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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Admin.
National Ocean Service
Office of Ocean Resource Conservation and Assessment
Hazardous Materials Response and Assessment Division
c/o EPA Office of Site Remediation and Restoration (HIO)
J.F. Kennedy Federal Building
Boston, MA 02203
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Mr. David Dickerson
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Boston, MA 02203

Superfund Records Center

SITE: New Bedford

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OTHER



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Dear Dave:

Thank-you for the Proposed Cleanup Plan for New Bedford Harbor - Upper and Lower New Bedford Harbor. NOAA is in general agreement with the proposed plan, and appreciates the mention of previous comments by the natural resource trustees on Page 18, but disagrees on several technical issues; comments are provided below.

1. NOAA disagrees with the Figure shown on Page 10-11; particularly, the filled-in circles that indicate "meets or exceeds criteria" for the first criterion "Protects human health and environment" under the 50 ppm cleanup levels on Page 11. First, although better than no cleanup at all, in no way does a uniform 50 ppm cleanup level protect the environment. In fact, the third paragraph on Page 18 ("Why does EPA Prefer the Proposed Alternative") states that "(T)he proposed remedy applies this 10 ppm TCL to the upper Harbor only since this area . . . contains ecologically important breeding, nursery and feeding areas." In addition, under #4. Prior Proposed Plans on Page 15, EPA states that "EPA . . . has lowered the upper harbor TCL to 10 ppm . . . to provide an additional measure of risk reduction for both human health and ecological risks." Second, when reviewing the EPA-published New Bedford Harbor Long-Term Monitoring Assessment Report: Baseline Sampling dated October 1996, one notes significant sediment toxicity in the lower Harbor with concomitant PCB concentrations between 1 and 50 ppm. Hence, 50 ppm is not a sediment concentration that meets or exceeds criteria, in fact 10 ppm may not either. Nevertheless, NOAA supports the 50 ppm target level in the lower Harbor and 10 ppm in the upper Harbor due to the implementability problem of moving below 10 ppm and the fact that "(T)he lower Harbor is a state designated port area, and is predominantly lined with industrial and commercial facilities." (as discussed on Page 18).

2. NOAA is not convinced that a 50 ppm salt marsh TCL is protective of the natural resources that utilize these wetlands for feeding or as habitat. Although we recognize that a 10 ppm TCL would result in more initial salt marsh removal there is no assurance in the plan that action will be taken to lower the TCL if, during monitoring, the salt marsh is seen as a hazard to natural resources or acts as a source of PCBs to upper Harbor sediment. In fact, it is not clear how the salt marshes will be monitored. NOAA requests that any monitoring plan include the measurement of both the sediment concentrations and the effects on indigenous and adjacent living resources. If such living resources show unacceptable bioaccumulation in the future then EPA should entertain a plan to lower the salt marsh TCL.

3. NOAA is interested in including a comprehensive cleanup in the outer Harbor in this plan rather than putting it off to a third Operable Unit. Presently, EPA plans to remove PCB sediment concentrations above 50 ppm at two locations outside the hurricane barrier (Page 15). Given the time needed to build the CDFs, and to remove upper and lower Harbor sediments, it seems

plausible that the further study needed to determine the extent of the PCB contamination outside the hurricane barrier (outer Harbor) could be completed before the CDFs are closed. In this way, all PCB concentrations above 10 ppm in the outer Harbor could be removed and likely placed in the planned CDFs. Previously, in 1991 and 1992, NOAA explained the environmental rationale behind removing elevated outer Harbor PCB sediment concentrations; this explanation is summarized in Section 4.4.2.5 in the 1992 New Bedford Harbor Supplemental Feasibility Study. EPA agreed in that document (Section 4.4.2.4) that the 10 ppm sediment concentrations exceed the recommended ecologically based TCL levels by at least an order of magnitude.

4. NOAA's National Marine Fishery Service (NMFS) is concerned about the significant lack of detailed information regarding the request by the state to include navigational dredging as an "enhancement to the remedy." Prior to an EPA decision to include this activity within the scope of the remediation of New Bedford Harbor, NMFS strongly recommends the completion of a Clean Water Act Section 404(b) evaluation. This undertaking needs to include a thorough alternatives analysis that identifies the least environmentally damaging practicable alternative for the spatial extent of dredging and available disposal options. The Proposed Cleanup Plan indicates that the navigational dredging would result in an additional 1 million cubic yards of sediments, more than tripling the total quantity of dredged material. Impacts associated with this large increase in dredging activity and dredge material disposal could lead to a significant degradation of the aquatic environment of the New Bedford Harbor region. However, the only mention of these impacts in the Proposal is a reference to a "likely" sediment disposal site in a large "navigational" combined disposal facility (CDF) just north of the hurricane barrier. Without additional information and until the impacts are fully analyzed, NOAA/NMFS cannot concur with the proposal for navigational dredging and would have to object to that portion of the project.

Please refer responses concerning issue #4 to Mr. Eric Hutchins, Habitat and Protected Resources Division, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-2298 (508-281-9313)

Sincerely,



Kenneth Finkelstein, Ph.D.

cc: Eric Hutchins (NOAA-NMFS)
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