

October 26, 2023

Delivered via e-mail: Tames.Pam@epa.gov, dmiller@qhclaw.com, Rosoff.David@epa.gov,

Ms. Pamela Tames
Mr. David Rosoff
U.S. Environmental Protection Agency
290 Broadway - 20th Floor
New York, NY 10007-1866

Re: Progress Update Letter 6 (August 20, 2023 - October 26, 2023)
366-394 Wilson Avenue, Newark, NJ (the Site/Property)
General Facility Tracking Identification # NJR000080168

Dear Mr. Rosoff and Ms. Tames:

This letter summarizes the environmental scope of services performed at the above-referenced property after approval of quality assurance project plan and removal work plan.

Post Removal/Background Sample Results Discussion (September 20th, 2023)

In a meeting between ENVOCARE, Salomone Brothers Inc. (SBI), and the United States Environmental Protection Agency (USEPA) on September 20th, 2023, the post removal sampling results for stockpiles A, B, C, D and E and background sampling results from the July 2023-August 2023 sampling event were discussed in a presentation that compared the post removal statistical averages of each stockpile to the background statistical average to show that the stockpiled material met the requirements under the removal work plan. The USEPA on-scene coordinator (OSC), David Rosoff advised to include waste classification sample data (performed between April 17th, 2023 and April 18th, 2023) averaging to be compared alongside the background and post removal sample averages to make a final determination on the field removal activities for the Site.

An amended analytical data table including background sample data, waste classification sample data and stockpiles A through E sample data was submitted for review to the USEPA and confirmed on October 2nd, 2023, that the field removal activities of the stockpiles on the Site have been completed under the Removal Action.

Final Removal Action Report Extension

In addition, during the September 20th, 2023, meeting, it was requested that a 60-day extension be granted in order to fulfill the requirements of the ASAOC for the submission of the Final Removal Action Report (formal approval of the extension was granted via email correspondence from the US EPA OSC on September 20th, 2023). The new deadline would be December 6, 2023, to submit the final report.

Third Party Data Validation

Due to personal circumstances, Jeri Rossi, the third-party data validator for the project has opted out on providing data validation services on September 8th, 2023. ENVO CARE has contracted De Maximis Data Management Solutions (DDMS) on September 22nd, 2023, as a replacement to perform data validation for July-August 2023 background and post removal sampling events. Data validation of results is currently being reviewed by DDMS.

Site Restoration and Backfill (October 17th, 2023 – October 18th, 2023)

Salomone Brothers Inc (SBI) mobilized onsite on October 16th, 2023, to begin the site restoration activities between October 17th, 2023 – October 18th, 2023.

- Stockpile A received 7 loads of ¾" stone for backfill and 2 loads of dense graded aggregate (DGA) over the top.
- Stockpile B received 7 loads of ¾" stone for backfill and 2 loads of DGA over the top.
- Stockpile C received 2 loads of ¾" stone for backfill
- Stockpile D received 2 loads of ¾" stone for backfill
- Stockpile E not required for site restoration

Site restoration was completed to the satisfaction of USEPA OSC Mr. David Rosoff and Mr. Scott Fields, property owner representative of 7 Avenue L Newark, LLC. The fill material was also approved by USEPA OSC which utilizes ¾" virgin stone from Tilcon's Pompton Lakes quarry. The fill material was stockpiled near each stockpile and backfilled in a manner that allowed equipment to track over the new backfill and not the underlying soils. [Exhibit A](#) presents a photolog of site restoration activities.

Decontamination Drum Approval and Disposal

Clean Earth of Kearny (CENJ) approved the non-hazardous drum disposal profiles on October 17th, 2023, and provided final destination of the six (6) decontamination drums that were generated during soil disposal and post removal sampling activities completed in association with hazardous stockpiles A, B, and C from July 31st, 2023 – August 7th, 2023.

