



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

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SHAWN M. LATOURETTE

Commissioner

July 20, 2021

Mayor Stephen Dalina
Township of Monroe
1 Municipal Plaza
Monroe Township, NJ 08831

RE: Monroe Township Landfill Superfund Site

Dear Mayor Dalina:

As we have regularly discussed, my colleagues and I at the Department of Environmental Protection (DEP) share your commitment to protecting the health, safety, and quality of life of Monroe Township's residents. The continued partnership of Township officials is both necessary and appreciated as we all work together to assess odor concerns in the Inwood Estates neighborhood and ensure that the long-term maintenance and operation of the Township's closed landfill remains protective of human health and the environment.

In response to the issues raised in your email of July 13, 2021, the DEP offers the following:

Information Sharing. To provide up-to-date information on the status of regulated activities pertaining to the Landfill, the DEP has established a dedicated microsite where we will provide regular updates and share relevant information with the Township and the public. Please feel free to cross-reference this link on the Township's website: <https://nj.gov/dep/monroe-landfill/>.

Indoor and Ambient (Outdoor) Air Sampling. As you know, on June 21, 2021, the DEP was made aware of indoor air sampling that was conducted within the residence at [REDACTED] on June 3, 2021 by a third-party contractor retained by the homeowner. Unfortunately, the contractor did not properly conduct the sampling and mischaracterized and miscommunicated the results. To address these unfortunate circumstances and the concern it caused residents, using public funds, the DEP took the unusual step of conducting an extensive vapor intrusion investigation at [REDACTED] on July 1-2, 2021 to evaluate indoor air, sub-slab vapors and ambient (outdoor) air.

No contaminants were detected in the indoor air above the applicable Indoor Air Remediation Standards or Sub-slab Screening Levels at [REDACTED], indicating that vapor intrusion is not occurring at this residence.

One ambient air sample collected along the western fence line at [REDACTED], which is coincident with the location of a Township storm (not sanitary) sewer line, did reveal the presence of some contaminants in outdoor air. To further evaluate the accuracy of this result, supplemental sampling is necessary. The DEP has arranged to duplicate and supplement the original sampling with additional ambient (outdoor) samples over a 72-hour period beginning July 20, 2021. When complete, the full results of this investigation will be shared.

Please note that, as a matter policy, DEP does not share the specific indoor air results of individual homeowners with the public. However, should subsequent sampling confirm contamination in the ambient (outdoor) air, those specific results will be made public.

Leachate Reintroduction. Leachate has historically been conveyed, without pretreatment, from the Landfill to a publicly owned treatment works (POTW) through the Township's sanitary sewer system. Following initial odor reports in late summer 2020, landfill operator BFI Waste Systems of New Jersey, Inc. (BFI) suspended this conveyance while the odors were investigated. In the interim, BFI has removed and continues to remove leachate by tanker truck.

Between September 2020 and May 2021, BFI, Township, and DEP professionals coordinated a series of on-site evaluations, technical reviews, and discussions as part of what DEP understood to be a mutually agreeable process for identifying the conditions under which leachate could, if technically appropriate, be reintroduced into the Township's sanitary sewer. This coordinated process resulted in improvements to the Landfill leachate system and BFI's submission of a Leachate Reintroduction Plan (Plan) to DEP on May 14, 2021.

In early June 2021, the Township registered its objection to the reintroduction of leachate into its sanitary sewer system and DEP convened several meetings to discuss the Township's position. While the Township has not submitted any technical comments on the Plan to date, DEP now understands the Township to be resolute in its objection to leachate reintroduction and understands that the Township is seeking to finance and construct a separate force main for the purpose of the leachate conveyance.

As explained in the July 19, 2021 DEP letter to BFI concluding regulatory review of the May 14, 2021 Plan, DEP understands leachate conveyance via the Township's sanitary sewer system to be a contractual matter between the Township and BFI as parties responsible for the ownership and operation of the Landfill. As you and I have discussed at length on multiple occasions, each of the leachate disposal methods at issue here (reintroduction to the sanitary sewer, trucking for off-site disposal, or dedicated force main) could, if executed properly, be protective of human health and the environment and therefore consistent with DEP's regulatory requirements. The DEP expresses no position or opinion with respect to the dispute between the Township and BFI concerning the preferred method for leachate disposal.

While reintroduction as proposed in the Plan is technically acceptable pursuant to the July 19, 2021 DEP approval letter, it is incumbent upon the Township and BFI to coordinate and advise the DEP of the outcome of their engagement with respect to leachate disposal.



Township Storm Sewer Line Inspection. Ambient air sampling coincident with the Township's storm sewer line in the vicinity of Lori Street, continued reports of odor detections in this area, and other lines of evidence prompted the DEP to recently request that the Township perform a camera survey of certain of its storm sewer lines. This inspection would contribute to what is expected to be a cooperative effort between the Township, BFI, and the DEP to identify the source(s) of the reported odors and to determine whether the reported odors are attributable to the Landfill.

