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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3011**

HOUSE ARMED SERVICES COMMITTEE  
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VICE CHAIR

SUBCOMMITTEE ON INTELLIGENCE &  
SPECIAL OPERATIONS

HOUSE SCIENCE, SPACE, AND  
TECHNOLOGY COMMITTEE  
SUBCOMMITTEE ON ENVIRONMENT, CHAIR

HOUSE EDUCATION AND  
LABOR COMMITTEE  
SUBCOMMITTEE ON HIGHER EDUCATION &  
WORKFORCE INVESTMENT

ASSISTANT WHIP

**April 29, 2022**

Lisa Garcia, Regional Administrator  
U.S. Environmental Protection Agency, Region 2  
290 Broadway  
New York, NY 10007-1866

Wendi Weber, Regional Director  
Fish and Wildlife Service, Northeast Region  
U.S. Department of Interior  
300 Westgate Center Drive  
Hadley, MA 01035

Dear Ms. Garcia and Ms. Weber,

I write to express my concern about the Rolling Knolls Landfill Superfund site in Chatham, New Jersey and request action by your agencies to bring about meaningful progress on a remediation plan that will protect wildlife and their habitats as well as my constituents in New Jersey's 11th Congressional District.

As you may be aware, Rolling Knolls is a 140-acre Superfund site, about 35 acres of which lie within the boundaries of the Great Swamp National Wildlife Refuge. Both the landfill and the Refuge portions of the Superfund site impact my constituents because of their location in the 11th District. The landfill is privately owned and was privately operated for approximately forty years during which it received municipal and hazardous industrial waste.

The Environmental Protection Agency added the site to its National Priorities List in 2003, after finding contamination that presented substantial risks to both ecological and human health under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or "Superfund"). While the site is generally flat, the landfill portion sits at a higher elevation from lower-lying wetlands in the Refuge portion of the site. As a result of this orientation, shallow groundwater—and any contaminants it carries—flows from the landfill site into the Refuge's wetlands.

With this topography, it comes as no surprise that recent soil borings and samples of sediment, pore water and surface water found 24 CERCLA constituents of concern at excessive levels emanating from the landfill site into Refuge, including mercury, lead and PCBs, all of which

present grave risks to wildlife as well as humans. Importantly, these and other findings from recent sampling performed for the Refuge expand our understanding of the location and severity of hazardous substance contamination previously measured by EPA.

The more recent results suggest that remedies previously proposed by the EPA—specifically “Alternative 5,” which would cap portions of the site with a polyethylene liner and soil—may not adequately contain contaminated shallow groundwater from continuing to infiltrate the wetlands in the Refuge. Proceeding with Alternative 5 may fail to meet the threshold requirements of the National Contingency Plan and could risk continued exposure of wildlife in this protected Wilderness to unacceptably high levels of hazardous chemicals. Additionally, this alternative may not account for human health risks associated with passive recreational uses like trail-walking and birdwatching on the site, which is the local community’s undisputed preferred future use for the site.

For these reasons, I ask you to redouble the efforts of your staff to collaborate with each other and the local community to bring about the remediation of this important site, including the following actions by the EPA and, where noted, by FWS.

1. EPA: overlay detailed mapping of the recent FWS sampling results onto the previous sampling done by EPA.
2. EPA and FWS: cooperate to combine the EPA and FWS datasets.
3. EPA: assess the technical feasibility of updating the human exposure model to more realistically and accurately account for typical human exposure from regular passive recreational use of the site, including:
  - (a) provide the Community Advisory Group and my office a written explanation of the current model for human exposure, which was previously characterized as “trespasser” use and was based on school vacation days and seasonal temperature variation,
  - (b) determine the availability of actual visitation data from the non-Superfund portions of the Refuge regularly used by the public to more accurately model human exposure,
  - (c) if such data is available, assess the technical feasibility of updating the human exposure model with that data, and
  - (d) if including such data is technically infeasible or unavailable, provide a written explanation to the Community Advisory Group and my office.
4. EPA: recalculate the ecological and human health risk assessments based on the combined FWS/EPA dataset and the modified human use model.
5. EPA: compare the feasibility of Alternative 5 with Alternative 6, recently proposed by FWS, accounting for the recalculated ecological and human health risk assessments.

6. EPA: voluntarily provide the public with opportunity to provide written and oral comment on EPA's recalculated risk assessment and EPA's evaluation of Alternative 6.

It is important that your staff openly engage the community at every step of this process. However, community engagement cannot be limited to verbal explanations with the site's Community Advisory Group during periodic meetings. Federal staff must also provide its findings, rationale, and responses to community questions in writing and update both the advisory group and the wider community with written statements posted to the EPA's website for the Rolling Knolls Superfund site. I have appreciated the work and effort of staff from both agencies, but I cannot understate the importance of backing up verbal statements in community meetings with written commitment and concrete actions.

Please provide the Rolling Knolls Community Advisory Group and Kellie Doucette (Kellie.Doucette@mail.house.gov) and Amos Presler (Amos.Presler@mail.house.gov) on my staff with a written update on your progress by May 15.

Thank you for your attention to this important matter.

Sincerely,



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Mikie Sherrill  
Member of Congress

CC: Sally Rubin, Executive Director  
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