



March 19, 2018

NJ Department of Environmental Protection
Division of Land Use Regulation
Mail code 501-02A
P.O. Box 420
Trenton, NJ 08625
Attn: Camden County Section Chief

Re: Newton Creek and Peter's Creek Dredging and Reclamation Project

Good day,

Please accept the comments below in your consideration of the above captioned permit application.

Dewatering areas, Oaklyn and Collingswood

We urge NJDEP to require the applicant to conduct a more comprehensive assessment of the dewatering options. Our ultimate objective is to, with the exception of the important littoral zones as discussed the comments submitted separately by the Newton Creek Dredging Task Force, rid the creeks of the large volumes of contaminated sediment. While the dredging process will accomplish that objective, the dewatering process methods and technology chosen will directly affect the return water volume and the contamination in that return water. There is insufficient information regarding the dewatering process presented by the applicant in their submissions to fully understand and evaluate the total impacts of this process.

According to the Water Testing Exceedance Table (Appendix D, PDF page 102, GP 13 permit), the return water anticipated to re-enter the lake includes volumes of both lead and mercury exceeding Non-Residential Standards. Additional contaminants in the return water includes *Heptachlor epoxide and gamma-Chlordane*, which is toxic to animals and humans and resistant to degradation in the environment. Exposure to these compounds has been linked to cancers and many other diseases.

The applicant is proposing only to dilute the residual flow back water. While the applicant does propose 3 dewatering treatment options, Option #3 (secondary treatment at the CCMUA) is immediately ruled out due to lack of sewer line capacity. Options # 1 and #2 are both essentially diluting the contaminated return water with either lake water (Option #1) or municipal water (Option #2). The solution to pollution is NOT dilution.

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The applicant's claim (Option #3) is that there is not the sewer line capacity in the area to transport the return water down to the CCMUA for secondary treatment as was done on the Cooper River Dredging Project a few years ago. And, frankly, there is no discussion in their permit applications as to whether the CCMUA Camden facility even has the capability to adequately provide secondary treatment the contaminants of concern (e.g. lead, mercury, arsenic, selenium and PCBs).

To clarify this issue, we urge NJDEP to require the applicant to:

- 1) Provide a comprehensive assessment and explanation to the issue of the reported limited sewer line capacity and ability to transport the return water back down to the CCMUA facility for secondary treatment,
- 2) Provide the clarification as to whether the CCMUA treatment facility has the capability to treat the contaminants of concern,
- 3) Provide a full and comprehensive explanation of what dewatering process they will be utilizing,
- 4) The applicant states that the "due to the high population density and time constraints" geotextile bags was determined to be "no longer feasible,"
- 5) Again, our concern is that the County may not be selecting the dewatering process that is in the best ecological interest of the creeks. Both the Newton and Peters are popular recreational destinations for fishing, paddling, birding, hiking and more (PDF Pg. 69, GP 13). Also, as stated in the Project Description, the project will be "improving the overall ecological health of the lake." The applicant should be required to take every measure to rid the lakes of the legacy contamination and, once removed, not let it flow back in.

We strongly urge that NJDEP require the dewatering method of greatest contaminant removal efficiency be utilized. This is of even greater important if, as the applicant states, they are unable to pipe the return water to the CCMUA for secondary treatment. If the only options are to dilute the return water as stated in Option #1 or #2, then that return water must be as free of contaminants as possible. Could geotextile be the best method for removal of the greatest volume of contaminants?

Further, we recognize that there may be different physical and spatial constraints between the White Horse Pike and the Cougar's Field dewatering sites. We urge NJDEP to assess the dewatering methodology on an individual site basis. The applicant's depiction of the two sites in Full Set # 19 (White Horse Pike - Boat Ramp) and # 20 (Oaklyn Public Works), depict the same dewatering "footprint" on each site. The Newton site shows it situated on the paved parking lot where the Oaklyn site on a natural turf athletic field. Is the placement of a dewatering site, either geotextile or mechanical, on top of a paved parking lot recommended? Would a paved surface allow for an affective E&S plan or that return water be adequately filtered using the mulch filter socks or other on-the-ground sediment collection system?

We have visited both dewatering sites and believe that if dewatering on top of a paved surface is not recommended, there is physical room along Lakeshore Drive without encroaching on the 150' riparian zone.

We believe that having the dewatering system on a turf grass field, as is the case at the Oaklyn site, would provide a more ideal situation and urge NJDEP to assess each dewatering site on their own merit.

We urge NJDEP to note that the total volume of sediment as well as the elevated levels of contaminants are much greater from the targeted areas that will be treated at the Oaklyn site verse the White Horse Pike sites. The Oaklyn dewatering site will receive dredge materials from Section #5 and Peter's Creek. Section #1 through #4 all goes to the While Horse Pike dewatering site.

Section #5 constitutes 78,000 CY while Peters Creek is 80,000 CY. That totals 158,000 CY of the projected 260,000 CY or 61% of the total volume of sediment to be removed. Further, the highest levels of contamination (by far) are in Section #5 and Peters Creek. Of course, this should not be surprising since both of these sections are at the very bottom of the watershed near the Black Horse Pike dam.

Further, there are 63 different samples reported in the Sediment Testing Exceedances Table (GP 13, Appendix C) that exceed the Non-Residential Limits. If the 20 samples from Nichols Pond and Pond #2 that exceed the Non-Residential Limits are excluded because these two sites (Sample Names CS – 27 and CS – 28) are largely isolated from the Newton Creek and Peters Creek that leaves 43 other samples that exceed the Non-Residential Limits. 28 of the remaining 43, or 65%, of the sampling sites that exceeds Non-Residential Limits are located in Section #5 and Peters Creek. Concluding that, by both volume and levels of contamination, the dredged sediment that will be dewatered at the Oaklyn site will be significantly more contaminated than the sediment dewatered at the White Horse Pike site. Ideally, the dewatering method that most effectively removes contaminants and prevents same from returning into the waterways is used at both sites. However, based on the distribution of sheer volume and levels of contamination, it is even more important that the most effective dewatering method, at the very least, be utilized at the Oaklyn site.

Thank you for considering these comments. Should you have any questions, please contact me at my cell at 856.816.8021.

Yours Truly



Fred Stine
Citizen Action Coordinator