

**Pompton Lakes Environmental Community Advisory Group (CAG)**  
**FINAL March 7, 2012 Meeting Summary**  
**7:00 PM – 9:30 PM**

**Pompton Lakes High School Media Center, 44 Lakeside Avenue, Pompton Lakes, NJ**

**Meeting Facilitator:** CAG Member Steve Grayberg

**Members and Alternates Present:** Steve Grayberg (Pompton Lake Restoration Committee), Bill Pendexter (Hydrologist, Non-Plume Resident), Liz Kachur (In-Plume Resident), Jimmy Rose (In-Plume Resident), Ella Filippone (Passaic River Coalition), Michele Belfiore (Pompton Lakes Residents for Environmental Integrity), Abby Novak (Pompton Lakes Environmental Committee)

**Members/Alternates Not Present:** John Soojian, Anne Silversey, Art Kaffka

**Ex Officio Members Present:**

Pompton Lakes Borough Council: Councilman Mike Serra  
US Environmental Protection Agency (EPA): Adolph Everett, Clifford Ng, Ariel Iglesias, Phil Flax, David Kluesner, Patricia Seppi  
NJ Department of Environmental Protection (NJDEP): Anthony Cinque, Mindy Mumford

**Public Present:** Councilman Bill Baig, Councilwoman Terri Reicher, Jefferson LaSala, Jacky Grindrod, Ed Merrill, others

**I. Welcome and Administrative Updates**

Steve Grayberg served as meeting facilitator and called the meeting to order. The February CAG meeting summary was approved.

EPA introduced Phil Flax as the new EPA section chief overseeing RCRA special projects, taking over for Barry Tornick. EPA introduced Pat Seppi as the new EPA Community Involvement Coordinator. David Kluesner will transition duties over to Pat in the coming weeks.

**II. Ex Officio Updates**

**Pompton Lakes Borough Council:** Mike Serra noted that he is the Borough Council representative serving in an ex officio capacity. Mike reported out that the Pompton Lakes Health CAG is conducting health interviews in the plume area of Pompton Lakes but it has not met yet. Liz Kachur reported that she was contacted by an interviewer.

**New Jersey Department of Environmental Protection (NJ DEP) Update:**

**Ground Water Pilot:** DuPont submitted the pilot implementation study earlier in the year to EPA and NJDEP. Agency comments on the plan will be submitted to DuPont in March. DuPont revisions are due by the end of March. DuPont's ground water remediation pilot work is tentatively scheduled to begin in April. A DuPont one pager fact sheet will be sent to every plume resident and they will be knocking on doors to inform plume residents of the upcoming work. CAG members said they wanted to see the one pager before it goes out. NJDEP gave an

overview of the technology used in the pilot. April work would involve injection of lactate. Report out in the Fall of 2012 as to results. DuPont submitted a Jan 31 2012 report on shallow aquifer flushing. DuPont is looking at potential injection of clean water into the shallow zone on the western side of the plume. The goal is to increase ground water velocity, move it faster down gradient. This should reduce chemical vapor concentrations in the shallow aquifer, potentially resulting in decrease of vapors in the soil gas. This effort would be similar to what is going on in the eastern side of the plume where there have been some successes. The aquifer flushing will be handled as a permit-by-rule. NJDEP will public notice the action. DuPont is investigating a potential second component to the action. DuPont is looking at flushing plus bio treatment. On site pump and treat started in 1998. Ed Merrill stated that there has been a drop in concentrations of VOCs of about an order of magnitude since the pump and treat started.

Question from the public: Is flushed water going down to lake? NJDEP: yes. Bill Pendexter: VOCs dissipate when they get to the lake. NJDEP concurred.

CAG member question: CAG questioned why health agencies are not here at the meeting. CAG members urged health agencies to attend future meetings.

#### **Environmental Protection Agency (EPA) Update:**

Phil Flax reported that the data came back from DuPont and EPA influent/effluent split sampling. The pump and treat system is controlling site contaminant movement. Wells are creating a cone of influence. Question from public: why are contaminants still under property? EPA/NJDEP stated that what's under the plume homes is legacy contaminants. Those contaminants had already left the site before the on-site pump and treat systems started operating. Question: why did EPA audit report say the treatment system would not attenuate the contaminants? Pump and treat system is designed to stop contaminants from leaving site. Pump and treat data from 1998 to present has been reported in annual monitoring reports. The influent/effluent data was received in February 2012 and will be posted soon. Question: how does plume treatment affect on-site contaminants if there is a barrier? Pump and treat deals with on-site contaminants. Bioremediation and flushing deals with off-site plume.

What's on site is no longer migrating down to the plume area of Pompton Lakes. NJDEP: the public should know that it is possible that ground water can be remediated but that there could possibly remain a problem with soil gas VOCs (volatile organic compounds) affecting plume homes. Public question: are buffer zone homes retested yearly? NJDEP: long-term monitoring plan is not yet in place. The plume is monitored twice yearly and that would indicate if the plume migrates.

