



DuPont Pompton Lakes Works
2000 Cannonball Road
Pompton Lakes, NJ 07442

April 25, 2013

Mr. Anthony Cinque
New Jersey Department of Environmental Protection
Division of Responsible Party Site Remediation
401 East State Street
P.O. Box 028
Trenton, New Jersey 08625-0028

**RE: Request for Modification to VIRM Work Plan
DuPont Pompton Lakes Works
Pompton Lakes, New Jersey
PI #007411**

Dear Mr. Cinque:

The purpose of this letter is to request that the New Jersey Department of Environmental Protection (NJDEP) approve modification of the comparison levels used in the Vapor Interim Remedial Measure (VIRM) program such that they are consistent with the current regulatory guidelines.

The VIRM work plan (June 16, 2008) was prepared using a combination of NJDEP and Environmental Protection Agency (EPA) sub-slab comparison levels (listed in Table 1 of the work plan) which at that time represented the most conservative levels published in NJDEP and EPA regulatory guidance documents for the site-related constituents. NJDEP provided site-specific residential indoor air screening levels (IASL) in the July 17, 2008 memorandum by Diane Groth, Research Scientist, NJDEP ETRA, and site-specific nonresidential IASL and Soil Gas Screening Levels (SGSL) in the September 24, 2008 memorandum by Ms. Groth.

The NJDEP memorandums noted that the IASL incorporated "the reporting limits anticipated to come into effect" once the Department finalized the then new Low Level TO-15 air analytical methods. In addition, both memorandums recognized that screening levels may be different in the future. As Ms. Groth stated in the July 17, 2008 memo:

"The screening levels are based on currently available information and those procedures used at the present time in the development of the IASL. It must be realized that changes to this process may occur that could further alter the levels from those presented in the table. It should also be stressed that while the attached values are based on current information, DuPont will ultimately be required to utilize those values in effect at the time of the evaluation and remediation of the site."

NJDEP updated the screening levels in the Vapor Intrusion Technical Guidance (VITG) in January 2013. Screening levels for some compounds have changed such that they are no longer consistent with those contained in the VIRM work plan and the NJDEP memorandums on

screening levels for the Pompton Lakes site. In accordance with the NJDEP Implementation Strategy for Revised Vapor Intrusion Screening Levels Strategy Flow Chart (revised March 2013), DuPont requests that the VIRM work plan be modified such that the sub-slab, indoor air, and groundwater screening levels for site-related constituents in the VIRM correspond to the updated screening levels contained in the January 2013 VITG. DuPont also requests that the VIRM work plan be modified such that samples collected as part of the VIRM work plan (e.g., indoor air, sub-slab soil gas and ambient air) will be analyzed using USEPA Method TO-15 and screening levels for other compounds reported by the analysis be consistent with the updated NJDEP guidance documents.

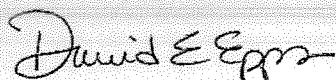
One aspect of the existing VIRM program is that structures in the established potential vapor mitigation area were offered, at no cost to the property owner, the installation of a vapor mitigation system. At this time, DuPont is not proposing to change this part of the program regardless of changes to the VIRM work plan screening levels. In other words, any property owner in this area will still be eligible to receive a vapor mitigation system with or without completion of sub-slab sampling, and the installation of a system does not depend on the results of the sub-slab sample. DuPont is also not proposing a change to its policy of paying for the operation and maintenance of systems installed as part of the VIRM program. Property owners in the potential vapor mitigation area could, however, at their discretion, request that the updated screening levels be used for determining whether their property requires mitigation as part of the Phase II VIRM program

In accordance with the NJDEP's 2013 VITG, the updated screening levels would be applied to the following elements of the VIRM program:

- determining whether the potential for vapor intrusion exists or mitigation may be needed at properties in the expanded investigation area;
- evaluating post-mitigation samples as described in the VIRM;
- communicating indoor air and sub-slab results to property owners; and,
- determining whether system termination (either removal of an existing system or having the property owner retain the system for other purposes) is appropriate as outlined in the VIRM.

If you have any questions related to this request, please contact me at (973) 492-7703.

Sincerely,



David E. Epps, P.G.
Project Director, Pompton Lakes Works
DuPont Corporate Remediation Group

cc: Phil Flax, USEPA
Kathleen Cole, Mayor – Borough of Pompton Lakes
PLW File