



State of New Jersey



PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Site Remediation and Waste Management Program
401 East State Street
P.O. Box 420, Mail Code 401-06
Trenton, NJ 08625-0420
Tel: (609) 292-1250
Fax: (609) 777-1914

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

December 3, 2018

Mayor John Roth
475 Corporate Drive
Mahwah, NJ 07430

Dear Mayor Roth and Town Council Members:

The New Jersey Department of Environmental Protection (DEP) is in receipt of your October 1, 2018 letter regarding proposed sampling of the waters and the sediment within Pleasant Brook. While this matter was resolved in coordination with Kevin Boswell, Township Engineer, DEP appreciates the opportunity to provide you and concerned residents with information regarding the Apple Ridge Golf Course Development cleanup and DEP's Licensed Site Remediation Professional (LSRP) Program.

The contamination identified at the Apple Ridge Golf Course Development Site was associated with the legal application of historically applied pesticides at the golf course, formerly an apple orchard. Historically applied pesticides refers to chemicals that have been used and are no longer used for pest control. In this case, arsenic was the primary contaminant of concern.

The remediating party, Apple Ridge Mahwah, LLC., hired a licensed site remediation professional (LSRP) to conduct the remediation. Pursuant to the Site Remediation Reform Act, LSRPs have responsibility for oversight of environmental investigation and cleanups. The LSRP's highest priority is protection of public health and safety and the environment and must follow all applicable regulation and pertinent guidance and apply professional judgement where appropriate. For more information regarding the LSRP program, please see the attached fact sheet.

In this case, the LSRP removed the most heavily contaminated historically applied pesticide containing soil at this site. Blending of HAP contaminated soil at former agricultural properties, as well as former golf courses, has been and will continue to be, an appropriate remedy as outlined in the Historically Applied Pesticide Site Technical Guidance document. Over 1,100 environmental samples were collected at the site in accordance with DEP guidance and, based on the results, an entire site, unrestricted Response Action Outcome (RAO) was issued on January 30, 2018.

The LSRP and a representative from Apple Ridge Mahwah, LLC., certified all key documents submitted to the DEP concerning the remediation of the identified contaminants as true, accurate and complete. Copies of all submitted documents can be requested through the Office of Record Access at <https://www.nj.gov/dep/opra/>.

Upon receipt of the certified key documents, the DEP inspected the documents and reviewed pertinent components of the documents to ensure the LSRP adhered to applicable regulation and applied appropriate technical guidance. Upon completion of the inspection and review process, the DEP determined that the remediation conducted, and the RAO issued, were protective of public health and safety and the environment. As such, the remediation associated with the Apple Ridge Golf Course was considered complete.

The DEP is aware that the Upper Saddle River Borough collected samples per the request of some residents to try to alleviate their concerns. The sampling locations for the sampling event that occurred on October 16, 2018 were acceptable. The concentrations of arsenic detected in both the filtered and unfiltered samples are well below the Surface Water Quality Standards Freshwater Aquatic Chronic number of 150 parts per billion. Although it is inappropriate to compare the surface water sampling results to the New Jersey Drinking Water Standards, the results are also below those much more conservative standards. These results are believed to be representative of naturally occurring arsenic in native soil and not indicative of arsenic associated with historically applied pesticide use. The difference between the arsenic concentrations detected in the filtered and unfiltered samples is associated with suspended soil particles (turbidity) in the water sample. Controlling the surface water turbidity can be accomplished with improved soil conservation and construction practices, not through any action associated with the implemented remedial action.

Also, two additional rounds of samples were collected on October 29, 2018 and November 12, 2018. These samples were collected after rain events to capture a worst-case scenario. The results are consistent with the previous sampling event and are all well below the Surface Water Quality Standards Freshwater Aquatic Chronic number of 150 parts per billion.

It should also be noted the sampling results confirm DEP's determination that the historically applied pesticides at the Apple Ridge Golf Course have been satisfactorily remediated and the final remediation document issued by the LSRP is protective. Consequently, DEP's Site Remediation and Waste Management Program considers this case to be closed.

For more information regarding sampling your potable wells for arsenic, please contact your local or county health department. For more information regarding the sampling conducted by Upper Saddle River Borough mentioned above, please contact Kevin Boswell at kboswell@boswellengineering.com. For soil erosion questions, please contact the Department of Agriculture or the Bergen Soil Conservation District.

Thank you for your continued cooperation. If you have questions regarding this correspondence, please call my office at (609) 292-1250.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Pedersen", written over a vertical line that extends from the signature down to the typed name below.

Mark J. Pedersen
Assistant Commissioner
Site Remediation and Waste Management Program

Cc: Assemblywoman Holly T. Schepisi
Mayor Joanne Minichetti, Upper Saddle River
Lloyd Naideck, DEP Office of Government Affairs
Kerry Kirk Pflugh, DEP Local Government Assistance
Richelle Wormley, DEP Compliance & Enforcement
Brendon Shank, DEP Communications
Lynne Mitchell, DEP Bureau of Remedial Action Permitting