

New Bedford Harbor Superfund Site
Administrative Record for the Administrative Order
for Property Access to APRAK Realty Trust
Operable Unit 1 – Upper and Lower Harbor
(2001 APRAK Realty Trust Administrative Access
Order)

Index

1990 Hot Spot ROD signed: April 6, 1990
1992 Hot Spot ESD signed: April 27, 1992
1993 City of New Bedford Administrative Access
Order signed: September 10, 1993
1995 Hot Spot ESD signed: October 30, 1995
1998 Upper & Lower Harbor
ROD signed: September 25, 1998
1999 Hot Spot Amended ROD signed: April 22, 1999
**2001 APRAK Realty Trust Administrative
Access Order signed: January 9, 2001
Released on CD-ROM: February, 2009**

Prepared by EPA New England
Office of Site Remediation & Restoration

Introduction to the Collection

This is the Administrative Record for the New Bedford Harbor Superfund site, New Bedford, MA, Administrative Order for Property Access to APRAK Realty Trust (2001 APRAK Realty Trust Administrative Access Order). This Administrative Record was established on January 9, 2001 and subsequently released on CD-ROM in February 2009. This Administrative Record contains site-specific documents used by EPA staff in issuing this Administrative Order for Property Access at the site.

This Record incorporates, by reference, the following Administrative Records for the New Bedford Harbor Superfund site: 1990 Hot Spot ROD, 1992 Hot Spot ESD, 1993 City of New Bedford Administrative Access Order, 1995 Hot Spot ESD, 1998 Upper and Lower Harbor ROD, and the 1999 Hot Spot Amended ROD.

The Administrative Record is available for review at:

EPA New England OSRR Records
and Information Center

1 Congress Street, Suite 1100 (HSC)
Boston, MA 02114
(by appointment)
(617) 918-1440 (phone)
(617) 918-0440 (fax)
www.epa.gov/region01/superfund/resource/records.htm

New Bedford Free Public Library

613 Pleasant Street
New Bedford, MA 02740
(508) 991-6280 (phone)
(508) 991-6268 (fax)
<http://www.ci.new-bedford.ma.us/SERVICES/LIBRARY/library2.htm>

An Administrative Record is required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA).

Please note that the compact disc(s) (CD-ROM) containing this Administrative Record may include index data and other metadata (hereinafter collectively referred to as metadata) to allow the user to conduct index searches and key word searches across all the files contained on the CD-ROM. All the information that appears in the metadata, including any dates associated with creation of the indexing data, is not part of the

Administrative Record for the 2001 APRAK Realty Trust Administrative Access Order under CERCLA and shall not be construed as relevant to the documents that comprise the Administrative Record. These metadata are provided as a convenience for the user and are not part of the Administrative Record

Questions about this Administrative Record should be directed to the New Bedford Harbor Remedial Project Manager at EPA New England.

05: RECORD OF DECISION (ROD)

29602 NEW BEDFORD, OU01, RECORD OF DECISION (ROD), ADMINISTRATIVE RECORD INDEX

Author: US EPA REGION 1

Doc Date: 09/25/1998 **# of Pages:** 42

Addressee:

File Break: 20.01

Doc Type: INDEX

07: REMEDIAL ACTION (RA)

294223 LETTER REGARDING POSSIBLE PURCHASE OF AIR MONITORING POLES INSTALLED BY EPA
(MESSAGE CONFIRMATION AND FACSIMILE COVER SHEET ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 06/15/1999 **# of Pages:** 4

Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

File Break: 07.01

Doc Type: LETTER

443503 NEGOTIATOR'S REPORT REGARDING COUNTER-PROPOSAL AND NEW MEETING WITH POTENTIAL
DEVELOPER

Author: EDWARD J FALLON US ARMY CORPS OF ENGINEERS

Doc Date: 11/20/2000 **# of Pages:** 2

Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS

File Break: 07.01

Doc Type: REPORT

07: REMEDIAL ACTION (RA)

443504 NEGOTIATOR'S REPORT REFLECTING ANOTHER FAX OF UNLIMITED RIGHT OF ENTRY FORM

Author: EDWARD J FALLON US ARMY CORPS OF ENGINEERS
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: REPORT

Doc Date: 11/28/2000 **# of Pages:** 2
File Break: 07.01

443505 NEGOTIATOR'S REPORT REGARDING RIGHT OF ENTRY AND MEETING WITH DEVELOPER

Author: EDWARD J FALLON US ARMY CORPS OF ENGINEERS
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: REPORT

Doc Date: 11/29/2000 **# of Pages:** 2
File Break: 07.01

443506 NEGOTIATOR'S REPORT REGARDING SIGNING RIGHT OF ENTRY AND TENTATIVE MEETING DATE WITH POTENTIAL DEVELOPER

Author: EDWARD J FALLON US ARMY CORPS OF ENGINEERS
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: REPORT

Doc Date: 12/06/2000 **# of Pages:** 2
File Break: 07.01

294225 NEGOTIATOR'S REPORT - 09/12/2000 - 12/11/2000

Author: EDWARD J FALLON US ARMY CORPS OF ENGINEERS
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: REPORT

