

TOWNSHIP OF ROXBURY

Interoffice Memo

CONFIDENTIAL

To: Mayor and Council
From: Township Manager CR
Subject: Environmental Testing
Date: April 5, 2013

I have reviewed all test results and reports conducted by the NJDEP or contractors for the agency dating back to 1988. This memo summarizes those findings. Entire reports are available for review.

- A. NUS Corporation 1988 Field Investigation
This initial closure report was conducted in 1988. Attached is a summary report. The investigation found low levels of heavy metals and chlorobenzene in samples.
- B. September 12, 1995 Surface Water Samples
Samples were taken by the NJDEP of the stream at the base of the Fenimore site and from the ponds outfall pipe. None of the sample results exceeded New Jersey Surface Water Quality Standards.
- C. March 31, 1999 Site Investigating Report
The NJDEP, at the request of Roxbury Township, conducted a site investigation of the facility. The report detailed several deficiencies regarding the cover, exposed materials and deficient reports. No testing was conducted during this inspection. No enforcement action was taken.
- D. April 27, 2005 Berger Report
Council is familiar with this report. We often quote from the report which stated that there is no eminent health hazard. However, in the conclusion, the report also stated "... as no conditions were found to exist that pose an acute, direct threat to human health. Also attached were responses provided by NJDEP Bureau of Design and Construction.
- E. July 21, 2006 Letter to Fenimore from Bureau of Enforcement and Complaint Services
The NJDEP Inspector determined the facility was in compliance with applicable Department regulations and rules.
- F. October 31, 2006 memo from Frank Grisi
Mr. Grisi summarizes conversation with Ms. Carolyn Ent of NJDEP regarding a letter from Richard Bernardi. The letter references the earlier Berger Report.

G. January 23, 2007 Email from Frank Grisi to Manager

Relaying conversation from Ms. Ent regarding January 11, 2007 letter sent to Council from Mr. Ronald S. Berganini. The NJDEP disputes Mr. Berganini's statement that the Fenimore Site is a top 10 site for priority attention. According to Mr. Grisi, Ms. Ent stated there was no priority list. The list is outdated and does not reflect current closed remediation standards.

H. September 2010 Analytical results of September 29, 2010

This report was conducted as part of SEP's Closure Plan by Matrix. Attached is an excerpt from the report.

I. October 23, 2012 Private Portable Well Samples

25 private wells were sampled for volatile organic compounds; none were found in any wells.

J. March 2013 Township Testing

In March, the Township sampled water in the Ledgewood Basin Pond. No volatile organics were found. The Township also tested sediment in the basin and leachate from the sideslope of a rock cropping. The Township consultant provided the summary below.

- *No constituents were reported at concentrations exceeding the most stringent NJDEP Soil Remediation Standards (SRS) in the sediment samples collected.*
- *Iron and Manganese were reported at concentrations exceeding the NJDEP Groundwater Quality Criteria (GWQC) in both of the surface water samples collected. No other constituents were reported at concentrations exceeding GWQC for the surface water samples collected.*

Note that metals Iron and Manganese were reported at concentrations exceeding the GWQC in the surface water samples on site. Per NJDEP guidance the GWQC for Iron and Manganese are not based on health considerations, but upon aesthetic considerations such as taste, odor and appearance. As such, the NJDEP has determined that the concentration of these metals does not need to be addressed unless there is cause to believe that their presence is due to a site discharge. The concentrations of these metals appear to be background and not a result of a discharge event. As such, no additional investigation is required for Iron and Manganese in the surface water.

Based upon the numerous reports, none of which indicate migrating methane, volatile organics in streams, leachate or private wells, I can't understand how this facility is portrayed in the manner in which it is. I also take the position should the NJDEP consider that the entire facility needs to be capped; the Township must insist that prior to any further action an extensive environmental assessment be conducted. It is my opinion, decisions are being made on public perception, not scientific data and we need to ensure that the right information is gathered before decisions are made.

Lastly, this information should be provided to the NJDEP and public.

Cc: Tony Bucco
Mark Caputo