

13.9.37

Superfund Records Center
SITE: NEW BEDFORD
BREAK: 13.04
OTHER: 47525

**New Bedford Harbor Superfund Forum
Meeting
February 28, 1996
6:00 p.m.
Greater New Bedford
Vocational High School**

AGENDA

Status of treatability studies

Report of navigational/remedial dredging linkage subcommittee

Development of a final agreement

- Review of draft agreement, based on December 7, 1995 decisions
- Report on February 11 public meeting
- Discussion of agencies' new proposal on CDF locations

Next meeting

Summary of the Meeting Held February 28, 1996
of the New Bedford Harbor Superfund Forum

In attendance at the session were:

~~Environmental~~

Michael Keating
Jane Wells

~~Concerned Parents of Children~~

Claudia Kirk

~~DEP~~

Paul Craffey
David Janik
Alexa Law-Flood

~~Democrat Coalition~~

Neal Bulboni
Diana Cobbold
Carol Sanz

~~EEA~~

Larry Brill
Cindy Catri
Frank Ciavattieri
David Dickerson
Harley Laing

~~Team of Environmental~~

John Hanland

~~EMRC~~

Steve Cassidy
Charles Lord
Jim Simmons
Barry Starr

~~New Bedford City Council~~

Paul Koczera
George Rogers

~~New Bedford Harbor
Development Commission~~

Martin Manley

~~New Bedford Mayor's Office~~

Molly Fontaine

~~State Elected Officials~~

Rep. Bill Straus

~~Massachusetts Environmental~~

Joe Pocus

~~Team of Academics~~

Peter Koczera
Roland Pepin

Approximately ten members of the public attended the meeting, which was videotaped for subsequent broadcast on cable television.

Alan Fowler reported on the status of the treatability studies. Preliminary results from the bench scale study suggests that the stabilization process did little to reduce leaching. Further evaluation of the preliminary data is underway. A new RFP was sent out for the third pilot scale study to replace the vendor that withdrew. Responses to the new solicitation are due on March 9. Selection of a successful bidder is expected in April, with a contract to follow in May and conduct of the study in June. Rejected bidders from the first round were briefed on the reasons for their rejection, and, hence, should be better prepared for the second bidding opportunity.

Bill Straus reported that the subcommittee on combined navigational and remedial dredging is to hold its next meeting on March 5 at 10:00 a.m. at a place to be announced. Because the Seaport Bond

Bill is now law, some funding will be available for navigational dredging in New Bedford Harbor. Bill also believes that the Commonwealth's coastal zoning personnel can now be drawn into the dredging planning process.

Discussion next turned to possible agreement on the Phase II ROD. The facilitators presented a draft agreement based on the Forum's decisions on a series of issues at its December 7, 1995 meeting (see the attached draft). The only major substantive issue unresolved as a result of that meeting was the location of the proposed CDFs. On February 11, 1996, at the direction of the full Forum, a public meeting was held in the neighborhood where proposed CDF 1 was to be located to elicit local response to the construction of the CDF off the present sight of the cove or lagoon. The response of the attendees at that meeting was decidedly negative, with concerns viewed over the safety of the proposed structure and the fairness of the location of so large a portion of the contaminated spoils in this largely residential neighborhood. The agencies' tentative proposal, first formally presented at this meeting, for reducing the size of CDF 1 and preserving half of the cove was not much more favorably received. At the end of the February 11th meeting, the agencies promised to consider the views and concerns expressed by participants.

David Dickerson presented to the Forum the results of the agencies' reconsideration of the configuration of the CDFs. The new proposal, while still tentative and contingent on a number of external approvals, envisions a considerable expansion of CDF 1B and CDF 7; use of CDF 1A; and the use of CDF 10, mostly for navigational materials and some small amount of remedial spoils. Initial questions about the proposal focused on the changes in the physical configuration of the reconstituted CDFs, particularly CDF 1B. Acushnet and Fairhaven representatives expressed concern over the potential impact of doubling the longitudinal size of CDF 1B on the flow of the river's current and on the wetlands on the eastern shore of the Acushnet River. EPA promised to provide engineering analyses of the hydrological impacts of the new configuration on water flow in the river and the wetlands.

