

New Bedford Harbor Superfund Site

Meeting

October 25, 1995

6:00 p.m.

Greater New Bedford
Vocational High School

Superfund Records Center

SITE: NEW BEDFORD

BREAK: 13.04

OTHER: 47587

AGENDA

- Report of maintenance/remedial dredging subcommittee
- Update on treatability studies
- Status of Sea Change's panel of scientists
- Presentation by Professor Nelson of Narragansett Lab on dredging impacts and ecological monitoring
- Waterfront businesses' representation on Forum Subcommittee review and organization
- Agencies' response to HATR proposal
- Towns of Acusnet and Fairhaven Questions
- Logistics

Schedule

Funding



COMMONWEALTH OF MASSACHUSETTS
TOWN OF ACUSHNET

122 MAIN STREET
 OFFICE OF THE

BOARD OF SELECTMEN
 TELEPHONE (508) 998-0100

BOARD OF SELECTMEN
 PETER W. GONZALEZ
 EVERETT L. HARDY, Jr.
 ROBERT J. DE JEAN

ELAINE G. MIRANDA
 TOWN SECRETARY

TOWN OF ACUSHNET'S CONCERNS OF CDF'S
 By Roland R. Pepin PCB Representative for the Board of Selectmen

1. The Federal EPA has laws that prohibit the storage of untreated toxic waste to be stored for no longer than one year. What will this mean, that once again the EPA will change the law to suite their needs and not take into consideration their own law which was developed to protect the public?
2. According to the EPA's map and explanation CDF # 1-B will be approximately 1700 feet long, and 200 to 400 feet wide stretching into the river behind the Aerovox corp. This means that there is a strong chance that we the citizens of Acushnet will be looking at a wall 8 feet above high tide which will look like another hurricane dike. We are also concerned that once these CDF's are built that Acushnet will loose a number of important footage of our wet lands which have been the homes and breeding grounds of hundreds of rear water fowl which have returned to our shores in the several years. Could you please give us the scientific study that shows the displacement of the water levels to the Acushnet banks of the river? And the overall impact to the wildlife and natural beauty that we have been working for during this clean up?
3. The Town of Acushnet is improving our land and natural beauty and we need to inform you, (the EPA) that we are not all happy with the present proposal and insist that all alternatives no matter how costly or time consuming they maybe, be looked into as when the Acushnet River is once again returned to its pristine condition we will be assured that our future generations will be able to look over the river and see natural beauty and not piles of stone or steel framed CDF's.
4. We the Selectmen representing the Town of Acushnet and its citizens feel that CDF's are not in the best interest of our town and do not support this proposed remedy in ROD II and insist that the EPA consider alternatives to permanent CDF's. Our Representative Roland R. Pepin will be working with other members of the forum to insure that you the EPA find a remedy that does not allow for permanent CDF's any place in the river as we have reviewed these locations and feel that this is not the best and/or safest way of dealing with this toxic waste.

Sincerely,

Acushnet Board of Selectmen, and PCB representative Roland Pepin

Selectman John T. Haaland

30 Linden Avenue
Fairhaven, MA 02719

Telephone 508-666-2528
Fax 508-666-2528

October 22, 1995

Claudia Kirk
57 Church Street
Fairhaven, MA 02719

Dear Claudia,

I scheduled my fall classes at Bentley College for Wednesday this semester. I made this decision because most of my meetings occurred on other days during the week. The PCB Forum was on Tuesday, so it should not have presented a problem. Unfortunately the day was switched.

As you know, I have believed from the start that all Forum participants' disagreements should be ironed out at the Forum table. The Fairhaven Board of Selectmen does not consider the permanent storage of PCBs in CDFs to be a satisfactory solution. We do understand, however, that a solution needs to be found.

Since we have continually discussed the forum meetings, I feel the need at this time to advance some questions that I believe have not been either adequately answered or specifically asked. Please have them provide the answers to these questions in writing so each of us will have the time to digest some of the more complex parts and analyze them in detail. In addition, I would like to know who we should contact with any questions on the specific answers given.

