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New Bedford Harbor Federal Superfund Site
Memorandum of Understanding for the Performance of
Surveying, Sampling, Monitoring and Remedial Actions
Hot Spot Operable Unit

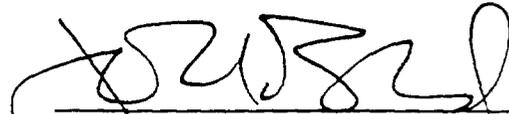
The United States Environmental Protection Agency and the Massachusetts Department of Environmental Protection ("EPA/DEP") and their authorized agents require access to land owned by the City of New Bedford (the "City") for the purpose of performing remedial response actions under the authority of 42 U.S.C. §9601 et. seq. and M.G.L. c. 21E. The City will allow EPA/DEP and their agents access to the City's land in order to perform remedial actions in accordance with the terms and conditions of this memorandum:

- 1) The land affected by this understanding (the "Sawyer Street Property") is located in the City of New Bedford, Commonwealth of Massachusetts, County of Bristol, and is owned by the City. The deed to the land is recorded in the Bristol County Registry of Deeds, Book 912, page 389 and is owned by the City of New Bedford. The Sawyer Street Property is described in Attachment A.
- 2) All correspondence and notice relative to the access and use of the Sawyer Street Property should be directed to Armand Fernandes, Jr., City Solicitor, City Hall, 133 William Street - RM. 203, New Bedford, MA 02740 and to Michael J. Glinski, City Planning Department, City Hall, 133 William St., New Bedford, MA 02740.
- 3) Remedial actions will be performed by EPA/DEP and their agents on the Sawyer Street Property as shown on the New Bedford Harbor Real Estate Access Requirement Plan, of the Plans and Specifications for the New Bedford Harbor Federal Superfund Project (the "Project").
- 4) The remedial work will involve dredging of hot spot sediment with storage in the confined disposal facility (CDF) constructed during the pilot study, initial dewatering of sediments within the CDF, movement of sediment from the CDF to a mechanical dewatering process, thermal treatment of dewatered sediment, solidification of treated ash with temporary storage of this ash within the CDF, and treatment of all water used in the process prior to discharging water back to the harbor in the manner described in the Plans and Specifications for the Project. A more detailed description of the remedial action for the Hot Spot Operable Unit is contained in Attachment B.

- 5) The City understands that the work at the site will require use of the soccer field occupying a portion of the Sawyer Street Property. As part of the remedial action for the Hot Spot Operable Unit a soccer field will be constructed at an alternate location selected by the City. The general specifications for such a field are contained in Attachment C. Actual plans and specifications will be site specific. The soccer field will be designed and constructed by the United States Army Corps of Engineers as part of the site preparation phase of the Hot Spot Operable Unit. The City shall be responsible for obtaining any permits or approvals necessary for the construction of the soccer field at the alternate location. The work will be scheduled such that the field will be available for play by spring 1992. The actual work will be performed by a contractor and the city will have the opportunity to review the plans and specifications prior to the invitation for bids.
- 6) EPA/DEP or their agents will provide notice to the individuals identified in paragraph number 2 at least two weeks prior to commencing construction of remedial work on the Sawyer Street Property.
- 7) EPA/DEP and their agents anticipate that the remedial action will take five (5) years to complete. The five (5) year period shall begin on the day the construction contract is awarded for the project.
- 8) Final disposition of the Sawyer Street Property will be addressed in the Record of Decision for the remainder of the site. A soccer field will be constructed at the Sawyer Street Property at the completion of remedial activities. This field will also be constructed according to the general specifications in Attachment C. The timeframe for constructing this field will be addressed by the Record of Decision for the remainder of the site.
- 9) All tools, equipment or other property taken or placed upon the land by EPA/DEP or their agents shall remain the property of EPA/DEP or their agents.
- 10) The parties agree that all persons entering upon the City's land in relation to this agreement do so as agents or employees of the contractors or the governmental authorities involved and are not business invitees of the City.
- 11) The City knows of no dangerous conditions other than the federal Superfund site at the Sawyer Steet Property

and expect no dangerous conditions will be discovered during the work conducted relative to the New Bedford Harbor Hot Spot remedial action.

