



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866**

BY ELECTRONIC MAIL

March 19, 2020

Willis Elkins

Executive Director

Newtown Greek Alliance

Dear Mr. Elkins:

On behalf of the United States Environmental Protection Agency (EPA) and as one of the EPA's Remedial Project Managers (RPMs) for Operable Unit 3 (OU3) of the Newtown Creek Superfund Site, I am pleased to invite you to participate in a meeting on April 29, 2020, regarding the draft Focused Feasibility Study (FFS) and EPA's tentative preferred alternative for the OU3 portion of the site, which relates to a potential interim, early action for the lower two miles of the Creek. One of the purposes of this meeting is to provide the community and other stakeholders with an opportunity to share their views with EPA's Contaminated Sediments Technical Advisory Group (CSTAG) and National Remedy Review Board (NRRB) on the Newtown Creek, OU3 project. They are interested in hearing your:

- ideas and insights about the conclusions regarding the draft FFS and EPA's tentative preferred alternative (additional information will be provided by April 1),
- thoughts on current and future uses of the waterbody,
- concerns about the impact of the project on the community,
- ideas about how EPA can best disseminate site-related information and provide opportunities for meaningful stakeholder involvement, and
- recommendations for improvement to the site strategy.

### **Background**

On February 12, 2002, the EPA issued OSWER Directive 9285.6-08, *Principles for Managing Contaminated Sediment Risks at Hazardous Waste Sites* to help EPA RPMs make scientifically sound and nationally consistent risk management decisions at contaminated sediment sites. The Directive presents eleven risk management principles to consider when planning and conducting site investigations, involving the affected parties, and selecting and implementing a response. The Directive can be found at <https://semspub.epa.gov/work/HQ/196834.pdf>.

To better ensure that the EPA Regional Superfund program appropriately considers these principles before making site-specific risk management decisions, this Directive established a consultation process that applies to many contaminated sediment sites. It also established a national advisory group called the CSTAG that monitors site progress and provides advice on certain large, complex, or controversial contaminated sediment Superfund sites. The group is comprised of sixteen scientists and engineers from across the various EPA and US Army Corps of Engineers regions, laboratories, and headquarters locations.

The NRRB is a peer review group that understands both the EPA regional and headquarters perspectives in the remedy selection process. It reviews proposed Superfund cleanup decisions that meet cost-based review criteria to make sure they are consistent with Superfund law, regulations and guidance. NRRB members are EPA managers and senior technical and policy experts with significant experience in Superfund remedy selection issues. This meeting is considered a combined CSTAG/NRRB meeting. However, for large sediment sites, like this one, CSTAG is considered the lead.

### **CSTAG Review of Newtown Creek**

Newtown Creek has been identified as a site subject to the CSTAG review process. The purposes of the CSTAG are:

To help RPMs at a small number of large and potentially controversial sediment sites appropriately investigate and manage their sites in accordance with the 2005 Contaminated Sediment Remediation Guidance for Hazardous Waste Sites, and other relevant EPA guidance and policies appropriate for sediment sites.

To encourage the use of state-of-the-science tools and methods to complete an adequate and timely characterization of the nature and extent of contamination and to help ensure the selection of a cost-effective remedy that will control sources and achieve long-term risk reduction while minimizing short-term impacts.

To encourage national consistency in the characterization and management of sediment sites by providing a forum for exchange of technical information among the CSTAG members.

The CSTAG and NRRB will discuss the Newtown Creek OU3 draft FFS and tentative preferred Alternative at a meeting to be held April 29, 2020. The meeting will either be held at EPA Region 2's New York City office at 290 Broadway, New York, New York, and/or remotely via teleconference. Because the CSTAG and NRRB believe that it is important to hear from various stakeholders associated with the site, we are inviting you to present any information that you believe is important for the CSTAG and NRRB to consider. Wednesday, April 29, 2020, is reserved for stakeholders to attend and make oral presentations to the CSTAG. If you wish to attend and make a presentation, please call me at (212) 637-4275 or email at [kwan.caroline@epa.gov](mailto:kwan.caroline@epa.gov) before March 30, 2020, to schedule a timeslot for you. Other stakeholders are also afforded this opportunity. Twenty minutes will be allotted to each

stakeholder for a presentation, followed by ten minutes of clarifying questions by the CSTAG members to the presenter. Please understand that schedule adjustments may be necessary if many stakeholders are interested in presenting. Written materials in addition to, or instead of, an oral presentation is also welcome but are not required. Any written material should not exceed thirty pages. If you are interested in providing written information for the CSTAG's consideration, please send it to me at the address below by April 15, 2020, or via e-mail to [kwane.caroline@epa.gov](mailto:kwane.caroline@epa.gov)

Caroline Kwan  
Remedial Project Manager  
USEPA. Region 2  
290 Broadway, 18<sup>th</sup> Floor  
New York, NY 10007

Since the CSTAG and NRRB will be briefed on the site background and available data before your presentation, it is not necessary for you to repeat site information. I recognize that it may be challenging to limit the information you believe should be presented to twenty minutes and/or thirty pages, so please focus on the issues that you believe are most important for the CSTAG to consider. I will distribute all written submittals to the CSTAG and NRRB for their review before the upcoming meeting.

EPA welcomes your participation in this meeting, and we look forward to hearing your ideas regarding how best to evaluate the alternatives from the draft interim FFS for the OU3 FFS. If you have any questions regarding the CSTAG or NRRB, the upcoming meeting, or the consultation process, please contact me at (212) 637-4275, Karl Gustavson, the CSTAG chair, at (703) 603-8753 or Christine Poore, the NRRB chair, at (703) 603-9022.

Sincerely,



Remedial Project Manager

Cc: Karl Gustavson- EPA  
Christine Poore-EPA