Pompton Lakes Environmental Community Advisory Group (CAG)
November 2, 2011 Meeting Summary
7:00 PM – 9:30 PM
Carnevale Center, 10 Lenox Avenue, Pompton Lakes, New Jersey

Meeting Facilitator: Bill Logue

Members and Alternates Present: Tim Newton (alternate for Liz Kachur, In-Plume Resident), Steve Grayberg (Pompton Lakes Restoration Committee), Abby Novak (Pompton Lakes Environmental Committee), John Soojian (Acid Brook Vicinity), Bill Pendexter (Hydrologist, Non-Plume Resident), and Art Kaffka (Chamber of Commerce)

Members/Alternates Not Present: Michele Belfiore (Pompton Lakes Residents for Environmental Integrity), Ed Meakem (alternate Pompton Lakes Residents for Environmental Integrity), and Ella Filippone (Passaic River Coalition)

Ex Officio Members Present:
Pompton Lakes Borough Council: Councilmen Bill Baig and Mike Cera
US Environmental Protection Agency (EPA): Barry Tornick, Adolph Everett, Clifford Ng, Ariel Iglesias
NJ Department of Environmental Protection: Len Romino, Anthony Cinque, Anne Pavelka, Rob Lux, Mindy Mumford

Public Present: Barbara Doka, Donald Soutar, Jacky Grindrod, Jefferson LaSala, Maggie (last name not provided), Carolyn Fefferman Anne Silversey, Carol D'Alessandro, Regina Sisco

I. Welcome and Administrative Updates

Bill Logue celled the meeting to order. Jefferson LaSala mentioned that he was recording the meeting for Michele Belfiore. The meeting summary of the October 5th meeting was approved.

II. Ex Officio Updates

Acid Brook Sampling Update
Clifford Ng reported out that he observed the sampling that took place along the Acid Brook earlier during the day. Both surface water and sediment samples were taken at four locations on the DuPont property: one at each of the two tributaries that join to form the Acid Brook, one at the weir just downgradient of the guard house, and one at the property boundary where the Acid Brook discharges off-site. It will take about 6-8 weeks to get the results, including time needed for data validation.

NJDEP/EPA Sampling Oversight Update
Barry Tornick reported that EPA will take split samples of groundwater at the pump and treat system with DuPont in mid-December. Anthony Cinque reported that NJDEP would split on-site groundwater samples with DuPont in mid-November.

On-Site Soils Remediation Update

Anthony Cinque reported that NJDEP received DuPont's response to NJDEP's comments on the Eastern Manufacturing Area Remedial Investigation (RI) Report, and is evaluating them.

Vapor Mitigation System Installations Update

Barry Tornick provided an update on the status of the installation of vapor mitigation systems. To date, 246 were installed; 231 by and 15 by third party installation contractors. There are 46 more systems are in the process of being installed; 11 by DuPont, and 35 by third-party installation contractors. 11 of the 35 third-party installation contractor designs were approved.

Steve Grayberg shared the interim survey results collected by the public outreach workgroup teams that canvassed homes in the Vapor Mitigation Area that had not yet installed systems. Two of the three teams had gone out for a day. In total, 60 houses were visited, and 19 surveys were filled out. Of these, 8 had started the installation process. Of the 11 that had not started the installation process 3 did not know who to choose, 3 expressed concerns about their property diminishing in value, and 5 did not think a system was necessary. John Soojian reported that the third team (himself and Ed Meacham) had not yet gone out. Ariel Iglesias reported out that EPA expects to do canvassing in the mid- to late-November timeframe. At the suggestion of Art Kaffka, he agreed that EPA would use the survey that the workgroup was using.

III. Groundwater Contaminants of Concern Review Follow-up

Anne Pavelka of NJDEP gave a presentation addressing the recommendations of the independent technical reviewer (Skeo Solutions, Inc.) to re- evaluate decisions to remove perchlorate, benzene, and lead from the list of contaminants of concern.

Regarding perchlorate, Anne noted Skeo's observation that perchlorate is an up-and-coming new contaminant, and that EPA will regulate under the federal Safe Drinking Water Act. NJDEP regulates perchlorate under the Spill Act, and has established an interim health-based specific criterion of 5 parts per billion (ppb). A final groundwater classification standard has not yet been promulgated. In 2007, DuPont collected 9 off-site samples in the plume area, and the highest concentration found was 2 ppb in Monitoring Well 131D. NJDEP concluded that DuPont will be required to do additional sampling for perchlorate, but the details of the sampling had not yet been worked out.