CITY OF NEW BEDFORD

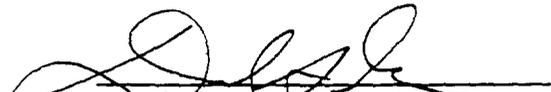


John K. Bullard
Mayor

APPROVED as to form &
legality


Armand Fernandes, Jr.
City Solicitor

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Daniel S. Greenbaum
Commissioner



Roxanne B. Mayer
Deputy General Counsel

ATTACHMENT A

A certain parcel of land situated in the City of New Bedford, Bristol County and the Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the north line of Sawyer Street distant easterly therein four hundred eighty-one and 50/100 (481.50) feet more or less from the easterly line of Belleville Avenue, at the southwest corner of the premises to be conveyed, the same being the southeast corner of land of the Pierce Manufacturing Corporation; thence northerly a distance of four hundred forty six and 6/10 (446.6) feet more or less in line of said Pierce Manufacturing Corporation land to a point where said line intersects the northerly line of the weave shed of said Pierce Manufacturing Corporation (as said weave shed existed on December 14, 1901), extended easterly; thence northeasterly four hundred forty nine and 63/100 (499.63) feet in the course described in an agreement between the Soule Mill and said Pierce Manufacturing Corporation dated December 14, 1901 and recorded in Bristol County (S.D.) Registry of Deeds, Book 225, Page 367; thence northerly twenty-two and 40/100 (22.40) feet in a course described in an agreement between said Corporations dated November 22, 1909, and recorded in said Registry of Deeds, Book 323, Page 112; thence easterly in a course described in said last mentioned agreement, one hundred eighty-five and 35/100 (185.35) feet; thence southerly in a course described in said last mentioned agreement three (3) feet; thence easterly twenty-one and 95/100 (21.95) feet; and thence easterly to the channel of the Acushnet River; thence southerly by the channel of said River to the north line of Sawyer Street extended; thence westerly in the north line of said Sawyer Street extended and in the north line of said Sawyer Street a distance of six hundred forty-seven (647) feet more or less to the point of beginning.

Said parcel contains an area of 7 acres more or less.

ATTACHMENT B

Description of Hot Spot Remedial Action
New Bedford Harbor Superfund Site

The "Hot Spot" is a 4-acre portion of the harbor located at its northern end where PCB levels range from 4,000 to over 100,000 ppm. On April 6, 1990, EPA signed a Record of Decision for this portion of the site which calls for the removal and treatment of approximately 10,000 cubic yards of highly contaminated sediments. The following steps will be involved:

- dredging of hot spot sediment with disposal into the confined disposal facility (CDF) constructed during the pilot study.
- initial dewatering of sediments within the CDF.
- movement of sediment from the CDF to a mechanical dewatering process.
- incineration of dewatered sediment.
- solidification of incinerator ash with temporary disposal of this ash within the CDF.
- treatment of all water used in the process prior to discharging water back to the harbor.

Construction Period

Remediation of the "Hot Spot" area is scheduled to commence in August 1991 and continue through May 1993. The various components of the remediation plan are discussed in the following paragraphs.

Site Preparation: This activity is scheduled to commence in August 1991 and continue to the end of the year. It will involve changing the configuration of fencing on the Sawyer Street site, grading the area, upgrading the CDF dikes and removing debris from the CDF.

Dredging: This activity will commence in the spring of 1992 and will continue for approximately 4 months. Approximately 10,000 cubic yards of sediment will be removed by a cutterhead dredge and pumped to the CDF. The sediment will undergo initial dewatering in the CDF and the excess water will be run through portable treatment units which will be assembled on-site. The water treatment units are anticipated to consist of a series of sand and carbon filters which will remove suspended material and contaminants from the water prior to its discharge back into the estuary.

Treatment/Incineration: The treatment units will be assembled at the Sawyer Street site in the spring of 1992. These units include water treatment, mechanical dewatering, an incinerator with air pollution control units, and possibly an ash solidification unit. These systems are all transportable and are trucked to the site, assembled, operated, disassembled and removed. No permanent structures or facilities will be constructed during this project. Support facilities that may be located onsite during the operation of the treatment units include storage tanks for fuel and oxygen, office trailers, storage facilities and other temporary structures.

