

TECHNICAL REVIEW PANEL
Site Remediation and Waste Management
Decision Document for Hillsborough Township

Panelists: Ed Putnam, Assistant Director, Remedial Response Element
Wayne Howitz, Assistant Director, Responsible Party Remediation Element

Remediating Party Requesting Review: Steven N. Sireci Jr., Mayor, Township of Hillsborough

Date of Request: December 22, 2004

Date Granting TRP: January 26, 2005

Meeting Date: February 2, 2005

Address: Steven N. Sireci Jr., Mayor
County of Somerset
Municipal Building
379 South Branch Road
Hillsborough, New Jersey 08844

Phone number: 908-369-4313

Email address: N/A

DEP Case Name: Hillsborough Township DPW Garage

DEP Case Number: 93-10-07-1330, Preferred Identification # 004220

DEP Case Location: 21 East Mountain Rd., Hillsborough Township, Somerset County

Background:

During the excavation of a underground tank system in October 1993, at the Hillsborough Township DPW site located at 21 East Mountain Road, Hillsborough Township discovered soil and groundwater contamination in the area of the former underground storage tanks. A 1995 Closure of Underground Storage Tank Report submitted by Hillsborough Township reported contaminant levels exceeding the NJDEP Impact to Groundwater Soil Cleanup Criteria for benzene and xylenes and methyl tertiary butyl ether (MTBE) was present in on-site potable wells. Groundwater samples collected from onsite monitoring wells indicated exceedances of the New Jersey Groundwater Quality Standards (N.J.A.C. 7:9C et. seq.) for benzene, toluene, ethylbenzene, xylenes, MTBE and tertiary butyl alcohol (TBA).

The Department in correspondence dated September 1995 through November 1998 required that Hillsborough Township submit a Remedial Action Workplan to the Department.

The Department in correspondence dated February 9, 1999 required Hillsborough Township to conduct further soil delineation at the site, confirm the presence of potable wells within 1,000 feet of the site, sample all potable wells within 1,000 feet downgradient of the site, and submit a revised Remedial Action Workplan.

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On November 11, 2000, Hillsborough Township submitted a Remedial Investigation Workplan that indicated that benzene, toluene, xylenes, MTBE, and TBA were present in samples from monitoring wells on-site.

In correspondence dated January 23, 2001, the Department required Hillsborough Township to install additional monitoring wells to vertically delineate the extent of contamination and submit the results of the vertical delineation within 90 days; sample monitoring and potable wells; submit a groundwater contour map; and submit a revised Remedial Action Workplan within 240 days.

In correspondence dated November 29, 2001, the Department notified Hillsborough Township that its previous requirements for the completion of vertical delineation and the Remedial Action Workplan submittal were outstanding.

On July 29, 2002, the Department issued a Field Directive to Hillsborough Township. The Field Directive required that Hillsborough Township immediately provide 23 East Mountain Road with bottled water; immediately install a Point of Entry Treatment system (POET); re-canvas to identify all potable wells located within 1,000 feet of the site; resample every identified well within five days; initiate an interim remedial measure within five days; submit a Remedial Action Workplan for active remediation including hydraulic control within 60 days; and complete delineation of soil and groundwater contamination both on and off-site.

In correspondence dated August 15, 2002, Hillsborough Township submitted an Interim Groundwater Recovery Action Workplan that proposed the installation of an extraction system in an existing well to obtain constituent mass removal from the subsurface. The August 15, 2002 workplan indicated that the proposed system would be installed and operated for a two month period, during which time data from the operations would be collected and used to develop a Remedial Action Workplan for a permanent remedy.

In correspondence dated August 20, 2002 the Department conditionally approved Hillsborough Township's Interim Groundwater Recovery Action Workplan.

In a memorandum dated August 20, 2002, Hillsborough Township outlined its response and actions taken to satisfy the requirements of the Department's July 29, 2002 Field Directive. The actions taken by Hillsborough Township included but were not limited to, arranging for 23 East Mountain Road to be connected to the municipal water supply.

The Department in correspondence dated February 18, 2004 notified Hillsborough Township that it had failed to comply with several requirements of the Field Directive, specifically, Hillsborough Township failed to submit an acceptable Remedial Action Workplan for active remediation including hydraulic control.

On March 1, 2004 Hillsborough Township submitted a Remedial Action Workplan to the Department.

