



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF ENFORCEMENT POLICY

401 East State Street

P.O. Box 420, Mail Code 401-04

Trenton, New Jersey 08625-0420

Tel. (609) 913-6700

[www.nj.gov/dep](http://www.nj.gov/dep)

**PHILIP D. MURPHY**

*Governor*

**TAHESHA L. WAY**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

June 4, 2024

### **By Electronic Mail**

Mayor Stephen Dalina  
Township of Monroe, Middlesex County  
1 Municipal Plaza  
Monroe, NJ 08831  
[sdalina@monroetwp.com](mailto:sdalina@monroetwp.com)

RE: Resident Odor Complaints

Mayor Dalina,

I write in response to your letter dated February 12, 2024, which expresses concern from several Monroe residents regarding their experience with odors in the vicinity of the BFI/Republic Landfill (Monroe Township Landfill).

The New Jersey Department of Environmental Protection ("Department" or "NJDEP") has a long history at this facility, as outlined on the following webpage: <https://dep.nj.gov/monroe-landfill/>. In 1993, a Record of Decision document was issued by the Department with United States Environmental Protection Agency concurrence. This Record of Decision determined the constructed clay and soil caps over the landfill are functioning properly and the only additional actions needed were monitoring and maintenance. Monitoring and maintenance have been conducted by BFI in accordance with the Record of Decision.

On May 13, 2021, Department staff from Emergency Response, Water & Air Enforcement, Site Remediation, and Water Supply programs performed an onsite investigation at the landfill. An odor survey was performed on site, which detected odors at a location immediately above a permitted underground leachate storage tank and adjacent to a tanker truck that was receiving leachate for removal from the site. These odors did not result in an actionable violation since they did not meet the regulatory criteria for a violation, based on character, severity, frequency and duration of the odor. In an effort to determine if odors were impacting the nearby residents, the Department also conducted an off-site investigation. At the time, no odors were detected from the storm drains in the neighborhood or any other location within the neighborhood.

The Department has received five odor complaints in 2024 through the NJDEP Hotline but could not verify odors of a quantity and duration that were unreasonably interfering with the enjoyment of life or property. Although NJDEP has been unable to verify an odor complaint, the NJDEP Contaminated Site Remediation & Redevelopment Program is proactively working with BFI and Township staff to identify potential sources of odors associated with the landfill. When odor complaints are received, BFI sends a representative to the landfill to investigate potential sources of odors. Actions taken by BFI to address potential odors have been the placement of heavy mats over manholes to cover gaps where odors may emanate, and the installation of a carbon filter on the hose that vents the underground storage tank.

Resident complaints regarding odors and smells should be reported to the NJDEP Hotline at 1-877-WARNDEP/1-877-927-6337 for further investigation. Please see the enclosed NJDEP Odor Fact Sheet for additional information. After receiving a complaint, an investigation must be performed, and the investigator must verify the odor on the complainant's property with the complainant and concur that the odor "unreasonably interfered with the enjoyment of life or property" before issuing an enforcement action. In making this determination, the Department considers the character, severity, frequency and duration of the odor and the number of persons affected thereby. Please note that the use of a monitoring device is not necessary to verify an odor complaint. Not all odor complaints result in violations.

The Department treats odor complaints seriously and, if verified, the Department will take appropriate enforcement action to prevent continued violations. If you have any additional questions or concerns, please do not hesitate to reach out to the Office of Enforcement Policy at (609) 913-6700.

Sincerely yours,



Kimberly A. Cahall  
Chief Enforcement Officer

Encl: NJDEP Odor Fact Sheet

cc: Kevin J. McGowan, Assistant Business Administrator, Township of Monroe  
Megan Brunatti, DEP, Chief of Staff  
Kandyce Perry, DEP, Director, Office of Environmental Justice  
Richelle Wormley, DEP, Director, Division of Air Enforcement  
Gwen Zervas, Director, DEP, Division of Remediation Management  
Keiona Miller, DEP Office of Local Government Assistance

