TABLE 3-4
ACTION-SPECIFIC ARARs AND TBCs
FEASIBILITY STUDY REPORT
RIVERSIDE INDUSTRIAL PARK SUPERFUND SITE
NEWARK, NEW JERSEY

ARAR/TBC	Regulatory Level	Citation
RCRA Identification and Listing of Hazardous Waste	Federal	40 C.F.R. Part 261.3 and 261.10
RCRA Standards Applicable to Generators of Hazardous Waste	Federal	40 C.F.R. Part 262
RCRA Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities – General Facility Standards	Federal	40 C.F.R. Part 264, Subpart B
RCRA Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities – Preparedness and Prevention	Federal	40 C.F.R. Part 264, Subpart C (Preparedness and Prevention)
RCRA Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities – Contingency Plan and Emergency Procedures	Federal	40 C.F.R. Part 264, Subpart D
New Jersey Technical Requirements for Site Remediation	State	N.J.A.C. 7:26E
New Jersey Uniform Construction Code	State	N.J.A.C. 5:23
New Jersey Hazardous Waste Regulations - Identification and Listing of Hazardous Waste	State	N.J.A.C. 7:26G-5
New Jersey Stormwater Management Rule	State	N.J.A.C. 7:8
New Jersey Soil Erosion and Sediment Control Act	State	N.J.A.C. 2:90, N.J.S.A. 4:24-39, et seq.
New Jersey Noise Control	State	N.J.A.C. 7:29
Hazardous Material Transportation Act, 49 U.S.C. § 1801-1819, Department of Transportation Rules for Transportation of Hazardous Materials	Federal	49 C.F.R. Part 107, 171, 172, 177-179
RCRA Standards Applicable to Transporters of Hazardous Waste	Federal	40 C.F.R. Part 263
TSCA-PCB Waste Disposal Records and Reports	Federal	40 C.F.R. Part 761, Subpart K
New Jersey Transportation of Hazardous Materials	State	N.J.A.C. 16:49

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Brief Description	Applicability
Describes methods for identifying hazardous wastes and lists known hazardous wastes.	Applicable to the identification of hazardous wastes that are generated, treated, stored, or disposed of during remedial activities.
Standards applicable to generators of hazardous wastes.	These standards will be followed if any hazardous wastes are generated onsite.
General hazardous waste facility requirements, including waste analysis, security measures, inspections, and training requirements.	Facilities involved in the remedial activities will be designed, constructed, and operated in accordance with Part 264. All workers will be properly trained.
This regulation outlines the requirements for safety equipment, spill control, and arrangements with local authorities at hazardous waste facilities.	Safety and communication equipment will be installed at the site. Local authorities will be familiarized with the Site.
Requirements for emergency procedures to be used following explosions, fires, etc. at hazardous waste facilities.	Emergency Procedure Plans will be developed and implemented during remedial action. Copies of the plans will be kept onsite.
Provides technical requirements to investigate and remediate contamination at the Site.	The regulation will be applied to any hazardous waste operation during remediation of the site.
Requirements for construction performed during remediation of the Site.	This code will be applied to any construction performed during remediation of the site.
Methods for identifying hazardous wastes and lists known hazardous wastes.	This regulation will be applicable to the identification of hazardous wastes that are generated, treated, stored, or disposed of during remedial activities.
This regulation sets the requirements for stormwater management during construction including nonstructural stormwater management strategies, erosion control, and stormwater runoff quality standards.	Substantive requirements will be met during construction.
Regulates construction that will potentially result in erosion of soil and sediment. Lists requirements including the submittal and approval of a plan for soil erosion and sediment control.	This act will be considered the development of alternatives.
Regulates noise levels for certain types of activities such as commercial, industrial, community service and public service facilities. Relevant and appropriate for establishing allowable noise levels.	This standard will be applied to remediation activities performed at the Site.
Applicable to the transportation of excavated material that is being managed as hazardous waste. Includes requirements for the packaging, labeling, manifesting, and transporting hazardous materials.	Any company contracted to transport hazardous material from the Site will be required to comply with this regulation.
This regulation establishes standards for hazardous waste transporters.	Any company contracted to transport hazardous material from the Site will be required to comply with this regulation.
This regulation establishes the responsibility of generators, transporters, and disposers of PCB waste in the handling, transportation, and management of the waste. Requires a manifest and record-keeping.	Applicable to the transportation of hazardous material from the Site.
Regulates the shipping, packaging, marking, labeling, placarding, handling, and transportation of hazardous materials.	Applicable to the transport of hazardous material from the Site.

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Clean Air Act - National Ambient Air Quality Standards	Federal	40 C.F.R. Part 50
	Federal	40 C.F.R. Part 264, Subpart L
Section 10 of the Rivers and Harbors Act of 1899	Federal	33 U.S.C. § 403, C.F.R. Part 322
Clean Water Act, Section 404, 33 U.S.C. § 1344, C.F.R. Part 230 (Guidelines for Specification of Disposal Sites for Dredged or Fill Material)	Federal	Section 404(b)(1)
RCRA Land Disposal Restrictions (LDRs)	Federal	40 C.F.R. Part 268
Area of Contamination Policy	Federal	55 FR 8758- 8760, March 8, 1990
Corrective Action Management Units	Federal	40 C.F.R. § 264.552
TSCA Disposal Requirements	Federal	40 C.F.R. Part 268, Subpart D - Treatment Standards
New Jersey Land Disposal Restrictions (LDRs)	State	N.J.A.C. 7:26G-11
National Pollutant Discharge Elimination System (NPDES)	Federal	40 C.F.R. 122 et seq.
Effluent Guidelines and Standards for the Point Source Category	Federal	40 C.F.R. Part 414
The New Jersey Pollutant Discharge Elimination System (NJPDES)	State	N.J.A.C. 7:14A
Clean Air Act - National Ambient Air Quality Standards	Federal	40 C.F.R. Part 50

