are present on SITE
14. PROPERTY DAMAGE				
15. FIRE OR EXPLOSION				
16. SPILLS/LEAKING CONTAINERS/ RUNOFF/STANDING LIQUIDS	X			MANY 55 gallon drums, both waiting for removal & STORED FOR USE, ARE LEAKING AND/or OVERFLOWING
17. SEWER, STORM DRAIN PROBLEMS				
18. EROSION PROBLEMS				
19. INADEQUATE SECURITY				
20. INCOMPATIBLE WASTES				
21. MIDNIGHT DUMPING				
22. OTHER (specify):				

Continue On Reverse

Continued From Front

VII. PERMIT INFORMATION

A. INDICATE ALL APPLICABLE PERMITS HELD BY THE SITE.

[ ] 1. NPDES PERMIT [ ] 2. SPCC PLAN [ ] 3. STATE PERMIT (specify): _____

[ ] 4. AIR PERMITS [ ] 5. LOCAL PERMIT [ ] 6. RCRA TRANSPORTER

[ ] 7. RCRA STORER [ ] 8. RCRA TREATER [ ] 9. RCRA DISPOSER

[ ] 10. OTHER (specify): _____

B. IN COMPLIANCE?

[ ] 1. YES [ ] 2. NO [ ] 3. UNKNOWN

4. WITH RESPECT TO (list regulation name & number): _____

VIII. PAST REGULATORY ACTIONS

[ ] A. NONE [ ] B. YES (summarize below)

IX. INSPECTION ACTIVITY (past or on-going)

[ ] A. NONE [X] B. YES (complete items 1, 2, 3, & 4 below)

1. TYPE OF ACTIVITY	2. DATE OF PAST ACTION (mo., day, & yr.)	3. PERFORMED BY: (EPA/State)	4. DESCRIPTION
SITE VISIT	1-7-80	STATE	

X. REMEDIAL ACTIVITY (past or on-going)

[ ] A. NONE [ ] B. YES (complete items 1, 2, 3, & 4 below).

1. TYPE OF ACTIVITY	2. DATE OF PAST ACTION (mo., day, & yr.)	3. PERFORMED BY: (EPA/State)	4. DESCRIPTION

NOTE: Based on the information in Sections III through X, fill out the Preliminary Assessment (*Section II*) information on the first page of this form.

HAZARDOUS WASTE SITE STATUS

Name & Address

FRANKLIN PLASTICS CO.
113 PASSAIC AVE.
KEARNY, NEW JERSEY

Site Number

NJ 000010042

Staff Responsible

RICHARD RAMON

County

HUDSON

Agency Responsible

____ EPA ____ State ____ None

Preliminary Assessment Rating

LOW

Date of Assessment

6-16-80

Tentative Disposition

NO ACTION NEEDED

Date of Disposition

8-6-80

Site Inspection Requested ____ Yes ____ No

Date of Request

Date of Inspection

Date of Report

Site Inspection Rating

JRB Rating

Sampling Requested ____ Yes ____ No

Date of Request

Date of Sampling

Date of Report

Final Strategy Determination - (based on sampling results)

Date of Determination

Enforcement by EPA ____ Yes ____ No

Date of Case Development Plan

Enforcement Team Leader

Technical Staff -

Legal Staff -

S&A Field Staff -

FIT Staff -

Enforcement Case Filed Date

Administrative Order Issued Date

Current Location of File	File Holder
✓ Assessment Staff	RICH RAMON
____ Case Development Staff	
____ Enforcement Division	
____ Other	

EPA

POTENTIAL HAZARDOUS WASTE SITE
TENTATIVE DISPOSITION

REGION	SITE NUMBER
II	NJ0000100042

File this form in the regional Hazardous Waste Log File and submit a copy to: U.S. Environmental Protection Agency; Site Tracking System, Hazardous Waste Enforcement Task Force (EN-335); 401 M St., SW; Washington, DC 20460.

I. SITE IDENTIFICATION

A. SITE NAME	B. STREET	E. ZIP CODE
FRANKLIN Plastics	113 Passaic Ave	
C. CITY	D. STATE	
KEARNY	New Jersey	

II. TENTATIVE DISPOSITION

Indicate the recommended action(s) and agency(ies) that should be involved by marking 'X' in the appropriate boxes.