For decontamination-generated water, Clean Water of New York Inc. located in Richmond, New York was determined to be the final destination. For poly sheeting and personal protective equipment (PPE), Republic Services of Conestoga Landfill located in Morgantown, Pennsylvania was determined to be the final destination. Off-Site Rule (OSR) forms for these facilities were submitted to the EPA OSC and have been approved on October 19th, 2023. [Exhibit B](#) presents approved OSR forms for the above facilities. Clean fill certification and delivery tickets will be included in the final report.

Drum disposal was completed by IWT Transport Inc. on October 26, 2023. The manifest will be included in the final report.

Please contact the undersigned at (732) 208-0928 if you have any questions or comments.

Exhibits

Exhibit A – Site Restoration Photolog

Exhibit B – Off-Site Rule Forms

Kind Regards,

Devang Patel
Project Manager

Cc: jlynch@salomone.com
jkelly@salomone.com

Exhibit A – Site Restoration Photolog



Photo 1: Site Restoration/Backfill Stockpiles A and B

Photo 2: Site Restoration/Backfill Stockpiles A and B



Photo 3: Site Restoration/Backfill Stockpile C



Photo 4: Site Restoration/Backfill Stockpile D

Exhibit B – Off-Site Rule Forms

U.S. EPA Region 2 Off-Site Rule Request Form

[Reset Form](#)

Receiving Facility Information

Estimated Initial Shipping Date: **10/20/2023**
Estimated Shipping Completion Date: **11/25/2023**

Supporting Documentation Attached: Yes No

1.) Name of Facility Receiving CERCLA Waste
Clean Earth of North Jersey, Inc.

2.) Address of Facility
115 Jacobus Avenue

3.) City
Kearny

4.) County
Hudson

5.) State
New Jersey

6.) Zip Code
07032

7.) EPA Facility I.D. (Hazardous Waste or Municipal Waste I.D.)
NJD991291105

[RCRA Info Webpage](#)

Facility Type
Subtitle C Subtitle D Other

State Permit No.

HWP19001 (Hazardous Waste Facility Permit), PI#230216 and Permit# TRP210001 (Solid Waste Permit)

8.) Any other pertinent I.D. numbers that may apply (License Numbers, etc.)

NJHW Transporter-H03002, NJ SW Transporter-11352, HM Certificate of Registration-063011 552033T

9.) Facility Phone Number
+1 (973) 344-4004

Contact Name
Joseph Barone

10.) Facility Fax Number (if available)
+1 (973) 344-8652

11.) Email Address
jbarone@cleanearthinc.com

Generating Site Information

12.) Name of CERCLA Site
Oberwil Portion of Pierson's Creek Superfund Site OU1 - EPA I.D. NJR000080168

13.) Address of CERCLA Site
366-394 Wilson Avenue (Block 5038, Lot 97) also listed as 7 Avenue L

14.) City
Newark

15.) County
Essex

16.) State
New Jersey

17.) Zip Code
07105

18.) CERCLA Site I.D.
02MV

19.) CERCLA Waste Median (e.g. Soil, Water, Air etc.)
5 Solids drums (PPE/Poly) and 1 Water drum (Decontamination Generated)

Hazardous and/or Non-Hazardous (check all that apply)
RCRA Hazardous Non-Hazardous

20.) CERCLA Waste Contaminates (e.g. tce, pcb, Mercury, Lead, etc.)
Mercury, Lead, PCBs

21.) Amount of CERCLA Waste (e.g. Gallons, Pounds, Tons, etc.)
Six 55-Gallon Steel Drums

22.) Person Making Request(s)/Affiliation & Phone Number
John Lynch, Salomone Bros., Inc. (973) 305-0022

Submit via Desktop email

(Lotus Notes Users Select Submit via Desktop email Application)

U.S. EPA Region 2 Off-Site Rule Request Form

[Reset Form](#)

Receiving Facility Information

Estimated Initial Shipping Date: **10/20/2023**
Estimated Shipping Completion Date: **11/25/2023**

Supporting Documentation Attached: Yes No

1.) Name of Facility Receiving CERCLA Waste
Clean Water of New York Inc.