Questions were also raised about the cost of the new configuration. Again, EPA promised to provide fiscal estimates as soon as possible. While there are clearly many questions to be addressed before the proposal, still in its formulative stage, can be fully evaluated, most members of the Forum expressed optimism that the proposed configuration might provide the framework for the settlement of this most thorny issue in the development of the Phase II ROD.

The agencies committed themselves to providing data on the volume of each of the restructured CDFs and information on the likely hydrological impact of the new configurations in advance of the Forum's next meeting, which is scheduled for Tuesday, March 26, at the Ford Middle School on Middle Road in Acushnet (see directions below). A follow-up meeting is also scheduled for Wednesday, April 10, at the Greater New Bedford Technical High School.

Members of the Forum are encouraged to review closely the attached draft form of the developing agreement on the Phase II ROD, generally substantively complete with the exception of a paragraph on the placement of CDFs. If you have either questions about or suggestions for the improvement of the draft language, please communicate your ideas to the facilitators prior to the March 26th meeting, so that a second and more refined version of the draft agreement can be available for review at that meeting.

Directions to Ford Middle School: Take Route 140 north from I-95 to the Industrial Park/Acushnet exit; turn left (east) off ramp onto Phillips Road; at Acushnet Avenue (about a quarter of a mile); turn left (north); about three-quarters of a mile up Acushnet Ave, turn right (east) on Peckham Road (opposite a Sunoco gas station); follow Peckham Road (which becomes Middle Road) for several miles; pass the Acushnet Middle School, where we held several Forum meetings in 1994/5, and on the left you will come to the Ford Middle School. The meeting will take place in the auditorium.

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DRAFT

New Bedford Harbor Superfund Site Community Forum

DRAFT AGREEMENT

The New Bedford Harbor Superfund Site Community Forum has been meeting since April 25, 1995 on issues related to the Phase 2 Record of Decision (ROD) for remediation of contamination in New Bedford Harbor. After extensive review and discussion of the agencies' original proposal, the Forum met on _____, 1996, and agreed to the following:

1. The PCBs and heavy metals presently contaminating the Acushnet River and New Bedford Harbor need to be removed from the river and harbor as quickly as possible. The health risks associated with their continued presence are unacceptable.

2. The Forum prefers the treatment and destruction of the PCBs and heavy metals rather than their storage in long-term or permanent confinement facilities along the shore of the river and harbor.

3. While it does not destroy the PCBs and heavy metals, the Forum agrees that the use of CDFs for storage of the dredged and contaminated sediments accomplishes their removal and reduces the risks to human health and safety.

4. The Forum acknowledges that the use of CDFs for permanent storage of the dredged and contaminated sediments, however, involves risks associated with leakage and the long-term durability of the containers, as well as issues of long-term cost allocation for their maintenance.

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5. The Forum also acknowledges that treatment alternatives currently available for so large an amount of sediments with such high levels of contamination are neither technically nor economically feasible.

6. The agencies are committed to a continuing review of the applicability of treatment alternatives developed during Phase 1 of the remediation process to the materials stored in the CDFs.

7. The agencies also agree to continue the search for viable treatment alternatives during the early stages of the Phase 2 remediation, before the CDFs are permanently capped.

8. The Forum agrees that one of the treatment alternatives to be evaluated will be bioremediation.

9. If no technically or economically feasible alternative treatment is developed prior to the permanent capping of the CDFs, the agencies pledge to review, no less frequently than every five years, developments in alternative technology that, in the future, may become technically and economically feasible for application to the stored materials.

10. The Forum supports the utilization of some portion of the remediation CDFs to store navigational dredging spoils from the harbor.

11. The Forum agrees to the use of CDF

7.

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12. There is a strong commitment on the part of all its members to the continuance of the Forum to participate actively in the development of the engineering design of any CDFs, the design and implementation of monitoring plans, the planning and implementation of dredging activity, the development of appropriate uses for any capped CDFs, the review of alternative treatment developments, and all other aspects of the development of the Phase 2 remedy.

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GENERAL AREA
FOR COMBINED CDF
(5% SUPERFUND,
95% NAVIGATION)

**SITE LOCATION MAP
HOT SPOT AREA**

ERM - New England, Inc.
 1000 WEST WASHINGTON STREET - SUITE 200
 WASHINGTON, D.C. 20004
 TEL: (202) 462-1000
 FAX: (202) 462-1001

SCALE 1:25 000

FORM NO. 7000-10-1

Source: USGS Charting:
New Bedford North and South, MA, 1979