



What is an NRD Settlement?

The Steps of a Natural Resource Damages Assessment and Restoration Process, Explained

.....

1. **Identify a Release** - A release of a hazardous substance or spill of a petroleum product occurs, is documented and is referred to DEC for further investigation.
2. **Identification of Potential Claims** - Typically, NRD staff evaluate existing data to identify the natural resources that have been lost, destroyed or injured by the release. In some cases it may be necessary for NRD staff to perform biological, ecological, or other surveys and to take samples in order to determine whether natural resources have been lost, destroyed or injured.
3. **Injury Assessment and Quantification of Identified Claims** - If an injury to a natural resource has been identified, it is then quantified in terms of the spatial and temporal extent of the injury, including the size of the area of habitat affected and the time necessary to restore the resource to a baseline condition. This phase of the NRD process typically involves taking samples and performing biological, ecological, or other surveys. Often, DEC will coordinate with the responsible party and other federal and tribal trustees to assess injuries to natural resources.
4. **Damage Assessment and Resource Valuation** - NRD staff work with other involved trustees and, at times, responsible parties, to determine appropriate compensation for the loss of natural resources. This compensation, (the damages) will include the cost to restore or replace the injured resources and the services they provide, and could include compensation for the public's lost use of a resource's services.
5. **Negotiation and Settlement** - NRD attorneys and staff work with other involved trustees to seek damages from responsible parties to fund assessments and restoration plans, often resulting in a settlement between the Trustees and responsible parties.
6. **Implementation of a Restoration Plan** - NRD staff consults with the public, responsible parties, co-Trustees and other state and federal agencies and Indian tribes to develop restoration plans, to oversee their implementation, and to monitor the success of restoration activities that will restore, replace, or acquire the equivalent of the injured resources and the services those resources provide.

Have you been affected by the Ciba-Geigy Site? Here are some questions to consider...



Drinking Water

Do you live in Toms River and are you concerned about the safety of your drinking water?
Has your family chosen to buy bottled water instead of tap water?
Do you know where to find information about the safety of drinking water?



The Natural Environment

Have you observed changes in the natural environment?
Have you noticed that wildlife in the area seems to have been affected?



Human Health

Have you suffered from health complications that you suspect might be linked to the environmental damages from the site?
Do you live in the vicinity and have family members / loved ones who have gotten sick?

We encourage you to speak up and ask questions! Here are some questions we would like answered by the DEP



- **In actual numbers, how much is the settlement to the State?**
 - How did you arrive at that number?
 - How long will the restoration take?
- **How much has the polluter spent so far in the clean up?**
 - How much have they budgeted to continue the future clean up?
 - How does this amount measure up to other clean ups in terms of cost per acre and per pollutant?
 - Why is this restoration not part of the clean up?
 - How is this restoration settlement different from the superfund cleanup?
- **How far beyond the prior factory, office and waste system sites does the pollution plume exist?**
 - Where is the location of the ground water plume currently?
 - What is the pollutant of concern?
 - Where are your sentinel wells to assure the perimeters of the plume?
 - Kindly provide the monitoring from those sentinel wells and their location by latitude and longitude.
- **How much are the landowners making on the Solar Panels?**
 - Why is the area of the solar panels not being restore?
- **How much did the polluter pay for medical settlements for the lives of those who passed as well as those who suffer from the plants economic gain?**
 - How did they arrive at that amount?
 - Are they including that in the expense paid for the cleanup?
- **How much property taxes do the land owner pay to the town, to the county, to the state and to the federal government?**
 - How much were these payments from the beginning, during the clean-up, and now for each category above?
- **When will you respond to our comments?**