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UNITED STATES OF AMERICA  
ENVIRONMENTAL PROTECTION AGENCY

REGION ONE

In the Matter of:  
  
PROPOSED CLEANUP PLAN FOR THE  
HOT SPOT AREA OF THE NEW BEDFORD  
HARBOR SUPERFUND SITE

Wednesday  
August 16, 1989  
  
Room A  
Days Inn  
500 Hathaway Road  
New Bedford, Massachusetts

The above-entitled public hearing was convened pursuant  
to Notice, at 7:06 o'clock p.m.

BEFORE: FRANK CIAVATTIERI, Chairman  
Remedial Project Manager  
EPA-Region One

MARY SANDERSON  
EPA-Region One

HELEN WALDORF  
Mass. Dept. of Environmental Protection

DOUGLAS C. ALLEN, P.E.  
E.C. Jordan

I N D E X

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P R O C E E D I N G S

7:06 p.m.

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3 MR. CIAVATTIERI: Good evening, ladies and  
4 gentlemen. My name is Frank Ciavattieri. I am with the  
5 Environmental Protection Agency in Boston, and I am  
6 currently the Remedial Project Manager for the New Bedford  
7 Harbor Superfund Site. What I'd like to do, before we start  
8 with any of our presentations, I would like to introduce Mr.  
9 Paiva, who is in our audience. Mr. Paiva is an English to  
10 Portugese translator, Portugese to English translator, and  
11 is here to assist anybody in the audience who may need any  
12 assistance in having the presentation's discussions tonight  
13 translated or anybody who wishes to make a statement and may  
14 want some assistance in having that statement translated to  
15 English. Mr. Paiva, would you like to say a few words  
16 first?

17 MR. PAIVA: I am available to go from Portugese to  
18 English if anyone so desires. If anyone wants assistance,  
19 please come to me, and I will translate. Thank you.

20 MR. CIAVATTIERI: Thank you. The purpose of  
21 tonight's hearing is to have a formal hearing on the record  
22 on the EPA's proposed plan for the New Bedford Harbor  
23 Superfund Site Hot Spot. Before beginning, I'd like to  
24 introduce the members sitting at the front panel.

25 First of all, I'd like to introduce Mary

1 Sanderson, who will be EPA's Immediate Project Manager on  
2 the New Bedford Harbor Superfund Site, commencing October  
3 1st. Mary?

4 To her left is Helen Waldorf, who is the Project  
5 Manager for the Massachusetts Department of Environmental  
6 Protection, formerly the Department of Environmental Quality  
7 Engineering. Helen?

8 To Helen's left is Doug Allen, who is the Project  
9 Manager for E.C. Jordan, who is EPA's subcontractor to  
10 Ebasco, providing technical assistance on the Superfund  
11 Site.

12 I will serve tonight as the Chairman of the  
13 meeting, and I want to welcome you all here. The purpose of  
14 tonight's hearing is to formally accept your comments on the  
15 feasibility study and proposed plan for remediation of the  
16 Hot Spot area of the New Bedford Harbor Superfund Site.

17 Before proceeding with the hearing, I'd like to  
18 make a couple of announcements. First, the EPA is  
19 announcing tonight that it's Public Health Risk Assessment  
20 is now available for public review. This document will be  
21 available at the New Bedford Free Library at 613 Pleasant  
22 Street, New Bedford, at Mosin Library at 45 Center Street in  
23 Fairhaven, and at the EPA Record Center, 90 Canal Street,  
24 Boston, Massachusetts, commencing tomorrow.

25 In order to provide the public ample opportunity

1 to review this document and other documents, the EPA will  
2 use in its decision process--the EPA is hereby extending the  
3 public comment from the previous September 1, 1989 deadline  
4 to Monday, October 2, 1989.

5 Copies of EPA's proposed plan were available at  
6 the front desk as you came into the room. You may want to  
7 get one of those if you don't have one to follow tonight's  
8 proceedings and proposed plan.

9 I would also like to announce that at the request  
10 of AVX Corporation, one of the PRP's on the New Bedford  
11 Harbor Site, who will make a brief presentation tonight on  
12 an alternate proposal for cleaning up the harbor, at a  
13 second informal public meeting on the record will be held  
14 here at this facility on next Tuesday, August 22, 1989 at  
15 7:00 p.m. to allow AVX representatives to allow a detailed  
16 presentation on their alternative and to allow people to  
17 answer, to allow questions to be made on that proposal.

