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State of New Jersey
Department of Environmental Protection and Energy
Environmental Regulation
Hazardous Waste Regulation Program
CN 421
Trenton, NJ 08625-0421
Phone# 609-633-1418

Scott A. Weiner
Commissioner

Frank Coolick
Administrator

RECEIVED FEB 1993

JAN 28 1993

Michael McGowan
J.M. Sorge, Inc.
50 County Line Road
Somerville, N.J. 08876

RE: K. Hovnanian Co. of
North Jersey, Inc.
Newark, New Jersey

Dear Mr. McGowan:

In response to your letter(s) of November 5, 1992 and January 13, 1993 for a Departmental opinion on the classification of approximately 300 yards of soil from the referenced site represented by sample 73669, please be advised that wastes which conform with the representative sample that provided the basis for data submitted to the Department are classified as dry industrial waste (I.D. #27) pursuant to the rules of the Hazardous Waste Regulation Element. Wastes conforming with the characteristics of the representative samples must be disposed at the facility authorized to accept dry industrial waste (I.D. #27) in accordance with the State waste flow rules as contained in N.J.A.C. 7:26-6 et seq.

Be further advised that this letter constitutes merely an advisory opinion on the applicability of current New Jersey waste classification standards to a specific representative sample of a waste stream. It expresses no opinion regarding any particular waste shipment to the extent that its characteristics and content differ from the representative sample of a waste stream.

Moreover, because the Department has not examined, inspected or analyzed the wastes you propose to dispose, this response does not constitute any representation as to the actual chemical composition of said material.

Accordingly, prior to disposal of this waste, you may wish to contact the selected disposal facility to establish an analytical protocol which will satisfy all concerned parties that current regulations allow for such disposal.

Should you have any further questions regarding this matter, please contact David Schrier of this Bureau at (609) 292-8341.

Very truly yours,

Norine Binder

Norine Binder, Acting Chief
Bureau of Advisement and Manifest

PR14:nb
CLID27
c: Charles DeWeese