
LD10 Lawmakers Join Toms River Officials Opposing Proposed Legal Settlement for Toxic Ciba Site

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Senator Jim Holzapfel, Assemblyman Greg McGuckin, and Assemblyman John Catalano today pledged their support of Toms River Township officials opposing the Department of Environmental Protection's [proposed settlement](#) with the current owners of the Ciba-Geigy superfund site.



Sen. Jim Holzapfel, Asm. Greg McGuckin, and Asm. John Catalano pledged their support of Toms River Township officials opposing the Department of Environmental Protection's proposed settlement with the current owners of the Ciba-Geigy superfund site. ([Wikimedia Commons](#))

“This deal seems more like a slap on the wrist than punishment for despicable corporate malfeasance,” said Senator Holzapfel (R-10). “The Ciba site has been a primary source of stress, concern and even health problems for residents, and this shocking arrangement only adds insult to injury. It is appalling that this proposal was crafted without any input from local elected officials or families who have lived in fear of the water in their taps and under their feet.”

The 10th District legislators are particularly bothered by a portion of the proposal which would see BASF, the current owner of the site, surrender approximately 1,000 acres for preservation. The company has insisted the land has essentially no value, and won \$17 million from Toms River taxpayers in a property tax appeal.

“By their own assessment, this acreage is worthless,” Holzapfel continued. “Since the land has no value, what is BASF really giving up? What is New Jersey getting out of this settlement? It is a lopsided deal, and I’m not comfortable with it.”

The superfund site is on 1,255 acres of land between Route 37 and Oak Ridge Parkway, west of the Garden State Parkway. The lawmakers worry that the remaining 255 acres under the proposed agreement could end up being developed.

“This leaves the door open for future projects that would give BASF an opportunity to make money on this settlement,” said Assemblyman McGuckin (R-10). “The township is seeking to be granted control of the 255-acre parcel, and we agree that would be the best way to ensure responsible stewardship of a site that has created so many problems for Toms River neighborhoods.

“Before any agreement is finalized, BASF should be forced to give up any and all interest in the land that has been spoiled and devalued by the reckless actions of the previous corporate owners and their disregard for the environment and families of Toms River,” McGuckin said.

Ciba-Geigy opened its plant in Toms River in 1952, and at one time it was the county’s largest employer. Waste from the company’s manufacturing of dyes and resins for industry, dumped on the property or buried in drums on the site, was detected in groundwater around the site about 10 years later.

BASF became the owner of the property more than a dozen years ago when they acquired the Ciba Holding AG.

“For more than a half century, Toms River officials and residents have been coping with this massive superfund site in their midst,” said Assemblyman Catalano (R-10). “It is unthinkable that DEP and BASF would get together and hash out a deal without including the people who have been – and will be – most effected by the poisons recklessly discarded without a plan to protect nearby communities.

“Considering the anxiety and inconvenience caused by negligent activities on the corporate property, Toms River deserves a seat at the table. No settlement can be taken seriously if the innocent victims of this environmental catastrophe are not represented in the process,” Catalano continued. “Some residents have gotten sick due to polluted water in wells on their properties, and tainted groundwater from the site continues to flow under some local neighborhoods. For those reasons alone, it is clear the proposed resolution comes up woefully short. Toms River residents deserve better from DEP.”

Township officials are also advocating for an adequate fund that would be controlled by a Toms River-appointed trustee, to provide compensation to those who may develop Ciba-related health issues in the future.