The sediment treatment operations should commence approximately in July 1992 and extend into November. The process involves moving the sediment from the CDF through a mechanical dewatering process and then through the incinerator. The ash which remains after incineration will be free of PCB's but may still contain metals. The ash will be tested and if metals levels are high, the ash will be solidified. The solidified/unsolidified ash will then be temporarily stored on site.

Demobilization/Site Closure: The incineration/treatment phase of the project should be completed by November 1992. The units will then be disassembled and removed from the site along with any structures that were built during the project. The ash will be placed in the secondary cell of the CDF with a temporary cover placed over it. The site will be regraded, topsoiled and seeded, and a fence will be erected to separate the CDF from the remainder of the property. These activities should be completed by May 1993.

Final Site Closure -- Confined Disposal Facility

EPA will make a final decision in regard to the pilot study CDF in the Record of Decision (ROD) for Estuary, Lower Harbor/Bay portion of the site. EPA will construct a permanent soccer field on this site upon completion of the remedial actions in New Bedford Harbor. The extent and timing of these remedial actions will be contained in this ROD.

Monitoring

An extensive monitoring program will be carried out during all phases of the project. It will include monitoring throughout the harbor during dredging operations and air monitoring during disposal of the dredged material in the CDF and during incineration of the sediment. Air monitoring will include monitoring of the stack emissions from the incinerator.

The Government does not anticipate the release of harmful levels of contaminants into the air or water column and the monitoring plans will be designed to detect an increase in contaminant levels well before they reach a harmful level. This will allow appropriate adjustments to be made in ongoing operations.

Security

The site is currently surrounded by a 10-foot high chain link fence. The configuration of this fencing will change at the start of Hot Spot remediation, but the area will remain fenced off. Security personnel will be on-site commencing with the start of construction activities in August 1991. During site-upgrade activities, security personnel will be onsite only while work is ongoing. Security personnel will be onsite 24 hours per day, 7 days per week during dredging and treatment operations. The site will remain fenced at the completion of Hot Spot remediation and will remain that way until final site closure. The decision on what final site closure will consist of will be contained in the Record of Decision for the Estuary, Lower Harbor/Bay portion of the site.

ATTACHMENT C

GENERAL SPECIFICATIONS - SOCCER FIELD

The four attached sheets were taken from a Corps of Engineers Technical Manual and describe in general terms the requirements for a regulation field. We would attempt to construct a field to the recommended dimensions, given the limitations of the actual site. The area would likely require the placement of some fill to raise the overall elevation of the site. This fill would then be covered with a 4-6 inch layer of filter material which would be topped by a 6-8 inch layer of topsoil. The field would then be seeded. The need for subsurface drains would be determined after an evaluation of the site specific conditions.

B-12. Soccer (men's and boy's) (see fig B-12)

a. *Source of information.* United States Soccer Federation (USSF).

b. *Recommended area.* Ground space is 75,250 square feet (1.7 acres) to 93,100 square feet (2.1 acres).

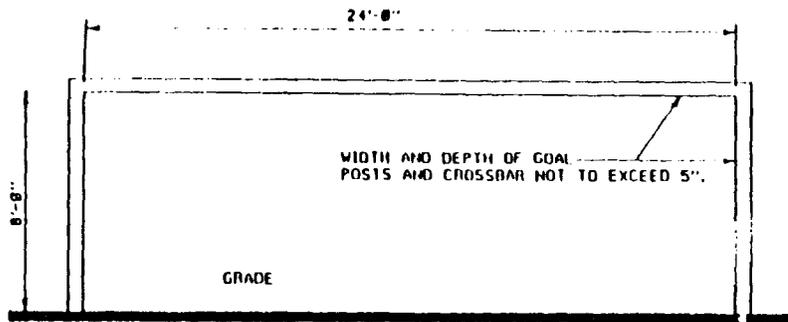
c. *Size and dimension.* Playing field width ranges from 150 feet 0 inch to 300 feet 0 inch. Length ranges from 300 feet 0 inch to 390 feet 0 inch. Additional area recommended is 10 feet 0 inch minimum unobstructed space on all sides.

d. *Orientation.* Preferred orientation is for the long axis to be northwest-southeast to suit the angle of the sun in the fall playing season, or north-south for longer periods.

e. *Surface and drainage.*

(1) Surface is to be turf.