#### **III. Property Value Protection Draft Resolution**

Steve Grayberg reported that Liz Kachur and Michele Belfiore took a stab at revising the draft resolution to address property value protection. Liz Kachur read the revised draft resolution. Abby Novak asked for clarification on Pompton Lakes vs. Wanaque comparison and whether the comparisons are plume home to non plume home. Michele Belfiore reported that most homes in the plume are selling at \$250K and below. Michele requested a map of the plume homes. EPA stated that the agencies asked DuPont in recent years to expand the buffer zone which is why the map changed. The plume itself has not changed size. NJDEP reported that their vapor intrusion

guidance controls decisions on installation of vapor mitigation systems in the buffer zone. CAG members and the public had questions and expressed concerns about the stigma of buffer zone designation. NJDEP has issued letters regarding buffer zone letters stating no indication of problem.

There were many public and CAG member questions over comparisons of plume homes vs. non plume homes and flooded homes in the south end of Pompton Lakes. Whole town vs. the plume section. Ed Merrill stated that the 1990's value protection plan had a Level 1 (directly impacted homes) and a Level 2 (indirectly impacted homes). Mike Serra reported that the Borough Council passed a resolution calling on DuPont to give relief to plume residents. Abby Novak asked for a list of recently closed homes in the plume in order to develop a list of lenders for home purchases. That would indicate who has more receptive policies. DuPont's role as possible banker was discussed. Public comment: need to address taxes of plume homes vs site property. Steve Grayberg: further evolution of the resolution can take place in between meetings. CAG member Ella Filippone made some suggested clarifications to the resolution language, e.g., plume definition, economic ramifications definition, hardships definition, etc. Revised resolution will be re-circulated before the next CAG meeting. Councilwoman Terri Reicher suggested that the CAG present a revised draft resolution to the Borough Council and ask for their input and then send the finalized resolution to elected official reps to further pressure DuPont.

#### **IV. Additional Delineation of Eastern Manufacturing Area**

Dupont has been invited to attend the April 4 CAG meeting to report out on the status of the investigation of the Eastern Manufacturing Area.

#### **V. Acid Brook Delta Remediation Update**

Acid Brook Sampling: The purpose of the original sampling was to determine whether site contaminants were migrating off-site. Sampling results were validated by EPA in late December. EPA reviewed and interpreted the results in January. EPA re-sampled Acid Brook on February 22 at the following locations: Lakeside Ave., Vann Ave., Colfax Ave., the weir near the guard shack, upstream of North Legion in Acid Brook near on-site Monitoring Well 13 and upgradient of Monitoring Well 13. The sediment and surface water samples are being analyzed for total metals and VOCs.

Acid Brook Delta Lake Remediation: Ariel Iglesias reported that EPA is reviewing the bathymetric survey and public comments. EPA cannot state at this time if or when plans might change as a result of the bathymetric survey and public comment. EPA's goal is to decide on lake remediation and respond to comments by this summer. There is no specific timeframe imposed on EPA to decide or to respond. EPA will do public outreach once decision is made and on project operations after a decision is made. CAG Question: how much involvement does the U.S. Fish & Wildlife have? EPA: no funding, their role is consultation. Ella Filippone: are there other contaminants in the lake, such as dioxins and PCBs and what are the effects on wildlife? Ella Filippone wants to know exactly how EPA is responding to Fish & Wildlife comments, perhaps a presentation by that agency to the CAG at an upcoming meeting. CAG members expressed their surprise over the timing of the Fish & Wildlife Service comments. The CAG feels that EPA should have consulted with them earlier. EPA is required to consult with

the U.S. Fish & Wildlife Service. EPA then informs NJDEP of our position on Fish & Wildlife Service comments and NJDEP brings in their Fish & Wildlife Service folks to consider in issuing New Jersey permits.

The CAG wants to know how much of a delay in lake remediation there may be. Can the project be divided up into phases? What will be the ultimate scope of the project? The CAG was surprised by the delay and wants no more surprises moving forward. Public comment: Fish & Wildlife Service comments were right on and the public hearing should have taken place much earlier to avoid the delay. Will there be sampling south of dam?

CAG members discussed the “400 foot club”, an area 400 feet or less where something has potential impact to zoning, the residents get notified of this action. Lake remediation notices were sent to properties that abut within 400 foot per land use law. DuPont had to prove that they notified all property owners per land use law.

CAG members discussed the “dispute” regarding the Pompton Lakes Planning Board. This matter involves how much soil would be trucked out of town (uplands vs. lake sediment). Steve Grayberg asked how EPA will resolve possible disputes with the planning board. The Borough stated that while it has representation on the Planning Board it has no control over the Planning Board. Ed Merrill stated that the town owns the bed of the lake and the North Jersey Water Supply District owns the dam. Borough Council: Terri Reicher discussed issues involving Planning Board jurisdiction and the Board’s recommendations, schedule for review and approval and finances. Public comment: the planning board represented citizen concerns and that was appreciated.

## **VI. CAG Work Group Updates**

No updates.

## **VII. Administrative**

The CAG requested a “Milestones” chart be created and provided to the CAG to help the CAG plan ahead. The CAG also suggested that an ecological risk assessor come to a future CAG meeting and that there be a presentation by the U.S. Fish & Wildlife Service.

## **VIII. Action Items**

- NJ DEP & EPA will reach out to DuPont to request their presence at the April CAG meeting.