



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOLID AND HAZARDOUS WASTE MANAGEMENT PROGRAM
BUREAU OF LANDFILL & HAZARDOUS WASTE PERMITTING

P.O. BOX 414 401 E STATE STREET

TRENTON, NJ 08625-0414

TELEPHONE: (609) 984-6985 TELECOPIER: (609) 633-9839

<http://www.state.nj.us/dep/dshw>

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

MAR 31 2010

Michael Glaab
1 Springbrook Terrace
Lake Hopatcong, NJ, 07849

RE: US Army-Picatinny Arsenal (PA), Federal Enclave Located in Morris County,
EPA ID No. NJ3210020704, HWP940001

Dear Mr. Glaab:

As a courtesy, please find enclosed a copy of the Bureau of Landfill and Hazardous Waste Permitting's (Bureau) final determination regarding PA's Resource Conservation and Recovery Act (RCRA) Revised Part A permit application for the relocation of interim status (existing) open burning ground.

PA submitted a revised Part A application dated October 27, 2008 to request the Department's approval to relocate the open burning grounds to the 500 Area of PA where PA has constructed a new state-of-the-art facility. The new burning ground will only treat approximately 20% of the waste currently being treated at the existing open burning area, as the balance of the waste will be processed in PA's new incinerator.

The Department determined that PA's proposed continuation of open burning was a deviation from its earlier publicly stated position that open burning would be completely eliminated after the explosive waste incinerator was permitted and operational. Therefore, the Department required PA to hold a public meeting in accordance with RCRA regulations at 40 C.F.R. 124.31 to inform the public of this change. On August 6, 2009, PA held the public meeting at the Hilton Garden Inn, in Rockaway, New Jersey to inform the public of the open burning operations' proposed relocation and continuation at much lower volumes.

Please note, the permitting of PA's relocated open burning operation is a two-step process. The first step was completed with the Bureau's approval of the revised Part A application. The second step will involve the Part B permit application, which is due within six months of the enclosed approval and which will provide detailed technical

information about the hazardous waste unit, process, and any potential impact on human health and the environment. The information will also address the matters of interest as raised and discussed at the August 6, 2009 public meeting. The Part B permit application will be subject to the decision-making procedures as outlined at 40 CFR 124, which include a public hearing and a public comment period.

Should you have any questions regarding this matter, please contact John Scott of my staff at 609-984-2040 or by e-mail at john.scott@dep.state.nj.us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert M. Confer", with a long, sweeping horizontal line extending to the right.

Robert M. Confer, Chief
Bureau of Landfill and
Hazardous Waste Permitting

Doc.: distribution PA OB approval 1
Enclosure: Feb. 05, 2010 letter to Mr. Thomas Solecki
HF09-6818



State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOLID AND HAZARDOUS WASTE MANAGEMENT PROGRAM
BUREAU OF LANDFILL AND HAZARDOUS WASTE PERMITTING

401 EAST STATE STREET
P.O. BOX 414
TRENTON, NEW JERSEY 08625-0414
TEL. # (609) 292-9880
FAX. # (609) 633-9839
www.state.nj.us/dep/dshw/hwtf/

BOB MARTIN
Acting Commissioner

FEB 05 2010

Mr. Thomas Solecki
Chief, Environmental Affairs Division
Installation Management Command, North East Region
Headquarters, United States Army Garrison, Picatinny Arsenal
Environmental Affairs Division, Bldg. 319
Picatinny Arsenal, New Jersey 07806-5000

RE: October 27, 2008, Revised Part A Permit Application for the Moving of the Interim Status (Existing) Open Burning Ground to a Proposed Future Open Burning Ground, U.S. Army - Picatinny Arsenal, Federal Enclave Located in Morris County, EPA ID No. NJ3 210 020 704, HWP940001

Mr. Solecki:

The Bureau of Landfill and Hazardous Waste Permitting (Bureau) is in receipt of your October 31, 2008, letter containing a revised Part A permit application dated October 27, 2008. The application requests moving the interim status (existing) open burning ground to a proposed new location at the 500 Area of Picatinny Arsenal (PA).

Because PA's proposed continuation of open burning is a clear deviation from its earlier publicly stated position that the explosive waste incinerator would completely replace open burning, the Department has found it necessary to have public participation in the open burning application process. Therefore, in accordance with the procedures of 40 C.F.R. 124.31, the Bureau's May 14, 2009, letter required PA to hold a public meeting to inform the public about its application for the continuation of open burning.

PA informed the public of the meeting by publication in the Star-Ledger and Daily Record, a radio announcement on WDHA-FM, a sign posted at the entrance of PA and by letter to persons on the Bureau's mailing list. On August 6, 2009, PA held a public meeting at the Hilton Garden Inn, Rockaway, New Jersey to receive and answer the public's comments on its application to continue open burning.

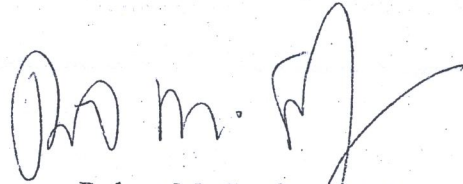
On September 4, 2009, PA submitted proof of the mailing and publication of the meeting including copies of the stamped, dated certified mail envelopes, U.S. Postal Service track

lbs/year potential to emit is $0.006 \mu\text{g}/\text{m}^3$. Multiplying this predicted annual impact by a unit risk of $1.25\text{E}-5 (\mu\text{g}/\text{m}^3)^{-1}$ for lead results in a negligible cancer risk.

Based on the above referenced determinations, the Bureau conditionally approves PA's October 31, 2008, revised Part A permit application for the continuation of open burning provided PA submits a Resource Conservation and Recovery Act (RCRA) Part B permit application for the new open burning grounds within six months of the date of this letter.

Should you have any questions regarding this matter, please contact John Scott of my staff at 609-984-2040 or at john.scott@dep.state.nj.us.

Very truly yours,



Robert M. Confer, Chief
Bureau of Landfill and
Hazardous Waste Permitting

Doc.: Continuation of Open Burning
HF09-6818

C: Nancy Wittenberg, Assistant Commissioner Environmental Regulation

Barry Tornick, EPA Region II

Jennifer Meyer, BLHWP

Joel Leon, BTS

Greg John, BTS

Jeffery Sterling, BHWCE-Northern Region

Robert Mann, BOP