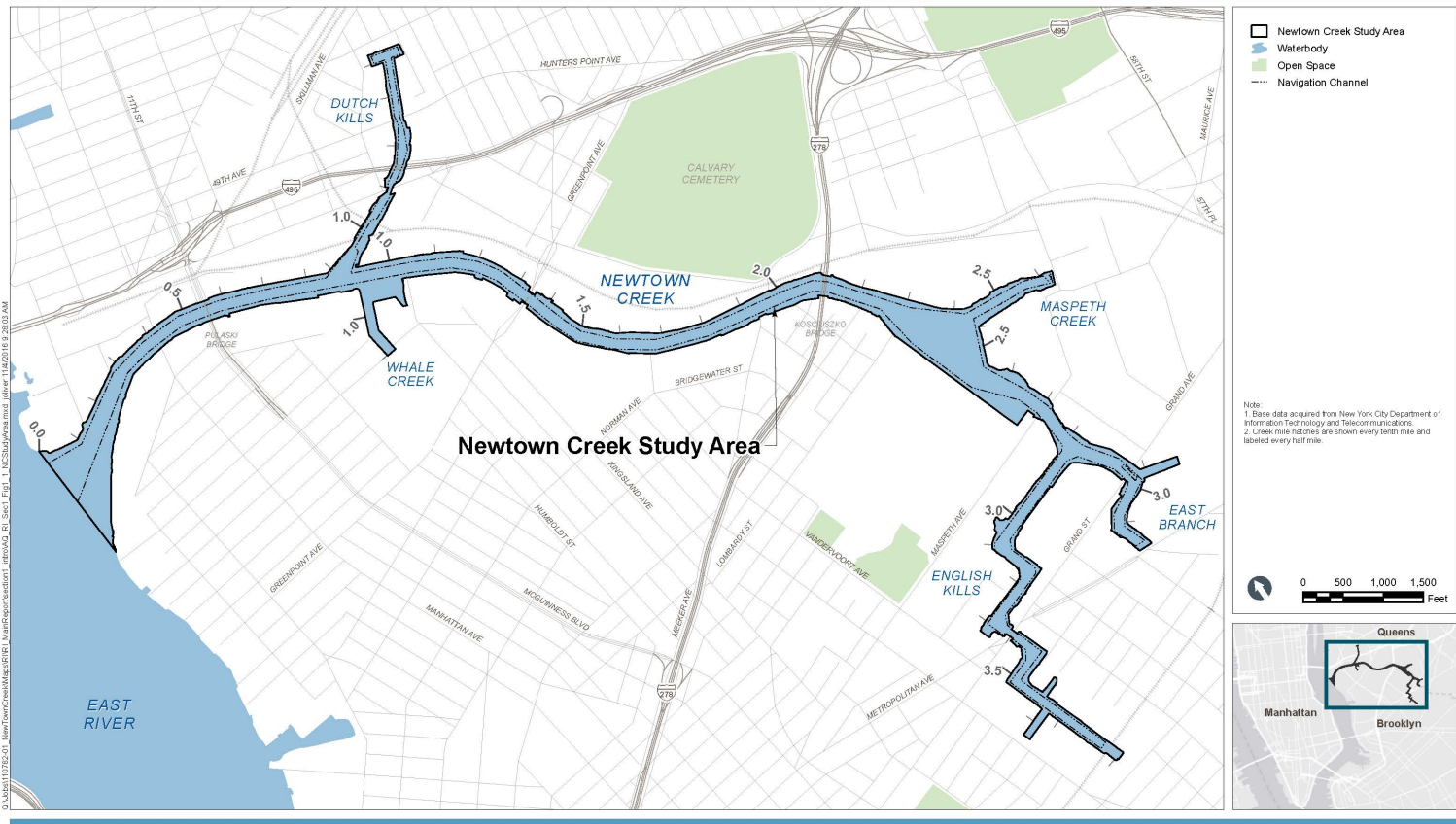




Newtown Creek Superfund Site June 19, 2019 CAG Meeting PRP Search and Identification

Newtown Creek Study Area



DRAFT

Figure 1-1
Newtown Creek Study Area
Remedial Investigation Report
Newtown Creek RI/FS

PRP Search

- ◆ Industrial Operations at Facilities Upland of the Study Area
 - From the mid to late 1800's
 - To the Present
- ◆ Large Variety of Industries, Processes and Hazardous Substances
- ◆ Looking for:
 - Hazardous Substances Generated and Released at Industrial Facilities
 - Pathways for Hazardous Substances to Reach Newtown Creek
 - E.g.: Point source, overland flow, groundwater, bank erosion, overwater activities
 - Fitting CERCLA's Liability Scheme
 - Current Owner/Operator; Past Owner/Operator (at time of disposal); Arranger; Transporter

