



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

MAY 21 2001

Letter to the Editor
Asbury Park Press
Asbury Park, New Jersey

Dear Editor:

Your article of Monday, April 30, 2001 entitled "Mud Dump foes renew efforts" contained a number of factual errors and misstatements. Your readers were given inaccurate information concerning several Army Corps of Engineers issues and activities related to our dredging program. For example:

The article begins by stating that opposition to ocean dumping is heating up "only days before the Corps is scheduled to review several multi-year ocean dumping permits..." What review process is the author referring to? The Corps has no upcoming "schedule" to review such permits .

The article refers to new EPA standards released last fall "which include lower levels of... PCBs and other toxic chemicals." An EPA/Corps Memorandum issued in September 2000 revised only the PCB number out of the approximately 60 chemicals analyzed in our program. This PCB number is not a "standard" which dredged material must meet for placement at the Historic Area Remediation Site (HARS); it is a guidance value which is considered along with other values to determine HARS suitable material. Further, it was made clear in the memorandum that this revision was an interim change "...subject to further revision (upward or downward) as the peer review and public consultation processes proceed".

The article mentions the 1996 Agreement which "...required EPA to re-evaluate its standards for chemically clean material since some of the existing standards were more than 20 years old." This statement is false; the 1996 Agreement said no such thing. What it did say was that EPA "...would review the ocean disposal testing requirements ...", i.e., the type and number of tests that need to be performed. There is no language in the 1996 agreement (either direct or implied) suggesting that EPA evaluate or revise any chemical criteria or guidelines

Finally, there are several confusing and inaccurate references to permits and "renewals". To clarify:

- Permits for HARS placement of maintenance dredging projects not performed by the federal government (such as Castle Astoria or Brooklyn Marine Terminal) are typically issued for three years. There is no Corps “review and renewal” process at the end of that three-year period; the permit expires and the applicant must re-apply and re-test in order to get another permit.
- A permittee may dredge more than once during the three-year permit period. After the initial dredging, the permittee must inform the Corps if and when he/she intends to dredge again; the Corps and EPA then review current conditions at the proposed dredging site, and determine whether any further testing is appropriate.
- References to Buttermilk Channel, Raritan River Cutoff and Raritan River as “...grandfathered permits come(ing) up for renewal” or as “... expiring permits...” are incorrect. These federal maintenance projects do not have permits, nor do they go through any type of “renewal” process. Because of their dredging cycles (i.e., they normally do not require dredging more than once in three years) these projects are tested each time dredging is proposed.

We encourage newspapers to verify information presented as fact by other parties. Relaying inaccurate information or presenting only one side of a story only serves to needlessly exacerbate public perceptions based on rumor and innuendo.

Sincerely,

Monte Greges
Chief, Dredged Material Management Section
New York District Army Corps of Engineers