



**US Army Corps
of Engineers®**
New York District



Lower Passaic River Restoration Project, NJ

FACT SHEET

DESCRIPTION: The Lower Passaic River is the 17-mile tidally influenced portion of the Passaic River in northern New Jersey that flows from the Dundee Dam to the confluence with Newark Bay. The Lower Passaic River Study Area includes the 118-square mile watershed and tributaries, including the Saddle River, Second River and Third River that drain into the Lower Passaic. The lower portion of the river basin is highly urbanized with significant development in its natural floodplains. The considerable development has resulted in significant loss of floodplains, fish spawning habitat, benthic habitat, wetlands, waterfowl nesting areas and other valuable fish and aquatic and terrestrial habitat areas. In addition, the natural hydrologic regime of the basin has been altered by the construction of numerous flood control structures within the basin.

The river has a long history of industrialization, which has resulted in degraded water quality, sediment contamination, loss of wetlands, and abandoned or underutilized properties along the shore. In June, 2000 the U.S. Army Corps of Engineers, New York District (Corps) initiated a reconnaissance study to identify and inventory water resources and sediment quality related problems and needs in the Hudson-Raritan Estuary. The reconnaissance study identified the Lower Passaic River as one of the priority restoration areas within the estuary.

The Lower Passaic River has also been designated an Operable Unit of the Diamond Alkali Superfund Site, which is the subject of a Remedial Investigation and Feasibility Study (RI/FS) pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986. In recognition of the coincidental study areas and the related roles and responsibilities of the U.S. Environmental Protection Agency (EPA), and the Corps along with the project sponsor, New Jersey Department of Transportation (NJDOT), the agencies combined the EPA Superfund RI/FS and the Corps Feasibility Study into one comprehensive, cooperative study. This study is also a pilot project to coordinate remediation and restoration of degraded urban rivers in the United States under the Urban River Restoration Initiative (URRI). For the purpose of this study a 'governmental partnership' was formed and includes the Corps, EPA, NJDOT, New Jersey Department of Environmental Protection (NJDEP), National Oceanic Atmospheric Administration (NOAA), and United States Fish and Wildlife Service (USFWS), to assist in recommending a comprehensive solution for the Lower Passaic River Basin.

PURPOSE: The purpose of the joint study is to develop a comprehensive watershed-based plan for the remediation and restoration of the Lower Passaic River Basin. The study area may be expanded based on models that will determine if recommended alternatives may be affected by other sources (i.e. Newark Bay, Hackensack River, and upstream of Dundee Dam). The plan will address the need for remedial actions as defined under CERCLA and will also identify ecosystem restoration opportunities in the study area under WRDA to support broader estuary-wide restoration efforts. Remedial alternatives and ecosystem restoration measures will be analyzed together to ensure that the overall solution(s) to the complex problems posed by the contamination in the area are protective of human health and the environment and also provide for: long-term effectiveness and permanence; reduction of toxicity, mobility, or volume through treatment; short-term effectiveness; implementability; cost-effectiveness; compliance with applicable or relevant and appropriate regulations and stakeholder/public acceptance.

The study will include an evaluation of potential restoration opportunities, pursuant to the Water Resources Development Act (WRDA), an analysis of the risk posed by the existing conditions of contamination, as required by CERCLA, and consideration of a “no-action” alternative. Remediation may include: sediment removal, placement of caps, sediment decontamination in-situ or ex-situ, and engineering controls on combined sewer outfalls (CSOs) while complimenting restoration goals may include benthic habitat restoration, tidal wetland restoration, vegetative buffer creation, shoreline stabilization, and aquatic habitat improvement.

The primary project goals are to provide a plan that will result in:

- ✓ Remediation of contamination found in the river to reduce human health and ecological risks;
- ✓ Improvement of water quality in the river;
- ✓ Improvement and creation of aquatic habitat;
- ✓ Reduction in contaminant loading in the Passaic and the Hudson Raritan Estuary;
- ✓ A significant cost savings to the navigational dredging program related to dredged material management in the NY/NJ Harbor;
- ✓ Improvement of human use;
- ✓ Economic benefits for the surrounding regions.

AUTHORIZATION:

CORPS: House of Representatives Committee on Transportation and Infrastructure Resolution dated 15 April 1999, Docket Number 2596, and

EPA: Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA).

STATUS: The District executed the Feasibility Cost-Sharing Agreement on 30 June 2003 with the non-Federal partner, the New Jersey Department of Transportation for a feasibility study for the tidally influenced portion of the Lower Passaic River (below the Dundee Dam). On June 22, 2004 EPA through its Superfund authorities entered into an administrative settlement (AOC) with 31 companies to pay \$10 million towards the Remedial Investigation/Feasibility Study (RI/FS) portion of the Lower Passaic River Restoration Project. On May 8, 2007, EPA entered into an additional AOC with a total of 73 companies to take over the implementation of the Superfund portion of the joint Feasibility Study, under EPA oversight. On June 23, 2008 EPA signed an agreement with Occidental Chemical and Tierra Solutions (Tierra) to remove 200,000 cubic yards of contaminated sediment from the portion of the lower Passaic River directly in front of the Diamond Alkali site in Newark.

Current efforts include evaluating potential early remedial actions that could be implemented prior to the anticipated date of completion of the full RI/FS. This accelerated Source Control Early Action Focused Feasibility Study by EPA focuses on the remediation of contaminated sediments within the lower 8 miles of the river. In order to maintain integration, the Corps will be advancing restoration planning for the lower 8 miles. Activities will be ongoing to evaluate the full watershed study area for the joint CERCLA/WRDA Feasibility Study. The Passaic River feasibility study has an expected completion in 2014. All documents associated with the study are available on www.ourpassaic.gov.

WRDA STUDY COST:

Estimated Feasibility Federal Cost (Corps)	\$ 4,500,000
Estimated Feasibility Non-Federal Cost (NJDOT)	<u>\$ 4,500,000</u>
Total	\$ 9,000,000

CERCLA STUDY COST: over \$50,000,000

CONTACTS:

Lisa Baron, Project Manager, e-mail: Lisa.A.Baron@usace.army.mil Phone : (917) 790-8306
 U.S. Army Corps of Engineers, New York District
 26 Federal Plaza
 New York, NY 10278-0090
<http://www.nan.usace.army.mil/>

Alice Yeh, Project Manager, e-mail: yeh.alice@epa.gov Phone: (212) 637-4427
 U.S. Environmental Protection Agency, Region 2
 290 Broadway
 New York, NY 10007-1866
<http://www.epa.gov/Region2/>

Elkins Green, Director, e-mail: Elkins.Green@dot.state.nj.us Phone: (609) 530-2998
 New Jersey Department of Transportation
 Division of Environmental Resources
 1035 Parkway Ave.
 E&O Building, PO Box 600
 Trenton, NJ 08625-0600
<http://www.state.nj.us/transportation/>

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