To aid in this cooperative investigation, the requested survey must be completed as soon as possible. The DEP invites a meeting with the Township and its professionals to help guide the survey work. We ask that the Township or its professionals organize this meeting through Section Chief Gwen Zervas at (609) 633-7261 or via email to Gwen.Zervas@dep.nj.gov.

Conclusion

As I know Township officials appreciate, the protection of our environment and public health is DEP's number one priority. We are committed to ensuring that your residents' concerns are thoroughly evaluated, and that all next steps meet DEP's protective requirements. Of course, while DEP will continue to review all measures in place at the Landfill to ensure protectiveness, resolving resident concerns also requires steady cooperation and coordination between the Township and BFI as the parties responsible for the Landfill.

I thank you for your partnership and your advocacy for your residents, and I look forward to our continued work together to protect New Jersey's environment and public health.

Sincerely,



Shawn M. LaTourette
Commissioner

Enclosures



From: Stephen Dalina <sdalina@monroetwp.com>
Sent: Tuesday, July 13, 2021 12:07 PM
To: LaTourette, Shawn [DEP]
Subject: [EXTERNAL] BFI Landfill update

Commissioner LaTourette,

As a follow up to our recent discussions I wanted to document and summarize my concerns and action plan. As you are aware, late Friday afternoon, Ms. Gwen Zervas of your Department advised Monroe Township Utility Department Director, Mr. Joe Stroin, to conduct a camera survey of the Township's storm water lines adjacent to the BFI/Republic Landfill. As you are also aware, this request came about as a result of your Department performing an air quality test at a residence near the Landfill. According to those with knowledge of the testing, your Department has confirmed the presence of certain chemical compounds in the ambient air that are of concern. It is imperative that you be transparent and provide the full results of that testing to me and my residents, so that we know what was found, and if it is similar to compounds found in leachate.

As a point of information and concern, there is a storm water catch basin near the residence where air samples were taken. The results of the air test, coupled with the fact that this catch basin is nearby, has led your Department to want to investigate whether or not leachate or other matter from the BFI/Republic Landfill is somehow utilizing the Township's storm water system as a preferential pathway into the neighborhood. As we all know, leachate should never enter a storm sewer.

This, Commissioner, is of great concern to me. Over the last several months I have expressed to you my concern for the health of my residents. I have also discussed the steps I wanted to take and will take to systematically address those concerns and develop short- and long-term solutions. I respectfully request that you join me in my efforts so that the health of my residents is protected.

Specifically, I alert you of the following:

- 1) There will be no more discussion at all regarding the re-entry of leachate into the municipal sanitary sewer system. As I have mentioned numerous times to you, DEP staff and the residents, I will not allow the leachate into our sanitary sewer system until the dedicated force main is constructed. The Township will be building the force main, and any further talk of re-entry distracts all of us from discussing other measures that should be undertaken.
- 2) From this point forward, any discussions, zoom meetings or in person meetings regarding the BFI/Republic Landfill should only occur if they include my engineering experts, my lawyers, my staff and any other subject matter experts that I choose to involve including but not limited to representatives from the Middlesex County Health Department as well as the Middlesex County Utility Authority.
- 3) Any camera surveys of our storm water system will be done in accordance with the recommendations and prioritization of my engineering experts in consultation with your staff. It is our belief that by prioritizing the areas to be surveyed, we will be able to ascertain and analyze data in a more efficient and expeditious manner.

- 4) DEP needs to install ground water monitoring wells at strategic locations around the Landfill to determine whether there is offsite migration of leachate. If there is, the DEP must move expeditiously to determine if the migration is a result of a breach in the clay wall, inefficiency the hydraulic control induced by the existing leachate collection and conveyance system, and/or waste that was not contained within the containment system.
- 5) Tanker trucks continue to disregard speed limits and are failing to follow the direct path from the Landfill to the nearest accessible County Road. The Township will increase enforcement of truck violations through Inwood Estates.

I feel we need to work collaboratively and expeditiously. Unfortunately, since the beginning of the issues, your Department has spent way too much time focused on the reintroduction of leachate into the Township's sanitary sewer system. It has spent way too much time trying to convince the residents and me that a force main is not necessary. It has spent way too much time trying to downplay the work of my experts and the concerns that they and the residents have expressed over the last few months that your Department is just now acknowledging. It has spent way too much time trying to convince the residents, without the introduction of up-to-date testing, monitoring, sampling, or data collection that all is fine at the BFI/Republic Landfill and that they should not feel that their health and safety is at risk. We need to provide the citizens of Monroe up to date information and an action plan. Monroe Township is moving forward for the sake of our residents.

Commissioner, I want to trust that the assertions previously made by DEP that all is well and safe at the landfill are accurate. However, we have reached the point where that trust will only be earned when you can show me the science that proves and guarantees that assertion.

