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NWS EARLE  
5090.3a

## State of New Jersey

Christine Todd Whitman  
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.  
Commissioner

FEB 04 1998

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
NO. Z 161 586 246

John Kolicius  
Project Manager  
Naval Facilities Engineering Command  
10 Industrial Highway  
Code 1821, Mail Stop 82  
Lester, PA 19113-2090

Dear Mr. Kolicius:

Re: Draft Proposed Plan for OU-4, Sites 14, 20, 22, 23, 24, 25, 27 and 29  
(Dated November 1997)  
Naval Weapons Station Earle  
Colts Neck Twp., Monmouth Co.

The New Jersey Department of Environmental Protection (NJDEP) has reviewed the above referenced document prepared by Brown & Root Environmental Corporation. The NJDEP agrees with "no further action", for these Sites and approves the Proposed Plan provided the following comments are incorporated.

General comment:

- 1) The Proposed Plan should be condensed. Several of the tables included in the Plan appear to be unnecessary from a public review perspective. The only tables that should be included are the post-remediation samples and the RI data tables.

Page specific comments:

- 1) Page 1, paragraph 1 - Please include the NJDEP in the determination of "No further action."
- 2) Page 6, paragraph 3 - the description for Site 23 is not complete. Please revise.
- 3) Page 34, paragraph 9 - change, "...as part of the Site 22 remediation..." to, "...as part of the Site 23 remediation..." Also it is inappropriate to compare inorganic results to impact to ground water criteria, since these criteria would have to be developed on a site specific basis. The post

remediation results should be compared to the residential cleanup criteria. Thus it can be determined if the site requires a deed restriction.

The Site 23 RI data confirmed semivolatile contamination, however there are no semivolatile results in the post remedial sampling data (Table 88). This data should be included in Table 88.

- 4) Page 43, 8th paragraph, inorganic results are compared to impact to ground water criteria, which have not been developed for this site. Results should be compared to the residential cleanup criteria.

The corresponding data table for site 27 (table 122) show the exceedances as "blacked out", this appears to be misleading. All exceedances should be included in the tables as well as the corresponding text. Site 27 will require a deed restriction, since there are contaminants above the residential cleanup criteria still on site. The requirements for a deed restriction are listed below:

- a) A Site map illustrating the property in question (Lot & Block).
- b) The name, location and concentration of contaminants on site.
- c) The size of the site (in acreage).
- d) A survey of the site shall be performed by a NJ licensed surveyor, the DER shall include a description of the site boundaries, using latitude and longitude. The purpose is to incorporate this DER into the Department's Geographic Information System (GIS) Database.
- c) Please note Public Law 39, referred to as the "Brownfield and Contaminated Site Remediation Act" will now require a "deed notice" rather than a deed restriction. The difference being that the CEA will have to be a part of the property deed rather than the CEA just being filed with the county clerk. A summary of the law is attached. A formal copy of the law will be provided if so requested.

If you have any questions, please call me at (609)-633-7237.

Sincerely,



Bob Marcolina, Case Manager  
Bureau of Federal Case Management

- c: S. Jaffess, EPA w/attachment  
G. Geopfert, NWS Earle w/attachment  
L. Jargowsky, Monmouth Co. Health Dept. w/attachment