1) Could we see all cost estimates associated with CDFs and the permanent storage of PCBs along the shore, including annual monitoring costs, broken out in detail? The breakdown should note whether each cost listed is a one-time or annual expense, whether it would occur with another alternative, and when (e.g. month/year) each expense is expected to occur.

2) Please forward a copy of the cost analysis (and its assumptions) that was completed to determine that permanent storage using CDFs was a more cost effective method for our PCB problem than treating or eliminating immediately using a proven technology (include the same detail as above). The question was asked at a Forum meeting, and it was stated that treating was not a cost effective solution.

On another issue, I will ask the Board of Selectmen to consider sending a letter to Congressman Frank about how the interest on the settlement money for our harbor does not get credited to this project. It is my understanding from the discussions at the Forum

meetings that the interest is credited to the general Superfund account. Please verify this for me before I bring it up at our Board's next meeting. We should attempt to correct this since it is the same as not getting any interest at all.

Claudia, it is a grave concern to me that the permanent use and location of the CDFs will drive a wedge between the citizen groups. A wedge of this sort would cause significant damage to our cause and undermine our credibility at the table. It is crucial that all groups that oppose incineration remain united through this CDF issue as well. After all, we got to this table through the efforts of many. Let it not be destroyed through the efforts of few.

Sincerely,



John T. Haaland

1995
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12-9-96

Summary of Meeting Held October 25, 1993
of the New Bedford Harbor Superfund Site

In attendance at the session were:

EPA

J. Michael Keating
Jane Wells

Superfund

Claudia Kirk

DER

Paul Craffey
Andrea Papodopoulos

Beaumont

Ron Bullock
Diana Cobbold
Carol Sans

EPA

Cindi Catri
Frank Ciavattieri
David Dickerson
Kristine Laumeyer

Beaumont

Peter Kociera

MBRC

Steve Cassidy
Jim Simmons
Barry Starr

New Bedford City Council

George Rogers

New Bedford Harbor

Donald J. ...
Martin Manley

New Bedford Mayor's Office

Molly Fontaine

NOAA

John Terrill
Marguerite Macera

State Representative

Rep Bill Straco

Forum

Joe Formis

Approximately ten members of the public observed the meeting. The meeting was videotaped for subsequent broadcast on cable television.

David Dickerson reported on the progress of the treatability studies. The timing of administration with the hot spot sediments for the bench scale studies should occur within the next week or two, with data from the test becoming available within another month. EPA's contractor, Ebasco, anticipates selection of three vendors for the pilot study within the next two weeks, with initiation of the pilot scale studies slated for the fall.

The issue of potential off-site pilot testing by the vendors was discussed. The purpose of the off-site testing, if it is used, is to expedite the testing process by allowing vendors to conduct their tests at their respective home sites, thereby eliminating the need to set up facilities on-site and possibly losing the whole winter season. While no vigorous protests were registered by Forum members, Claudia Kirk expressed concern that removal of the testing process elsewhere made monitoring on the part of the Forum more difficult and less effective. The citizens groups' would prefer local testing, but understand the reasons for possible removal.

Diana Cobbold reported on preparations for Sea Change's panel of experts, which is scheduled to make its presentation to the Forum on November 14. Six distinguished experts have been recruited and provided with voluminous information on the New Bedford superfund site. Resumes for each of the scientists will be distributed to Forum members in advance of the presentation. There was considerable discussion of the format for the presentation, and it became clear that there is a need for Forum members to share with Diana and Sea Change questions they believe must be addressed by the scientists. Much of the success of this effort will depend on the precision and quality of the questions posed to the panelists. Forum members are encouraged to communicate their concerns and questions directly to Diana Cobbold at 508-748-0918.

