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STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF MAYWOOD
MAYWOOD PUBLIC LIBRARY
October 14, 2010
Commencing at 6:00 p.m.

IN RE: :
: TRANSCRIPT
PUBLIC HEARING : OF
GROUNDWATER PROPOSED PLAN : PROCEEDINGS
FUSRAP MAYWOOD SUPERFUND SITE :
MAYWOOD, NEW JERSEY :
- - - - -

B E F O R E:

JAMES T. MOORE
U.S. ARMY CORPS OF ENGINEERS
District of New York

A L S O P R E S E N T:

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1 MR. MOORE: Good evening. My name is
2 Jim Moore, Army Corps of Engineers, New York
3 District. We're here tonight with regard to the
4 Groundwater Feasibility Study Proposed Plan.
5 Because of the weather, we decided to adjust our
6 schedule a little bit. What we're going to do for
7 the first half hour is just put some of our subject
8 matter board experts by some of our poster boards.
9 If you have any questions, you can ask them. And
10 after that, what we'll do is we'll have an official
11 presentation, probably about 20 minutes to a half
12 hour. Then after that, we will be just taking the
13 questions from the public.

14 So if you have any questions at this time,
15 please feel free to ask. Otherwise, we'll
16 reconvene in about another 25 minutes and get the
17 formal presentation underway and, hopefully, give
18 you an opportunity to comment. Thank you.

19 (A brief recess is taken.)

20 MR. MOORE: Good evening. If
21 everyone could grab some coffee and some cookies
22 and grab a seat for a second. Just go through our
23 presentation and after that take any comments that
24 you might have. And, Allen, if I am not loud
25 enough in the back of the room, please let me know.

1 We're here for the public meeting for the
2 Maywood Groundwater Feasibility Study Proposed
3 Plan. The public comment is currently extended
4 through the 19th of October but, however, we have
5 received a request to extend that and we granted
6 that request. So that extension will proceed to
7 November 19th.

8 Here are the ground rules we'll follow:
9 Some introductions. Also talk about some meeting
10 guidelines. Talk about the Comprehensive
11 Environmental Response, Compensation and Liability
12 Act, which we call CERCLA. Also talk about the
13 Maywood FUSRAP site itself, talk about the proposed
14 plan as well as the public involvement
15 opportunities that we're going to be doing in the
16 future and wrap that with some closing statements.

17 As far as some introductions, as I said
18 earlier, my name is Jim Moore. I'm with the Army
19 Corps of Engineers from New York District, project
20 manager, and I have with me my technical manager
21 from Kansas City, Josephine Newton-Lund. She's in
22 the back, the lady in red. I also have some EPA
23 regulators. We have Betsy Donovan, the RPM from
24 EPA, and John Fresco is somewhere in the mix. We
25 also have the New Jersey DEP case manager, Donna

1 Gaffigan. I have the contact information should
2 you want to get that information.

3 In addition to those people, we also have
4 the former project manager for the site, Allen
5 Roos, in the back. He's also my boss. He's a
6 branch chief. He's a wealth of information on the
7 site. I talk to him often. More than you know.

8 Just basic guidelines for the meeting. We'd
9 like to have this be a productive meeting so we ask
10 you to turn off your cell phones or put them in
11 silent mode. In addition, we'd like to have one
12 speaker at a time and ask you to speak slowly for
13 this person up here who is transcribing the meeting
14 for us. So I promised her that I would tell you
15 that and make sure everyone is aware.

16 In addition, we ask the speakers to identify
17 themselves, what hometown they are from and any
18 affiliation they might have. And also try to speak
19 clearly and loud enough for her to hear what your
20 comments are because your comments are very
21 important to us. We want to make sure we capture
22 all this information and then provide a formal
23 written response to all the comments at the end of
24 the comment period.

25 Lastly, we just ask all parties to limit

1 their comments to five minutes. That I don't think
2 will be an issue tonight. Sometimes we have very
3 well-attended meetings. I think the weather has
4 definitely had an impact upon our meeting tonight,
5 but we want to make sure that everyone has an
6 opportunity to comment. And, lastly, we'll stay as
7 long as necessary to address any comments that you
8 might have.

9 Just a moment about the CERCLA process to
10 try to convey to the public where we are in the
11 process. As part of the FUSRAP program, we're
12 required to do work consistent with CERCLA. That
13 means we have to first perform a preliminary
14 assessment at the site, look at historical records,
15 see what facility information is available. Based
16 on that preliminary assessment, if the information
17 leads us to the next step, we would go and perform
18 a site inspection. That's a very limited type of
19 assessment, whether that would be soil or
20 groundwater assessments. If those type of
21 assessments indicate contamination is present and
22 above the regulatory criteria, we would go to the
23 next step, which is a remedial investigation.
24 That's a more detailed analysis of the site. We
25 would look at all forms of media, both soil,

1 groundwater, sediment and also surface water.

