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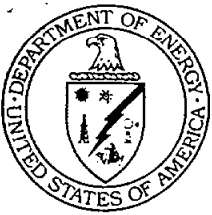
Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy



Department of Energy

Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831— 8723

April 15, 1996

Ms. Angela Carpenter, Project Manager
U.S. Environmental Protection Agency
Region II
290 Broadway 18th Floor
New York, New York 10007-1866

Dear Ms. Carpenter:

MAYWOOD SITE - FFA PERMIT NOTIFICATION

Pursuant to Section 18 entitled "Permits" of the Federal Facility Agreement (FFA) between the Department of Energy and the federal EPA, this letter is to inform you of any local, state, or federal permits that are applicable to upcoming, on-site soil excavation activities in Lodi, New Jersey, that will not be obtained, as allowed for by Section 121(e) of CERCLA.

First, DOE has agreed to comply with the substantive provisions of Borough of Maywood Ordinance 16-85. This ordinance requires the obtainment of a permit for the transport of soil within the Borough. Because of our CERCLA exemption we will not be obtaining the permit. However, in accordance with the ordinance, vehicles used for the transport of contaminated soil will be covered and sealed to prevent spillage and dust and no contaminated soil or water runoff will be permitted on streets maintained by the Borough.

Second, the following state permits will not be obtained: a soil erosion and sediment control certification from the New Jersey Department of Agriculture for land disturbances in excess of 5,000 square feet; and a stream encroachment permit from the New Jersey Department of Environmental Protection for construction activity in the area of the former Lodi Brook, which now serves primarily as a watercourse for storm water flows.

Representatives of these state agencies have been apprised of the CERCLA 121(e) permitting exemption and have been consulted regarding regulatory requirements. Applicable, substantive provisions of the state's soil erosion and sediment control statute (NJSA 4:24) and stream encroachment regulations (NJAC 7:13) will be complied with during land disturbance activities required by this CERCLA removal action.

Third, no federal application to construct or modify a source under 40 CFR 61, Subpart H, NESHAPs regulations will be submitted to the federal EPA for soil conditioning and related activities at the Maywood site. However, results of air particulate calculations will be provided under separate transmittal to yourself and the EPA Radiation Branch.

Ms. Angela Carpenter

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I also wish to inform you that our work along the I-80 right-of-way will be conducted under a highway use occupancy permit to be issued by the New Jersey Department of Transportation to our remedial action subcontractor, Conti Construction Company. Because of the close proximity of the work to a well-traveled roadway, it was viewed advisable to obtain the required permit. Local building code permits also are anticipated to be obtained for activities at properties which would require underpinning and home reconstruction in future years of Phase I vicinity property cleanups.

Please feel free to contact me at (423) 576-5724 if there is anything further that you need.

Sincerely,



Susan M. Cange, Site Manager
Former Sites Restoration Division

cc: William Rupp, Maywood Borough Attorney
Nick Marton, NJDEP