



Technical Assistance Services for Communities

Contract No.: EP-W-07-059

TASC WA No.: TASC-3-R2

Technical Directive No.: TASC-3-R2 DuPont Pompton Lakes RCRA

**Pompton Lakes Environmental Community Advisory Group (CAG)
June 2011 Meeting Summary**

Site Name: DuPont Pompton Lakes RCRA
Meeting Location: Carnevale Center, 10 Lenox Avenue, Pompton Lakes, New Jersey
Meeting Date: June 1, 2011
Meeting Time: 7:00 p.m. – 9:45 p.m. EDT

Future CAG Meeting Times

- Wednesday, July 6, 2011, 7:00 p.m. – 9:30 p.m. EDT
Location: Carnevale Center, 10 Lenox Avenue, Pompton Lakes, NJ

Members and Alternates Present: Michele Belfiore (Pompton Lakes Residents for Environmental Integrity), Steve Grayberg (Pompton Lakes Lake Restoration Committee), Art Kaffka (Chamber of Commerce), Abby Novak (Pompton Lakes Environmental Committee), Bill Pendexter (Hydrogeologist and Non-Plume Resident), Jimmy Rose (alternate for Liz Kachur In-Plume Resident)

Technical Assistance Services for Communities (TASC) Team: Bill Logue

Ex Officio Members Present:

United States Environmental Protection Agency (EPA): Adolph Everett, David Kluesner, Clifford Ng, Barry Tornick

New Jersey Department of Environmental Protection (NJDEP): John Boyer, Anthony Cinque, Mindy Mumford, Len Romino

Guest Presenters from DuPont: Ed Seger, Doug Fletcher

Public Present: Cheryl Rubino, Ella Filippone, George Popov, Edward Meakem, Brian Babich*, Helen Martens, Barbara Doka, Ed Fischar, David Terry, Lloyd Kent, Regina Sisco, D. Monico, Karen Magee, Gunnar Barr*, Carolyn Fefferman, Zoe Baldwin, Jacky Grindrod, Cesar Gamro, Bob Stevralia*, David M. Kulp, Jefferson LaSala, William D. Barig*, Terri Reicher, Carl Padula, Michael Keough

* Indicates sign-in not completely legible.

I. Welcome and Administrative Updates

Bill Logue reviewed the meeting materials and agenda¹ for the evening. The CAG May meeting summary was approved with minor title corrections. Mr. Logue indicated that he was taking notes with the assistance of Dave Kluesner, so the meeting summary would be briefer than usual. The Outreach Work Group meeting summary was distributed. The Outreach Work Group plans to survey plume residents who have not installed vapor mitigation systems to understand why the residents have not installed vapor mitigation systems. The Work Group requested input for survey questions from CAG members and the public by June 8.

II. Administrative Committee Update

Mr. Logue informed meeting participants that Administrative Committee Chair, Liz Kachur, was not present due to other obligations and requested that he, as facilitator, address administrative issues in her absence.

The CAG confirmed the following open membership positions: two in-plume residents, one environmental organization, and one former plume resident. An additional position was proposed for a resident in the immediate area of the Acid Brook Delta (Lakeside Avenue or the nearby intersections), because these residents will be directly impacted by the Delta remediation work; the additional position would provide a voice for affected residents. The CAG reached consensus on adding the position. It was noted that if all positions are filled, the CAG will have an even number of members; the group agreed to revisit this issue in the future. Mr. Logue noted that one of the CAG's goals is to achieve consensus and continue discussions to avoid situations where a vote would reach a deadlock. The CAG discussed that the former-plume-resident position had one nominee previously, and that vote on the position was held in abeyance at the nominee's request at the April 20 meeting. The CAG will continue to withhold action on the position unless another nominee comes forward.

The CAG set June 15 as a deadline for nominations and determined to hold a vote on nominees at the CAG's July meeting. The following roles were agreed upon: the Administrative Committee will disseminate language concerning the CAG openings, Art Kaffka will coordinate coverage of the openings with the Trends, and CAG members will reach out to community members. Community members present were asked to let people know of the openings.