Doc Date: 12/11/2000 **# of Pages:** 2
File Break: 07.01

07: REMEDIAL ACTION (RA)

294218 MEMO REGARDING MEETING HELD ON 11/15/1999 TO DISCUSS ANTICIPATED REMEDIATION
ACTIVITIES ON PROPERTY

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 # of Pages: 1

Addressee:

File Break: 07.01

Doc Type: MEMO

294221 MEMO REGARDING TELEPHONE CONVERSATION ON 5/25/1999 DISCUSSING LIMITED ACCESS FOR
PROPERTY SURVEY

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 # of Pages: 1

Addressee:

File Break: 07.01

Doc Type: MEMO

294224 MEMO REGARDING MEETING HELD ON 06/03/1999 TO DISCUSS REMOVAL OF AIR MONITORING
SYSTEM AND ANTICIPATED PROJECT PLANS

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 # of Pages: 1

Addressee:

File Break: 07.01

Doc Type: MEMO

294226 MEMO REGARDING MEETING HELD ON 10/23/2000 TO DISCUSS EPA'S OFFER AND ACCESS TO
PROPERTY (NEGOTIATOR'S REPORT ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 # of Pages: 3

Addressee:

File Break: 07.01

Doc Type: MEMO

07: REMEDIAL ACTION (RA)

294228 MEMO REGARDING MEETING HELD ON 10/31/2000 TO DISCUSS IMPACT OF REMEDIATION ON FUTURE DEVELOPMENT OPTIONS (NEGOTIATOR'S REPORT ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 **# of Pages:** 3

Addressee:

File Break: 07.01

Doc Type: MEMO

443507 MEMO REGARDING RIGHT OF ENTRY, NEED TO MOVE PROJECT ALONG AND CONSEQUENCES OF FAILURE TO SECURE ACCESS

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 **# of Pages:** 1

Addressee:

File Break: 07.01

Doc Type: MEMO

08: POST REMEDIAL ACTION

294212 QUITCLAIM DEED (EXHIBIT A ATTACHED)

Author: ALBINO SILVA NEW BEDFORD (MA) CITY OF

Doc Date: 10/22/1997 **# of Pages:** 2

Addressee: KARPA INC

File Break: 08.07

Doc Type: CONTRACT DOCUMENTATION

08: POST REMEDIAL ACTION

294214 QUITCLAIM DEED, BK 4588, PG 347

Author:
Addressee:
Doc Type: INSTITUTIONAL CONTROL(S)

Doc Date: 12/23/1999 **# of Pages:** 2
File Break: 08.07

294215 DECLARATION OF TRUST ESTABLISHING THE APRAK REALTY TRUST, BK 4606 PG 266 - 272

Author: RICHARD VOHNOUTKA APRAK REALTY TRUST
Addressee:
Doc Type: INSTITUTIONAL CONTROL(S)

Doc Date: 01/07/2000 **# of Pages:** 7
File Break: 08.07

294216 QUITCLAIM DEED, BK 4606 PG 288 - 289

Author: RICHARD VOHNOUTKA APRAK REALTY TRUST
Addressee:
Doc Type: INSTITUTIONAL CONTROL(S)

Doc Date: 01/11/2000 **# of Pages:** 2
File Break: 08.07

294213 ACTION OF BOARD OF DIRECTORS AND SHAREHOLDERS OF KARPA INC, BK 4678, PG225

Author: RICHARD VOHNOUTKA KARPA INC
Addressee:
Doc Type: MEMO

Doc Date: 05/11/2000 **# of Pages:** 1
File Break: 08.07

08: POST REMEDIAL ACTION

294219 LETTER REGARDING OFFER TO PURCHASE TWO PERMANENT EASEMENTS AND ONE THREE YEAR TEMPORARY WORK EASEMENT TO IMPLEMENT THE REMEDIAL ACTION (TEMPORARY WORK AREA EASEMENT, PERPETUAL PIPELINE EASEMENT AND GRANT OF ENVIRONMENTAL RESTRICTION

Author: JOSEPH M REDLINGER US DEPT OF ARMY

Doc Date: 09/12/2000 **# of Pages:** 23

Addressee: RICHARD VOHNOUTKA APRAK REALTY TRUST

File Break: 08.07

Doc Type: LETTER

10: ENFORCEMENT/NEGOTIATION

64407 LETTER REGARDING SITE ACCESS TO PARCEL 263 TO DESIGN, CONSTRUCT AND MAINTAIN RESPONSE ACTIONS AT SITE

Author: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

Doc Date: 05/13/1999 **# of Pages:** 3

Addressee: CYNTHIA CATRI US EPA REGION 1

File Break: 10.06

Doc Type: LETTER

279888 ADMINISTRATIVE ORDER FOR PROPERTY ACCESS, DOCKET NO. CERCLA - 1-2001 - 0016 (01/09/2001 TRANSMITTAL FROM CINDY CATRI ATTACHED)

Author: US EPA REGION 1

Doc Date: 01/09/2001 **# of Pages:** 20

Addressee:

