

Newtown Creek

New York

EPA ID#: NYN000206282

EPA REGION 2

Congressional District(s): 12,14

Queens, Kings

NPL LISTING HISTORY

Proposed Date: 9/23/2009

Final Date: 9/29/2010

Site Description

Newtown Creek is a 3.8-mile long tidal water body located in the City of New York, having five principal tributaries (Dutch Creek, Whale Creek, Maspeth Creek, East Branch and English Kills) and is itself a tributary of the East River. The creek is a part of the New York – New Jersey Harbor Estuary that forms the north-south border between the New York City boroughs of Brooklyn and Queens. In the mid 1800s, the area adjacent to the 3.8 mile Newtown Creek was one of the busiest hubs of industrial activity in New York City. More than 50 refineries were located along its banks, including oil refineries, petrochemical plants, fertilizer and glue factories, sawmills, and lumber and coal yards. The creek was crowded with commercial vessels, including large boats bringing in raw materials and fuel and taking out oil, chemicals and metals. In addition to the industrial pollution that resulted from all of this activity, the city began dumping raw sewage directly into the water in 1856. During World War II, the creek was one of the busiest ports in the nation. Currently, factories and facilities still operate along the creek. Various contaminated sites along the creek have contributed to the contamination at Newtown Creek. Many businesses along Newtown Creek still operate without city-provided sewer services.

Water flow into Newtown Creek currently consists mostly of storm water runoff, combined sewer overflows (CSO), and discharges from permitted and unpermitted pollution sources. The creek rises and falls with the tide, but it is mostly stagnant. Newtown Creek is a navigable waterway under the jurisdiction of the Coast Guard, and the channel must be maintained for shipping purposes.

Various sediment and surface water samples have been taken along the creek. Hazardous substances, including pesticides, metals, PCBs, and volatile organic compounds (VOCs), have been detected at the creek. The New York City Department of Environmental Protection has sampled sediment and surface water at a number of locations in creek sediments since 1980. Investigations and remediation under state or federal programs have also been conducted at properties adjacent to the creek which would abate continued discharges of pollution to the creek from those facilities. For further information on current non-Superfund remediation, see the New York State Department of Environmental Conservation ("NYSDEC") Greenpoint Petroleum Remediation Project Public Website, at: <http://www.nysdecgreenpoint.com/default.aspx>.

The majority of the upland area bordering Newtown Creek is within one of three Industrial Business Zones of the City of New York, and the majority of Newtown Creek has also been designated by the City of New York as one of the City's six Significant Maritime and Industrial Areas. However, the creek is also currently used occasionally for recreational purposes by kayakers and there is fishing access along the banks.

Threat and Contaminants

EPA conducted an Expanded Site Investigation (ESI) of Newtown Creek in 2009 as part of the Hazard Ranking System scoring process for NPL listing under Superfund. Based on the ESI, which was focused on Newtown Creek itself and not its tributaries, EPA concluded that metals, volatile organic compounds, and semi-volatile organic compounds (including polycyclic aromatic hydrocarbons and polychlorinated biphenyls) were present in Creek sediments at elevated concentrations. The variety and distribution of the detected contaminants suggests that they originated from a variety of sources. Previous environmental investigations of Newtown Creek, or specific portions of the Creek, also disclosed that sediments in Newtown Creek are contaminated by a wide variety of hazardous substances. Environmental investigations of upland parcels adjacent to or nearby the Creek have disclosed contamination of those parcels by hazardous substances similar to hazardous substances found in sediments in Newtown Creek.

Cleanup Approach

Following the ESI in 2009, Newtown Creek was proposed by EPA for listing on the National Priorities List under Superfund on September 23, 2009. EPA anticipates that field work for the Remedial Investigation/Feasibility Study (RI/FS) in the creek will begin in late Fall of 2011. The RI/FS process will characterize environmental conditions at Newtown Creek and connecting tributaries, determine the nature of the waste, assess risk to human health and the environment, and evaluate potential cleanup alternatives.

At present, EPA has identified six Potentially Responsible Parties (PRPs) for the Newtown Creek site: BP America, Inc., The Brooklyn Union Gas Company d/b/a National Grid NY, ExxonMobil Oil Corporation, Phelps Dodge Refining Corporation, Texaco, Inc. - known as the Newtown Creek Group and the City of New York. These parties are believed by EPA to have contributed hazardous substances into Newtown Creek through operations conducted along the creek. EPA has completed the negotiations with these parties to perform the RI/FS under EPA oversight. The Administrative Order on Consent was signed on July 7, 2011. EPA anticipates that additional PRPs will be identified and that they will be given the opportunity of joining as respondents under the Order. Under Superfund, responsible parties are liable for the cost of investigating and remediating sites where hazardous substances have been released or have come to be located.

EPA has approved several documents submitted by Anchor QEA, the environmental consulting firm hired by the PRPs. These documents include the Quality Assurance Project Plan (QAPP), the Field Sampling and Analysis Plan (FSAP), the Data Collection Plan (DCP), and the Data Management Plan (DMP) and are found on the regional EPA web page for Newtown Creek. As other documents are approved, they will be added to the web page.

On October 25, 2011, the EPA held two public information sessions in Brooklyn, N.Y. at St. Nicks Alliance on Kingsland Ave., and two sessions on October 27, 2011 in Queens, N.Y. at the LaGuardia Community College in Long Island City. EPA and representatives of Anchor QEA answered questions from the public and discussed the timeline of the Remedial Investigation/Feasibility Study (RI/FS) process.

On January 19, 2012, a Community Advisory Group (CAG) formation meeting was held at the St. Nick's Alliance in Brooklyn, NY. A second CAG formation meeting is scheduled to take place in early February 2012 at La Guardia Community College in Long Island City, NY.

Cleanup Progress

Newtown Creek was proposed for NPL site listing on September 23, 2009 and finalized on the NPL on September 29, 2010. EPA has completed been negotiating with the Newtown Creek Group and the City of New York on the implementation of the RI/FS for the Site. Starting in November of 2011, the following field activities began: the shoreline assessment, bathymetric, magnetic and side-scan sonar surveys of the creek bed. Field work is expected to re-start in February 2012.

Site Repositories

EPA Region 2 Superfund Records Center, 290 Broadway, 18th Floor, New York, NY 10007-1866 Greenpoint Public Library, 107 Norman Ave. at Leonard St., Brooklyn, NY 11222