



State of New Jersey

Highlands Water Protection and Planning Council
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CHRIS CHRISTIE
Governor

JIM RILEE
Chairman

KIM GUADAGNO
Lt. Governor

July 3, 2014

Bob Martin, Commissioner
NJ Dept. of Environmental Protection
Office of the Commissioner
Mail Code: 401-07
P.O. Box 402
Trenton, NJ 08625-0402

Dear Commissioner Martin,

On behalf of the New Jersey Highlands Water Protection and Planning Council (Highlands Council or Council)¹ we are writing to express our concerns regarding the Fenimore Landfill, in Roxbury, New Jersey (the site).

As you may recall, in August of 2011, the DEP designated the site as a "Track One Highlands Brownfield." Subsequent to that designation, in October of 2011, the DEP entered into an administrative consent order with the owner of the landfill, and shortly thereafter the Highlands Council took action designating the site as a "Highlands Redevelopment Area."

The Council's actions in this regard concerned the review of Highlands resources in connection with an ultimate end use of a capped and closed landfill as a solar panel facility.

Our respective organizations, I believe, share a common goal of protecting and preserving, to the greatest extent feasible, the natural resources of the Highlands, and in particular those in the Preservation Area.

Although the Highlands Council does not have jurisdiction over the extent and nature of the technical issues involved in remediating landfills, and notwithstanding the fact that in the ordinary course of proceedings concerning Highlands Redevelopment Areas that involve Highlands Brownfields, the Council will become involved in connection with such a site only if and when it is properly closed, we have, for the past several months, heard from certain residents of Roxbury at our monthly meetings.

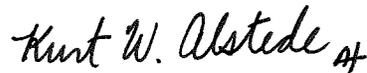
¹ Council Chairman Jim Rilee has recused himself from all matters concerning the Fenimore Landfill and has not reviewed or taken part in the preparation of this letter.

While we have relayed publicly during our past three monthly meetings that we, as the Highlands Council, have no say over the current remedial activities occurring on and around the site, we have committed to the public to prepare a letter to your office indicating our general concerns, and as well, requesting that our respective staffs engage in continued dialog as to the progress of the closure activities.

We are aware that our staffs have regular monthly meetings at which various matters of mutual concern are discussed, and we ask that you direct your staff to provide regular status updates to our Acting Executive Director at such meetings so that she, in turn, may keep us Council Members apprised of activities by reporting to us on a regular basis.

We thank you in advance for your consideration of this request. Please feel free to contact me should you require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Kurt W. Alstede" followed by a small flourish.

Kurt W. Alstede, Vice Chairman

c: Council Members
Margaret Nordstrom, Acting Executive Director
Andrew Davis, Chief Counsel