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September 16, 2022

Attn: Ms. Rupika Ketu
United States Environmental Protection Agency
New Jersey Remediation Branch
290 Broadway, 19th Floor
New York, New York 100007-1866

Re: Rolling Knolls Landfill
35 Britten Road
Chatham Township, Morris County
PI #: G000004411
Activity Number: RPC080001
Document Reviewed: USFWS – *Remedial Alternative Analysis Report* (Dated March 2022)

Dear Ms. Ketu:

The New Jersey Department of Environmental Protection (Department) has completed its review of the above referenced March 2022 Remedial Alternative Analysis (RAA) Report. This document, a copy of which was provided to the Department by the United States Fish and Wildlife Service (USFWS), was prepared by Applied Intellect, LLC (AI) on behalf of the USFWS. The purpose of the RAA is to provide a more detailed analysis of Remedial Alternative 6 being proposed by USFWS for consideration as part of the Draft Feasibility Study (FS) associated with the Rolling Knolls Superfund Site in Chatham Township / Morris County. The RAA included: general design components of the proposed Remedial Alternative 6; an evaluation of Remedial Alternative 6 relative to USEPA National Contingency Plan (NCP) criteria; an assessment of onsite borrow material for use during cap construction at the site as part of this Remedial Alternative 6; and an estimated cost to implement this remedial alternative.

As proposed in the RAA, USFWS's Remedial Alternative 6 would include the removal of all landfill waste from the Great Swamp National Wildlife Refuge (GSNWR) portion of the site (approximately 35 acres) and the relocation of this waste to the 105-acre Miele Trust portion. An engineered cap would then be constructed over all landfilled waste on the Miele Trust portion of the landfill using clay harvested from the GSNWR portion of the site. The depression created as a result of the removal of waste from the GSNWR portion as well as the excavation of the underlying sand, silt and clay to the extent that it is sourced from the same area, is not proposed to be backfilled. The intention is to have this area flood and become an additional surface water feature within the GSNWR portion of the site. In addition, a slurry wall would be constructed along the upgradient and side-gradient boundaries of the Miele Trust portion of the landfill with the intention to prevent horizontal migration of contaminated ground water from the

Miele Trust portion of the site onto the GSNWR. The RAA Report further concluded that the proposed Remedial Alternative 6 meets USEPA's NCP criteria, is more effective at addressing ongoing contaminant migration to ground water and plume migration than other proposed remedial alternatives; would reduce truck traffic to/from the site during remedy implementation; and is comparable in cost to Remedial Alternative 5 (I.e. capping of all landfilled materials) as discussed in the Draft FS.

This review was conducted in accordance with Departmental regulations and guidance, and assumes all information present in the report is complete and accurate. The following comments are offered for your consideration.

General Comment

Prior to this proposal, the Department had determined that only Remedial Alternative 5 (capping of all landfilled materials) would address both the waste and the identified soil contamination in accordance with the Department's Solid Waste Regulations (N.J.A.C. 7:26) and landfill closure requirements. While Remedial Alternative 6 appears to also meet those requirements; the details necessary to make such a determination were missing from the RAA report. The specific comments listed below identify the main data gaps in this regard. If the data gaps can be addressed and demonstrate that Remedial Alternative 6 is a viable remedial strategy, it should be included as a remedial alternative in the Final FS for the Rolling Knolls landfill.

Specific Comments

1. To date, no chemical-specific sampling and analysis has been conducted on the proposed onsite borrow clay to determine if it is suitable for use as cap material. The movement of borrowed material from the GSNWR to the 105-acre Miele Trust portion of the landfill for use as the cap must follow the Department's regulations and guidance. The borrowed material must be sampled and analyzed in accordance with the Department's *Fill Material Guidance for SRP Sites* to ensure that it the meets all criteria for its intended use.

2. As was relayed to EPA in previous correspondence, the Rolling Knolls Landfill is subject to the Department's Solid Waste Regulations and Landfill Closure Requirements, which include the submittal of a detailed landfill closure plan that must be reviewed and approved by the Department prior to implementation. The detail provided in the RAA report is not equivalent to a landfill closure plan and is therefore not sufficient to determine whether the proposed Remedial Alternative 6 meets Departmental requirements. If Remedial Alternative 6 is the selected remedy it must follow Departmental regulations and guidance for landfill closures and capping, including but not limited to, the Solid Waste Regulations (N.J.A.C. 7:26), the Technical Requirements for Site Remediation (N.J.A.C. 7:26E), and the Department's *Technical Guidance on the Capping of Sites Undergoing Remediation.*

3. The slurry wall included in Remedial Alternative 6 is proposed to be constructed along the upgradient and side gradient boundaries of the Miele Trust portion of the landfill, leaving the southern portion leading into the GSNWR without a slurry wall barrier. Please note that more detailed hydrogeologic modeling, as well as the collection of additional data is necessary in order to evaluate how the hydrogeologic conditions currently associated with the landfill would change if the proposed slurry wall was installed; how the proposed slurry wall would hydraulically impact areas outside of the

landfill boundaries; and what impacts the hydrogeologic changes associated with the installation of the slurry wall would have on the surrounding ecosystems.

4. According to the RAA report, the surface depression that would be created as a result of the proposed excavation and removal of both landfill waste and the underlying sand, silt and clay from the GSNWR, will not be backfilled. The intent is to have this depression flood and become an additional surface water feature in the GSNWR. While a new environment supportive of ecological receptors would be created under this plan, remediation involving this approach would also be subject to the Department's Land Use regulations including, but not limited to, the Freshwater Wetlands Protection Act Rule (N.J.A.C. 7:7A) and Flood Hazard Area Control Act Rule (N.J.A.C. 7:13).

   As discussed in Comment 3, above, the construction of the proposed slurry wall would also need to be assessed in regard to what the potential ground water impacts would be to the surrounding ecosystem, including any newly created surface water feature and adjacent wetlands. If Remedial Alternative 6 is determined to be a viable option, details of that plan would also need to be reviewed by the Department's Watershed and Land Management Program.

5. The RAA states that dewatering costs were not discussed in this report or included in the cost estimate for Remedial Alternative 6, for the sake of consistency since none of the other remedial alternatives in the Draft FS included such information. However, the Department notes that dewatering is not a significant component of any of the other alternatives that were included in the Draft FS. The Department is of the opinion that dewatering will be an important and critical aspect of successful implementation of Remedial Alternative 6 and may well result in significant costs and effort in order to successfully accomplish the removal and relocation of waste material from the GSNWR portion of the site as well as the harvesting of sand, silt and clay for use as grading and capping material for the entire Miele Trust portion of the landfill. For this reason, the costs and logistics of dewatering the 35-acre portion of the GSNWR portion of the site to access and excavate both the waste and the underlying native material for use in constructing the proposed cap, should be included / discussed when presenting this approach as a viable remedial alternative.

Please incorporate the above comments into your response to the USFWS's RAA Report. If you have any questions concerning this correspondence, contact Jill McKenzie of the Bureau of Case Management at (609) 292-1993 or, via email, at Jill.McKenzie@dep.nj.gov

Nothing in this correspondence affects your potential liability and obligations to the State Trustee, the Department or its Commissioner regarding natural resource injuries or damages.

Sincerely,

Jill McKenzie
Bureau of Case Management

cc: Jill McKenzie, BCM
Erica Snyder, BEERA
Michael Russo, BGWPA