Representative Industries at Newtown Creek

- ◆ Acid Works
- ◆ Animal Rendering, Glue Factories, Fertilizer Plants
- ◆ Asphalt Production and Storage
- ◆ Coal Processing, Handling Storage and Use
- ◆ Creosote Production and Treatment
- ◆ Electroplating
- ◆ Incinerators
- ◆ Manufactured Gas Plants
- ◆ Metal Production and Metal Fabricating
- ◆ Metal Scrap and Storage
- ◆ Paints and Pigments
- ◆ Petroleum Refining
- ◆ Petroleum storage and distribution
- ◆ Railroads and Rail Yards
- ◆ Shipbuilding
- ◆ Utilities
- ◆ Waste Oil Refining

General Potentially Responsible Party (PRP) Search and Identification Process



CERCLA Liability

SEC. 107. (a) Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (b) of this section—

- (1) the owner and operator of a vessel or a facility,
- (2) any person who at the time of disposal of any hazardous substance owned or operated any facility at which such hazardous substances were disposed of,
- (3) any person who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by such person, by any other party or entity, at any facility or incineration vessel owned or operated by another party or entity and containing such hazardous substances, and
- (4) any person who accepts or accepted any hazardous substances for transport to disposal or treatment facilities, incineration vessels or sites selected by such person, from which there is a release, or a threatened release which causes the incurrence of response costs, of a hazardous substance,

PRP Update

Performing Respondents:

- BP America, Inc.
- The Brooklyn Union Gas Company d/b/a National Grid
- The City of New York
- ExxonMobil Oil Corporation
- Phelps Dodge Refining Corporation (now Part of Freeport McMoRan, Inc.)
- Texaco, Inc. (now part of Chevron Corporation)

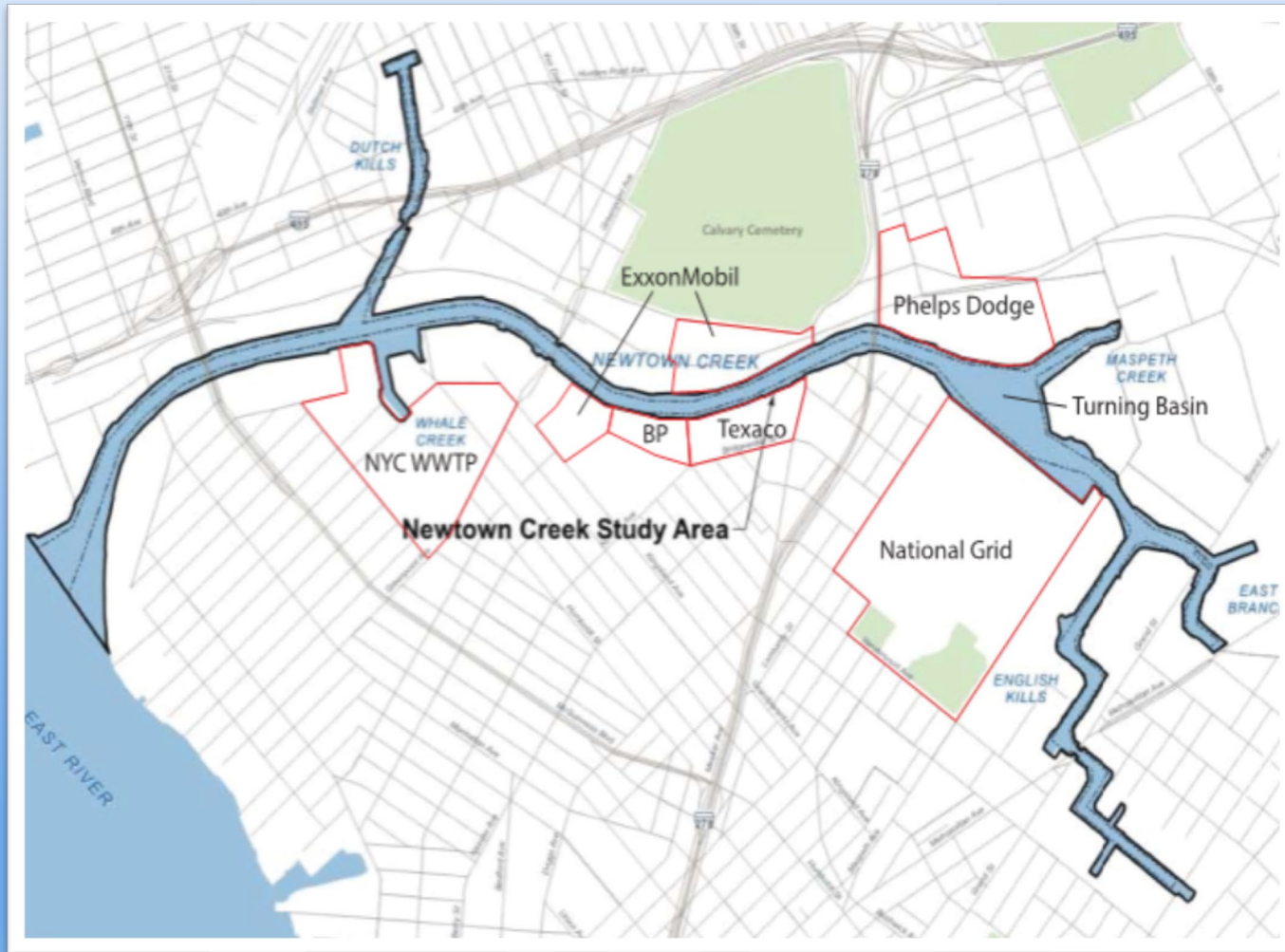
Named in 2017:

- Consolidated Edison Company of New York
- National Railroad Passenger Corporation (AMTRAK)
- American Premier Underwriters, Inc.
- Connell Limited Partnership
- The Long Island Railroad Company
- Motiva Enterprises, LLC
- Shell Oil Company
- Simsmetal East LLC (subsidiary of Sims Metal Management, Inc.)

