

Newark Bay

Statement
by
The Port Authority of New York and New Jersey
at
New Jersey General Assembly
Environment, Science and Technology Committee
on
Assembly Resolution 140
May 1, 1997
Trenton, NJ

Good Afternoon. My name is Sue Ostergaard of The Port Authority of New York and New Jersey. Mr. Chairman, your introduction of this resolution and the hearing you are holding today are very much appreciated. As you know, the proposal to construct the Newark Bay Confined Disposal Facility was a principal recommendation of Governor Christine Todd Whitman's Dredged Material Management Team, which you chair. I am sure it is gratifying to you and the other members of the team to see this project move forward and become closer to a reality.

Mr. Chairman, we estimate 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. However, as concerns have been raised about the appropriateness of the use of the ocean and as the site has neared capacity, an agreement was reached to close the Mud Dump to all but clean Category I material as of September 1, 1997. As a result, it is imperative that alternative disposal sites be identified. Currently, the only other authorized and permitted disposal site identified in the region is the Orion Metro Mall project in Elizabeth, NJ. That project consists of dredged material being mixed with cement kiln dust and spreading the material on the project site as fill for the parking lot for the mall development. The Port Authority has just completed disposing of 80,000 cubic yards of dredged material from Port Newark at the site, it is currently receiving material from the Statue of Liberty and we understand that the site has the capacity to take an additional 1.3 million cubic yards of material. Given the annual dredging requirements of the harbor, other disposal sites are urgently required.

In 1994, when New Jersey Governor Christine Todd Whitman convened the Dredged Material Management Team, she invited representatives from government, business and environmental interests to identify short term solutions for disposing of dredged material. After months of work, the Team issued its recommendations, chief among them 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 contemplated the construction of two pits in the Bay that would have a combined capacity of 14 million cubic yards. It was anticipated that this solution would provide disposal capacity for 3 years. 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 in 1996.

With the recommendation, by the team, Governor Whitman requested the Port Authority take the lead in engineering and feasibility studies, as well as requisite environmental 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 pit sites in the original plan 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 sites within the project area had these problems. Three smaller sites within the original project area were identified for further study and the Port Authority filed an application with the U.S. Army Corps of Engineers to construct these three smaller pits. However, a determination was made, in consultation with the State of New Jersey, to move forward, initially, with the construction of one pit in an area immediately adjacent to the Elizabeth Channel in Newark Bay. The Confined Disposal Facility or CDF in this area will provide a disposal capacity of approximately 1.5 million cubic yards of dredged material. Although, unfortunately, this is significantly less than what had been originally proposed by the Dredged Material Management Team, the project remains a critically important short term, environmentally sound solution for dredged material disposal.

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

Earlier this year, the U.S. Army Corps of Engineers held public hearings on the Newark Bay CDF. The project received broad support from elected officials, labor and industry. Following the public hearings and a comment period, the Corps prepared a Final Environmental Impact Statement (FEIS) and issued a public notice on the FEIS on April 11. Public comments on the FEIS are welcome until May 12, after which the Corps will publish its Record of Decision on the permit application. We anticipate that the Corps will issue a permit for the project. Construction can then begin later this spring and be completed in October, 1997. In anticipation of the Corps action, the Port Authority's Board of Commissioners acted last week to authorize \$48.9 million toward the construction of the Newark Bay Confined Disposal Facility.

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. Mr. Chairman, we appreciate the leadership and support you have given to this project. We also appreciate the support of the co-sponsors of AR-140 and any support this committee and the General Assembly may offer on the resolution, the project and our efforts to develop a long term solution to the problem of dredged material disposal in our port .

THE PORT AUTHORITY OF NY & NJ



The Port of
New York • New Jersey

**PORT COMMERCE DEPARTMENT
DREDGING DIVISION**

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DATE May 1 1997 **# PAGES TO FOLLOW** 4
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SUBJECT NBCDF Statement Supporting Resolution.

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