ITEM NO. | SUBJECT: Northrop Grumman Systems Corporation Right of Entry Agreement to use DRPA Property for the Purpose of Installing, Operating and Maintaining Groundwater Monitoring Wells

COMMITTEE: New Business

COMMITTEE MEETING DATE: N/A

BOARD ACTION DATE: October 20, 2010

PROPOSAL: That the Board authorize staff to negotiate a right of entry agreement and other necessary agreements permitting Northrop Grumman Systems Corporation (“NGSC”) to install, operate, and maintain groundwater monitoring wells on DRPA property located in Camden, New Jersey.

PURPOSE: The purpose of the proposed right of agreement is to permit NGSC to install, operate, and maintain groundwater monitoring wells in keeping with a site remediation plan approved by the New Jersey Department of Environmental Protection (“EPA”) in order to delineate the known on-site groundwater impacts in the vicinity of properties owned by NGSC, R.F. Products, Inc. and Phil-Mar Industries.

BACKGROUND: On or about August 16, 2010, NGSC requested access to property owned by the DRPA in Camden, New Jersey for the purpose of installing, operating, and maintaining groundwater monitoring wells. In keeping with N.J.A.C. 7:26E-4.1, the EPA approved a plan that called for the installation of the groundwater monitoring wells as part of its Technical Requirements for Site Remediation. The groundwater wells will be monitored in connection with the remediation of environmental contaminants located on properties owned by NGSC, R.F. Products, Inc. and Phil-Mar Industries, Inc. The site remediation plan also requires that NGSC monitor groundwater on or near properties located in close proximity to the subject properties, including, but not limited to, properties owned by the DRPA.

NGSC seeks access to the DRPA property identified in the Scope of Work, prepared by NGSC and attached hereto and made a part of this resolution as Exhibit “A”.

Source of Funds: N/A
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: To be determined
Other Parties Involved: Northrop Grumman Systems Corporation
RESOLUTION

RESOLVED: That the Board of Commissioners of the Delaware River Port Authority hereby accepts the proposal of Northrop Grumman Systems Corporation set forth in this summary statement and resolution and approves a right of entry agreement in favor of Northrop Grumman Systems Corporation to install, operate and groundwater monitoring wells as identified on the Scope of Work, attached hereto as Exhibit “A”; and be it further

RESOLVED: That the Board of Commissioners authorizes the proper officer of the Authority to negotiate right of entry agreement and any other documents required to complete the project and consistent with the intent of this resolution; and be it further

RESOLVED: That the Chairman, Vice Chairman and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chairman, Vice Chairman and Chief Executive Officer and if thereafter either the Chairman or Vice Chairman is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chairman and Vice Chairman are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

SUMMARY: Amount: N/A
Source of Funds: N/A
Operating Budget: N/A
Capital Project #: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties Involved: Northrop Grumman Systems Corporation
ATTACHMENT
SCOPE OF WORK
Delaware River Port Authority Property

The initial work to be performed on the Delaware River Port Authority property consists of the following activities.

- In accordance with N.J.A.C 7:26E-4.1, Technical Requirements for Site Remediation, AECOM proposes to delineate the known on-site groundwater impacts in the vicinity of the R.F. Products and Phil-Mar Properties through the installation of off-site monitoring wells. The standard procedure for completing these monitoring well installation activities is outlined as follows:
  
  o To delineate the impacts to groundwater noted during groundwater sampling events, off-site monitoring well location MW-6A is proposed to be installed on Delaware River Port Authority property along Thorn Street near the intersection with Copewood Street (Block 1385 Lot 1 and Block 1387 Lot 8) in a location northeast of the R.F. Products (Block 1386 Lot 1) and Phil-Mar Properties (Block 1388 Lot 7). Every effort will be made to install the monitoring wells in locations and at times that will not interfere with Port Authority operations.

  o In addition to the currently proposed monitoring well, additional monitoring wells may be required on Port Authority property as part of the Remedial Investigation being conducted at the R.F. Products and Phil-Mar properties. Specifically, monitoring wells may be required at Delaware River Port Authority properties located at Block 1395 Lots 32 and 39. The location and number of groundwater monitoring wells will be selected based on the inferred groundwater flow direction from the Site and the Port Authority property layout. The Port Authority will be consulted prior to intrusive activities to approve of the monitoring well locations.

  o The proposed monitoring wells will be installed to an appropriate depth below ground level. It will be drilled with a mobile drilling rig, direct push equipment, or with a “hand-auger”, depending on overhead and available space restrictions. The monitoring wells will be constructed with threaded, polyvinyl chloride (PVC) pipe and installed properly to meet appropriate local/state water well rules and regulations. The top of the monitoring wells will be completed to be at, or slightly below, ground level and will be encased in a “water-tight” steel manhole box and secured in order to protect it and not interfere with typical, every day use of the land around it. The area around the proposed monitoring wells will be cleaned up after installation is completed. The length of time required for installation is approximately six (6) to eight (8) hours (actual time may vary) per monitoring well.

  o Following installation, groundwater will be checked with an electronic probe and samples collected from the monitoring wells once per quarter, or as directed by appropriate NJDEP. These activities will typically be completed by one (1) person. The length of time required for this activity is approximately one and one-half (1 ½) hours per quarter. When the monitoring wells are no longer needed or required by the Regulatory Agency for groundwater monitoring, to the extent permitted to do so, the monitoring wells will be abandoned in accordance with NJDEP Regulations. After the monitoring wells are abandoned, the area around it will be restored as stated in the temporary access agreement.