

**Summary**  
**Great Lakes Commission Beneficial Use Task Force Meeting**  
**October 4-5, 2000**  
**Park East Hotel, Milwaukee**

**October 4:** The meeting opened with a update of state and federal dredging and beneficial use activities by task force members and observers. A presentation of Federal coastal zone management beneficial use consistency followed. After this presentation, the task force held a lengthy review and discussion of the draft preliminary recommendations, outline of beneficial use brochure and proposed content of the final report.

Illinois Update

It was determined that contaminated dredged material may not be used to cap the John Mansfield Superfund site. Furthermore, appropriations for RAP cleanup may not be available.

Indiana Update

Indiana is trying to standardize a process for beneficial use determinations. The current case-by-case determination process is considered extremely time-consuming and it is the hope that a standard process would expedite future beneficial use projects. Following this discussion, a question was raised regarding the definition of beneficial use. Indiana is in the process of planning to build a CDF on a site that previously contained an oil refinery. The CDF would cap land that has free product floating on the soil surface. The question involved in this process is if Indiana can consider this a beneficial use project. It was noted that Indiana, as well as other states, has a need for a clearer definition of capping as a beneficial use.

Minnesota Update

The mineland reclamation research project is still underway with the dredged material being brought to the site for next year's growth season. The project is also assessing the use of an existing rail that had served the mine as a best-cost transport alternative through the delivery of approximately 3000 cubic yards to the site. In addition to the best-cost study, Dr. Wu of NRRI has continued work on a heavy metals separation technique project that will be completed by the year's end. The largest sale of Erie Pier sand occurred this year, with a total of 70,000 cubic yards sold.

The 21<sup>st</sup> Avenue West project is on hold for time being because there is a need to address site considerations and remediation techniques, such as capping. In addition, Superfund issues need to be addressed before they can continue with the project.

New York Update

New York has had several accomplishments to date. Recently, two beneficial use determinations (BUDs) were issued; one for the use of dredged material in hot mix asphalt product and another for the use of dredged material as commercial fill at brownfield cleanup and voluntary cleanup sites. In addition to the BUDs, the NYSDEC approached Blue Circle Cement Co. to gauge its interest in the use of dredged material as a source of silica. The company was willing to consider such a use, but an evaluation is needed to assess the technical needs, financial costs and benefits, in addition to handling and worker safety issues. The University of New Hampshire and NYSDEC are initiating a

study to assess the cost and benefits of this potential beneficial use. If Blue Circle Cement Co. decides to proceed, it will be required to develop a BUD petition.

The NYSDEC also developed an internal procedural document for the use of dredged material in cleanup sites, such as spill sites, brownfields, landfills, and voluntary and hazardous (superfund) sites. One issue brought up during New York's discussion was potential CERCLA liability problem with the use of dredged material. Because New York has more conservative contamination criteria for state superfund sites than federal criteria for superfund sites, some cases exist where dredged material may be excavated from a site that does not have federal superfund status, but when placed upland may be subjected to state superfund criteria. It was noted during the discussion that the state and the U.S.EPA could use a brownfield memorandum of understanding (MOA) as a model and perform a risk analysis that asserts that the state will not prosecute under CERCLA to rectify this problem. One issue related to this suggestion was that existing MOAs of this type address existing contamination, not new material brought to the site. It was noted that Minnesota addressed the problem of CERCLA liability in regards to mineland reclamation by agreeing to run a pilot project.

#### Ohio Update

The 401 certification program is undergoing revision by an interagency group. Part of the revisions will include incorporation of beneficial use of dredged materials into the program.

#### Pennsylvania Update

Pennsylvania, with cooperation from the Ohio DNR, has recently completed the preliminary restoration plan for the 1135 Environmental Improvement Project. A project feasibility study is now underway. The current plan for the project is to use dredged material to build an island. Other projects currently underway include beach nourishment using dredged material from Presque Isle and a turtle habitat creation project on Misery Bay. The Pennsylvania DEP is also considering filling and capping the Presque Isle CDF because it is underutilized, and creating a recreational area. Results from sediment testing will in part determine whether this plan will proceed.

#### Wisconsin Update

The dredged material management and use work group, a sub-group of the interagency Contaminated Sediment Advisory group and comprised of staff from the Wisconsin Department of Natural Resources (WDNR) and area port authorities, had been floundering but eventually started work. The subgroup, with assistance from the DOT, CZMP and University of Wisconsin worked to clearly identify the issues of importance when managing contaminated sediments, such as acceptable contaminant levels, acceptable uses and a workload assessment on WDNR. This information is to be reported to the Secretary of the WDNR. It was also noted that hot spot remediation issues were the original focus of advisory group, but the focus has now been extended to beneficial use of dredged material.

The U.S. Army Corps of Engineers has done some preliminary planning under Section 204 to rebuild the Cat Island chain of Green Bay, with consideration of the use of dredged material. Brown County is creating a plan to that would provide local support in further efforts by the Corps to rebuild the chain.

#### U.S. Army Corps of Engineers– Great Lakes District Office Update

The Corps' Upland Testing Manual is slated to be under internal review in November, with a larger, external review to follow. The manual consolidates upland confined disposal protocols, and also

contains TSCA and RCRA analysis. The purpose of the manual is to logic with risk-based decision making. It was suggested during the discussion that the Corps solicit feedback from the states prior to finalization of the document.

