

Ciba-Geigy Site Fact Sheet

- 1** The Ciba-Geigy plant was officially designated as a federal Superfund site in 1983 due to groundwater pollution which resulted from decades of dye, pigment, resin and epoxy additive manufacturing. A superfund site is a site that has been contaminated by hazardous materials and identified by the US Environmental Protection Agency (EPA) as a priority for cleanup¹.
- 2** Natural Resource Damages (NRD) are a calculated dollar amount intended to provide compensation to the State or a town for the loss of the value of natural resources (i.e. pollution of land, water, or wildlife) and the costs associated with cleanup². NRD Settlements are between the State and parties associated with the pollution and are legal agreements on the terms of these calculations and responsibilities moving forward.
- 3** The NRD settlement between the NJDEP and BASF, the site's current landowner, was announced on December 5, 2022³.
- 4** The NJDEP initially gave a 30-day public comment period to evaluate this proposed settlement. After public pressure, the NJDEP stated on its website that they extended the comment period by another 30 days to 60 days total³. The NJDEP is mandated by NJ law to have a minimum public comment period of 60 days⁴.
- 5** The announcement of an NRD settlement is required to be published on the state's public notice board, the NJ Register, and cannot be announced on an agency's website alone⁴. The DEP did not formally publish the additional 30-day public comment period extension on the Register.
- 6** In 1996, the EPA estimated the groundwater pollution plume emanating from the site would be cleaned up in 30 years. Also according to the EPA, the percentage of groundwater contamination cleaned up is approximately 40% as of January 2023⁵.
- 7** A plume of groundwater contamination still exists under residential and commercial areas including the neighborhoods of Cardinal Drive and Oak Ridge Parkway. Additionally, the existing plume intersects the Toms River, which is the largest tributary into Barnegat Bay, in two locations⁶.
- 8** BASF was awarded up to a \$20 million tax rebate on the grounds that the former plant site is of lower value than it was previously assessed for. The site had formerly been zoned for industrial use, but BASF argued that it was worth less because of the restrictions placed on it by being designated as a Superfund site and would not be available for development⁷.
- 9** The Ciba-Geigy superfund site hosts one of the largest solar farms in New Jersey, which generates income for BASF, the current landowner⁸.

Sources:

1. "Ciba-Geigy Corp.. Site Profile." EPA, *Environmental Protection Agency*
2. "Constitutional Amendment". NJDEP, *Office of Natural Resource Restoration*
3. "DEP Invites Public Comment On Historic Settlement To Restore Damaged Natural Resources At Site Of Former Ciba-Geigy Chemical Plant In Toms River." NJDEP
4. N.J. Stat. § 58:10-23.11e2
5. "Ciba-Geigy Superfund Site EPA Update Webinar - January 2023." *YouTube*
6. "Primary Cohansey Plume Comparison 1996-2020, Ciba-Geigy Toms River Site." *Brown and Caldwell Map*.
7. Mikle, Jean. "Toms River May Have to Pay Basf up to \$20 Million after Losing Tax Case." *Asbury Park Press*
8. "Ciba-Geigy Superfund Site EPA Update Webinar - January 2023." *YouTube*