To: Pietrykoski, Thomas[Thomas.Pietrykoski@mail.house.gov]
From: Sebastian, Chris
Sent: Wed 8/7/2013 12:38:16 PM
Subject: RE: Dioxin removal to begin on Passaic River

Hi Tom – just a heads-up if you haven't seen these clips – NJDEP and Debbie Mans will both be there today.

Also note that Bergen County Exec Kathleen Donovan will also attend and will speak.

See you later – looks like the weather will hold.

Passaic River polluter payments to help balance state budget About 30 percent of $130 million settlement going to general fund
08/04/2013
Star-Ledger

Up to $40 million from a recent settlement with companies that polluted the Passaic River will be used to help balance the state budget, a decision drawing criticism from environmentalists who say all the money should go toward cleaning up the waterway.

About 30 percent of the $130 million settlement will go into the state's general fund under a recommendation by the state Department of Environmental Protection.

Environmentalists say the move is especially troublesome because the lawsuit filed against the polluters was filed to help jump-start the cleanup of New Jersey's most polluted river. Its 17 lower miles are a federal Superfund site.

"There's no question that the river could use all this money," said Debbie Mans, executive director of the NY/NJ Baykeeper. "It strikes against the spirit of the settlement."

But DEP officials said moving the money to the general fund is akin to paying back the state for the $120 million it has already spent on Passaic River restoration over the course of decades.

"A large amount of money has already been expended, so some of this is going to reimburse the state," DEP spokesman Larry Ragonese said. "The bulk of all the money will go towards future remediation" of the river.

The case centered on the former Diamond Shamrock Chemical Co. of Newark, which dumped cancer-causing dioxin into the river in the 1950s and 1960s as a byproduct of manufacturing Agent Orange, the infamous Vietnam War defoliant that has caused serious health problems among soldiers and Vietnamese civilians.

The lawsuit was filed in late 2005 by then-DEP Commissioner Bradley Campbell, who said three companies that inherited Diamond Shamrock's liability -- Occidental Chemical Corp., Maxus Energy Corp. and Tierra Solutions Inc. -- were not acting fast enough to clean the river. The state sought three times the cost of a cleanup as a penalty.

What resulted was one of the longest environmental cases in New Jersey history, spanning eight years and three governors. Although a settlement was reached with several companies, including Maxus and Tierra, the case is still ongoing, with the state pursuing its "principal defendant," Occidental Chemical Corp. of Dallas.

The $130 million settlement still is subject to approval by the DEP and then by a state judge this fall.

But buried in the 592-page state budget for 2014 is a DEP recommendation that settlement money "not to exceed $40 million shall be deposited in the general fund as state revenue."

In addition, it calls for up to $12 million to be transferred to the state Spill Compensation Fund, which Ragonese said will be used to pay lawyers' fees. Gov. Chris Christie signed the $33 billion budget in June.

DEP Commissioner Bob Martin is still determining where the bulk of the settlement should go, since the case against Occidental is continuing, Ragonese said.

"The answer is that it just hasn't been determined," he said.

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CLEANUP CASH FOR RIVER IS SHRINKING
08/04/2013
Record, The

Up to $40 million from a recent settlement with companies responsible for cleaning the Passaic River will be used to help balance the state budget, a decision drawing criticism from environmentalists who say all the money should go toward the cleanup.

About 30 percent of the $130 million settlement will go into the state's general fund under a recommendation by the state Department of Environmental Protection.

Environmentalists say the move is troublesome because the lawsuit against the companies was filed to help jump-start the cleanup of New Jersey's most polluted river. Its 17 lower miles are a

federal Superfund site.

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DEP Commissioner Bob Martin is still determining where the bulk of the settlement should go, since the case against Occidental is continuing, Ragonese said.

"The answer is that it just hasn't been determined," he said. "We know some will go for reimbursement, some for legal bills, some for work on the river."

But Campbell said in an interview last week that all of the money was supposed to go toward the cleanup.

"When we filed the lawsuit, it was our intention that all of the funds recovered be used for restoration of the Passaic River," said Campbell, who declined to comment further.

Fund diversions have long been a staple under both Democratic and Republican administrations. But environmentalists have complained that Christie has targeted green initiatives to balance his budget. In particular they cite the $800 million from the state's Clean Energy Fund -- the surcharge on energy bills intended to pay for renewable energy initiatives -- that the governor has put into the general fund since taking office in 2010.

