

5/1/84

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October 10, 1984

Charles C. Bering, Esq.
United States Environmental
Protection Agency
Region 1
J.F.K. Federal Building
Boston, MA 02203

RECEIVED
10 OCT 1984
REGION I
OFFICE OF REGIONAL COUNSEL

Dear Mr. Bering:

Although it continues to be my position that we are entitled to discovery concerning the NUS Feasibility Study and further that we need additional time beyond November 15 to submit comments with respect to it, nevertheless, without waiving that position in light of your stated willingness to produce documents for use in preparing the response, I hereby request the following data:

Handwritten note:
NUS

- 1. Every reference in Appendix A of the RI/FS Draft dated August, 1984.
- 2. From the NUS Feasibility Study Reference List
 - ✓ Summerhayes, et. al., April 1977. Fine-Grained Sediment and Industrial Waste Distribution in New Bedford Harbor and Western Buzzards Bay, Massachusetts. Woods Hole.
 - ✓ Souder, et.al., June 1978. Dredged Material Transport Systems For Inland Disposal and/or Productive Use Concepts. Technical Report D-78-28. WES, Vicksburg.
 - ✓ Malcom Pirnie, Sepember 1982. Acushnet River Estuary PBG Study. Commonwealth of Massachusetts.
 - ✓ Herbich and Shashikant, January 1983. Literature Review and Technical Evaluation of Sediment

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Resuspension During Dredging. Rdport No. COE-266, Texas A&M for WES.

✓ Headquarters, Department of the Army, 1983. Dredging and Dredged Material Disposal. Abstract Paper 29PP, WES.

3. From the M&E Data Management Report

Farrington, et.al., 1981. Chemical Processes and Pollution. Biogeochemistry of PCB's in New Bedford Harbor and Buzzards Bay, Mass. Woods Hole.

✓ Farrington, et.al., 1982. Hydrocarbons, PCB, and DDE in Mussels and Oysters from U.S. Coast. Woods Hole WHOI-32-42.

✓ Nixon, S.W. 1982. The ecology of New England high salt marshes: A community profile. FWS/CBS-81/55.

✓ U.S. Army Corps of Engineers, June 1961. New Bedford, Fairhaven, and Acushnet Hurricane Protection Project - New Bedford Massachusetts - Design Memorandum No. 1 - Hydrology and Hydraulics. New England District, Waltham, Massachusetts.

Geotechnical Engineers, Inc., September 1977. Biological Reconnaissance of New Bedford Harbor and Achushnet River, New Bedford, Massachusetts. Winchester, Massachusetts.

✓ Southeastern Regional Planning and Economic Development District, 1977. New Bedford - Fairhaven Route 6 Bridge Corridor Planning Study Report, Volumes I, II, and III, Marion, Massachusetts.

✓ 4. Reports and/or data from September 1982 U.S. Coast Guard/U.S. EPA Field and Laboratory Studies to Evaluate Mass Transport of PCBs from Acushnet River Basin to Lower New Bedford Harbor.

5.

Ref. 94

Unpublished data from J.W. Farrington from September 1982 sampling of inner harbor water. (the aforementioned data are referred to in the "Tidal Cycle and PCB Mass Transport Study, January 10-12, 1983" report by the U.S. EPA Environmental Response

Team and Re Technical Assistance Team, Edison, NJ, dated March 4, 1983 (draft).

- 6. Air monitoring report by GSA Corporation on sampling in the New Bedford area on August 31, 1982 - September 9, 1982.

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7 Air Monitoring data for 1978 referred to in NUS Draft Feasibility Study on Pages 3-6. in Appendix A docs

- 8. Boring Logs referred to in NUS Draft Feasibility Study on Pages 2-18.
- 9. EPA Photographic Study of New Bedford Harbor and Aerovox (if available) and EPA land use and point source-inventory (if available).
- 10. All sampling results on sediment transport based on study by Battelle currently under way.

In addition, of course, we have requested orally the computer data tape prepared by Metcalf & Eddy.

Finally, I would like all documents listing, describing or referring to other contributors of hazardous waste to the Achushnet Estuary, including, at least, the EPA's files on the following:

- 1.) Integrated Technologies, Inc.;
- 2. Acushnet Saw Mills;
- 3. Reliable Trust Co., Inc.;
- 4. Independent Fasteners;
- 5. Plastics International Inc.;
- 6. Unital Inc.;
- 7. C & P Machine & Welding Co., Inc.;
- 8. Coyne Industrial Laundry Inc.;
- 9. Acushnet Golf Ball Division;
- 10. Acushnet Rubber Division;

11. City of New Bedford;
12. Acushnet Capacitor Co. Inc.;
13. Fibre Leather Mfg. Co;
14. Cliftex Corp.;
15. Cameo Curtains of New Bedford;
16. Mass Bargainland;
17. Whitman Mills Outlet Center;
18. Star Plating Co. Inc.;
19. American Press Inc.;
20. Revere Sink Corp.;
21. Cape Cod Women's Apparel;
22. Fairhaven Corp.;
23. Cape Cod Window Inc.;
24. New Bedford Textile Co;
25. Patriot Footwear Corp.;
26. Eastern Sportswear Mfg. Co. Inc;
27. Superior Sportswear Inc.;
28. E&M Clothing Company, Inc.;
29. Sonny & Leo's Furniture Co.;
30. Medeiros Bus Co. Inc;
31. New Bedford Thread Co., Inc.
32. Revere Copper & Brass;and
33. Commonwealth Electric.

ROPES & GRAY

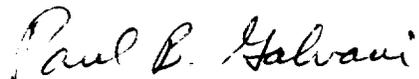
Charles Bering

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October 10, 1984

As you can see, these materials are voluminous. We need them immediately. I would appreciate hearing from you as soon as possible.

Very truly yours,



Paul B. Galvani

PBG/jmm

cc: Ralph A. Child, Esq.
Lee Breckenridge, Esq.
Daniel J. Gleason, Esq.
David A. McLaughlin, Esq.
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