



**State of New Jersey**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Remediation Management & Response  
Northern Bureau of Field Operations  
7 Ridgedale Avenue  
Cedar Knolls, NJ 07927  
973-631-64091

JON S. CORZINE  
Governor

LISA P. JACKSON  
Commissioner

August 8, 2007

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Angelo DiSimone  
Assistant Superintendent for Business /  
Board Secretary  
Ridgewood Board of Education  
49 Cottage Place  
Ridgewood, NJ 07451

Re: Orchard Street School  
Ridgewood / Bergen County

RECEIVED

AUG 10 2007

RIDGEWOOD BOARD OF EDUCATION  
BUSINESS OFFICE

Dear Dr. DiSimone:

The New Jersey Department of Environmental Protection (Department) is charged with responding to the release or threatened release of hazardous substances pursuant to authorities provided under the Spill Compensation and Control Act (N.J.S.A. 58:10-23 et seq.), the Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A-21 et seq.) and the Industrial Site Recovery Act (N.J.S.A. 13:1K-6 et seq.). The Department has documented the presence of soil contamination at the Orchard Street School, Orchard Place, Block 2313, Lot 10, Ridgewood, Bergen County.

In April 1998 the Village of Ridgewood entered into a Memorandum of Agreement (MOA) with the Department to conduct remediation of soils at Orchard Street School with Department oversight. The soils in questions are historic fill associated with the "Ridgewood Ash Landfill," of which Orchard Street School occupies a portion. Consultants for the Village of Ridgewood subsequently delineated soil contamination, and clean soils were emplaced as a cap (engineering control) over portions of the site. As a further remedial requirement, a Deed Notice was to be placed on the capped portion of the Orchard Street School site, which would document the location and concentrations of soil contaminants. The Deed Notice would also require periodic inspection of the cap, and certifications to the Department that the engineering control was continuing to be protective against any potential exposure to soil contaminants.

A draft Deed Notice was received by the Department in 2002. However, the Department has received no further communication from the Village of Ridgewood or their consultant to indicate that a Deed Notice has been filed, or that the required inspections are being conducted. The

Orchard Street School / Ridgewood Ash Landfill site remains an unresolved case on the Department's Comprehensive Site List.

The Division of Remediation Management and Response has been tasked with identifying the responsible parties that are liable for investigation and remediation of contamination at the above referenced site. The Division finds that Ridgewood Board of Education is the owner/operator of the subject property and therefore may have liability in this matter.

A preliminary assessment/site investigation may be necessary to identify and evaluate all areas of environmental concern on the subject property. Please be advised that all investigation and remedial activities must be conducted in accordance with the "Technical Requirements for Site Remediation", N.J.A.C. 7:26E et seq. The Technical Requirements describe the minimum requirements for investigation and remediation of contaminated sites and are available for review on the Department web site at [www.nj.gov/dep/srp/regs/techrule](http://www.nj.gov/dep/srp/regs/techrule). Please be advised that the Ridgewood Board of Education may be required to evaluate nearby receptors that may be impacted as a result of contamination emanating from the site.

**In January 2007, Governor Corzine signed into legislation P.L. 2007 c. 1, which, among other things, imposes restrictions on construction activities at buildings or structures that are to be used for child care or educational purposes if that building or structure is located on a known or suspected contaminated site. Since the subject property is used for "educational purposes", and has been identified as a known or suspected contaminated site, restrictions may be imposed on future construction activities until such time that the Department has approved a remedial action workplan and/or has issued a no further action letter for the entire site.**

A written response indicating your willingness to fulfill your obligations in this matter must be sent to my attention at the below address within thirty (30) calendar days of your receipt of this letter.

NJDEP/Division of Remediation Management and Response  
Northern Bureau of Field Operations  
7 Ridgedale Avenue  
Cedar Knolls, NJ 07927  
ATTN: Dave Oster, Section Chief

Upon receipt of your response letter, the Department will determine which type of oversight mechanism is most appropriate for your case. Should you fail to respond to this letter or decide not to comply with all remedial requirements, the case will be referred to the NJDEP/Division of Remediation Support/Office of Accountability to pursue potential enforcement actions under the above referenced statutory authorities. Failure to respond or to comply with remedial requirements may also result in the case being referred to the NJDEP/Division of Remediation Management and Response to initiate the required remedial activities using public funds. If public funds are expended to conduct remedial actions at the site, the Ridgewood Board of Education may be held liable for up to three times the costs incurred by the Department.

Please contact me at 973-631-6378 if you have questions regarding this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Oster", written over the printed name.

Dave Oster  
Section Chief

c: Office of Accountability  
Fair Lawn Health Dept.  
Ridgewood Municipal Clerk  
Yacoub Yacoub, Bureau Chief, NBFO