III. Site Tour

Dave Kluesner of EPA, displayed pictures of the site tour hosted by DuPont for CAG members and alternates. CAG members were briefed at the start of the tour, and then shown videos of the blasting tunnels. These activities were followed by driving and walking through the Eastern and Western Manufacturing Areas. The group did not go to the Northern Manufacturing Area due to the terrain. Areas visited included building foundations, monitoring wells, shooting ponds, the pump-and-treat system, Acid Brook and one of the blasting tunnels. The group did not visit restricted areas, therefore no protective clothing or equipment was required other than sturdy shoes. Contamination at the site is mostly metals, which would only be dangerous if ingested. Members noted that the blasting tunnel appeared unremarkable – empty with metal floor mats,

¹ The meeting materials, agenda and presentation are available at:
http://www.epa.gov/region2/waste/dupont_pompton/cag.html.

some sand on the floors, soot-covered walls, some old lights and metal. The shooting ponds were used to destroy defective blasting caps by suspending them in water and exploding them. Members also noted that they felt free to go where they wished in the two manufacturing areas they visited. Helen Martens asked how the site could be clean enough that protective clothing was not worn. Later in the meeting Jefferson LaSala stated that he felt the CAG members are too complacent and did not think critically about safety and risks from the site conditions, especially given off-site cancer clusters.

IV. Technical Work Group

Bill Pendexter, Technical Work Group (TWG) chair, asked CAG members and the public if there were particular topics or questions they thought the TWG should address. During the discussion the following were mentioned: future site uses and how these relate to residential/non-residential cleanup standards; whether on-site cleanup activities could impact off-site residential areas and how residential areas may be impacted.

The CAG discussed the implications of the residential/non-residential standards for soil cleanup, and the opportunities and potential timelines for public input. Ed Meakem raised the question of the depth of soil contamination. In response to a question from the public, Bill Pendexter clarified that there are two standards for soil cleanup and a single set of criteria for ground water. EPA explained that DuPont will propose the remedy (which may determine future possible use) with public input. A member of the public asked if the public could set different standards for cleanup. The CAG agreed that a presentation on cleanup standards be given at an upcoming meeting, allowing ample time for discussion. During the discussion several members expressed frustration at the length of time it has taken to get to the current state of the remediation process.

In response to a question from Cheryl Rubino, NJDEP representatives clarified that a summary report of the annual inspections conducted is provided to the agencies by DuPont. Individual inspection checklists are available to the homeowner upon request. EPA has a program which provides testing of systems on request. NJDEP representatives also clarified that the agency is not de-regulating the vapor intrusion program as reported in the media. Ms. Martens expressed concern that DuPont was controlling decisions about the remediation.

V. Acid Brook Delta Remediation

Ed Seger, P.E., Project Manager/Senior Technical Consultant of the DuPont Corporate Remediation Group, gave a presentation² on the Pompton Lake Acid Brook Delta Corrective Measure Implementation Plan (CMI). He was joined by Doug Fletcher, Project Director/Construction Leader of the DuPont Corporate Remediation Group. Their goal for the presentation was to provide a summary and explain the technical rationale for the CMI Workplan and obtain feedback from the CAG about the CMI Workplan. Under EPA regulations as the permittee/respondent, DuPont is required to design, construct, operate, and monitor the performance of the selected corrective measure and furnish all personnel, materials, and services necessary to implement the corrective measures program.

² The presentation is available at: http://www.epa.gov/region2/waste/duPont_pompton/cag.html.

The CMI Workplan was submitted in June 2010 and updated in December 2010. DuPont engaged a team of national experts to assist in its development. When a contractor is selected, detailed information will be developed concerning soil/sediment removal techniques, sediment dewatering, and material handling and transportation. A final CMI Workplan submittal is anticipated in September of 2011. Experts and contractors assisting plan development include: Dr. Mike Palermo (formerly with the US Army Corps of Engineers and lead author of the USACE/USEPA 2008 Technical Guidelines for Environmental Dredging of Contaminated Sediments), Arcadis (Sponsor’s Bi-yearly International Dredging Conference), Parsons Engineering, URS, and dredging contractors Severson and Clean Earth. The dredging contractors have performed work on the Hudson River General Electric cleanup and New York-New Jersey Harbor.

