



**The Green Acres Program
MEMORANDUM**

TO: Caroline Armstrong, Program Specialist
Bureau of Legal Services & Stewardship

FROM: Michael Buriani, Supervising Environmental Specialist *MB 9-29-2016*

RE: SHC #0900005 and 0908003
Replacement Parcel: Block 27, Lot 27
N. Bergen Twp., Hudson County

DATE: September 29, 2016

As requested, I have reviewed the "Phase 1 Environmental Site Assessment Report" (Report) which was submitted for the above replacement parcel. The Report was prepared by Remington Vernick & Arango Engineers.

Findings: The Report does not satisfy the Green Acres requirement at N.J.A.C. 7:36-8.1(d)1 to perform a preliminary assessment since it was not prepared in accordance with the Technical Requirements for Site Remediation (TRSR), N.J.A.C. 7:26E, as well as the NJDEP's October 2015 Preliminary Assessment Technical Guidance (PATG) document available at

http://www.state.nj.us/dep/srp/guidance/srra/pa_soils_guidance.pdf Therefore, the applicant shall provide all additional information required by the TRSR and PATG, including the following information:

1. The applicant shall re-submit copies of the aerial photographs which depict the property boundaries.
2. The applicant shall submit a copy of the OPRA requests made to the New Jersey Department of Environmental Protection and to the local/county health department, and submit a copy of the responses.
3. The PAR identifies the presence of former structures on the property. The applicant shall document whether any wells, septic systems or underground storage tanks (heating oil, gasoline, etc.) were ever associated with these structures. If this information cannot be provided, a subsurface evaluation is required.

This evaluation shall be performed by a person qualified and experienced in the use of geophysical sensing techniques, and their application to site investigations. Please refer to Chapter 8 of New Jersey Department of Environmental Protection's (NJDEP's) Field Sampling Procedures Manual (FSPM) for guidelines regarding appropriate geophysical methods, survey design and reporting necessary for an acceptable site investigation. This information is available at the following website:
<http://www.nj.gov/dep/srp/guidance/fspm/pdf/chapter08.pdf>

Upon completion of the subsurface evaluation, the applicant shall submit a report which presents all the supporting data for the instruments used, including instrument printouts and field notes/diagrams. Please see the FSPM for specific reporting information for each geophysical technique used.

4. The preliminary assessment data gathering activities should include diligent inquiry into the presence or potential presence of fill material used at the site to replace soil or raise the topographic elevation of

the site, including the dates of emplacement, type/contents of fill material, and any analytical data regarding the fill material. Therefore, the applicant shall provide an addendum to the PAR which includes this information. Please note that the NJDEP's Geographic Information System database is one source for this information and may be accessed at <http://www.nj.gov/dep/gis/> ; however, this database should not be used as the only line of evidence to support the presence of historic fill.

5. The applicant shall document the integrity of the wash bay trench and the floor of any operational areas of the former car wash.

6. The applicant shall document the discharge point of all floor drains on the property.

7. The applicant shall remove all solid waste from the property and submit proof of proper disposal.

8. Section 4.5.2.5 of the Report makes reference to a "beach area" and "shifting associated with barrier islands". This doesn't appear to relate to the property in question. The applicant shall clarify this discrepancy.

9. The Report was not certified, pursuant to N.J.A.C. 7:26E-1.6(a)2. The applicant shall certify the submittal using the following wording: *I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.*

10. The applicant shall be advised that during building demolition, if asbestos containing material or lead-based paint is present, it shall be properly removed, handled, and disposed of. All work, including disposal, must be conducted in accordance with all applicable local, State, and Federal regulations, including those of the New Jersey Department of Labor and Workforce Development (NJDOLEWD), the NJDEP, the Environmental Protection Agency (EPA), the National Emission Standards for Hazard Air Pollutants (NESHAP), and the Occupational Safety and Health Administration (OSHA) prior to demolition of any structure.

The applicant shall provide the above information in order to comply with N.J.A.C. 7:36-26.10(d)2iii.10 before the application will be submitted for Commissioner and State House Commission approval.