



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 Broadway  
New York, NY 10007-1866

April 20, 2020

**URGENT LEGAL MATTER  
PROMPT REPLY NECESSARY  
BY ELECTRONIC MAIL**

Daniel Jorjani, Solicitor  
Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Re: General Notice Letter for the Rolling Knolls Landfill Superfund Site  
Chatham Township, Morris County, New Jersey

Dear Mr. Jorjani:

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, EPA is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants into the environment. EPA has documented that such a release has occurred at the Rolling Knolls Landfill Superfund Site (Site). EPA has spent, or is considering spending, public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Based on information presently available to EPA, EPA has determined that the United States may be responsible under CERCLA for cleanup of the Site or costs EPA has incurred in cleaning up the Site.

**Explanation of Potential Liability**

Under CERCLA, specifically Sections 106(a) and 107(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by EPA in cleaning up the Site, unless the PRP can demonstrate divisibility or assert one of the statutory defenses. PRPs include current and former owners and operators of a Site.

Based on the information collected, EPA believes that the United States may be liable under Section 107(a) of CERCLA with respect to the Site, as a current or previous owner and/or operator of the Site.

To date, EPA and/or parties working under EPA's oversight, have taken several response actions at the Site under the authority of the Superfund Program. Below is a brief description of the actions taken at the Site.

- A Preliminary Assessment (PA) and Site Investigation (SI) in order to gain a basic understanding of any risks posed to human health and/or the environment by releases or threatened releases from the Site.
- A Remedial Investigation (RI) to identify the Site characteristics and to define the nature and extent of soil, air, surface water, and groundwater contamination at the Site and the risks posed by the Site.
- Human Health and Ecological Risk Assessments to determine risks, if any, posed by Site conditions.
- Feasibility Study (FS) efforts to evaluate different cleanup options for the Site.

#### **Information to Assist You**

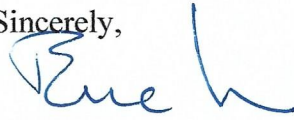
In 2003, the Site was placed on the National Priorities List, and in 2005, EPA entered into an Administrative Settlement Agreement and Order on Consent (II-CERCLA-02-2005-2034) with Chevron Environmental Management Company, Lucent Technologies, Inc., and Novartis Pharmaceuticals Corporation for their performance and funding of the remedial investigation and feasibility study (RI/FS) for the Site.

Since at least 2005, EPA has been in contact with the Department of the Interior regarding the Site, and the parties performing the RI/FS for the Site also have been in contact with the Department of the Interior regarding the RI/FS work and the documents prepared for the RI/FS. Ms. Kimberly H. Childe of the Department of Interior, Office of the Solicitor, has been working on this matter and can be reached at 202 219-0728.

EPA would like to encourage further communications between you, other PRPs, and EPA at the Site. Mr. Richard F. Ricci of Lowenstein Sandler is liaison counsel for the PRPs performing the RI/FS and can be reached at 973 597-2462 and at [RRicci@lowenstein.com](mailto:RRicci@lowenstein.com). Assistant Regional Counsel Juan M. Fajardo is working on this matter for EPA, Region 2 and can be reached at 212 637-3132 and at [Fajardo.Juan@EPA.gov](mailto:Fajardo.Juan@EPA.gov).

We respectfully ask that you give these matters your immediate attention. If you have any questions regarding this letter, please contact Juan M. Fajardo at the phone number or email address listed above. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Wilson", with a stylized flourish at the end.

Eric Wilson, Acting Director  
Superfund and Emergency Management Division

cc: Kimberly Childe, DOI  
Marigrace Caminiti-Coelho, Executive Assistant to the Solicitor  
Letitia J. Grishaw, DOJ, Environmental Defense Section  
Thomas Mariani, DOJ, Environmental Enforcement Section