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September 9, 2010

Mr. David Dickerson
New Bedford Harbor Superfund Project
USEPA, OSRR07-4
5 Post Office Square – Suite 100
Boston, MA 02109-3912

Ref.: New Bedford Harbor Superfund Site Operable Unit 1
Lower Harbor Confined Aquatic Disposal (CAD) Cell

Subject: Explanation of Significant Differences (ESD)

Dear Mr. Dickerson:

I am submitting this letter in reference to the above noted site and in support of the EPA's ESD to utilize CAD cells in the harbor to expedite the cleanup of the contaminated sediments. I believe I can offer a unique perspective on the potential benefit to expediting the cleanup in the harbor as both a former resident of the city and as a current owner of a business with a waterfront facility in the harbor.

I resided in New Bedford for three years and currently live in the next town over from the city. In the five years that I have been living in the area I have been able to see first hand some of the problems the city has as well as the potential that exists for the city to revitalize itself. It is my belief that the biggest asset the city has as its disposal for revitalizing itself is the harbor. The revitalization of the harbor offers the potential to open up additional revenue streams for the city and businesses that utilize it which will in turn offer additional employment opportunities to the residents of the city. Additional employment opportunities for the residents will result in additional spending at businesses within the city and in turn will help boost the local economy. This may be a simplified approach but it is still worthwhile. There are very few cities in Massachusetts that are able to offer a waterfront harbor that has as much unutilized potential as New Bedford's does; the best way to utilize this potential is to expedite the cleanup efforts at the superfund site to open up additional waterfront space..

As an owner of AGM Marine Contractors, Inc. (AGM), I have seen firsthand the benefits of New Bedford harbor and of CAD cells to the marine industry. AGM's waterfront staging yard is located on Fish Island in New Bedford and most of AGM's work throughout New England is staged from this yard. The facility provides a safe refuge for AGM's barges and easy access for materials and equipment from the Interstate; in addition to AGM's own use of the facility there are three other local businesses that utilize it for fishing, salvage and cargo vessels and operations. Expediting the cleanup would potentially open additional sites within the harbor that could provide the same benefits that AGM and the other users of Fish Island currently have and possibly bring new businesses and industries to the city.

AGM was able to obtain permits to dredge Fish Island due to the existence of CAD cells in New Bedford harbor for disposal of the dredged material. The dredging will further open Fish Island to marine opportunities that might not otherwise be possible - similar to how an expedited cleanup of the harbor may open up opportunities for other businesses. AGM as well as the other local dredging contractors benefit from the use of CAD cells in that the construction and use of the CAD cells is completed by local contractors utilizing local labor. This is in contrast to other disposal methods that may be located out of the region and not utilize local labor or benefit the local economy.

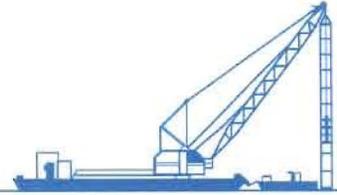
In closing, I would like to reiterate that that I fully support the ESD to utilize CAD cells and believe that the use of CAD cells presents a unique opportunity for the EPA to expedite the cleanup of the contaminated sediments in the harbor, open up additional potential revenue and employment streams for the local economy and residents and utilize a disposal method that supports local contractors and their employees.

If you have any questions or would like to discuss the ESD to utilize CAD cells I would be happy to discuss it further.

Respectfully Submitted,



Jonah Mikutowicz



September 9, 2010

Mr. David Dickerson
New Bedford Harbor Superfund Project
USEPA, OSSRR07-4
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Ref.: New Bedford Harbor Superfund Site

Dear Sir:

I am writing this letter to express my support of the New Bedford Harbor Superfund Site Operable Unit 1 - Lower Harbor Confined Aquatic Disposal (CAD) Cell. As an owner of a marine construction company with property located in New Bedford Harbor, my support of this project is based on three reasons.

The first reason is that I own waterfront property in new Bedford Harbor and my business is impacted by the presence of contaminants like PCBs in the harbor sediment. In order to operate a marine construction business from our New Bedford property we require deep water access. We have been working for the past two years to secure the necessary permits to dredge our site to increase the water depths to allow for the berthing of our marine equipment. The permits have been issued based on the fact that the material would be disposed of in the CAD cells sponsored by New Bedford, Fairhaven and the Commonwealth. Prior to the current navigational dredging program that employs CAD cells, property owners within the harbor were not allowed to dredge due to the presence of PCBs and heavy metals in the material. Without the option to use CAD Cells the permits would not have been granted and ultimately our property would be unable to accommodate our marine activities. For that reason alone I support the continued and expanded use of CAD Cell disposal of materials within New Bedford Harbor.

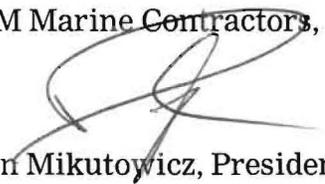
Another reason for my support is that our company performs the type of work required to both construct the CAD cells and dredge marine facilities. We are a local company that employs 20 people and are constantly bidding on projects to procure work for our crews. The opportunity to work in our area of expertise and in our home port would be greatly beneficial to both the company and our employees and their families.

The final reason is that an expanded use of CAD cells within the Harbor area would expedite the overall cleanup of the Harbor and the Acushnet River. Removal of pollutants and contaminants from the area will allow people to enjoy the area for work and recreation, will provide a cleaner and safer habitat for wildlife and ultimately increase the property values for all owners in the area whether they are adjacent to the water or blocks away.

Thank you for your time and consideration. If I can be of any assistance to you during your consideration of this matter please do not hesitate to contact me.

Respectfully submitted,

AGM Marine Contractors, Inc.

A handwritten signature in black ink, appearing to read 'JM', is written over the company name.

John Mikutowicz, President

JM/sg



New Bedford Harbor - ESD to Utilize CAD Cells

Jonah Mikutowicz o NBH Comments

09/09/2010 02:24 PM

Please respond to jonah .mikutowicz

Please see the attached two letters regarding the ESD to utilize CAD cells in New Bedford harbor.

Thank you

Jonah Mikutowicz

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EPA - ESD CAD Cells Letter.pdf EPA - ESD CAD Cell Letter - AGM.pdf