



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679

JUL 31 2007

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Peter Mocco
Mr. Jeffery Zak
Liberty Harbor Holding, LLC
345 10th Avenue
Jersey City, New Jersey 07302

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 Messrs. Mocco and Zak:

This is in response to the submission prepared by Brinkerhoff Environmental Services, Inc. (Brinkerhoff) dated March 30, 2007, on behalf of Liberty Harbor Holding, LLC (Liberty Harbor). The submission concerns the proposed remediation plan to address polychlorinated biphenyl (PCB) contamination at the Liberty Harbor North Phase I Section (also referred to as the "Site"), located in Jersey City, New Jersey. The proposed remediation plan was amended through submittal of additional information in Brinkerhoff's correspondence dated June 11, 2007. 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 high and low occupancy areas, where redevelopment of the Site will comply with the respective PCB cleanup standards of 10 parts per million (ppm) and 100 ppm (with implementation of a cap and deed restriction meeting the respective requirements of 40 CFR §761.61(a)(7) and (a)(8)). EPA also finds that Brinkerhoff's plan for verification sampling in areas where PCB remediation waste will be removed from the Site is acceptable for purposes of determining compliance with the 10 ppm PCB cleanup standard for high occupancy areas (with implementation of a cap and deed restriction meeting the requirements cited previously). EPA is approving Liberty Harbor'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,

A handwritten signature in black ink, appearing to read 'D. LaPosta', followed by a long horizontal line extending to the right.

 Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

cc: Jamie Camargo, New Jersey Department of Environmental Protection