

Developing Sustainable Dredged Material Management Policy for the Port of New York & New Jersey

2012 Mid-Atlantic Contaminated Sediment Symposium



Photo Credit: Port Authority of New York & New Jersey

Jersey City, NJ: March 28, 2012

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Outline



Photo Credit: USACE

- ◆ I. The Port: geography as promise and problem
- ◆ II. Mudlock: the Harbor dredging crisis
- ◆ III. Harbor dredging today
- ◆ IV. Setting a course for environmental and economic sustainability
- ◆ V. Conclusion

I. The Port: geography as promise and problem

An estimated 95% of all goods imported into the U.S. pass through maritime ports each year



Photo Credit: Porttechnology.org

- ◆ In New York and New Jersey:
 - ◆ 230,000 jobs
 - ◆ \$36.1 Bn Business Income
 - ◆ \$11.2 Bn Personal Income
 - ◆ \$6.6 Bn Tax revenue

The Way We Were

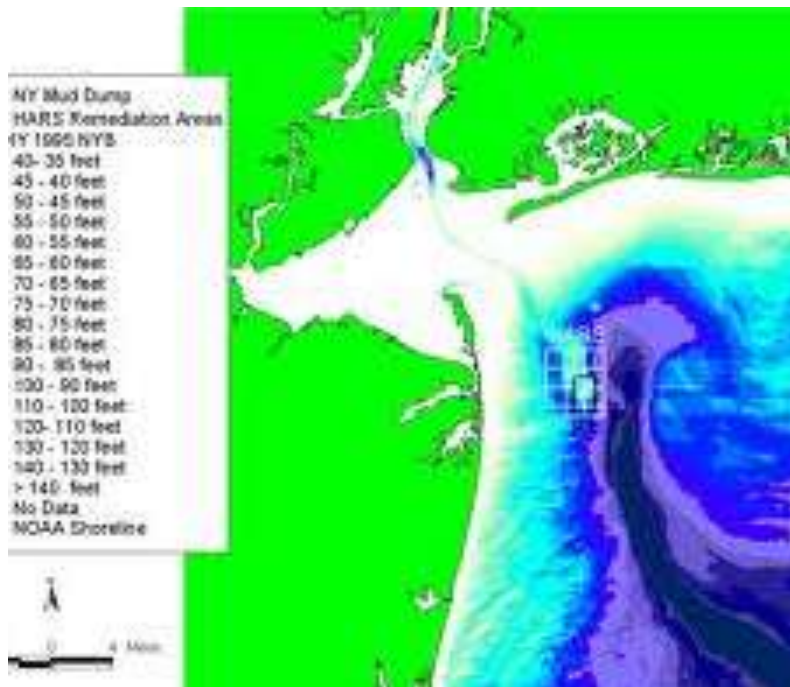


Photo Credit: USACE

- ◆ Naturally shallow: 15-18 feet deep in some places
- ◆ Dredged sand as aggregate
- ◆ Open water dumping: the Mud Dump site
- ◆ Less than \$5 per yd³

