

ABCDF

**Statement
by
The Port Authority of New York and New Jersey
before the
New Jersey Tidelands Resource Council
regarding the
Newark Bay Confined Disposal Facility**

April 2, 1997
Trenton, NJ

Good morning. My name is Lillian Borrone and I am the Director of the Port Commerce Department of The Port Authority of New York and New Jersey. I appreciate this opportunity to present to the members of the New Jersey Tidelands Resource Council the purpose behind the Port Authority's application for an Assignment of Management Rights to use lands under Newark Bay for the construction of the Newark Bay Confined Disposal Facility. I would like to take a few minutes to review with you:

1. The Issues We Face Which Led to this Project
2. The History of this Project
3. The Benefits of the Project, and
4. How We Intend To Construct and Operate the Facility

Recently, one has only had to read the local newspaper to learn about the problems we face in the Port of New York and New Jersey with regards to identifying appropriate, environmentally sound and economically feasible disposal sites for dredged material. It is estimated that approximately 5 million cubic yards of material is dredged in the harbor each year. Historically in New York harbor, dredged material has been disposed of in the ocean at a site known as the Mud Dump . The use of the ocean as a disposal site is strictly regulated by the federal government. Within the past few years a combination of developments have occurred which have severely restricted use of the Mud Dump. First, federal regulations governing the use of the

ocean have been revised to place greater restrictions on materials that can be disposed of in the ocean. In addition, technology has advanced to allow scientists to identify contaminants at the smallest trace levels. As a result, trace levels of contaminants are now being found in the harbor's sediment that had never been found before. And, finally, government leaders are responding to concerns being raised by some members of the public regarding the appropriateness of using the ocean as a disposal site. All of these factors have combined so that today only about a quarter of all dredged material in the harbor can be disposed of at the Mud Dump site. We are left with the challenge of identifying new disposal alternatives for the remainder. I must emphasize that when we discuss contaminated material, we are not talking about hazardous material, a mistake often made, which unduly raises public concerns.

At stake are over 166,500 jobs that depend on the port. The port is a vast economic engine for the region, generating nearly \$20 billion for the region's economy, including \$6.2 billion in wages and over \$500 million in local and state taxes.

In 1994, New Jersey Governor Christine Todd Whitman convened a Dredged Material Management Team, comprised of leaders from government, business and environmental interests. The Team, chaired by New Jersey Assemblyman Steve Corodemus, was charged with identifying short term solutions for disposing of dredged material. After months of work, the Team issued its recommendations. Chief among those recommendations was a proposal to construct underwater pits in Newark Bay for the disposal of dredged material not suitable for disposal at the Mud Dump. The original proposal called for the construction of two pits in the bay that would have a combined capacity of 14 million cubic yards. The proposal was widely endorsed by business and environmental interests alike and was included as an element of the joint dredging plan announced by Governors Whitman and Pataki.

With the recommendation, Governor Whitman requested that the Port Authority take the lead in engineering and feasibility studies, as well as requisite alternative analyses. The first phase was to take samples from the project areas and test the sediment to determine the existing conditions

in the area. The results of those tests were disappointing. Much of the two original pit sites had elevated levels of contamination themselves, which if excavated, would have required the same special handling as any contaminated dredged material that might be disposed in the pits. However, not all project areas these issues. Three smaller sites within the original project area were identified for further study. After further investigation, the Port Authority, in consultation with the New Jersey Departments of Environmental Protection and Commerce, ultimately made the determination to pursue construction of only one pit at this time, with a total capacity of 1.5 million cubic yards or only 10 percent of the capacity of the original project.

To construct the CDF, an entrance channel will be created and the first layer of sediment totaling 579,000 cubic yards would be removed. This material will be deposited at the Mud Dump and capped with a layer of sand. The remainder of the CDF would then be dug to a depth of approximately 70 feet. The virgin material removed from the excavation will be used to cap historic disposal areas at the Mud Dump.

Once constructed, dredged material eligible to be disposed in the CDF would be taken from the waters of the New York-New Jersey Harbor contiguous to the State of New Jersey, including, but not limited to, Newark Bay, the Arthur Kill and the Kill Van Kull.

Dredged material would be barged to the CDF site and disposed of from the barge into the CDF. Once the dredged material in the facility reaches an elevation of approximately 45 feet, there will be a closure of the entrance channel to the pit and a partial closure of the pit itself, so that dredged material does not escape. The final 165,000 cubic yards of material would be pumped into the CDF, before the final closure of the facility. The current design calls for placing a three foot layer of sand across the top of the facility to isolate the contaminated material in the pit.

Once closed, a monitoring program will be implemented, which will include both biological and cap monitoring to ensure that the integrity of the material in the facility and the cap are maintained.

We believe that this project is environmentally sound and technically feasible. It will play an important role in helping the region address its immediate dredged material disposal needs while efforts continue on the State and federal levels to identify long term solutions.

This project has undergone all of the federal application requirements and is now in the final stages of review by the U.S. Army Corps of Engineers. We expect to bring a project authorization request to the Port Authority Board of Commissioners on April 24 in anticipation of a decision by the Army Corps on the permit application in mid-May. We ask that the Tidelands Resource Council act favorably on our application and grant the Assignment of Management Rights for use of the lands under Newark Bay to construct the Newark Bay Confined Disposal Facility.