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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

June 17, 1996

Honorable Barney Frank
U.S. House of Representatives
2404 Rayburn Building
Washington, DC 20460

Superfund Records Center

SITE: New Bedford

BREAK: 14.01

OTHER

OFFICE OF THE
REGIONAL ADMINISTRATOR



SDMS DocID 000200884

Dear Congressman Frank:

Thank you for your letter of support to Administrator Carol Browner regarding the proposed next phase of cleanup for the New Bedford Harbor Superfund Site. Administrator Browner referred your letter to our regional office for response, as this project is located within EPA-New England's purview.

It is certainly rewarding to see that our commitment to a community-based consensus-building approach has begun to bear fruit. Your letter also endorses a proposed enhancement of this remedy by linking the harbor's navigational dredging to the Superfund-related dredging. While this is a novel concept which raises a wide variety of regulatory and implementation issues, EPA-New England believes that it is nevertheless one that holds promise both environmentally and economically. Large volumes of contaminated sediment below Superfund criteria would be disposed of in an environmentally safe manner, and the deepening of the shipping channels to their original depths would contribute to the economic well being of the surrounding communities.

Our initial assessment of the primary issues associated with the proposed remedy enhancement suggests that it is a concept that could work within the existing regulatory framework. We hope to finalize this assessment in time for a September 1996 "Proposed Plan" in order to solicit public comment on both the proposed phase two remedy and the proposed navigational enhancement. In the meantime, we will continue to work with the many parties involved, including the City of New Bedford, the state DEP, and the Army Corps of Engineers, to coordinate and resolve the implementation issues raised by this project.

Thank you again for your letter and for your support. If you have any further questions in this regard, please contact me or Al Frezza in our Office of Government Relations at (617) 565-3162.

Sincerely,

John P. DeVillars
Regional Administrator



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May 6, 1996

The Honorable Carol Browner
Administrator
E.P.A.
401 M Street S.W.
Washington, DC 20460

Dear Administrator Browner,

I am writing to express my strong support for the proposed Record of Decision (ROD) for the next phase of the New Bedford Harbor Superfund Cleanup. It is my understanding that the officials at the EPA Region I office have already agreed to this plan and are waiting for approval from the main office in Washington before moving forward.

At present, EPA's proposed site remediation plan for the Harbor is to dredge only those sediments with PCBs in excess of 50 ppm. Under this plan, the sediment to be dredged in the Harbor would not include any of the sediment necessary for navigational maintenance dredging which the Harbor also needs. However, this maintenance dredge area is actually physically located within the boundaries of the New Bedford Harbor Superfund Site. For a host of policy and financial reasons, I believe that we should take advantage of this correspondence between the area requiring maintenance dredging, which contains lower levels of contamination, and the area requiring remedial action by integrating the maintenance dredging into the New Bedford Harbor remedial action. Fortunately, this course of action is allowed under the "Enhancement Remedy" provisions of 40 CFR 300.515(f) of the National Contingency Plan (NCP).

From the environmental standpoint, including the maintenance dredging area as a part of the remedial action will result in the cleanup of significant, additional amounts of contaminated sediments sooner than would otherwise be possible. This expanded scope of remediation, which would remove additional hazardous sediment and reduce potential exposure to the contaminants, would clearly "enhance" the environmental and public health benefits resulting from the remedy. Moreover, the maintenance dredging will work in concert with the City's own plans for developing New Bedford Harbor for public and economic uses, thereby mitigating some of the financial burden associated with the remedy. In addition, the City's own interest in maintenance dredging will help expedite the process of identifying and agreeing upon potential disposal sites for dredged materials with lower levels of contamination and solutions to other issues associated with the disposal of the dredged sediment.

This project is extremely important to me, and I hope it will receive your approval. In the future, I'm available for any conversation you may want to have on this matter.



BARNEY FRANK