

June 28, 2019
File No. 02219702.00

Mr. Tom Farrell, Manager (cover letter only)
Division of Solid Waste Enforcement
New Jersey Department of Environmental Protection
9 Ewing Street
Trenton, New Jersey 08625-0420

Mr. Jeffery Meyer, Manager
Division of Air Enforcement
Bureau of Air Compliance and Enforcement
New Jersey Department of Environmental Protection
7 Ridgedale Avenue
Cedar Knolls, New Jersey 07927

Subject: June Progress Report
Keegan Landfill
New Jersey Sports and Exposition Authority
EA ID#: NEA 190001-13317

Dear Mr. Farrell and Mr. Meyer:

On behalf of the New Jersey Sports and Exposition Authority (NJSEA), SCS Engineers (SCS) submits this monthly progress report as required by Section C of the Administrative Consent Order (ACO), NEA19001-13317 (executed on March 21, 2019) for the Keegan Landfill. This report summarizes the compliance status and activities performed since the previous progress report was submitted on May 30, 2019.

COMPLIANCE MEASURES AND STATUS

The work progress, summary of problems, activities planned, and required and actual completion dates for each ACO Condition is summarized in the table provided in Attachment 1. Further discussion of the difficulties encountered are provided below.

Difficulties Encountered

Monitoring stations MS-4 and MS-6 did not meet the 85 percent valid data requirement for the week of May 26th (see Attachment 2).

Monitoring Station MS-6 was offline for approximately 10.5 hours on May 26th and 5.1 hours on May 27th. Monitoring Station MS-4 was offline for approximately 7 hours on May 27th. Maintenance was performed on both meters on May 27th. Monitoring station MS-4 was offline for approximately 13 hours on May 28 and approximately 5.6 hours on May 30. The meter at MS-4 was replaced on June 6.



Notifications of exceedances of the 30 ppb for 30 minutes limit, based on monitoring station readings were made to NJDEP as summarized in Exhibit 1 below.

Exhibit 1. Summary of June Notifications

Monitoring Station	Date
MS-1	June 2, 5, 15, 23, 24
MS-2	June 23, 24
MS-3	None
MS-4	June 1, 2, 7, 12, 15, 21, 23, 24, 26, 27
MS-5	None
MS-6	June 23, 26, 27
MS-7	June 12, 13, 19, 22, 24, 27
MS-8	None

Daily odor monitoring at the site in accordance with the Monitoring Action Plan (MAP) has not detected any specific areas of odors, stressed vegetation or other specific issues at the Landfill. Data review letters were submitted on June 27 regarding the validity of the monitoring station data exceedances from June 22 at MS-7 and June 23 at MS-6 due to wind direction or pattern of readings. At times, the meters appear to record invalid readings. Further, elevated readings could be from sources other than the landfill. Data review will continue based on collection of additional data.

On Friday, May 24, 2019, Judge Jeffrey Jablonski, P.J. Chancery, Hudson County, issued temporary restraints in a legal action brought by the Town of Kearny against the NJDEP and NJSEA. The judge's order, among other things, included an immediate shut down of operations at the Keegan Landfill. The landfill stopped operating on the afternoon of May 24, 2019. The landfill was re-opened on May 31, 2019 due to an appellate court decision. On June 12, 2019, the NJ Supreme Court ordered the reinstatement of the trial court Order shutting down the Landfill. After discussion and agreement with Town representatives, it was determined that soil deliveries are allowed. Soil deliveries commenced on June 21 for the purposes of compliance with the ACO and as necessary for the construction of the GCCS. We note this because material deliveries were not allowed to the site to cover areas between June 13 and June 21.

EXPLANATION OF NON-COMPLIANCE WITH ACO SCHEDULE

There were no periods of non-compliance with the ACO during the period of this progress report.

EVALUATION OF CORRECTIVE MEASURES IMPLEMENTED

Since the execution of the ACO on March 21, 2019, the corrective measures implemented include actions intended to minimize intake of the waste that may contain gypsum wallboard, placement of daily cover, placement of additional intermediate cover, and minimization of the surface area of the working face. Once again, we note that the landfill is currently not operating, therefore, it is not accepting any waste.

Mr. Tom Farrell and Mr. Jeffery Meyer

June 28, 2019

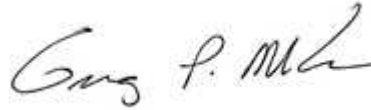
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A signed certification of information form is included in Attachment 3. The next report will be submitted on or before August 1, 2019. Please call either of the undersigned with any questions or comments.

Sincerely,



Lisa K. Wilkinson
Project Director I
SCS Engineers



Gregory P. McCarron, PE
Project Director II
SCS Engineers

cc: G. Lugo, NJDEP (hardcopy and electronic copy)