The table below is copied from the DuPont presentation. It summarizes the remediation elements proposed in the CMI Workplan.

| Element | Options/Considerations | Proposed Element/Rationale |
|------------------------------|---|---|
| Work Area containment | Silt Curtain – low impact fast installation, reduces potential for turbidity migration Rigid Barrier - longer noisy installation, solid wall, will extend above water line | Rigid Barrier provides maximum isolation and minimizes potential for transport out side work area |
| Soil removal | Excavation - provides for safe and fast removal of material | Direct excavation |
| Sediment removal | Dry excavation – minimize material solidification requirement, will expose highly organic materials likely to generate odor issues, need to remove and manage large quantities of groundwater, high potential to mobilize off-site plume through groundwater pumping. Dredging - minimizes odor potential, process will not require long term groundwater dewatering, will need to solidify sediment for transport | Dredging was selected due to minimal groundwater dewatering and potential to mobilize off-site plume related to dry excavation |
| Material handling | Solidification – choice of mixing with additives such as polymers/cement or physical such as plate/frame press. Additives normally increase the amount of material to be handled which will increase the number of loads for transportation. Transportation – trucks will be loaded at shoreline (within rotary park) for placement in a licensed facility). Routes for trucks will need to be determined. | Goal is to select contractor shortly |

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| Restoration | Regulatory Required Ecolayer SAV replacement Wetland Upland Private Property Recommended Recreational aspects Educational Amenities | Will replace ecologically as required, shift SAV to Rotary Park, and repair private property/structures to pre-remediation conditions Added walking trails near water, educational pavilion near school, improved walkways along lake, added canoe/kayak storage near boat ramp |
|--------------------|--|--|

Note: SAV refers to submerged aquatic vegetation.

In addition, based on community feedback, the material will be shipped off-site for placement in a licensed facility even though it is suitable for reuse. During the remediation work, a number of monitoring activities will be implemented to measure performance aspects of the program with the goal to protect people and the environment. These include: contractor and third-party verification of material removal using GPS and a verification survey; surface water sampling in the lake during material removal; vibration during rigid barrier installation and material handling; air quality and dust; noise; and traffic. EPA will also oversee the work. Work will take 12 - 18 months.

Mr. Seger noted that “dry” sediment removal removes much of the surface water but would require pumping the groundwater 24/7 and could result in mobilizing the plume in an unwanted way and exposing organic material, which can create odors. For these reasons, DuPont is recommending dredging, which will remove 1.5 - 2.0 feet of material, and then replacing the dredged area with a layer of sand to restore habitat.

DuPont wants to understand community concerns about material handling because different dredging and dewatering decisions will have different consequences. For example, “squeezing” some water out of dredged material will reduce the number of trucks needed to transport material for off-site disposal. Trucks will not be staged in the area and will not operate during school arrival and departure times. DuPont also wants feedback on items such as truck routes and on tree placement such that views can be enhanced. To gather this feedback DuPont plans information sessions as well as regular updates via the website and listserv, brochures and posters and a public observation location for work. The reverse 911 system may also be used. Private property restoration will be coordinated with property owners. DuPont will not be going on private property but will do work that may impact private property. Recreation and educational opportunities will be addressed.

CAG members asked a number of questions; the responses are noted. DuPont and a consultant will seek a mining permit for the work. The material is contaminated with elevated levels of mercury in the sediment and the soil, but it is not classified as hazardous. In response to concerns from CAG members and the public about the potential for recontamination of the Lake from waters flowing down the Acid Brook from the site and their strong emphasis that cleanup be done once completely, Mr. Segr explained that the Acid Brook has been remediated and turbid waters are not moving down the brook into the Lake. The CAG asked that Acid Brook sediment

be tested to confirm this. NJDEP indicated that the Eastern Manufacturing Area Remedial Action Report might contain relevant information and NJDEP and EPA will discuss options for responding to the CAG request.

The CAG requested that DuPont hold an information session in June on the Delta remediation plans.

Public Comments

Brian Babich: asked if the agencies had evaluated the remedy against the cleanup standards and had there been verification of the sediment samples? Mr. Tornick of EPA responded that standards for sediment cleanup are ecologically based. A range of standards apply. The remedial work will remove as much mass of the contaminants as possible with a 95% reduction overall of the mercury in sediments. DuPont representatives stated that over 600 sediment samples have been taken. NJDEP stated that they performed oversight during sediment sampling. Other sources of mercury found in the Lake include atmospheric deposition.

