**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 writing about issues with the proposed construction of the Madison Loop and Raritan Bay Loop in Old Bridge, Sayreville and the Raritan Bay going extremely close to or through landfills, contaminated sites, and a Superfund Site. These include the Raritan Bay Slag NPL Superfund Site with lead and other contaminants, groundwater contamination at the Road Department Garage Area 3-1 and the E.I. Dupont Denemours Site, underground fuel tanks at a gas station at 1788 Rt. 35 and the Morgan Fire House in Sayreville, and landfills - the Global Sanitary Landfill & Sommers Landfill and the Cheesequake Compost Site.

In the DEIS (pages 4-234 and 4-235), FERC acknowledged that “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.”

FERC staff noted that Williams/Transco is continuing to consult with the EPA about construction at the Raritan Bay Slag site, yet they concluded that “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.” (DEIS, page 4-115). EPA documents about the Raritan Bay Slag Site reveal that the primary components of the slag are lead, arsenic, antimony, copper, iron and chromium, and these are released by erosion and weathering.

ISSUE: It appear that continued consultation could reveal a need for further studies and/or construction plan changes, so the DEIS is not complete. Additionally, EPA records document that there are complex currents around the Jetty Sector of the Raritan Bay Slag site that affect depositional areas and paths of resuspended sediments. It does not appear that the DEIS took this into consideration in their review of documents supplied by Williams/Transco and/or EPA, and there is no mention of specific construction methods that accounted for this and would be required to safely avoid recontamination.

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)

ISSUE: 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 and result in increased contamination.

FERC staff identified the fact that Williams/Transco also committed to provide a Materials and Waste Management Plan that will further detail how contaminated media would be managed, and they issued a recommendation for additional information pertaining to measures to take since FERC identified that they will likely encounter contaminated water along the Madison Loop. (DEIS, page 4-235)

ISSUE: Without this additional information, the public is being denied the opportunity to review a thorough reporting and analysis as they propose comments pertaining to environmental impacts.

CONCLUSION & REQUESTS:

The conclusions of this DEIS are both questionable and based on incomplete data since, as has been noted in the DEIS and other documents on FERC’s docket pertaining to contaminated soil or water, the paths of the two pipeline loops would be close to or through contaminated sites. By dismissing issues pertaining to this and claiming that there would be low risk or that there would be adequate minimization of potential impacts without having all the critical information is alarming.

The DEIS does not address the potential health impacts of unearthing contaminants from soils or waters at these sites; or the possibility that contaminants from multiple sites could be unearthed and contribute to combined impacts.

FERC should require an analysis of the potential for cumulative and/or interactive effects from planned construction through or very close to so many contaminated sites.

FERC should gain, independently analyze and publish the missing documents that they requested in the DEIS and, once this is done, publish them on the FERC docket and provide at least an additional 45-day comment period after that occurs. The missing plans include: (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.

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.