

## Participating Organizations

Alliance for a Living Ocean  
American Littoral Society  
Arthur Kill Coalition  
Asbury Park Fishing Club  
Bayberry Garden Club  
Bayside Regional Watershed Council  
Bayside Saltwater Flyrodders  
Belford Seafood Co-op  
Belmar Fishing Club  
Beneath The Sea  
Bergen Save the Watershed Action Network  
Berkeley Shores Homeowners Civic Association  
Cape May Environmental Commission  
Central Jersey Anglers  
Citizens Conservation Council of Ocean County  
Clean Air Campaign, NY  
Coalition Against Toxics  
Coalition for Peace & Justice/Unplug Salem  
Coast Alliance  
Coastal Jersey Parrot Head Club  
Communication Workers of America, Local 1034  
Concerned Businesses of COA  
Concerned Citizens of Bensonhurst  
Concerned Citizens of COA  
Concerned Citizens of Montauk  
Concerned Students and Educators of COA  
Eastern Monmouth Chamber of Commerce  
Fisher's Island Conservancy  
Fisheries Defense Fund  
Fishermen's Dock Cooperative, Pt. Pleasant  
Friends of Island Beach State Park  
Friends of Liberty State Park, NJ  
Friends of the Boardwalk, NY  
Garden Club of Englewood  
Garden Club of Fair Haven  
Garden Club of Long Beach Island  
Garden Club of Middletown  
Garden Club of Morristown  
Garden Club of Navesink  
Garden Club of New Jersey  
Garden Club of New Vernon  
Garden Club of Oceanport  
Garden Club of Princeton  
Garden Club of Ridgewood  
Garden Club of Rumson  
Garden Club of Short Hills  
Garden Club of Shrewsbury  
Garden Club of Spring Lake  
Garden Club of Washington Valley  
Great Egg Harbor Watershed Association  
Highlands Business Partnership  
Highlands Chamber of Commerce  
Hudson River Fishermen's Association/NJ  
Jersey Coast Shark Anglers  
Jersey Shore Captains Association  
Jersey Shore Running Club  
Junior League of Monmouth County  
Keyport Environmental Commission  
Kiwanis Club of Manasquan  
Kiwanis Club of Shadow Lake Village  
Leonardo Party & Pleasure Boat Association  
Leonardo Tax Payers Association  
Main Street Wildwood  
Marine Trades Association of NJ  
Monmouth Conservation Foundation  
Monmouth County Association of Realtors  
Monmouth County Audubon Society  
Monmouth County Friends of Clearwater  
Montauk Fisherman's Emergency Fund  
National Coalition for Marine Conservation  
Natural Resources Protective Association, NY  
NJ Beach Buggy Association  
NJ Commercial Fishermen's Association  
NJ Environmental Federation  
NJ Environmental Lobby  
NJ Main Ship Owners Group  
NJ Marine Educators Association  
NJ PIRG Citizen Lobby  
Nottingham Hunting & Fishing Club, NJ  
NYC Sea Gypsies  
NY Marine Educators Association  
NY/NJ Baykeeper  
Ocean Wreck Divers, NJ  
PaddleOut.org  
Piscataway Saltwater Sportsmen Club  
Raritan Riverkeeper  
Religious On Water  
Riverside Drive Association  
Rotary Club of Long Branch  
Rotary District #7510 - Interact  
Saint George's by the River Church, NJ  
Saltwater Anglers of Bergen County  
Sandy Hook Bay Anglers  
Save Barnegat Bay  
Save the Bay, NJ  
SEAS Monmouth  
Seaweeders Garden Club  
Shark Research Institute  
Shark River Cleanup Coalition  
Shark River Surf Anglers  
Shore Adventure Club  
Shore Surf Club  
Sierra Club, NJ Shore Chapter  
Soroptimist Club of Cape May County  
South Jersey Dive Club  
South Monmouth Board of Realtors  
Staten Island Friends of Clearwater  
Staten Island Tuna Club  
Strathmere Fishing & Environmental Club  
Surfers' Environmental Alliance  
Surfrider Foundation, Jersey Shore Chapter  
TACKLE, MA  
Terra Nova Garden Club  
Unitarian Universalist Congregation/Monm. Cnty.  
United Boatmen of NY/NJ  
United Bowhunters of NJ  
Volunteer Friends of Boaters, NJ  
WATERSPIRIT  
Women's Club of Brick Township  
Women's Club of Keyport  
Women's Club of Long Branch  
Women's Club of Merchantville  
Zen Society, NJ