18 A press release will appear in the local  
19 newspapers announcing both the extension of the comment  
20 period and the date for the August 22nd time for the August  
21 22nd meeting.

22 I would now like to describe to you the format for  
23 tonight's hearing. Essentially, the evening will be divided  
24 into four parts. First, I will ask Doug Allen to give you a  
25 brief overview of the proposed plan. As many of you know,

1 EPA representatives made a detailed presentation on this  
2 plan at an informational meeting held here on August 3rd.

3 Following Doug's overview, Helen Waldorf of the  
4 DEP will make a brief statement on behalf of the  
5 Massachusetts DEP for the record.

6 After these opening comments, I will then ask the  
7 representatives of the community work group, the New Bedford  
8 Harbor Environmental Community Work Group, to make a  
9 statement. We will then offer the floor to AVX  
10 representatives to make their presentation. And following  
11 that, I will open it up to any others who may wish to make  
12 any comments.

13 Could I please have a show of hands if anybody  
14 here is interested in making a comment tonight, other than  
15 those people I already identified?

16 (Pause)

17 Okay. If you should decide later that you wish to  
18 make a comment, then I will ask those of you who do and  
19 those who I previously identified to please identify who you  
20 are and your affiliation with the site, and to come forward  
21 here to the podium in order to make your statement so that  
22 our recorder and everybody in the audience can hear you.

23 I will reserve the right to limit oral comments to  
24 ten minutes if it looks like we're having time constraints.  
25 Based on the number of people who have indicated their

1 willingness to speak tonight, that may not be necessary.  
2 But I will reserve that right.

3 The entire text of tonight's hearing will be  
4 transcribed and become part of the administrative record.  
5 After you have made your comments, I or another member of  
6 this panel may ask some clarifying questions just to assist  
7 us in considering your statements.

8 After all the comments have been heard, I will  
9 close the formal hearing. And we will not be able to  
10 respond tonight to your comments and questions. However,  
11 after I close the formal part of the hearing, we will remain  
12 available informally to answer some of the issues you have  
13 raised on any other aspects of the feasibility study or the  
14 proposed plan.

15 As already stated, the public comment period for  
16 the proposed plan which opened on August 4th is now extended  
17 through October 2nd. If you wish to submit written  
18 comments, I strongly encourage you to do so. They must be  
19 postmarked no later than October 2nd and mailed to our  
20 office in Boston. Once again, the appropriate address for  
21 our offices can be found on page two of the proposed plan.

22 At the conclusion of the meeting tonight, please  
23 see one of us from EPA if you have any questions on the  
24 process for making written comments we receive tonight, and  
25 those we will receive in writing during the comment period.

1           The summary will be included with the decision  
2 document, a record of decision that EPA prepares at the  
3 conclusion of the comment period. In the record of  
4 decision, the EPA will explain which clean-up alternatives  
5 have been selected for the Hot Spot area of the New Bedford  
6 Harbor Site.

7           Now, I know I have presented a lot of information  
8 for you procedurally and otherwise on what we're going to  
9 do. So if anybody has any questions before we get going  
10 with the formal hearing on how we intend to proceed, now is  
11 the time to ask me.

12           (Pause)

13           There will be a time for questions after the close  
14 of the formal comment period off the record. And we will be  
15 available to answer those questions, but I will not--I will  
16 accept statements during the formal part of the hearing, but  
17 not questions.

18           (Pause)

19           Seeing no other questions, I will now turn the  
20 meeting over to Doug Allen, who will make a brief  
21 presentation on the EPA's proposed plan. Doug?

22           (Pause)

23           MR. ALLEN: Thank you, Frank. Frank indicated  
24 that what I'm going to do is go through a very brief oral  
25 presentation of what's already in this document which you

1 can pick up outside the door. The first slide, please?

2 (Pause for tape change)

3 MR. CIAVATTIERI: We seem to be having technical  
4 difficulties with the slide projector. I think that Doug  
5 can give you an overview of the proposed plan pretty well  
6 verbally. And if you have a copy of the proposed plan,  
7 there are some figures in the back that will help you to  
8 follow along. Go ahead.