Michael Keough: expressed concern that when lawyers talk about hazardous materials and contaminated materials a lay person would not understand. He asked about the different guidelines and rules concerning the requirements for dealing with each type of material. He emphasized that the public should have more information. He complimented Steve Grayberg for suggesting that the public be the driving force and the productivity of the meeting. He asked who determines or defines what is considered clean and whether this is something that a member of the public would understand. He noted the expense associated with more trucks for DuPont and the fact that the town does not want more trucks. He asked if there is going to be recurring, independent follow-up physical testing? Mr. Tornick noted that there are two definitions of hazardous waste. One hazardous waste type is "listed waste" because the waste results from certain industrial processes. The other is defined as "characteristic waste" based on testing that shows the waste is ignitable, reactive, corrosive, or toxic. In Pompton Lakes what is being addressed is what are safe levels for human health or ecological standards resulting from contamination. The concentration of mercury in fish in the Lake is 75% higher than background fish levels in New Jersey.

Helen Martens: suggested that once or twice a year there should be testing to make sure contaminants are not migrating in Acid Brook. She expressed concerns with water levels in Lake Inez during recent storms.

Cheryl Rubino: agreed with Mr. Grayberg on having a public session prior to selection of a contractor. She asked what would happen to Rotary Park, into which landfill dredged material will be disposed of, and whether roads will be closed and who pays for police involvement in road closures? She expressed that it would be beneficial to inform the public in advance on such topics. Mr. Seger noted that in the past this information has come out during permitting. He noted these questions would not be impacted by contractor selection, or by factors other than both dredging equipment and the dewatering/solidification process. He stated that these questions could be more effectively answered by the contractor because they have information about equipment to be used. Ms. Rubino suggested a public meeting before and after contractor selection.

Regina Sisco: asked how would the agencies ensure against recontamination?

Karen Magee: asked why there was concern about the Delta now? John Boyer of NJDEP stated that Acid Brook sediments were cleaned up first, years ago, and then NJDEP focused on addressing downstream contamination for lake sediment cleanup. Ms. Magee suggested the CAG ask local health officials about issues concerning whether the lake is swimmable or not. She asked about independent testing of soils and stated she does not want truck traffic down Jefferson Avenue.

Jefferson LaSala: asked when independent testing would be conducted and questioned why people are talking about canoeing and kayaking when the lake cannot be used. He also stated that he wants the Borough to put up better signs to warn people not to fish. He asked when DuPont would make a reasonable buyout offer for plume homeowners if the lake will not be useable after cleanup?

Ed Meakem: complimented the CAG on their input, and on bringing DuPont to table and stated he thought the meeting was very productive. He expressed concern about children's health impacts and that human health should be the primary concern. He asked what would happen to the fish behind the rigid barrier. He suggested that the CAG include discussion of the Total Maximum Daily Load of upstream communities. Ms. Belfiore noted that health officials in New Jersey need to address *E. coli* and other bacteria issues, but that DuPont was not the source of that problem. Mr. Meaken thanked DuPont for the presentation and suggested they also do a conceptual presentation. Mr. Seger said the fish would be removed from the dredging area.

Ella Filippone: asked whether the trucks will be lined and watertight. She stated EPA and NJDEP should use the Clean Water Act to work with other communities upstream to address the other contamination issues and seek a 30-year monitoring program to ensure post-cleanup monitoring is conducted similar to other sites. These monitoring programs provide early action times to catch problems. She also noted that EPA Administrator Lisa Jackson was supporting new transparency policies. Mr. Seger responded that the trucks will be lined.

Action Items

| Item | Who; Date |
|--|--------------------------------|
| Post meeting documents on EPA Pompton Lakes CAG website | Kluesner; 6/10/2011 |
| Prepare and circulate draft Meeting Summary | Logue; 6/22/2011 |
| Conduct outreach about CAG openings and June 15 nomination deadline | CAG, ongoing |
| Suggest survey questions for outreach to plume residents who have not installed vapor mitigation systems | CAG; 6/8/2011 |
| Draft July Agenda | Executive Committee; 6/15/2011 |
| Respond to monitoring and testing of Acid Brook | EPA/NJDEP; 7/6/2011 |

Documents Distributed

| Document Description | Generated by; Date |
|---|-----------------------------|
| Meeting Agenda | Logue; 6/1/2011 |
| Draft May Meeting Summary | Webster; 5/23/2011 |
| Lake Remediation Work Group 5/18/11 Meeting Summary | Lake Remediation Work Group |
| EPA Letter to New Jersey District Water Supply | EPA; 5/2/2011 |
| CAG email to EPA & NJDEP regarding sub-slab and indoor air sampling | CAG; 5/24/11 |
| NJDEP and EPA response to CAG email | NJDEP/EPA; 5/31/2011 |
| Community Outreach Work Group 5/24/11 Meeting Summary | Work Group |