



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND ENERGY

JUN 23 1994

CHRISTINE TODD WHITMAN
Governor

ROBERT C. SHINN, JR.
Commissioner

Bureau of Underground Storage Tanks
CN-028
401 East State Street
Trenton, NJ 08625

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

US Army Fort Monmouth
Building 167 DEH
Ft. Monmouth, NJ 07703
Attn: Mr. Charles Appleby

Re: US Army, Charles Wood Area Bldg. 3050
Ft. Monmouth, Monmouth County
Case #92-01-28-1324-37
Closure #(s)C91-2839
UST #0192486

Dear Mr. Appleby:

On January 28, 1992, the New Jersey Department of Environmental Protection and Energy (Department) received notification of a discharge of hazardous substances from the above referenced facility which is/are regulated under the Underground Storage of Hazardous Substance Act (N.J.S.A. 58:10A-21 et seq). The Department received a remedial investigation (RI) report from U.S. Army dated April 1, 1994 indicating actions were taken in compliance with the Regulations Implementing the Underground Storage of Hazardous Substances Act (N.J.A.C. 7:14B et seq.)

I. Deficiencies/Requirements

Based upon a review of the remedial investigation completed to date, the following deficiencies shall be addressed as required below.

A. Remedial Investigation

1. Soil

a. Since elevated levels of TPHC above 1000ppm remain on-site, U.S. Army shall collect samples at 25% of the previous locations where the highest TPHC levels above 1000 ppm were detected. These sample shall be analyzed for VO+10.

b. U.S. Army shall report depth to ground water and percent silt and clay of the soil between the contaminant and the saturated zone using one of the standard

classification systems (I.e., Burmeister, Unified, or United States Department of Agriculture). Based on the evaluation of this information U.S. Army shall determine if a Ground Water Remedial Investigation is required pursuant to N.J.A.C. 7:26E. If a Ground Water Remedial Investigation is required, the investigation shall be conducted pursuant to N.J.A.C. 7:26E-4. In addition, U.S. Army shall submit a implementation schedule for a Ground Water Remedial Investigation within 15 calendar days upon the determination that a Ground Water Remedial investigation is necessary.

B. Quality Assurance

1. All data submitted shall conform to the "Reduced Laboratory Deliverables Format" in accordance with the "Technical Requirements for Site Remediation", N.J.A.C. 7:26E (use the attached quality assurance checklists), except where specifically indicated.

II. Other

A. Certification Requirements

Effective April 25, 1992, all persons performing tank services must be certified per N.J.S.A. 58:10A-24.1-8. All work related to any tank service shall now be conducted by, or under the immediate on site supervision of an individual certified in the activity being conducted. All documents (tank closure and permit applications, reports, proposals) submitted to the Department shall be prepared and signed by a certified individual.

B. Costs

After remediation of the soil and ground water has been completed the responsible party is requested to submit the total capital costs involved in performing and confirming a cleanup as well as the costs associated with the proper disposal of all wastes generated during the cleanup. Costs to be reported include monitoring systems, equipment and mobilization costs; operational and maintenance costs, including all labor, utilities and repairs; consulting and labor costs, and sample costs; all disposal costs, including transport, waste transfer and facility tipping fees as well as regulatory review fees.

C. Billing

On April 5, 1993, the UST Fee Rule (Amendments and New Rules at N.J.A.C. 7:14B) was proposed. This rule appeared in the February 22, 1994, New Jersey Register. Effective February 22, 1994, the Department will be billing you for the Department's oversight of all work conducted at your site. Documents submitted to the Department in accordance with the "Technical Requirements for Site Remediation" (N.J.A.C. 7:26E) will help reduce the time necessary for the Department oversight of your case. At this time, the Department

intends to process bills on a semi-annual basis. Please consult the April 5, 1993 and February 22, 1994, State Registers for details. Copies can be obtained by contacting the Office of Administrative Law at (609) 588-6500.

D. Effectiveness Analysis

U.S. Army shall conduct and submit an Effectiveness Analysis and Certification. This shall include an analysis and certification that the proposed remedial action meets the criteria contained in N.J.S.A. 58:10B (Section 35 (g) of P.L. 1993, c.139), including an analysis of long and short term effectiveness, implementability, timeliness, cost differential of permanent and nonpermanent remedies (if applicable), and community concerns. Please note that the Effectiveness Analysis and Certification supersedes the Remedial Alternative Analysis in N.J.A.C. 7:26E-5.