9 (Pause)

10 MR. ALLEN: Let me be very brief with the overview  
11 on the preferred plan, but the details are contained in the  
12 document that is available to you on the table outside the  
13 door.

14 Basically, the preferred plan consists of the  
15 following unit processes. The sediment in the Hot Spot will  
16 be dredged, using a cutterhead dredge. It will be piped  
17 from the Hot Spot area to the CDF, which is now that the  
18 pilot study that was built by the corps of engineers. The  
19 dredged sediment will be allowed to settle out in one part  
20 of the CDF. That will take a two to three percent solid  
21 slurry, and using simply gravity, will allow that sediment  
22 to remain in the primary cell until it settles to  
23 approximately 20%.

24 The water that results from that settling will  
25 then pass through into a secondary cell. As it passes into

1 a second part of the CDF, chemical coagulents will be added  
2 which will complete the settling out of any suspended solids  
3 containing PCB's and metals.

4 The clarified water from the second part of the  
5 Pilot Study CDF will then be passed to a final treatment  
6 system to treat any remaining PCB's and metals in the water  
7 before discharging the water stream back to the harbor.

8 Now, we have the pilot study CDF containing the  
9 settled solids, which have the PCB's contained in them.  
10 Those settled solids will be removed from the CDF, and they  
11 will be passed along to the next stage of the treatment  
12 process, which will be dewatering system. We will be taking  
13 20% solid sediment. We will be dewatering it to  
14 approximately 50%, using conventional dewatering technology.  
15 I might add that the dewatering technology, along with the  
16 subsequent treatment units, will all be located adjacent to  
17 this CDF structure on the soccer field--on what is now the  
18 soccer field.

19 Once the solids have been dewatered to 50%, they  
20 will then be passed to an incinerator. Now, this  
21 incinerator will be brought in. It's usually trailer  
22 mounted--two or three trailers onto the site. It will be  
23 brought in. The dewatered sediments will be fed into the  
24 incinerator, where the sediment containing the PCB's will be  
25 combusted--or in other words, burned at extremely high

1 temperatures--to destroy the PCB's.

2 Now, the sediment in the Hot Spot contains metals  
3 as well as PCB's. And the incineration process will not  
4 destroy the inorganics, or the metals. What we will do  
5 prior to bringing in the incinerator on site will be to  
6 determine if those metals that come out of the end of the  
7 incinerator will have the capacity or the propensity to  
8 leach. In some cases, incineration of sediments or  
9 materials containing metals can cause the metals to become  
10 more mobile. We will do a leach test as part of a test  
11 procedure to determine if in fact the metals in the  
12 incinerated sediment would become mobile in the event that  
13 they were to be in contact with rain water.

14 If we find that the metals are mobile or have a  
15 propensity for being mobile, then we will add a second  
16 treatment process to incineration. And this will be what we  
17 call solidification. The incinerator ash will be mixed with  
18 a cement-like substance in the appropriate ratios. And that  
19 resulting product, containing immobilized metals, will then  
20 be deposited in the second part of the CDF of the Pilot  
21 Study area.

22 Now, once the complete operation is over with, the  
23 CDF area will be covered over. And that's basically the  
24 preferred alternative for the Hot Spot area.

25 (Pause)

1 MR. CIAVATTIERI: Thank you, Doug. I would now  
2 like to ask Helen Waldorf of the Massachusetts Department of  
3 Environmental Protection to make a statement on behalf of  
4 DEP.

5 MS. WALDORF: Thank you, Frank. On behalf of the  
6 Massachusetts Department of Environmental Protection, I'd  
7 like to thank you for coming to the public hearing for this  
8 Federal Superfund Site. The New Bedford Harbor Site is a  
9 very important site for Massachusetts, and this is a very  
10 important part of the process tonight.

11 EPA and the state tonight are soliciting public  
12 comments on the selection of a remedy for the Hot Spot  
13 portion of this disposal site. Although New Bedford Harbor  
14 is one of over a thousand confirmed disposal sites--state  
15 disposal sites in Massachusetts--it is the priority disposal  
16 site among the 25 Federal Superfund Sites that we have in  
17 Massachusetts.

