

Aerovox
17.2
461065

CONSENT FOR ACCESS TO PROPERTY

NAME: Former Aerovox Property owned by the City of New Bedford,
Massachusetts

Hadley Street to the extent the City of New Bedford has ownership
interest

**DESCRIPTION OF
PROPERTY:** 740 Belleville Avencuc, New Bedford Massachusetts
Lot 88, Plat 112 on New Bedford Assessor's Map

Hadley Street to the extent the City of New Bedford has ownership
interest

I (We) consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA"), entering and having continued access, beginning immediately, to the above-referenced properties for the purpose of conducting response action activities in association with the New Bedford Harbor Superfund Site and the Aerovox Non-Time Critical Removal Action ("NTCRA"), which may include, but shall not be limited to, any or all of the following activities:

New Bedford Harbor Superfund Site

1. conduct dredging activities in the Acushnet River and along the shoreline of the property;
2. construct and operate a temporary booster pump station and dredge piping during dredging seasons including ingress and egress to the pump station and diesel fuel deliveries as generally described in Exhibits 1 and 2;
3. conduct environmental monitoring including air, soil, surface water, groundwater and sediment sampling; and
4. perform any other activities necessary to implement the response action for the Site.

Aerovox Non-Time Critical Removal Action

1. conduct oversight activities associated with the Non-Time-Critical Removal Action ("NTCRA") which includes demolition, management, transportation and off-site disposal of building structures, equipment and debris;



City of New Bedford Access Agreement
Lot 88, Plat 112 (former Aerovox property)
And Hadley Street
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- 2. conduct environmental monitoring including soil, groundwater, surface water, building structures and equipment, and debris and air sampling;
- 3. assist in implementing institutional controls deemed necessary to ensure protection of human health and the environment and protectiveness of the removal action;
- 4. inspecting and monitoring the Site during and at the completion of all NTCRA work to ensure restoration measures are successful; and
- 5. perform any other activities necessary to implement the NTCRA.

I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

CITY OF NEW BEDFORD

5/7/09
Date

BY: R. Renee Fernandes-Abbott
Signature of Property Owner or
Owner's Authorized Representative

Approved as to form
and legality.

Irene B. Schall
Irene B. Schall
City Solicitor

Name: R. Renee Fernandes-Abbott

Title: Treasurer/Tax Possession Custodian
City of New Bedford

Address: 133 William Street
New Bedford, MA 02740

Phone: (508) 979-1430

CITY OF NEW BEDFORD

Law Department
133 William Street, Room 203
New Bedford, MA 02740-6163

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Fax.# (508) 979-1515



FAX -

TO: Cindy/US EPA New England
FAX: 617-918-1809
FROM: Irene B. Schall, City Solicitor
DATE: May 7, 2009
SUBJECT: Consent for Access to Property/Former Aerovox Property

TOTAL PAGES INCLUDING COVER SHEET: 3

COMMENTS: Attached please find signed Access Agreement. Your original signed agreement will go out in today's mail. Thank you. *Irene B. Schall.*
