

INSIDE THIS
ISSUE:

NJDEP Amends Site Remediation Requirements	1
PA Grant Money Available for Tank Owners	1
New NJDEP Petroleum Requirements	2
NJ Petroleum Tank Funds	2
NJDEP Ecological Screening Criteria	3
Speakman Place Award of Merit	4

NJDEP Amends Site Remediation Technical Requirements

In an effort to build up public notification and outreach guidance, the New Jersey Department of Environmental Protection (NJDEP) has amended the [Technical Requirements for Site Remediation](#) (N.J.A.C. 7:26E) to require the performance of public notification and outreach beginning at the onset of the



remedial investigation phase of a contaminated site.

The NJDEP has prepared the following guidance documents to help remediation parties comply with the newly adopted amendments:

- [Sensitive Population and Resource Checklist](#)
- [Guidance for completing the Sensitive Population and Resource Checklist](#)
- [Using i-MapNJ to Identify Sensitive Populations](#)

Sensitive Populations

The sensitive population and

resource check requires that two weeks prior to remediation sensitive populations located within 200 feet of the Site boundary should be identified and recorded on the checklist linked above. The NJDEP identifies sensitive populations as: residences, potable wells, schools, child care, parks, surface water and well-head protection areas.

Public Notice Helpful Hints

Possible public notice action items that may be required for your Site include:

(Continued on page 2)

Pennsylvania Grant Money Available to Tank Owners

Pennsylvania has established an Underground Storage Tank (UST) Heating Oil Clean Up Program. This grant program was created to assist tank owners with cleanup costs incurred as a result of heating oil releases from underground tanks with a capacity of 3,000 gallons or less.

Owners of USTs with a capacity of 3,000 gallons or less, who have a confirmed heating oil spill, should contact Craig Olewiler (colewiler@state.pa.us). For your convenience, REPSG has made the grant application (revised July 2008) available for

download [here](#).

The Underground Storage Tank Heating Oil Clean Up Program has been designed as a reimbursement program. Tank owners are responsible for the first \$1,000 in cleanup costs, but the Program will reimburse the owner for the remaining eligible costs, up to a total reimbursement of \$4,000.

It should be noted that heating oil USTs located within basements have been specifically excluded from this program. The program is also not limited to

private homeowners, but is also available to commercial entities.

There are several additional eligibility requirements, as well as ineligible costs. For that reason, it is important to hire a contractor who knows the environmental rules and regulations and can assist with determining eligible expenses and provide sufficient documentation.



NJDEP Amends Site Remediation Technical Requirements



(Continued from page 1)

- A posted sign at the Site which denotes that an environmental investigation is currently in progress.
- Notification letters sent to the property owners and school administrators located within 200 feet of the Site's boundary.
- Submittal of an approved separate public notice plan to the DEP.

A fact sheet distributed (and delivered via certified mail) to

the owners of all property located within 200 feet of the Site boundary; published in a newspaper within the Site vicinity; and a copy provided to all case managers, DEP community relations, municipality, and health officials involved with the Site remediation.

This fact sheet should be updated once the off-Site impacts have been delineated. It should be noted that soil contamination notification requires only informing the affected adjacent property, and

that historic fill is exempt from these notifications. Additionally, no municipal notification is required for remediation being conducted in association with unregulated underground storage tanks (such as heating oil tanks used for on-Site consumption in one-to-four unit family residences).

Amendments to N.J.A.C. 7:26E are published in the September 2, 2008 New Jersey Register. The rule adoption document is posted on the [Department's web page](#).

“Interest free loans may be awarded to public entities that apply for financial assistance from the [UST] Fund.”

New requirements require new analysis and sampling procedures.

NJ Petroleum Tank Remediation, Upgrade, & Closure Funds

New Jersey has recently established a source of funding for the purpose of providing financial assistance via grants and loans to close, upgrade or remediate discharges from underground storage tanks.

