

**Summary of Lower Passaic River Restoration Project/Newark Bay Public Forum  
Wednesday, September 14, 2005, 7 p.m.  
Rutherford Public Library, 150 Park Avenue, Rutherford, NJ**

Attending for USEPA – David Kluesner, Public Affairs Specialist  
Alice Yeh, Project Manager, Lower Passaic River  
Restoration Project  
Eric Stern

Attending for USACE - Scott Nicholson, Project Manager, Lower Passaic River  
Restoration Project; Peter Weppler; Susan Schneider

Attending for NJDEP - Mark Herzberg, Community Relations  
Janine MacGregor, Site Remediation Program

Attending for NOAA - Tom Brosnan

Attending for USFWS - Tim Kubiak

The meeting opened at 7 p.m. with an informal poster session. At approximately 7:30 p.m. attendees were requested to be seated and a presentation began.

(Presentation attached)

Alice Yeh, EPA Project Manager, presented an overview of the project and past, present and planned field work. Eric Stern (filling in for Lisa Baron of NJDOT) gave an overview of the upcoming dredging pilot and discussed the various aspects of sediment decontamination and beneficial use of the decontaminated sediments. David Kluesner, EPA Public Affairs Specialist, discussed the Community Involvement Plan and the outreach effort for the project. The presentation ended at approximately 8:45 p.m. and was followed by a question and answer period.

On restoration opportunities: Alice Yeh mentioned that the partner agencies are looking for potential restoration sites, and deferred to Tom Brosnan of NOAA and Tim Kubiak of USFWS who discussed the Natural Resource Damages Assessment process.

Alice Yeh also went over the timeline for the project and mentioned that while the timeline seems very long, the partner agencies will keep evaluating information as it comes in to assess the opportunity for interim actions and to shorten the timeline wherever feasible, without sacrificing the defensibility of the final, proposed actions.

**Questions From the Public/Answers From the Partner Agencies:**

**Q: How long will the dredging take?**

A: Dredging should take about a week. Approximately 5,000 cubic yards of sediment will be dredged and processed. Dredging rates are faster than processing rates. It's why we are using the ship to hold the sediment that is dredged out; approximately 40,000 cubic yards of sediment can be stored in the ship.

It takes longer to create the products made from the decontaminated sediment, Testing the different decontamination methods will allow us the opportunity to optimize on various ideas on how to tackle the sediments of the Passaic River.

The Biogenesis system takes about 3 weeks to process 2500 cubic yards of sediment. The Endesco Clean Harbor system takes about 5-6 weeks, because the Endesco thermal system requires that the sediment be dewatered first. For this pilot study, the partner agencies would like to take as much time as they can to optimize these systems.

**Q: How deep will you dredge?**

A: To 3 feet.

**Q: Regarding the thermal process – how is sediment dried out first?**

A: By a process that literally squeezes out the water until a solid is left. This type of treatment is often used in sewage treatment. It will be done on the ship (dewatering).

**Q: Where exactly is the dredge area?**

A: It is downstream of Diamond Alkali, near the Harrison Reach on a straight leg of the Passaic. (Eric Stern used a map to illustrate exactly where the dredge area is).

**Q: Who funds the implementation of the plan?**

A: Under Superfund, 31 PRPs have signed an agreement with EPA to fund the Superfund portion of the Lower Passaic River study. As part of the final, proposed plan, we will also proposed the best mix of public and private funds to carry out the actions in the plan. Under WRDA, the Corps can go to Congress for funding to carry out the projects.

**Q: Description of the PRPs – are they contributing?**

A: Yes, they are already contributing to the EPA part of the study (via an Administrative Order on Consent).

**Q: Can we get a list of the PRPs?**

A: The list is available on the ourpassaic.org website under the Administrative Order on Consent.

**Q: Aren't they responsible parties – why are they called potentially responsible?**

A: They are referred to as PRPs until they are judged as responsible by a judicial authority.

**Q: How many people did you interview for community interviews and how did you choose them?**

A: We talked to about 50 people from as broad a spectrum of the public as possible including people who belonged to faith based groups, environmental organizations, citizen groups, the business community, etc. We found many of our interviewees by looking at historical records of who has been involved in these kinds of issues in this area.

**Comment from a representative of the Nereid Boat Club: Nereid Boat Club has over 200 members and serves many high schools in the area. They love the river, and enjoy rowing on it. Their main concern is how dredging will impact accessibility to the river for recreational activities. Nereid has assisted Malcolm Pirnie Inc. by allowing use of its boat launch for data gathering.**

Mark Herzberg of NJDEP commented on the need for EPA and the Corps to publicize the upcoming dredging pilot for members of the press and public. David Kluesner of EPA responded that he and Carolyn Vadino (USACE) will be doing just that in the coming weeks.

