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

APR 29 2014

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Occidental Chemical Corporation
and Tierra Solutions, Inc.
Two Tower Center Boulevard, Floor 10
East Brunswick, New Jersey 08816

Attention: Dave Rabbe
Director, Environmental Remediation
Tierra Solutions, Inc.

Re: Diamond Alkali Superfund Site, Lower Passaic River Study Area Removal Administrative Order on Consent, Index No. CERCLA 02-2008-2020
Bill for Collection No. 2721426S0034

Dear Mr. Rabbe:

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. Section 9601 et seq. EPA has documented the release or threat of release of hazardous substances into the Lower Passaic River Study Area portion of 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 June 23, 2008, EPA entered into an Administrative Order on Consent ("Order"), Index No. CERCLA 02-2008-2020, with Occidental Chemical Corporation ("OCC") and Tierra Solutions, Inc. ("TSI"). Pursuant to Paragraph 51 of this Order, OCC and TSI agreed to reimburse EPA for all Future Response Costs related to this Order incurred by EPA after the issuance of this Order. This Bill for Collection No. 2721426S0034 covers the period from September 1, 2012 through August 31, 2013.

Enclosure A to the Bill for Collection is a narrative statement describing EPA's oversight and response costs. Enclosure B consists of two itemized cost summaries, referred to as Superfund Cost Recovery Package Imaging and On-Line System ("SCORPIO$") reports, for your review. One SCORPIO$ report is enclosed for Operable Unit (OU) 02, covering the period of September 1, 2012 through August 31, 2013 ($ 149,007.94). For the purposes of the SCORPIO$ reports, OU 03 represents the expansion of the CERCLA investigation from the six-mile Passaic River Study Area to the seventeen-mile Lower Passaic River Restoration Project and OU 04 represents the Newark Bay Study Area.

The other SCORPIO$ report enclosed is for OU 00, covering other billable costs for the period from September 1, 2012 through August 31, 2013. Some personnel charged their time to OU 00 to represent time spent equally on OUs 01, 02, 03 and 04. Therefore, the OU 00 costs have been apportioned among OU 01, OU 02 (Occidental Chemical Corporation [OCC]/Tierra Solutions, Inc. [TSI] Removal and OCC/TSI Combined Sewer Overflow/Storm Water Outfall Sampling), OU 03 (Cooperating Parties Group [CPG]-lead RI/FS, CPG-lead Removal and EPA-lead work) and OU 04 as described in the enclosure. While all OU 00 charges are included in the SCORPIO$ report for OU 00 that appears in Enclosure B, this Bill for Collection includes only those costs that EPA has apportioned to OU 02. For example, New Jersey Dept. of Environmental Protection Expenditures and their associated indirect costs included in the OU 00 SCORPIO$ report were not apportioned to this OU 02 Bill and will be apportioned to Bills for other Operable Units.

EPA certifies that as of August 31, 2013, it has expended at least $ 152,608.87 in oversight and response costs relating to the Lower Passaic River Study Area removal during the time period covered by this bill.

As per Section XVI of the Order, payment shall be made within thirty (30) days of receipt of this letter into EPA's account at the Federal Reserve Bank via electronic funds transfer ("EFT"). To make this payment, you should instruct your bank to remit payment in the required amount to EPA accompanied by the following information:

Amount of payment: **$ 152,608.87**
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: **CERCLA 02-2008-2020**
Site name: **Diamond Alkali Superfund Site**
Site/spill identifier: **02-96**

To ensure that your payment is properly recorded, you are required to notify EPA contemporaneously with the payment. You may send an e-mail or a letter which references the date of the EFT, the payment amount, the name of the Site, 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
butler.elizabeth@epa.gov

and

Patricia Hick, Assistant Regional Counsel
Office of Regional Counsel
United States Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866
hick.patricia@epa.gov

and

Richard Rice
United States Environmental Protection Agency
26 W. Martin Luther King Drive
Attention: FINANCE
MS: NWD
Cincinnati, Ohio 45268
rice.richard@epa.gov and AcctsReceivable.CINWD@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 Administrative Order on Consent.

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 would once again like to offer 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 Alice Yeh of my staff at (212) 637-4427. Legal inquiries should be directed to Ms. Patricia Hick, of the Office of Regional Counsel, at (212) 637-3137. Thank you for your prompt attention to this matter.

Sincerely yours,

Raymond Basso

Raymond Basso, Lower Passaic River Project Director
Emergency & Remedial Response Division

Enclosures

cc: Paul Bluestein, Tierra Solution, Inc.

United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

BILL FOR COLLECTION	BILL NO. 2721426S0034
BUREAU/OFFICE FOR REMITTANCE PAYABLE USEPA - REGION II SUPERFUND PAYMENTS - CINCINNATI FINANCE CENTER	DATE APR 29 2014
ADDRESS FOR MAILING PAYMENT P.O. BOX 979076, ST. LOUIS, MO 63197-9000	AMOUNT OF PAYMENT

PAYER

Occidental Chemical Corporation
and Tierra Solutions, Inc.
Two Tower Center Boulevard, Floor 10
East Brunswick, New Jersey 08816

Attention: Dave Rabbe
Director, Environmental Remediation
Tierra Solutions, Inc.