Representative Bill Straum reported on the latest meeting of the subcommittee on navigational and remedial dredging, held on October 20 with some 20 to 25 participants in attendance. Among the issues tackled by the subcommittee was an effort to determine the minimum amount of cubic yards of sediment that might be needed to be dredged to restore the harbor to acceptable levels of shipping use. The figure most were able to agree on was 500,000 cubic yards. The subcommittee also discussed, at the initiation of Councilman George Rogers, a press report (attached) on the method for disposal of dredge spoils scheduled for use in Boston Harbor, which involves a trench-and-cover approach. The use of such a method depends apparently on the extent of the contamination of the sediments involved, and Dave Dickerson was quick to point out that the trench-and-cover approach was considered during EPA's feasibility study for the Phase 2 ROD in New Bedford.

The subcommittee reported that sufficient data on the extent of contamination in the harbor exists to allow the Corps of Engineers to analyze different options for dealing with it. There is also wide support for the linkage of navigational with the remedial dredging required in Phase 2 of the harbor superfund clean-up. Indeed, it is unlikely that the spoils from the upper harbor can find a "home" elsewhere, since they have concentrations of 5 to 10 ppm of PCBs, and heavy metals as well.

Steve Cassidy raised the possibility of using for the storage of spoils a trench or by-pass channel dug at the entrance to the harbor when the hurricane barrier was erected. While the barrier was being built, to allow for the passage of ships into the harbor during construction, a channel was created that Steve Cassidy's rough measurements calculated might provide possible storage for up to 200,000-plus cubic yards of dredged materials. EPA committed to exploring this possibility.

During this discussion, Molly Fontaine clarified a statement of Mayor Tierney that was reported in the local press to the effect that the City of New Bedford opposed the use of any CDFs as part of the Phase 2 remedy of the harbor. Molly stated that the Mayor had expressed concern about the use and impacts of CDFs in New Bedford, but was not at this point opposed to any use of CDFs. George Rogers reiterated the New Bedford City Council's opposition to the use of CDFs in any residential area of the City.

William "Skip" Nelson from EPA's Narragansett Lab gave a presentation on the long-term (30-year) monitoring plan developed for the New Bedford Harbor superfund clean-up to gauge the effectiveness of the remediation and comply with applicable ARRARS. The program involves an extensive collection of varied data to measure developments in the sediments and water column during the progress of the remedy. Initial baseline data measurements were conducted in the fall of 1993, from which a stunning array of graphic representations of conditions in the estuary were developed. The first round of follow-up measurements were just concluded last week, which will enable the first evaluation of impact of the hot spot dredging throughout the three zones of the estuary. Those results will not be ready for about six months, but this and all subsequent testing will enable the agencies to measure the effects of the remedial effort. In addition, continued monitoring will permit the identification of new problems or, possibly, of breakdowns in remedial efforts if they occur in the future.

Jim Simmons asked about the apparent indications of restored environmental health in the lagoon off Sawyer Street, such as the growing population of osprey and herons that is often observed there. Dr. Nelson responded that such sightings were a misleading index of the ecological health of the lagoon which, like the rest of the upper estuary, is presently in bad shape.

Following Dr. Nelson's presentation, the addition to the Forum of representation of a number of businesses directly affected by elements of the remedy proposed by the agencies for the Phase 2 clean-up was considered and approved. Joe Porne was welcomed as that group's representative to the Forum.

Next followed an extended and spirited discussion of the proposal presented at the last meeting of the Forum by the Hands across the River Coalition. On behalf of the agencies, David Dickerson identified lack of funding as a critical obstacle to adoption of the proposal. He repeated the earlier estimate that the cost of treatment urged in the plan as the preferred method for dealing with the sediments in Phase 2 would run between \$200 and \$400 million, while the settlement account for the site is down to \$56 million. The difference between the currently estimated cost and available funds represents virtually all of EPA's likely allocation for superfund expenditures nationally in the next fiscal year. Paul Craffey pointed out that, at a conference he recently attended on alternative treatment technologies, there was agreement that the minimum cost per ton simply for preparation for treatment, i.e. the cost of transportation of materials to and the setting up of the treatment mode, was \$100 a ton, a cost that would be required no matter how sophisticated and inexpensive future treatment methods became. That cost alone precluded the treatment of all of the sediments associated with the Phase 2 clean-up.

