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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Admin.
National Ocean Service
Office of Ocean Resource Conservation and Assessment
Hazardous Materials Response and Assessment Division
c/o EPA Waste Management Division (HEE-6)
J.F. Kennedy Federal Building
Boston, MA 02203
15 February 1994

Ms. Jane Wells
Commonwealth Of Massachusetts
Office of Dispute Resolution
Room 1406 Saltonstall Building
100 Cambridge Street
Boston, MA 02202

Dear Ms. Wells:

On behalf of NOAA's delegation to the dispute resolution meetings for the New Bedford Harbor Superfund site, I was disappointed to learn that the meeting scheduled for 9 February 1994 took place despite the extreme weather conditions. You are probably aware that Boston received over 18 inches of snow; our General Council Office in Gloucester received over 20 inches. Hence, we believe that automobiles had no business being on the road especially considering that the snow did not cease until well after midnight.

Our dismay is heightened by the fact that issues (i.e., dredging) of particular concern to NOAA were discussed. We have generally remained silent during the last three meetings while EPA and the MaDEP discussed the incineration issue with the public representatives. We were happy to learn a consensus was reached so that the dredging of the hot spot sediments will take place, but believe that future work may be delayed due to public misconception of the injury caused by the remaining PCB laden sediments. We believe the public needs to be aware that this hot spot sediment removal is just a first step in remediating New Bedford Harbor; further work must progress (Operable Units 2 and 3) to allow for the commercial and recreational fisheries to recover. We, along with the Department of Interior and the Executive Office of Environmental Affairs of the State of Massachusetts, hold over 20 million dollars in New Bedford Harbor restoration money that cannot be directly spent until remediation is started. This money has a direct effect on the economy in and around New Bedford Harbor.

We feel that the public is embracing a "Center of Excellence" to resolve the future remediation of New Bedford Harbor. We are afraid that a full remedy for New Bedford Harbor, described by Operable Units 2 and 3, will be delayed until years after this center is up and running. Until then, the fisheries will remain closed, the shoreline spoiled, and the economy lessened.

Decisions made concerning the hot spot must not be made in a vacuum. Rather, the entire site must be considered. The building of the Center of Excellence must not delay the future dredging of New Bedford Harbor and the removal of the PCBs. We would like this issue discussed at the 1 March 1994 meeting so that both government and the public representatives can reach a consensus concerning future remediation of New Bedford Harbor sediments.

I look forward to seeing you at the next meeting on 1 March 1994.

Sincerely,



Kenneth Finkelstein, Ph.D

cc: Frank Ciavattieri (EPA)
Gayle Garman (EPA)
John Lindsay (NOAA)
Alyce Fritz (NOAA)
Marguerite Matera (NOAA-GC)
Jack Terrill (NOAA/NMFS)