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A new angle on cleaning up Passaic River: Swap your catch for a cleaner fish
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BY SCOTT FALLON
STAFF WRITER
The Record

In what critics call a desperate bid to avoid the most expensive toxic cleanup in New Jersey history, the companies responsible for polluting the Passaic River are promoting a plan they say will help keep people safe: swapping contaminated fish pulled from the river with healthy ones.

The plan would involve a less-extensive cleanup along with the establishment of an indoor fish farm so anglers along the Passaic — one of the most polluted rivers in the nation and a federal Superfund site — can exchange the fish they catch with fish that are safe to eat.

The fish exchange is the latest idea by 70 companies that have been waging a public relations campaign for more than a year against the Environmental Protection Agency, which is developing a cleanup plan that could cost them billions.

The companies say that one of the most likely ways the public comes in contact with the contamination is through recreational fishing. By giving people healthy fish to eat, the companies say they can lessen the impact of the pollution. It would also mean they would not have to dig up nearly as much contamination as federal officials are likely to require.

The plan, which the companies call the “Sustainable Remedy,” has been sharply criticized by environmental officials, who believe the companies are looking for a way out of the massive bill.

“They are panicked and scrambling,” said Ray Basso, an EPA official who is overseeing the Passaic cleanup.

“Their motivation is that they don’t have to dig as much stuff out of the river,” he said. “We would not take it seriously.”

The EPA is expected to unveil a cleanup plan in January. EPA officials have revealed few details of the cleanup except to say it will be “bank to bank,” focusing on every part of the river, from Belleville eight miles south to Newark Bay. Last year they said they were in favor of a $1 billion to $1.8 billion project to dredge about 4.3 million cubic yards from the bottom of the Passaic — enough to fill 358,000 dump trucks — over six years. The area would then be backfilled to prevent the remaining pollution from spreading. The EPA is also considering another plan, which would include dredging all of the contaminated sediment — 9.6 million cubic yards — at a cost of $1.4 billion to $3.5 billion.

On the hook for the cleanup are 70 companies, from well-known corporate giants such as Sherwin-Williams, Pfizer, Otis Elevator and PSE&G to smaller, local businesses like Garfield Molding and Three County Volkswagen. The companies, called the Cooperating Parties Group, either polluted the river or inherited the liability of past polluters.

The plan being proposed by the companies would involve removing about 500,000 cubic yards of sediment from hot spots in the river’s lower 17 miles and restoring watersheds to cut down on runoff. They companies said digging up hot spots polluted with cancer-causing dioxin, mercury, PCBs and other toxic material along with the fish exchange would be more beneficial for the river and more protective of human health.

The program “is the only initiative currently under way that would address, in the near term, the primary health risk posed by river sediment,” said Jonathan Jaffe, a spokesman for the companies.

Ana Baptista, who is co-leader of a local advisory group to the EPA, disagrees.

“They are throwing money at a crazy project and seeing what sticks,” she said. “We’re going to magically exchange sick fish for healthy fish. Are you going to have people sitting in the bushes ready to exchange a tilapia?”

Despite repeated requests, the companies won’t say how much their plan costs. EPA officials estimate that the sustainable remedy proposal would cost $400 million to $600 million if they removed 900,000 cubic yards — almost double what the companies say they would haul away.

Deadliest chemicals

Industrial pollution in the Passaic dates back more than 150 years when some of the country’s first large textile mills began dumping excess dye into the waterway. In the 20th century, some of the world’s deadliest chemicals were deposited into the waterway. One of the worst spots is a section of the river in Newark where the former Diamond Shamrock factory dumped cancer-causing dioxin, a byproduct of the infamous Vietnam-era defoliant Agent Orange. That area is being dredged under a separate cleanup project.

Because the Passaic is tidal in its lower 17 miles, factory discharges were swept back and forth from Newark Bay to the Dundee Dam in Garfield, eventually settling on the bottom and in mudflats on the riverbank.

