



MEMORANDUM

TO: Pompton Lakes Community Advisory Group
FROM:  Barbara Finazzo, EPA Senior Policy Advisor to the Regional Administrator
Leonard Romino, NJDEP Assistant Director, Site Remediation Program 
SUBJECT: January 12, 2011 Resolution
DATE: April 1, 2011

This memorandum is in response to the resolution the New Jersey Department of Environmental Protection (NJDEP) and the U.S. Environmental Protection Agency (EPA) received from the Pompton Lakes Community Advisory Group (CAG) dated January 12, 2011. This memo identifies actions that the agencies will take in response to the CAG resolution. It incorporates discussions that occurred between NJDEP, EPA and the CAG during the March 2, 2011 CAG meeting.

Proposed Inspection/Audit Activities:

- NJDEP will collect ground water split samples one time per year for two years as part of DuPont's semi-annual ground water sampling event using the identical analytical method as DuPont; the samples will be analyzed at separate laboratories in order to verify the analytical results reported by DuPont. Results will be reviewed and the need for additional sampling will be evaluated. During this split sampling event, NJDEP will observe sampling methods and procedures performed by DuPont as well.
- EPA will collect split samples a minimum of two times per year for two years, focusing on the ground water treatment system influent and effluent using the identical analytical method as DuPont; the samples will be analyzed at separate laboratories in order to verify the analytical results reported by DuPont. Results will be reviewed and the need for additional sampling will be evaluated. During this split sampling event, EPA will observe sampling methods and procedures performed by DuPont as well.
- NJDEP will observe sampling methods and procedures performed by DuPont of ground water sampling for Total Organic Carbon (TOC) from Monitor Well 107R.
- NJDEP will observe sampling methods and procedures performed by DuPont of activities related to the Interim Remedial Measure Pilot Study near Well 128.
- EPA will observe vapor intrusion sampling events conducted by DuPont.
- EPA and/or NJDEP will observe field sampling methods of soil and/or ground water sampling activities conducted by DuPont at appropriate times of the year when remedial investigation work occurs.
- EPA will perform unannounced site visits annually. EPA will gain access to the site without advance notification and will observe site conditions and activities of personnel working on-site. Documentation of site access, site conditions and activities of on-site personnel will be prepared and provided to the CAG.

- EPA will make a video of the Eastern and Western Tunnels and will provide copies of the video to the CAG.

As discussed with members of the CAG on March 2, 2011, NJDEP and EPA will conduct unannounced reviews, inspections and audits whenever possible. We reiterate that while all sampling and investigation activities conducted by DuPont are done with advance notification to the NJDEP, they will continue to be subject to unannounced auditing and inspecting by NJDEP and EPA. Given the size of the DuPont site, the agencies will, however, have to communicate with DuPont or their field sampling team on the day of any inspection in order to assure that it indeed remains scheduled and that the specific location to inspect is clearly known.

NJDEP and EPA are committed to conducting split sampling activities, as requested. As discussed on March 2, 2011 as well, the collection of split samples requires a tremendous amount of coordination between the entities conducting the sampling to ensure valid samples are collected. Laboratory coordination, sampling methods used and analytical variations are some of the primary issues that require early communication with DuPont.

Additionally, minor variations in data will inevitably be produced in the final results when collecting split samples and during the laboratory analysis of environmental samples. The agencies will evaluate the data for consistency as part of the final evaluation of the split sampling data. All sampling and/or inspection activities, whether announced or unannounced, will be provided to the CAG and posted on the EPA website, except where activities are conducted at private residences. Information relative to private residences will be summarized for the CAG and provided in full to the homeowner.

We thank you for the efforts you are making towards developing a program that will hopefully build more trust and accountability between all of the active parties involved in this remediation and look forward to discussing our progress in responding to the resolution more fully at a future CAG meeting. If you have any questions, please contact Mindy Mumford of the NJDEP at mindy.mumford@dep.state.nj.us or (609) 777-1976 or David Kluesner of the EPA at Kluesner.Dave@epa.gov or (212) 637-3653.