



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

APR 10 2015

Robert Spiegel
Executive Director
Edison Wetlands Association
206 Tyler Road
Edison, New Jersey 08820

Dear Mr. Spiegel:

This is in response to your electronic correspondence of February 27, 2015 and March 14, 2015 addressed to Regional Administrator Judith Enck, concerning the June 30, 2014 Record of Decision (ROD) for the Ringwood Mines/Landfill site located in Ringwood, Passaic County, New Jersey. Your February 27 correspondence asserts that the remedy selected in the June ROD was technically flawed, while your March 14 correspondence requests that the Environmental Protection Agency (EPA) "invalidate" the ROD because you believe the EPA failed to address critical comments received from the community, the Community Advisory Group (CAG) technical advisors, and others.

Let me first address the concerns raised in your March 14, 2015 correspondence and assure you that written and verbal concerns expressed during the public comment on the proposed remedy were taken into consideration during the preparation of the June 30, 2014 ROD. The EPA takes very seriously the comments and concerns raised by the CAG, the Ramapough Lenape Nation, the broader Ringwood community, and other members of the public. In order to foster community involvement at the site, the EPA has facilitated the formation of the CAG, comprised of community members, local officials and other site stakeholders. As you are aware, the EPA provided a technical assistance grant (TAG) to the Edison Wetlands Association (EWA) so that the CAG would have a technical advisor to assist in the review of various site documents. Representatives of the EPA and the New Jersey Department of Environmental Protection (NJDEP) routinely attend CAG meetings, which historically have generally been held on a monthly basis, in order to share site information with the community. Furthermore, site-related documents, such as the remedial investigation (RI) and feasibility study (FS) reports and various interim submittals that were prepared for the Peters Mine Pit Area, the Cannon Mine Pit Area and the O'Connor Disposal Area were all shared with the CAG and their technical advisor prior to finalization in order to consider their concerns. (At most Superfund sites, by contrast, the first time the RI/FS report is released is concurrent with the issuance of the Proposed Plan that identifies the preferred remedy and initiates a 30-day public review period.)

As you know, the public comment period on these documents was originally scheduled to extend from October 2, 2013 through December 2, 2013. In response to requests from the public to extend the comment period to allow adequate time for consideration of and comment on the Proposed Plan, the EPA provided two extensions resulting in a four month public comment period that extended from October 2, 2013 through February 5, 2014. In addition, the EPA held a public meeting on November 7, 2013 at the Martin J. Ryerson Middle School in Ringwood, New Jersey to present the findings of the RI/FSs and the EPA's Proposed Plan to the community and local officials. At this meeting, representatives of the EPA answered questions concerning the remedial alternatives developed as part of the RI/FSs. Every attendee who wished to do so was given the opportunity to speak.

Responses to comments received by the EPA at this public meeting and in writing during the public comment period are included in the Responsiveness Summary. You have questioned the quality of the Responsiveness Summary. As noted in the ROD, the purpose of the Responsiveness Summary section of a ROD is to provide a summary of the significant comments and concerns submitted by the public on the EPA's Proposed Plan, and the EPA's responses to those comments or concerns. A Responsiveness Summary does not necessarily provide specific responses for each and every comment submitted by the public, nor to comments which are not relevant to remedy selection.

EWA attached to its comment letter 36 technical memoranda which had previously been submitted to the EPA for consideration. Most of these technical memoranda provided EWA's comments on draft site-specific documents and were discussed during site CAG meetings. In addition, many of these comments were either addressed by the EPA in writing and/or incorporated into revisions to site-specific documents. Therefore, all of the comments in these technical memoranda were previously considered by the EPA and incorporated into the site cleanup process, as appropriate; and all are part of the administrative record. All other significant comments and concerns submitted by the public, including EWA and the CAG's technical consultant, have been addressed in the Responsiveness Summary. Therefore, the EPA believes that the Responsiveness Summary section of the June 30, 2014 ROD is complete and of appropriate quality to support the EPA's selected remedy.

Your February 27, 2015 letter raises several matters that you believe render the ROD to be flawed. The first matter dealt with your perspective that the EPA did not adequately characterize paint sludge disposed at the site and that EPA should have documented that Principal Threat Waste (in the form of paint sludge) is present at the site. Please note that while paint sludge disposed of at the site may have originated from distinct operations at Ford's Mahwah Plant, sufficient paint sludge sampling has been conducted over a period of 30 years to adequately characterize this waste, regardless of its specific source. The results of extensive sampling indicates that high levels of metals, including lead, and some solvents are often present in the paint sludge. However, groundwater and surface water sampling conducted at the site from 1984 to the present fails to demonstrate that contaminants in the paint sludge are highly mobile. It should be noted that the EPA has required extensive efforts to identify the presence of paint sludge in the disposal areas. At the O'Connor Disposal Area, 14 test trenches and 10 test pits were installed during the 2006-2007 investigation. In addition, 3169 linear feet (8 trenches) were installed during the 2010 investigation. In 2010, 2200 tons of paint sludge and 5 drums of waste

were removed from the O'Connor Disposal Area. At the Peters Mine Pit Area 270 cubic yards of paint sludge, soil and drum remnants were removed in 2011. The ROD specifically notes that paint sludge or drums of waste encountered in the Peters Mine Pit Area or Cannon Mine Pit Area areas during the future remedy implementation would be removed from the site; the EPA would also impose this requirement at the O'Connor Disposal Area if the contingency remedy is implemented. Furthermore, an evaluation of cleanup alternatives for site wastes presented in the June 30, 2014 ROD demonstrates that Ford wastes remaining at the site can be reliably contained in a manner that would be protective of human health and the environment. Therefore, the EPA does not believe that it would be appropriate to designate the existence of Principal Threat Waste at the site.