(2) Preferred grading is a longitudinal crown with a 1 percent slope from center to each side and adequate subdrainage. Grading may be from side to side or corner to corner diagonally if conditions do not permit the preferred grading.



GOAL POSTS

GOAL NOTES:

Goal posts to be pressure treated with paintable, oil-borne preservative and painted above ground with three coats of white lead and oil.

The goalposts and crossbar shall present a flat surface to the playing field, not less than four inches nor more than five inches in width.

Nets shall be attached to the posts, crossbar and ground behind the goal.

The top of the net must extend backward 2'-0" level with the crossbar.

Figure B-12. Soccer (men's and boy's)

NOTES:

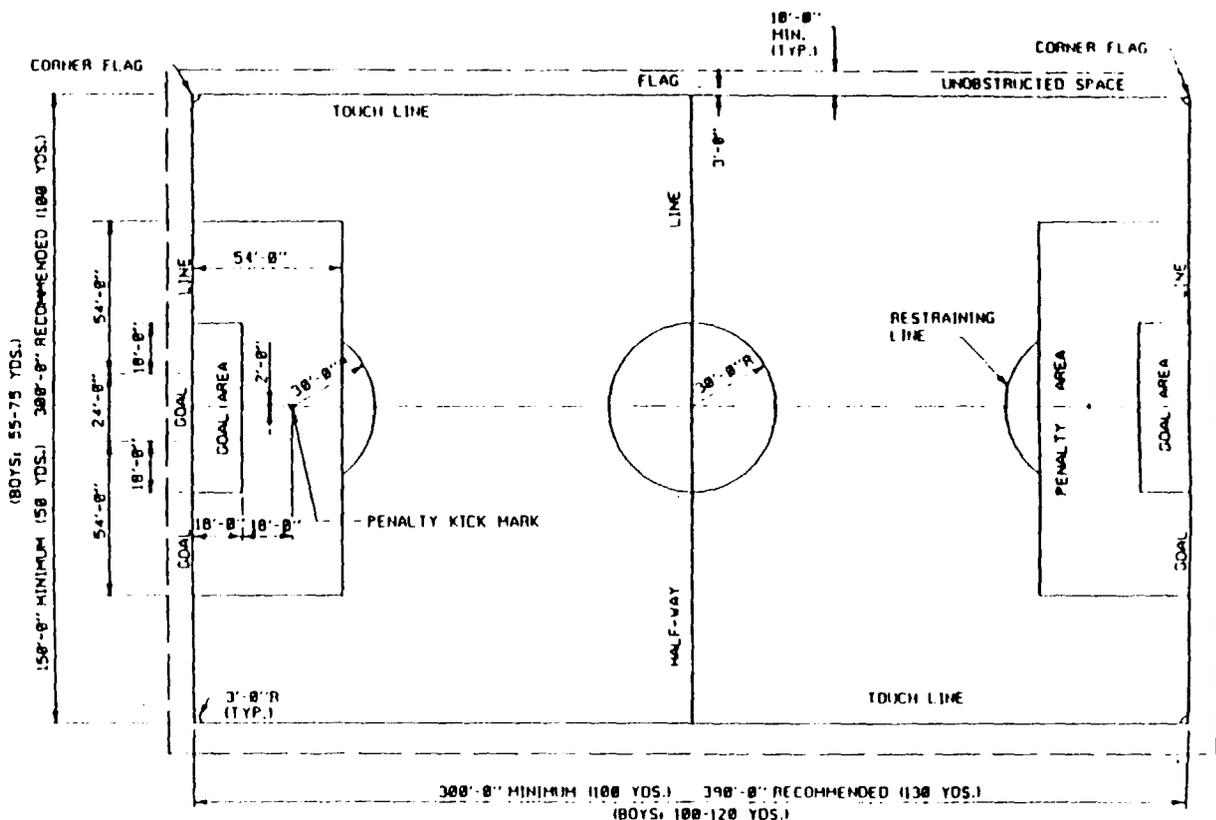
All dimensions are to the inside edge of lines.

All lines shall be 2" wide and marked with a white, non-toxic material which is not injurious to the eyes or skin.

For flag detail see figure B-10.

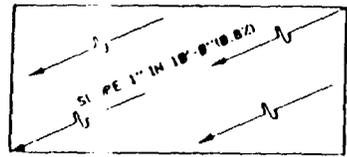
For grading and drainage details see figure G-4.

