Newtown Creek Community Advisory Group (CAG)

TECHNICAL MEETING SUMMARY

June 16, 2021 | Virtual Meeting No. 11

Summary of Presentations and Discussion[1]

To view the full presentation, visit the Newtown Creek CAG website. The questions asked by CAG members after the presentation follow **bolded** with presenter answers in *italics* and additional CAG commentary on that question in regular text.

NATIONAL GRID SITE AND THE PUMPHOUSE UPGRADE PROJECT PRIMER

Willis Elkins, CAG chair, provided the CAG with some brief background on the National Grid Pumphouse project and rationale for its involvement. First, he clarified that due to risky on-site materials, National Grid is constructing a new pump house near Greenpoint to replace the fire control systems that are currently at the facility. He then underscored that while this construction was not directly related to the Newtown Creek Superfund process, it did deal with reconstruction of the bulkhead and shoreline. Since the CAG has paid significant attention to and dedicated a lot of time talking about contamination at the Uplands site, as well as CAG concerns about contamination and potential migration, the construction raised some relevant flags.

Mr. Elkins then explained that the request of the CAG was to voice potential concerns or questions with USACE about the National Grid project. He further detailed that Mike Dulong (Riverkeeper) had asked for extension on the comment period to submit comments to USACE and received until July 5, 2021, to submit. Since this is the beginning of the project, the goal is to focus specifically on the permit (click here to view the permit notice). The intention is not to attend this meeting to discuss contamination in the basin. There has already been a lot of focus on the vaporizers and the permit they are seeking from DEC for the MRI/North Brooklyn pipeline. The CAG should aim to focus specifically on this project and USACE permit.

Finally, Mr. Elkins shared that National Grid offered to have a community meeting the following week (June 22) to present the project in brief and that more information on joining would be sent out to the CAG. He then asked for any questions for National Grid be sent to him and Pat Field, CAG Facilitator, to be compiled for the meeting.

[1]For additional detail of the presentations, refer to the slides found at https://newtowncreekcag.wordpress.com/presentation-slides/

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- **What is the timeline for starting that work?**
    - *DEC: They are targeting tentatively for the beginning of 2022.*
    - *EPA: On the timing, those questions are better for National Grid to answer, as well as things specific to the project. Throughout the Newtown Creek project, EPA has received these permit applications from USACE. Up to this point, we haven't had a remedy to comment on whether the design is in alignment. Generally, look and see if it will interfere with RFES sampling and send a letter of response along those lines and advocate for BMPs to address sentiment as construction concerns.*
- **Is EPA or dec concerned with getting soil samples if the bulkhead is removed?**
    - *EPA: We have asked that sediment samples be taken. There are cases where we were unable to do sampling before because of the way the construction, but for this case, we can. Since it is available now, EPA has asked for it. However, this may not be the case for every permit application. EPA does not think this information is necessary for the RI/FS, but we felt it was timely to ask given the opportunity to sample and gather more data.*

General Updates

EPA provided short updates on the status of OU3, the Shallow Groundwater Study, and the RI Fate and Transport Models; DEC provided an update on the Uplands.

Topic	Update
OU3	• FFS submitted and EPA commented, SEG reviewed EPA's comments and provided a response matrix. • EPA is currently reviewing matrix and having internal discussions. • FFS is still under review, but once developed and EPA is satisfied, that's when we have a proposed plan • Proposed plan would go out into a public comment period. Next version of FFS may or may not be a final version.
Shallow Groundwater Study	• EPA is in the process of developing a shallow groundwater study for NTC. • Currently working with NYSDEC and others to install monitors around permitter and working with other parties to identify wells and locations. • Assessing if any existing monitoring wells around the site are usable and meet our specifications, then will identify other locations to install new wells. • Timeline TBD to develop a work plan to go out and do monitoring work. Developing work plan could be later this year if everything follows through but is a lot of paperwork and need to get access (a time-consuming process). EPA would like to do 3 monitoring rounds, so maybe 2022.
Fate and Transport Models	• Appendix G Fate and Transport Models in the RI Report illustrates 4 models developed: point source, groundwater, hydrodynamic, and sediment transport. • Models will feed into contaminant fate and transport and bioaccumulation models.

