



TOWN OF FAIRHAVEN
MASSACHUSETTS
OFFICE OF THE
BOARD OF HEALTH
TOWN HALL

2071

5.3.2

February 5, 1992

FEB 12 92

Ms. Gayle Garman, Remedial Project
Manager
United States Environmental Protection
Agency
Waste Management Division (HRM-CAN3)
John F. Kennedy Building
Boston, Massachusetts, 02203

Superfund Site # 100000000
SITE: NEW BEDFORD
BREAK: 5.3
OTHER: 46627

Dear Ms. Garman:

The Fairhaven Board of Health has reviewed the Preferred Alternative for the New Bedford Harbor/Estuary PCB cleanup as presented by the EPA on January 30, 1992. The Board wishes to be on record as stating that every endeavor must be used to save the area's most valuable assets - - our people, our harbor, the Bay and estuary. It is essential that the plan be workable, cost effective and safe from additional health risks associated with the cleanup. The Board endorses the work of the EPA in saving the harbor as a working waterfront area. It is our hope that the Bay waters return to FDA safe levels for shellfish harvesting and consumption indicating an ambient water column quality that is secure and free of risk to our people and our livelihoods.

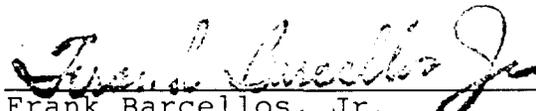
Enclosed please find questions and comments by Health Agent Patricia Fowle acting as the point person on behalf of the Board on this project and will attend the scheduled monthly meetings. She may be reached at this office, 508 9794022 should you have any questions or need assistance.

Very truly yours,

BOARD OF HEALTH


George Walmsley, DVM, Chairman


Edward J. Mee, DDS


Frank Barcellos, Jr.



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Ms. Gayle Garman
Remedial Project Manager
United States Environmental Protection
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John F. Kennedy Building
Boston, Massachusetts, 02203

Dear Ms. Garman:

In response to the "Preferred Alternative" proposal offered to the public for comment by the EPA on January 31, 1992, for the New Bedford Harbor Estuary PCB cleanup, I offer the following comments and questions:

QUESTIONS:

1. The report indicates the AWQC will take approximately ten years to meet the criteria as established after the 50 ppm dredging is complete. Please indicate the studies from which the ten-year figure is derived, length of the study, place, year, and source of the final evaluation of the study.
2. Regarding the proposed CDFs, please describe the following:
 - a. The leachate treatment proposed;
 - b. Anticipated amount of discharged leachate per day first year (average), second year, fifth year, tenth year, twentieth and thirtieth years;
 - c. Backup mechanism for treatment facility;
 - d. Responsible party for operation of treatment facility - - private, state, and federal;
 - e. Will operation and management reports be required, and who will determine functioning capacity of treatment facility;
 - f. How often will the treatment facility be technically reviewed and by whom;
 - g. Who will decide, how and when will the treatment facility be required to be upgraded, and where will the necessary funds be;
 - h. Will a trust fund amount or some other financial security plan be required to be in place as the EPA pulls out from the project;

- i. Testing frequency of the cdf and the AWQC is initially quarterly, for how many years; also, indicate total number of years for review and frequency of testing over that length of years;
- j. Who will do the testing, who decides who does the testing, and how long before the test results are returned, and to whom are the results made available, that is SENT;
- k. Should the testing parameter thresholds be exceeded, approximately how long before EPA action occurs to correct the problem, how many layers of management and retesting are set in motion, and indicate time frame for same;
- l. Should a steady rise in the test results be observed, but thresholds not exceeded, will this trigger a reaction from DEP or EPA and to whom will this information be immediately and consistently available.
- m. Monitoring well placements for the cdfs - - how far downstream, upstream and within the structure, at what depths-variable;
- n. The pilot study shows "PCB loss to be very small" (page 17) please address loss or migration rate of heavy metals;
- o. Will the effects of the heavy metals be accumulative as we have seen with the PCBs, thereby creating health risks due to concentrated cdf placements and anticipated leachate?