# Clean Ocean Action



*Ocean Advocacy  
Since 1984*

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May 15, 2007

Suzanne Dietrick, Chief  
State of New Jersey, Department of Environmental Protection  
Office of Dredging and Sediment Technology  
P.O. Box 028  
401 East State Street  
Trenton, NJ 08625-0028

Dear Ms. Dietrick:

## RE: RENEWAL OF WATER QUALITY CERTIFICATION: NEWARK BAY CONFINED DISPOSAL FACILITY

### SENT VIA ELECTRONIC AND STANDARD MAIL

Clean Ocean Action (COA) submits these comments on behalf of the coalition of 150 organizations and in particular, the Natural Resources Protective Association, to the New Jersey Department of Environmental Protection (NJ DEP) on the Port Authority of New York/New Jersey's request for an extension of the Water Quality Certification for the Newark Bay Confined Disposal Facility (NBCDF) located on the west side of Newark Bay between Port Elizabeth and Port Newark and the extension request is limited to Area 1S.

### Continued Need for the NBCDF

The beneficial use of dredged material should always be the first priority and we support the NJ DEP's policy decision to limit the use of the NBCDF as a last resort when no upland placement sites are available to the project sediments. However, COA agrees that the continued use of the NBCDF is warranted considering the remaining capacity. We supported the original permit for the construction of the NBCDF, as a stop-gap measure to eliminate ocean dumping of contaminated sediment while sediment decontamination/treatment technologies were developed.

Importantly, given the limited capacity remaining, and NJ DEP's restriction on using the NBCDF as an option of last resort, the permit extension should be treated as a **call to action**. Federal and state agencies must focus efforts on developing additional suitable, economically viable and environmentally sound decontamination/treatment technologies, including regional processing and treatment facilities. COA is disappointed that after ten years and millions of dollars of investment in decontamination technologies, stabilization is the only available options to aquatic disposal.



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### **Improved Monitoring Procedures**

We support and encourage the adoption of the new monitoring procedures proposed in the revised Operations and Maintenance (O & M) Manual. The use of newly available high-tech equipment to monitor disposal events will provide important information on the relationship between sediment resuspension and dredging activities.

### **Status Updates**

As an interested party, COA would like to be included on the mailing list that was mentioned in the O & M Manual to receive a newsletter and to stay updated on the status and activities associated with the NBCDF. We would also like to be informed when the following benchmarks are reached:

- The facility reaches the –10 foot elevation, as this elevation initiates procedural changes in the disposal methods as capacity is approached.
- All subsequent disposal events above the –10 foot elevation, including the resulting elevation changes, until the capping elevation is reached.
- Capping Procedures are initiated.
- Closure of the facility is complete.

### **Retain 3-foot Capping Requirement**

Clean Ocean Action is vehemently opposed to the proposed change in the new O & M Manual that calls for a reduction in the depth of clean capping material from 3 feet of clean sand to only 1 foot. In addition, no scientific evidence was provided to justify such a drastic change. The NJ DEP must retain the original permit condition of 3 feet of clean cap material at closure (see WFD# 000-96-0024.1, Closure Item # 1, pg. 7) to ensure buried contaminated material remains unavailable to benthic organisms and to encourage the remediation of the benthic habitat.

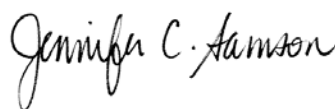
### **Conclusion**

Clean Ocean Action will continue to work with NJ DEP, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency and the Port Authority of New York and New Jersey to identify and help implement environmentally sound options for the beneficial use of dredged material. Essential to this work is the establishment of one or more public/private regional processing facilities to ensure the economical and environmental progress of beneficial use of dredged material.

Sincerely,



Cindy Zipf  
Executive Director



Jennifer Samson, Ph.D.  
Principal Scientist

Ida Sanoff  
Natural Resources Protective Association

cc: Richard Tomar, U.S. Army Corps of Engineers