2.) Address of Facility
3249 Richmond Terrace

3.) City
Staten Island

4.) County
Richmond

5.) State
New York

6.) Zip Code
10303

7.) EPA Facility I.D. (Hazardous Waste or Municipal Waste I.D.)
NYSDEC#2-6401-00065/00001

[RCRA InfoWebpage](#)

Facility Type
Subtitle C Subtitle D Other

State Permit No.
SPDES #NY0200484

8.) Any other pertinent I.D. numbers that may apply (License Numbers, etc.)

9.) Facility Phone Number
+1 (718) 981-4600

Contact Name
Robert A. Probst

10.) Facility Fax Number (if available)

11.) Email Address

Generating Site Information

12.) Name of CERCLA Site
Oberwil Portion of Pierson's Creek Superfund Site OU1 - EPA I.D. NJR000080168

13.) Address of CERCLA Site
366-394 Wilson Avenue (Block 5038, Lot 97) also listed as 7 Avenue L

14.) City
Newark

15.) County
Essex

16.) State
New Jersey

17.) Zip Code
07105

18.) CERCLA Site I.D.
02MV

19.) CERCLA Waste Median (e.g. Soil, Water, Air etc.)
Water (Decontamination Generated)

Hazardous and/or Non-Hazardous (check all that apply)
RCRA Hazardous Non-Hazardous

20.) CERCLA Waste Contaminates (e.g. tce, pcb, Mercury, Lead, etc.)
PCBs, Mercury, Lead

21.) Amount of CERCLA Waste (e.g. Gallons, Pounds, Tons, etc.)
One 55 Gallon Steel Drum

22.) Person Making Request(s)/Affiliation & Phone Number
John Lynch, Salomone Bros., Inc. (973) 305-0022

Submit via Desktop email

(Lotus Notes Users Select Submit via Desktop email Application)

U.S. EPA Region 2 Off-Site Rule Request Form

[Reset Form](#)

Receiving Facility Information

Estimated Initial Shipping Date: **10/20/2023**
Estimated Shipping Completion Date: **11/25/2023**

Supporting Documentation Attached: Yes No

1.) Name of Facility Receiving CERCLA Waste
Republic Services Conestoga Landfill

2.) Address of Facility
420 Quarry Road

3.) City
Morgantown

4.) County
Berks

5.) State
Pennsylvania

6.) Zip Code
19543

7.) EPA Facility I.D. (Hazardous Waste or Municipal Waste I.D.)
PA0000015867

[RCRA Info Webpage](#)

Facility Type
Subtitle C Subtitle D Other

State Permit No.

PADEP #101509

8.) Any other pertinent I.D. numbers that may apply (License Numbers, etc.)
APS # 922475

9.) Facility Phone Number
+1 (610) 286-6844

Contact Name
Bryan Cleaver

10.) Facility Fax Number (if available)
+1 (866) 820-6302

11.) Email Address
bcleaver@republicservices.com

Generating Site Information

12.) Name of CERCLA Site
Oberwil Portion of Pierson's Creek Superfund Site OU1 - EPA I.D. NJR000080168

13.) Address of CERCLA Site
366-394 Wilson Avenue (Block 5038, Lot 97) also listed as 7 Avenue L

14.) City
Newark

15.) County
Essex

16.) State
New Jersey

17.) Zip Code
07105

18.) CERCLA Site I.D.
02MV

19.) CERCLA Waste Median (e.g. Soil, Water, Air etc.)
Solid (PPE and Poly)

Hazardous and/or Non-Hazardous (check all that apply)
RCRA Hazardous Non-Hazardous

20.) CERCLA Waste Contaminates (e.g. tce, pcb, Mercury, Lead, etc.)
PCBs, Mercury, Lead

21.) Amount of CERCLA Waste (e.g. Gallons, Pounds, Tons, etc.)
Five 55-Gallon Steel Drums

22.) Person Making Request(s)/Affiliation & Phone Number
John Lynch, Salomone Bros., Inc. (973) 305-0022

Submit via Desktop email

(Lotus Notes Users Select Submit via Desktop email Application)