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

AUG 2 2 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Occidental Chemical Corporation
Occidental Tower
5005 LBJ Freeway, Suite 1350
Dallas, TX 75244

Attention: Frank Parigi, Esq.
Vice President and General Counsel
Glenn Springs Holdings, Inc.

Re: Diamond Alkali Superfund Site
Civil Action No. 89-5064 (JWB)
Bill for Collection No. 2721626S0040

Dear Mr. Parigi:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended, 42 U.S.C. § 9601, *et seq*. EPA has documented the release or threat of release of hazardous substances into the Diamond Alkali Superfund Site. In response to the release or threatened release of hazardous substances, EPA has spent, and will continue to spend, public funds on actions to investigate and control such releases and threatened releases at the site pursuant to Section 104 of CERCLA.

On November 19, 1990 the District Court of New Jersey entered the Consent Decree ("CD") in United States v. Occidental Chemical Corporation, Civil Action No. 89-5064 (JWB). Pursuant to Section XXII of this CD, Occidental Chemical Corporation ("OCC") agreed to reimburse EPA for oversight and past costs incurred by EPA in the implementation of this CD.

This letter serves as Bill for Collection No. 2721626S0040, covering the period from September 1, 2013 through August 31, 2015.

Enclosure A is a narrative statement describing EPA's oversight and response costs paid during the time period covered by the Bill for Collection. Enclosure B consists of four itemized cost summaries, referred to as Superfund Cost Recovery Package Imaging and On-Line System ("SCORPIO$") reports, for the Diamond Alkali Site, side identification number 02-96, Operable Unit ("OU") 00 and OU01. For the purposes of the SCORPIO$ reports, OU03 represents the expansion of the CERCLA investigation from the six-mile Passaic River Study Area to the seventeen-mile Lower Passaic River Study Area and OU04 represents the Newark Bay Study Area.
Some personnel charged their time to OU00 to represent time spent on all OUs. Therefore, the OU00 costs have been apportioned among OU01, OU02 (OCC/Tierra Solutions, Inc. ["TSI"] Removal and OCC/TSI Combined Sewer Overflow/Storm Water Outfall ["CSO/SWO"] Sampling), OU03 (Cooperating Parties Group ["CPG"]-lead RI/FS, CPG-lead Removal and EPA-lead work) and OU04, as described in the enclosure. While all OU00 charges are included in the SCORPIO$ reports for OU00 that appears in Enclosure B, this Bill for Collection includes only those costs that EPA has apportioned to OU01.

EPA certifies that as of August 31, 2015, it has expended at least $ 31,350.26 in oversight and response costs relating to the remedial construction at the 80-120 Lister Avenue Site.

As per Section XXII.A.2. of the CD, payment shall be made within forty five (45) days of receipt this letter. Although the terms of the CD indicate that payment is to be made by means of a certified check, we are requesting that the amount due be provided to EPA's account at the Federal Reserve Bank of New York via electronic funds transfer ("EFT"). To make this payment, you should instruct your bank to remit payment in the required amount to EPA via EFT accompanied by the following information:

Amount of payment: **$ 31,350.26**
EFT to be directed to: **Federal Reserve Bank of New York**
Bank routing number: **021030004**
Bank account number receiving payment: **68010727**
SWIFT address: **FRNYUS33**
Address: **Federal Reserve Bank of New York**
33 Liberty Street
New York, NY 10045
Field tag 4200 of the Fedwire message to read (for Fedwire payments):
D 68010727 Environmental Protection Agency
Name of remitter: **Occidental Chemical Corporation and Tierra Solutions, Inc.**
Case number: Civil Action No. **89-5064(JWB)**
Site name: **Diamond Alkali Superfund Site**
Site/spill identifier: **02-96**

To ensure that your payment is properly recorded, you should send either an e-mail or a letter contemporaneously with the EFT which references the date of the EFT, the payment amount, the name of the Site, the Site identification number, the case number, and your name and address to:

Elizabeth Butler, Remedial Project Manager
Emergency & Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 19th floor
New York, New York 10007-1866
email: butler.elizabeth@epa.gov

and

Frances Zizila, Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866
email: zizila.frances@epa.gov

and

Elizabeth McGuffey
U.S. Environmental Protection Agency
26 W. Martin Luther King Drive
Attention: FINANCE
MS: NWD2
Cincinnati, Ohio 45268
emails: mcguffey.elizabeth@epa.gov and cinwd_acctsreceivable@epa.gov

The United States reserves its rights to recover any costs paid during the time period covered by this accounting but not included in this billing, and all other oversight and response costs incurred pursuant to the Consent Decree.