The funding is being provided for by a portion of the NJ Corporate Business Tax, which has been dedicated

assistance for the UST Fund. The amount dedicated each year is approximately \$12-15 million, depending on the amount of Corporate Business Tax collected.

Interest free loans may be awarded to public entities that apply for financial assistance from the Fund. In order for

commercial entities to be eligible for loans, however, they must own less than 10 petroleum underground storage tanks in New Jersey, have a net worth of less than \$2 million and demonstrate the inability to qualify for and obtain a commercial loan for all or part of the eligible costs. For

(Continued on page 3)



Grant & Loan Programs

NJDEP Releases New Petroleum Analysis Requirements

The Department has established a human health based remediation criterion and an ecological screening value for petroleum hydrocarbons in soil.

Direct Contact Human Health Based Criterion:

The new direct contact human health based criterion of 4,800 mg/kg replaces the historical 10,000 mg/kg organic com-

pound cap value. Any value exceeding the 4,800 mg/kg human health based criterion will require further evaluation to determine the need for additional delineation and potential remedial action.

For concentrations above 1,000 mg/kg, the current requirement to analyze for volatile organic compounds plus 10 tentatively identified compounds (VO+10)

is being discontinued. In its place, the NJDEP will require that a base neutral compounds plus 15 tentatively identified compounds (BN+15) analysis of 25% of the samples exceeding the 1,000 mg/kg concentration threshold. Of particular concern are the base neutral compounds naphthalene and 2-methylnaphthalene.

(Continued on page 3)

NJDEP Releases New Petroleum Analysis Requirements

(Continued from page 2)

Analysis methods acceptable by the Department for no. 2 fuel oil and/or diesel fuel oil are SW-846 Method 8015B - Diesel Range Organics and the Department's OQA-QAM-025, and/or their latest versions or equivalents.

Ecological Based Screening Value:

A new ecological screening value of 1,700 mg/kg is applicable to all petroleum hydrocarbon discharges if a sensitive environmental receptor is potentially impacted, as determined by a baseline ecological

evaluation. In this case, an ecological risk assessment will need to be conducted for the purpose of establishing a site-specific ecological criterion. The maximum allowable site-specific ecological criterion is 4,800 mg/kg.

Implementation:

If the NJDEP receives an approvable remedial action workplan (RAWP) or remedial action report (RAR) within six months of the effective date of this newly issued document (before March 17, 2009), the 10,000 mg/kg organic cap value may be employed. If a RAWP or RAR is submitted prior to or

within the six month phase in period, and is not approvable (the Department issues a Notice Of Violation for that document), then the values established by this guidance will need to be applied. Additionally, any RAWP or RAR submitted after March 17, 2009 must use only the values established by this guidance.

Future Plans:

Currently under development at the NJDEP is a site-specific approach using an Extractable Petroleum Hydrocarbon (EPH) method, which will be used to replace the 4,800 mg/kg value.

The public and regulated community will be notified via the Department's website when the EPH Method becomes available and the site-specific approach implemented.

Additional Information:

For more information, please download the NJDEP's detailed [guidance document](#) detailing the derivation of the direct contact human health based criterion and ecological



NJDEP Ecological Screening Criteria

The New Jersey Department of Environmental Protection, Site Remediation Program, Environmental Toxicology and Risk Assessment (ETRA) Unit has developed an Ecological Screening Criteria Table from various sources to allow ease of reference for ecological screening criteria (ESC) for surface water, sediment and soil.

With the exception of the surface water quality standards (SWQS) (N.J.A.C. 7:9B), the ecological screening criteria are not promul-

gated standards, but are to be used as screening values in ecological assessments.

This table does not preclude responsible parties (RP's) from developing

and/or proposing alternate ecological screening criteria. The most recent version of the cited ecological screening criteria should be used and the table will be periodically updated as new screening values are developed.

The table is available for download as a [PDF](#) and as an [Excel Spreadsheet](#). (Information pulled from the [NJDEP Site Remediation Program Website](#)).