RECOMMENDATION	MARK 'X'	ACTION AGENCY: EPA	STATE	LOCAL	PRIVATE
A. NO ACTION NEEDED -- NO HAZARD	X				
B. INVESTIGATIVE ACTION(S) NEEDED (If yes, complete Section III.)					
C. REMEDIAL ACTION NEEDED (If yes, complete Section IV.)					
D. ENFORCEMENT ACTION NEEDED (if yes, specify in Part E whether the case will be primarily managed by the EPA or the State and what type of enforcement action is anticipated.)					

E. RATIONALE FOR DISPOSITION

F. INDICATE THE ESTIMATED DATE OF FINAL DISPOSITION (mo., day, & yr.)	G. IF A CASE DEVELOPMENT PLAN IS NECESSARY, INDICATE THE ESTIMATED DATE ON WHICH THE PLAN WILL BE DEVELOPED (mo., day, & yr.)

H. PREPARER INFORMATION

1. NAME	2. TELEPHONE NUMBER	3. DATE (mo., day, & yr.)
Richard RAMON	(212)-264-1573	8-6-80

III. INVESTIGATIVE ACTIVITY NEEDED

A. IDENTIFY ADDITIONAL INFORMATION NEEDED TO ACHIEVE A FINAL DISPOSITION.

B. PROPOSED INVESTIGATIVE ACTIVITY (Detailed Information)

1. METHOD FOR OBTAINING NEEDED ADDITIONAL INFO.	2. SCHEDULED DATE OF ACTION (mo, day, & yr)	3. TO BE PERFORMED BY (EPA, Contractor, State, etc.)	4. ESTIMATED MANHOURS	5. REMARKS
a. TYPE OF SITE INSPECTION				
(1)				
(2)				
(3)				
b. TYPE OF MONITORING				
(1)				
(2)				
c. TYPE OF SAMPLING				
(1)				
(2)				

Continue On Reverse

EPA

POTENTIAL HAZARDOUS WASTE SITE LOG

SITE NUMBER: NJ000010092

NOTE: The initial identification of a potential site or incident should not be interpreted as a finding of illegal activity or confirmation that an actual health or environmental threat exists. All identified sites will be assessed under the EPA's Hazardous Waste Site Enforcement and Response System to determine if a hazardous waste problem actually exists.

SITE NAME: FRANKLIN PLASTICS

CITY: KEARNY

STATE: New Jersey

ZIP CODE:

SUMMARY OF POTENTIAL OR KNOWN PROBLEM

ITEM	DATE OF DETERMINATION OR COMPLETION	RESPONSIBLE ORGANIZATION OR INDIVIDUAL (EPA, State, Contractor, Other)	PERSON MAKING ENTRY TO LOG FORM	DATE ENTERED ON LOG (mo,day,yr)
1. IDENTIFICATION OF POTENTIAL PROBLEM	6-16-80	EPA	R. RAMON	6-17-80
2. PRELIMINARY ASSESSMENT	6-16-80	EPA	R. RAMON	6-17-80
APPARENT SERIOUSNESS OF PROBLEM:	☐ HIGH	☐ MEDIUM ☒ LOW	☐ NONE	☐ UNKNOWN
3. SITE INSPECTION				
4. EPA TENTATIVE DISPOSITION (check appropriate item(s) below)				
☐ a. NO ACTION NEEDED				
☐ b. INVESTIGATIVE ACTION NEEDED				
☐ c. REMEDIAL ACTION NEEDED				
☐ d. ENFORCEMENT ACTION NEEDED				
5. EPA FINAL STRATEGY DETERMINATION (check appropriate item(s) below)				
☐ a. NO ACTION NEEDED				
☐ b. REMEDIAL ACTION NEEDED				
☐ c. REMEDIAL ACTION NEEDED BUT, NO RESOURCES AVAILABLE				
☐ d. ENFORCEMENT ACTION NEEDED				
☐ (1) CASE DEVELOPMENT PLAN PREPARED				
☐ (2) ENFORCEMENT CASE FILED OR ADMINISTRATIVE ORDER ISSUED				
6. STRATEGY COMPLETED				

EPA Form T2070-1 (10-79)