III. Reporting Requirements

A. Field Activity Notification

Notify the assigned case manager at least 14 calendar days prior to implementation of all field activities. If U.S. Army fails to initiate sampling within 30 calendar days of the receipt of this letter, any requests for an extension of the required time frames may be denied.

B. Written Report Requirements

An RI Report shall be submitted to the Case Manager referenced below in the Bureau of Underground Storage Tanks (BUST) within 60 days of receipt of this letter. This report shall detail the results and conclusions for all activities conducted in compliance with the requirements listed in this letter. To facilitate processing, please reference the Case Number, Tank Closure Approval Number(s) and UST Registration Number in the report. In addition, if soil or ground water contamination is present, a Remedial Action Workplan shall be submitted with RI Report. If no further remediation is required for the site, a proposal for no further action shall be submitted.

IV. Technical Requirements

The "Technical Requirements for Site Remediation" rules (N.J.A.C. 7:26E) appeared in the June 7, 1993 New Jersey Register and became effective on July 1, 1993. These rules contain the minimum technical requirements concerning the environmental investigation and remediation at contaminated sites or sites at which contamination is suspected. These rules are being used as the Department's primary technical document, replacing the Division of Responsible Party Site Remediation's Remedial Investigation Guide, the ECRA Cleanup Plan Guide, the Bureau of Underground Storage Tanks'(BUST) Scope of Work document (and appendices) and the BUST Technical Guidance Document. A copy of these rules can be obtained from

your local library or through the Office of Administrative Law Publications at (609) 588-6606.

It should be noted that technical requirements are included in subchapters 7, 8 and 9 of the regulations implementing the Underground Storage of Hazardous Substances Act (N.J.A.C. 7:14B-1-13 and 15). The responsible person(s) that are conducting an environmental investigation/remediation should be following the "Technical Requirements for Site Remediation" to accomplish the investigation. This will allow for consistent evaluation of any discharges and potential impacts.

V. Cleanup Criteria

The Department's most recent general guidance on contaminant cleanup criteria can be found in the April, 1994 edition of the "Site Remediation Newsletter". It must be remembered, however, that the actual cleanup goal at a particular site is determined by the Department on a case-by-case basis and may be different than that in the above referenced newsletter. This variation may be due to many factors, including, site specific human health and environmental exposure pathways, the presence of site contaminants not addressed in the newsletter, and site specific physical characteristics. In case specific situations, when the cleanup criteria is modified from one previously established for that specific site, the Department will make every effort to expeditiously notify the responsible party. Please consult the Case Manager listed below to discuss any modifications which may impact upon your remedial actions.

If the person conducting a cleanup does not wish to remediate a contaminated site consistent with the newsletter, they shall submit a proposal to their Case Manager listed below that details the site specific circumstances and technical rationale for cleanup goals on a case-by-case basis.

Please note that the Ground Water Quality Standards (N.J.A.C. 7:9- 6) have been adopted and appeared in the February 1, 1993 New Jersey Register. This rule adoption may impact upon the requirements for ground water remediation and soil cleanup (i.e. where the soil may contribute contaminants to the ground water above the applicable standards) for a particular site and should be referenced and discussed with the Case Manager listed below.

VI. Compliance

If U.S. Army fails to submit the required report within the referenced due date, this case will be referred to the Bureau of Applicability and Compliance (BAC) for review. The Department may initiate enforcement action including, but not limited to, the assessment of penalties and revocation of tank operating registrations pursuant to N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B-12. The Department reserves the right to implement all enforcement measures, including the right to revoke tank operating registrations and assess penalties from the original due date.

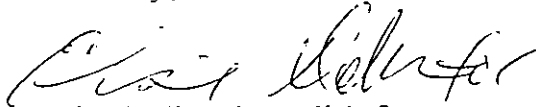
If the tank(s) at the referenced facility is/are regulated under the federal Hazardous and Solid Waste Amendments of 1984 and U.S. Army fails

to comply with the above requirements, this case may be referred to the United States Environmental Protection Agency (USEPA) for violations of 40 CFR Part 280.

Please note, pursuant to N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B et seq., the owner and operator of the regulated underground storage tanks are strictly liable for compliance with these requirements. Violators are liable for penalties of up to \$50,000 per day for each day of continuing violation and revocation of tank registrations.

If you should have any questions regarding this matter, please contact Fred DeClement of the Bureau of Underground Storage Tanks at (609) 984-3156.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kevin F. Kratina".

Kevin F. Kratina, Chief
Bureau of Underground Storage Tanks

c: Health Department
Fred DeClement, Bureau of Underground Storage Tanks