Regarding lead, Anne noted Skeo's observation that in 2000, five wells including two off-site wells were above the new groundwater quality standard of 5 ppb. The previous standard was 10 ppb. However, the drinking water standard is 15 ppb. Anne discussed other information not made available to Skeo under the work assignment including a 1998 Ecological Risk Assessment, monthly air stripper influent and effluent sampling data required under the NJDEP Discharge to Groundwater Permit (645 samples were taken between August 1998 and August 2011), and the groundwater samples collected under the Comprehensive Groundwater Monitoring Program from 2000-03 (223 samples, both on- and off-site). Anne noted that one on-site well, Monitoring Well 20 located in the Eastern Manufacturing Area (North), lead was detected at concentrations of 117 ppb and 332 ppb. The well was installed in a waste pile. DuPont did not realize this when it installed the monitoring well. The highest off-site

concentration was 7.6 ppb in Monitoring Well 128-I. NJDEP concluded that no continued routine monitoring is necessary, and noted that a Classification Exemption Area was established for lead in the Eastern Manufacturing Area in the area of the waste pile where Monitoring Well 20 was installed, which restricts groundwater usage.

Regarding benzene, Anne reviewed Skeo's observations about benzene being detected above its standard in Monitoring Well 138, and that many samples in which benzene was not detected had detection limits above the standard. Skeo noted it was therefore possible that benzene was present in these samples above its standard. Ann explained that both the New Jersey Groundwater Quality Standard and the New Jersey Drinking Water Standard is 1 ppb. Between 1989 and 2009, 941 groundwater samples were collected and analyzed for benzene. Anne explained that the instrumentation used has a detection limit such that values above the limit are reliable, and detections below the limit are reported as estimated or "J" values. Between 1989 and 1994 the detection limit was 5 ppb; between 1995 and 2002, 1.2 ppb was the detection limit, and between 2003 and 2009, less than 1 ppb was the detection limit. Ann discussed the estimated values reported during each period. She also explained that the detection above the standard in Monitoring Well 138 was really for 138D, which is sampled within the deep aquifer. As such, the estimated value of benzene reported of 1.2 ppb in 1991 was not a vapor issue. Two samples were subsequently taken in 1992 and 1994 and benzene was not detected in either sample. She explained how it is common practice to re-sample when estimated values are reported, and if the detection cannot be reproduced it's considered an anomaly. Anne also noted that the vapor intrusion trigger for benzene is 15 ppb, so none of the samples with detections were high enough for vapor intrusion concerns. NJDEP concluded benzene is not an issue based on the sampling results over the 20-year period, including split samples taken in 2009, from which no results were above the groundwater quality standard. DEP would perform split sampling in November. The presentation would be made available in the EPA webpage, as was the Skeo presentation.

Someone from the public asked about what happens to lead in groundwater. DEP staff explained that it can be dissolved or can absorb onto soil particles which is common for metals in general. DEP further explained that benzene is typically detected in homes all across the state and that in the Vapor Mitigation Area it has been detected in indoor air but not in the subslab. Although other sources are possible, it has not been observed in the groundwater plume. Jefferson Lasala expressed concern about disease that could result from benzene exposure over time, that benzene degrades over time, and that the presence of benzene in low levels in groundwater could mean that DuPont had fuel tanks or managed chemicals like nylon on-site. DEP and EPA noted that there was no evidence of nylon managed on-site, and that the chlorinated solvent plumes tend to persist on- and off-site, but that they have not yet observed similar patterns for benzene.

IV. Status of Groundwater Remediation Pilot

Anthony Cinque provided an update on the status of the groundwater flow study. DuPont concluded that the flow is too slow to be effective. EPA's groundwater experts in Ada, OK reviewed the flow study results and they believe that there are other options and strategies. NJDEP concurs with Ada's assessment. During discussion, DEP and EPA staff clarified that the flow study evaluated both the shallow and intermediate aquifers, but that the vapor intrusion

effects are the result of contamination in the shallow aquifer. Flow velocity (determined by how fine or coarse is the granular material in the aquifer) and flow gradient (how steep or flat the layer of material is) are factors in the effectiveness of the biological treatment, but there is a range of acceptability with these factors which needs to be discussed. The results may be good enough to proceed with the pilot. The decision is not a question of expense, but of technical feasibility, i.e., putting in the necessary infrastructure could be difficult, as many injection points may be needed to move material through the aquifer. EPA and DEP are discussing alternatives to increase the flow gradient. Injecting water upgradient could improve movement, but may also result in water entering nearby basements. Barbara Doka expressed concern over this possibility as the pilot would take place in the vicinity of her residence.

