Message

From: Kluesner, Dave [kluesner.dave@epa.gov]
Sent: 4/15/2014 10:44:52 PM
Subject: Re-Cap of News Clips: April 11 EPA Announcement of Passaic River Proposed Cleanup Plan

Star Ledger
Massive, $1.7 billion environmental cleanup of Passaic River proposed by EPA
By Ted Sherman
April 11, 2014

NEWARK — In one of the largest Superfund cleanups ever proposed, federal officials yesterday called for a bank-to-bank dredging of the Passaic River that would remove more than 4 million cubic yards of toxic sediment from the river bottom — enough to fill up MetLife Stadium twice.
The $1.7 billion cleanup, under study for 25 years, would target the lower eight miles of the highly polluted waterway, from Belleville to Newark, which remains heavily contaminated with high concentrations of dioxin, PCBs and other contaminants left behind by more than a century of industrial activity.
Officials said those responsible for polluting the river would pay the cost of cleanup. But likely court challenges could further delay and complicate the project, they said, with at least 100 companies potentially liable under the federal Superfund law.
Judith Enck, regional administrator of the U.S. Environmental Protection Agency who made the cleanup announcement at a riverfront park in Newark, said the Passaic has been plagued by pollution for far too long.
"We've studied this for years. The river communities have suffered for long enough," she said.
The EPA said the sediment removal — one of the largest volumes ever to be dredged under the Superfund program — would be accompanied by a capping of the river bottom. The contaminated sediment would be pressed, dried, then shipped out of state for disposal.
The project is similar to the ongoing effort in the Hudson River intended to remove PCBs, or polychlorinated biphenyls, discharged by two now-shuttered General Electric plants over a 30-year period.
New Jersey Department of Environmental Protection Commissioner Bob Martin called the EPA proposal for the Passaic the most "workable and realistic remedy" for a river he said was misused for decades and used as a dumping ground for industrial toxins and pollutants.
"We'd like to start the cleanup process as soon as possible," Martin said. "This river is going to be cleaned up."
The Passaic, stretching 90 miles through 45 municipalities in seven counties, has a long history of abuse, with fish and shellfish in the lower part of the river highly contaminated with mercury and cancer-causing chemicals that can be found deep in the bottom sediment. Catching crabs is prohibited, and those who fish are advised not to eat what they catch.
According to the EPA, much of the dioxin in the river was generated from the Diamond Alkali Co. plant in Newark, which produced Agent Orange and other deadly pesticides during the 1960s, leaving behind a toxic legacy in the sediment.
The empty tract where the plant was located is now entombed in concrete to prevent leaching of contaminants in the river, but the sediment of the riverbed remains full of dioxin, according to environmental studies. The site was added to the federal Superfund list in 1984.
U.S. Sen. Cory Booker
(D-N.J.), the former mayor of Newark who attended yesterday's EPA announcement with Sen. Robert Menendez (D-N.J.) and other members of the state's congressional delegation, just upriver from the Diamond Alkali plant, called it "New Jersey's biggest crime scene."
Federal officials said about 100 other companies are also potentially responsible for generating and releasing pollutants into the Passaic. Rep. Bill Pascrell (D-9th Dist.) raised concerns that legal battles could delay any cleanup "by another 10 years."
The state had been in court for a decade, seeking damages against many of the companies blamed for the river contamination, before reaching a partial settlement with some only last year.
Debbie Mans, the NY/NJ Baykeeper, said those responsible for the pollution are to blame for the continuing delay.
"They have been paying lobbyists and lawyers instead of paying for the cleanup," she said.

But an industry group representing some of the companies affected by the proposed cleanup order labeled the EPA plan "a massive, impractical and disruptive bank-to-bank remedy."
Jonathan Jaffe, a spokesman for the Lower Passaic River Study Area Cooperating Parties Group, which represents 67 companies, said the EPA plan will take decades to implement, potentially disrupting economic growth and limiting recreational activity on the river for a generation. He said, "EPA's recovery prediction show that the proposed bank-to-bank dredge may not even be protective of human health."
Jaffe said the three companies that inherited Diamond Alkali's liability — Occidental Chemical Corp., Maxus Energy Corp. and Tierra Solutions Inc. — were largely at fault for the pollution in the river and "have unnecessarily delayed any meaningful action on the river for decades."
A spokesman for the successor companies had no comment.
There has already been some dredging in the river in the past two years. In 2012, the EPA ordered dredging in the Passaic near the Diamond Alkali facility, where 40,000 cubic yards of contaminated sediment were removed. Last year, another 16,000 cubic yards of contaminated sediment from a half-mile stretch of the river in Lyndhurst was also removed after high levels of contamination were detected.
A group of some of the companies affected by the proposed cleanup order, meanwhile, today called the EPA plan "a massive, impractical, and disruptive bank-to-bank remedy."
Jonathan Jaffe, a spokesman for the Lower Passaic River Study Area Cooperating Parties Group, which represents 67 companies, said the EPA plan will take decades to implement in one of the most congested regions in the country, potentially disrupting economic growth and limiting recreational activity on the river for a generation, and may not even be protective of human health.
He said Tierra Solutions and other successor companies to Diamond Alkali were responsible for what is driving the clean-up of contamination, but "have unnecessarily delayed any meaningful action on the river for decades."
A spokesman for the Tierra had no immediate comment.
The EPA will hold public meetings on the proposal in May and June in Newark, Kearny and Belleville. The first one will be May 7 at the Portuguese Sports Club in Newark, with locations and dates for the other two still to be determined.

