

**Lower Passaic and Saddle River Alliance  
Public Advisory Committee  
Draft Minutes—9 June 2005  
Essex County Environmental Center**

1.. Meeting called to order at 6:40 PM by Mark Newell.

2. Minutes of May PAC approved as amended.

3. Presentation on behalf of Lower Passaic Cooperating Parties by Jonathan Jaffe of Jaffe Comm., Emily Won of Kirkpatrick & Lockhart, and Bill Potter of Demaximis.

3a. J. Jaffe—introduced presenters, and noted there were 31 companies as of Fall, 2003 which made up the Passaic Cooperating Parties, and which put \$10 million for the EPA study (as explained in the brochure “The Lower Passaic Cooperating Parties” which was passed out.

--there are now 409 companies but there is a need for other to step up and be counted.

3b. E. Won—(lawyer)—the lower Passaic study area is derived from the EPA study which was expanded up as far as Dundee Dam from the original site. 43 companies had been invited to participate in the fall of 2003.

--Passaic River is 1 of 8 in the EPA Urban River Restoration Initiative. The theory is that urban rivers need public as well a private funding since not all pollution is due to private sources. The initiative began in 2000 with U.S. Army Corps of Engineers as a \$19 million study (\$10 mil CERCLA and \$9 mil WRDA). The companies were asked to fund \$10 mil of the study over three years; 40 companies now participate but others are being sought.

--in fall, 2003, NJDEP issues a directive for the Passaic River to about 30 companies, trying to avoid litigation by getting cooperation of all parties.

--at present the members are proud of their involvement.

--companies are listed on website: <http://lowerpr.com/>

3c. Bill Potter—began his company Demaximis

in 1988 and now employs about 65 people providing environmental project management.

--program meets monthly under the Comprehensive Environmental Liability Act (CERCLA)

--first phase is to look at the lower 17b miles of the river and its major tributaries: Second, Third and Saddle Rivers. (Note: the lower 6 miles had been studied by Terra Solutions in the 1990s.) This study is to do surface and sediment sampling. So far have found: several feet of new sediment over some of the hot spots, that the mouth of the river is “silting up fast,” and only a few places where there is scour. Major problem is that silting prevents flood control.

--EPA has office space for upper river access, but actual access is a challenge.

--core sampling is ongoing and there are several types and several plans to be carried out over three seasons.

--2006 will be ecological sampling

--Summer, 2007 will be data gap fill-in

--need to determine age of sediment using radioisotope dating—EPA is trying to gauge sediment stability as well and determine what is moving and where.

--2009-2011 will be remedial investigation with a feasibility study to be based on risk assessment. A number of concerns are evident including:

--the challenge of what to do with any dredged sediment—a BIG problem

- concern with stirring up sediment by dredging
- several decontamination units are being tried to stabilize such dredge material
- disposal is a big problem especially concerning odors

As a result of these concerns, a pilot study is scheduled for October, 2005. It is expected to produce a remedy by 2011.

--Water Resource Development Act (WRDA)—the Office of Marine Resources—USACE is looking at restoration opportunities of ecological value. WRDA requires restoration as part of its statute. See website <http://www.ourpassaic.org/>.

--Summary: 2011 ends the feasibility study.

### 3d. Discussion and Question Session

--Sheldon Lipke noted that there are three groups running the program: Office of Maritime Resources (NJ), EPA, and USACE. There are six work groups formed due to complicated issues (listed on <http://www.ourpassaic.org/>). They include an outreach w/g and a restoration w/g. Restoration includes two components: remediation and natural resource damages. The problem is that both of these w/g's are having big trouble getting people involved, and perhaps an opportunity for the Alliance to get involved.

--discussion of problem of restoration and that various agencies are not on the same page.

--Dick Pardi asked “why is there any sediment accumulating in this estuary? There shouldn’t be any.” He suggests perhaps due to sea level rise over the last hundred years. Discussion noted the issue of “stinky mud” and what is coming out of it; EPA study next summer will study anaerobic activity.

--integration of this whole process leaves a lot to be desired.

## 4. Standing Committee Reports

### 4a..Education and Outreach—Tom P.

--relay to be discussed in July; next relay date: 13 May 2006

--want to begin another project—biological study? Or other event?

--question of schools’ sampling program was mentioned.

### 4b. Technical Advisory Comm.—Michele B.

--next meeting to discuss Priority Stream Segment Task 2 Report and D. Vicari report

### 4c. NJDEP—Michele

### 4d. National Park Service—no report.

5. Sheldon Lipke noted that NJ mandates communities with CSOs to have remediation plans, and will be forming an outreach committee for citizens. Perhaps the Alliance would want to be represented. Towns with CSOs include: Paterson, Newark, Harrison, Kearny, Jersey City, Bayonne, and North Bergen. New CSO permits from NJDEP require long term planning.

## 6. Meeting adjourned.

Respectfully submitted,

Mark B. Newell