Baykeeper, along with Hackensack Riverkeeper and the Ironbound Community Corp., asked the DEP to reconsider its recommendation to move the $40 million.

"It's wrong," said Bill Sheehan, head of the Riverkeeper. "It's a typical money shuffle -- robbing Peter to pay Paul. All of that money should go to improving the Passaic River."

The Passaic's pollution extends well beyond Newark and can be traced back to the late 18th century, when river-powered textile manufacturing sprouted up in Paterson.

The 17 miles from Newark Bay to the Dundee Dam in Garfield is polluted with so much dioxin, PCBs, mercury and other harmful substances that New Jersey has banned fishing and crabbing for more than 25 years.

The cost of dredging the 11 million cubic yards of toxic sediment in the lower Passaic has been estimated by the federal Environmental Protection Agency at $2.3 billion. The cheapest option -- entombing the contaminated riverbed under a dirt cap -- could cost at least $900 million.

But $40 million is not insignificant. A $20 million project began last week to remove 20,000 cubic yards of dioxin-laden mud from the Passaic River in Lyndhurst and place a cap on the remainder of the pollution.

"There's about a billion dollars worth of work to be done on the Passaic," Sheehan said. "If you keep taking money away, if you keep nickel-and-diming, you'll never get it done."

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From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Monday, August 05, 2013 3:26 PM
To: Sebastian, Chris

Subject: RE: Dioxin removal to begin on Passaic River

Unfortunately, sounds about right for August in NJ. All we need is a small window so I think we'll be fine.

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Monday, August 05, 2013 3:24 PM
To: Pietrykoski, Thomas
Subject: RE: Dioxin removal to begin on Passaic River

"A chance of showers, with thunderstorms also possible after noon. Mostly cloudy, with a high near 80. South wind 6 to 13 mph. Chance of precipitation is 50%."

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Monday, August 05, 2013 3:20 PM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Got it. Thanks!

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Monday, August 05, 2013 3:19 PM
To: Pietrykoski, Thomas
Subject: RE: Dioxin removal to begin on Passaic River

Also Debbie Mans from Baykeeper will attend.

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Monday, August 05, 2013 3:13 PM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Excellent! Thanks for the quick turnaround on this Chris. This all sounds great. Looking forward to a successful event.

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Monday, August 05, 2013 3:03 PM
To: Pietrykoski, Thomas
Subject: RE: Dioxin removal to begin on Passaic River

Tom – attached are four shots of the venue….

The grassy area where we will setup is a little further north than I said – it's north of those splotchy areas you can see on the aerial – about 150' north of the parking lot and bocce courts.

Post Rd. IS one-way, so enter at the Valley Brook Ave intersection and go about two-thirds of the way around to the second parking area on right.

Mayor Giangeruso is confirmed and will emcee.

County Exec Kathleen Donovan is now ALSO confirmed – will let you know if she will also have a speaking role.

More to follow as I learn it!

Thanks!

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Monday, August 05, 2013 2:31 PM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Sorry you got cut off. Just tried you again. Let me know when you're back.

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Monday, August 05, 2013 1:46 PM
To: Pietrykoski, Thomas
Subject: RE: Dioxin removal to begin on Passaic River

Hi Tom – just missed your call, tried to return it, got cut off – so please call when you can – I'm at my desk, thanks.

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Friday, August 02, 2013 1:23 PM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Great. Thanks!

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Friday, August 02, 2013 1:10 PM
To: Pietrykoski, Thomas
Subject: Re: Dioxin removal to begin on Passaic River

Hi Tom, I am not in the office today, but we are regrouping Monday morning and I will contact you asap afterwards, about 11am. Thanks.

From: Pietrykoski, Thomas <Thomas.Pietrykoski@mail.house.gov>
Sent: Friday, August 02, 2013 10:17:52 AM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Hey Chris! How did things go at the park? Just curious of the presser location. I appreciate any details so I can get them on the boss' schedule. Thanks!