Recently Named:

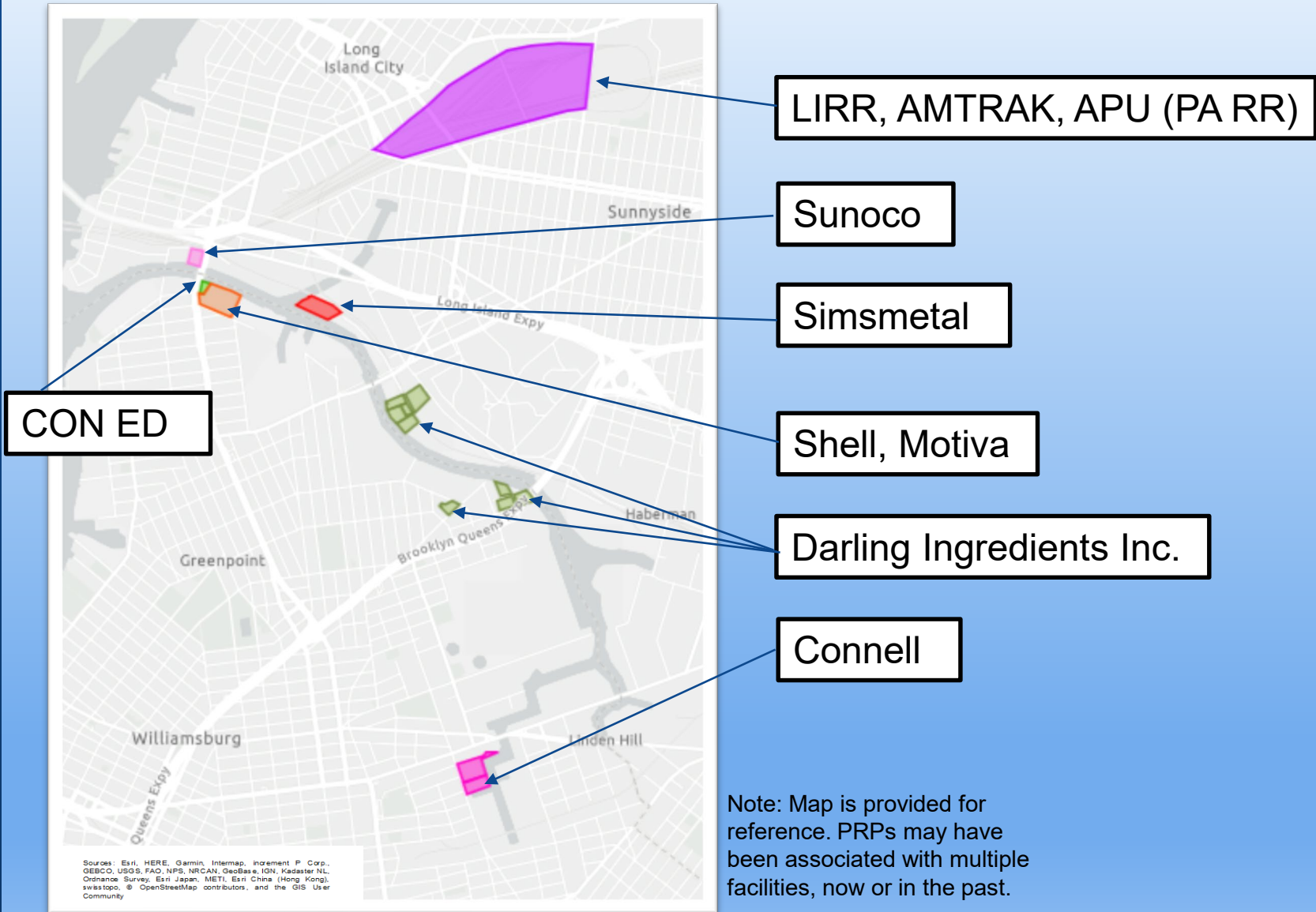
- Darling Ingredients Inc.
- Sunoco Entities:
 - Sunoco, Inc.
 - Energy Transfer L.P.

Upland Facilities Associated with Respondent PRPs



Note: Map is provided for reference. PRPs may have been associated with multiple facilities, now or in the past.

Upland Facilities Associated with 2017 and Recently Named PRPs



Note: Map is provided for reference. PRPs may have been associated with multiple facilities, now or in the past.

Questions?