**ISSUE: CONTAMINATED GROUNDWATER AND SOIL IN PROXIMITY TO THE PROPOSED MADISON LOOP & RARITAN BAY LOOP**

Copy to NJDEP: [Ruth.Foster@dep.nj.gov](mailto:Ruth.Foster@dep.nj.gov) and [Megan.Brunatti@dep.nj.gov](mailto:Megan.Brunatti@dep.nj.gov)

Copy to EPA: [Knutson.Lingard@epa.gov](mailto:Knutson.Lingard@epa.gov) and [Mitchell.Tanya@epa.gov](mailto:Mitchell.Tanya@epa.gov)

Dear FERC Leadership:

I am an intervenor in the Northeast Supply Enhancement Project (CP17-101), and I am concerned about the possibility for added soil and water contamination in Old Bridge, Sayreville and the Raritan Bay from construction of the Madison Loop and Raritan Bay Loop in extremely close proximity to identified landfills, contaminated sites, and one NPL Superfund Site. As reported in the DEIS and earlier submissions to FERC from Williams/Transco, these are:

**Nearby Landfills & Contaminated Sites**

1. Road Department Garage Area 3-1 (0.1 mile N of MP9.5) - groundwater contamination / not sure if still active
2. Global Sanitary Landfill & Sommers Landfill (<0.1 mile S of MP10.13-10.38) - not sure if the current status will be protective for the long-term
3. Cheesequake Compost Site (within 2 miles)
4. Morgan Ordnance Depot (0.3 mile N of MP11.0) – contaminated area from ammunition plant explosion
5. Gas Station at 1788 Rt. 35 in Sayreville (MP12.0, 200’ NE of Madison Loop and 165’ N of Raritan Bay Loop) - underground storage tank - active remediation
6. Morgan Fire House in Sayreville (MP12 = 0.1 mile S of Madison Loop & SW of Raritan Bay Loop) - underground medium diesel fuel tank
7. E.I. Dupont Denemours Site (overlaps the proposed Madison Loop at MPs 9.2 & 10.3) - groundwater area overlapping Madison Loop: potential for further investigation was a noted concern; VOCs & metals in groundwater; 2 groundwater monitoring wells near MP 10.2 & one near MP 9.9.

**NPL Superfund Site**

1. Raritan Bay Slag Superfund Site (RBS) Areas 7 & 11 – exit pit for Morgan Shore Approach HDD = in Areas 7 & 11; pre-trenching will cross Area 11

FERC staff noted: “Pre-existing contaminated soil and groundwater could potentially be encountered during construction of the Madison Loop, and construction of the Raritan Bay Loop between the approximate MP 12.5 (the exit pit for the Morgan Shore Approach HDD) and MP 12.7 would encounter contaminated sediments associated with the RBS site.” (DEIS – pp. 4-234,235)

FERC staff clearly identifies the likelihood of encountering contaminated sediments during construction, but they conclude that, for the offshore construction: “Based on the relatively limited distribution of upper-level exceedances for mercury and other heavy metals along the Project route, the short duration of turbidity plumes, and the expected fate of metals released into the marine environment, the risk to aquatic resources from exposure to resuspended metals is expected to be low. However, Transco is continuing to consult with the EPA regarding construction in the RBS site.” (DEIS – page 4-115)

FERC staff also noted: “We have reviewed the Unanticipated Discovery of Contamination Plan and find that implementation of the plan would avoid or adequately minimize potential impacts associated with handling unanticipated, pre-existing, onshore contaminated media. “ (DEIS – page 4-235)

**Issues and Requests brought to the attention of FERC:**

There are many statements in the DEIS and earlier documents on the FERC docket for the NESE Project that acknowledge the existence of contamination in or extremely close to the construction path for these two pipeline loops. However, many of these are dismissed with statements like “low risk” or assumptions that all critical information has been received and analyzed to conclude that there would be adequate minimization of potential impacts. The conclusions of this DEIS are both nebulous and based on incomplete data.

Missing plans from Williams/Transco need to be submitted to FERC and made available to the public with an extension of the comment period for at least another 45 days after they are published. This includes those requested by FERC: (1) Materials and Waste Management Plan that anticipates encountering contaminated water along the Madison Loop, and details the specific measures, including regulatory coordination, that Transco plans to take to properly manage contaminated groundwater; and (2) final information regarding backfill source areas and dredge disposal sites for the offshore segment of the NESE Project.

The DEIS does not address (1) the potential health impacts of unearthing contaminants from soils or waters at these sites or (2) the possibility that contaminants from multiple sites could be unearthed and contribute to combined impacts. Thus, FERC should require an analysis of the potential for cumulative effects from planned construction through or very close to so many contaminated sites.

The Unanticipated Discovery of Contamination Plan does not address the potential for vibrations from construction at the Morgan Shore Approach HDD exit point to cause lead that is on the Raritan Bay Slag jetties to flake off. Thus, FERC should require extended studies of the contaminated area around the RBS Jetty Sector that includes more than the few vibracore samples taken in Areas 7 and 11.

The DEIS notes that Williams/Transco is continuing to consult with the EPA regarding construction in the RBS site (page 4-235). As was mentioned in a prior comment to FERC, the EPA (May 2013) Record of Decision reveals that there are complex currents around the Jetty Sector of the Raritan Bay Slag site that affect depositional areas and paths of resuspended sediments. However, the DEIS did not appear to account for or detail construction methods that accounted for this and would be required to safely avoid recontamination. This EPA document notes that the primary components of the slag are lead, arsenic, antimony, copper, iron and chromium, and these are released by erosion and weathering.