NJ Petroleum Tank Remediation, Upgrade, & Closure Funds

(Continued from page 2)

grants they must have taxable income not exceeding \$200,000.00, and a net worth not exceeding \$200,000.00, excluding their primary residence and pension. Eligibility for independent institutions of higher education, nonprofit organizations, volunteer fire, ambulance, first aid, emergency or rescue company or squad, is defined in the statute.

Closure, remediation and upgrade activities are eligible for homeowners with leaking heating oil underground storage tanks. Closure and remediation activities are eligible for commercial and other entities whose tanks are not in compliance with the standards adopted pursuant to section 5 of P.L.1986, c.102 (C58:10A-25) and 42 U.S.C. s.6991 et seq. Upgrade activities are eligible for any owner or operator of an under-

ground storage tank with a capacity of over 2,000 gallons used to store heating oil for onsite consumption in a nonresidential building that has received an extension of the deadline for compliance with the standards pursuant to subsection b. of section 9 of P.L. 1986, c.102 (C.58:0A-29).

For a regulated tank that is not operational, the deadline is 18 months

from the discovery of the tank. For homeowner applicants there is no deadline.

To learn more about the fund, and to access application materials, please visit the [NJDEP's Grant & Loan Programs Website](#).



**React Environmental
Professional
Services
Group's Environmental Newsletter**

6901 Kingsessing Ave,
Suite 201
P.O. Box 5377
Philadelphia, PA 19142

Phone: 215-729-3220

Fax: 215-729-1557

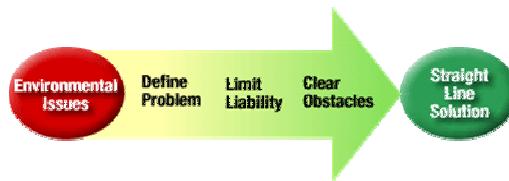
Web: <http://www.repsg.com>

You Have a Vision...

Maybe it's a long-neglected brownfields site that could be a thriving retail center. An ecologically compromised industrial property with office park potential. Or, perhaps simply an unneeded piece of real estate with unwanted environmental issues. The point is, you see things that others don't. So do we.

...We Bring it Into Focus.

REPSG sees the potential in plain. The extraordinary in ordinary. The opportunity in crisis. And, we have the experience, contacts, resources and a proven business approach to see every property, problem and project for what it really is—a business opportunity waiting to happen.



See how REPSG's Straight Line Environmental Solutions can help you contain risk, clear obstacles and create opportunity.

Speakman Place Award of Merit

Speakman Place, a new homeownership community located in North East Wilmington, has recently been recognized for its excellence.

In July 2008, this program was recognized by the National Association of Housing and Redevelopment Officials (NAHRO) for its excellence in innovation in housing and community development and received the prestigious Award of Merit. Cornerstone West has been notified that Speakman Place is one of 20 projects throughout the country nominated for the coveted Award of Excellence. This is one of the highest accolades that recognizes outstanding innovation and achievement in housing and community development programs throughout the country.

REPSG successfully completed a project at Speakman Place in 2007

that included the treatment, using EnviroBlend, of approximately 3,000 tons of soil contaminated with lead sand from the buildings foundry.

The untreated soil contained total lead concentrations in excess of 6,500 ppm. The stabilization material

was added at 1 to 3 percent by weight of the treated soil. The treated soil gave an average TCLP value of less than 1 ppm. Treatment production at the project was running in the range of 250-350 tons per day, depending on the weather. The treated soil was transported off site and disposed of at a non-hazardous sub-title D landfill after treatment and new low to moderate income housing was built onsite. This work was conducted in close contact to the Delaware Department of Natural Resources & Environmental Control (DNREC) and DNREC approved the remediation and disposal option upon its completion. This proved to be a technically sound, environmentally acceptable, and cost-effective solution.



**Speakman Place
Pre-Remediation**

To learn more about Speakman Place, please visit [Cornerstone West's website](#).