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The Department in correspondence dated October 5, 2004, advised Hillsborough Township that the March 1, 2004 Remedial Investigation Report/Remedial Action Report/Remedial Action Workplan did not satisfy the requirements of the Department's July 31, 2002 Field Directive as well as letters dated January 23, 2001 and November 29, 2001. Specifically, Hillsborough Township did not complete the delineation requirements of the remedial investigation, nor propose an adequate method to complete the delineation requirements. Further, the Department advised Hillsborough Township that it had not demonstrated that the proposed remedial action to continue the groundwater extraction system establishes hydraulic control of the contaminant plume and is protective of the wells in the area.

In correspondence dated November 30, 2004, Hillsborough Township submitted comments to the Department's October 5, 2004 response letter. Included with this response is a letter from Thomas Gillespie, Hillsborough Townships Environmental Consultant (ELM) to Glenn Belnay, Hillsborough Township Health Officer.

On December 2, 2004 the Department issued a Directive to Hillsborough Township to take the following corrective actions:

1. Complete a Remedial Investigation and submit a Remedial Investigation Report to the Department within 120 days after receipt of the directive;
2. Submit the required Remedial Action Workplan; which includes a remedial action proposal that establishes hydraulic control of the contaminant plume and is protective of potable well receptors in the area, within thirty (30) days of the effective date of the directive; and
3. Conduct a Departmentally approved Remedial Action to address all contamination at or which has emanated from the site.

Disputed Technical Issue(s) Per Technical Review Request:

(Each issue listed separately and follows comment "numbering" as used in the November 23, 2004 memorandum from T. Gillespie, of ELM to G. Belnay, Hillsborough Health Dept.)

A1. Horizontal delineation of the plume at depth - The Department requires horizontal delineation of the ground water contamination plume at depth. Environmental Liability Management (ELM), representing Hillsborough Township DPW Garage, proposed 3 ground water monitoring wells 20-40 ft. below grade.

A2 & A3. Hydraulic control of contamination at depth and zone of influence for the ground water extraction system - The Department has requested the submission of a Remedial Action Workplan (RAW) containing provisions to obtain hydraulic control of the contaminant plume. The Department does not believe the March 1, 2004 Remedial Investigation Report/Remedial Action Workplan (RIR/RAW) submitted by ELM met this requirement. The Department also believes that no zone of influence for the capture system was determined. ELM believes their RIR/RAW provided evidence that the ongoing remedial action achieves hydraulic control of the residual source zone (emphasis added) of contamination. ELM also states that they believe that

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their RIR/RAW contained documentation that provided an estimate of the zone of influence and that uncertainty in the exact dimensions were due to properties of the bedrock aquifer. ELM states that after the successful completion of delineation, a determination of whether the remedial system must be expanded can be made.

B1. Quarterly sampling of potable wells - The Department had originally required monthly sampling of 25 and 34 East Mountain Road in July 2002. The Department reduced the potable well sampling requirement to quarterly in March 2003. ELM states the sampling to date has not indicated any contamination in these wells and cold weather prevented numerous sampling episodes.

B2a. Initial round of sampling at all monitor wells in Aug./Sep. 2002 - The Department had required an initial round of sampling for all monitoring wells on-site. ELM states that the only monitor wells not sampled at that time were being used as extraction wells as part of the remediation system.

B2b. Quarterly sampling of monitor wells - The Department states that Hillsborough Township did not meet requirements of quarterly sampling at specified monitor wells and at any newly installed wells. ELM agrees that they did deviate from the scope of work however they limited their sampling of existing wells because of budgetary reasons and other delineation requirements of the DEP.

B2c. Ground water elevation and sampling data formatting issues - The Department states that Hillsborough Township did not submit ground water elevation and sampling data in the proper format. ELM agrees that some of the requirements were not met and has agreed to rectify the problems with the deliverables.

C. Outstanding questions on the ORC application - The Department has questions on the oxygen release compound (ORC) applications that remain outstanding. Item 7 of the Department's August 13, 2002 letter, had requested specific information regarding the ORC application reported in Hillsborough Township's April 15, 2002 report, such as the depths to which the 28 well points were installed for the ORC application, and whether water was present in the well points. ELM states that they submitted the required information in April 2002 and referenced it in the March 2004 RIR/RAW.

Basis and Background for Decision of TRP:

Relevant Regulations: N.J.A.C. 7:26E -1 et seq.