Bill Straus pointed out that the underlying premise of the HARC proposal related more to policy than concrete application. It focuses more on the importance of the commitment to treatment as the preferred method for dealing with the harbor's contaminated sediments than on any

one treatment method and its cost. Citing again the oft-repeated time frame for approval of ROD-2, the dredging and placement of so vast an amount of sediments in containers and the period of subsidence required before their capping, he pointed out the likelihood of there being many years before a final determination to preclude treatment needs to be made. Frank Civiattieri reiterated the agencies' commitment to keeping open in the ROD the possibility for the adoption of some form of treatment that might be developed during that period that proves to be effective and affordable.

The discussion then moved on to HARC's proposal to eliminate CDF 1 at the present lagoon. Dave Dickerson pointed out that the elimination of this CDF would require the storage elsewhere of both the 270,000 cubic yards already scheduled to be placed there and another substantial number of cubic yards resulting from the removal of contaminated sediments from the lagoon, which would have been buried under the 270,000 cubic yards under the current proposal. A number of alternative storage configurations were suggested, with early discussion focusing on CDFs 10 and 10A. Paul Craffey urged strongly DEP's opposition to a plan that called for the transfer of heavily polluted sediments to relatively unpolluted areas. He protested that such an approach violated basic environmental principles.

Joe Porne then suggested that his knowledge of the working waterfront of New Bedford indicated that the estimated capacities of some of the CDFs identified in EPA's feasibility study were underestimated, a suggestion that Steve Cassidy also thought particularly true of CDF 7. Joe Porne also suggested that there were additional harbor-side industrial sites that could be bulkheaded and used for storage outside of residential areas where owners might welcome the enhancement to their waterfront space, or, at least, not object to it. Again, EPA expressed a willingness to explore this possibility and actively sought Joe Porne and his group's cooperation in doing so.

George Rogers suggested for consideration other sites, also outside residential areas, not identified in EPA's feasibility study for CDF sites. Much discussion focused, too, on CDF Island 1, a site large enough to hold all of the sediments from CDF 1, as a possible substitute. As it turns out, two of the scientists recruited by Sea Change for its panel have been involved directly in the creation of a CDF island in the Baltimore Harbor clean-up.

At the conclusion of the discussion, the agencies agreed to explore other possible sites and consider the use of other CDF configurations, as well as provide a breakdown of the costs of treatment. In addition to discussion of the HARC proposal, the meeting agenda also included letters from Acushnet and Fairhaven selectmen, which EPA promised to respond to in writing.

Barry Starr of HARC had the last substantive word of the night when he pointed out that the fundamental thrust of the HARC proposal was its demand for the treatment of all of the sediments removed from the harbor irrespective of the cost. From his perspective, the issue primarily was one of health and safety.

The next meeting of the Forum will occur on ~~Thursday, November 14,~~ 1995 at 6:30 p.m. at the Whaling Museum in downtown New Bedford and will feature exclusively the San Diego panel of distinguished scientists. On ~~Wednesday, November 22,~~ 1995, the Forum will hold its public session in the auditorium of the Greater New Bedford Vocational High School. This meeting will include the establishment of booth or poster positions with information on Phase 2 plans and issues, manned by members of the Forum, at which the public, in advance of the public session, may learn about the proposed project. The exhibits will last from 6:00 p.m. until 7:00 p.m., with public questioning to follow. The next regular meeting of the Forum will occur on ~~Thursday, November 2,~~ 1995 at 6:00 p.m. at the Greater New Bedford Vocational High School.

The meeting adjourned at 9:51 p.m.