Re: Diamond Alkali Superfund Site;
Lower Passaic River Study Area, OU02-Removal;
Administrative Order on Consent, Index No. CERCLA 02-2008-2020;

DATE	DESCRIPTION	QUANTITY	UNIT PRICE COST	UNIT PRICE PER		
	Monies due the Hazardous Substance Trust Fund (Treasury) for cleanup of hazardous waste spills on sites. Site ID# 02-96 Payment due within 30 days of the receipt of this bill. If payment is not received by this date, a daily interest charge of 0.0022% (0.81% per annum) will be assessed from the first day after the payment is overdue through the date of payment.				$ 152,608.	87

IMPORTANT: A receipt will be issued for all cash remittances and for all other remittances when required by applicable procedures. Failure to receive a receipt for cash payment should be promptly reported to the bureau or office shown above.

AMOUNT DUE $ 152,608. 87

EPA Form 2505-4 (9-73) REPLACES FORM D1-1040 WHICH IS OBSOLETE.

68-20X8145.4 14TR2B02D302DD2C0296BB02

ENCLOSURE A

Summary of Costs Paid by EPA
9/1/12 through 8/31/13
Diamond Alkali Superfund Site, Newark, New Jersey
Operable Unit Two – Lower Passaic River Study Area Removal
Site ID: 02 96

COSTS FROM OU 02 SCORPIO$ REPORT

Payroll

These costs consist of direct EPA personnel charges for time spent by EPA employees in overseeing work performed under the Administrative Order on Consent (Order), Index No. CERCLA 02-2008-2020. See also Payroll Costs section of EPA's Oversight SCORPIO$ Report for OU 02.

$ 33,041.86

Travel

These costs consist of charges paid by EPA employees for travel costs in overseeing work performed under the Order. See also Travel Costs section of EPA's Oversight SCORPIO$ Report for OU 02.

$ 170.83

Interagency Agreement

These costs consist of charges paid by the EPA for Interagency Agreement (IAG) contracts. The total represents the amounts spent under the contracts with the Army Corps of Engineers for field oversight of the construction activities. See also IAG section of EPA's Oversight SCORPIO$ Report for OU 02.

$ 79,135.93

Indirect

These costs consist of disbursements which are necessary for the operation of the Superfund Program and the support of Site cleanup efforts but which are not direct Site costs (i.e., not disbursements recorded in individual Superfund site accounts in EPA's Financial Management System). Indirect costs are allocated to particular Superfund sites by means of a methodology established by the EPA Headquarters. See also Indirect Costs section of EPA's Oversight SCORPIO$ Report for OU 02.

$ 36,659.32

Subtotal of Costs for this billing contained in OU 02 SCORPIO$ Report **$ 149,007.94**

COSTS FROM OU 00 SCORPIO$ REPORT

Payroll and associated Indirect Costs from OU 00 reports

The OU 00 SCORPIO$ report includes payroll and associated indirect costs for OU 01, OU 02 (OCC/TSI Removal and OCC/TSI Combined Sewer Overflow/Storm Water Outfall Sampling), OU 03 (EPA-lead work, CPG-lead Removal and CPG-lead RI/FS) and OU 04. Therefore, these costs were divided evenly among the seven components.

($ 17,246.20 + 5,627.41 indirect) ÷ 7 **$ 3,267.66**

Other Expenditures and associated Indirect Costs from OU 00 report

These costs consist of charges for contractor support for file storage and maintenance by Ensoftek and associated indirect costs for OU 01, OU 02 (OCC/TSI Removal and OCC/TSI Combined Sewer Overflow/Storm Water Outfall Sampling), OU 03 (EPA-lead work, CPG-lead Removal and CPG-lead RI/FS) and OU 04. Therefore, these costs were divided evenly among the seven components.

($ 1,758.93 + 573.94 indirect) ÷ 7 **$ 333.27**

Note the "Systems Research & Applications Corp" costs consist of charges for contractor support for Community Advisory Group (CAG) facilitation. The vouchers were reviewed and no charges were spent on OU 02 Removal. Therefore, these costs are not included in this bill.

State Cooperative Agreement and associated Indirect Costs from OU 00 reports

These costs consist of charges for oversight and support provided by the New Jersey Department of Environmental Protection under a cooperative agreement with EPA. Since no personnel charges were spent on OU 02 Removal, these costs are not included in this bill.

Technical Assistance Grant and associated Indirect Costs from OU 00 reports

These costs are related to the Passaic River Coalition grant. The vouchers were reviewed and no charges were spent on OU 02 Removal. Therefore, these costs are not included in this bill.

Subtotal of Costs for this billing contained in OU 00 SCORPIO$ Report **$ 3,600.93**

Total Bill for Collection Amount **$ 152,608.87**