V. Lake Remediation and Restoration Update

Barry Tornick (USEPA) reported out that EPA is prepared to move forward with the RCRA permit modification. The public comment period would last for 45 days, and would include a public hearing at least 30 days after the start of the public comment period. EPA would respond to comments and make a final decision. John Soojian stated that he would support EPA moving to public notice the draft permit modification as opposed to the CAG pursuing further study. He noted events that occurred over the past month including the Technical Work Group meeting discussion and notes in which Bill Pendexter commented on many of the outstanding questions; the NJDEP presentation which addressed the lake as a body of water in need of remediation, and the EPA's presentation which focused on the methods of delineation and channel flow upstream from the Ramapo River down to the Pompton Lake Dam. He also noted that the area to be dredged was increased in the latest map. Additional specifics of the EPA presentation were discussed among the CAG and EPA, including the four previous bathymetric studies performed over fourteen years and the next study to be performed in December which would confirm depths or identify changes to the delta/lake bottom.

Steve Grayberg noted that he reviewed the Project Operations Plan twice, and he felt the plan was well put together and well thought out. He noted that there were minor issues to be worked out, but he felt much more comfortable than he did a week ago. Steve and the other CAG members/alternates present supported EPA moving forward.

Jefferson LaSala spoke on behalf of CAG members/alternates Michele Belfiore, her alternate Ed Meacham, and Ella Filipone, requesting that the CAG not make any major decisions. It was noted that comments could continue to be shared through the Google Group. Ariel Iglesias also noted that the CAG members and any other person could submit comments during the public comment period. EPA and DEP staff both noted that appropriate oversight would be determined based on resources, and that the CAG would be fully informed.

VI. CAG Work Group Updates

<u>Lake Remediation Work Group</u>
Steve Grayberg reported that the work group needs to be enhanced. He also shared a letter from the North Jersey Water District Supply Commission in which they expressed appreciation for the

invitation to participate in the workgroup, but they do not see the need to do so at this time. They also disagreed with statements that they are not responsive to the community.

Technical Work Group
Bill Pendexter stated that he and John Soojian were the only work group members with Tim Troast's resignation from the CAG, and that more work group members are needed. The last work group meeting had already been discussed. There was nothing additional to report.

Public Outreach Work Group
John Soojian noted Steve Grayberg's earlier summary of the canvassing effort in the Vapor Mitigation Area. The third group (him and Ed Meacham) will go out after the election.

Property Evaluation Work Group
There was no report out as Michele Belfiore was not at the meeting.

Bill Logue encouraged the work groups to post meeting notes.

VII. Public Comments/Questions

There was a question as to whether Google Groups was fully transparent, in that the e-mail distribution list is not visible, which prompted additional questions and comments. EPA agreed to raise the question to Dave Kluesner to investigate and adjust settings as needed.

VIII. Administrative

Bill Logue announced that this would be his last meeting, though he would still be available to provide technical assistance. He encouraged the CAG to develop agendas well in advance of the next meeting date. The CAG Executive Committee Chair and Tim Troast's replacement need to be filled. The Executive Committee needs to set the schedule for this. Bill suggested seeking broad representation. He advised the CAG to follow the procedures it had established for selecting new CAG members. Selection procedures and terms of membership were discussed. It was suggested that the public outreach work group surveys could be a way to gauge interest in CAG membership. Tim Troast's alternate was also suggested for consideration as a CAG member. Bill encouraged current and new CAG members to name alternates.

Bill Logue advised setting up a meeting schedule. The first meeting of the year should be an annual looking back/looking ahead meeting. EPA has recently provided shorter meeting summaries, which seems to be working better. Regarding facilitation, Dave Kluesner has facilitated recent meetings but this should be reconsidered given that it may be seen as a conflict of interest with his other roles in the project as an EPA representative. Bill suggested the CAG consider rotating facilitation among the members. The issue of meeting location was also discussed in that Skeo provided insurance. A new regular meeting venue would need to be selected.

Potential meeting topics were discussed for the next CAG meeting. In addition to the administrative items noted above, the future use of the DuPont property and input to on-site

cleanup actions, including issues such as tax base implications, applicable cleanup standards - residential/nonresidential, applicability of presumptive remedies, and the CAG's approach to reviewing the Remedial Action Selection Report, were discussed.

Barry Tornick reported that he will be retiring from EPA, and that this would be his last CAG meeting. Bill Logue closed the meeting and stated that he was pleased with how well the CAG had progressed.

IX. Action Items

- John Soojian will share the survey developed by the public outreach workgroup electronically for EPA to use when it performs canvassing of the Vapor Mitigation Area
- NJDEP will pursue discussions with DuPont for sampling of perchlorate
- EPA will post the NJDEP presentation on review of Skeo's recommendations for perchlorate, lead and benzene on its website
- EPA/NJDEP will pursue discussion with DuPont regarding the groundwater flow study results
- EPA will clarify transparency concerns with the Google Group established for cleanup issues