The Record
$1.7 billion plan to clean up the Passaic River unveiled
APRIL 11, 2014, 2:13 PM
By Scott Fallon

CARMINE GALASSO/STAFF PHOTOGRAPHER
The plan announced Friday by the EPA targets the Passaic River near Newark, the most polluted stretch.
In what is being called the largest toxic cleanup in U.S. history, enough highly contaminated sediment to fill 358,000 dump trucks will be dredged from the Passaic River under a $1.7 billion plan announced Friday.
CARMINE GALASSO/STAFF PHOTOGRAPHER
U.S. Sen. Cory Booker speaking Friday on the Newark riverfront, where federal officials outlined their plan to remove 4.3 million cubic yards of toxic mud. He was joined by Sen. Bob Menendez and Rep. Bill Pascrell Jr.
The much-anticipated project by the U.S. Environmental Protection Agency would remove 4.3 million cubic yards of toxic mud from the bottom of the river's lower eight miles, one of the most polluted stretches of water in the nation.
The proposal "will result in a cleaner river that protects people's health and increases the productive use of one of New Jersey's most important natural resources," Judith Enck, the EPA administrator for the region, said at a news conference next to the river in Newark.
The work, however, is years away from starting because of the planning required to carry out the cleanup.
The "bank to bank" project will focus on removing sediment from Newark Bay eight miles north to Belleville.

Although 17 miles of the river — from the bay to the Dundee Dam in Garfield — is part of the Superfund site, EPA officials said they are targeting the lower eight miles because it contains the greatest concentration of cancer-causing dioxin, PCBs, mercury and other industrial pollution. Those contaminants are swept by the tide to other parts of the river.
About 100 companies that either polluted the river or inherited the liability of past polluters are on the hook to pay for the cleanup. Many of them had been advocating for a much smaller, less expensive and quicker cleanup focusing on dredging 25 hot spots in the river.

The EPA's plan will "take decades to implement in one of the most congested regions in the country, potentially disrupting and impairing economic growth and limiting recreational activity on the river for a generation," the companies said in a statement Friday.

But several lawmakers, community leaders and environmental activists said the EPA's plan was the best one for the river.

The news conference about the cleanup drew federal officials including Sens. Bob Menendez and Cory Booker, and Rep. Bill Pascrell Jr.

"It's time for the companies that polluted this river to stop paying their lobbyists and lawyers and start paying for a cleanup," said Debbie Mans, co-chairwoman of a community group advising the EPA on the project.

Public input planned

The enormity of the cleanup is considerable. The amount of dredged mud would fill MetLife Stadium twice. It is almost double the amount of contaminated sediment being dredged from the Hudson River, a project long considered the biggest river rehabilitation in the U.S. In that cleanup, General Electric Co. has spent more than $1 billion so far to remove 2 million cubic yards of PCBs that turned the Hudson into a 200-mile Superfund site.

The EPA had long been leaning toward the 4.3-million-cubic-yard cleanup of the Passaic. The project calls for dredging 2½ feet in most of the river and up to 15 feet deep to accommodate a navigation channel. Once the contaminated sediment is removed, a protective cap of 2 feet of sand and 1 foot of materials to support habitat for fish and plants will be placed over the dredged area.

The dredged material would then be taken by barge to a local facility that would separate water from the sediment.

The water would then be cleaned and discharged back into the Passaic. The sediment would be transported by rail to facilities in the U.S. or Canada. Material containing dioxin — about 10 percent of the overall dredged mud — would be incinerated and the rest buried in a landfill that handles toxic material.

The EPA had considered burying the contaminated material in Newark Bay, which would have cost $700 million less. But the state Department of Environmental Protection and local leaders opposed that plan.

The EPA had also been considering a more ambitious plan that would include dredging all of the contaminated sediment — 9.6 million cubic yards — at a cost of up to $3.5 billion. But agency officials said the result would not be more protective of human health.

The EPA plans to hold three public meetings in the coming months to explain the project. After considering comments from the public, the agency will finalize a cleanup plan by early next year. Engineering and design work necessary to carry out the plan will be done in the following years. The EPA estimates it would take five years to dredge the eight miles.

Corporate proposal

Industrial pollution in the Passaic dates back almost two centuries when the nation's first textile mills deposited excess dye into the waterway near Paterson. But the 20th century saw some of the deadliest pollution dumped into the river, including mercury, cancer-causing dioxin and the now-banned industrial coolant PCBs.

