# ­Memorandum

**Date:** August 7, 2019

**To:** Sally Rubin,Chair, Rolling Knolls Community Advisory Group
Rolling Knolls Community Advisory Group
Pat Seppi, Community Involvement Coordinator, EPA Region 2
Betsy Donovan, Remedial Project Manager, EPA Region 2
Stephanie Vaughn, Section Chief, EPA Region 2

**From:** Matt Robbie, Skeo

**Re:** Rolling Knolls Landfill Site CAG Meeting (July 31, 2019)

# Introduction

On July 31, 2019, the Rolling Knolls Landfill Community Advisory Group (CAG) met from 6pm-8:00 pm at Chatham Township Municipal (58 Meyersville Road, Chatham, New Jersey). The meeting included a presentation of potential feasibility study remedial options, as well as review and discussion of the CAG work program for the future.

# Remedial Options Presentation

Stephanie Vaughn, EPA Region 2, provided an overview of the Feasibility Study and remedial option development process for the Rolling Knolls Landfill. A link to the presentation will be provided once the document has been added to CAG website. She noted that the Feasibility Study (FS) report is still in draft form and that, as such, any information provided as related to that report is still subject to change.

She began with an overview of the feasibility study process and goals. Then she gave a quick recap of remedial investigation and risk assessment result findings addressing the key topics listed below.

* Reasonably Anticipated Future Land Use is for passive recreation
* Unacceptable risks are generally within landfill boundary
* Soil/sediment are primary media of concern
* Surface water impacts below risk criteria
* Eco impacts pose elevated risks to vermivorous birds/mammals

**Remedial Action Objectives**

Next she discussed the remedial action objectives that establish the goals which the remedial options and alternatives developed in an FS are meant to achieve. She pointed participants to the draft objectives below relevant to the Rolling Knolls site FS process.

* Prevent or minimize current and potential future unacceptable risks to current and potential future human and ecological receptors through direct contact with or ingestion of contaminated soils.
* Control or remove source areas to prevent or minimize impacts to groundwater.

*Remedial Action Objectives and RI Sampling Discussion*

Participants asked questions about RI sampling results figure. Several members were interested to know how prior sample locations were selected and if more sampling will take place.

* Ms. Vaughn and Ms. Donovan explained that the figure shows an aggregate of multiple sampling efforts but not every single sample point. Some points shown reflect grid sampling (unbiased by location to cover the aerial extent of the site), and follow up sampling based on prior sampling results, visual indicators or other factors. EPA also explained that during remedial design, pre-design investigation will gather more data about contamination impacts for areas where unacceptable risks are identified.
* Participants noted that it would be more reassuring to see a map or maps with all sampling points to be able to verify and see all locations relative to the green areas (locations exceeding a standard for soil/sediment.
* EPA agreed to identify figures previously presented to CAG and distribute to CAG Chair for reference.
* Ms. Vaughn also explained the key contaminants that are driving the human health and eco risks – PCBs and metals. She noted there are many more contaminants that are evaluated in the FS and explained that rather than the particular contaminations, it is the fact that unacceptable risks are present that provides the basis for EPA to take action at the site.

**Remedial Options and Alternatives**

Ms. Vaughn explained that once remedial action objectives and preliminary remediation goals are developed, a set of remedial options were initially screened to determine they types of actions that EPA may select in a record of decision to address risks. Participants discussed details about whether fencing and access restrictions would always be required.

Remedial Options, Remedial Alternatives and Evaluation

She explained that EPA performs steps to identify and screen technology types and process options, then identifies remedial alternatives, which are evaluated based on a set of regulatory decision-making criteria for the Superfund program.

**Options Screening**

Ms. Vaughn recapped how the remedial options had been screened and identified the remedial process options that were considered in various combinations as part of remedial alternatives to meet remedial action objectives.

* 29 process options have been considered for the Site.
* 17 options were not retained after the initial screening. Those included options such as bioremediation, impermeable capping; some types of chemical or thermal in-situ treatments. These determinations are made based on factors such as the types of contamination that need to be addressed, the media that needs to be addressed, the site’s location, reasonably anticipated future land uses, and previous community involvement information.

Retained process options included:

* + Monitoring
	+ Institutional Controls (legal and administrative tools such as property use restrictions, and deed notices)
	+ Engineering Controls (physical components of a remedy)
	+ Containment with vegetative cover and different types of caps with various levels of permeability;
	+ In-situ treatment via phytoremediation
	+ Removal via excavation
	+ Disposal off-site
	+ Disposal on-site with consolidation

**Development of Remedial Alternatives**

The FS takes the retained process options into a detailed study to look at how they may be combined to meet remedial action objectives considering reasonably anticipated future land uses.

The general remedial alternatives being considered address site soils and are listed below.

* No action (all FS documents must consider the possibility of no action)
* Site Controls – Use of Institutional Controls and Engineering Controls
* Excavation and/or Capping Portions of Site to prevent contact with areas exceeding remediation goals.
* Capping all materials in landfill

Each alternative other than no action includes site controls and monitoring. A question was raised regarding the need to backfill with an equal amount of material that was removed - could the original elevation be restored to let the marsh return to its original condition? Ms. Vaughn responded that those are considerations that could be addressed in the design of the remedy and during restoration planning.

