

MEMORANDUM FOR RECORD

SUBJECT: Newark Bay Study Area Coordination Team Meeting, 14 February 2012

1. The regularly scheduled monthly interagency coordination meeting was held on February 14th at the EPA offices and via teleconference. The following people attended:

Eugenia Naranjo	USEPA, Region 2	Remedial Project Manager
Amelia Wagner	USEPA, Region 2	Assistant Regional Counsel
Sharon Heller	PANY/NJ	Program Manager
Steven Schumach	USACE, NY District	Regulatory Project Manager
Ellen Simon	USACE, NY District	Assistant District Counsel
Bryce Wisemiller	USACE, NY District	Project Manager (Harbor)

2. The EPA provided the following information regarding EPA's activities in Newark Bay during the meeting:

- a. Chemical water column sampling in the LPR and Newark Bay is planned for the next week in February in the LPR and NBSA.
- b. EPA expects to soon finalize the DEAR report.
- c. EPA is awaiting Tierra's responses to comments on the conceptual site model.
- d. EPA anticipates receiving an updated RI/FS schedule for the NBSA within the next month.

3. Corps provided the following information during the meeting:

- a. Northeast Dredging is continuing construction of the S-NB-2/S-AK-1 contract. HARS till and clay material dredging continues using two excavator dredges supplemented by clamshell dredges. Drilling and blasting in the area near Port Elizabeth terminals, which was started last year, is expected to resume this year as the SAK1 drilling and blasting operations end. Drilling and blasting in the S-AK-1 area is planned to be completed shortly. The silt curtain report (part of the S&O NRDC lawsuit settlement) is undergoing internal Corps review to be coordinated and finalized this spring/summer.
- b. The Corps awarded the S-AK-2 contract to Northeast Dredging. The drilling and blasting construction work has been resequenced to begin on the northern side of the channel working east to west, then the southern side, working west to east, to help

ameliorate navigation issues associated with the turn at the western end of the contract. Dredging of non-HARS material began on this contract on 14 Dec 2011. Drilling and blasting operations in this contract are anticipated to begin shortly.

- c. The Corps noted that the next and last major HDP construction contract was S-AK-3, which would not only deepen the last leg of the Arthur Kill Channel to NYCT but also remove accumulated shoal material in previously completed contract areas, including those that may exist in the NBSA. The S-AK-3 contract is scheduled for award in late FY 12. The Corps noted to EPA that this contract includes deepening the existing 41 ft. channel as well as the prior 35 ft. channel footprints. As such, some more historical sediments may exist in the older 35 ft. channel footprint that may have use in the NBSA. EPA and Corps agreed to further coordinate the locations of this channel deepening with the existing Phase 1 & 2 core locations to ensure the area had been sufficiently characterized for the RI/FS purposes prior to this contract's construction commencing later in the FY.
 - d. It was noted that the S-AM-3a contract has a contract line item for capping the NBCDF as part of that contract's work (at PANY/NJ's request and funding). Due to a potential diversion of the dredge, this capping was now anticipated to be performed in late March into April of 2012.
 - e. The Corps did not have any active maintenance dredging work in the NBSA to report. The next possible Corps maintenance activity in the NBSA is potentially at the end of 2012 or more likely in 2013.
 - f. The attached tables summarized the Corps existing permits and pending regulatory actions within the NBSA. Currently, the Corps only has two permit applications in the NBSA (NYCT terminal expansion at berth 4, and the Texas eastern gas pipeline).
4. The Port Authority reported that the NBCDF capping and monitoring plan was undergoing regulatory review for the NBSA capping.
 5. The next NBSA Interagency Coordination Team Meeting will be held at the Corps offices at 10:00 AM on Tuesday, 13 March 2012.
 6. The next NBSA public meeting will be tentatively on 20 March 2012, one week following the agency meetings to allow for better documentation and discussion at the public meetings (as the Corps had coordinated with the Plaintiffs).
 5. POC for this MFR is the undersigned at (917) 790-8307.

/ s /
BRYCE W. WISEMILLER
Co-Chair

Regulatory Branch - Issued Permits in Newark Bay Study Area

POC: Richard L. Tomer, (917) 790-8510

Permittee	Permit Number	Permit Expiration Date	Type of Work	If Dredging, CY & Depth	Project Location
Honeywell International, Inc.	2011-00102	9 May 13 (Note: EFH consultation with NMFS is ongoing and work may not commence until EFH consultation with NMFS is completed)	Site Remediation consisting of dredging 0.5 acres, capping 37 acres, repairs to bulkhead and riprap, and site monitoring	Dredge 2,000 CY from an area of 0.5 acres to a depth of 2 feet located adjacent to existing bulkhead.	Hackensack River, Jersey City, Hudson County, NJ
Port Authority of New York and New Jersey	2002-0711	16-Oct-12	Dredging with Upland Placement	351,000 CY Upland (HARS Placement for 254,010 CY expired on 16 Oct 05), Berth depths range from -35 ft MLW to -50 ft MLW	Berths 2-98, Port Newark/Port Elizabeth, Newark Bay
Port Authority of New York and New Jersey	2002-0711-2	11-Aug-14	Dredging with Upland Placement	3,000 CY Upland (HARS Placement for 60,000 CY expired on 11 Aug 07), deepen Berths 76 and 78 to -50 ft MLW	Berths 76 and 78, Port Newark/Port Elizabeth, Newark Bay
Port Authority of New York and New Jersey	2010-00914	29-Jul-14	Wharf reconstruction and dredging with upland and HARS Placement	Dredge to -45 ft MLW with 31,000 CY upland and 25,000 CY to HARS	Berth 6 and part of Berths 4 and 8 of the Port Newark Marine Terminal, Port Newark Channel, Newark, Essex County, NJ
Port Authority of New York and New Jersey	1995-04370	Work completed to construct Newark Bay CDF; permittee's January 2012 capping and monitoring plan under review.	Confined dredged material disposal facility	Dredge Area 1S to -70 ft MLW	Newark Bay

Regulatory Branch – Pending Applications for Work in Newark Bay Study Area

POC: Richard L. Tomer, (917) 790-8510

Applicant	Application Number	Type of Work	If Dredging CY & Depth	Project Location	Status
New York Container Terminal	2007-00195-WCA	Dredge with upland, HARS, and artificial reef placement and construct a wharf consisting of an open-pile supported deck, bulkhead, riprap, ship fenders and fill in wetlands and open waters with wetland mitigation.	Dredge to -50ft MLW with 92,400 CY to HARS, 199,200 CY upland, and 134,300 CY rock to artificial reef in Atlantic Ocean.	Arthur Kill, Staten Island, NY	Needs additional Information
Texas Eastern Transmission LP/Algonquin Gas Transmission LLC	2009-01278-EHA	20 mile pipeline expansion consisting of a new 30" and 44" pipeline and 6 meter stations.	No dredging is proposed in the Newark Bay Study Area as pipeline installation would be by directional drilling. A portion of the pipeline installation located in the Hudson River in New York is outside of the Newark Bay Study Area proposes dredging of 12,000 cubic yards.	Linden, NJ to Manhattan, NY	Final EIS scheduled to be issued in March 2012 by FERC as lead agency. Needs WQC from NYSDEC.