Despite a three-decade-old ban on crabbing and an advisory against eating fish caught in the lower Passaic, plenty of people — especially new immigrants in lower-income communities — still cast their lines every day into the river looking for a meal. The contaminated part of the river is also used by many high school, club and college crew teams for practice and races.

The companies responsible for the pollution include some of the biggest names in corporate America — BASF, Benjamin Moore, CBS, DuPont, Hess, Honeywell, Otis Elevator, Pfizer, Sherwin Williams, Stanley Black & Decker, and Tiffany and Co. It also includes smaller, local businesses like Garfield Molding and Three County Volkswagen.

So far, two cleanups of toxic material have taken place on the waterway: The dredging and capping of contaminated mudflats in Lyndhurst and the removal of toxic river sediment near the Diamond Shamrock plant in Newark, which dumped dioxin into the river while making the Vietnam-era defoliant Agent Orange.

Representatives for a group of 67 companies, have spent more than a year trying to drum up public support for their smaller cleanup plan, which they say would take three years from start to finish.

Their plan, called the "Sustainable Remedy," would have removed only 500,000 cubic yards of sediment and restored watersheds to cut down on runoff. It also included a much-ridiculed "fish exchange" proposal where anglers who pull contaminated fish from the Passaic could swap them for healthy ones grown in a nearby tank.

The companies have never said how much their plan would cost. EPA officials estimated it at $400 million to $600 million if they removed 900,000 cubic yards — almost double the quantity proposed by the companies.

Jonathan Jaffe, a spokesman for the group, said they will continue to push for their cleanup plan during the comment period.

Citing General Electric's eventual cleanup of the Hudson, EPA officials said they were optimistic that the companies would eventually comply with the agency's plan. They said the federal Superfund law gives little room to polluters to avoid paying for a cleanup.
"We certainly hope they will step up and buy into this," Enck said. "I'm expecting the best from them."

Associated Press
US calls for $1.7B cleanup of Passaic River
By GEOFF MULVIHILL
Associated Press
Friday, April 11, 2014

TRENTON, N.J. (AP) — The federal government plans to launch a $1.7 billion cleanup of a stretch of the Passaic River in New Jersey where Agent Orange was made and where mercury and DDT remain.
The plan, unveiled Friday in Newark, has the support of several members of Congress from New Jersey as well as Republican Gov. Chris Christie's administration and environmentalists.
The Environmental Protection Agency wants to deeply dredge the lower two miles of the river with the idea of making it navigable again and cap the riverbed on the six miles upstream to keep pollutants in place. The government selected the option over one that would have involved dredging the entire 8-mile stretch of the lower Passaic, which runs through Newark and other northern New Jersey towns before emptying into Newark Bay. The plan selected does not address upper stretches of the river, which the Sierra Club of New Jersey says also needs attention.
The river runs through the heart of what was one of the nation's busiest industrial areas and its sediment bears witness to the history.
Officials say they expect to take out 4.3 million cubic yards of material — enough to fill MetLife Stadium twice — treat it, and put it in a hazardous waste landfill.
The material includes several dangerous chemicals that were put into the water by more than 100 factories that were on the banks of the river over a century. The EPA says it expects to remove 18 pounds of highly toxic dioxins, 15,000 pounds of PCB's, 35,000 pounds of mercury and nearly 2,000 pounds of the now-banned pesticide DDT.
The government had previously removed material close to the former Newark plant of Diamond Alkali where Agent Orange — a herbicide used to clear foliage during the Vietnam War that causes serious health problems and birth defects — was produced.
The EPA says that the biggest health risks to people from contamination on the river come from eating fish from there — something that some people do despite warnings. The agency says that fish caught in the river can be made safer to eat, and that risks to wildlife can be reduced through the project.
"Unfortunately, this environmental treasure was misused for several decades. It became a dumping ground for industrial toxins and pollutants," New Jersey DEP Commissioner Bob Martin said in a statement. "But it does not have to remain impaired. It can be brought back to life and returned to its role as an important environmental and economic resource for north Jersey."
The EPA intends to use the Superfund, which forced polluters to pay, for the cleanup.
New Jersey's two U.S. senators and four of its Congressmen issued a joint statement praising the potential of the cleanup for the environment and for creating hundreds of jobs.
Many precise details of the EPA's plan have not been determined. The agency is holding three hearings in May and June and accepting public comment until June. It expects to unveil a final plan next year.

CBS News
EPA Proposes Massive Cleanup Project For Part Of Passaic River
April 11, 2014 6:57 PM

Newark, N.J. (CBSNewYork) — Parts of the Passaic River have been infested with cancer-causing chemicals for years.
The water is so dangerous fishing in the river has been banned.
Now, a major step forward in recovery is in motion as the Environmental Protection Agency unveiled its largest proposed Superfund cleanup in the nation, CBS 2's Christine Sloan reported Friday.
"This river is heavily contaminated with dioxin, PCBs, heavy metals like led and mercury, pesticides," EPA Regional Administrator Judith Enck said.

