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Pascrell lashes out at Christie administration over Passaic River cleanup funds

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BY SCOTT FALLON

THE RECORD

LYNDHURST — Rep. Bill Pascrell Jr. lashed out at the Christie administration Wednesday over its plans to divert $40 million from a recent settlement with Passaic River polluters to balance the state budget, saying all the money should be used to restore the blighted waterway.

Addressing local and federal officials at a news conference on cleanup efforts, Pascrell said that, under the Christie plan, almost a third of the $130 million settlement would go to the general fund "never to be seen again."

"It is imperative that the full amount of the settlement go towards the restoration of this river," said Pascrell, D-Paterson, directing his comments at state Department of Environmental Protection Commissioner Bob Martin, who sat uneasily at the event at Riverside County Park. "Chipping away at these funds is the wrong way to move us towards a comprehensive solution."

Martin said the $40 million is a partial reimbursement for the $120 million the state spent over decades studying the extent of contamination in the Passaic.

The two men's comments came as federal Environmental Protection Agency officials announced the start of a $20 million project to remove mud from the river's banks in Lyndhurst that contains high levels of cancer-causing dioxin, mercury and PCBs. EPA officials said Wednesday that a long-awaited cleanup plan for the lower eight miles of the river would be released by the end of the year.

Pollution in the Passaic dates to the late 18th century, when textile mills were built in Paterson. New Jersey has banned fishing and crabbing in the Passaic for more than two decades. But cleanup efforts have begun only in recent years and are targeted at specific areas of the lower Passaic – a federal Superfund site that stretches 17 miles from Newark Bay to the Dundee Dam in Garfield.

After a seven-year legal battle, the DEP reached a settlement in June with several companies who inherited the liability for the 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.

But in the 2014 state budget, the DEP recommends that settlement money from the Passaic case "not to exceed $40 million shall be deposited in the general fund as state revenue." Christie signed the $33 billion spending plan in June.

After the budget diversion was first reported in The Record on Monday, Pascrell wrote a letter to Christie on Tuesday asking him to reconsider. A Pascrell spokesman said he has yet to hear from the administration, but Martin was defiant.

Shortly after the news conference, Martin told reporters that Pascrell "needs to get his facts right," saying the state deserved to be reimbursed for money it spent to determine the extent of the contamination in the river.

Before the EPA got involved, "the state spent a lot of money understanding the magnitude of this project," Martin said.

EPA officials would not reveal any details of the agency's proposed cleanup plan other than to say it would deal with the lower eight miles of the river from Newark Bay up to Belleville. A study looking into pollution along the entire 17 miles of the lower Passaic isn't set to be released until 2015.

"The lower eight miles is the most contaminated so that's where we plan to start," said Walter Mugdan, an EPA official in charge of Superfund cleanups in New Jersey and New York.

After a series of public hearings on the cleanup plan, the EPA plans to select a remedy next year. That would be followed by two to three years to design it and then five to 10 years for the work to be completed.

"This river poses special problems," Mugdan said. "It's very close to where people live. It's got a lot of low bridges that need to be raised and lowered for barges to get through. It's been a logistical nightmare. So there are a lot of challenges."

Those who have advocated for a cleanup say it can't come soon enough.

On Saturday, Newark opened a new 7-acre park along the river.

"Many turned and asked, 'Is it clean? Can we fish in it? Can we swim in it? Can we boat in it?'" said Ana Baptista, co-chairwoman of a community group advising the EPA on the cleanup. "It hurt me to say that we still have a lot of work to do on this river. Our work is not done."

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