

Attachment J

to the Comments on behalf of the Lower Passaic River Study Area Site Cooperating Parties Group on the Proposed Plan for the Lower Eight Miles of the Lower Passaic River Study Area Portion of the Diamond Alkali Superfund Site

Examples of Differences Between the 2007 Draft FFS and 2014 FFS & RI	
Feasibility Study	
Item	Comment
Remedial Action Objectives (RAOs)	The 2014 FFS presents a revised and condensed list of RAOs that are very similar to the 2007 RAOs. Also included in the 2014 FFS is a discussion of reasonably anticipated land/waterway use including potential use for commercial and recreational navigation; however, navigational dredging is outside the scope of CERCLA authority.
General Response Actions (GRAs)	The 2014 FFS presentation of GRAs is nearly identical to the 2007 presentation. The revised text includes a bulleted list of factors that should be used to determine whether MNR is “reasonable” (e.g. timeframe, likelihood of receptor exposure during recovery timeframe, future use, uncertainty).
Screening of Technologies	The 2014 FFS presents a slightly less streamlined technology screening process. Where the 2007 Draft FFS presented a summary of the screening process and list of retained technologies, the 2014 FFS summarizes a two-step screening process that culminates in very similar results, with one notable exception: the 2014 FFS screens out upland CDFs as a disposal technology and retains in-water CAD cells. Notably, the 2007 Draft FFS presented the reverse conclusion on CADs and CDFs.
Development of Remedial Alternatives	The 2014 FFS has been considerably condensed, eliminates the discussion of zones defined by contaminant inventory, grain-size, and erosional characteristics, and includes three separate scenarios for dredged material management. However, the Preferred Alternative remains largely unchanged (the Preferred Alternative is represented by Alternative 3 in the 2014 FFS and Alternative 4 in the 2007 Draft FFS). The description of the Preferred Alternative has been revised to include navigational dredging, which is outside the scope of CERCLA authority.
Supporting Appendices	The 2014 FFS supporting appendices are largely unchanged. The 2014 FFS adds to the engineering evaluation appendix (originally an engineering memorandum) to include superficial discussions of various engineering considerations and the conceptual design of alternatives. This appendix includes a high-level discussion of potential compensatory mitigation associated with implementation of CAD cells.
Cost Estimate	The cost estimate in the 2014 FFS is largely unchanged with the exception of a brief introductory narrative. It was conducted using a very similar format and level of detail, and does not reflect significantly revised information or assumptions. The estimate of removal volumes acknowledges the availability of more current bathymetric data, however, rather than incorporate this new data into the supporting figures and conceptual design of alternatives, the 2014 FFS utilizes the 2004 bathymetry and a rough adjustment factor (for purposes of volume/cost estimate only) to account for

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	the current sediment bed elevations.
Remedial Investigation, Conceptual Site Model & Modeling	
Numeric Modeling	In response to 2008 CSTAG Criticisms, Region 2 was required to include a numeric model. However, its modeling work contains many shortcomings that prevent it from being a reliable tool to predict the benefits that will be achieved by the various remedial alternatives; it falls far short of professional standards and would not withstand peer review.
Remedial Investigation	In response to 2008 CSTAG criticisms of the 2007 Draft FFS, Region 2 was required to include a more fulsome Remedial Investigation Report in the 2014 FFS. However, although the FFS RI is labeled a remedial investigation, Region 2 has circumvented the remedial investigation requirements under the NCP.
Ecological Risk Assessment	
Sediment Threshold Values	The 2007 Draft FFS used generic sediment thresholds from the lower of the NOAA ER-Ls and comparable NJDEP sediment screening benchmarks; the 2014 FFS uses generic sediment thresholds based on LRM T20/T50 values or NOAA ER-L/ER-Ms. The use of other generic thresholds in place of the original 2007 Draft FFS generic thresholds still do not account for the use of site-specific toxicity and benthic community data. Only about half of the sediment thresholds were changed from the Draft 2007 FFS to 2014 FFS.
TRVs	The 2007 Draft FFS largely relied on the PAR for CBRs/TRVs; the 2014 FFS was based allegedly on a “consensus-based review process” from “a more rigorous evaluation of the literature.” However, the details of that “more rigorous evaluation” and “consensus-based review process,” and the justification to include additional endpoints other than specified assessment endpoints (growth, survival, and reproduction) are not provided (e.g., studies reviewed, rationale for TRV selection). In addition, several of the TRVs selected for the 2014 FFS BERA (i.e., invertebrate CBRs for dieldrin, mercury TRVs for bird diet, mercury TRVs for mammal diet) are based on the same studies as the 2007 Draft FFS ERA; however, the 2014 TRVs are lower because extrapolation factors (EFs) have been applied (without thorough justification).
Generic Fish Tissue Data	The 2007 Draft FFS used older white perch and American eel data, whereas 2014 FFS used all current fish tissue data; however, all fish data (other than mummichog) were combined into a single, inappropriate “generic” fish value. The use of generic fish concentrations is not appropriate because it does not accurately represent feeding guilds and exposure areas, it includes large fish that do not represent bird and mammal fish prey, and it includes carp, which do not represent a receptor to be protected and do not represent appropriately sized prey.

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Bioaccumulation Calculations	
BSAF	The 2007 Draft FFS used simple ratios of average tissue and sediment concentrations as the "bioaccumulation model." The 2014 FFS uses undocumented and unreproducible statistical regression models, rather than the bioaccumulation model which the Region required for the 17-mile RI/FS.
Data Sources	The 2014 FFS used some, but not all data that were collected for the 17-mile RI/FS under Region 2 direction. The Region purports to use a regional data set that it has been unable to provide since the release of the FFS in April 2014, making the assessment and verification of certain analyses impossible.