Due to all of the pollution in the water, New Jersey residents haven't been able to eat any of the crab or fish in the river. People aren't even allowed to swim, and wildlife is in danger.
"It is a witches' brew of chemicals that unfortunately some of them cause cancer," Enck said.
The EPA has proposed a dredging project for an 8-mile stretch of the troubled Passaic River, Sloan reported. It is estimated to be a $1.7 billion project. The EPA said the cost will be paid for by the 200 companies that polluted the river, not by taxpayers.
"Right here in Newark, a company manufactured agent orange that was used during the Vietnam War and it was dumped into the land, it seeped into the river," Enck said.
Back in the 80's, former Gov. Tom Kean Sr. had the Diamond Alkali plant — the company responsible for agent orange — covered in cement to stop more chemicals from leaking into the river, Sloan reported.
The 8-mile stretch between Newark and Lyndhurst was described by Sen. Cory Booker as the state's biggest crime scene, WCBS 880's Levon Putney reported.
"Was assaulted, poisoned and left for dead," Booker said.
A group representing 67 companies that have agreed to pay and help with clean up opposes the EPA's plan.
"We're focusing on the lower 17 miles of the river. This plan is only for the lower eight miles," said Jonathan Jaffe, of the lower Passaic River Study. "Our plan would help clean up the river quicker."
A delegation of lawmakers, however, say it is time to stop the fighting.
The Sierra Club's Jeff Tittel agrees with that sentiment. His aunt and uncle lived along the river and both died of liver cancer.
"For my family that actually grew up in this neighborhood, who lived in this area for close to a hundred years, maybe this toxic legacy will be over one day," Tittel said.
The EPA's proposal calls for moving the massive amounts of sediment in the river out of New Jersey by train. Enck told Putney the project would place a protective cap over the dredged area after the contaminated soil is removed.
Residents will have a chance to voice their ideas and concerns at several public meetings. The final plan on the project is expect to come out early next year.

EPA's massive $1.7 billion Passaic River cleanup may face hurdles
WPIX TV

NEWARK, N.J. (PIX11)– It's the biggest environmental cleanup in Environmental Protection Agency history, but the EPA's announcement on Friday that the lower eight miles of the Passaic River will become fishable and swimmable again has a way to go before any removal of the waterway's many toxins can begin.
"We are standing before, right now, about New Jersey's biggest crime scene," said Sen. Cory Booker (D) as he stood in front of the Passaic at a ceremony Friday afternoon announcing the river cleanup. "This river was beaten, was brutalized, was assaulted, was poisoned and was left for dead," said Booker.
The Environmental Protection Agency announced a multi-billion dollar cleanup of the Passaic River. (PIX11)
Until being elected to the U.S. Senate last November, Booker had been mayor of Newark for the previous seven years.
In that capacity, he'd worked extensively with groups and activists who have tried to get the waterway, which is an EPA Superfund cleanup site, cleaned up.
Booker was at the riverfront ceremony Friday afternoon with a panel of heavy political hitters, including fellow senator Bob Menendez, three local members of congress and other major environmental policymakers.
They each declared that the Passaic will be cleaned, but some of them admitted that it may take work and time.
For well over a century, some 100 industrial companies have dumped their waste into the Passaic, which runs past Newark as well as more than a dozen other North Jersey towns.
Over 90 percent of the river's most toxic pollutants are sitting in its last eight miles before it enters Newark Bay, according to the EPA.
Most of the muck on the river bottom, 4.3 million cubic yards, or enough to fill MetLife Stadium twice over, according to the EPA, will be dredged under the agency's plan.
The river's bottom and its embankments would then be covered with a cap made of stone and sand, shore to shore, at a cost of at least $1.7 billion.
The project is expected to take between 2 to 3 years. (PIX11)
The process won't be done overnight, by any means.

“It’s going to take two to three years to design this project,” said Ray Basso, the EPA director for the Lower Passaic area. “It’s probably going to take before that a year to negotiate a settlement with the responsible parties who have to pay for it.”
He likened Friday’s cleanup announcement to winning Game 1 of the World Series, and said he expects the rest of the series, if you will, to take at least “four years before we can actually get in and dredge.”
The tab for the dredging and revitalization effort is supposed to be paid for by the historic polluters, according to the Superfund Law. The regional administrator for the EPA said that there are strong incentives for that to occur as soon as possible.
“If the polluters don’t do the cleanup,” said Judith Enck, “the EPA has the legal authority to do it and then charge them, and charge them three times the cost. So we fully expect that we’re going to get this done within the decade.”
The industrial companies, however, have got a different proposal.
“We have a plan to get rid of these [environmental] hotspots on the river,” said Jonathan Jaffe, a spokesperson for the Cooperative Parties Group, or CPG, a consortium of 67 companies determined by the EPA to have contributed to the river’s pollution made by PCBs, DDT and other toxins.
CPG’s proposal would clean up specific pollution sites along the lower 17 miles of the Passaic River, rather than focus on its last 8 miles, as the EPA is doing. Jaffe said that his group’s intention is “to put in these out of river projects within five to six years, which is a big difference [from the EPA proposal] and it’s not going to be nowhere near as disruptive.”
New Jersey has the highest number of EPA Superfund sites in the country, and the Passaic is the largest and most toxic of all New Jersey sites, according to EPA studies. Agent Orange, a highly toxic defoliant used to clear jungle battle zones during the Vietnam War, was among the many toxins produced along the river.
While the EPA and the CPG both have plans for cleanup, the two sides are far apart. Negotiations between the two parties will begin as soon as possible, but during the cleanup’s announcement, more than one speaker who addressed the assembled group of activists, residents and political supporters said that a court battle could be expected.

