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State of New Jersey

Department of Environmental Protection

Christine Todd Whitman
Governor

Robert C. Shinn, Jr.
Commissioner

Land Use Regulation Program
PO Box 439
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MAR 26 1998

A. N. Kuntzleman
Department of the Navy
Northern Division
Naval facilities Engineering Command
10 Industrial Highway
Mail Stop #82
Lester, PA 19113-2090

RE: Permit Equivalency
Application # 1309-98-0003.1
CERCLA Remedial Action at Operable Unit 1, Naval
Weapons Station Earle
Colts Neck, Monmouth County

Dear Ms. Kuntzleman:

The New Jersey Department of Environmental Protection, Land Use Regulation Program, in keeping with the intent of the Comprehensive Environmental Response Compensation and Liability Act, hereby concurs with the statement that the above project meets the substantive requirements of the Freshwater Wetlands Protection Act. Specifically the project consists of the capping of the landfills along with the installation of institutional controls and long term groundwater monitoring at Sites 4 and 5. The proposed work is as shown on site plans consisting of 14 sheets prepared by Brown and Root entitled, ❖ Landfill Caps for Sites 4 and 5, Naval Weapons Station Earle, Colts Neck, New Jersey RAC Contract No. N62472-94-D-0398 D.O.❖. Sheets T-1, T-2, C-1, C-2, C-4, C-6, C-11, C-13, C-17, C-18, C-19, C-20 are dated January 2, 1998. Sheet C-5, is dated November 10, 1997. Sheet C-9 is dated December 10, 1997.

The filling of Area 3 at Site 4 is proposed in an area considered by the Program to be a swale. As such, the equivalent permit under the Freshwater Wetlands Protection Act would be a General Permit # 7. The proposed project meets all of the requirements of this General Permit.

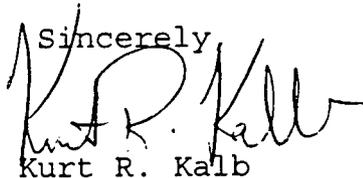
The equivalent permit under the Freshwater Wetlands Protection Act for the filling of Area 1 at Site 4 would be a General Permit # 4. The proposed project meets all of the requirements of this General Permit provided the following condition is met:

The Reed Canarygrass specified in the seeding mix for the mitigation area is replaced with either Creeping Red Fescue or Kentucky Bluegrass.

No work is proposed at site 5 within wetland areas. Work is proposed however within the transition area or buffer to the wetlands. Part of that work is the regrading and capping of the landfill. This work would be considered normal property maintenance under the Freshwater Wetlands Protection Act Rules and is acceptable. The other work proposed within the transition area is the construction of a sediment basin. This basin is located within an existing sediment basin constructed during the time that the landfill was actively used. This work is also considered normal property maintenance and is acceptable.

If you have any questions regarding this letter, please contact Mr. Christopher M. Dolphin of my staff at (609) 984-0184.

Sincerely

A handwritten signature in black ink, appearing to read "Kurt R. Kalb". The signature is written in a cursive, somewhat stylized font.

Kurt R. Kalb

Supervisor, Monmouth Region
Bureau of Coastal Regulation