

**SPRING CREEK PARK
CERCLA PROJECT STATUS AND PATH FORWARD
MULTI-AGENCY PLANNING MEETING
FEBRUARY 28, 2018**

Meeting Summary

On February 28, 2018, a tour of the Spring Creek Park Site (Site) was conducted, followed by a multi-agency meeting at the National Park Service (NPS) Jamaica Bay Wildlife Refuge Visitor Center, Broad Channel, NY. The purpose of the meeting was to:

- provide a Site update to Agency Stakeholders;
- discuss the potential impact of the recent gamma radiation walkover survey to the NPS Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Response Action Project;
- discuss the potential impact of the recent gamma radiation walkover survey to the New York State Department of Conservation (DEC)/Federal Emergency Management Agency (FEMA) Hazard Mitigation Project; and
- discuss the path forward.

The agencies represented at the meeting included the U.S. Nuclear Regulatory Agency (NRC), the DEC Radioactive Materials Management Section, Bureau of Hazardous Waste and Radiation Management Division of Materials Management (Radiation Program), New York State (NYS) Department of Health (DOH), NPS, DEC Region 2, U.S. Army Corps of Engineers (USACE), FEMA, and NYS Division of Homeland Security and Emergency Services (DHSES). Cathy Moyik of the U.S. Environmental Protection Agency (EPA) Region 2 participated for a brief period at the beginning of the meeting to discuss possible inclusion of the Site on the EPA Federal Facility Docket. Other entities included The Johnson Company (JCO) and Woodard & Curran (both supporting NPS) and Princeton Hydro (supporting USACE). A copy of the meeting attendance list and the agenda are attached for reference. Note that Tom Papura from the DEC Radiation Program was present at the meeting but was inadvertently omitted from the attendance list.

Participating via phone were Tim Rice (DEC Radiation Program), Sage Franz (DHSES), Cathy Moyik (EPA), and Don Maynard (JCO). Dave Taft (NPS) and Daphne Yun (NPS) were present for the Site Tour, but unable to attend the meeting.

1. Overview of Meeting

NPS provided a summary of the Site background (historical filling and land reclamation, prior investigations, the ongoing resiliency project, and the Gateway General Management Plan), a description of the NPS CERCLA Project Status, and a summary of the recent (December 2017) limited gamma walkover survey. The path forward considering the results of the gamma survey for both the NPS CERCLA Response Action Project and the DEC Region 2 (DEC)/FEMA Hazard Mitigation Project were then discussed. A summary of the primary topics, associated discussion, and as applicable, action items follows.

2. Desired Future Condition for Spring Creek Park

- The DEC/FEMA Hazard Mitigation Project strongly supports the Gateway General Management Plan's (GMP's) desired future condition for the Site that includes maintaining Spring Creek Park as a natural area that requires minimal NPS operations, eradicating invasive species, restoring saltmarsh and forested areas to improve resiliency, and limiting access to designated trails.

NPS is therefore undertaking their CERCLA Project in concert with the DEC/FEMA Hazard Mitigation Project to select a final and permanent CERCLA response action for the Site.

- Because the projects are on parallel paths, certain CERCLA Project milestones must coincide with key Hazard Mitigation Project milestones, specifically:
 - NPS CERCLA Site characterization and risk assessment – goal is to complete before the Hazard Mitigation Project final design (target 2019); and
 - NPS CERCLA response action – goal is to implement before or during the Hazard Mitigation Project construction (target 2020)

3. NPS CERCLA Project Path Forward

- Ongoing NPS Engineering Evaluation/Cost Analysis (EE/CA) Site characterization planning activities and document development (e.g., Sampling and Analysis Plan) will resume.
- Radiological constituents will be added as Contaminants of Preliminary Concern and analyzed for in currently proposed soil borings and monitoring wells. No additional Site-wide soil sampling will be performed due to results of the December 2017 limited gamma walkover survey.
- Health and safety protocols will be modified for radiological contamination (e.g., radiation safety plan, etc.).
- Radiological constituents will be incorporated into the risk assessments and if necessary, the EE/CA.
- No comprehensive gamma radiation walkover survey is planned during CERCLA Site characterization activities.
- **Action Items:**
 - NPS will proceed with the CERCLA Project as noted above.
 - As agreed to in the current Great Kills Memorandum of Understanding (MOU) between NPS and the NRC, NPS will provide the NRC for review and comment draft documents and information concerning the CERCLA work relating to investigations, removal actions, and remedial actions as they relate to radiological material at the Site. The draft Sampling and Analysis Plan and other pertinent planning documents will be provided to the NRC for review. NPS will contact the NRC to discuss the document review schedule.

4. DEC/FEMA Hazard Mitigation Project Path Forward

- NPS/USACE proposed completing a Site-wide gamma walkover survey during Project construction, after the final grade is set, but before the 1- to 2-foot of soil cover is placed. During this survey, identified man-made radioactive articles encountered in near surface soils would be removed (by hand) and properly disposed off Site. This would minimize future potential exposure in near surface soils (but not address man-made radioactive articles potentially buried at greater depths).
- Agency stakeholders generally agreed with this approach, but with discussion regarding possible opportunities to perform spot checks and remove man-made radioactive articles to the degree possible during construction (i.e., do not wait until final grade to survey/identify articles for removal). Possible additional strategies discussed included.
 - Material screening during excavation activities. Although the screening methodology and extent of materials screening has not yet been determined for the Hazard Mitigation Project, the ongoing design includes screening of excavated materials to remove trash and debris. This may allow an opportunity to identify and remove man-made radioactive articles.
 - Use of a radiation portal station for outgoing trucks loaded with debris/trash.

