



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

BOB MARTIN
Acting Commissioner

KIM GUADAGNO
Lt. Governor

February 5, 2010

Dear Resident of Pompton Lakes,

The New Jersey Department of Environmental Protection (NJDEP) has considered the request by residents to choose their own contractor to install vapor mitigation systems. We agree, and I am pleased to provide the enclosed package which contains information that you need if you choose to select your own contractor to install a sub-slab vapor mitigation system. NJ DEP, the U.S. Environmental Protection Agency (EPA), the New Jersey Department of Health and Senior Services (NJ DHSS) and the Agency for Toxic Substances and Disease Registry (ATSDR) agree that installation of these systems is an essential step to reduce the threat of vapor intrusion from the underlying ground water contamination beneath your home.

DuPont, the entity responsible for conducting the remediation, has contracted with O'Brien and Gere to perform the installation of the sub-slab mitigation systems in the vapor mitigation area under a workplan approved by both the NJ DEP and EPA. Please note that choosing your own contractor is not required and you may still engage with DuPont to install a mitigation system. However, if you choose to select your own contractor, you will be required to enter into a contract with the installer and you will manage the contract during all phases of the work as described in detail below. NJDEP and EPA will continue to review and inspect systems that have been installed and will provide assistance to those who choose their own contractor.

The first step you will need to take towards hiring a contractor for this project will be to identify one that meets the criteria established for this project. To participate in this program you will be required to enter into a contract with one of the following business individuals:

- A Certified Radon Mitigation Business; or
- Licensed Site Remediation Professional with experience in the oversight and installation of sub-slab depressurization systems; or
- Licensed Professional Engineer with experience in the oversight and installation of sub-slab depressurization systems.

A list of Certified Radon Mitigation Businesses is included as Item #1 in this package and can be found at www.nj.gov/dep/rpp/radon/certmit2.htm. A list of Licensed Site Remediation Professionals is also included in Item #1. This list may be subject to change and should be consulted periodically at the following web page:
www.nj.gov/dep/srp/srra/lrsp/temporary_lsrp_list.htm.

Once you have entered into your contract, you and your contractor must submit to the NJDEP and EPA the form in Item #2 of this package. This form documents that you have entered into this program with an appropriate contractor and that the contractor will adhere to the approved Scope of Work (SOW).

Item #3 in this package entitled "Scope of Work - Installation of VI Mitigation Systems, Pompton Lakes, Passaic County", is for you, the homeowner, to provide to an approved contractor of your choosing. This document will provide step-by-step requirements for the contractor to follow when installing a mitigation system. Upgrades to the installation requirements as documented in the NJDEP Vapor Intrusion Guidance Document have been made to this SOW in an effort to match the standards in the DEP and EPA approved workplan. These enhanced requirements from the current Vapor Intrusion Guidance Document are not required state-wide at this time, but are being specifically required in Pompton Lakes.

NJDEP, EPA and DuPont all recognize that, in certain circumstances, the need for an alternative design and installation may be needed. Such circumstances have included property affected by a high water table or the existence of clays in the soil that result in sub-standard communication testing (see Scope of Work, Design requirements). If an alternative plan is required to achieve proper depressurization of the slab, the contractor must communicate with NJDEP prior to finalizing plans for permit approval.

Item #4 is a cost guide for you to present to your contractor along with the Scope of Work. DuPont is prepared to pay for customary and reasonable charges associated with the installation project. This cost guide provides acceptable charges anticipated for each phase of the installation project. Any costs outside the range of acceptable costs will be considered by NJDEP and EPA on a case-by-case basis only. There is no guarantee that costs above those provided in Item #4 will be paid to you and neither NJDEP nor EPA will be held responsible for unapproved costs. Reasonable and acceptable attempts have been made to account for variations in cost for items required for this project as well as life-expectancy expectations for the products being used.

As there are multiple phases to the installation process, NJDEP and EPA have developed an agreed upon payment program for this work to be conducted. DuPont will place appropriate funds into an escrow account to be released by an independent party upon NJDEP or EPA approval of each phase, as identified in the Scope of Work. See Item #4 for details.

If you have any questions about this package, or would like to discuss further, support is available to you by contacting either Mindy Mumford, NJDEP Office of Community Relations at (609) 777-1976 or David Kluesner, EPA Public Affairs Officer at (212) 637-3653.

Future communications and updates regarding this program will also be available shortly via an email list serve. I would strongly recommend you and your contractor sign up for this list serve.

It will be available to you this week at
www.nj.gov/dep/srp/community/sites/dupont_pompton_lakes/

Sincerely,

A handwritten signature in black ink, appearing to read "Irene Kropp", written in a cursive style.

Irene Kropp
Assistant Commissioner
Site Remediation Program

Enclosures