



State of New Jersey

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Mr. Ted Gabel
Project Manager for Environmental Restoration
Environmental Directorate, B319
U.S. Army IMA-NERO Garrison
Picatinny Arsenal. New Jersey 07086-5000

July 8, 2014

Re: Final Site Feasibility Study for PICA 145, 155, 184 and 195 (the Non-Lakes FS), July, 2014 and the Army's Response to Comment Document, July 3, 2014
Picatinny Arsenal, Dover, Morris County
SRP PI# 008575

Dear Mr. Gabel:

The New Jersey Department of Environmental Protection (Department) has completed review of Picatinny Arsenal's Non Lakes FS. The Department has commented previously on various drafts of this document and the Army's responses to these comments in May 13, 2013, and December 10, 2013 letters.

The Non-Lakes FS is not acceptable. The Department continues to disagree with the proposed no further action and no further action with land use monitoring remedies for a number of the sites in this feasibility study for the reasons outlined below.

In general, the Department's Remediation Standards (N.J.A.C. 7:26D et. seq.) implement the provisions of the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12, and other statutes, by establishing minimum standards for the remediation of contaminated ground water and surface water, and by establishing the minimum residential direct contact and non-residential direct contact Soil Remediation Standards. These are promulgated standards and are to be considered ARARs. In addition, while the Army uses a baseline risk range of 10^{-4} to 10^{-6} , it should be noted that by law, the Department is required to use a target risk of 10^{-6} for each individual

carcinogen. The Department considers that the target carcinogenic risk of 10^{-6} is an ARAR.

The main issue regarding remediation is that the Department regulations require that a remedial action be implemented when the concentration of any contaminant exceeds applicable remediation standards and / or the concentration of any contaminant exceeds aquatic surface water quality standards or ecological screening criterion (see the Technical Requirements for Site Remediation N.J.A.C. 7:26E and the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) Rules N.J.A.C. 7:26C). The recommended response actions for the sites in this feasibility study are not acceptable since the Department rules require a minimum of institutional controls and, as appropriate, engineering controls if the Army is leaving any contamination at concentrations greater than the applicable NJ Remediation Standards.

If you have any questions, please contact me at (609) 292-3007.

Sincerely,



Anne Pavelka PG, CHMM
Case Manager
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