



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I

JOHN F. KENNEDY FEDERAL BUILDING  
BOSTON, MASSACHUSETTS 02203-0001

Superfund Records Center

SITE: NEW BEDFORD

BREAK: 11.09

OTHER: 47443

OFFICE OF THE  
REGIONAL ADMINISTRATOR

February 21, 1997

Benedict Rosen, President  
AVX Corporation  
P.O. Box 867  
Myrtle Beach, SC 29578

Dear Mr. Rosen,

Thank you for your letter of November 26, 1996 concerning the Environmental Protection Agency's (EPA) revised cleanup plan for the New Bedford Harbor superfund site. EPA notes your concerns regarding the lower cleanup levels and the increased costs associated with the revised plan, but disagrees with your assertion that no new information is offered to justify the lower cleanup levels. We are also compelled to correct some important misunderstandings set out in your letter.

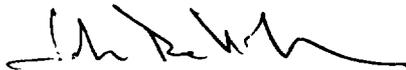
As the November, 1996 Proposed Plan points out, the proposed change to the target cleanup levels (TCLs) are from 50 to 10 ppm in the upper harbor, and from 500 to 50 ppm in the upper harbor saltmarshes. As explained in this Plan, these changes reflect comments on the earlier cleanup proposal that a sitewide TCL of 50 ppm and a saltmarsh TCL of 500 ppm PCBs would not be sufficiently protective of human health and the environment. These comments underscore EPA's often-stated conclusion that, were it not for the severe secondary impacts, a 1 ppm TCL is the cleanup level that would be truly protective. All comments that EPA received on the 1992 Proposed Plan and Addendum are available for review at the EPA records center in Boston, Massachusetts. Also, contrary to your assertion, cleanup levels have not been changed in any way in the lower harbor.

While your experts may disagree with various technical aspects of the proposed remedy and its supporting body of study, it is well within the agency's discretion to conclude otherwise and to recommend a remedy accordingly. Each of the remedial options set out in the Feasibility Study were evaluated against the nine criteria set out in the NCP. The latest proposed remedy represents a hybrid of two of these options and is now preferred by EPA because it offers a better balance between protectiveness and cost. Importantly, the new proposed remedy has also been endorsed by two independent groups - the expert panel convened by the non-profit Sea Change, Inc. in November 1995 and EPA's national remedy review board in August 1996.

The costs included in the latest Proposed Plan have been updated to account for, among other things, the operational experience EPA gained during the dredging of the hot spot sediments in 1994 and 1995. It is unfortunate that cleanups of this nature cost so much more than what it would have cost to prevent the pollution in the first place. You correctly point out that the current proposed remedy is estimated to cost \$116 million; however, this amount should be compared to the updated \$85.4 million estimate for the sitewide 50 ppm TCL Alternative 8, not the outdated \$33 million estimate alluded to in your letter. The sitewide 10 ppm TCL Alternative 3, on the other hand, is now estimated at \$146 million.

Finally, rest assured that EPA will review all comments received from this latest Proposed Plan and will give equal weight to those that argue for a less protective cleanup and those that argue for a more protective cleanup. However, at this point, I believe EPA's proposal is a fair compromise to one of the more troubling Superfund sites in our country.

Sincerely,

A handwritten signature in black ink, appearing to read 'John P. DeVillars', with a stylized, cursive flourish at the end.

John P. DeVillars  
Regional Administrator