Pertinent Information Considered:

All relevant correspondence:

- October 4, 2004 letter from NJDEP to Hillsborough Township providing Department comments on the March 1, 2004 RAWP;

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- November 23, 2004 memorandum from T. Gillespie, of ELM to G. Belnay, Hillsborough Health Dept. responding to NJDEP comments on the RAWP;
- December 3, 2004 Directive and Notice to Insurers from NJDEP to Hillsborough Twp;
- December 17, 2004 letter from Steven N. Sireci Jr., Mayor to Ron Corcory, DEP requesting stay in the timeframes outlined the DEP Directive and Notice to Insurers;
- December 22, 2004 letter from Steven N. Sireci Jr., Mayor to Ron Corcory, DEP requesting a review of technical disputes by the TRP;
- February 2, 2005 document titled "Presentation to the NJDEP Technical Review Panel" submitted by ELM;
- February 10, 2005 memorandum from T. Gillespie, of ELM to G. Belnay, Hillsborough Health Dept., outlining a Scope of Work to complete NJDEP requirements.

A1. Horizontal delineation of the plume at depth

The Department did acknowledge and approve the proposal to install three downgradient monitoring wells in an effort to delineate the 20 to 40 foot depth zone in the October 5, 2004 letter, stating “the proposed well locations and screened interval for MW-14, MW-15 and MW-16 are approved for delineating the contamination found in MW-8 and MW-9 at this depth interval”. The Department further stated that these delineation wells, alone, were inadequate to address contamination detected above the Ground Water Quality Standards at depth in the source area. During the August 2003 sampling events, benzene and MTBE were detected at 1,800 ppb and 6,600 ppb, respectively, in the source area to a depth of approximately 50 feet (MW-2D). Benzene and MTBE were detected at 17 ppb and 4,300 ppb, respectively, in the source area to a depth of 70 feet (MW-12). MTBE was detected at 1,400 ppb in the source area to a depth of 86 feet (MW-13).

The requirement in the Department’s October 5, 2004 letter to horizontally delineate these depth intervals is consistent with the proposal presented in ELM’s Remedial Investigation Workplan dated February 20, 2003, which stated “Additional horizontal delineation will be completed along predicted transport pathways at depths identified from the vertical characterization adjacent to the former source area”. This matter had been previously discussed at length during a December 17, 2002 meeting between Hillsborough Township, ELM and the Department. In addition to vertical source area delineation wells adjacent to MW-2D, it was clearly stated by Kathy Katz, BSCM supervisor, that at least two compliance wells would need to be installed ~30 feet along strike from MW-2D. The Department’s March 24, 2003 letter also stipulated the requirement for horizontal delineation in the source area, and that compliance monitoring wells were required within the source area so that the degree of hydraulic control and effectiveness of the remedial efforts could be evaluated. These compliance wells have not been installed to date, nor has a proposal to install them been made.

ELM, on behalf of Hillsborough Township, asserts that the vertical hydraulic gradient at the facility is not large enough to cause significant vertical transport of dissolved compounds. This statement is not supported by the ground water elevations provided on Tables 2 and 3 of the March 1, 2004 report, which show a significant decreasing hydraulic head with depth in the vertical delineation wells in the source area. The difference in ground water elevation between

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MW-2 (screened from 15 to 25 feet) and MW-11 (screened from 99 to 124 feet) is over 20 feet, clearly demonstrating a downward gradient.

ELM, on behalf of Hillsborough Township, asserts that there is no evidence of plume expansion, based upon their evaluation of the contaminant levels in MW-9, the furthest downgradient well located approximately 140 feet from the source area, and the impacted potable well at 23 East Mountain Road. While the Department does acknowledge that MW-9 has maintained fairly consistent levels of benzene, MTBE and TBA over the four rounds of sampling conducted from March 2002 to August 2003, this well, screened from 20 to 40 feet, does not provide any information on the deeper intervals impacted in the source area, nor does it provide any information on how that contamination is being transported from the source area in the deeper zones.

The MTBE concentrations detected in the former potable well at 23 East Mountain Road has demonstrated an increase, from 2.8 ppb in June 1999 to 79 ppb in June 2002. Although requested numerous times by the Department, Hillsborough Township has yet to obtain well construction information from this well. Without this information, the Department questions how ELM can draw conclusions as to the extent of the contaminant plume. Additionally, Hillsborough Township has not responded to the Department's request to provide a scaled map indicating the location and distance of the potable well at 23 East Mountain Road with respect to the on-site monitoring wells and potable well.