Scott Nicholson of the USACE commented that people need to know when they look at the schedule for the project, that there are many other spin-off projects and opportunities for interim actions in the project area. Also, that there are other avenues of communication for the public, including their local congressional and senatorial offices. Also, be aware of ongoing flood control projects above the Dundee Dam.

**Q: Regarding the Technical Assistance Grant (TAG) and what Passaic River Coalition (PRC) will be doing with it especially regarding reaching out to the community for their concerns and needs for clarification.**

A: TAG contract was just signed a short time ago – PRC needs to listen to what the public is interested in learning and what technical documents the public needs help with. PRC's work plan includes outreach tools such as newsletters and fact sheets.

**Q: What input does NJDEP have in this project?**

A: NJDEP has two main roles in this project – as a Trustee, and as a support role under Superfund. They will ensure that NJ requirements are met along with federal laws, and as a Trustee, are working on assessing injuries to the ecosystem. They are also responsible for issuing fish advisories, along with public outreach and awareness of the advisories.

**Q: A member of the NY/NJ Harbor Estuary Program wants to know why the estuary has been divided into the Lower Passaic and Newark Bay instead of going all the way to the Oradell Dam – what about the Hackensack River? Feels issues on the Passaic and Newark Bay should be viewed in a holistic approach and feels the reason it is not is because of government bureaucracy. Also have concerns about what is being done regarding the proliferation of phragmites throughout the estuary and concerns about development. Will the partner agencies have any influence on development issues around the river?**

A: The study area is defined as the lower 17 miles of the Passaic River below the Dundee Dam; this was done because it encompasses an area that the partner agencies can deal with realistically. However, the partner agencies are not ignoring issues regarding the Hackensack River, and the Corps is involved in flood control plans above the Dundee Dam. Additionally, there are other programs that are dealing with the Hackensack River and the Harbor, and the partner agencies are coordinating with those programs. The Newark Bay Study boundaries already extend into the Arthur Kill, Kill Van Kull and the Hackensack River. The Lower Passaic River Project and Newark Bay study are coordinated so there is consistency between the projects. Boundaries are subject to change as data comes in.

Regarding invasive phragmites, USFWS conducts habitat restoration with local communities through the Partners for Fish & Wildlife Program.

**Q: Problems with public access to the river. Passaic River Rowing Association (PRRA) is working with Bergen County to build a public access dock – many permits are needed and some permits appear to be at odds with each other. While public stewardship of the river is an important goal, much public policy actually seems to discourage this, due to excessive and sometimes, contradictory regulation.**

A: NJDEP asked PRRA to send a final request to them, and to please send NJDEP a copy of this comment.

The meeting was concluded at approximately 9:30 p.m.

**Summary of Lower Passaic River Restoration Project/Newark Bay Study Public Forum**

**Thursday, September 15, 2005, 7 p.m.**

**East Side High School**

**238 Van Buren Street**

**Newark, NJ**

Attending for USEPA Elizabeth Butler, Project Manager, Newark Bay Study  
David Kluesner, Public Affairs Specialist  
Alice Yeh, Project Manger, Lower Passaic River Restoration Project

Attending for NJDOT-OMR Lisa Baron, Project Manager, Lower Passaic River Restoration Project

Attending for USACE Doug Leite, Project Manager, Minish Park; Peter Weppler

Attending for NJDEP Remediation Program Judy Shaw, Community Relations; Janine MacGregor, Site

Attending for NOAA Eli Reinhardz

Attending for USFWS Tim Kubiak

The meeting opened at 7 p.m. with an informal poster session. At approximately 7:20 p.m. attendees were asked to be seated and the presentation began.

(Presentation attached).

David Kluesner, EPA Public Affairs Specialist began the meeting with a brief overview of the project and welcome, he also introduced all partner agency representatives.

Alice Yeh, EPA Project Manger of the Lower Passaic Rive Restoration Project gave a brief presentation on that project, followed by Elizabeth Butler, EPA Project Manger for the Newark Bay Study, who gave an overview of that study. Lisa Baron of NJDOT-OMR then spoke about the upcoming dredging pilot and restoration activities. Eli Reinhardz gave a brief overview of the Natural Resource Damage Assessment (NRDA) and appealed to the public for ideas about areas for restoration.

Alice Yeh went over the timeline for the project and mentioned that while the timeline seems very long, the partner agencies will keep evaluating information as it comes in to assess the opportunity for interim actions and to shorten the timeline wherever feasible, without sacrificing the defensibility of the final, proposed actions. Elizabeth Butler then did the same for the Newark Bay schedule.

