

## NEWTOWN CREEK SUPERFUND COMMUNITY ADVISORY GROUP

August 8, 2023

Rupika Ketu, Caroline Kwan, Mark Schmidt, Stephanie Vaughn  
U.S. Environmental Protection Agency  
290 Broadway  
New York, NY 10007

<sent via email>

Dear EPA Newtown Creek Project Managers,

We are writing to provide greater clarity on our request to increase transparency among the US EPA and the Newtown Creek Community Advisory Group (CAG) and the many affected residents of Brooklyn and Queens it includes and represents.

First, we want to emphasize we appreciate your collaboration on the cleanup of a site central to our communities' present and future. We share many goals: expediting the remedial action, characterizing the site thoroughly and accurately, protecting human health and the environment, and securing a safe, clean multi-use Creek for the future, etc. At the same time, we also want to continuously improve how we interact with you; especially as long-term investigation begins to move toward decision-making and clean up action. We do not want to increase your already heavy workload, but rather, we respectfully ask you to share with us drafts of documents important to understanding this site, its potential cleanup alternatives, and the conditions required to achieve effective cleanup.

To that end, we need to find a reasonable accommodation as to the transparency and speed in which EPA shares documents with us. We are the affected parties. We have shown a strong interest and commitment in engaging with you and this site. We do our homework, take our role seriously, invest significant volunteer time to attend meetings, review documents, and prepare comments. We are deeply invested in and engaged in this site and its cleanup.

We ask for the following drafts at the following times through the remainder of 2023. We will update this list for later dates and documents for 2024 later this year. We would select a limited number of these to discuss in detail at our CAG meetings. Others we will review and provide questions if we have them from time to time. We will keep the documents transmitted to us in a permissions-only Google folder that will be available to CAG members. These documents are as follows.

<b>OU</b>	<b>EST DATE OF RELEASE</b>	<b>DOCUMENT</b>
OU1	July/August	EPA comments on the draft CFT
	July/August	Revised draft final PRG/RAO Memo
	December	Lateral Groundwater Study Round 1 Data
	December	NGC Revised Draft Alternatives Memo
OU1 East Branch Early Action	July/August	Alternatives Tech Memo revised with EPA comments

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	July/August	NCG Revised FFS Outline
	September	CSTAG comments from the July CSTAG review
	October	NCG Draft Focused Feasibility Draft Report and EPA comments
	December	NCG Revised FFS
OU2	November	NYC Final Work Plan and EPA comments
All	As available	Any and all dispute resolution letters between PRP entities and EPA

We ask that you respond in writing by our September 20th CAG meeting whether you agree to provide each of these documents in the time frame described in the draft six-month schedule (understanding estimated deadlines may change), and if not, why not. We would be glad to discuss this request with you.

We look forward to your response.

Sincerely,

The Newtown Creek CAG Steering Committee, on behalf of the full CAG

CC:

Michael Haggerty, NYS DEC  
Heidi Dudek, NYS DEC  
Ron Weissbard, NYC DEP  
David Haurly, Anchor QEA  
Tyquana Henderson, Newtown Creek Group  
Lisa Garcia, Administration, EPA Region 2  
John Prince, Deputy Director Superfund & Emergency Management Division, EPA Region 2  
Angela Carpenter, Emergency and Remedial Response Division, EPA Region 2  
Pat Evangelista, Division Director Superfund and Emergency Management Division, EPA Region 2  
Councilmember Julie Won, District 26  
Councilmember Robert Holden, District 30  
Councilmember Lincoln Restler, District 33  
Councilmember Jennifer Gutierrez, District 34  
Brooklyn Borough President, Antonio Reynoso  
Queens Borough President, Donovan Richards  
State Assemblymember Juan Ardila, District 37  
State Assemblymember Emily Gallagher, District 50  
State Assemblymember Maritza Davila, District 53  
State Senator Michael Gianaris, District 12  
State Senator Julia Salazar, District 18  
State Senator Kristen Gonzalez, District 59  
Congressmember Nydia Velazquez, District 7  
US Senator Chuck Schumer  
US Senator Kristen Gillibrand