

Superfund Records Center

13.1.33

SITE: NEW BEDFORD

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## FAX COMMUNICATION

**Applied Marine Ecology Lab  
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**Company: Office of Dispute Resolution  
Attention: Jane Wells**

**Date: May 15, 1996  
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**Number of pages-- Not including this cover sheet: 0**

**Date: May 15, 1996**

**Time: 9:30 AM**

**Message: New Bedford Forum- Phase II ROD Agreement.**

**As per conversation yesterday, the enclosed are suggested changes to the Phase II ROD Agreement. These include:**

- 1. Item 9: As indicated the language, a clear and legible copy of the site locations for the CDF's should be attached to the Agreement.**
- 2. Item 9: In the last sentence insert "intertidal circulation and" between the words normal and water.**
- 3. Item 11: In order to protect the City of New Bedford's interests and their tenants (CDF-7), as well as other private properties on the Acushnet (CDF- 1A & 1B) I suggest the following addition:**

**"The Phase II F.OD requires that individual and collective abutting property owners to the designated CDF's will be protected from unreasonable disruption of their property uses, that final design of the CDF's will insure continued water dependent use consistent with existing zoning and that abutting property owners be given the first opportunity to purchase, lease or otherwise appropriately utilize the new land areas created by the CDFs."**