Thomas A. Pietrykoski

Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Wednesday, July 31, 2013 11:20 AM
To: Pietrykoski, Thomas
Subject: RE: Dioxin removal to begin on Passaic River

Great – Yes, we'll do press pitching – Our press officer, Elias Rodriguez (you met him at the WR Grace event), will handle – please let me know if you'd like me to put him in touch with your press person – thanks!

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Wednesday, July 31, 2013 11:17 AM
To: Sebastian, Chris
Subject: RE: Dioxin removal to begin on Passaic River

Yes sir, we are all set. Do you guys handle press outreach/pitching? Just let me know what I can do to help. Thanks!

Thomas A. Pietrykoski
Communications Director
Congressman Bill Pascrell, Jr. (NJ-09)

P: (973) 523-5152 F: (973) 523-0637
Thomas.Pietrykoski@mail.house.gov

From: Sebastian, Chris [mailto:Sebastian.Chris@epa.gov]
Sent: Wednesday, July 31, 2013 11:13 AM
To: Pietrykoski, Thomas
Subject: FW: Dioxin removal to begin on Passaic River

Hi Tom – just checking in about next Wednesday at 11:00…

Re other attendees, we believe NJDEP commissioner Bob Martin will attend, but we are awaiting final confirmation – Sen Menendez cannot attend, but Carolyn Fefferman will represent him.

We are going out to the park tomorrow to scope out a final location based on where the actual dredging is taking place (dredging starts Friday) so we make sure we get a good visual during the event – will keep you posted.

Otherwise, we're good to go.

Thanks!

From: Sebastian, Chris
Sent: Monday, July 29, 2013 2:39 PM
To: 'Pietrykoski, Thomas'
Subject: RE: Dioxin removal to begin on Passaic River

Hi Tom – Yes, it's my understanding that under the terms of the legal agreement they have to start dredging as soon as they are able to do so.

But I also understand that we are still planning to hold our press event on 8/7.

More details to follow on that this week.

Thanks.

From: Pietrykoski, Thomas [mailto:Thomas.Pietrykoski@mail.house.gov]
Sent: Monday, July 29, 2013 2:35 PM
To: Sebastian, Chris

Subject: FW: Dioxin removal to begin on Passaic River

So I guess CPGs couldn't wait for press, huh?

From: Kluesner, Dave [mailto:kluesner.dave@epa.gov]
Sent: Monday, July 29, 2013 11:35 AM
Subject: Dioxin removal to begin on Passaic River

Dioxin removal to begin on Passaic River

MONDAY, JULY 29, 2013

BY SCOTT FALLON

STAFF WRITER

THE RECORD

PRINT | E-MAIL

LYNDHURST — After a month's delay, preliminary work to remove dioxin-laden mud from the banks of the Passaic River next to a popular county park is scheduled to begin Tuesday, according to the companies funding the $20 million project.

The delay came when workers were unable to open the Bridge Street Bridge in Newark, preventing barges from hauling mud to a processing facility down river.

While the bridge is still not fixed, workers will be able to open it manually once a day starting early Tuesday. Barges will be able to bring equipment to the site about nine miles north of the bridge where the highest levels of dioxin ever recorded at the river's surface sit just feet away from Riverside County Park.

About 20,000 cubic yards of contaminated mud will be scooped out of the river and eventually hauled out. But the bridge must be fixed first. The companies are still waiting for new motors to be delivered and installed on the busy bridge, which was damaged during Superstorm Sandy. It connects Newark to Harrison and is owned by Essex and Hudson counties.

"The first barge containing dredged material would be transported back downriver after the bridge is repaired," said Jonathan Jaffe, a spokesman for Cooperating Parties Group, a collection of about 70 companies that either polluted the river or inherited the liability of past polluters and are paying for the cleanup.

The Bridge Street Bridge is one of 11 mostly low-lying bridges along the Passaic that the barges will have to travel under.

The companies had hoped to finish work by the Head of the Passaic Regatta, a major crew competition on Oct. 12 that has drawn more than 1,000 rowers in the past. With work scheduled to go beyond that date, contractors will stop work and secure all of their equipment before the race.

Despite a history of pollution that dates to the late 18th century, the Passaic is popular among competitive rowers because of its calm current and lack of commercial boating.

Email: fallon@northjersey.com

http://www.northjersey.com/news/217336171_Dioxin_removal_to_begin_on_Passaic_River_removal_to_begin_on_Passaic.html

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