

GERRY E. STUDDS  
101. DISTRICT, MASSACHUSETTS

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Congress of the United States  
House of Representatives

May 15, 1992

Superfund Records Center  
SITE: NEW BEDFORD  
BREAK: 5.3  
OTHER: 46630

Dear Ms. Belaga:

I am writing to express my concerns and those of the citizens of the New Bedford area regarding EPA's proposed cleanup plan for the portion of the Superfund project encompassing the Acushnet River estuary, lower New Bedford Harbor, and parts of Buzzards Bay.

EPA's preferred alternative of dredging contaminated sediments from portions of the harbor with PCB levels greater than 50 parts per million and permanently storing the sediments in contained disposal facilities (CDFs) on the banks of the harbor has raised serious concerns among the people who live, work, and raise their families in this community.

I therefore request that you re-evaluate the alternative identified as SW-9, taking the following into consideration:

\* Under Alternative SW-9, you propose dredging sediments with PCB contamination levels greater than 50 ppm (196,000 cubic yards), but treating only those with concentrations greater than 500 ppm (112,000 cubic yards). The document is unclear as to the scientific basis for this distinction. The Agency's recommendation that this alternative be rejected should be accompanied by (a) a comparison of the public health risks associated with potential CDF failure at concentrations both above and below the 500 ppm cutoff; and (b) the increased costs associated with treating all sediments with concentrations between 50 and 500 ppm.

\* In response to the tremendous continuing public opposition to incineration of contaminated sediments, an alternative treatment method should be used for this phase of the project. Based on the information presented at the workshop I sponsored in New Bedford on remediation of the Hot Spot, it appears that any one of these alternative technologies might be suitable for the second phase of the cleanup. Additional evaluation of Alternative SW-9 should take the most recent information regarding these technologies into account.

5.3.6 doc.#7

WASHINGTON  
237 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20518-2110  
202-225-3111

GREATER NEW BEDFORD  
POST OFFICE BUILDING  
NEW BEDFORD, MA 02740  
508-898-1261

SOUTH SHORE  
BARSTON'S LANDING, SUITE 6  
TWO COLUMBIA ROAD (ROUTE 53)  
PENNSAC, MA 02359  
617-826-3888

CAPE AND ISLANDS  
148 MAIN STREET  
HYANNIS, MA 02601  
617-771-0188

RECEIVED

ACTION: M. Johnson

RGR#: 778

DUE DATE: 6-11-92

OFFICE OF THE  
REGIONAL ADMINISTRATOR  
cc: A. Levy  
P. Fitzsimmons

G. Barman  
P. Butro

May 15, 1992  
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\* EPA notes in its January 1992, release of the proposed plan for comment that, "The more than 200% increase in the cost of a remedy that employs a treatment component does not justify the marginal benefit that may be gained." This remark appears to indicate that the Agency's decision not to permanently dispose of the contaminated sediments is based almost entirely on the cost issue -- a situation which, if true, is simply unacceptable to the people of New Bedford, and contrary to the requirements of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) itself. The EPA should accompany this remark with (a) an analysis of the "marginal benefit", including a cost-benefit analysis of the potential public health risks associated with CDF failure vs. sediment treatment; (b) a clarification of the land acquisition costs associated with CDFs; and (c) the potential loss of income to the city associated with siting hazardous material disposal facilities on limited and potentially valuable shoreline property.

We are both painfully aware that the problems surrounding the Phase I portion of the harbor cleanup have enraged the entire New Bedford community. I strongly urge you to reconsider your decision for the second phase of the cleanup, and avoid further problems between the EPA and the citizens who, through no fault of their own, have been forced to live with a situation which daily threatens their health, their livelihoods, and their entire way of life.

Sincerely,



Jerry E. Studds

Ms. Julie Belaga  
Regional Administrator  
Environmental Protection Agency  
JFK Federal Building  
Boston, MA 02203