



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
JOHN F. KENNEDY FEDERAL BUILDING  
BOSTON, MASSACHUSETTS 02203-0001

Superfund Records Center  
SITE: NEW BEDFORD  
BREAK: 9.1  
OTHER: 49059

July 8, 1997

HAND DELIVERED

Arthur Pugsley  
Executive Office of Environmental Affairs  
MEPA Unit, Room 2000  
100 Cambridge Street  
Boston, MA 02202

RE: New Bedford 115kV Power Supply Project  
EOEA # 11174

Dear Mr. Pugsley:

The U.S. Environmental Protection Agency would like to submit the following comments on the Environmental Notification Form (ENF) for the proposed 115kV transmission line in New Bedford by Commonwealth Electric Company (ComElectric). We would also like to express our appreciation for your acceptance of our comments until July 9, 1997.

EPA also notes that we are not included on ComElectric's ENF mailing list and request that we be added to that list. Information should be sent to Dave Dickerson, Remedial Project Manager, U.S. Environmental Protection Agency, Mail Code HBO, J.F.K. Federal Building, Boston, MA 02203.

In November, 1996, EPA issued a Proposed Plan for remediating the New Bedford Harbor which has been listed on the Superfund National Priority List. The Proposed Plan calls for dredging PCB contaminated sediment in the upper Harbor and parts of the lower Harbor and containing the dredged sediments in confined disposal facilities. The area in the upper Harbor where ComElectric proposes to lay its cable is directly in the path of the proposed dredging and has some of the highest levels of contaminated sediment.

EPA acknowledges that it has met with ComElectric several times to coordinate the installation of this cable with the proposed remedy. However, EPA and ComElectric have not yet reached an agreement on how to coordinate these two projects.

Of greatest concern to EPA is ComElectric's proposal to lay the cable directly in the PCB-contaminated sediment in the Harbor. EPA



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believes this action would cause a release or threat of release of contaminated sediment in the bottom of the Harbor. Pursuant to Section 107 of CERCLA, causing a release or threat of release of hazardous substances incurs liability for addressing that release. Further, a potential release also exists should any maintenance or repair of the proposed cable be required in the future, a point also made by ComElectric themselves in a January 1997 comment to EPA's November Proposed Plan. In addition, EPA believes that laying a new cable on the contaminated sediment would exacerbate the problem of cleaning up existing harm in that both existing cables and the additional proposed cable would have to be moved before dredging could proceed.

Of similar concern are activities such as inspecting and upgrading existing cables which are associated with some of the alternatives proposed by ComElectric. To the extent these activities involve disturbing the contaminated sediment, for the same reasons stated above, EPA believes such movement of contaminated sediment may cause a release or a threat of release of hazardous substances.

EPA is not aware of any studies conducted by or at the direction of ComElectric to support its statements in Section III.E. of the ENF regarding the use, generation, transportation, storage, release, or disposal of hazardous materials for the alternatives proposed by ComElectric. We would welcome the opportunity to review such material.

Additionally, EPA is also unaware of any studies conducted by or at the direction of ComElectric to support its statements in Section III. A through D of the ENF. Without the benefit of such studies, EPA believes the information available is insufficient to enable us to comment in any meaningful way as to potential impacts the alternatives may have on wetlands, tidelands, water quality, harbor ecology, or historical or archeological sites. Therefore, EPA can only note its concern that such impacts may occur and may be significant. Should a permit be required from the U.S. Army Corps of Engineers for work in waters of the United States, or if MEPA determines that an EIR is required, EPA will submit comments at that time.

EPA does support alternate routes for the new cable which will not interfere, conflict with or delay remediation of New Bedford Harbor and which do not adversely affect or which minimize and/or mitigate impacts to the environment. We recognize that coordination with ComElectric is vital to addressing the problems that the existing

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cables present with regard to remediation of the Harbor. As in the past, we will continue to coordinate with ComElectric to ensure that service remains intact while dredging is conducted.

Sincerely,



Harley Laing, Director  
Office of Site Remediation and Restoration

cc: David Dickerson, EPA-RPM  
Cynthia Catri, EPA-OES  
Paul Craffey, Mass. DEP  
David Janik, Massachusetts Coastal Zone Management  
W. Stephen Collings, ComElectric