



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

11.9.10

Superfund Records Center

SITE: New Bedford

BREAK: 11.09

OTHER: 47444

March 25, 1997

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Benedict Rosen
President and Chief Executive Officer
AVX Corporation
P.O. Box 867
Myrtle Beach, SC 29578

Re: New Bedford Harbor Superfund Site

Dear Mr. Rosen:

Thank you for your letter of February 14, 1997 regarding AVX Corporation's latest compilation of comments on the Environmental Protection Agency's (EPA) proposed cleanup plan for the above site.

These comments, as well as all of the other comments we received regarding this remedy, will be responded to in detail in a forthcoming responsiveness summary, currently scheduled for the fall of 1997. However, I would like to take this opportunity to respond to the key points of AVX's comments, as described in your letter and highlighted in the enclosure. I appreciate your continued interest in a cost-effective remedy for this site. We certainly agree that cost-effectiveness is one of the most important of the nine Superfund criteria for remedy selections. Here at EPA-New England, we will continue our efforts to achieve this goal.

Thank you for advising us of your concerns. If we can be of further assistance, please contact me or Dave Dickerson at (617) 573 5735 in our Office of Site Remediation and Restoration.

Sincerely,

John P. DeVillars
Regional Administrator

Enclosure

ATTACHMENT

Published studies indicate that the cancer risk from PCBs is now lower than believed in 1992. There is no scientific reason to lower the target cleanup level from 50 to 10 ppm.

From a strictly cancer risk or human health standpoint, EPA recognizes that a 50 ppm cleanup level may be appropriate. The Superfund statute, however, mandates that EPA address both human health and ecological risks in its response actions. Many site-specific and research studies indicate that PCB contaminated sediment, particularly in the upper harbor area, poses a significant risk to the ecology of the Harbor. For PCBs at this site, ecologically protective sediment cleanup levels are lower than those protective of human health. Attachment F of your own comments, in fact, lists seven other sediment cleanup sites across the country with PCB cleanup levels at or below 10 ppm.

The proposed method of dredging to 10 ppm levels is untested in conditions such as exist in New Bedford Harbor. The "hot spot" dredging, the working model for the proposed plan, achieved only levels of 4000 ppm after three passes of the dredge!

EPA-New England disagrees that the proposed type of dredging is untested for conditions that exist in New Bedford Harbor. The proposed cutterhead type dredge is the same as that used for the hot spot dredging. Furthermore, please note that your characterization of the hot spot dredging experience is incomplete: the target cleanup level for the hot spot work was deliberately set at 4000 ppm, and only in two small subareas near the Aerovox facility were three passes of the dredge required, due to the severity and depth of contamination in those locations. EPA views this as valuable information for future dredging activities near the Aerovox facility.

EPA greatly underestimated the cost and time to do the hot spot dredging in 1994, and can be expected to err again in the future based on their track record.

We agree that the accuracy of our estimates for the hot spot project, especially in terms of schedule, were less than desirable. However, we have taken this as a lesson learned and have modified our cost and schedule estimates for ROD 2 accordingly. For your understanding, please note that feasibility stage cost estimates are only expected to be accurate to within -30% to +50% of the actual incurred cost.

EPA rejected AVX's proposal to cap the harbor bottom entombing the PCBs and continues to advance dredging and the resultant unavoidable recontamination of the harbor as the preferred remedy, with the knowledge that the hot spot dredging did not achieve its intended goal.

Again, EPA-New England takes exception to your characterization of the hot spot dredging experience. Moreover, the extensive monitoring conducted during the hot spot dredging clearly shows that the dredging was done in an environmentally safe manner. We do not prefer a capping approach in this case because, among other reasons, we do not feel it is as permanent or as protective in the long term. Having the PCB-contaminated sediment sequestered in well defined shoreline disposal areas where it can be easily monitored is preferred to a solution that leaves the PCBs capped in place, vulnerable to a variety of remobilization processes, and difficult to monitor over a large underwater area. For your information, only one of the other 25 formal comments received on this cleanup plan indicated a preference for underwater capping.

EPA failed to include input from AVX Corporation, successor to the prime responsible party, in EPA's Remedy Review Board meeting in the fall of 1996, in violation of their own stated objectives.

Underwater capping as one of the potential cleanup alternatives WAS discussed as part of the remedy review board proceedings. From our standpoint, AVX Corporation had been visibly absent from the development of this latest proposed plan, and only voiced concerns about the new plan well after the August 1996 review board meeting. Since December 1992, EPA has conducted and continues to conduct an unparalleled public outreach effort in the New Bedford area, including monthly (and sometimes biweekly) meetings with the New Bedford Harbor Superfund Site Community Forum. All of these meetings are held in a public setting and the public is invited to observe. In addition, most meetings are taped and played on the local cable TV station. In March, 1995 the Forum published a public notice that discussions would turn to the remedy for ROD 2, and invited public attendance at the Forum meetings. Throughout 1995 and 1996 the Forum discussed various remedial options for ROD 2, and held at least two separate meetings (which were advertised) to invite general oral comments from the public. AVX Corporation did not participate in any of these activities.