



*Ocean Advocacy
Since 1984*

August 30, 2005

Richard Tomer
Acting Chief, Regulatory Branch
US Army Corps of Engineers
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New York, NY 10278-0090

Suzanne Dietrick, Chief
NJ Department of Environmental Protection
Office of Dredging and Sediment Technology
P.O. Box 028
401 East State Street
Trenton, NJ 08625-0028

VIA FACSIMILE

RE: CENAN-OP-RW PN # 2004-00454-OD, GLOBAL TERMINAL AND CONTAINER SERVICES

Dear Ms. Dietrick;

Enclosed please find comments on behalf of Clean Ocean Action regarding placement of 54,700 CY of dredged materials at HARS from Global Terminal and Container Services from their berthing area and 2,900 CY of dredged materials Holocene Black Silt to be beneficially reused. The entire project involves dredging 57,600 CY of material to a depth of 45 feet mean low water (+2 foot allowable overdepth).

COA's concerns regarding this proposed project are detailed below:

1. Sequence of Dredging Activities

The Public Notice states the dredging will be conducted in two phases (first to a depth of -43 feet, followed by a depth of -45 feet the following year). The use of this approach creates multiple water quality and habitat disruption events, instead of a single event. The stated purpose for the two-phase plan is to coincide with the Federal Deepening Project of the adjacent Port Jersey Channel. Is the two-phase approach necessary? It is important that both the US Army Corps of Engineers (ACOE) and the New Jersey Department of Environmental Protection (DEP) consider the cumulative effects of multiple dredging events when reviewing this proposal.

2. Dredge Material Classification

According to the August 26, 2003 joint US Environmental Protection Agency, Region 2 and ACOE, New York District Memorandum for the Record, the material in Core W-10 does not meet the definition of Pleistocene Till Material. Therefore, all of the area represented by Core W-10 either must be tested for HARS suitability or be treated as Holocene age material, requiring the use of an environmental bucket with upland placement.

3. Confined Aquatic Disposal

The PN states “The applicant intends to seek an Acceptable Use Determination from the State of New Jersey Department of Environmental Protection Office of Sediment and Dredging Technology in order to identify a suitable upland or confined aquatic disposal location for this (Holocene) material. COA urges both the ACOE and the DEP to deny the use of a confined aquatic disposal facility, as there are several viable options for beneficial re-use of this material at various upland locations.

4. Material Separation Plan

COA commends the ACOE for requiring the applicant to submit a Material Separation Plan (hereto referred to as the Plan) to indicate how the applicant will ensure the separation of Holocene and Pleistocene era sediments. COA requested a copy of the Plan on August 22, 2005, but Mr. James Cannon had not yet received it from the applicant. COA reserves the right to submit additional comments upon review of the Plan.

In conclusion, Clean Ocean Action has presented numerous issues regarding the Global Terminal and Container Services Deepening project. A written response to these comments is requested.

Sincerely,



Cindy Zipf
Executive Director



Jennifer Samson, Ph.D.
Principal Scientist