

## MEMORANDUM FOR RECORD

SUBJECT: Newark Bay Study Area Coordination Team Meeting, 11 Dec 07

1. The regularly scheduled monthly interagency coordination meeting was held on December 11, 2007 at the USACE offices to discuss the USACE and EPA activities in the Newark Bay Study Area (NBSA). Attendees are as follows:

Thomas Shea	USACE, NY District	Project Manager
Hal Hawkins	USACE, NY District	Project Manager
Bryce Wisemiller	USACE, NY District	Project Manager
Steven Weinberg	USACE, NY District	Project Engineer
Jenine Gallo	USACE, NY District	Environmental Team Leader
Patricia Donohue	USACE, NY District	Project Manager
Ellen Simon	USACE, NY District	Attorney
Reyhan Mehran	NOAA ORR	Regional Resource Coordinator
Suzanne Dietrick	NJDEP	Chief, Office of Dredging and Sediment Technology
Janine MacGregor	NJDEP	
Matt Masters	PANYNJ	Manager
Via Phone:		
Elizabeth Butler	USEPA, Region 2	Remedial Project Manager
Amelia Wagner	USEPA, Region 2	Assistant Regional Counsel
Elizabeth Buckrucker	USACE, Kansas City	Project Manager
Melissa Foster	US Fish & Wildlife Ser.	Biologist

2. The following is a summary of the discussions held during the monthly coordination meeting:

a. The S-NB-1 contractor, Great Lakes Dredge & Dock (GLDD), has removed 150,977 CY of upland silt material in Areas C and D. They have removed 111,749 CY of HARS and Reef material in Areas C and D and 34,174 CY of HARS and Reef material in Area B3.

b. Bryce Wisemiller reported that the scopes of work for the stratified sampling and the near-field TSS monitoring are being worked on and should be finalized shortly. Both items are required as part of the settlement for the NRDC lawsuit. He further stated that they are working with the PSE&G to resolve a sampling location near their pipeline. EPA agreed to provide the coordinates of Phase 2 Core 098 that was retrieved in the same general area by Tierra Solutions. The USACE is hoping to award both of these contracts within the next month. A pilot for the TSS monitoring is likely to occur in area B3 in January.

c. A final task with the settlement will be a pilot using silt curtains/screens. This pilot is scheduled to be completed as part of the S-NB-2 contract, which is not scheduled for award for another 18 months.

d. Reyhan Mehran requested that the Natural Resource Trustees be provided a copy of the draft scopes of work in order for them to submit comments to USACE for the technical work being performed as part of the NRDC settlement. While the District noted that the Natural Resource Trustees were not included in the Settlement and Order two-party agreement between USACE and NRDC, et al, which clearly provides very specifically the details of how and with whom the three technical items will be coordinated, the District agreed to discuss this request internally before responding to the Natural Resource Trustees. It was also noted that USACE scopes of work to their expert consultants/contractor are highly regulated (Federal Acquisition Regulations {FARS}) internal technical work products that are not typically shared with agencies that have not been identified by USACE as having any specific desired or required area of technical expertise, regulatory role or financial risk or commitments supportive of the USACE mission, goals and obligations as pertains to the HDP. Ellen Simon also agreed to discuss this with the other agency Counselor's at the next "legal" Lower Passaic River conference call. It was suggested that NOAA provide comments through NJDEP. NJDEP concurred with the NOAA comments.

e. Patricia Donahue reported that she had no Federal maintenance dredging activity to report.

f. Richard Tomer (Chief, Regulatory Branch) was not in attendance at the meeting; however, subsequent to the meeting, he provided the attached spreadsheet that gives the status of the permit actions within the NBSA.

g. It was noted that the Regulatory Branch issued a Public Notice for a permit action from the PANYNJ for berth reconstruction, maintenance dredging and deepening dredging. The berths are located along the Port Newark Channel. The PN was issued on 11 Dec and comments are due by 11 Jan 08.

h. Elizabeth Butler reported that Tierra has just about completed its Phase 2 coring and is expected to finish the week of 10 Dec. She is working in getting a schedule from Tierra to provide the validated data from Phase 2 and a preliminary RI Report.

i. Elizabeth Butler stated that the data evaluation meeting is now scheduled for 17 January 2008 in the afternoon.

j. Elizabeth Butler also mentioned that she is planning a broader public meeting in 2008 to discuss their entire NBSA RI/FS study.

k. Matt Masters reported that he had nothing to report concerning the Port Authority's O&M work beyond the recent public notice. It is noted that Matt Masters was recently selected to replace Steve Dorrlar, who retired from the PA.