File Break: 10.07

Doc Type: ADMIN ORDER ON CONSENT
ENFORCEMENT SETTLEMENT

11: POTENTIALLY RESPONSIBLE PARTY

443500 LETTER REGARDING OFFER

Author: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: LETTER

Doc Date: 11/09/2000 **# of Pages:** 1
File Break: 11.09

443501 FAX TRANSMITTAL CONTAINING COUNTER OFFER

Author: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: MEMO

Doc Date: 11/10/2000 **# of Pages:** 1
File Break: 11.09

443502 FAX TRANSMITTAL REFERRING TO EARLIER COUNTER-PROPOSAL FAXED 11/10/2000

Author: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF
Addressee: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Doc Type: MEMO

Doc Date: 11/18/2000 **# of Pages:** 1
File Break: 11.09

294229 FAX TRANSMITTAL REQUESTING RESPONSE TO OFFER

Author: QUENTIN WALSH US ARMY CORPS OF ENGINEERS
Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF
Doc Type: MEMO

Doc Date: 12/21/2000 **# of Pages:** 1
File Break: 11.09

17: SITE MANAGEMENT RECORDS

294217 REQUEST FOR ACCESS TO PROPERTY, MAP 93, PARCEL 263 (CONSENT FOR ACCESS TO PROPERTY AND SUPPORTING FIGURES ATTACHED)

Author: DAVID J DICKERSON US EPA REGION 1

Doc Date: 02/03/1999 # of Pages: 9

Addressee: KARPA INC

File Break: 17.02

Doc Type: LETTER

64411 CONSENT AGREEMENT REGARDING ACCESS TO PROPERTY - KARPA INC, PARCEL #263, MAP #93

Author: RICHARD VOHNOUTKA KARPA INC

Doc Date: 02/17/1999 # of Pages: 2

Addressee:

File Break: 17.02

Doc Type: FORM

294220 LETTER REGARDING RECENT ACTIVITIES AROUND AND POSSIBLY ON PARCEL #263 (CONSENT FOR ACCESS TO PROPERTY, ACCESS GUIDANCE AND 5/11/1999 NINTH CIRCUIT COURT DECISION, HENDLER, ET.AL. V. UNITED STATES, 1999 U.S. APP LEXIS 8805 ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 05/18/1999 # of Pages: 31

Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

File Break: 17.02

Doc Type: LETTER

279877 CONSENT FOR ACCESS TO PROPERTY TO KARPA, INC. MAP NO. 111, PARCEL NO. 265

Author: RICHARD VOHNOUTKA KARPA INC

Doc Date: 05/26/1999 # of Pages: 1

Addressee:

File Break: 17.02

Doc Type: FORM

17: SITE MANAGEMENT RECORDS

64398 TRANSMITTAL OF ACCESS AGREEMENT FORM FOR KARPA INC (CONSENT FORM IS ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 06/03/1999 **# of Pages:** 2

Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

File Break: 17.02

Doc Type: LETTER

294222 CONSENT FOR ACCESS TO PROPERTY, MAP #111, PARCEL #263

Author: RICHARD VOHNOUTKA KARPA INC

Doc Date: 06/08/1999 **# of Pages:** 1

Addressee:

File Break: 17.02

Doc Type: FORM

294227 RIGHT OF ENTRY FOR CONSTRUCTION (CERTIFICATE OF AUTHORITY ATTACHED)

Author: RICHARD VOHNOUTKA APRAK REALTY TRUST

Doc Date: 10/23/2000 **# of Pages:** 5

Addressee:

File Break: 17.02

Doc Type: FORM

443508 LETTER REQUESTING RESPONSE WITHIN SEVEN DAYS TO EPA OFFER TO PURCHASE PROPERTY AND NOTIFYING OF IMMINENT ACCESS ORDER (CERTIFIED MAIL RECEIPT ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 12/26/2000 **# of Pages:** 3

Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

File Break: 17.02

Doc Type: LETTER

17: SITE MANAGEMENT RECORDS

443509 LETTER NOTING THAT LETTER DATED 12/26/2000 HAS NOT BEEN RETRIEVED FROM WESTPORT POST OFFICE AND THAT ACCESS ORDER IS EXPECTED TO BE ISSUED WITHIN NEXT TWO BUSINESS DAYS (12/26/2000 LETTER AND CERTIFIED MAIL RECEIPT ATTACHED)

Author: CYNTHIA CATRI US EPA REGION 1

Doc Date: 01/04/2001 **# of Pages:** 5

Addressee: GREGORY N JONSSON WESTPORT (MA) - RESIDENT OF

File Break: 17.02

Doc Type: LETTER

20: RECORDS MANAGEMENT

443510 NEW BEDFORD HARBOR, ACCESS ORDER TO APRAK REALTY TRUST ADMINISTRATIVE RECORD INDEX

Author: US EPA REGION 1

Doc Date: 01/09/2001 **# of Pages:** 3

Addressee:

File Break: 20.01

Doc Type: INDEX

Number of Documents in Collection: 35