For surfacing details see figure G-5.

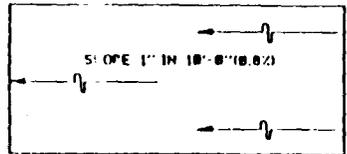


PLAYING FIELD LAYOUT

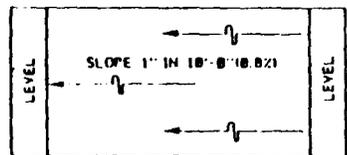
Figure G-4. Typical grading and drainage details.



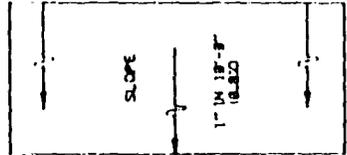
CORNER TO CORNER DIAGONALLY



END TO END

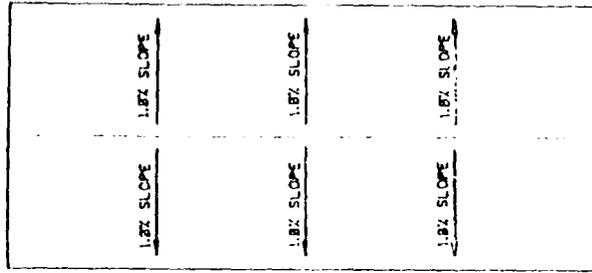


END TO END MODIFIED

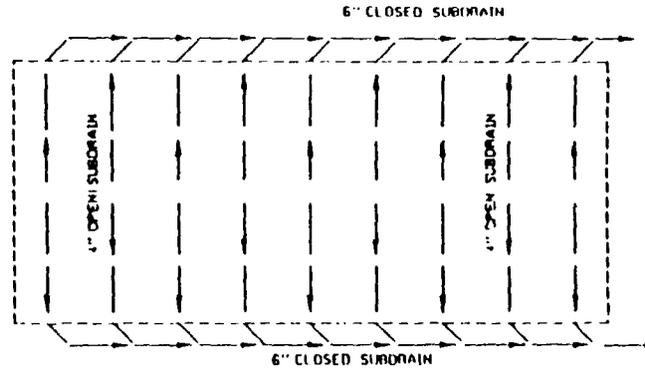


SIDE TO SIDE

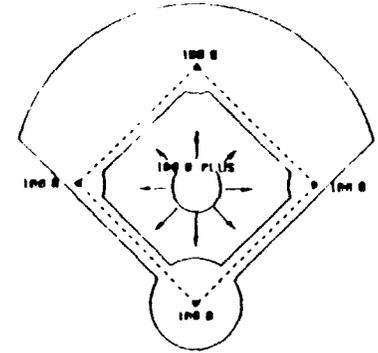
DRAINAGE DIAGRAMS - SPORTS COURTS



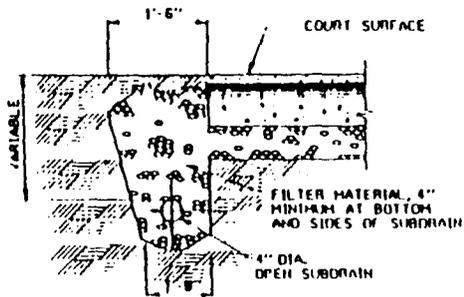
PREFERRED GRADING
(RECTANGULAR SPORTS FIELDS)



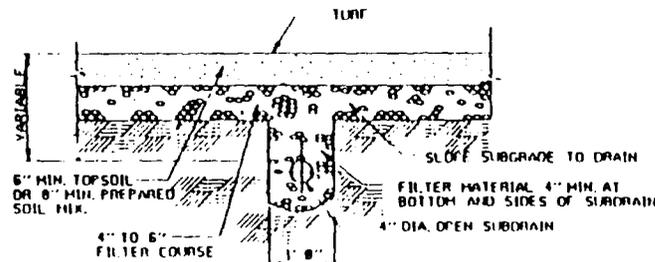
SUBSOIL DRAINAGE
(RECTANGULAR SPORTS FIELDS)



PREFERRED GRADING
(BASEBALL AND SOFTBALL DIAMONDS)



SECTION - PERIMETER DRAIN
(SPORTS COURTS)



SECTION - SUBSOIL DRAIN

NOTES:

See figure on individual sports for height of pitcher's plate above home plate.