A. Fontana (electronic copy)

M. Gerchman (electronic copy)

S. Shah (electronic copy)

V. Prieto, NJSEA (electronic copy)

T. Marturano, NJSEA (electronic copy)

A. Levy, NJSEA (electronic copy)

C. Sanz, NJSEA (electronic copy)

J. Stewart, Lowenstein (electronic copy)

G. Castano (electronic copy)

Attachment 1

**June 2019 Progress Report Summary
Keegan Landfill (NEA190001-13317)**

No.	ACO Condition Description	B. Status of permitting, planning approvals and work progress	C. Difficulties Encountered	D. Activities Planned for next reporting period	E. Required and Actual Completion date
7.a	Submit Monitoring Action Plan (MAP)	On April 1, 2019, MAP was submitted to NJDEP; NJDEP Conditional Approval was received on April 8, 2019; Revised MAP dated April 15, 2019 is included as Attachment 3.	None	None; activity is complete	Required: April 1, 2019 Actual: April 1, 2019
7.b	Install/operate continuous H ₂ S Ambient Air Monitoring System	Eight (8) monitoring stations have been installed and are operational as of May 8th as required.	Station MS-4 and MS-6 did not meet the 85 percent valid data for week of May 26	Continue operation of monitoring stations.	Required: May 8, 2019 Actual: May 8, 2019
7.c	Notify NJDEP of exceedances or potential to cause odor complaint or air pollution	Notifications were made on June 1, 2, 5, 7, 12, 13, 15, 19, 21, 22, 23, 24, 26, 27 of exceedances of the 30 ppb for 30 minutes based on monitoring station readings.	Data review letters were submitted on June 27 regarding the exceedances reported on June 22 and 23	Continue operation of monitoring stations and reporting of exceedances.	Required: upon completion of 7.b above Actual: on-going
7.d	Take measures to control or eliminate emissions	NJSEA has decided to design, permit and install GCCS; Draft permits were received from NJDEP; NJSEA submitted comments on draft permits on June 21. Contractor has mobilized to the site.	None	Upon receipt of permits, construction of the GCCS will commence.	Required: upon exceedance of Condition 7.c level Actual: TBD
7.e	Submit estimate of generation of emission rates for H ₂ S and other air contaminants	Letter report has been submitted on May 29, 2019	None	None; activity is complete	Required: May 30, 2019 Actual: May 29, 2019
7.f	Immediately implement measures to maintain compliance	In accordance with NJSEA letter dated March 29, 2019 to NJDEP, wallboard restrictions have been enforced, additional intermediate soil cover has been placed on the western sideslopes, daily cover has been placed and compacted and active face is minimized.	Due to Landfill shutdown, soil deliveries were not allowed from June 13 through June 21.	Wallboard restrictions will continue to be enforced should operation of be allowed; additional intermediate soil cover will be placed; daily cover will continue to be placed and compacted.	Required: N/A Actual: In progress
7.g	If compliance not achieved by September 1, 2019, submit proposal for GCCS	In advance of this requirement, NJSEA has decided to design, permit and install GCCS; Draft permits were received from NJDEP; NJSEA submitted comments on draft permits on June 21. Contractor has mobilized to the site.	None	Commence construction of GCCS upon receipt of permits.	Required: 30 days from NJDEP notification Actual: GCCS design complete, permit applications submitted 5/23; draft permits issued

Attachment 2

Keegan Landfill
Monitoring Station Availability

5/26/19 - 6/1/19	
Station	Percent Valid Data
MS1	96.5%
MS2	96.5%
MS3	86.8%
MS4	80.9%
MS5	96.4%
MS6	81.8%
MS7	96.4%
MS8	90.3%

6/2/19 - 6/8/19	
Station	Percent Valid Data
MS1	94.2%
MS2	96.8%
MS3	92.5%
MS4	86.6%
MS5	96.6%
MS6	95.2%
MS7	96.5%
MS8	90.9%

6/9/19 - 6/15/19	
Station	Percent Valid Data
MS1	94.2%
MS2	96.8%
MS3	92.5%
MS4	86.6%
MS5	96.6%
MS6	95.2%
MS7	96.5%
MS8	90.9%

6/16/19 - 6/22/19	
Station	Percent Valid Data
MS1	93.4%
MS2	90.8%
MS3	96.5%
MS4	89.9%
MS5	96.6%
MS6	85.7%
MS7	85.4%
MS8	96.6%

Attachment 3

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
CERTIFICATION OF INFORMATION

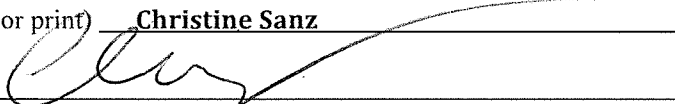
Facility ID Keegan Landfill, NEA190001-13317
COMPANY New Jersey Sports & Exposition Authority

1. Responsible Official - This first tier of this certification is to be signed by the responsible official as defined at N.J.A.C 7:27-1.4

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attached documents and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil and criminal penalties, including the possibility of fine or imprisonment or both, for submitting false, inaccurate or incomplete information."

Name (type or print) Christine Sanz

Title Senior Vice President/Chief Operating Officer

Signature 

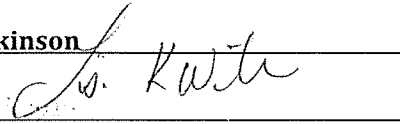
Date 6/28/2019

2. Individual(s) with direct knowledge of and responsibility for the information contained in the certified document (N.J.A.C. 7:27-1.39(a)1)

A. "I certify under penalty of law that I believe the information provided in this document is true, accurate and complete. I am aware that there are significant civil and criminal penalties, including the possibility of fine or imprisonment or both, for submitting false, inaccurate or incomplete information."

Name (type or print) Lisa K. Wilkinson

Title SCS Engineers Project Manager (Consultant)

Signature 

Date 6/28/2019