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This regulation specifies maximum primary and secondary 24-hour concentrations for particulate matter. Fugitive dust emissions from site excavation activities must be maintained below 260 $\mu g/m^3$ (primary standard).	Proper dust suppression methods such as water spray would be specified when implementing excavation and/or solidification/stabilization actions.
Provides requirements to design and operate waste piles including controlling wind dispersal of particulate matter and controlling surface water from running through the piles.	Performance standards would be specified for compliance in the remedy.
Governs coordination with the U.S. Army Corps of Engineers with regard to work at or below mean high water, including dredging, discharging dredged fill materials.	U.S. Army Corps of Engineers approval is generally required to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of any navigable water of the United States. On-site work for CERCLA remedies is exempt from permit requirements under CERCLA Section 121(e), although the work will comply with substantive requirements of these regulations and will be coordinated with the U.S. Army Corps of Engineers.
Regulated the discharge of dredged and fill material into waters of the United States including wetlands.	On-site activities would be properly conducted to minimize adverse effects.
Identifies hazardous wastes restricted for land disposal and provides treatment standards for land disposal.	Hazardous wastes will be treated to meet disposal requirements.
This policy addresses consolidation of contiguous waste within an area of contamination (AOC). Movement of media contaminated with hazardous wastes within an AOC does not typically trigger RCRA requirements.	Hazardous wastes may be consolidated and contained within an AOC without triggering LDRs or other treatment, storage, or disposal requirements under RCRA.
These regulations provide exceptions to LDR requirements and establish rules for consolidation and treatment of noncontiguous waste within the Site.	Hazardous wastes will be treated and backfilled onsite using the CAMU for one of the proposed alternatives.
Soils contaminated above 50 ppm may also be disposed of in a chemical waste landfill.	Alternative development incorporates disposal requirements.
These regulations established standards for treatment and disposal of hazardous wastes.	Hazardous wastes must comply with the treatment and disposal standards.
NPDES permit requirements for point source discharges must be met, including the NPDES Best Management Practice Program. These regulations include, but are not limited to, requirements for compliance with water quality standards, a discharge monitoring system, and records maintenance.	The project will meet substantive NPDES permit requirements for point source discharges.
These regulations establish effluent limitations organized by industry on any direct discharge and indirect discharge point sources.	Point source discharges will substantively comply with these standards.
Governs the discharge of any wastes into or adjacent to State waters that may alter the physical, chemical, or biological properties of State waters.	The project will meet substantive NJPDES permit requirements for any surface water discharges or groundwater discharges, such as injection of reagent for in situ treatment.
This regulation provides air quality standards for particulate matter, lead, NO_2, SO_2, CO, and volatile organic matter.	During excavation, treatment, and/or stabilization of waste, air emissions will be properly controlled and monitored to comply with these standards.

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Standards of Performance for New Stationary Sources	Federal	40 C.F.R. Part 60
National Emission Standards for Hazardous Air Pollutants	Federal	40 C.F.R. Part 61
New Jersey Air Pollution Control Act	State	N.J.A.C. 7:27
New Jersey Ambient Air Quality Standards	State	N.J.A.C. 7:27-13
Technical Guidance for the Attainment of Remediation Standards and Site-Specific Criteria Sept 2012	State	
USEPA Region 2 Clean & Green Policy	Federal	
Administrative Requirement for the Remediation of Contaminated Sites (ARRCS)	State	N.J.A.C. 7:26C

Legend

AOC - area of contamination
ARAR - Applicable or Relevant and Appropriate Requirement
C.F.R. - Code of Federal Regulations
CO - Carbon monoxide
FR - Federal Register
LDR - Land Disposal Restrictions
N.J.A.C. - New Jersey Administrative Code
NJPDES - New Jersey Pollutant Discharge Elimination System

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This regulation sets the general requirements for air quality for new stationary sources of air pollution.	During excavation, treatment, and/or stabilization of waste, air emissions will be properly controlled and monitored to comply with these standards.
This regulation provides air quality standards for hazardous air pollutants.	During excavation, treatment, and/or stabilization of waste, air emissions will be properly controlled and monitored to comply with these standards.
This regulation includes rules that govern the emission of contaminants into the ambient atmosphere.	This standard will be applied to air emissions from remediation activities performed at the Site.
This standard provides the requirements for ambient air quality control.	This standard would apply to air emissions from remediation activities performed at the Site.
This guidance presents options for demonstrating compliance with New Jersey ARARs.	Guidance used in demonstrating compliance with ARARs.
Promotes technologies and practices that are sustainable. If practicable from schedule and technical viewpoints, redevelopment and property improvements could be coordinated with remediation to obtain green and sustainable synergies.	Policy considered in developing alternatives. Policy will be considered in implementation of selected alternate.
Establishes a ~~new~~ paradigm for the remediation of contaminated sites in New Jersey, including the requirement that a person responsible for conducting the remediation employ a licensed site remediation professional (LSRP) to supervise the remediation.	Applicable to Lot 57 remedial alternatives for supervising the actions taken in accordance with the State of New Jersey Technical Regulations.

NO_2 - Nitrogen dioxide
NPDES - National Pollutant Discharge Elimination System
PRG - Project Remediation Goals
RCRA - Resource Conservation and Recovery Act
SO_2 - Sulfur dioxide
TBC - Advisories, Criteria, and Guidance To Be Considered
TSCA - Toxic Substances Control Act
µg/m3 - microgram per cubic meter

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