To: Kluesner, Dave[kluesner.dave@epa.gov]
From: Judith S. Weis
Sent: Mon 11/25/2013 8:52:45 PM
Subject: Re: A new angle on cleaning up Passaic River: Swap your catch for a cleaner fish

And it's not even April 1!!

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> http://www.northjersey.com/news/passaic-river_polution_EPA_newark_cleanup_superfund.html?page=all
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> A new angle on cleaning up Passaic River: Swap your catch for a cleaner
> fish
> Saturday November 23, 2013, 12:17 AM
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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.
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> 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.”
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> 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.
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> 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?"
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> 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.
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> Deadliest chemicals
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> 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.
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> 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.
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> 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.
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> 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.
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> 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.
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> 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.
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> "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."
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> Other regulatory agencies were similarly puzzled by the proposed fish
> exchange.
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> 'Ridiculous' idea
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> "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.
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> 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.
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> “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.”
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> 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.
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> “Doing fish exchanges doesn’t get to the heart of cleaning the river,”
> Baptista said.
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> The DEP is also concerned that concentrating on the hot spots would leave
> too much pollution in the river.
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> 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.
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> “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.”
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> Jaffe said the companies’ plan can work. “A targeted approach has been
> used successfully at many similar Superfund sites nationwide,” he said.
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> 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.
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> “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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