



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

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CATHERINE R. McCABE

Commissioner

June 25, 2020

Country Classics at Frenchtown, LLC
c/o Scott Van Cleef
36 Brower Lane
Hillsborough, NJ 08844.

Re: Petition for Additional Public Outreach
Former Frenchtown Ceramics Site, aka ICO Polymers North America, aka Country
Classics at Frenchtown
8th and Harrison Streets
Frenchtown, NJ 08825
NJDEP Program Interest (PI) # 004862

Dear Mr. Van Cleef:

The New Jersey Department of Environmental Protection (DEP) has received a petition signed by 25 individuals requesting additional public outreach be conducted related to the Former Frenchtown Ceramics property at 8th and Harrison Streets. The petitioners requested that Country Classics of Frenchtown, LLC conduct additional public outreach based on the needs expressed by the community.

Pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C-1.7(o)), the person responsible for conducting the remediation is required to conduct additional public outreach if DEP determines that there is substantial public interest in remediation activities concerning a contaminated site. DEP may determine that there is substantial public interest when it receives a petition containing the signatures of 25 or more people who live or work within 200 feet of the extent of contamination or the property boundary. In accordance with N.J.A.C. 7:26C-1.7(o), the person responsible for conducting the remediation shall develop and implement additional public outreach based on the expressed needs of the community.

Significant Findings:

- This petition was prompted in part due to concerns of nearby residents that the site was not being properly managed by the environmental contractors. Residents have observed asbestos containing debris unsecured on the site, a pile of contaminated soil remaining

uncovered for approximately two months after the tarp had blown off, and an excavation filling with rainwater, causing water to flow over a walking path.

- The Licensed Site Remediation Professional (LSRP) of record for the site, Brian Fennelly, has previously given presentations about the site at Frenchtown Town Council meetings, and provided site documents to the Borough of Frenchtown for inclusion on their website.
- Restrictions on public gatherings due to the COVID-19 pandemic may affect the nature of future public meetings about this site.

The petitioners are requesting outreach to address the following needs:

1) Monthly public meeting, to commence immediately, where verbal and written progress reports on the site are provided (location TBD).

DEP agrees that the person responsible for conducting the remediation (Country Classics of Frenchtown, LLC) must hold a public meeting before commencement of the next phase of the remediation of the site, with additional meetings scheduled as needed. Notice of the meetings should be sent to every household that signed the petition as well as all homes and businesses within 200 feet of the site.

According to the LSRP, the next phase of the remediation of the site will address contaminated soil and include: 1) demolition of a building, grading and clearing of the site, utility work and fence removal; 2) construction of building foundations that will serve as a protective cap over contaminated soil; and 3) construction of the parking lot that will also serve as a protective cap over contaminated soil. The building demolition/grading and clearing/utility work/fence removal is expected to begin in mid-July with construction of the building foundations and parking lot occurring concurrently or shortly thereafter; therefore, a public meeting should be held at a mutually agreeable time and place at least one week before the beginning of this work. The meeting should be held in person, if permitted, under the COVID-19 guidelines that are in place at the time of the meeting. If a public meeting cannot be held in person due to COVID-19 restrictions, it should be held virtually.

The public meeting should include distribution of written materials (i.e., fact sheets) that summarize the relevant information for the attendees. If it is the consensus of the attendees at the end of the meeting that additional public meetings are needed during the remediation of the site, then they must be scheduled at a mutually agreeable time and place.

2) Address concerns regarding ongoing site remediation and construction, including but not limited to securing contaminated soil and vehicle tracking best management practices.

DEP requires Country Classics of Frenchtown, LLC to address these concerns during the public meeting(s) and include them in handouts distributed at the meeting(s).



3) A plain language fact sheet mailed to residents within 200 feet, and the Frenchtown Elementary School Principal and Board of Education, describing the site health and safety plan, in particular the methods being used to minimize resident, student, and school employee exposure to the contaminated soil.

DEP requires Country Classics of Frenchtown, LLC to issue a fact sheet as described above at least one week before commencement of any site work where contaminated soil is disturbed. In particular, the fact sheet should describe the measures that will be taken, when applicable, for a site specific air monitoring and action plan as part of the Health and Safety Plan (HASP) for off-site excursions of dust, volatile organics (VOs), particulates, and odors. DEP recommends that you also make this information available on the Country Classics of Frenchtown, LLC website.

4) Provide print and electronic copies of all required documents, including but not limited to the Preliminary Assessment Report (PAR), Remedial Investigation Report (RIR), and Remedial Action Workplan (RAWP), for both soil and ground water, for public review at the Borough of Frenchtown and on the Borough website.

DEP requires Country Classics of Frenchtown, LLC to provide copies of the documents listed above to the Borough of Frenchtown for inclusion on their website. DEP recommends that you also make this information available on the Country Classics of Frenchtown, LLC website.

5) Provide print and electronic copies of the Hazardous Waste Site Health and Safety Plan (29CFR1910.120) for public review at the Borough of Frenchtown and on the Borough website.

DEP requires Country Classics of Frenchtown, LLC to provide the above document to the Borough of Frenchtown for inclusion on its website.

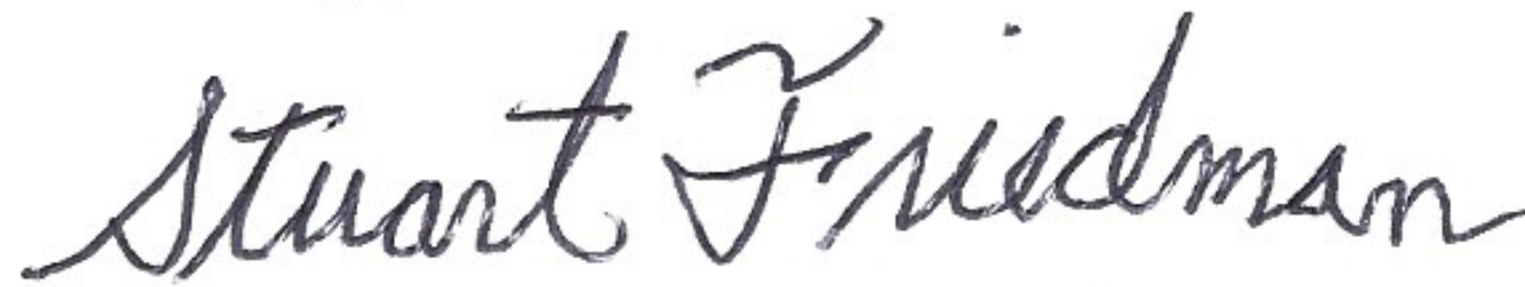
Based on the petition received, DEP has determined that there is substantial public interest in the above-referenced site and pursuant to N.J.A.C. 7:26C-1.7(o) requires you as the person responsible for conducting the remediation to continue to take steps to properly notify and provide information requested by the petitioners and others.

As the work is currently expected to begin shortly, future efforts should ensure that communication is made with those residents near the site that will be affected by the site work and impacted by the increased truck traffic. Additionally, as the success of the capping remedy depends on ongoing vigilance over time through inspections and maintenance, there is a need to continue to keep people apprised of the conditions in the future.



We will be posting a summary of this determination on DEP's website. If you have any questions, please feel free to contact me at Stuart.Friedman@dep.nj.gov.

Sincerely,



Stuart Friedman, Acting Section Chief
Office of Community Relations
Bureau of Case Assignment and Initial Notice

c: Brian Fennelly, LSRP, bfennelly@fennellyea.com
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