



A Collaborative NRDA at the Newport, DE Superfund Site.

Stahl, R.G.(1), Gouguet, R. (2), Biggs-Sanger, J. (3), Krest, S. (4),
Nicholson, M. J. (5), Boettler, A. (6) and Knight, P. (7).

How We Began: Contact Between DuPont & Trustees

- Initially invited by federal trustees to conduct additional clean up and restoration in 2000 - declined.
- Invited to a "collaborative" assessment by state and federal trustees in 2002 - accepted w/ conditions.

What Brought Us Together ?

- Desire to bring finality to the site.
- Previous work history with the people involved - good experiences fostered trust.
- Trustee recognition of the highly successful wetland restoration already implemented by DuPont

Collaborative NRDA

- Arranged for all trustee agencies to participate in the process
- Reached verbal agreement to conduct cooperative assessment, valuable time not spent on developing process agreements
- Established ground rules for operation that allowed flexibility, reduced contention (e.g., focused on technical issues, initially w/o attorneys)
- Conducted site visit early in the process



The miracles of science™

Ground-rules !

No lawyers
No baggage (start from scratch)
Specific lead trustee (individual)
No "up-front" payments
Move process at a steady pace

Flexible Assessment Tools

- Used tools that would facilitate rapid progress in the assessment.
 - Created database of existing sediment chemistry and toxicity
 - Additional data maps and CAD drawings provided by DuPont & imported to GIS
 - Agreement to use GIS & sediment quality guidelines in assessment to quantify agreed upon injuries
- All products available to whole team



Pre-remediation



North Wetlands

Post Restoration



Pre-remediation



South Wetlands

Post Restoration

Valuable Process Parameters

- Identified DuPont and Trustee expectations at first meeting
- Mutual trust established early on and maintained through the process
- Kept discussions to technical and scientific issues, stayed away from legal or policy issues
- Quickly focused on resolution of the site's problems rather than on history.
- Used HEA as a central focus for estimating injury and compensation
- Agreed on HEA parameter values and modified values when new data were available
- Used site-specific data on restoration progress as credits towards service flows
- Identified restoration options very early in the process, made some site visits, worked with NGOs
- Kept as close as possible to an agreed upon timeline
- All parties committed to making progress
- Had some fun working through the process

Current Status

Finalized agreements on:

- Habitats and / or assessment area
- Use of HEA, input parameters
- Use of LRM vs site specific data for injury estimation
- Use of EPW data to credit service flows for already implemented restoration
- Use of local NGOs to help identify restoration options

Still working on:

- Restoration options / sites
- Legal language for settlement

Contact Information

Stahl - DuPont Company, Barley Mill Plaza Bldg 27, Route 141 & Lancaster Pike, Wilmington, Delaware 19805. Ph (302) 892-1369.

Gouguet - NOAA NOS OR&R CPRD Building 4, 7600 Sand Point Way NE, Seattle, WA 98115. Ph (206) 526 6938

Biggs-Sanger - State of Delaware, DNREC, Site Investigation and Restoration Branch, 391 Lukens Drive New Castle, Delaware 19720, Ph (302) 395-2680

Krest - US FWS, CBFO, 177 Admiral Cochrane Drive, Annapolis, MD 21401. Ph (410) 573-4525

Nicholson - DuPont Company, Barley Mill Plaza Bldg 27, Route 141 & Lancaster Pike, Wilmington, Delaware 19805. Ph (302) 992-6941

Boettler - DuPont Company, Barley Mill Plaza Bldg 27, Route 141 & Lancaster Pike, Wilmington, Delaware 19805. Ph (302) 892-0647.

Knight - NOAA NOS OR&R, CPRD, c/o US EPA (3H541) 1650 Arch Street, Philadelphia, Pa. 19103, Ph (215) 814-3321.

