



## State of New Jersey

**PHILIP D. MURPHY**  
*Governor*

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
Division of Waste & UST Compliance & Enforcement  
Bureau of Solid Waste Compliance & Enforcement

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**On 6/20/24 Transmitted Via Email to:** Keith Kazmark: [kkazmark@ridgewoodnj.net](mailto:kkazmark@ridgewoodnj.net)  
And to Chris Rutishauser at: [crutishauser@ridgewoodnj.net](mailto:crutishauser@ridgewoodnj.net)  
And to Melissa Feury at: [mfeury@mnwe.com](mailto:mfeury@mnwe.com)

**RE: Conditional Approval of Grid Sampling Scope of Work dated June 18, 2024  
addressing imported fill at 460 West Saddle River Road, Ridgewood Village**

Dear Messrs. Kazmark and Rutishauser and Ms. Feury,

The Bureau of Solid Waste Compliance & Enforcement (BSWC&E) has completed reviewing the referenced Scope Work (SOW) and herein approves same in accordance with the following conditions:

1. The BSWC&E's review of the subject SOW is limited to facilitating the determination of compliance with the Solid Waste Management Act (SWMA). Accordingly, should the results of this investigation indicate that the definition of solid waste at N.J.A.C. 7:26-1.6(a)6 has not been chemically triggered, the BSWC&E will acknowledge same. It should be noted, however, that the surficial observations of discarded plastic, steel, asphalt, concrete and other solid wastes observed amongst the trees, particularly concentrated north of the site access driveway, would still need to be addressed. As the BSWC&E understands that such area is proposed to be developed with an artificial turf, it stands to reason that, regardless of the results of this investigation, such solid wastes would need to be removed in order to provide sufficient geotechnical support. Further, all physical solid waste throughout the site will need to be removed. The Department has established a policy that a site should not contain more than 1% by volume of visual solid waste.
2. Although the investigation regarding the presence or absence of solid waste and any corrective actions deemed necessary to address same are under the direct oversight of the BSWC&E, the conditions noted in this letter should not be construed to limit or replace any data collection needs that a Licensed Site Remediation Professional (LSRP) retained for this site pursuant to N.J.A.C. 7:26C may require in order to pursue a Response Action Outcome (RAO). Accordingly, it is up to such LSRP to collect any

additional samples at existing or additional sample locations and/or prescribe additional analytes to generate the data that they believe is necessary to support a conclusion regarding the need for remediation beyond addressing the solid waste.

3. A representative from the BSWC&E will be on-site to observe the sample collection. For the purposes of complying with the SWMA, as long as sampling can be safely conducted, such representative has the authority to direct sample locations within the grid patterns established to areas of suspected contamination based upon current conditions observed in the field and/or identification of suspect areas found on aerial photographs. It is up to the Village of Ridgewood to ensure that the locations of all subsurface utilities are appropriately marked to facilitate identification of same.
4. In order to comply with the SWMA, the BSWC&E requires sampling of only the imported fill materials. Accordingly, the BSWC&E considers collection of samples in the native soils as additional data associated with overall site remediation goals. As such, while sampling of the native soils beneath the berm may assist the LSRP in their pursuit of a RAO, such samples would not comport to the sampling frequency specified by the BSWC&E. Therefore, those samples that Matrix has identified as being collected in the native soils beneath the berm, that is, samples GRID-9, GRID-21, GRID-22 and GRID-28, are not counted as requisite grid pattern samples. Accordingly, four additional soil samples should be collected within the imported fill within these grids that is not part of the soil berm.
5. While the SOW states that borings will be advanced up to depths of five feet, in order to address the solid waste concerns, the SWC&E requires at least one sample collected from such borings to be taken within the imported fill materials rather than the native soils. Data generated from any sampling of the native soils would be considered as applicable to the aforementioned LSRP's pursuit of a RAO for this site.
6. The BSWC&E considers the sample to be collected for volatile organic analysis (VOA) in GRID-9 to be associated with the berm sampling and not to replace a necessary grid sample. Further, this follow-up berm sample shall be collected within 12 -18 inches horizontally and at the same depth of the sample that indicated the elevated photoionization detector (PID) reading recorded on May 3, 2024.
7. A separate sample of imported fill not within the berm shall be collected within GRID-9 for Target Analyte List/Target Compound List (TAL/TCL) compounds. While the TCL compounds for this additional sample location may omit VOA analyses per the screening criteria noted in the SOW, at the conclusion of this grid sampling at least one sample shall be analyzed for the VOA portion of the TCL to confirm the accuracy of the PID. Such sample shall be selected by the highest PID reading

observed, or, if no PID readings are observed, via visual or olfactory suggestions or best judgement of a possible discharge of hazardous substances.

8. To minimize the potential for loss of soil gas, the prescribed PID readings shall be collected immediately upon opening the direct push recovery sleeves or soil boring cores.
9. A copy of the PID calibration log shall be provided with the completed Report of Findings.
10. The Report of Findings shall include boring logs which describe the materials encountered, note the PID readings recorded and depth(s) of sample collection.
11. Unless otherwise stated herein, all sampling and analyses shall be conducted in accordance with the NJDEP Field Sampling Procedures Manual and the Technical Requirements for the Site Remediation at N.J.A.C. 7:26E.
12. All laboratory analyses shall be performed by NJDEP Certified Laboratories who also have NJDEP certifications for the test methods to be employed.
13. To augment the laboratory's Non-Conformance Summary, a statement of interpretation of the usability of the data, based on a review of the findings in the Non-Conformance Summary, shall be provided. Please note that the laboratory should denote the specific compounds that may be outside of Quality Control limits.
14. The analytical results of compounds over the soil remediation standards at N.J.A.C. 7:26D shall be plotted on a scaled site map noting the locations of the corresponding samples. To facilitate a referral to the Department's Contaminated Site Remediation & Redevelopment Program, the data should be compared to all remediation standards.
15. A Corrective Action Plan shall be submitted to address the contamination found that triggered the definition of solid waste during the May 3, 2024 sampling event as well as to address all solid waste at this site.
16. As of the writing of this conditional approval letter, the BSWC&E has not received the Report of Findings for the sampling that took place on May 3, 2024. Accordingly, this conditional approval should not be construed to mean that the BSWC&E agrees that this grid sampling will serve to delineate the contamination generated from such sampling event. The BSWC&E presumes that details on how to delineate and remediate the soil berm contamination will be included in the Corrective Action Plan for this site.

17. In order to avoid unnecessary expense, it is recommended that the Village of Ridgewood's consultant discuss corrective action plans with the BSWC&E prior to submitting a plan for same.

Should you have any questions, please contact the undersigned.

Regards,  
Tom Farrell, CHMM, Chief,



Bureau of Solid Waste Compliance & Enforcement

C: Dave Ongaro, SWC&E  
Gina Lugo, SWC&E