18 The state's role in this process is to evaluate  
19 the remedy that is selected, based on permanency criteria  
20 contained in the Massachusetts statutes and regulations.  
21 Primarily that evaluation is done under the permanency  
22 standards contained in Massachusetts General Law, Chapter  
23 21E, and in the Massachusetts Contingency Plan.

24 The state's standard under other various  
25 environmental that we have, such as air quality, water

1 quality and so on, are also evaluated in a process which is  
2 called by the people in the business the ARARS Process,  
3 which is the establishment of appropriate and relevant  
4 standards for the conduct of a remedial action at a  
5 Superfund Site.

6 Our other roles include a supporting role in  
7 evaluating and selecting the remedy with EPA. We evaluated  
8 and are continuing to evaluate the data gathered by the U.S.  
9 Army Corps of Engineers, and by EPA's Narragansett Lab in  
10 the testing of various dredging alternatives and various  
11 disposal alternatives and various treatment methods for the  
12 contaminated sediment at the site.

13 Attaining access to real property to implement a  
14 remedy is another one of the state's roles. The state must  
15 also pay for 10% of the capital costs for the remedy. Once  
16 a remedy is completed, the state's role really begins in  
17 earnest because the state has to guarantee that the  
18 operation and maintenance of a particular remedy will be  
19 performed and will continue to be consistent with the  
20 protection of public health and the environment.

21 All of those roles give us as very serious reason  
22 to evaluate and consider what the EPA is proposing for this  
23 site. We are continuing to look at the data. We will be in  
24 the process of evaluating the remedy for the permanency  
25 standard, and to meet other state environmental standards.

1 And that process culminates in the signature of a record of  
2 decision in which the EPA looks to the state for its opinion  
3 about what is planned to be done for this site.

4 So that's a little overview about what the state's  
5 role is. And I encourage you to make comments over this  
6 process. If you can't make a statement tonight, I encourage  
7 you to submit written statements to the Environmental  
8 Protection Agency because we need to hear from you in the  
9 public forum process in order to know whether we're on the  
10 right track for this remedy. Thank you very much.

11 MR. CIAVATTIERI: Thank you, Helen. I would now  
12 like to turn the podium over to Leon R. Chadwick, who is the  
13 Chairman of the Greater New Bedford Environmental Community  
14 Work Group. Leon?

15 MR. CHADWICK: Thank you, Frank. First of all, my  
16 name is Leon R. Chadwick. I'm the Chairperson of the  
17 Greater New Bedford Environmental Community Work Group.  
18 This group is approximately two years old, made up of  
19 citizens of the towns of Acushnet, Fairhaven, Dartmouth, and  
20 the City of New Bedford, along with some other interested  
21 parties.

22 We have been examining the data, gathered by the  
23 EPA, which underlies the cleanup alternatives so that we can  
24 have informed input in EPA's decision-making process. We  
25 basically support EPA's proposed plan of the incineration as

1 a permanent method to destroy PCB's.

2 Our concerns with this clean-up method rest  
3 primarily on the issue of heavy metals concentration in the  
4 ash residue from the incinerated sediments, as well as  
5 possible metals emissions from the incinerator. The EPA has  
6 suggested solidification of this ash residue to immobilize  
7 the metals. We think that the EPA should provide more data  
8 to support the conclusion that this technology is effective.

9 And last but not least, this statement should not  
10 be construed as our final comment on the proposed remedy.  
11 We are still in the process of evaluating the proposed plan,  
12 as well as other technical and support documents. And we'll  
13 make public final comments of this remedy at the end of the  
14 EPA's public comment period. Thank you.

15 MR. CIAVATTIERI: Thank you, Leon. I would now  
16 like to recognize Leonard Sarapas, who will make a  
17 presentation on behalf of AVX, one of the PRP's on the New  
18 Bedford Harbor Site.

19 MR. SARAPAS: Thank you, Frank. I'm probably a  
20 new face to some of you people tonight. My name is Leonard  
21 Sarapas. I'm Vice President of Engineering for Balsam  
22 Environmental Consultants. I have personally been working  
23 on this project since 1984 for AVX Corporation, one of the  
24 PRP's.