2 After we do that complete site characterization, we
3 would follow up with a feasibility study and that
4 feasibility study would evaluate the alternatives
5 to the contaminants that were found by media.

6 Our concern tonight is specifically with
7 regard to groundwater and the options that we
8 evaluated as part of our alternatives. We are
9 currently in the proposed plan stage right now.
10 During the public comment period, this is the
11 public's opportunity to go out and look at the
12 documents that we prepared. These documents have
13 been reviewed by both EPA and State regulators and
14 this is your chance to say I either agree with it,
15 I don't agree with it or I have specific concerns
16 that I'd like to have addressed and factored into
17 the process.

18 After this process is done, we'll start the
19 preparation of a groundwater record of decision.
20 That groundwater record of decision will finalize
21 what approach we will follow, how much that will
22 cost the taxpayers and how we'll execute that work.
23 And, lastly, once that document is signed, then
24 we'll move to a remedial design phase where we'll
25 implement the remedy within the scope of the work

1 at the site.

2 Here is a little bit of information about
3 key site properties and features of the site.
4 We're located right about here. That's about
5 right. We're located in the library right about
6 here. Here is Maywood Avenue. Here is the
7 railroad. This parcel right here is the
8 government-owned parcel. This is Stepan Chemical.
9 Here is Sears, big Sears. And all these other
10 properties are the vicinity property locations
11 associated with the Maywood Superfund site. There
12 were 88 vicinity properties that have been
13 identified by the Department of Energy, of which
14 the DOE went out and cleaned up a certain
15 percentage and the Corps went out and cleaned the
16 remaining percentage.

17 I'm happy to report at this time that our
18 last two vicinity properties that aren't attached
19 to this big parcel right here, that's the Scannell
20 and railroad property, we're currently doing work
21 on those parcels and in the process of remediating
22 them, and probably about a year from now we'll have
23 completed the remediation on these parcels. So
24 we'll no longer be moving trucks across city roads
25 to bring that material back to our site, and we'll

1 be just focusing on operations in this area.

2 The only other key feature we should bring
3 out there is a drainage feature right here where a
4 lot of the contamination was transported over time,
5 and those areas have already been remediated.

6 Next let's talk about the feasibility study.
7 That's where we evaluate the potential cleanup
8 options associated with our work. This is the
9 opportunity where the Corps of Engineers presents
10 what we consider to be the preferred alternative.
11 That alternative is what we think makes the most
12 sense and balance out all the risks associated with
13 the site.

14 In our feasibility study we've evaluated
15 four alternatives. One was no action. We were
16 required by CERCLA to evaluate no action. It is
17 not something that we have an option to do. It's
18 an offer we can't refuse. Everything has to be
19 balanced against that no action criteria.

20 The second criteria that we looked at or
21 alternative was the removal of non-radiologically
22 contaminated soil at the Maywood Interim Storage
23 Site. That would be the federally owned parcel
24 with monitored natural attenuation of lithium - I
25 am saying it slowly for her - benzene and arsenic

1 in groundwater, and then groundwater monitoring and
2 land use controls and restrictions on the water.

3 Alternative No. 3 is basically the same as
4 Alternative No. 2. However, we are opting to do
5 treatment of arsenic in groundwater. Everything
6 else is exactly the same, and I am making that
7 abbreviated statement for her hands.

8 The last option we looked at was the
9 non-radiological contaminated soil removal at the
10 MISS. When we say the words ex-situ treatment,
11 what we mean is pump and treat. We're going to
12 extract water from the overburden, treat it and
13 then reinject it. That process was currently
14 costed out for 30 years. After that process is
15 completed and after the removal is performed, there
16 still will be a monitored natural attenuation
17 component for benzene, lithium and arsenic with
18 some groundwater monitoring and land use
19 restrictions.

20 Our current cost estimates for our four
21 options are: Alternative No. 1, no action, no
22 money, no cost. Alternative No. 2, \$30 million.
23 Alternative No. 3, which is the treatment of
24 arsenic and all the other information associated
25 with Alternative No. 2, is \$36 million. And

1 Alternative No. 4, which is the removal of
2 contaminated soil, 30 years of pumping, also
3 monitored natural attenuation and land use control
4 is \$122 million. That's based on current dollars.

5 Our proposed plan and scope, under CERCLA we
6 are required to present this proposed plan to the
7 public. We have a preferred remedy. Our preferred
8 remedy is Alternative No. 3 for \$36 million. We
9 have stated in our documents, hopefully that you
10 had a chance to review, our reasons for our
11 preference and also the analysis on how we came to
12 that conclusion. This is your opportunity to
13 review those documents and ask our technical
14 experts that are here tonight any questions that
15 you might have.

16 Please keep in mind that our hope is to try
17 to respond to any questions that you might have
18 tonight but the official response will be in
19 writing based on what the stenographer is preparing
20 right now. So again we'll try the best we can to
21 address your comments but the best response will be
22 the official written version.

