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Superfund Records Center

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July 10, 1992

Ms. Julie Belaga  
Regional Administrator, Region I  
U.S. Environmental Protection Agency  
John F. Kennedy Federal Building  
Boston, MA 02202



SDMS DocID 000200888

Dear Ms. Belaga:

The natural resource trustees involved in the New Bedford Harbor Superfund site have formed the New Bedford Harbor Trustee Council (Trustee Council) to coordinate our efforts to restore injured resources. Our efforts depend greatly on the remedial actions you select for the harbor and Upper Buzzards Bay. This letter highlights the issues that are crucial to our restoration role. You will be receiving detailed comments from each trustee under separate cover.

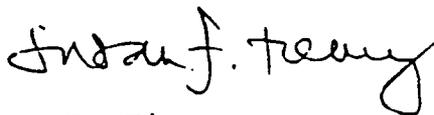
Our greatest concern is to ensure an adequate clean-up target level that will be protective of the ecosystem. We concur with the U.S. Environmental Protection Agency (USEPA) that the no-action alternative is not an appropriate course of action. We generally support the preferred alternatives presented in the Proposed Remedial Action Plan (PRAP) and the supplemental PRAP, with special concern that the remedial action must:

- o Minimize potential injury that could require additional mitigation to meet state and federal applicable or relevant and appropriate standards, requirements, criteria or limitations (ARARs);
- o Ensure appropriate target clean-up levels in wetlands (especially in the upper harbor) and open waters (including Upper Buzzards Bay);
- o Consider a schedule for reviewing the protectiveness of the remedies more frequently than required by law;
- o Include in the Record of Decision (ROD) firm commitments to prepare peer-reviewed monitoring plans and protocols during the remedial design phase to establish a baseline for evaluating the effectiveness of remedial actions and restoration; and
- o Prepare contingency plans in the event that pre-design sampling reveals high polychlorinated biphenyl (PCB) levels, especially in the out harbor area addressed by the supplemental PRAP.

Our concerns about the preferred alternative clean-up levels in the Estuary/Harbor/Bay will be discussed in detail in the individual agency comment letters. We support the USEPA's proposed action for the Upper Buzzards Bay as announced in the supplemental PRAP which proposes to clean areas of 10 ppm or greater total PCBs. The revised PCB target level for bay sediments will greatly improve the prospects of restoration. We appreciate the difficulty of that decision, and applaud Gayle Garman's efforts. The Trustee Council will work with Ms. Garman and her colleagues in the Waste Management Division to ensure that the remedial action plan supports our intent to restore injured natural resources.

The Trustee Council and its member agencies look forward to working with EPA on these important issues of mutual concern.

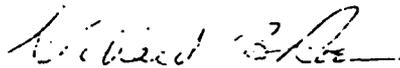
Respectfully,



Susan F. Tierney  
Secretary, Executive Office of  
Environmental Affairs,  
Acting on behalf of the  
Commonwealth of Massachusetts,  
Trustee



William Patterson  
Office of Environmental  
Affairs,  
Acting on behalf  
of the U.S. Department of  
the Interior, Trustee



Richard B. Roe  
Regional Director, Northeast Region,  
National Marine Fisheries Service,  
Acting on behalf of the National Oceanic and  
Atmospheric Administration, Trustee