

TECHNICAL REVIEW PANEL
Decision Document
Site Remediation and Waste Management

Technical Review Request #: Program Interest #01536

Panelist: Barry Frasco, Assistant Director, Hazardous Site Science Element
Ed Putnam, Assistant Director, Remedial Response Element
Wayne Howitz, Assistant Director, Responsible Party Remediation Element

Remediating Party Requesting Review: Trustees of Princeton University

Consultant: Bruce Katcher for Manko, Gold, Katcher & Fox, LLP

Cherry Tree Corporation Center

535 Route 38, Suite 320

Cherry Hill, NJ 08002

Date of Request: 10/16/03

Date Granting TRP: 11/7/03

Meeting Date: 11/17/03

Address: Trustees of Princeton University
Princeton University @ Forestall Campus
Route 1 and Scudders Mill Road
Plainsboro, New Jersey

Phone number: (856) 317-1299

DEP Case Name: Princeton University Forrestal Campus

DEP Case Number: NJD980645519

Master Site I.D.# 00013716

Preferred I.D.# 015326

Disputed Technical Issue(s) Per Technical Review Request:
(List each issue listed separately)

Princeton University has requested for Department approval of the use of the approximately 39,000 cubic yards of Historic Pesticide contaminated soil (material) as a landscape berm.

The material was brought to the site identified as Area 1 for beneficial reuse in the construction of a parking lot and associated landscape features. The material was placed, with the Department's approval (letter dated June 29, 2000), as the current berm on an interim basis prior to reuse in the construction of a parking lot. The parking lot project never came to fruition, and Princeton University's two alternate proposals for beneficial reuse were both denied for not meeting beneficial reuse criteria.

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Relevant Regulations: N.J.A.C. 7:26E-1.1 et. seq.

Pertinent Information Considered:

- Bruce Katcher for Manko, Gold, Katcher & Fox, LLP 10/16/03 submittal for Trustees of Princeton University
- Remedial Action Work Plan (RAW) dated June 29, 2000
- Findings and Recommendations for the Remediation of Historic Pesticide Contamination

Decision of TRP: The Technical Review Panel (TRP) upholds the previous denials, but recommends that the material remain staged at its current location on a continued interim basis until a development plan for Area 1 is available. The TRP's recommendation is contingent on Princeton University continuing to maintain erosion and storm water controls (engineering controls) for the interim berm, and Princeton University must aggressively market the redevelopment of Area 1. Once a redevelopment plan is available, Princeton University can resubmit a beneficial reuse plan for the material as it relates to that development, keeping in mind that beneficial reuse must act as a substitute for material that would otherwise be necessary for the development. Any excess material would require proper disposal.

The interim status of the material shall remain for a period not to exceed five (5) years beginning January 1, 2004. During that time, Princeton University must submit annual reports, by the end of February for the previous year, to the Case Manager assigned to Area 1 site, which include; a statement certifying the engineering controls are still in place and functioning properly, detailing any actions necessary to maintain the controls; and Princeton University's efforts to redevelop Area 1. DEP will NOT issue a No Further Action Letter for the Windrows at Princeton area of concern until the material is reused or disposed of properly.