

**From:** [Fallon, Joseph M Mr CIV USA IMCOM](#)  
**To:** [Appleby, Charles M Mr CIV USA AMC](#)  
**Subject:** FW: Landfills  
**Date:** Tuesday, September 08, 2009 10:14:18 AM

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Chuck,

FYI

Joe

-----Original Message-----

From: Larry Quinn [<mailto:Larry.Quinn@dep.state.nj.us>]  
Sent: Friday, September 04, 2009 1:56 PM  
To: Diane.Canterbury@fmerpa.state.nj.us; Frank.Cosentino@fmerpa.state.nj.us  
Cc: John Prendergast; Ken Petrone; Fallon, Joseph M Mr CIV USA IMCOM; Green, Wanda S CIV USA IMCOM  
Subject: Landfills

Frank & Diane,

I need to correct something I stated at the last EAC meeting regarding capping and fencing of the landfills at Fort Monmouth. Let me point out that this discussion is based on the premise that a one-foot soil cap will be placed on the landfills to address the direct-contact threat from contaminants in the existing surface soils on the landfills.

I believe I stated at the August 18, 2009 meeting that NJDEP might want the landfills to be fenced to prevent access, even after a one-foot soil cap is placed on them, because otherwise we couldn't be sure that the soil cap was being protected. After some internal discussion, I can report that NJDEP would not require that the landfills be fenced, provided that the party(ies) taking possession of the landfill properties consents to record a deed notice on the property.

In this case, the deed notice would document the soil contamination above NJDEP standards, and also document that the soil cap was placed as an engineering control to protect against direct contact with the soil contamination. The new property owner would then be responsible for maintaining the soil cap (including conducting periodic inspections) and submitting biennial certifications to NJDEP every 2 years, in accordance with Section 8.5 of the Technical Requirements for Site Remediation (NJAC 7:26-8.5).

With such assurances that the cap is being maintained, a fence wouldn't be necessary.

Larry Quinn, Site Manager, NJDEP  
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