The on-site potable well, PW-1, with a reported depth of 93 feet (the casing depth has yet to be determined) and located approximately 160 feet from the source area, has continued to exceed the GWQS for MTBE for the three sample events conducted over an 8 year period from October 1994 to September 2002. As noted in the Department's October 5, 2004 letter, PW-1 is outside the "zone of preferential transport", an area outlined to indicate the distribution of dissolved compounds, as presented by ELM in Figure 5 of the March 1, 2004 report.

Hillsborough Township was first notified of the requirement to fully delineate the horizontal and vertical extent of ground water contamination, via permanent monitoring wells or temporary well sampling points, in the Department's letter dated September 1, 1995. This requirement has been reiterated in numerous subsequent letters, meetings, and telephone conference calls. The ground water elevation and sampling data provided to the Department in the March 1, 2004 report, as discussed above, do not substantiate ELM's claim that the monitoring wells proposed in the March 1, 2004 will achieve complete delineation.

A2 & A3. Hydraulic control of contamination at depth and zone of influence for the ground water extraction system

Hillsborough Township's plan to connect the nearby potable wells to public water reduces the need for the RAW to include the establishment of hydraulic control at this time. Until delineation is complete, and all residences are connected to public water as proposed, the interim recovery system currently in place shall remain in operation. Upon successful completion of the delineation, a determination of whether the remedial system must be expanded can be made. Further discussion follows:

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A2

The interim recovery system utilizes a former UST excavation sump retrofitted as a monitoring well within the backfill, screened from 3 to 12 feet, and MW-2D, screened from 44 to 49 feet, with a sand pack extending from 41 to 52 feet. Since MW-2D was brought on line, July 1, 2003, the average monthly combined flow rate for MW-2 and the sump has ranged between 0.13 gpm and 0.77 gpm.

ELM claims that information provided in Sections 2.9, 3.0, and Appendix F of the March 1, 2004 report provide the necessary supporting documentation that the ongoing remedial action achieves hydraulic control of the residual source zone of the contamination. While Appendix F does document that ongoing remedial action is underway, and describes the operation of the treatment system, the Department does not find that Appendix F demonstrates that the remedial action had achieved hydraulic control.

Section 2.9 of the March 1, 2004 report states the vertical extent of the residual source has been defined and that the residual source is located at depths in the bedrock between the bedrock surface to a maximum depth of approximately 50 feet. Section 2.9 also states that the contamination detected at greater depths in the source area may be the result transport via the downward hydraulic gradient. The Department's October 5, 2004 letter concurs that vertical delineation has been achieved in the source area, and that a downward hydraulic gradient has been clearly demonstrated. However, horizontal delineation of the source area with depth, even to a depth of 50 feet which ELM states is the vertical extent of the "source", has not been conducted, nor is it proposed. Without knowing the extent of the residual source area, a conclusion that hydraulic control has been established cannot be drawn.

Section 3.0 discussed the strategy of removing the dissolved phase mass from the aquifer to decrease the transport of compounds from the residual source zone toward downgradient areas. While the Department concurs with this goal, at this time, it has not been demonstrated that the current system is meeting this objective.

ELM's A2 response states that upon successful completion of delineation, a determination of whether the remedial system must be expanded can be made. The Department concurs with this statement and believes it more accurately reflects previous discussions the Department has had with Hillsborough Township and ELM. However, this was not proposed in the March 1, 2004 report. In fact, the delineation wells proposed in the March 1, 2004 were offered as sentinel wells, and not source area delineation wells. Horizontal delineation of the residual source was not addressed, and the remedial action proposal offered was only to continue operating the current recovery system as is.

A3

The August 2002 pump tests were conducted prior to the installation of the vertical delineation wells in the source area. At that time, the deepest wells in the source area, MW-2 and MW-3, extended to just 25 feet. A constant rate pump test was conducted on MW-2, screened from 15 to 25 feet. MW-2 could not sustain a yield of 0.12 gpm, and was pumped dry after 50 minutes

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with four feet of drawdown. There was no observable drawdown in MW-3 or the sump, being utilized as observation wells. Calculations for transmissivity were made using the 0.5 foot recovery data for the first nine hours. It was reported that full recovery was not reached until two weeks later. A transmissivity of 360 gallons per day per foot was calculated. However, it was later determined to abandon MW-2 as a recovery well. MW-2D was subsequently installed and screened in the fractured bedrock from 44 to 49 feet with a sand pack extending from 41 to 52 feet. No additional pump tests utilizing MW-2D have been conducted. No information is provided to indicate that water levels in nearby wells were monitored for drawdown when MW-2D was brought on line.

