EPA Comments on Draft Project Management Plan (PMP), December 20, 2016, Revision 0

1/23/17

Acronyms/Abbreviations

1. OU2: The term "Site" refers to the Diamond Alkali Superfund Site. To avoid confusion, OU2 should not be referred to as "Site", but rather as "lower 8.3 miles of the Lower Passaic River" or "lower 8.3 miles of the LPR" or "lower 8.3 miles" as appropriate. Delete "Site" from the end of this definition.
2. ROD: delete one of the two instances of "on March 3, 2016"
3. USFW: Should be USFWS, U.S. Fish and Wildlife Service
4. Please add "LBG: Louis Berger Group", "BAT: Battelle"

Section 1 Authorization

5. Add a new Section 1.4 "Process for Updating the Project Management Plan" that explains the criteria that would trigger an update and the frequency of such updates. While the text box at the end of Section 1.2 does refer to "periodically" and "changes in project status and team members", further clarification would be helpful.

Section 2.1 Project Setting

6. Last sentence: EPA does not number remedial actions, nor has it made any decisions on remedial actions for the LPRSA and Newark Bay. Please correct this sentence by deleting the end of the sentence: "…and represents the second of four planned remedial actions for the Site". If necessary, a discussion of the other operable units could be included as a separate paragraph.

Section 2.2 Remedial Scope Summary

7. First sentence below bullets: Change the words "remedial action remedy" to "selected remedy"

Section 2.3 Project Team/Stakeholders

8. EPA has updated the CIP and released a new draft dated January 2017 for public comment. Replace references to the 2006 CIP throughout the PMP text, as appropriate.

Section 2.3.1 Agencies

9. Under "Other Federal Agencies": NJDOT/OMR is no longer a Partner Agency (and also is not a federal agency), so please remove that bullet point.

Section 2.3.3 Other Stakeholders Groups

10. Other potentially responsible parties (PRPs) named by EPA should be acknowledged in this section, possibly by adding them to the list of stakeholders in the first paragraph, first sentence: "Various other stakeholders (for example, people, interest groups,

potentially responsible parties and other organizations or institutions…)…."

Section 2.4 Regulatory and Performance Considerations

11. Include a separate subsection on green remediation, since it is a priority.

Section 2.4.1 Permits and Authorizations

12. Re-write the paragraph to read: "Tetra Tech, on behalf of GSH, will comply with the substantive requirements of the permitting regulations that are considered applicable or relevant and appropriate requirements (ARAR) in the ROD and any other regulatory compliance elements that are required to accomplish the authorized scope of work. The Remedial Design Work Plan (RDWP) will include descriptions of the substantive requirements of the applicable permit regulations and other regulatory requirements. As the Project progresses, planning will be implemented to comply with the substantive requirements of the applicable permits and authorizations. Regulatory requirements that involve detailed information on how the remedial action will be performed will need to be deferred until the remedial action stage of the Project."

Section 3.1.2 Remedial Action

13. Under "Institutional Controls": The prohibitions on fish and crab consumption are imposed by NJDEP, so EPA does not determine when they can be lifted or adjusted. Please re-word that bullet point to say: "These controls will be used to protect the engineered caps and maintain prohibitions on fish and crab consumption until NJDEP, in consultation with EPA, determines they can be lifted or adjusted based on data from long-term monitoring. Additional community outreach will be conducted to encourage greater awareness of the fish and crab consumption prohibitions."

Section 3.2.4 Development, Submittal to Agencies and Agency Review:

14. First bullet (Schedule): Please add a cross reference to Section 4.

Section 4 Schedule Management

15. In addition to Table 1, please provide a project schedule in MS Project format with a logic hierarchy. It is recognized that the submittal dates for some deliverables will be estimates that will need to be updated in the future.

Section 6.2 Quality Control Elements:

16. Under "Field Investigation Activity Quality Control": Reference the UFP-QAPP, the FSP and RDWP as the "project specific plans"
17. Under "Design Quality Control", first paragraph, at end: Include the ROD in the list of "contract and regulatory requirements"
18. Under "Nonconformance and Corrective Action": Suggest inclusion of root-cause analysis in Quality Event Reports. Please provide a copy of these reports to EPA.

Section 8.2 Meetings and Documentation

19. Indicate whether meeting minutes will be recorded (at least for key meetings) and who will be responsible for this documentation.

Section 9.2 Waste Management

20. The Site Selection and Evaluation process is described as generating a report documenting recommendations for off-site sediment processing facilities for sediment material generated during remedial action. In accordance with the AOC, the primary purpose of the Site Selection and Evaluation report should be to identify and select a site or sites for the sediment processing facility that will be used to dewater and otherwise process the dredged materials in preparation for off-site disposal in permitted treatment facilities and landfills in the United States or Canada. EPA expects that the Site Selection and Evaluation report will most likely identify a site or sites for the sediment processing facility that is close enough to the banks of the Lower Passaic River or Newark Bay to be on site, not off site. Therefore, in second bullet, delete "off-site".

Section 10 Procurement Management

21. Since this PMP focuses on the RD phase at this time, please provide more specifics about what this procurement applies to: whether it is primarily the predesign investigation and treatability studies or something else. EPA would encourage GSH and Tetra Tech to consider training and creation of local jobs or opportunities, and use of local small businesses, when appropriate, even in the RD phase.

Appendix B-2 (Organizational Chart):

22. In the box labeled "EPA Region 2 Contractors Management & Task Leaders", Add "USACE Kansas City District Contract Project Manager (Beth Franklin)" at the top, and identify Louis Berger personnel with "LBG" (similar to the identification of HDR or BAT personnel)
23. Replace the brown box labeled "USACE Kansas City District: Beth Franklin" with "Partner Agencies: NOAA (Reyhan Mehran), USFWS (Clay Stern), USACE New York District (Lisa Baron)"
24. Add a brown box labeled "CAG: Facilitator (Doug Sarno), Chairs (Debbie Mans & Ana Baptista)

Appendix D-1 (Communications Plan):

25. Make edits consistent with comments on Appendix B-2