I look forward to continuing to work with you to ensure the health and safety of my residents.

Thank you-

Mayor Stephen Dalina
The Township of Monroe



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM
BUREAU OF CASE MANAGEMENT

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July 19, 2021

Mr. Jacob Schmidt
Area Environmental Manager – Northeast
Republic Services, Inc.
1235 Westlakes Dr, Suite 310
Berwyn, Pennsylvania 19312

RE: Monroe Township Landfill Superfund Site
Monroe Twp., Middlesex County, NJ
Leachate Reintroduction Plan

Dear Mr. Schmidt:

As you know, the New Jersey Department of Environmental Protection (DEP) oversees the performance of certain regulated activities at the former Monroe Township Landfill Superfund Site (Landfill), including operation and maintenance of the Landfill's leachate collection system maintained by BFI Waste Systems of New Jersey, Inc. (BFI).

By way of background, the 1993 Superfund Record of Decision governing remediation of the Landfill required, among other things, "the construction and operation of a leachate collection and storage system which discharges to a Publicly Owned Treatment works (POTW)." Since construction of this collection system, leachate generated by the Landfill has not been of a character that requires pretreatment, and leachate has been directed to and treated by the Middlesex County Sewage Authority. BFI has conveyed the leachate to the POTW through a sanitary sewer system owned and operated by Monroe Township (Township) pursuant to private agreements between the two parties responsible for the historic operations of the Landfill.

As BFI is aware, in the late summer of 2020, residents in the Inwood Estates neighborhood of Monroe Township reported odors that they believed to be emanating from the Landfill. BFI, the Township and DEP have since been engaged in an investigation of these odors. DEP required BFI to examine whether the discharge of leachate through the sanitary sewer was a source of the reported odors and whether BFI could provide assurances that reintroduction of leachate to the sanitary sewer, with appropriate monitoring, could avoid the occurrence of future odors.

As an interim measure pending investigation, BFI agreed to temporarily suspend the routine conveyance of leachate through the Township's sanitary sewer system. Leachate has been removed from the Landfill by tanker trucks for off-site disposal.

Following several months of coordinated on-site evaluation and technical review by BFI, Township, and DEP professionals, BFI formally submitted a Leachate Reintroduction Plan (Plan) for DEP review and approval on May 14, 2021. The Plan describes the efforts undertaken by BFI to determine the cause of the odors reported by residents, explains engineering and monitoring improvements that BFI has made to Landfill systems to facilitate improved control of the leachate discharge, and other efforts that support BFI's proposal for reintroduction of leachate to the sanitary sewer system.

Based on a review of available data at the times the odors were reported, BFI submits that the odors reported in August and September 2020 were caused by pressure related impacts within the sanitary sewer line. To avoid undue pressure upon reintroduction of leachate, BFI has undertaken the following, with input and oversight from the Township, DEP, USEPA, and their professionals:

- evaluated the sewer line to ensure there is adequate capacity for leachate;
- installed a variable frequency drive to allow for variable discharge rates of leachate;
- installed pressure transducers; and,
- installed remote access equipment to enable remote reduction in leachate flow rates or cessation of flow in the event pressure issues arise.

Additionally, BFI has proposed to discharge leachate at 45 gallons per minute (gpm) to ensure an unacceptable pressure would not be an issue in the sewer line. BFI conducted a clean water test at the proposed 45 gpm flow rate, and at higher flow rates, which demonstrated that there was no unacceptable pressure. Considering the foregoing, the Plan is hereby deemed technically acceptable.

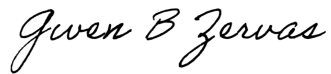
While Township professionals have been engaged in the review and formulation of BFI's actions and proposed reintroduction, to date, DEP has not received any technical comments from the Township with respect to the Plan. However, the Township has informed DEP, as recently as July 13, 2021, that it will not allow BFI to reintroduce leachate into its sanitary sewer system, and that Township instead favors a dedicate force main to convey leachate from the Landfill.

As explained, DEP understands leachate conveyance via the Township's sanitary sewer system to be a contractual matter between the Township and BFI as parties responsible for the ownership and operation of the Landfill. While DEP notes that each leachate disposal method (reintroduction to the sanitary sewer, trucking for off-site disposal, or dedicated force main) could each, in principle, be consistent with the ROD and protective of human health and the environment, the DEP expresses no position or opinion with respect to the dispute between the parties. While reintroduction as proposed in the Plan is an approved method, BFI must coordinate with the Township and the parties must advise the DEP of the outcome of their engagement with respect to leachate disposal.



Should you have any questions or concerns with respect to this approval, please do not hesitate to contact me at via email at gwen.zervas@dep.nj.gov.

Sincerely,



Gwen B. Zervas, P.E.
Section Chief

c: Joseph Stroin, Director, Monroe Township Utility Department

