

**New Jersey**

**Statutory & Regulatory  
Requirements for  
Soil Cleanup**

**December 7, 2011**

# NJ Statutory Requirements (Law)

## N.J.S.A. 58:10B-12

<http://www.state.nj.us/dep/srp/regs/statutes/srra.pdf>

- Use of EPA Risk Assessment Guidelines & Toxicity Data
- NJ Risk level
  - one in a million cancer risk
  - Non-carcinogenic compounds hazard quotient of less than one
- Numeric standards for soil, groundwater and surface water
  - Soil = Use based standards (residential, Non residential)
  - Site-specific Standards **required** for ecologic concerns (i.e. sediment)

# NJ Statutory Remedy Selection Requirements

## N.J.S.A. 58:10B-12

<http://www.state.nj.us/dep/srp/regs/statutes/srra.pdf>

- Preferred remedies
  - Unrestricted/residential Cleanup
  - or
  - Limited restricted cleanups ( non residential criteria w/ deed notice from property owner)
  
- Restricted Cleanup (Cap/engineering controls) can not be disapproved if protective of human health and environment (i.e. meets required risk level)

# Remediation Standard Regulations

## Remediation

### N.J.A.C. 7:26D

<http://www.nj.gov/dep/srp/regs/rs/>

- Soil Remediation Standards (effective: June 2, 2008)
  - Direct Contact Soil Standards (long term - inhalation, ingestion/eating, adsorption)
    - Residential (includes children)
    - Non residential (worker)
  - Impact to Groundwater Criteria (**soil contamination leaching**)
    - Site-Specific evaluation and modeling
    - Immobile chemicals default criteria or testing protocol (Metals, semi volatile organics)

# Example soil cleanup standards

|                        | <u>Residential</u> | <u>Nonresidential</u> | <u>IPGW</u>   |
|------------------------|--------------------|-----------------------|---------------|
| Lead                   | 400                | 800                   | Site specific |
| Ideno(1,2,3 c,d)Pyrene | 0.6                | 2                     | Site specific |

Results in mg/kg

Note:

Lead & (1,2,3 c,d)Pyrene are considered immobile chemicals

# Summary

- Standards utilized & remedy selected must be protective of human health and the environment
  - Direct contact and inhalation by humans
  - Protect groundwater & surface water
  - Protect environment
  
- Use based soil Cleanup Standards (numbers)
  
- Remedy Selection
  - Unrestricted
  - Limited Restricted Use - With property owner consent Deed Notice leaving contamination on site at non- residential levels is allowed.
  - Restricted Use - If the remedy can be demonstrated protective, leaving contamination above non residential (i.e. Capped) is allowed.

# Soils Current Status

## Remedial Investigation Purpose:

Delineate contamination using Soil Standards to determine extent & boundaries and develop clean up options

## Remedial Investigation Status by area:

### Soils

- Uplands RIR - approved, October 2010
- Western Manufacturing Area RIR - approved, November 2010
- Northern Manufacturing Area RIR - under review
- Eastern Manufacturing Area - under review

## Next steps:

- Remedial Action Selection Report (RASR) due 90 days after RIR approval
- Public Notice of draft RASR approved for notice by agencies (standard 45 day Public Notice period)