	• Preliminary work by NCG on those models and discussions and follow-up over 2019-2021. Models feed into FS models to start developing alternatives. • Models and documents were submitted by NCG to EPA in 2016, updated in 2019, received EPA comments and peer review of experts (presented to CAG), NCG updated MMRM on May 28, 2021, following meetings. • Revising expected to address EPA and peer review comments on 2019 model version, the final approval is scheduled for Dec 2021.
DEC Update	• NY State is responsible for upland properties, and will be conducting an assessment soon (timeframe TBD) • The goal is to identify ongoing sources to the creek – eliminating some, finding out which properties require more action in one of the state's programs, and will present an evaluation and recommendation to EPA. • We hired a contractor and are in the process of developing a work plan, which will determine which properties require assessments, as well as detail fieldwork procedures, schedule, quality control, quality assurance, list of subcontractors, etc.

TRANSITIONING FROM A REMEDIAL INVESTIGATION TO THE FEASIBILITY STUDY (CONTINUED FROM APRIL)

Anne Rosenblatt, EPA Region 2 Remedial Project Manager, continued her presentation from the previous CAG meeting regarding the superfund process. She underscored that the goal of this follow up segment, per CAG request, was to elaborate further on the post-remedial investigation process, specifically focusing on remedial action objectives (RAOs), which are developed to provide genera descriptions of what actions are intended to accomplish, and preliminary remediation goals (PRGs), which are developed during the RI/FS process to help determine the universe of viable remedies to meet the RAOs. Ms. Rosenblatt explained that the primary goal of the FS is to review the RI report and risk assessments to identify applicable, relevant, and appropriate requirements, determine RAOs and PRGs, develop remedial alternatives, evaluation and comparison of remedial alternatives, and present findings to the public for review and comment.

Chuck Nace, EPA Region 2 Environmental Toxicologist, presented about RAOs and PRGs in more detail. He reiterated that remediation goals are developed during the RI/FS process, and for each contaminant, a site-specific PRG is determined. He elaborated that EPA produces a table with contaminants of concern, human health risk based PRGs, ecological risk based PRGs, applicable and appropriate regulations (ARARs) PRGs, background PRGs, and a last column of remediation goals. Then, all these values in the other columns are taken and considered in relation to RAOs and evaluated against EPA's 9 criteria for remedy selection. How each remediation goal is chosen and applied on site is then documented in the ROD. Mr. Nace then briefly commented on some additional considerations regarding NAPL and a CAG concern raised that the risk assessment was only focused on the surface sediments. With respect to NAPL, he noted there were other ways to address NAPL, such as considering it a Principal Threat Waste, which does not have a numerical value, but does have specific remedies.

Regarding concerns on a sole focus on surface sediments, he noted that EPA was aware from core samples that contamination exists deeper than 6 inches. Therefore, the remediation goal would be focused below this and extend throughout the area where it is required.

Following the presentation, CAG Facilitator, Pat Field, reconfirmed for the CAG that their participation as well as the other relevant stakeholders (EPA, PRPs, CAG, and DEC), would be similar in this phase to other parts of the process. The PRPs will still be required to develop documents for EPA review, and other agencies will have opportunity to review those documents, with collaborative and technical discussions about those topics raised during the FS

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NCG Update on the Treatability Study

Rick Fox, VP Ramboll, presented an overview of and update on the NCG Treatability Study (TS). He briefly explained the purpose of the TS, noting that it was a part of the FS process, that would be using a pilot-scale application of three likely remedial technologies to be evaluated for OU1: mechanical dredging, capping, and in-situ solidification (ISS). He then briefly reviewed the plan view of the treatability study and its goals for reviewing each type technology type. He also shared that NCG chosen a slip in the East Branch for analysis because it does not have a CSO or commercial traffic, and the sediments within this slip are representative of areas within Newtown Creek. Mr. Fox further detailed that they would study constructability in this slip to assess engineering and construction challenges for each of the three technologies, the results of which would then provide site-specific information, fed into the FS evaluation, related to Newtown Creek and its sediment logistics and concerns.

