

# Rolling Knolls CAG Meeting Notes

January 14, 2021

6-8pm

Virtual Meeting via Zoom

Participants: 41

## Introduction

Sally provided a brief overview/description of the Rolling Knolls Site (Site).

She gave an overview of the Feasibility Study remedial alternatives as presented in EPA letter dated January 4 and titled an executive summary of comments to the 2018 Draft Feasibility Study.

She explained that purpose of the CAG. The CAG mission statement is below for reference:

*The mission of the Rolling Knolls Community Advisory Group is to facilitate community stakeholder participation in the Superfund cleanup process and planning for the site's future use, and to ensure all cleanup is adequately protective of human health and the environment and provides ecological revitalization.*

## Technical Advisory Grant Advisors Presentation

Next, Sally announced that EPA awarded a Technical Advisory Grant to the Great Swamp Watershed Association (GSWA). The CAG had prioritized securing a technical advisor to review documents and materials produced as part of the Superfund remedial process and provide assistance for the GWSA and Rolling Knolls CAG, as stakeholders work with EPA to share community input and perspectives for consideration in the cleanup process.

Sally then introduced the TAG technical advisor, which includes Robert Blauvelt, PhD, PG, LSRP, CHMM and Frances Schultz, PG, LSRP of GEI Consultants. Ms. Shultz and Mr. Blauvelt provided a brief presentation recapping the advisors' experience, qualifications and their review of documents to date and several key issues. Highlights are listed below, see presentation for details.

Document Review: TAG advisors reviewed a total of 41 documents provided by GSWA. The purpose of the document was to review documents considering the adequacy of the remedial investigation of the RI/FS.

Evaluation Findings: The TAG advisor's findings heightened the concerns listed below in-regards to the Feasibility Study.

- Ground water not included in selection/recommendation of remedial alternative.
- Remedy selection based solely on human health. Risks to ecological receptors not considered.
- Cost range of recommended alternative overlaps with those that are more protective.
- Recommended alternative does not close landfill in accordance with NJDEP regulations.
- Recommended alternative leaves uncapped landfill waste on the Refuge and restricts its future use.

## CAG Q&A

Following the TAG advisors presentation, participants asked several questions. The questions and response are summarized below.

*Q: Is a FOIA request customary in retrieving information from the EPA and local government? Also, was the presence of drums a surprise?*

**A: Stephanie Vaughn with EPA explained the FOIA requests are very common.**

*Q: GEI seems to think that most of the recommendations are insufficient, almost sweeping under the table the possibility of plumes and worse continuing into the refuge. How do we prevent that?*

**A: Stephanie explained that the feasibility study focuses on remedial alternatives to address soil, sediment and waste materials but not groundwater. EPA plans to address groundwater as part of separate operable unit of the site.**

*Q: How much does the BERA that was completed several years ago help in assessing the ecological risk to wildlife in the Great Swamp NWR?*

**Q: Stephanie acknowledged some human health and ecological risk assessment conclusions in the advisors' summary points need clarification. She explained that essentially ecological risks will also be addressed by taking action to address human health risks.**

*Q: EPA assumes that there would be no human use except for trespassers. The demand for trails is increasing; wetlands can have boardwalks and dense vegetation can be trimmed. That assumption is incorrect. Cleanup needs to be up to human use. Will that assumption be changed?*

**A: The cleanup will be protective of both passive recreators and trespassers, both of whom were conservatively assumed to have the same exposure assumptions.**

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*Q: The Miele conservation easement allows passive recreation. The private property may not always remain in the Trust's ownership. What if the use changes to include passive recreation with a new owner?*

**A: EPA will be required to conduct Five Year Reviews to ensure that the remedy and required restrictions remain protective, so this includes future ownership changes.**

*Stephanie raised questions that alternatives in FS is excavation alternatives or capping alternatives to address all risks.*

## **FWS Update**

George Molnar provided an update on activities that USFWS is undertaking related to the Site. He pointed out some concerns that there has been insufficient sampling/documentation of contamination or soil samples at depth, and concerns about groundwater migration to the Great Swamp National Wildlife Refuge (NWR).

FWS is preparing to conduct independent field investigations primarily to focus on groundwater. He noted that intent of additional investigation is to ensure that NWR is adequately characterized and remedy that fully addresses FWS concerns. This will help FWS in a few ways: 1) manage area in compliance with wilderness act; 2) minimize problems with future administration of landfill, 3) habitat improvements following disturbances, 4) public access. He stated these objectives are all being pursued so that the landfill can be properly managed so that refuge remains an asset to community.

## **Data Gap Investigation and Upcoming Field Work**

George then introduced Preston Stowell who conducted a data gap investigation in 2020 on behalf of the FWS and US Department of Interior.

- Data gap investigation -- looked at Looking sampling points. He pointed out 7.5 acres NE and 8.5 acres S that have no samples as well as a low density of samples in central part of NWR property.
- Lead concentrations -- Black Brook sediment found along site; also found way upstream at outfall in Green Village. Data gap of 3600 feet along brook.
- Sediment and pond – potential need for sediment sample gaps to be addressed in pond adjacent to NWR part of landfill.
- GW monitoring sentinel wells are 900 feet apart – some assumptions are that groundwater is migrating into swamp. But don't know where concentrations may be daylighting to surface water in swamp.

Preston then explained that the next step is developing a 2020 Data Gaps Sampling and Analysis Plan which aims to fill gaps relative to refuge property.

