

SUMMARY STATEMENT

ITEM NO.: DRPA-16-096

SUBJECT: Supplemental Consent to Access and Related Agreements with EPA for Access to DRPA Property at Betsy Ross Bridge for Puchack Well Field Site

COMMITTEE:

Operations & Maintenance

COMMITTEE MEETING DATE:

September 13, 2016

BOARD ACTION DATE:

September 21, 2016

PROPOSAL:

That the Board authorizes staff to negotiate and enter into appropriate supplemental property access agreements permitting the U.S. Environmental Protection Agency and its contractors, subcontractors, consultants, agents, employees and other representatives (hereinafter referred to as "EPA") to continue to access and utilize DRPA property located at the Betsy Ross Bridge facility in Pennsauken, NJ in carrying out work related to the investigation and remedial cleanup of groundwater associated with the Puchack Well Field Superfund Site encompassing areas in Pennsauken, NJ. The work for which access is sought will involve the installation of additional monitoring wells and periodic well groundwater sampling to monitor the progress of the remedial cleanup action plan. EPA remedial actions are pursuant to EPA's response and enforcement responsibilities under "CERCLA" (Comprehensive Environmental Response, Compensation and Liability Act), 42 U.S.C. §§ 9601 et seq.

PURPOSE:

To provide continued property access to the EPA at the Betsy Ross Bridge facility for the purpose of advancing the EPA remedial action plan associated with the Puchack Well Field Superfund Site in Pennsauken, N.J. by the installation and subsequent monitoring of additional new ground water monitoring wells.

BACKGROUND:

The Puchack Well Field Superfund Site (herein after referred to as "Site") consists of public supply wells owned and operated by the City of Camden and located in Pennsauken Township, Camden County, N.J. Contamination was first detected in the early 1970's and resulted in several supply wells being removed from service in the mid 1980's. The Site was included on the National Priorities List in 1998 upon which time the Site became a Federal lead under the U.S. EPA. Site groundwater is contaminated with hexavalent chromium. Because of the nature and complexity of the Site, involving a large contaminant plume containing chromium and numerous volatile organic compounds, EPA is handling the investigation and cleanup with initial phases, which include remedial investigation and study through the installation of several groundwater monitoring wells in the Pennsauken local area and the collection of groundwater samples and computer modeling to better understand the

complex site hydrology and geochemistry. It is noted that DRPA property and operations at the Betsy Ross Bridge Facility have not been identified as the contaminant source but DRPA property has become part of the remedial area due to the groundwater contaminant movements. In 2000, four (4) monitoring wells were authorized by DRPA under separate EPA Consents for Access with installation at the Betsy Ross Bridge; two (2) of the four (4) wells are actively in service.

In 2013, three (3) new injection wells, conversion of an existing monitoring well into an injection well on the southern side of Rt. 90 EB at the Betsy Ross Bridge, and future installation of one (1) new monitoring well on the northern side of the Betsy Ross Bridge Maintenance Yard were authorized under DRPA 13-083.

At this time, EPA seeks access to install two (2) new additional monitoring wells on the southern side of Rt. 90 at the Betsy Ross Bridge between approximately Remington and Forrest Avenues in Pennsauken, N.J. and to continue to collect periodic groundwater sampling and monitoring of remediation.

The DPRA will not incur the costs associated with the monitoring well installation and monitoring. We have been advised by EPA that the remediation costs are being covered by Superfund and no costs to DPRA have been identified. EPA has indicated that the Betsy Ross Bridge Facility and its operations are not the source of the contaminants being investigated, remediated and monitored.

In order to effectuate the overall, ongoing remedial efforts, the EPA requires an agreement term until October 1, 2021 for the access agreements. Furthermore, in the event the agreement term must be further extended, staff seeks Board authorization for the CEO, with Chair and Vice Chair approval, to extend agreements on an incremental basis.

EPA remedial actions are pursuant to EPA's response and enforcement responsibilities under "CERCLA" (Comprehensive Environmental Response, Compensation and Liability Act), 42 U.S.C. §§ 9601 et seq.

**SUMMARY STATEMENT
O&M 9/21/2016**

**Supplemental Consent to Access and Related
Agreements with EPA for Access to DRPA
Property at Betsy Ross Bridge for Puchack
Well Field Site**

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:	Until October 1, 2021 with agreement incremental extensions as approved by the CEO with Chair and Vice Chair approval.
	Other Parties Involved:	U.S. Environmental Protection Agency

DRPA-16-096
Operations & Maintenance: September 13, 2016
Board Date: September 21, 2016
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RESOLUTION

RESOLVED: That the Board of Commissioners of the Delaware River Port Authority authorizes staff to negotiate and enter into a supplemental property access agreement through October 1, 2021, permitting the U.S. Environmental Protection Agency and its contractors, subcontractors, consultants, agents, employees and other representatives (hereinafter referred to as “EPA”) to continue to access and utilize DRPA property located at the Betsy Ross Bridge Facility in Pennsauken, N.J. for the purpose of carrying out work, including additional monitoring well installations, continued injection well treatments and groundwater sampling and remediation monitoring all of which are related to the investigation and remedial clean-up of groundwater associated with the Puchack Well Field Superfund Site encompassing areas in Pennsauken, N.J. with such remedial action being performed by EPA pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. §§ 9601 et seq.; and be it further

RESOLVED: That in the event the agreements must be further extended, the CEO, with Chair and Vice Chair approval, shall have the authority to extend the agreements on an incremental basis; and be it further

RESOLVED: The Chair, Vice Chair 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 Chair, Vice Chair and Chief Executive Officer and if thereafter, either the Chair or Vice Chair 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 Chair and Vice Chair 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.

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Other Parties Involved:	U.S. Environmental Protection Agency