



May 11, 2016

Assistant Commission Dan Kennedy, Water Resources Management (First class mail and electronic)
NJ Department of Environmental Protection
Mail Code: 401-02A
PO Box 420
401 East State Street
Trenton, NJ 08625-0420

Re: Elcon chemical hazardous waste

Assistant Commissioner Kennedy,

Elcon Recycling Services, Inc. is proposing to construct a chemical hazardous waste storage and treatment facility at 100 Dean Seivers Place, Falls Township, Bucks County where it will import as much as 210,000 tons of liquid hazardous waste per year. Transportation will include 17-25 tanker trucks a day driving on highways and local streets and possibly expand to train tanker cars where they would travel approximately 1 mile from Morrisville south all within 200 feet of the Delaware River. We are bringing this issue to your attention based on the potential impact on New Jersey drinking water supplies.

Elcon's wetlands delineation report, prepared by Conestoga-Rovers and Associates, August 13, 2014, states that the wetlands located on-site are "hydrologically connected to the Biles Creek" and the Delaware River. The Philadelphia Water Department (PWD) estimated that a chemical spill from Elcon could force a shutdown of their Baxter Street water intake, located 15 miles downriver, for almost 4 days due to the tidal action of the River. The PWD submitted their findings to PADEP as part of their public comment stating that a spill at Elcon could be "catastrophic" in terms of providing safe drinking water to the residents of Philadelphia.

Burlington County Freeholders and several New Jersey municipalities feel the same way and have expressed their concern through the passage of municipal and county resolutions and holding press conferences.

Elcon is not a water-dependent facility, yet building on Dean Seivers Place will result in trucking hazardous waste, including cadmium, chromium, lead, mercury, arsenic, benzene, vinyl chloride, landfill leachate and over 500 other chemicals, TO the river.

Elcon's chosen location is also a poor choice because it is located in the 500-year floodplain. The City of Philadelphia, the Delaware River Basin Commission, the Army Corp of Engineers, the Department of Defense, and many other government and non-government entities are taking concrete steps at responsibly addressing the impacts of climate change and sea-level rise. Both Philadelphia and the Basin Commission recently made

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recommendations that “critical infrastructure”, such as hospitals, police stations and schools should not be built in 500-year floodplains because river and localized flooding is getting worse and is projected to continue to do so. When flooding experts come together and, based on strong, sound scientific evidence, say don’t build a police station in the 500-year floodplain, it is the Delaware Riverkeeper Network’s contention that it is not logical or prudent to place tons of chemical hazardous waste in a similar location?

The Delaware Riverkeeper Network is urging the NJDEP Water Resources Management Program to join us, the Burlington County Freeholders, many, many New Jersey municipalities and take a strong and vocal stance in opposition of the siting the Elcon facility adjacent to the River. I am available to discuss this issue further. Please feel free to contact me (O-215.369.1188 x 113 or C-856.816.8021).

Yours sincerely,

A handwritten signature in blue ink that reads "Maya K. van Rossum". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Maya K. van Rossum
the Delaware Riverkeeper

CC: Michele Putnam, Director, Division of Water Quality (electronic only)
Patricia Gardner, Director, Water Monitoring and Standards Element (electronic only)