#### Consistency/Coastal Zone Management

The state updates were followed by a presentation by Neil Christerson of NOAA's Coastal Programs Division on federal consistency in coastal zone management. Christerson explained that part of the process of ensuring federal consistency is that federal agencies notify states of activities, with the states determining if the federal agencies are meeting state standards. Typically, state and local involvement with dredged material management includes covering the costs of a project that are above the minimum costs necessary to meet the federal standard. The Conneaut Harbor project was provided as an example integrating state coastal zone management with federal dredging activities (i.e., the federal standard. Periodic dredging in Ohio is dumped offshore for littoral nourishment in Pennsylvania. Because the cost difference between the federal program of disposal and the interstate littoral nourishment project was small, the USACE agreed to pay the difference. However, if the cost difference had been great, as is the case in some projects, the cost-sharing may have become problematic and potentially prohibitive. It was noted that these issues are extremely important to discuss at the outset of a coastal management project, and it is very important to include all stakeholders in the discussions, including Congressional representatives. Neil Christerson also announced that the National Dredging Team is sponsoring a meeting of the Regional Dredging Teams in January in Jacksonville, Florida. Also, Coastal Zone 2001 (CZ01) will be held in Cleveland in July. One proposed session at CZ01 will focus on the beneficial use of dredged material. Members of the Great Lakes Dredging Team and the Beneficial Use Task Force were encouraged to participate.

#### Draft Preliminary Recommendations/Brochure Outline/ Final Report Outline

The Task Force reviewed the draft preliminary recommendations for finding and advancing beneficial use alternatives. (Comments from the discussion are provided in a appendix to the Meeting Summary.) In addition, the Task Force reviewed and approved outlines for the Beneficial Use Task Force Final Report and the Beneficial Use of Dredged Material informational brochure.

**October 5:** The second day of the meeting was a joint session with the Great Lakes Dredging Team. The day opened with a welcome and announcements by the GLDT co-chairs, followed by presentations by the Sierra Club's Great Lakes Office and the USACE on public involvement in contaminated sediment cleanup and the development of an upland testing manual, respectively.

#### Public Involvement Process for Contaminated Sediment Cleanup

Emily Green from the Sierra Club's Great Lakes Office explained that the focus of this project was to increase public involvement so that progress in cleanup of contaminated sediments is not prevented by a lack of public support. The objectives of the project were threefold: identify barriers to public involvement, find solutions to overcome these barriers and build a framework for a public involvement model. Key findings from the project include the idea that the public must be involved from the beginning of a project and must be kept updated and active throughout the process and that governmental agencies need to be clear from the start when key decisions involve public input and when the public cannot be involved due to legal, regulatory or time constraints.

#### Upland Testing Manual

Tom Patin from the Waterways Experiment Station of the USACE gave a brief presentation regarding the development of an Upland Testing Manual for dredged material. He estimated that the time of document finalization should occur by the end of 2001. The manual outlines procedures for addressing three issues: risk/pathway considerations; environmental impact assessment; and sampling and analysis procedures. He stressed that this document only addresses confined disposal in upland environs. Therefore, it was unclear how the upland testing manual relates to beneficial use. Relative to this issue, it was noted that there is a need to identify pathways for various upland unconfined applications.

**October 5, continued:**

These presentations were followed by a review of the changes made the previous day on the Beneficial Use Task Force's draft findings and recommendations and a presentation of the Beneficial Use Brochure outline. (Additional suggestions regarding the draft recommendations are incorporated into the appendix.)

The GLDT and the Beneficial Use Task Force then met with the National Association of Conservation Districts (NACD) Great Lakes Committee and the Great Lakes Commission's Soil Erosion and Sedimentation Task Force for presentations by the Great Lakes Water Institute on Episodic Events Great Lakes Experiment and by the USACE on the Milwaukee Confined Disposal Facility and beneficial use pilot project.

Episodic Events Great Lakes Experiment

Dr. J. Val Klump presented a general overview of the long-term Episodic Events Great Lakes Experiment (EEGLE). The purpose of this experiment is to develop an integrated observational program and computer modeling effort to identify, quantify, and develop prediction tools for the winter-spring resuspension event in Lake Michigan and to assess the impact of this event on the transport and transformation of biogeochemically important materials and on lake ecology. The research program, which included three seasons of data collection starting fall 1997, is expected to be completed in 2002. Research products will include an extensive Great Lakes data collection and the development of research models for the Great Lakes. These models will incorporate ice, currents, waves, and temperature data; sediment transport data; and lower food web simulations.

Milwaukee Confined Disposal Facility and Beneficial Use Pilot Project

Dave Bowman from the Detroit District of the USACE gave a brief overview of the 1998 bioremediation demonstration project in Milwaukee, Wisconsin. The project involved the treatment of moderately contaminated dredged material with the intent of removing PAHs and PCBs through the use of bioremediation, volatilization, and phytoremediation. The construction of biomounds on a portion of the CDF was as follows: a layer of wood chips was placed on the ground with dredged material placed upon the wood chip layer. More wood chips were then added to the dredged material and the mounds were tilled.

At the end of the pilot study, several conclusions were made. The level of PAHs had remained fairly consistent in the biomounds, but the concentration of PCBs dropped significantly in the same period of time. The task remains to find a method to reduce the concentration of PAHs in the biomounds without compromising the degradation of the PCBs.