



State of New Jersey  
Department of Environmental Protection

James E. McGreevey  
Governor

Bradley M. Campbell  
Commissioner

JAN 15 2009

International Environmental Products  
Trinity Corporate Center  
70-5 E. Swedesford Road  
Malvern, PA 19355  
Attn: Joseph Dougherty

Dear Mr. Dougherty:

This is in response to your request for assistance in obtaining regulatory approval for your S-200D product. We have also provided information to assist you in identifying candidate sites for your technology. The documentation we received includes letters from the USEPA and the New York Department of Environmental Conservation (NYDEC). Pursuant to the provisions in N.J.S.A. 13:1D-144 et. seq., the Department participates in cooperative and reciprocal programs to accept technical performance data and information from these agencies (see enclosure for more details). Based on the documentation received from these agencies, the Department will allow the use of the technology in New Jersey. This acceptance may be subject to certain site specific permit requirements outlined below.

You may also obtain Department verification and certification of the performance of your technology through the Office of Innovative Technology and Market Development (contact Mike Winka at 609-292-9962). Another way to advance the use of your technology is through the New Jersey Technology Verification and Certification Programs. I have included copies of the New Jersey Energy and Environmental Technology Verification Act, N.J.S.A. 13:1D-144 et. seq., and the Performance Partnership Agreement between the Department and the New Jersey Corporation for Advanced Technology (NJCAT) located at the New Jersey Eco Complex in Burlington ([www.njcat.org](http://www.njcat.org)).

Potential sites for your technology may be identified using site information sources which may be found at <http://www.state.nj.us/dep/srp/kcs-nj/siteinfo.htm>. This web site includes a list of Known Contaminated Sites in New Jersey, the Publicly Funded Cleanup Sites Status Report, the Site Remediation Program Publications List and a list of New Jersey Superfund Sites on the National Priorities List. The Office of Brownfield Reuse is actively engaged in applying innovative strategies to brownfield cleanups and welcomes opportunities to partner when appropriate to apply innovative technologies to their sites.

You may contact Brian Sogorka, the Site Remediation Program Remediation Technology Manager at 609-633-1344 or [brian.sogorka@dep.state.nj.us](mailto:brian.sogorka@dep.state.nj.us), to obtain further information on potential demonstration sites. As an additional resource, the following link contains a list of certified contractors that may be interested in your technology: <http://www.state.nj.us/dep/srp/bust/bust.htm>, and you will find enclosed a flier with information on several programs for rapid commercialization of innovative technology supported by the Department.

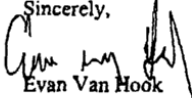
Once you have selected a contaminated site in New Jersey for deployment of your technology, a proposal must be presented to the Department case manager that includes the information below, as required in the Technical Requirements for Site Remediation N.J.A.C. 7:26E, which may be accessed at <http://www.state.nj.us/dep/srp/regs/techrule>. The case manager will also need to process a "permit by

rule" for addition of S-200D to the subsurface and you will need to provide the product constituents at that time. The requirements from N.J.A.C. 7:26E are as follows:

N.J.A.C. 7:26E-5.1(d) A person responsible for conducting the remediation may select an innovative remedial action technology for any site, area of concern or contaminated media, upon review and approval of an application submitted to the Department. The application for use of an innovative remedial action technology shall include:

1. (Item 1 not required due to information from cooperating agencies)
2. A report that includes a detailed description of the following:
  - i. The technology, including without limitation, a process flow diagram, and a detailed description of the operational and environmental data of the technology under a full range of conditions, including without limitation, laboratory scale and pilot test scale operational results clearly demonstrating the effectiveness and efficiency of the technology under various conditions;
  - ii. The sampling and analytical methods including the quality assurance/quality control protocols to generate the data to verify or certify that the technology will operate as claimed and achieve acceptable and reproducible results;
  - iii. The resource requirements, natural resource impacts, discharges and by-products and co-products generated through implementation of the technology and description of the environmental controls to be utilized to address impacts; and
  - iv. The demonstrated performance range of the technology, including without limitation, the anticipated reduction of contaminant concentrations achieved for each constituent and for each media of concern.

If you have any further questions pertaining to technology implementation in New Jersey, please do not hesitate to contact me. We appreciate and support your efforts in the development of new alternatives for environmental cleanup technology and we wish you the best of luck with your remediation projects.

Sincerely,  
  
Evan Van Hook  
Assistant Commissioner

enclosures

c: J. Shaw, B. Frasco, M. Winka, B. Sogorka, NJDEP