As previously stated, the downward hydraulic gradient in the source area is evident. In addition, shallow downgradient monitoring wells MW-1 and MW-7, screened in the same zone as MW-2, are not impacted, further demonstrating minimal horizontal transport through the zone in which the MW-2 pump test was conducted. Therefore, the data derived from the MW-2 pump test is of limited use in determining the effectiveness of pumping from MW-2D.

The August 2002 step-drawdown test was conducted on the former sump, which was retrofitted with a screen from 3 to 12 feet within the excavation backfill and bedrock (which is reported to be at a depth of 3.5 to 5 feet). Each of the three step tests was 60 to 80 minutes in duration, with a pumping rate varying from 0.8 to 1.6 gpm. There was no observable drawdown noted in MW-2 and MW-3. While transmissivity values ranging from 1,173 gpd/ft to 5,280 gpd/ft. were calculated, these values are more likely derived from the backfill material and not the upper fractured zone of bedrock.

While the concentrations of contaminants being extracted from the former sump and MW-2D indicate recovery is occurring, the results of the pump tests on the former sump and MW-2 are inconclusive in determining a zone of influence for the system currently operating. ELM's claim that the horizontal extent of the capture zone was determined is not supported by the data provided in the March 1, 2004 report. Recovery from the sump has been underway since August 27, 2002. MW-2D was added July 1, 2003. The combined average pumping rate from the two well points is reported to range from 0.13 gpm to 0.77 gpm, well within the permit limit of 10 gpm established by the Somerset-Raritan Valley Sewerage Authority.

No discussion is provided in the March 1, 2004 report regarding the installation of compliance monitoring wells to be able to determine the capture zone of the recovery system (as had been discussed in previous meetings between the township, ELM and the Department).

B1. Quarterly sampling of potable wells

The Department's July 31, 2002 Field Directive required monthly sampling of 25 and 34 East Mountain Road. The Department's March 24, 2003 letter reduced the potable well sampling requirement to quarterly. 25 East Mountain Road was sampled once in 2003 (July 3, 2003). 34 East Mountain Road was sampled twice (February 28, 2003 and July 3, 2003). Item B.1. of the Department's October 5, 2004 letter commented on the lack of sampling for 2003 and questioned the explanation that cold weather prevented additional sampling beyond what was conducted for 2003. ELM's response stating the number of times the potable wells have been sampled since

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2001 does not clarify Hillsborough Township's lack of compliance in conducting the required quarterly sampling in 2003 for these two residences.

B2a. Initial round of sampling at all monitor wells in Aug./Sep. 2002

The Department's August 13, 2002 letter had required an initial round of sampling for all monitoring wells on-site. The Department's October 5, 2004 letter stated that this requirement had not been met, in that the sampling round conducted on September 27, 2002 which did include PW-1 and all monitoring wells installed at that time, did not include MW-2 and the tank field sump.

ELM responds that ground water extraction wells could not be sampled because of pumping equipment in the well casing which could not be removed without terminating the extraction system. According to a phone call between the case manager and ELM geologist Ken Luperi on September 11, 2002, which was more than two weeks prior to the sampling event, MW-2 was no longer being used for ground water extraction.

ELM further states that the extraction wells are being sampled monthly as part of remedial system monitoring so there is not need to sample them for quarterly events. This statement is inaccurate. The Department is being provided copies of the monthly reports being submitted to the Somerset Raritan Valley Sewerage Authority (SRVSA) for a discharge permit for treated ground water. The only sample results provided in this monthly report are for treated ground water prior to discharge into the sanitary sewer, in compliance with the discharge permit. Raw influent sample results are not included in these reports, even though the chain of custody forms included in the monthly reports indicate that raw samples were collected along with the mid-point sample and final effluent samples on February 2, 2004, May 3, 2004, August 3, 2004, and November 5, 2004. This raw influent data for 2004 has yet to be submitted to the Department.

ELM has concluded that the plume is not expanding, and therefore, quarterly sampling not a warranted expenditure. ELM states that the money would be better appropriated to complete the required remediation and delineation. No alternative sampling plan to evaluate the effectiveness of the remedial system currently in place is proposed. Recovery from the sump was initiated August 27, 2002. MW-2D has been pumping together with the sump since July 1, 2003. The September 2002 and August 2003 sample events are the only nearly complete rounds of sampling conducted since recovery began. The August 2003 sample event is the only one to include the source area vertical delineation wells. This is not enough sampling data to conclude that the recovery system in place is effectively capturing the entire source area.