25 Leon Chadwick made some good points. We concur

1 with those points. We have been looking at the incineration  
2 process ourselves and believe the incineration process will  
3 result in oxidation of the sediments, which typically does  
4 increase mobility of the metals. And we do believe some  
5 more studies should be done on fixing the sediments prior to  
6 the selection of that remedy.

7 There are a couple of other central comments that  
8 we would share tonight. We will discussing them in more  
9 detail as part of written comments. But to share with the  
10 public, one of our thoughts is that the Hot Spot program is  
11 not a comprehensive solution. We thought that selection of  
12 a program which really balanced all of the benefits of a  
13 remedial process would be more appropriate.

14 And the second issue, which has not been raised,  
15 is a quantification of the amount of PCB which will be  
16 volatilized during the dredging and dewatering process. We  
17 have reviewed one of the Army Corps reports to date,  
18 prepared in part of support of this remedial investigation.  
19 And that report indicates that there may be some significant  
20 PCP volatilization associated with this Hot Spot program.

21 A brief history of this alternative remedial  
22 program. We have been meeting with EPA since about last  
23 October, generally discussing this approach as an  
24 alternative remedy, a global solution. And based on recent  
25 discussions with EPA, they requested that we make just a

1 very brief statement tonight to introduce the idea to the  
2 public in general.

3 And then they gave us a full hour or so  
4 presentation that we could make next Tuesday night at 7:00.  
5 We would like to see as many people there that are  
6 interested as would like to come to allow us to share more  
7 details about the plan.

8 The program that we have developed has been  
9 developed over about the last two years. AVX Corporation  
10 has developed, similar to what EPA has done, an independent  
11 team of national experts that are very experienced in the  
12 field. And through our own studies, which relied to a great  
13 extent on EPA's own data, we have developed an alternative  
14 remedial program.

15 The program relies on the use of hydraulic  
16 controls during the remedial program implementation to  
17 control the tides and the flow of the Acushnet River, and  
18 the construction of a multi-media cap over a good portion of  
19 the upper estuary. The cap is going to be constructed of  
20 a gea fabric material. I have some samples with me, if  
21 afterwards people would like to look at them. It's  
22 essentially a very heavy woven material which will prevent  
23 mixing of the sediments, followed by the placement of a  
24 clean sediment cap to eliminate any contact between  
25 environmental and public receptors to the contaminants, as

1 well as mixing of the sediments.

2 In parts of the estuary where there can be higher  
3 velocities, we're going to be installing an armored cap.  
4 Our evaluation of this program is that the cap should have  
5 long-term integrity and should resist puncture and intrusion  
6 by the public. We have also looked at effectiveness, one of  
7 the central criteria in the Superfund process. Placement of  
8 this cap should eliminate nearly all direct contact to  
9 highly contaminated and moderately contaminated sediments in  
10 the upper estuary, and in fact throughout the site.

11 Our evaluation of PCB flux--that is, discharge  
12 from the upper estuary to the site--indicates that  
13 installation of this cap will eliminate about 99% of the  
14 current PCB flux from the upper estuary. Furthermore, we  
15 believe--and I believe EPA concurs with us on this--that  
16 about 90% of the PCB's throughout this site are present in  
17 the upper estuary. And this cap will contain the vast  
18 majority of those PCB's.

19 We have looked at the compliance of this program  
20 with Superfund. We do believe that it substantially does  
21 comply with the requirements of Superfund. We will be  
22 discussing that in more detail at our presentation next  
23 Tuesday night.

24 In regards to cost, we have estimated costs of  
25 this program to be about \$15 million. That's approximately

1 the cost of the Hot Spot program as proposed. We believe,  
2 on that basis, this is a more cost-effective approach, even  
3 without consideration of what the cost or remedy of the  
4 remainder of the upper estuary and harbor will be.

5 Again, I look forward to seeing as many of you as  
6 can come to our presentation next Tuesday evening. Thank  
7 you, Frank.

8 MR. CIAVATTIERI: Does anybody else in the  
9 audience wish to make a statement? Yes, sir. Please come  
10 forward to the microphone and identify yourself.