- Naturally occurring radioactive materials (e.g., thoriated sand) encountered during excavation activities would be re-used on Site (these materials would not require special handling and/or off-Site disposal).
- Licensing – there was discussion regarding the need for the Hazard Mitigation Project contractors to have an NRC radioactive materials license to implement the Project. The agency stakeholders agreed that a NYS license or NRC license with reciprocity would be required. There was discussion regarding who should hold the license (e.g., the prime contractor or subcontractors), whether the license would need to be implemented during the work, timing to obtain a new license (90 days), and potential concern regarding the finite number of construction contractors potentially qualified to bid on the Project.
- **Action Items:**
 - After completion of the Hazard Mitigation Project detailed design (and before 90%), NPS/USACE will schedule a technical planning meeting to discuss various items (e.g., strategies/options for radiological screening and removal of man-made radiological articles during implementation, licensing, etc.) that may be incorporated into the Hazard Mitigation Project design.
 - Dave Watters (USACE) will forward an example subcontractor licensing spec to Geoff Goll (USACE A/E).

5. Future Land Use Controls

- There was discussion regarding the potential that deck markers and/or other man-made radioactive articles may remain buried on-Site after completion of the final remedy for the Site. Agency Stakeholders expressed the desire to incorporate institutional or land use controls into the final remedy for the Site to memorialize the potential subsurface presence of radiological materials and to minimize potential future exposure if Park use changes, buildings are constructed, etc.
- **Action Items:**
 - Although environmental easements on federal land may not be an option, NPS will evaluate other forms of control or restrictions as part of the ongoing CERCLA EE/CA.

6. NRC Release of the Site - Restricted vs. Unrestricted (10 CFR 20 Subpart E)

- Per NRC, restricted release is rare and not preferred.
- For unrestricted release, dose analysis/modeling to evaluate receptors will be required at completion of the CERCLA Project (i.e., after implementation of the final CERCLA response action).
- The NRC dose criterion (per 10 CFR 20 Subpart E) for unrestricted release is 25 millirem per year, compared to DEC current guidance (10 millirem per year) and EPA guidance for CERCLA sites (15 millirem per year).
- Based on current information and likely exposure scenarios, a dose of less than 1 millirem per year is anticipated.
- Because Spring Creek Park is located on federal land, the final dose criterion decision will likely be a federal vs. state decision (however, DEC Radiation Program requested the opportunity to provide input and/or consideration of their guidance).

7. Memorandum of Understanding (MOU)

- An MOU between NRC and NPS was executed on 11 JAN 2018 for the purpose of minimizing dual regulation and duplicative regulatory requirements at Gateway's Great Kills Park. The meeting included discussion regarding amending this MOU to incorporate Spring Creek Park.
- **Action Items:**
 - The existing Great Kills Park MOU will be reviewed by NRC and as appropriate, modifications/amendments to include Spring Creek Park (or potentially Gateway) proposed to NPS.
 - The NPS Primary Point of Contact (Kathleen Cuzzolino) will be modified in the revised MOU (NPS suggests Park Superintendent Jennifer Nersesian). Note that Kathleen Cuzzolino, although now a USACE employee, will maintain her technical and day-to-day responsibilities for NPS at the Spring Creek Park Site.
 - Because of the accelerated timeline of the two projects, NRC will evaluate resources necessary to support the CERCLA and Hazard Mitigation Projects.

8. Current Spring Creek Park Access

- Based on currently available information and the results of the December 2017 limited gamma walkover survey, both DEC Radiation and the NRC agreed that data does not support closing Spring Creek Park to public use at this time.

**SPRING CREEK PARK
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MULTI-AGENCY PLANNING MEETING AGENDA**

Date: February 28, 2018
Time: 10:00 am – 3:00 pm EST
Location: See Below
Dial-In Number: 1-800-356-8278
Conference Code: 852044

Spring Creek Site Tour (10:00 – 11:30 am)

Meet at Spring Creek Park Entrance
Site Tour (via vehicle)
165th Ave & 92nd Street, Queens, NY 11414

Meeting & Discussion (12:00 pm – 3:00 pm)

Jamaica Bay Wildlife Refuge Visitor Center
75-10 Cross Bay Blvd, Broad Channel, NY 11693 ([map](#))

Meeting & Discussion Agenda

1. Meeting Purpose
2. Site Description and Background
 - Historical Filling
 - Prior Investigations
 - Restoration and Resiliency Projects
 - NPS Gateway General Management Plan
3. CERCLA Project and Status
4. Gamma Radiation Walkover Survey & Results
5. Path Forward
6. Questions & Discussion

SPRING CREEK Park

2/28/18

Ken Kalman	NRC/DUWP/MDB	301-415-6664
Stephen Kocnick	NRC/DUWP/MDB	301 415 6631
Laurie Kauffman	NRC Region 1	610-337-5323
John Tappert	NRC/DUWP	301-415-7319
Jon Nersesian	NPS	718-354-4665
Dave Watters	USACE	443-702-6177
LISA BARON	USACE	917-790-8306
Kathleen Arzolino	USACE	917-533-8022
Michael Morgan	USACE	917-790-8269
Joanna Fieldt	NYSDEC	718-482-4057
Doug Winkler	FEMA - EHP	518-366-3946
Steve Zahn	NYSDEC	718-482-4949
Patti Rafferty	NPS Gateway	718 815 7180
Lisa McIntosh	Woodward-Carran	781-690-7431
Tracy Planinsek	The Johnson Company	207-228-5908
Marc Sullivan	NYS Dolt	518-402-7577
Geoff Goll	Principal Hydro/A/E for Corps	609-915-925 cell
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