23 The proposed plan addresses groundwater
24 contamination at the Maywood site and currently the
25 soil part is currently being addressed as a soil

1 operable unit. This is a question I have. I have
2 to talk to Betsy about it but is there three
3 operable units or four?

4 MS. DONOVAN: There's three.

5 MR. MOORE: There are three operable
6 units. So one operable unit that we have is for
7 all the soils work. So anything that's been
8 covered under the 2003 soils log. The second
9 operable unit is for groundwater. That's currently
10 what we're working on now. The third operable unit
11 will be handled by others.

12 Now, the proposed plan, our preferred
13 alternative, the advantages to it is that it is
14 protective of human health and the environment. We
15 have to meet that criteria. That's what CERCLA
16 says. That's the measure that we have to meet
17 everything against. If it doesn't do those two
18 things, we can't evaluate it. Next, it meets the
19 remedial action objectives for the site and also
20 complies with the established cleanup levels. It
21 includes soil removal action separate from the soil
22 action that's being done under operable unit one to
23 take care of the non-radiological contaminated
24 material as well as long-term monitoring and
25 natural attenuation of any material.

1 Now, one might ask why did you choose
2 Alternative No. 2 versus 3? What's the difference?
3 The first answer is \$6 million, but the real
4 difference between the two is if we did not address
5 the arsenic, based on our model projections, it
6 would take approximately 180 years for those
7 concentrations in groundwater to get to the point
8 where they would be protective of human health, if
9 we chose that route. So we thought about that. We
10 looked at things very hard and close, and we
11 decided it was in the best interests of all parties
12 involved to go ahead and attack the arsenic issue
13 with an injection of material that will make that
14 material innocuous, and that will take about a
15 year. There will be monitored natural attenuation
16 with some other components but we felt this
17 balanced out the remedy the best.

18 I guess one of the most important points
19 that you have to consider is first no one is
20 drinking the water in Maywood. Everyone is on city
21 water so there really isn't a risk that way. And
22 the second and other important point is that we
23 would be putting land use restrictions or like a
24 Classification Exception Area over the impacted
25 area so that if anyone wanted to put in a well in

1 the future to draw water from that aquifer, they
2 couldn't. If we couldn't make that arrangement
3 with the state, we would make our own arrangements
4 as far as land use controls.

5 Public opportunity, we're taking oral
6 comments tonight, if you should have them. We're
7 also leaving comment cards, if you have a written
8 comment. If you choose not to make an oral comment
9 but you want to write one down and hand it to us, I
10 would highly suggest you take a comment card
11 because you might think of a comment on the way
12 home. I do my best thinking in the shower. After
13 I get out of the shower, I write my comments down.
14 Then I can mail it in.

15 We also will still continue to have the
16 documents that we have here in the back at the
17 Maywood FUSRAP Information Center down on Pleasant
18 Avenue and the hours are right there. Also the
19 documents are available on our website, and our
20 website address is listed right over here. If you
21 just go to -- I can't advertise Google or yahoo, if
22 you type Maywood and FUSRAP, you will find our
23 website.

24 At the time of this presentation the public
25 comment did close on October 19th but, as I

1 mentioned, someone made a request and we extended
2 that to November.

3 In closing, I have only been on this project
4 for a little less than a year. I still have a lot
5 to learn about this. If you ask a question, I will
6 tell you right now I may not know the answer to it,
7 but I have the person here who will be able to
8 answer it. This is a very large job. There is an
9 awful lot of things that go on at the site. My
10 focus is to try to keep everything moving along but
11 sometimes it's like herding cats. It's very busy.
12 And as long as I can get everybody going in the
13 right direction, that's pretty good for a day.

14 But here is my contact information right
15 down here. If you ever need to call me, please do.
16 It's always easier to get in touch with Bill Kollar
17 right over there. He is an excellent resource and
18 will be very helpful in addressing any concern that
19 the community might have, and Bill will always work
20 with me to respond to your requests very quickly.

21 I also provided contact information for
22 Betsy. I didn't tell you I was going to do that
23 but I did.

24 MS. DONOVAN: I figured you would.

25 MR. MOORE: And for Julio Vazquez.

1 Julio is also another remedial project manager that
2 works on the site with EPA. And, lastly, I have to
3 apologize to Donna, I did that same thing for you.

4 With that, our formal presentation is
5 ended and we're now happy to take any comments that
6 you might have.

7 MR. FRESCO: You did a good job.

8 MR. MOORE: It's all because of this
9 guy over here. I stand up and try to sound good.
10 If no one has any comments, what I would like to do
11 is keep our subject matter experts over here at the
12 poster boards. If you have any comments or want to
13 come up and ask us questions, please do. And
14 beyond that, I appreciate you coming out on this
15 really rainy night to hear our presentation and
16 listen to the important work that's being done at
17 Maywood. Thank you.

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I, MARY BAUMANN, License Number XIO1271, a
Certified Shorthand Reporter and Notary Public of
the State of New Jersey, certify that the foregoing
is a true and accurate transcript of the
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I further certify that I am neither attorney
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