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Newtown Creek Community Advisory Group (CAG)
Steering Committee Conference Call Summary
September 13, 2012

Attendees

Leah Archibald, EWVIDCO
Sarah Durand, LaGuardia-CUNY
Lillit Genovesi, CUNY
Christine Holowacz, GWAPP/NCMC
Ed Kelly, Maritime Association of the Port of NY/NJ
Deb Mesloh, LIC Partnership
Ryan Kuonen, BK, CB#1 Enviro Chair, NAG, CAG Co-Chair
Phillip Musegaas, Riverkeeper
Jean Tanler, Queens Business Outreach Center
Kate Zidar, Newtown Creek Alliance, CAG Co-Chair
Walker Holmes, Skeo Solutions

Overview

- Walker Holmes welcomed steering committee members to the call and took attendance.
- Kate Zidar summarized the agenda:
 - Discuss priorities for the next few CAG meetings, based on items remaining from the CAG's information request letter to EPA in March 2012;
 - Discuss target dates for CAG meetings.
- The steering committee members reached consensus on two topics for the next two CAG meetings and began to discuss a potential third topic:
 - First meeting topic (Fall): General update on sampling activities and methodology to date; update on data availability; information on how CSOs will be examined; discussion on developing and maintaining a productive information exchange with EPA.
 - Second meeting topic (Winter): Effects of Superfund activities on Newtown Creek businesses and industry; summary of anticipated logistics and staging needs for remedial activities; discussion of potential land area and specific sites for staging activities.
 - Potential third meeting (time TBD): Presentation of community visions and proposals for environmental and economic conditions on Newtown Creek. This would be a CAG presentation to EPA staff and others.
- Additional details/discussion on these three meeting topics is included below.

Meeting Topic 1: General Update on Sampling

- There has been a lot of Superfund activity on Newtown Creek since EPA's presentation to the CAG in May; the Steering Committee members agreed that an update from EPA on sampling and boring activities done this summer would be useful. The steering committee would also like to know when a report on these activities might be issued.
- One steering committee member pointed out that this is a critical time in determining the future of the Superfund process – subsequent activities related to assessment and cleanup will depend on what is discovered during the current sampling. The CAG members would like to ensure that they receive information from EPA regarding the stages of the Superfund process so that the CAG can look ahead to key junctures in the future and is not reacting belatedly to past activities that cannot be changed.
- The CAG would like to know when reports are coming out, how the area will be cleaned, and whether the cleanup will be conducted to a standard that the community wants.
- The steering committee understands that the Remedial Investigation (which will lead to the cleanup plan) is a few years out in the future; however, this does not mean that the group must operate in an information vacuum until the draft version of the Remedial Investigation is issued. The CAG would like to engage in a dialogue about the Remedial Investigation information sooner rather than later.
- A steering committee member suggested that the CAG should put some focus into how EPA will sample the CSO discharges; the science relied on will be important. The CAG wants to support EPA and this steering committee member believes that EPA has the right goals, but the CAG wants to be a part of that process and to provide input.
- Will heavy metals and other contaminants be treated properly? Methodologies for both CSO sampling and other sampling are important to understand.
- The steering committee wants to maintain community interest in the Remedial Investigation; seeing data and reports before too many years pass will be important to keep the community interested.
- Kate Zidar suggested looking at Newtown Creek Alliance's February 2012 letter to EPA regarding CSOs to see if it is complete enough as an information request.
- Perhaps the remediation consultants could also speak to the CAG?
- A discussion of methodology and analysis, even if results are not yet available, would be useful. EPA and/or the consultants could walk the CAG through the kind of sampling that is being conducted.
- What process will be used to release the data, how will it be analyzed and responded to by all parties, and on what timeline?
- Would it be helpful to speak with those involved with the Gowanus Superfund site about what processes occurred there?
- A habitat survey was conducted in July; are the results available?
- A new study about concerns with aeration bubblers in English Kills could also be relevant. If pathogen sampling is not occurring, the CAG should request it.

Meeting Topic 2: Business and Industry Effects

- What happens to the credit of companies located on Newtown Creek? Some people have heard that credit goes down.
- A steering committee member clarified: she has heard that it is hard to get financing, but not that credit goes down. The underwriters see the Superfund designation as too risky a deal. It is not something that is reflected in an actual credit report, though.
- A business/industry survey is being conducted on the Brooklyn side of Newtown Creek. This could help to narrow down business issues.
- One company is looking at the Phelps Dodge site; what can they expect in terms of staging, and where is EPA and/or the remedial contractors planning to put the materials and equipment associated with cleanup? Is a parcel of land needed? Or is the process all done on water?
- The group agreed that they might want to think proactively about the staging and land question. Information on logistics might not be available yet.
- Businesses want to know what physical effect cleanup will have on their properties.
- The Newtown Creek BOA looked at underutilized properties that could be used for staging. Perhaps the CAG could suggest sites?
- One steering committee member noted that the Superfund process is scaring people; is it the CAG steering committee members' job to allay fears? The sooner answers are available, the better.
- Remediation details will not be known until scope is known. Remediation on the Hudson River required acres of land to stage machinery. The CAG may want to talk to property owners with little happening on their property to see if they would lease space for this use. This would be a proactive approach. People are scared that their land will be taken for staging or that ingress/egress will be compromised. Cleanup activities could negatively affect traffic, entry, and exit.
- What can be expected in terms of footprint? How much land will be needed and how will EPA coordinate with business owners? Could EPA show the CAG an equivalent scale example? Information about other Superfund sites that involved dredging and capping would give the CAG members something visual; CAG members might be able to start developing opinions on techniques and results. As EPA identifies problems, the CAG may be able present different approaches.
- One big question is how will the dredged soil be disposed of. In the upper Hudson, GE had to build a dewatering facility; it required a large amount of space. At Gowanus, the dredged material is contaminated; will this be shipped out? Or will a facility be built? Would it be built in Red Hook? The CAG might talk to Gowanus CAG members and to EPA about whether a combined facility for both sites could be used.
- Does the staging area need to be next to a rail line? Or could material be shipped by barge as well?
- One site highlighted during the BOA process is a large Long Island railroad site where MTA is reestablishing a rail spur. One proposal is to encourage them to have a barge to rail facility with no major traffic impacts; the infrastructure would be left behind after Superfund.

- With a little bit more information, the CAG can form educated opinions in advance of the plans for remedial action. Allowing the community to insert ideas and fully understand the realities of the remedial action plans could help to make those plans better.
- Fresh Direct leases its property and plans to move in 2015 to Hunts Point; 300K square feet will be for lease at that point.
- A meeting about business/industry impacts could involve:
 - Recommendations stemming from BOA
 - Riverkeeper input and examples
 - EPA examples from Passaic and other Superfund sites
 - Status of Gowanus
- Should Dutch Kills also be in the conversation? LaGuardia Community College students need a park area; the old barge and other equipment remains in the basin. Could specific visions from BOA coordinate with EPA? It is possible that this Dutch Kills topic fits into a separate meeting.

Meeting Topic 3: Community Visions and Goals for Environmental and Economic Conditions on Newtown Creek

- The CAG and community members could present to EPA and other interested parties regarding their collective environmental and economic visions and goals for conditions on Newtown Creek.
- Providing these specifics could allow EPA to include them, as appropriate, in the remediation plan.

Meeting Planning and Logistics

- The CAG will ask EPA for an update presentation in mid-October.
- Remedial contractor attendance would be good as well.
- The steering committee's preferred date is October 10.