David Kluesner ended the presentations with an overview of the Community Involvement Plan and outreach efforts for the project. The presentations ended at approximately 8:00 p.m. and were followed by a questions and answer period.

### **Questions and Comments From the Public/Answers From the Partner Agencies:**

**Q: With regard to the Diamond Alkali site – how can you (the partner agencies) do anything without cleaning up the Diamond Alkali site?**

A: EPA has a history at Diamond Alkali and has implemented a containment remedy that has cut off contamination to the river. The Diamond Alkali site has been expanded to include the lower 17 miles of the river. We want a sound defensible remedy that will stand up in court. The remedy at the land portion of the site is an interim remedy that is being reevaluated every 5 years.

**Comment: Regarding the contaminated material that was buried at the Diamond Alkali site – Lance Richman (a former EPA project manager) did a map of contaminant sampling that went down 13 feet. Concerns that after 30 years, who will take care of the site, the slurry wall and the pumping station. Would like to see the site turned into public land – however, the Diamond Alkali site “sits like a boil” in the area. Can not understand how the partner agencies can address the river without finally addressing the Diamond Alkali site. This commenter also pointed out that some addresses in the Draft CIP are wrong. Also acknowledged the Corps on restoration opportunities.**

**Q: What kinds of comments are you (the partner agencies) looking for on the CIP?**

A: Comments that help us to select priorities and let us know what you would include in top priorities.

**Comment: Regarding the dredging and cleanup of the river – you (the partner agencies) are doing the community a service especially in the Ironbound area – this project will help to get open space and parks for the community. The agencies are doing an invaluable service to the community in cleaning up the river. There are still issues with cleaning up the Diamond Alkali site – when the Diamond Shamrock plant was operational; workers were sent out into the river to break up coagulated dioxin.**

**Comment: Ironbound Community Corporation (ICC) feels access to the river is what will spur the public to want the river cleaned up. Because the study is for the 17-mile stretch – to us it means it will never happen. Carol Johnston, of ICC then read into the record a letter from ICC to the EPA Region 2 Administrator enumerating the community’s concerns and needs.**

A: David Kluesner responded that the new Region 2 Administrator is very interested in meeting with community members to discuss these issues and offered to set up a meeting between the RA and ICC. Janine MacGregor of NJDEP commented that NJDEP will push for an interim action and commended Carol Johnston for her support and activism.

The USACE Project Manager for Minish Park then gave an overview of the Minish Park Project, including construction, wetland mitigation and restoration work. He added that the Minish Park project ties in with the Lower Passaic River Restoration Project very well in addressing open space and river accessibility issues. In addition, the wetland creation project will serve as a pilot, collecting necessary data for the Lower Passaic River Restoration Project.

**Q: How did the Minish Park project come about?**

A: Minish Park was originally a vision of Congressman Rowe.

**Comment: Carol Johnson of ICC commented on the great partnership and cooperation between the Ironbound community and the USACE to bring about changes to the waterfront. She referenced the development of Gateway Park to reflect the cultural issues in the community and to tell the story of the Ironbound from the perspective of the river.**

A: USACE also clarified that the Lower Passaic River Restoration Project is a part of the larger Hudson Raritan Estuary Restoration Project, and multi-components include the Hackensack River and Gowanus Canal in looking at the big picture.

**Q: What is the restoration goal?**

A: Overall goal for the project is a fishable, swimmable river. There is also habitat restoration and recreational use of the river along with opportunities for Brownfield redevelopment.

**Q: Instead of dredging the river, any chance of capping the river bottom?**

A: We will look at all options during the Feasibility Study. We are also looking at dredged sediments for beneficial use instead of dumping them in a landfill. NJDOT-OMR has conducted a pilot on in-situ stabilization technology. There may be a mix of different actions according to the area of the river that is being addressed.

**Q: What is the stability of your funding, especially in view of the long schedule?**

A: PRPs will be responsible for some of the funding and the USACE can ask Congress for funding as well. The Lower Passaic River Restoration Project has a total of 31 PRPs, Newark Bay has 1. It is important to have a sound, defensible plan to get funding for the cleanup.

Lisa Baron talked about cost-sharing of the Study. The WRDA portion of the study is funded 50/50 between the Corps and OMR as local sponsor. We ask you the public to reach out to your Congressional Representatives and plead for them to provide the Corps with their funding for the study. Without your support and the support of local officials our schedule will take even longer to reach our goal of cleaning up the river. David Kluesner added that at EPA Region 2 the Hudson River and Passaic River are the two top priorities. The meeting ended at 8:45 p.m.