11 (Pause)

12 MR. DAVIS: My name is Robert Davis. Can you hear  
13 me all right? My name is Robert Davis. I speak as an  
14 individual from a sense of duty to this city. At one point  
15 I worked for the city for a length of time, and I was  
16 heavily involved in the issue. So I do have a certain  
17 knowledge and respect to the topic.

18 I was scrambling this evening, going through the  
19 administrative record, trying to update myself after a five-  
20 year interim period where I was absent--although I have been  
21 keeping abreast of it to a certain extent. You might put a  
22 table of contents in the volumes in the middle--the so-called  
23 interim deliverables. You don't know what's in them until  
24 you go to them, and if you go to the index, the order is not  
25 quite the same. But anyhow, that's a small point.

1           What kind of conclusion can I draw in respect to  
2 this? It's very difficult, and you want to say the right  
3 thing--the best thing for the city. And I'm just full of  
4 hesitations. I tend to think that it would be very  
5 imprudent to come up with a plan now until you have some  
6 idea of what you're going to do with the balance of the  
7 harbor because it may turn out that what you do may have  
8 been unwise to do in view of the balance of the harbor  
9 because you could have incorporated a remedial action plan  
10 for the balance of the harbor in a better manner.

11           Until you get some kind of an idea whether you are  
12 going to clean up the balance--and if so, what are those  
13 prospective ways to do it--then you can judge the current  
14 alternative which you are doing. I mean, if you're going to  
15 do the balance of the harbor, it may be--and I don't think  
16 it's true though--it may be that a larger incinerator would  
17 be valuable to have. It may be valuable to have a regional  
18 incinerator, given the volume, so that that incinerator  
19 could serve a region at large in respect to incinerating  
20 contaminants.

21           A question I have in respect to the use of the so-  
22 called soccer field. You're going to create a soccer field  
23 with the fill. And I searched for an answer, and I wasn't  
24 able to get it. So maybe you can brief me on it. Are you  
25 excavating and inputting the contaminants in and then going

1 to create the soccer field? Or are you going to layer over  
2 what's there? And if you're going to excavate, do you know  
3 what the bedrock profile is for that area because it may be  
4 much more prudent if you're going to do it to go down to  
5 bedrock. And then you can line it, if you want. And then  
6 layer over with the contaminants. And then you could seal  
7 that off if you want, and that may give you eight more feet  
8 for future disposal material to put. I'm not sure if you're  
9 just going to layer on top. If you do, I think that would  
10 be imprudent. I would think you would excavate down to  
11 bedrock level and then put the contaminants on top from  
12 there.

13 I might note that at one time I did look at  
14 measurements in respect to the cove at Riverside Park, and  
15 it went down to 30 feet below the mud line until you hit  
16 bedrock, which indicates that you may have a considerable  
17 volume of space there to put cleaned up--the material after  
18 you incinerate the total organics.

19 A reason I have hesitation is, I'm not sure if you  
20 have had the kind of evaluation which I think should be  
21 given to something of this magnitude. And when I say kind  
22 of evaluation, I don't mean a technical committee. I don't  
23 mean that Greater Committee that's studying it for the local  
24 area. And I don't mean to delegate that they are committee.  
25 I think it should be funnelled into the executive level.

1 And thus, I think of a committee whose prime members are  
2 officials--local officials. This is just being democratic.  
3 Officials from New Bedford, Fairhaven, and Acushnet. It's  
4 those three communities that are going to be affected. And  
5 I think that there should come from them some kind of  
6 official recommendation. And if you would just delegate to  
7 them some authority, I think then they would act  
8 responsibly, with some thought, and that maybe they would  
9 hire consultants to advise them to make a wise decision.

10 Now, there is one alternative that has not been  
11 cited, and I put it forward and I think this committee which  
12 I'm talking about--I could say a phantom committee. You can  
13 make a reality of it if you wish. One alternative which has  
14 not been presented, which this committee would be very  
15 intrigued at having. And that is, is there any way that you  
16 could take the alternative for the clean-up and the cost--  
17 \$14 million for incineration--and a prorated credit could be  
18 given if the communities could come up with alternative  
19 remedial means in terms of improving the environment.

