

CHANGES TO NJDEP'S SOIL REMEDIATION STANDARDS: IMPORTANT OPPORTUNITIES AND CHALLENGES TO EVALUATE – OCTOBER 2017

The Remediation Standards (N.J.A.C. 7:26D) can be updated and promulgated by the New Jersey Department of Environmental Protection (NJDEP) when the United States Environmental Protection Agency revises the carcinogenic slope factor or reference dose data contained in the Integrated Risk Information System (IRIS) database. On September 18, 2017, NJDEP provided notice that it updated the soil remedial standards for 19 constituents.

Seven of the 19 constituents are polycyclic aromatic hydrocarbons (PAHs):

- Benzo(a)anthracene
- Benzo(a)pyrene
- Benzo(b)fluoranthene
- Benzo(k)fluoranthene
- Chrysene
- Dibenz(a,h)anthracene
- Indeno(1,2,3-cd)pyrene

The updated standards for these seven constituents are less stringent than those set prior to September 18, 2017.

The standards for the following were changed to more stringent standards:

- 1,1-biphenyl (a non-polycyclic aromatic hydrocarbon)
- Hexachloroethane
- Nitrobenzene
- Pentachlorophenol
- Trichloroethene
- Cyanide

The standards for the following four volatile organic compounds were changed to a less stringent standard:

- Carbon tetrachloride
- Methylene chloride
- Tetrachloroethene
- 1,1,1-trichloroethane

The financial and economic impact of these changes and the possibility that closed sites may need to be re-evaluated for environmental compliance are important issues to consider for regulated parties. For example, PAH compounds often occur at urban sites and in historic fill at low levels and may be the sole driver for soil remediation on some sites. Langan is evaluating these sites and finding that there can be opportunities to significantly reduce the extent of required remediation. Also, on sites with existing soil Remedial Action Permits, we are finding opportunities to completely eliminate the need for engineering controls and, in some cases, deed notices.

On the other hand, standards for cyanide and 1,1-biphenyl are at least one order-of-magnitude more stringent and are subject to a regulatory re-opener if the current remedial measures are not deemed protective of human health and the environment.

If you have questions or would like to know about how these changes impact you, please contact your Langan Project Manager or:

Robert Koto, PG, LSRP, Principal
bkoto@langan.com | 973.560.4566

Brian Blum, CPG, LSRP, Senior Associate
bblum@langan.com | 973.560.4985