

Summary of Meeting Held August 9, 1994
on the New Bedford Harbor Superfund Site

Superfund Remediation Center

SITE: NEW BEDFORD

BREAK 13.04

OTHER: 47573

In attendance at the session were:

Facilitators

Michael Keating
Jane Wells

HATR

David Hammond
Eugene Grace

Concerned Parents of Fairhaven

Claudia Kirk
Kathleen Rocha

New Bedford City Council

Fred Kalisz, Jr.
George Rogers

DEP

Paul Craffey
Jay Naparstek
Madeline Snow

New Bedford Mayor's Office

Elizabeth Wright

NOAA

John Terrill

Downwind Coalition

Neal Balboni
Diana Cobbold
Carol Sanz

State Elected Officials

Rep. Bill Straus

Town of Acushnet

Roland Pepin

EPA

Frank Ciavattieri
Gayle Garman

Town of Fairhaven

John Haaland

Approximately 15 members of the public observed the meeting, which was videotaped for subsequent broadcast on local cable television.

The meeting began with a review and discussion of the draft agreement that resulted from the July 12, 1994 meeting. Principal differences arose over the language describing the Forum's position on back-up technologies. A substitute version of the paragraph on back-up technologies was rejected, but a subsequent and newly-worded paragraph that combined several paragraphs of the earlier version and a new provision was accepted. The adopted paragraph reads as follows:

The Forum acknowledges that there is a need for a reliable back-up technology for use in the event of a failure in the full-scale application of a primary technology(ies). The Forum agrees that it will request EPA to conduct only one set of treatability studies. Once treatability studies on separation/chemical destruction and solidification/stabilization have been performed and analyzed, the Forum will work to develop a consensus on the primary and back-up technologies without the performance of additional treatability studies. A consensus on the primary and back-up technologies will precede EPA's revisions to the existing record of decision (ROD).

Some other minor language changes were also adopted, and the Forum approved a final version of the agreement (see Attachment 1). The Forum directed the facilitators to prepare and send out for signature the final version.

The Forum next considered its role in the development of a request for proposal (RFP) for the treatability studies. Frank Ciavattieri of EPA gave an explanation of the contracting process for the selection of vendors who will conduct the treatability studies under subcontract(s) from Ensearch (formerly Ebasco Services, Inc.). The Core Group appointed by the Forum on July 12 (consisting of Diana Cobbold, David Hammond, Claudia Kirk, George Rogers, Carol Sanz, Elizabeth Wright and representatives from EPA and DEP), will be responsible for working with EPA in the development of a scope of work (SoW) for the treatability studies, pursuant to the schedule provided in Attachment 2. The full Forum will meet again in late September or early October to brief Ensearch personnel on issues of interest and concern to the whole Forum as they begin their development of the RFP.

The Forum confirmed the schedule (Attachment 2) and adjourned at 8:52 p.m.

Notices for the next Forum meeting will be distributed in mid-September.

JMK:2760

Attachment 1

New Bedford Harbor Superfund Site Community Forum

AGREEMENT

The New Bedford Harbor Superfund Site Community Forum has been meeting since December 7, 1993 on issues related to the removal and treatment of contaminated sediments in the Hot Spot in the Acushnet River. After a review of potential alternative technologies for remediation of the Site, the Forum met on July 12 and August 9, 1994, and agreed to the following:

1. The Forum, which includes representatives from Concerned Citizens of Fairhaven, Downwind Coalition, Hands across the River, the Towns of Acushnet and Fairhaven, the New Bedford City Council and Mayor's Office, the Massachusetts General Court, the Massachusetts Department of Environmental Protection, the U.S. Environmental Protection Agency and the National Oceanic and Atmospheric Administration, is committed to the selection of a form of remediation for the Hot Spot sediments that will preclude the need for, or use of, on-site incineration.
2. The Forum favors a remedy for the Hot Spot sediments that permanently destroys the PCBs.
3. The Forum agrees that treatability studies on separation in conjunction with chemical destruction and solidification/stabilization technologies should begin as soon as possible.
4. The Forum acknowledges that there is a need for a reliable back-up technology for use in the event of a failure in the full-scale application of a primary technology(ies). The Forum agrees that it will request EPA to conduct only one set of treatability studies. Once treatability studies on separation/chemical destruction and solidification/stabilization have been performed and analyzed, the Forum will work to develop a consensus on the primary and back-up technologies without the performance of additional treatability studies. A consensus on the primary and back-up technologies will precede EPA's revisions to the existing record of decision (ROD).

