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

MAR 2 8 2013

Philip K. Beachem
President
New Jersey Alliance for Action, Inc.
P.O. Box 6438
Raritan Plaza II
Edison, New Jersey 08818

Dear Mr. Beachem:

Thank you for your March 18, 2013 letter to the United States Environmental Protection Agency on the agency's study of options for cleaning up the lower eight-mile stretch of the Passaic River. That stretch of the river, from Newark Bay to the Belleville area, is the subject of what is referred to as a Focused Feasibility Study. The EPA shares your goal that the remediation of the lower 17-mile stretch of the Passaic River be accomplished as quickly as possible. The agency is conducting the Focused Feasibility Study because we believe it will result in a cleanup plan for the lower eight miles that is consistent with the longer-term remediation and will address the most contaminated stretch of the river on an expedited schedule. The development of cleanup options for the lower eight miles includes a rigorous review of the effectiveness and implementability of potential remedies and thorough and thoughtful consideration of community acceptance of the various cleanup options.

The EPA is implementing the cleanup of this complex river system in phases. Last year, the EPA completed the removal of 40,000 cubic yards of the most highly contaminated sediment in the Passaic River, adjacent to the former Diamond Alkali facility in Newark, New Jersey. This year, the EPA will remove another approximately 20,000 cubic yards of highly contaminated sediment from a mudflat near Lyndhurst, New Jersey. The next step in the remediation is to address the sediment of the lower eight miles of the river, which EPA data show are the major source of contamination to the rest of the river and Newark Bay.

The purpose of the Focused Feasibility Study is to document the nature and extent of contamination in the sediment of the lower eight miles of the river, calculate the risks and health hazards posed by exposure to that sediment and evaluate alternatives for reducing risks to public health and the environment. The information collected to-date for the 17-mile Remedial Investigation and Feasibility Study by the Cooperating Parties Group, with EPA oversight, has been incorporated into the Focused Feasibility Study. That information has strengthened the analyses that will form the basis for the EPA's proposal of a preferred cleanup plan for the lower eight miles.

The tidal nature of the river causes contaminants to flow both upstream and downstream from Newark Bay to the Dundee Dam. While it is common to conduct river cleanup projects from upstream to downstream, this approach does not apply to the lower Passaic because of its tidal patterns. A delay in the selection and cleanup of sediment containing highly toxic dioxin and other contaminants is not necessary to bring about an effective cleanup of the larger area. In addition, the Focused Feasibility Study is expected to be released in 2013. It would, therefore, not be productive to postpone the proposal of a cleanup plan for the lower eight miles of the Passaic.

The cleanup of the lower eight miles will be implemented following engineering and quality of life standards designed to protect public health and minimize potential impacts to river users and communities along the river. The EPA's work on the Phase 1 sediment removal project in Newark and the design plans for the upcoming sediment removal project in Lyndhurst demonstrate the agency's commitment to protecting communities during cleanups and our focus on preserving the quality of life for everyone who lives or works along the lower Passaic River.

I urge you to review the Focused Feasibility Study and the EPA's proposed cleanup plan when they are published later this year. In the interim, if you would like to discuss the agency's development of cleanup options for the lower eight miles and how those plans fit into the overall study and remediation of the lower 17 miles of the Passaic please contact me or Ray Basso of our Emergency and Remedial Response Division at 212-637-4417.

Sincerely,

Judith A. Enck

Judith A. Enck
Regional Administrator