EPA reaffirms its commitment to conduct appropriate and cost-effective oversight of work performed by consenting parties while ensuring protective cleanups. To this end, EPA is prepared to discuss with you its plans for the oversight of ongoing work at the Site, and to provide you with the opportunity to suggest ways to effectively streamline the work and its oversight.

If you have any questions regarding this matter, please contact Elizabeth Butler at (212) 637-4396. Legal inquiries should be directed to Ms. Zizila at (212) 637-3135. Thank you for your prompt attention to this matter.

Sincerely yours,

Michael Sivak

Michael Sivak, Acting Branch Chief
Special Projects Branch
Emergency & Remedial Response Division

Enclosures

cc: Dave Rabbe
Director, Environmental Remediation
Tierra Solutions, Inc.
Two Tower Center Boulevard, Floor 10
East Brunswick, New Jersey 08816

and: Brian Mikucki
Tierra Solutions, Inc.

ENCLOSURE A

Summary of Costs Paid by EPA
09/01/13 through 08/31/15
Diamond Alkali Superfund Site, Newark, New Jersey
Operable Unit One – 80-120 Lister Avenue
Site ID: 02-96

COSTS FROM OU01 SCORPIO$ REPORTS

Payroll from OU01 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

These costs consist of direct EPA personnel charges for time spent by EPA employees in overseeing work performed in accordance with the Consent Decree, Civil Action No. 89-5064 (JWB) ("CD"), including review of TSI technical submissions, meetings and/or conferring with TSI representatives, internal meetings and conferences concerning the Site, community relations/outreach and coordination with Partner Agencies. See enclosed Payroll Costs Sections of EPA's Itemized Cost Summaries.

[$5,461.07 + $9,037.55] $ 14,498.62

Other Expenditures from OU01 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

These costs consist of charges for contractor support for file storage and maintenance by Ensoftek. See enclosed Contract Costs Section of EPA's Itemized Cost Summary.

[$1,795.23 + $1,844.78] $ 3,640.01

Subtotal Direct Costs from OU01 SCORPIO$ Reports
[$7,256.30 + $10,882.33] ***$ 18,138.63***

Indirect Costs from OU01 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

Indirect costs are those costs which are necessary to the operation of the Superfund program and the support of site cleanup efforts, but which cannot be tied directly to the efforts at any one site. Indirect costs are allocated to particular Superfund sites by means of a methodology established by the EPA Headquarters. See enclosed Indirect Costs Section of EPA's Itemized Cost Summaries.

Subtotal Indirect Costs from OU01 SCORPIO$ Reports
[$2,784.25 + $5,354.11] ***$ 8,138.36***

Total Direct and Indirect Costs from OU01 SCORPIO$ Reports: **$ 26,276.99**

COSTS FROM OU00 SCORPIO$ REPORTS

Payroll from OU00 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

The OU00 SCORPIO$ reports include payroll for OU01, OU02 (OCC/TSI Removal and OCC/TSI CSO/SWO Sampling), OU03 (EPA-lead work, CPG-lead Removal and CPG-lead RI/FS) and OU04. Therefore, these costs were divided evenly among the seven components.

[$10,003.60 / 7 + $13,384.24 / 7] $ 3,341.12

Other Expenditures from OU00 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

The OU00 SCORPIO$ reports include charges for contractor support for file storage and maintenance by Ensoftek for OU01, OU02 (OCC/TSI Removal and OCC/TSI CSO/SWO Sampling), OU03 (EPA-lead work, CPG-lead Removal and CPG-lead RI/FS) and OU04. Therefore, these costs were divided evenly among the seven components.

[$360.36 / 7 + $806.36 / 7] $ 166.67

Subtotal Direct Costs from OU00 SCORPIO$ Report apportioned to OU01
[$1,480.57 + $2,027.22] ***$ 3,507.79***

Indirect Costs from OU00 SCORPIO$ Reports (09/01/13 through 08/31/14 and 09/01/14 through 08/31/15):

See description above.

Subtotal Indirect Costs from OU00 SCORPIO$ Report apportioned to OU01
*[$1,480.57 * 38.37% + $2,027.22 * 49.2% = 568.09 + 997.39]* ***$ 1,565.48***

Total Direct and Indirect Costs from OU00 SCORPIO$ Reports apportioned to OU01:
$ 5,073.27

OU01 Bill for Collection Amount		**$ 26,276.99**
	Plus	**$ 5,073.27**
		$ 31,350.26