1. Reyhan Mehran stated that the Natural Resource Trustees have posted their draft plan for the area on the web. Comments are due 21 Dec 07. The Natural Resource Trustees plan covers the entire extended area of contamination and is not limited to just the Newark Bay or the Lower Passaic River. The Plan is located at:

[http://www.darrp.noaa.gov/northeast/passaic/pdf/PR\\_NRDA\\_Draft\\_Plan\\_11-07.pdf](http://www.darrp.noaa.gov/northeast/passaic/pdf/PR_NRDA_Draft_Plan_11-07.pdf)

3. The next NBSA Coordination Team Meeting will be at the USACE offices (room 2120) at 10 am on January 8, 2007.

4. POC is the undersigned at (917) 790-8304 for this MFR.

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THOMAS J. SHEA, III  
Project Manager

<b>Regulatory Branch – Pending Applications in Newark Bay</b>					
<b>Applicant</b>	<b>Application Number</b>	<b>Type of Work</b>	<b>If Dredging CY &amp; Depth</b>	<b>Location</b>	<b>Status</b>
Metal Management Northeast, Inc.	2001-00871-EET	Dock	N/A	Newark Bay	Pending Decision
Port Authority of New York and New Jersey	2006-3232-WSC	Berth reconstruction, maintenance dredge, and deepen to -45 feet MLW	58,000 CY Upland and 252,000 CY of Pleistocene clay to HARS	Newark Bay, Port Newark Marine Terminal, Newark, NJ	On Public Notice 11-Dec-07
New York Container Terminal	2007-195-WCA	Dredging	195,000 CY to HARS, 267,000 CY with upland placement and 172,000 CY rock to artificial reef in Atlantic Ocean	Arthur Kill, Staten Island, NY	Sampling Plan being reviewed
Hudson County Department of Engineering	2007-741-WSC	Fisheries Habitat Improvement Project	N/A	Newark Bay off of Stephen R. Gregg Park, Bayonne, Hudson County, NJ	Additional Information requested 11 Sep 07
Port Authority of New York and New Jersey	2007-00821-EJE	Fender repair	N/A	Port Newark/Port Elizabeth Marine Terminal	Pending Decision

<b>Regulatory Branch – Issued Permits in Newark Bay</b>					
<b>Permittee</b>	<b>Permit Number and Project Manager</b>	<b>Permit Expiration Date</b>	<b>Type of Work</b>	<b>If Dredging, CY &amp; Depth</b>	<b>Location</b>
OENJ Cherokee Corporation	1997-07040, PM: SE	26-Apr-09	Dredging with Upland Placement	175,700	City of Elizabeth, Union County, NJ
Motiva Enterprises, LLC	1999-3620, PM: MV	1-Nov-10	Dredging with Upland Placement	38,000	Newark Bay, City of Newark
Amerada Hess Corporation	1999-11040, PM: MV	31-Aug-10	Dredging with Upland Placement	20,500	Newark Bay, City of Newark
Darling International	1999-13370, PM: MV	28-Jun-10	Dredging with Upland Placement	22,000	Newark Bay, City of Newark
Texaco Downstream Properties, Inc.	2003-01034, PM: SS	11-Apr-08	Pier Replacement and Bulkhead and Riprap for Shoreline Stabilization	N/A	Newark Bay, City of Bayonne
Port Authority of New York and New Jersey	2002-0711, PM: SS	16-Oct-02	Dredging with Upland Placement	351,000 CY Upland (HARS Placement for 254,010 CY expired on 16 Oct 05)	Berths 2-98, Port Newark/Port Elizabeth, Newark Bay
Port Authority of New York and New Jersey	2002-0711-2, PM: SS	11-Aug-14	Dredging with Upland Placement	3,000 CY Upland (HARS Placement for 60,000 CY expired on 11 Aug 07)	Berths 2-98, Port Newark/Port Elizabeth, Newark Bay
Port Authority of New York and New Jersey	2006-57, PM: ESJ	11-Aug-15	Dredging	9,000 CY Upland and 35,000 CY rock for artificial reef	Arthur Kill, NY Container Terminal, Staten Island, NY

Port Authority of New York and New Jersey	2006-3353, PM: SS	25-May-10	Dredging	47,000 CY Upland and 356,000 for HARS. Deepen Berths to -50 ft MLW	Berths 53, 55, 56, 57, 58, 60, 62, 78 (part), 80, 82, 84, 86, 88, 90, 92, 94 and 96 at Port Newark/Port Elizabeth Marine Terminal Newark Bay, City of Elizabeth, Union County, NJ
Union County	2004-00846, PM: SE	15-Aug-08	Outfall Pipe	N/A	Newark Bay, Union County, NJ
Catellus Urban Renewal North Avenue Hudson County Department of Engineering	2006-00107, PM: 2006-245, PM: SS	26-Apr-09			Newark Bay, Union County, NJ
Union County (North Avenue Corridor Improvement)	2006-00478, PM: SE	20-Jun-08	Outfall Pipe	N/A	Newark Bay, Hudson County, NJ
Colonial Pipeline Company	2006-03298, PM: SE	29-Jun-08	Outfall Pipe	N/A	Newark Bay, Union County, NJ
Public Service Electric and Gas Services	2007-00209, PM: JC	8-Nov-08	Directional drilling of pipeline	N/A	Newark Bay, Essex County, NJ
		12-Jun-09	Directional drilling of pipeline relocation	N/A	Newark Bay, City of Elizabeth, Union County, NJ
Port Authority of New York and New Jersey	2006-00501, PM: SS	17-Aug-08	Repairs to Wharf	N/A	Newark Bay, Berth 19, Port Newark, NJ