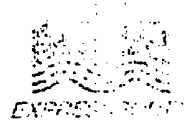


# THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

June 26, 1992



Lillian C. Liburdi  
Director  
Port Department

Ms. Cindy Zipf  
Executive Director  
Clean Ocean Action  
P.O. Box 505  
Highlands, New Jersey 07732

Dear Ms. Zipf:

Your correspondence with the U.S. Army Corps of Engineers and testimony concerning the maintenance dredging of Port Newark and The Elizabeth Port Authority Marine Terminal by The Port Authority of New York and New Jersey has been forwarded to us for our information. The Port Authority appreciates your comments and recommendations and would like to address them.

The concern you have raised regarding the protection of the beach community and the commercial and recreational fishing industries is understandable and a goal which we support. There has been a great deal of conflicting information circulating regarding the Port Authority's proposed maintenance dredging of Port Newark and The Elizabeth Port Authority Marine Terminal.

The first issue that must be clarified immediately is whether the materials to be dredged meet the criteria for ocean disposal. As indicated at the February 24, 1992 Public Hearing, the materials have been determined through several rounds of comprehensive and costly physical, chemical and biological testing to be acceptable by the U.S. Environmental Protection Agency (U.S. EPA) and the Corps of Engineers (Corps) for ocean disposal with capping. The Port Authority intends to coordinate with the Corps to ensure that the material is capped at the U.S. EPA's approved disposal site, thus guaranteeing the protection of the marine environment and leaving no doubt as to the environmental appropriateness of this work.

An Environmental Impact Statement was prepared by the U.S. EPA in conjunction with the Corps of Engineers for the final designation of ocean disposal at the Mud Dump Site. Copies of this document are on file with the appropriate regulatory agencies.

With respect to alternatives to ocean disposal of dredged material, the Port Authority has actively supported the New York District, Corps of Engineers' Dredged Material Disposal Management Plan, particularly through active participation in the Public Involvement Coordination Group comprised of government agencies, industry, labor, environmental groups, civic associations and elected officials. In this role, we have often provided support in the organized search for potential upland disposal sites and other alternatives to ocean disposal.

The Port Authority's goal of achieving viable alternatives to ocean disposal is a key element whenever plans are developed for required dredging activities at our facilities. For example, the Port Authority has in the past relocated dredged material within Erie Basin, Brooklyn, for limited dredging associated with developing a Fishport at that site. Further, we have been in contact with the New York City Department of Sanitation regarding the use of dredged material as sanitary landfill cover for the Fresh Kills facility in Staten Island. However, ongoing logistical constraints continue to preclude use of that site for large quantities of dredged material.

We are also working closely with the Corps, the U.S. EPA and other federal and state agencies to advance regulatory approval of subaqueous borrow pits. This program, supported by an affirmative EIS, currently shows the greatest potential for disposal and containment for select volumes of dredged material which must be dealt with to maintain the Port in a viable state.

In addition, the Port Authority has undertaken a detailed investigation of one of the alternatives suggested at the Public Hearing, specifically, decontamination. In early May, the Port Authority sponsored a three-day conference on Remediation of Sediments at Rutgers University's Institute of Marine and Coastal Services. Those present included renowned U.S. investigators and international experts who have been addressing similar issues throughout the world.

This conference will provide recommendations for the five year/\$55 million decontamination demonstration program which we recently testified in favor of before Congress. As you are aware, this program was developed in collaboration with the Environmental Defense Fund, Clean Ocean Action and the American Littoral Society. Although technology for decontamination such as bioremediation is in the research stage, our efforts to demonstrate this technology will continue through this program.

The findings of the Remediation Conference will be gathered in a proceedings document by Rutgers University and is expected to be available in July. The document can be obtained from the Port Authority by writing to Ms. Coleen Camp, The Port Authority of New York and New Jersey, One World Trade Center, Room 34 South, New York, New York 10048.

There has been much attention given recently to a decontamination pilot program undergoing extensive research in the Great Lakes area. However, the situation in the Great Lakes cannot be compared to our port region as that project is on a much smaller scale -- 2,500 cubic yards compared to the 8 to 10 million cubic yards of dredged material generated annually in the New York/New Jersey Port region of which approximately 5 percent is presently defined as contaminated. Another difference is the nature of the waters themselves; one is a fresh water lake and the other a salt water marine environment. We are seeking a program suited to our region with which we hope to determine if decontamination will be feasible in the future.

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Lastly, please keep in mind that the Port Authority has an obligation to strengthen the viability of the Port of New York and New Jersey which is critical to the economic health of the metropolitan area. In order to keep the essential port industry intact, the Port Authority must dredge Port Newark and The Elizabeth Port Authority Marine Terminal in the very near future. The Port Authority recognizes that there are issues that need to be addressed in the disposal of dredged material and is dedicated to pursuing all additional alternatives which are environmentally protective and economically feasible.

Sincerely,



Lillian C. Liburdi  
Director  
Port Department

cc: NY District, Corps of Engineers