Basso said the cleanup would not only be the most expensive ever in New Jersey, but will rank among the costliest in the nation.

Over the past year, representatives for the companies have met with municipal and county officials, state legislators and community groups to promote their cleanup plan. Because it would be less extensive, they argue it would be faster — taking three years instead of six or 12 under the EPA’s plans — and less disruptive to river communities than the EPA’s plans. The companies are already spending $20 million to dredge and cap a hot spot in Lyndhurst on the banks of Riverside County Park.

The fish exchange proposal was presented for the first time last week at a meeting of the river’s Community Advisory Group, an assemblage of residents and environmentalists organized by the EPA in many areas with Superfund sites to offer residents a voice in decision-making. Many were surprised that the plan is being introduced so late in the process.

Consultants working on behalf of the companies offered minimal details. Along with removing contaminated mudflats, the fish exchange would help eliminate one of the main exposures humans have to the river’s toxic material, they said.

For three decades New Jersey officials have advised against eating fish caught from the lower Passaic because it is so contaminated. Crabbing is banned. Although warning signs are posted along the riverbank, plenty of people — especially new immigrants in lower-income communities — still cast their lines every day into the Passaic looking for a meal.

The consultants said they are working in conjunction with Rutgers University and a church in Newark to build an indoor fish farm near the Passaic River. They are concentrating on carp because surveys in English and Spanish they said they conducted with anglers along the river showed that 25 percent of the fish consumed from the Passaic are carp. The most active fishing spots were at the Dundee Dam in Garfield, a boat launch in Nutley and the Union Avenue Bridge in Rutherford.

But how anglers would be able to swap fish caught from the Passaic for a farmed fish is not clear.

The companies say that a fish exchange along with their cleanup would lower the cancer risk more than the EPA's various dredging proposals, based on their computer modeling.

But Basso said there is little, if any, science supporting those claims. The companies, he said, have had years to produce a science-backed plan to clean up the river and have failed to do so.

"There is nothing to review," said Basso, director of the EPA's Lower Passaic River Project. "Our [plan] will be 1,000 pages of text and appendixes. Ours will be publicly critiqued. We don't have the benefit of any of that. It's a whole lot of talk. And you can't do an assessment of that."

Other regulatory agencies were similarly puzzled by the proposed fish exchange.

'Ridiculous' idea

"We do not take this idea seriously," said Larry Hajna, a spokes¬man for the New Jersey Department of Environmental Protection, who had a representative at the meeting.

Debbie Mans, who co-chairs the community advisory group, called the proposal a "ridiculous" attempt by the companies to distract the public from their obligation to clean the river.

"This is only an attempt to help their bottom line since they're looking at a very expensive cleanup," said Mans, head of NY/NJ Baykeeper, an environmental advocacy group. "That you would stand on the banks of the river and hand out a healthy fish for a contaminated fish is nonsensical."

Baptista, of the Ironbound Community Corp., said crabbing was more prevalent than fishing in her Newark neighborhood. She also criticized the consultants for not conducting the survey in Portuguese since many Brazilian immigrants go crabbing in the Passaic.

"Doing fish exchanges doesn't get to the heart of cleaning the river," Baptista said.

The DEP is also concerned that concentrating on the hot spots would leave too much pollution in the river.

Because the Passaic is "arguably the most contaminated river in the world," cleaning hot spots will not bring the waterway back to health, said Larry Ragonese, another spokesman with the DEP.

"That whole river is a hot spot," he said. "There is such severe contamination that it needs a complete cleanup. You can't pick out small pieces."

Jaffe said the companies' plan can work. "A targeted approach has been used successfully at many similar Superfund sites nationwide," he said.

As for the fish exchange, representatives for the companies said they will have more details next week when a deal is finalized with the yet-to-be-named church.

"We realize some of these ideas are controversial," Ray Germann, another spokesman for the companies, said at the recent meeting. "We appreciate that fact that you keep listening to us."

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