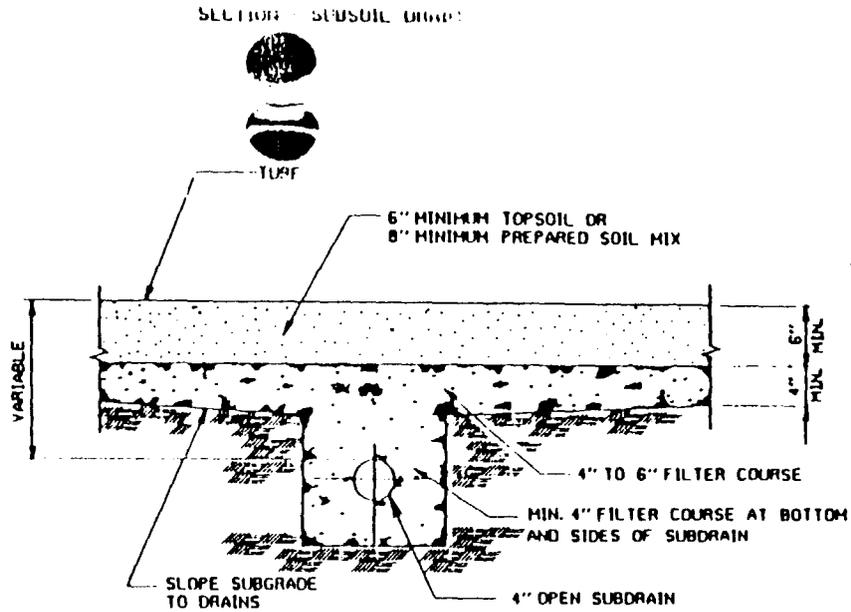
It is preferable that the base lines be level. If the diamond must pitch, the average slope shall be 2.0% from first base to third base or vice versa.

The minimum slope for drainage on turf areas outside the skinned area is 1.0% when adequate subsoil drainage is provided. The maximum is 2.5%.

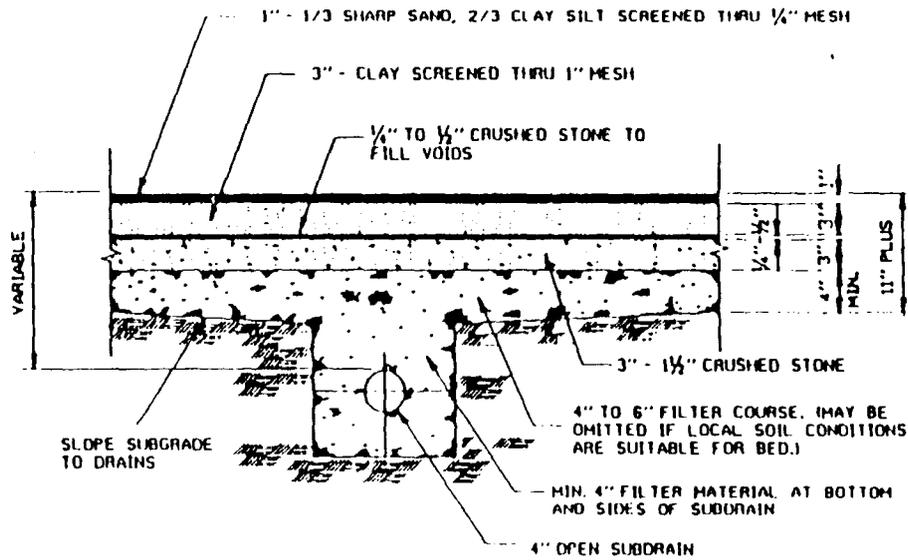
Perimeter drains may be provided for paved areas. Underdrains are not recommended beneath paved areas.

Subdrains and filter course are to be used only when subsoil conditions require. Where subsoil drainage is necessary, the spacing of subdrains is dependent on local soil conditions and rainfall.

Subdrains are to have a minimum gradient of 0.15%.



TYPICAL SECTION - NATURAL TURF



TYPICAL SECTION - SAND CLAY

NOTES:

Figure G-5. Typical playing surface.