Growing Concern

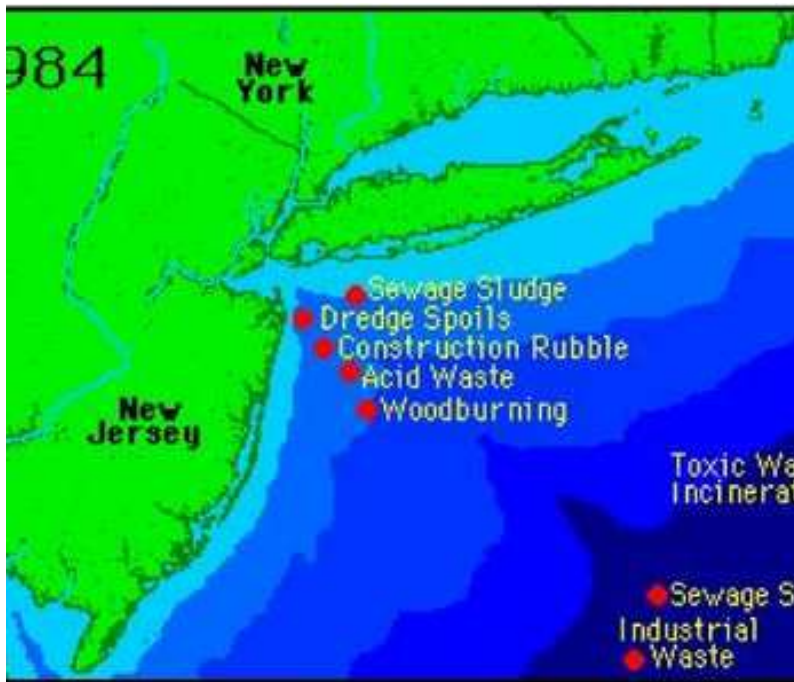


Photo Credit: Clean Ocean Action

- ◆ “The Ocean Dumping Capital of the World?”
- ◆ Sediment contamination
- ◆ Shifting perspectives
- ◆ Beach closings
- ◆ Increasingly vocal environmental community
- ◆ Increasingly frustrated industry

II. The Harbor Dredging Crisis



Photo Credit: adventureblog.nationalgeographic.com

- ◆ Coalition of Environmental groups file suit to void permit
- ◆ Concern over testing requirements leads to a federal suit
- ◆ Dredging moratorium of 1995
- ◆ Skyrocketing disposal costs
- ◆ Uncertainty for the maritime industry

A Brokered Solution

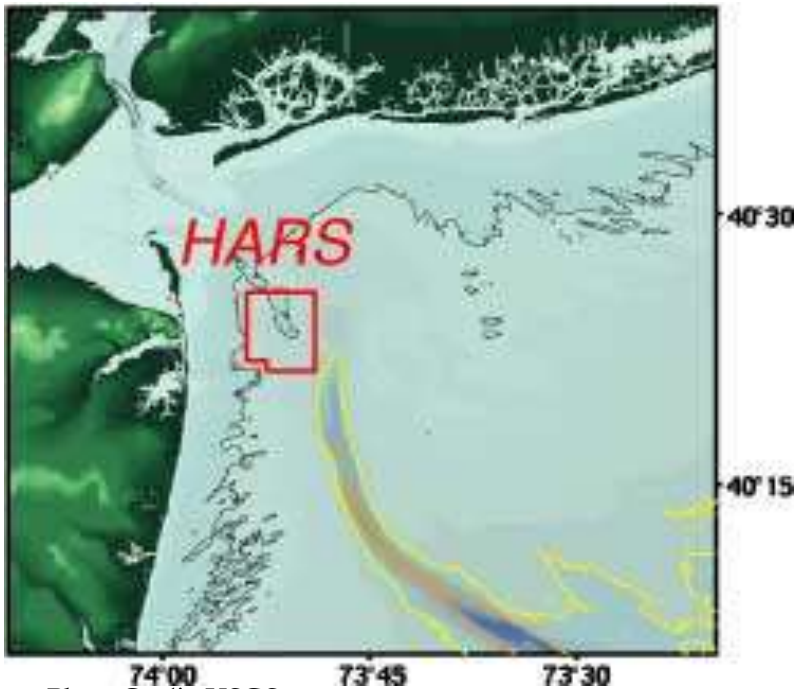


Photo Credit: USGS

- ◆ Vice President Gore and the “three party letter”
 - ◆ EPA
 - ◆ DOT
 - ◆ USACE
- ◆ The Mud Dump becomes HARS
- ◆ Agreement not to litigate future permits

III. NY/NJ Harbor Dredging Today



Photo Credit: USACE

- ◆ Complex permitting process: rules often unclear
- ◆ Expensive bioassay tests
- ◆ Costly processing and disposal options
- ◆ Smaller operators priced out of maintenance dredging
- ◆ Dry docks at half capacity, dependent on tide or off-loading

Harbor Dredging Today



Meeting Minutes

Tuesday, March 8, 2011

1:00 PM

250 Broadway - Committee Rm, 16th Fl.

Committee on Waterfronts

Michael C. Nelson, Chair

*Members: Gale A. Brewer, Peter F. Vallone, Jr.,
Brad S. Lander and Eric A. Ulrich*

- ◆ Uncertain outcome of March 2011 New York City Council Committee on Waterfronts Hearing
- ◆ Leading stakeholders and harbor experts testifying
- ◆ Where there is a will, is there a way?