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- **What will the final water depth be after all caps and ISS are complete?**
    - *NCG: Design depth for the TS is to be the same as the current depth in the slip. There will be some variation, but our design will be not to shift significantly. Eastern end is emergent during low-tide so really shallow, maybe 10-12 feet out on west end but unsure.*
- **What is the timeline for this process?**
    - *EPA: The TS process is actually a permit-equivalent process. Inter monitoring and waste disposal require a permit equivalent, so need to complete prior to starting construction. That estimate is probably accurate.*
- Is EPA granting this permit?

    - *EPA: EPA itself is not a permitting authority. Permits would come from the state or other entities. We've asked that NCG through NRT to go out and interact with those agencies and see what's required. EPA will step in and provide support as needed to assist in the process.*
- **Will the study account for efficacy of technologies in proximity to riprap shoreline rather than bulkhead?**
    - *NCG: We will get a little bit of information on that because of old construction near the bulkheads. Sometimes those riprap areas over time have rock below mud surface and toe out. This TS will not do that per say, but we will come to similar older bulkhead conditions*.
- **Do you expect dot to kick up a fuss from this work so close to the bridge?**
    - *EPA: the work is being conducted from barges. If the bridge moves, hopefully we will keep moving to get equipment in and out, but hopefully no impacts.*
        - The bridge is slated to be replaced, and that work would probably be done before a full remediation of this creek. Worried about viability of bridge to allow for this maintenance, it seems like coordination with bdot and impacts on people using that bridge will be significant?
        - Getting barges back there is difficult, especially for northern side.
- **Since we don't have any cleanup goals set, is this work being informed by levels of contamination? Once the ROD is set, will we come back and completely redo this?**
    - *NCG: When the OU1 ROD comes out, EPA will consider what has been done. We have design data, the TS is really focused on constructability, so there may be more remedy when the OU1 ROD is released.*
- **Is this normal for superfund process in general? Dredging and capping is well vetted, and doing this in advance of a rod – is there not already enough examples and projects to pull from for EPA to consider? Concerned that this is being led by PRPs. What does EPA get out of this, and is there a possibility that this is done in a way that influences the ROD in a way that is not congruent with the community's goals of a comprehensive cleanup? Is this guiding the process?**
    - *NCG: It seems like part of your question is directed at EPA, but as far as site-specific information, when you have the volume of soft sediments, a cap project is often done on these projects.*
    - *EPA: We want to inform the FS, so we want any data we can collect to help inform that to develop alternatives. Some things they are looking at may be successful, and we may learn a lot to determine if there are issues with these technologies. Pilot and TS are very common and done on a great majority of sites, especially the big sites.*
- Facilitator clarification: What if you discover that dredging needs to be done even deeper than what's done in TS?
    - *NCG: It is understood that this is a TS and we there are not cleanup goals yet. So, once those goals are established and we've collected data in that slip, we would know if we needed to go back in.*

- Facilitator clarification: in terms of the technology next to the bulkhead, does that have any ecological implications?
    - *<u>NCG:</u> That's why we put the sand cover on it after we are done. It's a technology that would likely be used more sparingly. Also, this monolith is not a block of concrete like you are imagining, but it would not be penetrable by biota. The goal is to put something over it so there is not concrete on the bottom of the creek.*

BRIEF ITEMS & NEXT STEPS

Upcoming CAG Meeting Dates (proposed)	June 22, 2021 – Special meeting with National Grid
	July 21, 2021
	August - BREAK
CAG Items to cover at future meetings	Steering Committee going through topics of interest.