Capital NY
Capital Energy: On the hook for the Passaic; NY comes 4th
By Scott Waldman and David Giambusso
Apr. 14, 2014

AN EXPENSIVE PROPOSITION: The Environmental Protection Agency is pushing for the most expensive cleanup ever to take place on the lower part of the Passaic River, which eventually feeds into the New York harbor. The $1.7 billion project will remove 4.3 million cubic yards of highly contaminated sediment from eight miles of the river. A century of industrial activity in the Passaic has left dioxin, PCBs, heavy metals, pesticides and other contaminants in the river. The agreement is still contingent on reaching agreements with private companies responsible for the pollution, so that taxpayers don’t have to foot the bill. Precedent suggests companies will have to fight this in court if they are unwilling to pay for the cleanup. FULL TEXT REQUIRES SUBSCRIPTION

E&E News
EPA announces $1.7B dredging plan for N.J. river
Robin Bravender, E&E reporter
Published: Friday, April 11, 2014

NEWARK -- U.S. EPA today announced a $1.7 billion plan to dredge up remnants of Agent Orange and other harmful pollutants from the Passaic River.

The plan to remove 4.3 million cubic yards of highly contaminated sediment from the lower 8 miles of the river would mark one of the largest volumes ever to be dredged under EPA's Superfund program, the agency said today.

"This certainly has been a long haul," said Judith Enck, head of EPA's Region 2 office that oversees New Jersey. "The Passaic River has been plagued by pollution for far too long."

The sediment slated to be dredged would be enough to fill up New Jersey's MetLife Stadium two times, Enck said.

A major part of the pollution in the river is dioxin from the Diamond Alkali facility, which produced Agent Orange and pesticides during the 1960s that contaminated the land and river nearby. According to EPA, about 100 companies are potentially responsible for generating and releasing dioxin, PCBs, heavy metals and other contaminants into the river.

Enck joined both of New Jersey's senators and several other state and local leaders today at an event along the river announcing the plan. EPA will hold three public meetings on the proposal and will accept comment from April 21 until June 20.

Sen. Cory Booker (D-N.J.), former mayor of Newark, called today "a day of justice" as he praised the plan. He called the Passaic River "New Jersey's biggest crime scene." He added, "This river was beaten, was brutalized, was assaulted, was poisoned and was left for dead." Thanks to the cleanup, he said, the river will "rise again."

Extensive work was done between 1983 and 2001 to clean up the land at the Diamond Alkali facility, EPA said. The plan announced today would address the lower 8 miles of the river portion of the site. Under the Superfund program, EPA looks to force those responsible for the pollution to pay for the cleanup. EPA said it would pursue similar agreements in this case.

"All of the companies that put the contaminants in the water will be paying for the full cleanup," Enck said. She estimated the total cost would be $1.7 billion.

News 12 NJ TV
Environmental Protection Agency orders Passaic River cleanup
Originally published: April 11, 2014 6:56 PM
Updated: April 11, 2014 9:06 PM

ESSEX COUNTY - The Environmental Protection Agency is calling for a $1.7 billion cleanup of the heavily polluted lower Passaic River in New Jersey.
A Newark plant that made Agent Orange was one of more than 100 facilities blamed for polluting the river.
"A waste byproduct of the manufacture of Agent Orange was dioxin, and that got dumped on their property," says EPA Superfund Director Walter Mugdan. "It blew into the community and a lot got dumped into the river and sloshes up and down because the river is tidal."
EPA officials say they'll also remove pollutants like mercury and DDT.

A public comment period is scheduled to last until June with a final, detailed plan to be unveiled next year.
NJ Tomato (online publication)
EPA to Remove Toxic Sediment from the Passaic River - and it will take over $1 billion to get this dirty job done
A view of the polluted Passaic River.
Posted 4/12/14
Last year, I worked behind the scenes and wrote a few pieces about the toxic condition of the Passaic River in certain parts of our area. Contaminated sediment was found in the Passaic River, which borders many towns in our area including Nutley and Belleville.
Now, the EPA has sent out a plan outlining their steps to correct this problem, which is a major health hazard (as I predicted in this paper).
In an historic action that will protect people's health and the environment, and benefit riverfront communities, the U.S. Environmental Protection Agency today proposed a plan to remove 4.3 million cubic yards of highly contaminated sediment from the lower eight miles of the Passaic River in New Jersey. The sediment in the Passaic River is severely contaminated with dioxin, polychlorinated biphenyls (PCBs), heavy metals, pesticides and other contaminants from more than a century of industrial activity. The lower eight miles of the Passaic is the most heavily contaminated section of the river. Ninety percent of the volume of contaminated sediments in the lower Passaic are in the lower eight miles of the river.