5. The Forum agrees that it will have a role in the development of specifications for the treatability studies.

6. The Forum will develop promptly procedures or protocols describing its input into the solicitation, conduct and evaluation of treatability study contracts.

7. The Forum agrees that it will have access to the data developed in the treatability studies and input into the selection of technologies.

8. The Forum will continue to support the mission of Sea Change, formerly known as the Center for Excellence, to develop a format for citizen evaluation and risk communication of technologies used in the remediation and monitoring of contaminated soil and sediment, and wherever possible, to help fund and demonstrate promising technologies in ways that are acceptable to the scientific/technological and general communities alike.

9. The Forum will continue to work together to communicate about and respond to dredging issues arising from operations in the Hot Spot areas.

10. The Forum agrees that it will continue to have a role in the development of the next operable unit (Phase II of OU-1) of the New Bedford Harbor Clean-up.

These commitments were initially entered into unanimously on July 12 and August 9, 1994, and were formally confirmed by Forum representatives as of the date of their respective signatures on this Agreement.

Signatures of Forum representatives are attached on eleven separate signature pages.

JMK:2815

Attachment 2

Role of the New Bedford Harbor Superfund Community Forum in the Development of Treatability Studies

The following procedures describe the role of the Community Forum in the development of the specifications for treatability studies of innovative technologies.

The Forum has already created a Core Group to expedite work on the development of treatability studies. That Core Group met with personnel from Ensearch, Inc. (formerly Ebasco Services Inc.), EPA's contractor for the conduct of the treatability studies, on August 2, and worked out the following schedule of activities:

1. EPA will provide the Core Group with a sample treatability study by August 9.
2. The Core Group will meet on August 17 (12:30-3:00 p.m.) to develop a preliminary list of significant issues to be included in EPA's Scope of Work (SoW), which provides the contractor with general criteria for the performance of treatability studies and imposes specific operational parameters, dealing, for example, with health and safety issues. If necessary, a second meeting of the Core Group is scheduled for August 24 (12:30-3:00 p.m.) to complete this identification of issues.
3. EPA will draft a SoW for review, critique and discussion by the Core Group by mid-to late September.
4. EPA will incorporate input from the Core Group in the final SoW, which will be sent to Ensearch in mid-October.
5. Shortly after EPA sends the SoW to Ensearch, the full Forum will meet with Ensearch personnel to discuss and clarify the Forum's interests in the treatability studies and sensitize Ensearch to the concerns and desires of the full Forum relative to the treatability studies.
6. Neither the agencies nor other representatives of the Community Forum can legally or ethically be involved in Ensearch's treatability subcontractor selection process. Ensearch will draft its request(s) for proposals (RFP(s)) and send them out to potential subcontractors without comment from either EPA or the Community Forum in order to preserve the fairness of the bidding process.

7. Once the RFP(s) is published, EPA and the Core Group will have an opportunity to review it and determine whether the RFP(s) is faithful to the directives of the SoW. If the RFP(s) is inadequate, it can be promptly amended to make it conform fully with the SoW. The Core Group and the Community Forum will be involved in the review of the published RFP(s).

8. Upon the conclusion of Ensearch's selection process, a debriefing session will be conducted for the Community Forum, at which reasons for the selection of the winning vendors and the rejection of losing bidders will be discussed, while preserving the anonymity of the losers.

MEMORANDUM

August 3, 1994

TO: New Bedford Harbor Superfund Site Forum Members
FROM: Michael Keating
RE: Notice of Meeting

The next meeting of the New Bedford Harbor Superfund Site Committee will be on Tuesday, August 9, 1994 at 6:00 p.m. at the Greater New Bedford Vocational High School.

A copy of the Agreement is attached for your review. This agreement will be signed at Tuesday's meeting.

F:3344

**New Bedford Harbor Superfund Forum
Core Group Agenda**

August 2, 1994

Review agreement

Develop protocols

- **Preparation of treatability specifications**
- **Role of the Forum in the solicitation, conduct and evaluation of the treatability study contracts**
- **Role of the Forum in the selection of technologies**
- **Role of the Forum in the development of Phase II of the clean-up**

Organization and scheduling of work on treatability specifications

Citizens' groups technical assistance

Other business

MEMORANDUM

July 27, 1994

TO: New Bedford Core Group
FROM: Michael Keating
RE: Rescheduling of meeting

This is to inform you that the meeting originally scheduled for Wednesday, July 27, 1994 has been rescheduled for **Tuesday, August 2, 1994**. The meeting will take place at **6:00 p.m. at the Trailer**.

F:3097