**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 26 2018

Paul R. Rizzo, Esq.
DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059

Re: Woodbrook Road Dump Superfund Site, South Plainfield, New Jersey

Dear Mr. Rizzo:

Thank you for your letter concerning the Woodbrook Road Dump Superfund Site (Site). Your letter, written on behalf of your client, the Borough of South Plainfield (Borough), notes some concerns regarding the estimated cost of the selected remedy, and the component of the remedial design that identifies rail as the intended means of transporting contaminated soil and debris from the Site. We understand the significance of this project to the municipality, and will be pleased to have a fuller discussion with you about your concerns.

In September of 2017, the U.S. Environmental Protection Agency (EPA) completed a remedial design for the selected remedy, which includes removal of soil and debris contaminated with polychlorinated biphenyls (PCBs) greater than 1 part per million (ppm). The remedial design included costs estimates for certain work components that are necessary to implement the remedy selected in the Record of Decision (ROD) but that were not included in the Feasibility Study prepared by Texas Eastern Terminal Company (TETCO) that was the basis for the cost estimate in the ROD. These items included non-contaminated debris stabilization, site restoration, on-site water treatment, flood management and other waste management and staging costs. The remedial design also identified that the timeframe to perform the cleanup would be longer than anticipated in the ROD, resulting in an additional increase in the projected cost. A small increase in the volume of material to be excavated also contributed to the increased cost estimate. A description of the cost increase was provided in the February 5, 2018 Explanation of Significant Differences (ESD) issued by the EPA, which was published on the EPA's website for the Site.

Your letter expresses particular concern regarding rail transportation. Specifically, you state that rail transport was not considered in the EPA's ROD and that rail transportation would have a detrimental impact upon traffic within the Borough. At the August 26, 2013 public meeting at which the EPA presented its preferred alternative for the cleanup, the community raised concerns about truck traffic associated with the remediation of the Site. In response to those community concerns, the ROD indicated that, during remedial design, use of rail transportation to transport the large volumes of soil and debris would be further evaluated in order to minimize truck traffic through the local communities, and the EPA carried out the evaluation consistent with that commitment to the communities. The evaluation of rail during the remedial design considered

costs, the need for Conrail's cooperation, and the truck traffic through the communities that could be avoided if rail were utilized to transport approximately 186,000 tons of contaminated soil and debris to approved disposal facilities. Based on that evaluation, as stated in the Remedial Design Analysis Report, it is the EPA's present intention that excavated material be transported off-site by a proposed rail spur connecting to an existing track adjacent to the site.

Your letter concludes by urging the EPA to reopen the ROD to give the public an opportunity to comment on "the changes and cost increase." Community input is an important part of the Superfund process. The National Contingency Plan (NCP) is a set of regulations that provides the procedures for Superfund sites, including community relations and the remedy selection process. The EPA carefully evaluated the NCP requirements for public process when making the post-remedy selection changes, and determined that under the present circumstances, where the remedial design cost estimate reflected a significant change from the ROD, but the selected remedy was not altered in a fundamental way, issuing an ESD would be appropriate.

Thank you again for your letter. As noted at the outset, we recognize the importance of this matter to the municipality. Please be assured that we take seriously our responsibility to identify cost effective remedies for Superfund sites, while ensuring that the remedies are protective of public health and the environment, and take into account impacts such as truck traffic on the surrounding community. I have asked Deborah Schwenk, the EPA's attorney for the Site, to reach out to you, along with a senior representative of our Superfund program office, to provide a fuller understanding of the remedy and its costs. Ms. Schwenk's contact information is: 212-637-3149 or schwenk.deborah@epa.gov.

Sincerely,

for Peter D. Lopez
Regional Administrator