The Coming Sea Change










		Length	Draft	TEU
First (1956-1970)	 Converted Cargo Vessel	135 m	< 9 m	500
	 Converted Tanker	200 m	< 30 ft	800
Second (1970-1980)	 Cellular Containership	215 m	10 m 33 ft	1,000 – 2,500
Third (1980-1988)	 Panamax Class	250 m	11-12 m 36-40 ft	3,000
		290 m		4,000
Fourth (1988-2000)	 Post Panamax	275 – 305 m	11-13 m 36-43 ft	4,000 – 5,000
				
Fifth (2000-2005)	 Post Panamax Plus	335 m	13-14 m 43-46 ft	5,000 – 8,000
Sixth (2006-)	 New Panamax	397 m	15.5 m 50 ft	11,000 – 14,500

Photo Credit: visionmaritima.com

- ▶ Panama canal expansion will double canal capacity
- ▶ Increased competition from other east coast ports
- ▶ Channel maintenance dredging becoming a larger issue
- ▶ Sustainable management critical for the future of the port and the region

IV. Setting a Course for Environmental and Economic Sustainability



Photo Credit: cleanoceanzone.org

- ◆ The sustainability imperative
- ◆ Reduction in point source pollution
- ◆ Growing recreational uses
- ◆ Cleanest water in the region in decades, and more still to be done
- ◆ HR 2854: The Clean Ocean Zone bill

Setting a Course for Environmental and Economic Sustainability



Photo Credit: commons.wikimedia.com



Photo Credit: switchboard.nrdc.org

- ◆ 1: Harmonize regulations in the Harbor
- ◆ 2: Promote stakeholder dialogue (organic solutions by local stakeholders)
- ◆ 3: Leverage existing resources
- ◆ 4: Invest in regional infrastructure

Harmonization: Unified Bi-state Regulation for a Bi-state Resource



Photo Credit: transportationnation.org

- ◆ One system, but state-level divisions
- ◆ Harbor-wide permitting authority needed
- ◆ Systems-based management
 - ◆ Upland sediment management
 - ◆ Limit new contamination
 - ◆ Remediate existing contamination

Solid Waste Regulations: A New York/New Jersey Comparison

◆ New Jersey

- ◆ Dredge material exempt from solid waste regulations
- ◆ Beneficial reuse encouraged by state law (PL 1997, Ch. 278, C.58:10B-1)
- ◆ NJDEP Office of Dredging and Sediment Technology
- ◆ NJDOT OMR

◆ New York

- ◆ Classified as solid waste
- ◆ Beneficial Use Determination standards unclear
- ◆ NYDEC

Beneficial Reuse in New Jersey



Photo Credit: commons.wikimedia.com

- ◆ Jersey Gardens Mall: first large scale beneficial reuse of processed dredge material in the Harbor area
- ◆ 11 million yd³ processed dredge material for brownfields caps in New Jersey since 1997
- ◆ But... Long term liability?

Promote Stakeholder Dialogue



Photo Credit: 123rf.com

- ◆ Wide array of experts and sophisticated stakeholders
 - ◆ NY/NJ Harbor Estuary Program
 - ◆ DMMIWG
 - ◆ EDF
 - ◆ Metropolitan Waterfront Alliance
 - ◆ Clean Ocean Action
 - ◆ PANYNJ
 - ◆ NYDEP/DOS
 - ◆ NJDOT/OMR
 - ◆ USACE
 - ◆ EPA Region 2
 - ◆ Many others

- ◆ Key: organic, stakeholder driven solutions

Leverage Existing Resources



Photo Credit: nj.com

- ◆ Bundle dredging projects where appropriate
- ◆ Local, state, and federal resources for manpower, data collection and analysis
- ◆ Harbor-wide data clearinghouse
- ◆ Finalize the Dredged Material Management Plan for the Port of New York and New Jersey
- ◆ Regional Dredging Team (RDT)

Invest in Regional Infrastructure



Photo Credit: USGS

- ◆ Public processing facility
- ◆ Incubate processing technologies
- ◆ Containment island(s) for recreational use
- ◆ Stakeholder involvement is key at every stage of planning and implementation
- ◆ Nurture maritime industry

V. Conclusions



Photo Credit: njscuba.net

- ◆ Harmonization of state regulations
- ◆ Beneficial reuse
- ◆ Processing technologies
- ◆ Public processing facility
- ◆ CDFs/Containment islands