The EPA is proposing bank-to-bank dredging – one of the largest volumes ever to be dredged under the EPA's Superfund program – followed by capping of the river bottom.
The proposed plan is based on an extensive seven-year study of the lower eight miles of the river, known as a focused feasibility study, and was developed in consultation with the New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration and with outreach to representatives of the many communities along the lower Passaic River. The study examined the contamination and analyzed options for reducing the risks that the contaminants in this segment of the river pose to people's health and the environment. The EPA will accept public comments on its proposed plan from April 21 to June 20.
The EPA will hold three public meetings to explain the proposal.
Specific date and location To Be Determined
"High concentrations of dioxin, PCBs and other contaminants in the lower eight miles of the Passaic River are a serious threat to the people who eat fish and crabs from this river," said Judith A. Enck, EPA Regional Administrator. "The EPA's proposed cleanup plan will result in a cleaner river that protects people's health and increases the productive use of one of New Jersey's most important natural resources and creates jobs during the cleanup. Doing less is not good enough for this river or the people who live along it."
A major source of dioxin in the river was pollution from the Diamond Alkali facility in Newark, New Jersey, where the production of Agent Orange and pesticides during the 1960s generated dioxin that contaminated the land and the river. In addition, approximately 100 companies are potentially responsible for generating and releasing dioxin, PCBs, heavy metals, pesticides and other contaminants into the river. Fish and shellfish in the lower Passaic, its tributaries and Newark Bay are highly contaminated with mercury, PCBs and dioxin. Fisheries along the river have long been closed due to the contamination. Catching crabs is prohibited and there are "Do Not Eat" advisories for all fish. Local plans for riverfront development have also been hindered because of sediment contamination. The site was added to the federal Superfund List in 1984.
The lower 17 miles of the Passaic River, which stretches from its mouth at Newark Bay to the Dundee Dam, are part of the Diamond Alkali Superfund site. From 1983 to 2001 extensive cleanup work was conducted on land at the Diamond Alkali facility and in the streets and homes near it. The proposed cleanup plan announced today addresses the lower eight miles of the river portion of the site.
Because of the nature and complexity of the Passaic River contamination, the EPA divided the investigation and consideration of cleanup options into two studies – one of the entire 17-mile stretch of the Lower Passaic from its mouth to the Dundee Dam and the other focused on just the lower eight miles. The study of the lower eight miles was conducted by the EPA. A long-term study of contaminated sediment in the 17-mile stretch is ongoing. It is being conducted by a group of approximately 70 parties potentially responsible for the pollution, with the EPA oversight. Information gained from the 17-mile study was integrated into EPA's proposal for the cleanup of the lower eight miles. A portion of Newark Bay is also being studied by one of the parties potentially responsible for the contamination.
In the lower Passaic River, there is an approximately 10-to-15-foot deep reservoir of contaminated fine-grained sediment in the lower eight miles of the river. Under this plan, about 4.3 million cubic yards of contaminated sediment will be dredged and removed from the Passaic River. Once the top layer of contaminated sediment is removed from the river, a protective cap will be placed over the area that was dredged. The cap will consist of two feet of sand except along the shore where it will be one foot of sand and one foot of materials to support habitat for fish and plants. The cap will be monitored and maintained to ensure that the cleanup remains protective.
The proposed plan includes several options for managing the contaminated sediment after dredging. Air and water quality will be monitored during the work.
After receiving and considering comments from the public, the EPA will finalize a cleanup plan by early next year. Once a plan is finalized, engineering and design work necessary to carry out the plan will be done in the following years.
The proposed plan builds on dredging that has already occurred in two smaller areas with high concentrations of contaminants. In 2012, the EPA oversaw dredging in the Passaic near the Diamond Alkali facility in Newark. About 40,000 cubic yards of the most highly dioxin contaminated sediment were removed, treated and then transported by rail to licensed disposal facilities. In 2013, the EPA oversaw dredging of approximately 16,000 cubic yards of highly contaminated sediment from a half-mile stretch of the Passaic River that runs by Riverside County Park North in Lyndhurst, New Jersey. This area is located about 11 miles north of the river mouth and outside of the lower eight miles addressed in today's proposed plan. The work, which is ongoing,

was necessary because the EPA identified particularly high levels of contamination in the sediment in this portion of the river.
The Superfund program operates on the principle that polluters should pay for the cleanups, rather than passing the costs to taxpayers. The EPA searches for parties legally responsible for the contamination at sites that are placed on the Superfund list and seeks to hold those parties accountable for the costs of investigations and cleanups. Most of the work to-date to clean up the Passaic has been performed by parties responsible for the contamination. The EPA will similarly pursue agreements to ensure that the cleanup work proposed today be carried out and paid for by those responsible for the contamination at the site.
People may submit written comments by mail or email:
Alice Yeh, Remedial Project Manager
U.S. Environmental Protection Agency
290 Broadway, New York, New York 10007-1866
(212) 637-4427
PassaicLower8MileComments.Region2@epa.gov
The plan for the lower eight miles of the Passaic River is available at
http://www.epa.gov/region02/passaicriver
orhttp://www.ourpassaic.org