20 Thus, I'm thinking, well the fish--according to  
21 the SES report and the IEP report, which examined the  
22 wetlands in the upper estuary--that you have a community of  
23 marine life in that area. There is only one area that you  
24 have a strong imbalance where you have a highly favored  
25 number of opportunistic species and where you don't have very

1 much marine life. But far at large, in general for that  
2 area, you do have a lot of marine life.

3 So say a fish goes up there. It's a heavily  
4 polluted area. Most of the studies which you have done have  
5 not studied the effects on fish in that area. A lot of them  
6 is just inner harbor, and it's not a lobster let free in  
7 that area which somehow or other was contained and then  
8 examined. You don't have that kind of analysis.

9 So I'm thinking maybe a fishway could be put in  
10 because it talks--in that report that I'm talking about, it  
11 says there are alewives that come up there. And in one case  
12 it says that the alewife would go to fresh water, which  
13 would mean to go up the river, and presumably, if it could  
14 get up into the Acushnet Reservoir--because there are very  
15 few spots where you have a volume of water sufficient for  
16 this species, the alewives. I think it would be more  
17 beneficial to the health of those species--say if they were  
18 able to get up a fishway to the Acushnet Reservoir--to  
19 migrate through and not become resident in this area. I'm  
20 thinking of that as an alternative.

21 So thus, of the \$14 million, say a credit of 10%  
22 would give them, that this would be done so that the species  
23 that would migrate through could migrate through. And then  
24 an evaluation would be made of the environmental plus of  
25 that relative to say a 10% less allocated to the clean-up.

1 Maybe you could narrow the clean-up, say 10,000 cubic yards  
2 less, which would give the money to construct the fishway--  
3 that kind of thing. Well, I think that kind of analysis  
4 would be very helpful, very intriguing. And it may entail  
5 some commitments.

6 In general, my criticism is in respect to a lack  
7 of detail for the marine analysis north of the Coggeshall  
8 Street Bridge and the effects that it's having upon the  
9 marine life there.

10 All right. That's about it. So in general I  
11 would say that maybe if you had a little waiting period and  
12 if you gave some scope of alternatives to the local  
13 communities, to the authority level, that you might get the  
14 response which you do want. And it may be one that offers  
15 something which would serve your mandate--the mandate of the  
16 EPA, which is for the environment, which would serve that  
17 mandate in a better manner. That's all.

18 MR. CIAVATTIERI: Thank you, Mr. Davis. Do we  
19 have any other individual in the audience that would like to  
20 make a statement?

21 (Pause)

22 MR. CIAVATTIERI: Mr. Davis, do you wish to say--

23 MR. DAVIS: There was one subject I missed. If I  
24 could say--

25 MR. CIAVATTIERI: Fine.

1 MR. DAVIS: This is not a second testimony. It's  
2 a continuation. At the last meeting I raised the question  
3 whether any testing had been done for PCDF's--  
4 polychlorinated dibenzylfurines. And because when I did  
5 work as a city official, I did advocate that I thought that  
6 chemical testing was limited and that when you got all done  
7 by virtue of the limits of the testing, you would still have  
8 an unknown. You couldn't conclude that there is no harmful  
9 effect.

10 And I asked the question at the last meeting, and  
11 Mr. Ciavattieri said, no, there wasn't any. And then he was  
12 corrected by the research chemists from the EPA lab in  
13 Narragansett. And what Mr. Ciavattieri said in respect to  
14 polychlorinated dioxyns, Mr. Ciavattieri was correct. In  
15 respect to PCDF's, there is evidence that they are present.

16 So subsequent to that meeting, I did look through  
17 the administrative record tonight, and I believe in 1987  
18 began testing for it. And it was done by ERLA, the  
19 Environmental Research Laboratory in Duluth, Minnesota. And  
20 the lead official there is Jaworski. As a matter of fact, I  
21 did speak with him on the phone on another topic. That just  
22 comes to my mind. And that had to do with the health  
23 effects of PCB's. And that regional agency conducting an  
24 update of a study in Lake Michigan. It just came to me  
25 right now. I remember him.

1           The results of that were such--and I'm trying to  
2           put together the history of this. The results of that were  
3           such that you commissioned further studies in that regard  
4           done by Pruell et al. And what was significant was that it  
5           is present along a transect which went from the hurricane  
6           barrier right up to the station before the last. And the  
7           last station is at Wood Street, and then it drops. There is  
8           very little there. It's non-detectable.