3. Regarding areas to become CDFs, particularly that placed in Fairhaven:

- a. Detail exact area under consideration as CDF 3-location, depth of fill, PCB ppm at present and immediate area ppm levels;
- b. Who and how is it determined when the wetlands are to be mitigated;
- c. Will mitigation cause sediment disturbance and to what degree, so as not to create additional health risks;
- d. During the dredging and CDF placement, how will existing wetlands be protected from migration, siltation, etc., and how long will the mechanisms be in place;
- e. During the dredging and CDF placement process could ground water mounding take place due to the poor soil absorption quality, thus negatively impacting uplands, and in Fairhaven, shallow ground water along Sycamore Street where many homes are located with low lying yards and foundations;

- f. Are there any plans to protect the existing flocks of geese, swans and other wildlife from the near but upland marshes and wetlands?
- g. Detail possible uses by the Town of the completed, capped CDF.

4. The most pertinent question from local government review is will local Boards of Health, Conservation Commissions, BPW's and other developmental agencies have input into the proposed engineering design? Will local permits be required prior to construction with normal hearing procedures and plan review, or does EPA have the right to circumvent these Boards and Commissions? Is the only time for local agency input within the one hundred and twenty (120) day comment period? If so, we cannot effectively comment on something that at best is less than generic in format and presentation. Please indicate the timeframe as well if the local agencies are to be involved, when the preliminary plans will be available for review and proper hearing sequence.

COMMENTS:

1. As stated above, it is strongly urged that local agencies be heavily involved in review of the preliminary and final engineered plans for the CDF and dredging. No one knows the harbor, her estuaries and the value in its many parts than those involved in local reviews and designs on a day-to-day basis. This can be accomplished by a one time presentation in the presence of the superintendents and agents and a known timeframe in which we all must respond in writing.

2. Local permits should be secured and obtained prior to actual construction so that it is known by the agencies and the general public which they serve, that the local boards were involved and have at least an understanding of the technical aspects of the dredging and CDF construction and operation.

3. The CDFs must be properly vented. The vent discharge should also be monitored on the same frequency as the monitoring wells.

4. The local Board of Health should be a repository for the records of the actual monitoring well and AWQC analyses results.

5. A contact person list within the project must be maintained within the Town. This would apply for construction and operation when the project is complete. A point person or office should be established within each town and the city keeping a consistent dialogue. The library allows access to the information,

but communication on a person to person level is lacking, and this always acts in a negative manner.

6. Laboratory analyses will play a critical part in the actual operation and maintenance of the constructed mechanisms. It is very frustrating and poor management to allow such lengthy delays in reporting and obtaining results. This is an overall comment on the process being involved with another Superfund site in Fairhaven. Results should and must be turned over in a very timely fashion which is not being done now. In a hospital setting, the patient would be dead by the time the results came back to the doctor. This process is an insult to the American intelligence, performance and taxpayer. It must be altered by finding efficient laboratories. Many of the results will come in and the situation will have altered dramatically making the DEP or local towns play a deadly game of catchup.

7. As mentioned in the question section, groundwater mounding and the possible loss of healthy wetlands (less than 10ppm PCB) is of utmost concern to the Town. We must have input into this aspect and the project design. The CDF in Fairhaven is placed in a very sensitive area and habitat, unlike New Bedford and Acushnet. Residences immediately abut the proposed site. Sycamore Street has historically been a difficult street to maintain by the Board of Public Works because of high groundwater and high travel by eighteen-wheeler trucks traveling the street to access the state highway I-195. Sewer pipes were newly placed on the street and within a few years had to be revamped again because of these two factors. Should mounding occur because of the dredging or construction of the CDFs, this may be an additional factor that the Town will have to contend with. Small information, such as this, is invaluable to the overall project, thus showing the need for local agency review of the designed plans.

8. As dredging along the wetland areas occurs, or the construction of the CDFs take place, professional rodent control must be in place with so many homes and businesses abutting the site, this could become a health nuisance and should be abated from the very project onset.

9. Times of dredging and construction must be geared to residential life keeping noise, lights and other construction considerations at a livable level.

Ms. Gayle Garman

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10. Mosquito control must be in effect depending on the time of the year the project is underway.

Very truly yours,

BOARD OF HEALTH

A handwritten signature in cursive script that reads "Patricia B. Fowle".

Patricia B. Fowle, RS CHO
Health Agent