NJ DEP PRESS RELEASE
April 11, 2014
CHRISTIE ADMINISTRATION'S PREFERRED REMEDIATION OPTION FOR THE LOWER PASSAIC RIVER IS SELECTED BY FEDERAL EPA
Plan Calls for Capping and Dredging, and Shipping Tainted Dredge Materials to a Hazardous Waste Disposal Facility

(14/P25) TRENTON - The federal Environmental Protection Agency (EPA) has chosen the Christie Administration's preferred remedy as its proposed remediation plan for the Lower Passaic River, a plan that could kick-start a long-overdue cleanup of a contaminated eight-mile section of this vital waterway that was once an economic engine for the state and nation, Department of Environmental Protection Commissioner Bob Martin announced today.

Governor Christie, in a 2012 letter to EPA which is being made public today as part of the EPA's review process, said New Jersey's preference is bank-to-bank capping of the river bed, with sufficient dredging to prevent additional flooding and to enable future navigational use of the lower 2.2 miles of the river. Dredged materials would be taken for off-site treatment and disposal at a hazardous waste landfill.

"My Administration has worked tirelessly to ensure that New Jersey's air, water, land and natural resources are protected for the public's benefit, while simultaneously facilitating economic growth and sustainability in all business sectors," Governor Christie stated in his letter. "The extreme level of contamination in sediments in the Lower Passaic River has long hindered our attainment of these objectives in that portion of the state. Not only will removal and stabilization of the uncontrolled sources substantially improve the environment, it will also spur economic growth and revitalization along the Passaic River and throughout Northern New Jersey. After 25 years of study, the time to act is now."

The EPA's announcement of the proposed remedy came after years of study by EPA and its contractors, as well as detailed peer review by the EPA's Contaminated Sediments Technical Advisory Group and its National Remedy Review Board, plus an independent team of modeling experts. A series of EPA public hearings on the proposed remedy will be held later this year.

The DEP has worked closely with and assisted the EPA in development of a Focused Feasibility Study (FFS) for the cleanup of the lower eight miles of the Passaic River. The goal of the state-preferred remedy is to reduce the ongoing threat to human health and the environment, while spurring economic growth and revitalization along the Passaic River and through northern New Jersey.

"Unfortunately, this environmental treasure was misused for several decades. It became a dumping ground for industrial toxins and pollutants," said Commissioner Martin. "But it does not have to remain impaired. It can be

brought back to life and returned to its role as an important environmental and economic resource for North Jersey. We'd like to start the cleanup process as soon as possible to make that revival happen."

While, ideally, the state would prefer complete removal of all contaminated sediments, as stated in Governor Christie's letter, the state's position is that the bank-to-bank capping remedy will achieve virtually the same level of protection over time as the full dredging remedy.

In addition, for any dredge material generated while implementing the capping remedy, the Christie Administration's position is that the only viable option, for environmental and public health and safety reasons, is off-site disposal so that the contaminated sediment is permanently removed from the community and properly secured in an appropriate facility. That position was reiterated in a March 12, 2014 letter from Commissioner Martin to current EPA Administrator Gina McCarthy.

EPA will seek funding for the implementation of the preferred remedy, once a remedy has been formally approved, from the companies it deems responsible for the contamination.

The EPA evaluated several potential remedies: Alternative 1: No action. Alternative 2: Deep dredging of the entire eight miles. Alternative 3: Capping, with sufficient dredging of the entire eight miles to prevent additional flooding and allow navigation in the lower 2.2 miles. EPA later added and evaluated a fourth alternative, after the state had already made its preference known, for focused capping and dredging of select areas of the river bed, which the state did not support.

The state's choice of the third alternative is based on many factors, among them the belief that any remedial action for the Passaic River must:

* Remove as much contaminated sediment as possible to reduce the ongoing threat to human health and the environment;
* Stop the uncontrolled release and movement of contaminated sediments into Newark Bay and other parts of the estuary;
* Be consistent with reasonable long-term future uses of the Passaic River and adjacent areas, particularly its use as a navigable waterway;
* Remove and treat contaminated sediments consistent with the state's preference for remedies which permanently and significantly reduce volume, toxicity and mobility of hazardous substances;
* Provide for management of the waste in a manner that will not add further burden to the surrounding communities' existing environmental issues;

The Passaic River was vital to America's industrial engine for more than 100 years, helping to bring thousands of jobs and economic prosperity to northern New Jersey and an emerging nation. Running through one of the most densely populated areas of the state, it also served as an important natural and recreational resource.