B2b. Quarterly sampling of monitor wells

Item B.2.b of the Department's March 24, 2003 letter had specified quarterly sampling of all impacted and newly installed wells on-site, including the former potable well, PW-1, for BTEX, MTBE and TBA. ELM responds that it is not necessary to comply with the Department's requirement to conduct quarterly sampling because this information would not be relevant to the decisions pertaining to remediation and investigation. The Department fundamentally disagrees with this statement and asks how can the remedial efforts underway be evaluated if periodic sampling events, inclusive of all impacted wells, are not conducted? To date, only one nearly

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complete round of sampling has been conducted since recovery has been initiated which includes the source area vertical delineation wells. This round, conducted in August 2003, and reported in the March 1, 2004 report, did not include the on-site impacted potable well, PW-1. The two recovery wells, MW-2D and the sump, while sampled, were sampled a week prior to the other monitoring wells. In order to acquire a "snap shot" of the plume, the Department advises that all samples be collected at the same time. No ground water sampling results have been reported to the Department since the August 2003 sampling event included in the March 1, 2004 report.

ELM also states in this response that there is no ongoing exposure. This comment is footnoted and states that "the sole residence where the single detection of MTBE was recorded in one episode and which has never been reproduced ...has been connected to the public water supply." ELM fails to recognize 1) that the on-site potable well was also impacted by MTBE in 1994, so that this residence was not the "sole" potable well which had detectable levels of MTBE, and 2) MTBE has consistently been detected in the potable well for this residence from the time it was first sampled in June 1999 until July 2002, just prior to hook up to public water.

B2c. Ground water elevation and sampling data formatting issues

No discussion/decision necessary. ELM agrees that some of the requirements were not met and has agreed to rectify the problems with the deliverables.

C. Outstanding questions on the ORC application

Item 7 of the Department's August 13, 2002 letter, had requested specific information regarding the ORC application reported in the Hillsborough Township's April 15, 2002 report, such as the depths to which the 28 well points were installed for the ORC application, and whether water was present in the well points. A response to this request was not provided in the March 1, 2004 report, which only states that all required information was provided in the April 2002 report.

Decision of TRP:

In order to move forward, the Department conditionally approves the Scope of Work found in the February 10, 2005 memorandum from T. Gillespie, of ELM to G. Belnay, Hillsborough Health Dept. provided that Hillsborough enters into an appropriate oversight document pursuant to N.J.A.C. 7:26C with the Department with compliance dates based on the activities outlined in the Scope of Work and which incorporates the following:

- 1) Hillsborough Township shall submit, within 45 days of signing the oversight document, information with regards to which residents have been connected to public water and who remains on potable wells including addresses and lot and block numbers. In addition, they shall submit copies of the Well Abandonment Forms for all wells whose residents were connected to public water.
- 2) As part of the proposal in the Scope of Work to conduct quarterly monitoring of select wells, Hillsborough Township shall first conduct a baseline round of sampling from all monitoring wells and the former on-site potable well prior to determining the "select wells" to include in the quarterly sampling plan. Per the Technical Requirements for Site Remediation 7:26E-4.2, the

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workplan to delineate the horizontal and vertical extent of contamination shall be called a Remedial Investigation Workplan.

3) The report that is required to be submitted at the end of the first year shall be a Remedial Investigation Report (RIR) with a Remedial Action Workplan (RAW) as consistent with the Technical Requirements for Site Remediation 7:26E-6.2(a)1.

In addition, the RAW proposal needs to be based on the concentration levels and extent of the ground water impact. If ground water concentrations indicate that natural remediation is not appropriate, a proposal for active remediation will continue to be required. Also, based on the levels and extent of impact, upgrading the existing pumping system may be required in order to effectively remediate the entire source area.

**Modifications to Department-imposed deadlines or schedules impacted by Technical Issue(s) Review, if applicable:
(Please list all)**

Based on the technical decisions of the TRP, the Department is rescinding the stay to enter into a Memorandum of Understanding (MOU) that was originally granted to Hillsborough Township in the Jan. 26, 2005 DEP letter convening the TRP. Therefore, the Department will provide Hillsborough Township with a draft oversight document pursuant to N.J.A.C. 7:26C for the site within thirty days after the date of this letter. Accordingly, MOUs are the oversight documents to be used by public entities after the issuance of a Field Directive or Directive.