The feasibility study will then include a detailed evaluation of the remedial alternatives based on the following nine criteria, as required in Superfund law.

**9 evaluation criteria used to evaluate remedial alternatives**

*Threshold criteria*

* 1. Protection of Human Health and Environment
	2. Compliance with ARARs

*Balancing Criteria*

* 1. Long term effectiveness and permanence
	2. Reduction of Toxicity, mobility, volume through treatment
	3. Short-term effectiveness,
	4. Implementability
	5. Cost

*Modifying Criteria*

* 1. Community Acceptance
	2. State acceptance

The Feasibility Study will evaluate remedial alternatives based on first seven criteria (threshold and balancing criteria), and EPA will select a preferred alternative to be released for public comment in a proposed plan. The proposed plan is released for public review and comment (30-day comment period with a required public meeting; extensions of the public comment period may be requested After the public comment period, the proposed remedial alternative (and other alternatives as needed) is then evaluated based on criteria 8 and 9 above (community and state acceptance) using input obtained during the proposed plan comment period.

**Site Status and Next Steps**

Ms. Vaughn concluded the FS presentation with an overview of the site status and EPA’s next steps.

* EPA is still awaiting comments from NJDEP on a revised FS report.
* Once NJDEP submits comments, EPA will prepare final comments for the PRP group to incorporate in a draft final FS.
* EPA will release draft final FS for public review.
* EPA will also release a Proposed Plan, which describes EPA recommended remedial alternative and provides the rationale for selecting the preferred alternative.
* When EPA releases the Proposed Plan, a 30-day comment will period begin. During the comment period, EPA will hold a proposed plan meeting (hearing with stenographer); anyone can submit to EPA written comments throughout the public comment period; public may request an extension.
* After the public comment period ends, EPA will consider comments received and then select remedy for the site in a document called the Record of Decision (ROD). EPA anticipates a ROD for Rolling Knolls would address site soils, and that a future ROD would address site groundwater, as necessary.

EPA noted that releasing the Proposed Plan and draft final FS simultaneously is very common and could be the scenario for the Rolling Knolls site.

# CAG Work Program

Following the remedial alternatives and FS process presentation, CAG members and EPA shared ideas about how to sequence CAG activities relative to a public comment period and current FS status and discussed other topics for future CAG meetings.

## CAG FS / Proposed Plan Review and Public Comment

* EPA noted that while there is still no date, there is a good chance that EPA will release the draft final Feasibility Study and Proposed Plan simultaneously or at dates that are close together. Community Involvement Coordinator, Pat Seppi, explained that EPA will try to schedule a proposed plan meeting about 10 days after the release of a proposed plan.
* CAG members generally agreed that it would help to have CAG members be informed about the documents prior to a public meeting. Participants also noted that an extension of the 30-day comment period would likely be requested.
* Given the close time frame, CAG members indicated a preference for a proposed plan meeting to take place later in the 30-day comment period, noting that the CAG members would have a better chance to speak from an informed perspective and set the tone for dialogue during a public meeting.
* CAG members shared that ideally CAG members would have a technical advisor in place to review the FS and Proposed Plan and hold a meeting with advisor and facilitator to discuss EPA’s recommendations and provide a chance for CAG members to share and discuss ways to make informed comments on the documents.
* EPA explained that in some cases, the agency has made a proposed plan presentation to entities during the proposed plan comment period separate from the formal public hearing. EPA may be able to present the proposed plan during a CAG meeting, noting that discussion and comment documentation would still be needed and there would be some administrative details to work out ahead of time.
* CAG members noted that there may be a need for several CAG meetings during the proposed plan comment period, which could include EPA presentation, technical advisor briefing on FS and Proposed Plan findings. No decisions were made about the exact sequence of FS and proposed plan release date, or the further discussion and coordination is likely needed among the CAG Chair and EPA.

## Other Future Meeting Topics

* **Town Planner Briefing** – Sally Rubin noted that she has invited the Chatham Town Planner to speak at a future CAG meeting and explain town zoning and planning designations related RKL site. The timing for a briefing is to be determined, but participants noted this would be a valuable opportunity to revisit future land use discussions.
* **Natural Resource Damages Assessment Process --** Technical briefing about the federal process and procedures for Natural Resource Damages assessments and settlements in the context of a Superfund site. Typically, NRD processes take place after a site remedy has been selected. Participants discussed that a briefing would need to be made by appropriate federal or state program staff with expertise in administration of NRD procedures. No specific staff were identified. CAG Chair Sally Rubin indicated she would like to learn who at the State of New Jersey, or U.S. Department of Interior / USWS could do this.

# Next Steps

* CAG members requested that facilitator Matt Robbie continue to support the CAG in coordinating and facilitating additional meetings through the proposed plan and public comment period.
* The CAG agreed that the next CAG meeting date would be determined following further discussion among the CAG chair and EPA.