- Supplemental Investigations – to complement and generate data that helps develop a more complete picture for NWR. The investigations will focus on the distributions and concentrations of sediment, surface water, pore water, soil contaminants in uncharacterized areas, as well as the chemical properties of layer below landfill.
- Plan is to focus investigation on portions of Site within the NWR wilderness area where DOI thinks there may be contamination.

## **7:30 – 8:00 - Q&A session**

At the outset of the Q&A session, Stephanie Vaughn provided a clarification regarding the predesign investigation process. She explained that the draft of the FS includes a range of options to address unacceptable risks to soil and waste. Once EPA has evaluated all alternatives, it will put out a Proposed Plan for public comment. The Proposed Plan provides an overview of the site and indicates EPA's preferred alternative for addressing the Superfund-related risks. Release of the Proposed Plan initiates a formal public comment period, during which input from the public on all aspects of the RI/FS process may be received; a formal public meeting is also held during the public comment period. EPA selects a remedy for a site after consideration of all input received during the public comment period in a document called a Record of Decision (ROD). The ROD includes a Responsiveness Summary, which

responds to all comments/questions received during the comment period (both verbal and written) and also includes a transcript of the public meeting. Once a ROD is signed, a site moves into the Remedial Design/Remedial Action (RD/RA) phase. As part of the RD, a preliminary design investigation (PDI) is conducted to help develop the design. If the information collected in the PDI significantly differs from the data collected during the RI and FS the remedy can be modified.. If later data suggests that the chosen remedy will not sufficiently address contamination at the Site, changes can be made to the selected remedy through an Explanation of Significant Difference (ESD) or ROD Amendment.

Q: What is the upside and downside of moving groundwater into its own operating unit?

**EPA found groundwater concentrations above NJ standards. Locations of GW Contamination are aligned with areas with elevated soil and waste COC elevated concentrations. EPA's remedial approach is to address soil and source first, then address groundwater. EPA thinks addressing soil and waste will prevent migration to shallow groundwater. Implement soil remedy, monitor. Then conduct full RI for groundwater and that will determine if taking additional actions are necessary.**

*Q: FWS acquired the site in 1964 and allowed landfilling operations to continue on its property for 4 years. In 1969 Chatham asked FWS about that status of closure of the site and FWS responded that it was the Mieles' problem, not theirs. In 1974 there was a fire on the landfill. Chatham again asked FWS about properly closing the site. FWS responded that while it was aware that the site was not closed in accordance with state regulations, it would take no further action to properly close the landfill, responding instead that nature should now be allowed to take its course." For the next 35 years, FWS did nothing about the waste on its property. Why so concerned now?*

**A: Kim from DOI said we are not going to get into the details during this discussion.**

*Q: If the additional testing during the design phase increases the cost of the alternative, couldn't it make another alternative more appealing?*

**A: EPA explained cost is only one of the 9 criteria used in evaluating a site remedy. If costs increases by 50% or decreases by 30% then EPA may re-evaluate the remedy selection.**

Q: Facilitator asked technical advisor if their findings indicated that they thought the RI and FS were inadequate to select a remedy? That is issues that could not be addressed in pre-design investigations?

A: Technical advisor explained that the data gaps go beyond refinement of the contaminant extent that typically occurs during pre-design investigation. Substantial questions that remain to be answered. There are also concerns about separating groundwater and soil at RKL, availability of the system to answers on groundwater and soil connections being disconnected.

Q: There was a question to FWS and Preston Stowell: After filling in the data gaps do you think that there will adequate data to assess ecological risk to biological receptors in the refuge?

**A: Separating groundwater and soil may be up in the air. There are data gaps relative to the NWR property that make moving forward problematic. Finalizing risk assessments now makes little sense, when you want to make sure that risks are addressed before the PDI. Groundwater movement**

through the site moves through and under. Is there a possibility of integrating clay liners beneath waste? The data sets seem limited to reach decisions in some areas.

*Q: After filling in the data gaps do you think that there will adequate data to assess ecological risk to biological receptors in the refuge?*

**FWS doesn't expect to do another risk assessment and it's not designed to supplement a risk assessment. Alternatives 3 and 4 as currently written leave waste on the site. What is the benefit to Chatham Township (the entire landfill site lies within Chatham Township) to having 140 acres of waste surrounded by a fence and No Trespassing signs? EPA cannot direct a property owner to do x, y or z?**

*Q: There are two other closed landfills on the Great Swamp NWR which took advantage of the natural clay layer. My understanding is that an alternative that contains waster on site with onsite clay used as a cap could be both cost effective and would have more limited impact on the surrounding community (e.g., fewer trucks moving material in and out). Could a new alternative on that model be considered? If not, why not?*

**A: Stephanie: There's nothing in the revised FS that would prevent this kind of landfill cap alternative.**

*Q: When will the FS be out?*

**A: When EPA releases proposed plan it starts public comment period. EPA will present proposed plan – selected alternative(s). Formal comment period, EPA must entertain and address all questions and comments. FS does not get finalized until the ROD is signed, after all of that.**

## **Wrap-up**

Sally wants to know if proposed plan can wait for FWS data gaps sampling results back. Further discussion is warranted and we do not have sufficient time in this meeting to address the issue. Sally adjourned the meeting and indicated that she'd like to have a meeting in March. Next meeting details are to be determined.