

Mr. Gary Mahan
Millington Quarry, Inc.
P.O. Box 367
Millington, NJ 07946

57 Fourth Street, Somerville, NJ 08876-3235
(908) 218-0066 • www.jmsorge.com

December 13, 2018

RECEIVED

Re: Response Action Outcome

DEC 18 2018

Remedial Action Type: *Restricted Use with Permit Requirements*

**TWP. OF BERNARDS
MUNICIPAL CLERK**

Scope of Remediation: *Entire Site*

Case Name: Millington Quarry, Inc.

Address: 135 Stone House Road

Municipality: Bernards Township

County: Somerset

Block: 6001 Lot: 6

Preferred ID: 005602

Communication Center # 87-12-23-1043, 88-08-24-1502, 94-09-13-1833-13,

09-09-08-1525-51, 09-05-01-1130-55, 10-12-21-1436-26 and 17-09-26-1203-56

Dear Mr. Mahan:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the site specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Preliminary Assessment, Site Investigation, Remedial Investigation and Remedial Action as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E),

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome **Restricted Use RAO**: and applicable permit .

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, **Millington Quarry, Inc.** and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice - Case Assignment Section
P.O. Box 434
Trenton, N.J. 08625-0434

Any such name or address change may also trigger a transfer or modification of the remedial action permit pursuant to N.J.A.C. 7:26C-7.11 and 7.12.

Based on my professional opinion you have obtained all applicable permit(s) and authorization(s) to ensure this remedial action remains protective of public health, safety and the environment into the future provided that you, and any other persons responsible for conducting remediation, remain in full compliance with the terms and conditions of those permit(s) and authorization(s). The designated remedial action permit number(s) is Permit Number RAP180001 effective December 10, 2018.

NOTICES

Well Decommissioning

Pursuant to N.J.A.C. 7:9D-3, all wells installed as part of this remediation have been properly decommissioned by a New Jersey licensed well driller of the proper class in accordance with the procedures set forth in N.J.A.C. 7:9D and I have verified that the well driller's well decommissioning report has been submitted to the Bureau of Water Allocation and Well Permitting.

Building Interiors Not Addressed (Non-Child Care)

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains.

Regional Natural Background Levels of Materials in Soil

Please be advised that concentrations of vanadium and arsenic were detected in the soil at this site above the Department's Residential Direct Contact Remediation Standards. However, these concentrations are associated with natural background levels of these material(s) in the soil. Pursuant to N.J.S.A. 58:10B, remediation beyond natural background levels is not required.

Naturally Occurring Levels of Constituents in Ground Water

Please be advised that concentrations of arsenic were detected in the ground water at this site above the Department's Ground Water Remediation Standards (N.J.A.C. 7:26D-2). However, these concentrations are associated with naturally occurring levels of these constituent(s) in the ground water. Pursuant to N.J.S.A. 58:10B, remediation beyond naturally occurring levels is not required. Development or redevelopment on this site should take into consideration the potential for exposure to constituents that exceed the Ground Water Quality Standards (N.J.A.C. 7:9C).

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (908-218-0066).

Sincerely,



Mr. Joseph Sorge, Principal
Licensed Site Remediation Professional
#573511

- c: Ms. Lucy A. Forgione, MCHES Bernards Township Health Department
Paul Masaba, Health Officer, Somerset County Department of Health
Mayor John Carpenter, Bernards Township
Ms. Denise Szabo, Municipal Clerk, Bernards Township
Township Committee, Bernards Township
NJDEP Bureau of Case Assignment and Initial Notice