

CHAPTER 26D
REMEDIATION STANDARDS
(adopted June 2, 2008 (40 N.J.R. 3187(a)).)

SUBCHAPTER 6. INTERIM REMEDIATION STANDARDS

7:26D-6.1 Purpose

This subchapter sets forth the procedures that the Department will use to establish interim remediation standards.

7:26D-6.2 Development of interim remediation standards

(a) The Department may establish interim remediation standards when a contaminant is not listed in this chapter Appendix 1, Tables 1 through 8 and N.J.A.C. 7:9C, Appendix, Table 1. Surface water quality standards, N.J.A.C. 7:9B, do not provide a mechanism to develop interim standards. As such, they are not included in this chapter.

(b) An interim remediation standard shall be developed as follows:

1. For ground water, using the procedures set forth in N.J.A.C. 7:9C-1.7(c)2;
2. For the ingestion-dermal exposure pathway, using the procedures set forth in Appendix 2;
3. For the inhalation exposure pathway, using the procedures set forth in Appendix 3;
4. For the migration to ground water exposure pathway, using procedures set forth in Appendix 4;
5. For the vapor intrusion exposure pathway, using procedures set forth in Appendix 5.

(c) For the five pathways listed in (b) above, the person responsible for conducting a remediation may request that the Department develop an interim soil remediation standard under this section.

(d) The Department shall approve all interim remediation standards prior to their use.

7:26D-6.3 Publication of interim remediation standards

(a) The Department shall publish on its web site a listing of all interim remediation standards developed pursuant to this chapter and the technical basis used in their derivation.

SUBCHAPTER 7. UPDATING REMEDIATION STANDARDS

7:26D-7.1 Purpose

This subchapter sets forth the procedures that the Department will use to update default remediation standards.

7:26D-7.2 Procedures for updating remediation standards

(a) The Department may update an existing remediation standard for soil and indoor air contained in Appendix 1, Tables 1 through 8 when:

1. The USEPA revises toxicity information contained in the Integrated Risk Information System (IRIS) database;
2. The Department promulgates in the Safe Drinking Water Act rules at N.J.A.C. 7:10 a revised maximum contaminant level (MCL) for a ground water constituent using revised toxicity information developed by the New Jersey Drinking Water Quality Institute; or
3. The USEPA revises its Integrated Environmental Uptake Biokinetic (IEUBK) Model ~~and~~, Adult Lead Model (ALM) ~~and~~, or input parameters for lead.

(b) The Department may update an existing ground water remediation standard pursuant to N.J.A.C. 7:9C-1.7 (c)5.

(c) The Department may update an existing migration to ground water remediation standard when an existing ground water remediation standard is updated pursuant to (b) above.

(d) Surface water quality standards, N.J.A.C. 7:9B, do not provide a mechanism to update remediation standards. As such, they are not included in this chapter.

(e) For updates established pursuant to (a) and (c) above, the Department shall post on its web site and publish in the New Jersey Register a notice of administrative change to modify a remediation standard. The notice of administrative change shall identify the contaminant, the basis for the administrative change, and the revised criterion to be listed in Appendix 1, Tables 1 through 8.