Its sediments are now filled with dioxins generated by production of Agent Orange at a Newark site, which now makes the Lower Passaic River one of the most contaminated rivers in the nation.

EPA previously has conducted two "hot spot" sediment removal efforts on the Lower Passaic River. In 2012, it targeted removal of 40,000 cubic yards of dioxin-contaminated adjacent to the Diamond Alkali Superfund site in the Ironbound section of Newark. In 2013, EPA required that responsible parties dredge the top 2 feet of dioxin-contaminated sediments in a half-mile of mudflats along the Passaic River in Lyndhurst and cap the remaining contamination.

To view Governor Christie's and Commissioner Martin's letters to the EPA, visit: http://www.nj.gov/dep/docs/passaic-river-epa-letters.pdf

To view the details of EPA's proposed remedy, and to view technical information regarding the need for the cleanup and different alternatives evaluated, visit: http://www.epa.gov/region02/passaicriver

EPA Calls for $1.7B Cleanup of New Jersey's Passaic River

NBC New York-Apr 11, 2014
VIDEOhttp://www.nbcnewyork.com/news/local/Passaic-River-Cleanup-EPA--254949631.html

thealternativepress.com

EPA Passaic River Clean-Up Proposal Largest In History

By Cynthia Cumming
Sunday, April 13, 2014 • 10:51am
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WEST ORANGE, NJ - The U.S. Environmental Protection Agency has proposed plans to remove 4.3 million cubic yards of highly contaminated sediment from the lower eight miles of the Passaic River in New Jersey. According to the EPA, Passaic river sediment is "severely contaminated with dioxin, polychlorinated biphenyls (PCBs), heavy metals, pesticides and other contaminants from more than a century of industrial activity".

The lower eight miles of the Passaic is the most heavily contaminated section of the river, containing 90% of the volume of contaminated sediments. The EPA plans to employ "bank-to-bank dredging" in their largest effort to date under the EPA's Superfund program, followed by capping of the river bottom.

After seven years of focused feasibility studies the EPA, in conjunction with the New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and representatives of the communities along the lower Passaic River, the proposal was developed. Contamination along the lower eight miles of the Passaic River was examined and options were analyzed to reduce the contaminant risks. The goal addresses the environmental health risks to the communities, wildlife, river, and land.

"High concentrations of dioxin, PCBs and other contaminants in the lower eight miles of the Passaic River are a serious threat to the people who eat fish and crabs from this river," said Judith A. Enck, EPA Regional Administrator. "The EPA's proposed cleanup plan will result in a cleaner river that protects people's health and increases the productive use of one of New Jersey's most important natural resources and creates jobs during the cleanup. Doing less is not good enough for this river or the people who live along it".

The EPA release cited the Diamond Alkali facility in Newark as a "major source of dioxin in the river, where the production of Agent Orange and pesticides during the 1960s generated dioxin that contaminated the land and the river."

The release continues, "Approximately 100 companies are potentially responsible for generating and releasing dioxin, PCBs, heavy metals, pesticides and other contaminants into the river. Fish and shellfish in the lower Passaic, its tributaries and Newark Bay are highly contaminated with mercury, PCBs and dioxin. Fisheries along the river have long been closed due to the contamination. Catching crabs is prohibited and there are "Do Not Eat" advisories for all fish. Local plans for riverfront development have also been hindered because of sediment contamination. The site was added to the federal Superfund List in 1984."

From 1983 through 2001, the lower 17 miles of the Passaic River stretching from Newark Bay to the Dundee Dam were the site of extensive cleanup work on land at the Diamond Alkali facility and around nearby homes and streets. Today's proposed plan would address the lower eight miles of the river.

Once public comments are received and considered, the EPA will finalize a cleanup plan by early 2015.

In 2012, the EPA oversaw dredging operations in the Passaic near the Diamond Alkali facility in Newark. About 40,000 cubic yards of dioxin contaminated sediment were removed, treated and transported to licensed disposal facilities.

In 2013 approximately 16,000 cubic yards of highly contaminated sediment from a half-mile stretch of the Passaic running by Riverside County Park North in Lyndhurst, New Jersey was dredged.

The EPA searches out responsible parties and sources of contamination and charges them with the costs for remediation via the Superfund program.

The plan for the lower eight miles of the Passaic River is available at http://www.epa.gov/region02/passaicriver or http://www.ourpassaic.org

Public comments will be accepted by the EPA on their proposed plan from April 21 to June 20, and several public meetings describing the proposal will be held at the following locations:

May 7, 2014 at 7 p.m., Portuguese Sports Club, 55 Prospect Street,, Newark, New Jersey, 07105

May 2014 in Kearny, New Jersey, Specific date and location To Be Determined

June 2014 in Belleville, New Jersey, Specific date and location To Be Determined

Written comments via mail or email may be submitted to:

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