

NPL. In accordance with 40 CFR 300.425 (e)(1)(i)-(iii), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA, in consultation with NJDEP, will consider whether any of the following criteria has been met:

- (i) Responsible or other persons have implemented all appropriate response actions required; or
- (ii) All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or
- (iii) The remedial investigation has shown that the release poses no significant threat to public health or to the environment and, therefore, taking remedial measures is not appropriate.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such actions. Section 300.425(e)(3) of the NCP states: "All releases deleted from the NPL are eligible for further Fund-financed remedial actions should future conditions warrant such action. Whenever there is a significant release from a site deleted from the NPL, the site shall be restored to the NPL without application of the HRS [Hazard Ranking System]."

III. Deletion Procedures

The NCP provides that EPA shall not delete a site from the NPL until the State in which the release was located has concurred, and the public has been afforded an opportunity to comment on the proposed deletion. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts. The NPL is designed primarily for information purposes and to assist Agency management.

EPA Region II will accept and evaluate public comments before making a final decision to delete this site. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be most pertinent to deletion decisions. The following procedures were used for the intended deletion of the Jackson Township Landfill Site:

1. EPA Region II has recommended deletion and has prepared the relevant documents.
2. The NJDEP has concurred with the deletion decision.
3. Concurrent with the Notice of Intent to Delete, a notice has been published in local newspapers and has been distributed to appropriate federal, state and local officials, and other interested parties.

The comments received during the comment period will be evaluated before any final decision is made. EPA Region II will prepare a Responsiveness Summary, if necessary, which will address the comments received during the public comment period.

If, after consideration of these comments, EPA decides to proceed with the deletion, the EPA Regional Administrator will place a Notice of Deletion in the **Federal Register**. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary, if any, will be made available to local residents by EPA Region II.

IV. Basis for Intended Site Deletion

The following summary provides the Agency's rationale for recommending deletion of the Jackson Township Landfill Site, Ocean County, New Jersey, from the NPL.

The Jackson Township Landfill Site is located off Lakehurst Avenue in Jackson Township, Ocean County, New Jersey. Jackson Township purchased the 135 acre landfill, which is situated in a regional reserve known as the New Jersey Pinelands, in 1972. The property was previously owned and mined by Glidden Corporation. Approximately 20 acres of the property were used for the disposal of various wastes.

In 1977, there were multiple complaints of medical problems associated with the use of area ground water. Subsequently, the NJDEP ordered groundwater analyses to be conducted in the vicinity of the landfill. Based upon the results of these analyses, NJDEP concluded that a segment of the Cohansey aquifer and several domestic wells had been contaminated by hazardous substances disposed of at the Jackson Township Landfill. The NJDEP used Spill Fund monies to provide bottled potable water for residences impacted by the ground water contamination.

In 1978, NJDEP ordered Jackson Township to stop disposing of liquid wastes at the landfill. In 1980, a citizen lawsuit resulted in a municipal water system extension to properties affected or potentially affected by contaminants disposed of at the landfill. The landfill was closed by order of the Superior Court of New Jersey in February 1980.

Sampling of 22 monitoring wells and eight domestic wells was performed in December 1981 and February 1982. Results of this sampling indicated that contaminants were present in ground water at levels only slightly exceeding criteria established for the protection of ground water. In April and December of 1982, the NJDEP sampled seventeen

shallow and deep monitoring wells at and in the vicinity of the landfill. Organic compounds were only detected above method detection limits in one well, and inorganics rarely exceeded established criteria during this sampling event. Additional ground water sampling conducted in 1985 revealed similar results.

In December 1982, the Jackson Township Landfill was included on the National Priorities List of Superfund sites.

In 1988, the NJDEP and Jackson Township reached an agreement, known as the Judicial Consent Order (JCO), which required Jackson Township to reimburse the NJDEP for Spill Compensation Fund monies spent by the NJDEP. In addition, the JCO required Jackson Township to arrange for and fund the investigation and remediation of the landfill. Throughout 1989 and 1990, a Remedial Investigation (RI) was conducted in which air, surface water, ground water and soil studies were performed.

During performance of the RI, 22 ground water monitoring wells at and around the landfill were sampled. In addition, four surface water and sediment samples were collected in the Ridgeway and Obhanan-Ridgeway Branches, which are both tributaries to the Toms River. No site-related compounds were detected in surface water samples above Federal or State Surface Water Quality Criteria. Similarly, no compounds were detected in sediments above levels of concern developed in the Risk Assessment for the site.

Nine soil borings were also installed at the Jackson Township Landfill during performance of the RI. Contaminants were only detected in soils at low levels. Results of the RI indicate that contaminant levels have continued to decrease due to natural attenuation.

A Risk Assessment was conducted based upon the results of the RI. The Risk Assessment concluded that there is no unacceptable current or potential future risk to public health and the environment associated with the landfill.

The September 27, 1994 Record of Decision (ROD) for the Jackson Township Landfill site selected the No Further Action remedy, because the Risk Assessment has shown that no further action is necessary to protect human health and the environment. Furthermore, the ROD provides for the performance of a review within five (5) years of signing the ROD to ensure that the no further action remedy continues to provide adequate protection of human health and the environment.