The EPA has also reviewed the memoranda attached to your February 27, 2015 letter prepared by Rich Volkert, John Dooley and Richard Dalton of the New Jersey Geological Survey (NJGS). These memoranda, which provide NJGS's comments on a 2008 report entitled, "Draft Report on Investigation of Mine Tailings and Background Soils, Ringwood Mines/Landfill Site, Ringwood, New Jersey," were previously considered by the EPA when determining the adequacy of this report. The 2008 report details the results of an investigation conducted at the site to attempt to identify the source of arsenic in soil. Based upon this investigation, the draft report concludes that arsenic in soil at the site is solely related to the presence of mine tailings rather than paint sludge. The EPA and NJDEP identified deficiencies in this investigation and did not concur with this conclusion. Therefore, the draft report has not been approved by either the EPA or NJDEP. Given that both paint sludge and mine tailings at the site may contain elevated levels of arsenic, the EPA currently believes that arsenic detected in some site soils may be associated with either of these materials.

You also raise concerns regarding the potential for migration of metals through surface water transport. As noted in a February 11, 2015 e-mail message sent to you from Joseph Gowers of my staff, surface water data collected during site investigations conducted for the agency indicate that lead and arsenic are not migrating off site via surface water at levels in excess of drinking water standards. This finding is based upon surface water sampling conducted at the site between 2004 and 2014. The EPA is aware that surface water sampling conducted downstream of the site by the North Jersey District Water Supply Commission (NJDWSC) in April 2009 indicated the presence of lead at concentrations that exceeded the EPA's action level. These samples were collected from Sally's Pond and Ringwood Creek, which are about ½ mile and 1 mile downgradient of the site respectively. However, lead was not detected above its action level in subsequent surface water sampling conducted by the NJDWSC in 2009 and 2010 at these same locations in Sally's Pond and the Ringwood River. Therefore, data do not indicate that the site is serving as a source of contamination to the Wanaque Reservoir.

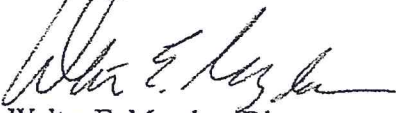
You also inquired about the status of the Ringwood Borough Landfill. Investigations were conducted in that closed landfill prior to and at the time that the site was restored to the National Priorities List in 2006. The results of landfill investigations conducted in the 1980s were summarized in the 1988 RI report. The results of an additional investigation conducted at the landfill were summarized in the 2008 Site-Wide Test Pit Investigation Technical Memorandum. Paint sludge was not identified in the landfill during either of these investigations. Furthermore, in June, 2008 NJDEP collected gas samples from seven pipe vents associated with the landfill to

characterize any discharges from the landfill. Based on the results of these samples, NJDEP found that that no additional cleanup actions were warranted at the landfill. EPA representatives have discussed the status of the landfill at previous CAG meetings and stated that **the EPA does not believe that additional investigation of the landfill is warranted.**

Your letter also asserts that the EPA kept the draft Environmental Justice Assessment Report hidden for seven years. This is not accurate. The draft Environmental Justice Assessment Report for the site was made available to the public at the time of its completion in 2006. In fact, EPA representatives went door-to-door to hand-deliver copies of the draft report to Upper Ringwood residents to ensure that the community had an opportunity to review the report. In addition, an electronic copy of the draft report was placed on the EPA's website. On June 9, 2013, you inquired about the status of the draft report. Subsequently, at a June 17, 2013 CAG meeting, CAG representatives urged the EPA to finalize this report. In July 2013, the EPA provided a three-page Addendum that reported the steps taken since May 2006 to fulfill each of the six recommendations in the report, and marked the document "Final" as requested. The final report with the Addendum was then posted to the EPA's website concerning the site. Terry Wesley, who served as the EPA's Environmental Justice Coordinator during the time the assessment was carried out, attended meetings in 2006 and again in 2013 to specifically listen to comments from the public and the CAG and answer questions about the Environmental Justice Assessment Report. The information and recommendations in the report were considered during site investigations and the preparation of the June 30, 2014 ROD.

The EPA takes very seriously the comments and concerns raised by the CAG, the Ramapough Lenape Nation, the broader Ringwood community, and other members of the public. We look forward to continuing to work with you to help inform the community of site activities.

Sincerely,



Walter E. Mugdan, Director
Emergency & Remedial Response Division