9           I thought that this always had a certain  
10          significance for the following reason. One of the incidents  
11          which was preliminary in respect to the whole PCB problem  
12          was exposure to the chemical at very high doses in Japan and  
13          in Taiwan, such that the ill effects from the ingestion of  
14          the chemical has its own name. It's called the Yusho  
15          Effect, Y-u-s-h-o. And it happened that oil where they were  
16          cooking--they were making or cooking oil--there was a  
17          leakage of the PCB's that got into the oil. So for a period  
18          of time, the people would cook meals with the oil, which oil  
19          had high levels of PCB's in it. And was two or three months  
20          of use of their oil, and then people were having severe  
21          health effects. And then they started to track it down.

22          A retrospective analysis of that event, looking at  
23          the people that were effected, those were not, and also  
24          another incident in this here context was also in Taiwan.  
25          Retrospective analysis concluded that those PCB's which had

1 noted levels of these byproducts--those people that had  
2 those PCB's with those levels were the ones that were  
3 affected, whereas those that did not have those byproducts  
4 were not those affected. I remember I had that paper a few  
5 years ago, and I don't have it with me now.

6 I think though in this area there are lots of  
7 unknowns. What I think you should do though is further the  
8 analysis in that there vein and test it relative to the  
9 biota in the marine system because your tests right now have  
10 been limited only to sediments. So is there a  
11 transformation that would take place in respect to it with  
12 the uptake by that biota such that you no longer have the  
13 PCDF's. You still have them, maybe in a more concentrated  
14 manner. I think that should be looked into. I was a little  
15 surprised when I gave my first talk that I didn't mention  
16 that.

17 This is why I think the analyses are coming on  
18 line. They are coming on target, and some of these things  
19 maybe you should have done a few years ago. But it's all  
20 moving in the right direction. And I think it might be a  
21 little premature, until this kind of homework is done,  
22 before you engage upon a clean-up plan, until you get the  
23 full context of relevant detail to make that judgement.  
24 Until you do that point, I don't think you should have a  
25 clean-up alternative.

1 MR. CIAVATTIERI: Thank you. Any other  
2 statements?

3 (Pause)

4 MR. CIAVATTIERI: Okay. I would just like, before  
5 I close the record, to remind you that the public comment  
6 period has been extended this evening from September 1st to  
7 October 2nd to allow you ample time to review the public  
8 health risk assessment which will be available tomorrow and  
9 other documents associated with this project that EPA will  
10 be using in making its decision.

11 Also, to remind you that there will be a second  
12 informal public meeting on the record held here in this room  
13 next Tuesday, August 22nd at 7:00 p.m., at which time AVX's  
14 representatives will make a presentation on their proposed  
15 alternative to clean the harbor. And you will be given an  
16 opportunity to subject that proposal to questions.

17 If there are no other requests to speak, then I  
18 would like to thank you all for coming and for your  
19 attention this evening. I ask that if you are interested in  
20 commenting and didn't feel you wanted to make a public  
21 comment tonight, that you have until October 2nd to submit  
22 comments to EPA, written comments.

23 Thank you very much. Those of us--as I said  
24 earlier, some of the EPA people will be around here to  
25 answer any questions you may have on how to go about

1 entering your comments into the record or just any general  
2 questions you may have.

3 Thank you, and good evening.

4 (Whereupon, the hearing concluded at 7:55 p.m.)  
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CERTIFICATE OF REPORTER AND TRANSCRIBER

This is to certify that the attached proceedings  
before: FRANK CIAVATTIERI, Chairman,

in the Matter of:

PUBLIC HEARING RE:

PROPOSED CLEANUP PLAN FOR THE HOT SPOT  
AREA OF THE NEW BEDFORD HARBOR  
SUPERFUND SITE

Place: New Bedford, Massachusetts

Date: August 16, 1989

were held as herein appears, and that this is the true,  
accurate and complete transcript prepared from the notes  
and/or recordings taken of the above titled proceeding.

Martin T. Farley  
Reporter

8/23/89  
Date

Ellen Scannell  
Transcriber

8/23/89  
Date