



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

DEC 22 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Tate Goss, President
Burlington Neck LLC
1745 Shea Center Drive
Suite 190
Highlands Ranch, CO 80129

Re: Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a), and approval for characterization and verification sampling under 40 CFR §761.61(c)

Dear Mr. Goss:

This is in response to the submission prepared by Tetra Tech EM, Inc. (Tetra Tech), dated June 9, 2006, on behalf of Burlington Neck LLC (Burlington Neck). The submission concerns the proposed remediation plan to address polychlorinated biphenyl (PCB) contamination at the former Hercules Incorporated facility (also referred to as the "Site"), located in Burlington Township, New Jersey. The proposed remediation plan was amended through submittal of additional information in Tetra Tech's correspondence dated October 17, 2006 and November 17, 2006. Collectively, these documents will be referred to as the "Application". The Site contains PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

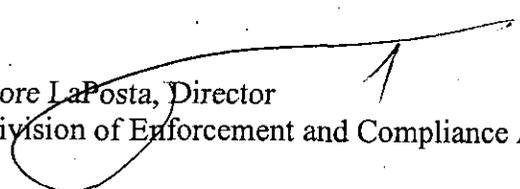
With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed remediation plan meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on the characterization sampling previously conducted at the Site, EPA finds that this sampling is acceptable for delineating areas of PCB remediation waste to be cleaned up. EPA also finds that Tetra Tech's plan for verification sampling is acceptable for purposes of determining compliance with the following PCB cleanup standards for high and low occupancy areas:

- 10 parts per million (high occupancy, with capping and implementation of a deed restriction meeting the requirements of 40 CFR §761.61(a)(7) and (a)(8), respectively);
- 25 parts per million (low occupancy, with implementation of a deed restriction meeting the requirements of 40 CFR §761.61(a)(8)); and
- 100 parts per million (low occupancy, with capping and implementation of a deed restriction meeting the requirements of 40 CFR §761.61(a)(7) and (a)(8), respectively).

EPA is approving Burlington Neck's Application, and it may proceed with the cleanup and disposal under 40 CFR §§761.61(a) and (c) and its Application, subject to this approval.

Should you have any questions concerning this matter, please contact James S. Haklar, Ph.D., P.E., of my staff, at (732) 906-6817.

Sincerely yours,


Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

cc: John Doyon, New Jersey Department of Environmental Protection