

FOR IMMEDIATE RELEASE - 5/13/09

Company Name: Bernards Township
Contact Person: Carolyn Kelly, Mayor
Telephone Number: (908) 766-2761
Email Address: ckelly@bernards.org
Contact Person: Scott Spitzer, Deputy Mayor
Telephone Number: 908-604-4880
Email Address: sspitzer@bernards.org
Web site address www.bernards.org

BERNARDS TOWNSHIP COMMITTEE STATEMENT REGARDING MQI AND TILCON REQUEST TO NJDEP FOR QUARRY TESTING FOR CONTAMINATION

Millington Quarry, Inc. (MQI) and Tilcon New York Inc. (Tilcon) have recently filed with the New Jersey Department of Environmental Protection (DEP) to obtain an agreement to permit testing for contaminants at the Millington Quarry under DEP oversight.

The Bernards Township Committee notes that MQI and Tilcon have thus sought to end run the court ordered mediation process. The Township Committee has steadfastly insisted that prompt and thorough testing of the existing site is an essential, next step for the protection of our community. Given their action, the Township will fully participate in the process.

At the same time, The Township Committee has numerous and serious questions and concerns concerning what has been proposed. These concerns include, but are not limited to, what would be tested for, where the sampling would occur, the extent of the testing, and the methodology of testing. Our preliminary view is that what has been proposed to date is both unclear and inadequate to provide the level of assurances that our community requires and that a good corporate citizen would provide. We are also concerned that DEP give this matter the full attention and focus that it deserves given its importance to our community.

The Township Committee is pursuing the following steps:

- (1) We have hired Behram Turan of Icon Engineering, a highly qualified and independent professional engineering firm to review and comment on the filing and review testing;
- (2) We will continue to consult with our Township professionals and our outside legal professionals, including the two law firms that have represented us in the litigation with the quarry, to determine the manner in which the Township can best become involved in the process, articulate our concerns and advocate for our community; and
- (3) We will continue to participate in the mediation process that Judge Ciccione has encouraged.

The Township Committee remains committed to the safe and appropriate development of this site.