

**New Bedford Harbor Superfund Site
Meeting
March 28, 1995
6:00 p.m.
Greater New Bedford
Vocational High School**

AGENDA

- Status of treatability studies: Subcommittee report
- Dredging update: Subcommittee report
- Expanded outreach and other procedural issues related to ROD-2
 - April 25 presentation
 - Identification of potentially interested groups
- Protocol issues statement and follow-up
- Public meeting: Explanation of significant difference (ESD) relative to the Hot Spot CDF

Summary of Meeting Held March 25²⁸, 1995
on the New Bedford Harbor Superfund Site

In attendance at the session were:

Facilitators

Michael Keating
Jane Wells

HATR

Jim Simmons

Concerned Parents of Fairhaven

Claudia Kirk

New Bedford City Council

Fred Kalisz, Jr.
George Rogers

DEP

Paul Craffey
Harish Panchal
Jay Naparstick

New Bedford Mayor's Office

Molly Fontaine

Downwind Coalition

Neal Balboni
Carol Sanz

NOAA

Jack Terrill

EPA

Frank Ciavattieri
David Dickerson

State Elected Officials

Rep. Bill Straus

Town of Acushnet

Roland Pepin

Town of Fairhaven

John Haaland

Approximately 20 members of the public observed the meeting, which was videotaped for subsequent broadcast on local cable television.

The meeting first heard a report from Dave Dickerson and Claudia Kirk on the work of the subcommittee on treatability studies. The work plan has been reviewed and approved by the subcommittee; an advertisement to alert potential vendors about the treatability studies will be run shortly in Commerce Business Daily; and it is anticipated that the request for proposals (RFP) for bench scale studies will be issued at the end of April or in early May, with the RFP for pilot scale studies following in June. The level of cooperation among citizens and agencies on the subcommittee's work was reported as being extraordinary, with the citizens' groups even making it onto the agencies' organizational chart for the project via a box identifying the DCC (the designated citizens contact) as a component of the overall management matrix.

A report from the dredging subcommittee by Dave Dickerson and Roland Pepin indicated that the dredging work is proceeding relatively smoothly. There has been a need to dredge one portion of the hot spots (Area G) to a greater depth than anticipated to remove high levels of contaminated sediments, which has occasioned some further delay in the overall dredging schedule.

Members of the Forum were asked to review and respond with any pertinent comments or suggestions to the facilitators' draft version of a protocol, designed to identify and describe the operational principles that have governed the Forum's proceedings. The protocol is intended to provide guidance to participants in other similar Superfund or other environmental controversies with an interest in fashioning a similar process.

The Forum endorsed unanimously a request of the New Bedford City Council to Sea Change to conduct, through one of its citizen panels, a technical assessment and risk characterization of the figures resulting from the treatability studies.

Lastly, the Forum discussed its next meeting, scheduled for April 25, on Phase 2 of the New Bedford Harbor clean-up. There was general agreement that membership of the Forum would need to change to reflect the nature and scope of the proposed remedy in Phase 2. While work on the hot spots will continue, including principally the letting and execution of treatability study contracts and decisions on the technologies to be adopted and implemented, the focus of Phase 2 will be different and broader. Organization of the Forum for Phase 2 also requires decisions about structure, including the number, composition and use of subcommittees.

The April 25th meeting will include a description of the proposed ROD for Phase 2 by the agencies and decisions on the membership and organization for the Phase 2 Forum. As such, the meeting promises to be a pivotal one for the further clean-up of New Bedford Harbor. Forum members recommended a concerted effort to reach out to groups with an interest in Phase 2 and to the general public about the agenda for the April 25th meeting. The facilitators are to develop, with the help of members, lists of groups to be notified; a press release is to be prepared on the meeting; and a special effort at publicity and outreach is to be conducted.

At 6:58 p.m., the Forum concluded its meeting and EPA and DEP conducted jointly a public ESD (Explanation of Significant Difference) hearing on changes in the original Phase 1 ROD required by the decision to store the hot spot sediments in the CDF pending completion of treatability studies and ultimate treatment of the sediments.

The next meeting of the Forum is scheduled for TUESDAY, APRIL 25, 1995 AT THE GREATER NEW BEDFORD VOCATIONAL HIGH SCHOOL AT 6:00 P.M.

Frank's

Opening Statement for March 28, 1995 NBH Forum

Thank you Jane/Michael;

At this time we would like to move into the public meeting portion of this evening's proceedings. As we discussed at the February Forum, we are merging tonight's Forum with EPA's public meeting on the need for continued storage of the hot spot sediments. This continued storage is required since we have suspended the original incineration-based cleanup plan for the hot spots, and since we will need time to evaluate and implement alternative treatment technologies.

The Superfund statute requires that when such a change to a component of a remedy is contemplated, the EPA must issue what is termed an "Explanation of Significant Differences" - or ESD - document to explain the nature of the differences between the original cleanup plan and the proposed changes to that plan.

This ESD discusses the new environmental regulations that come into play as a result of this interim sediment storage, and explains in detail how EPA will comply with these new regulations and ensure a site that is safe to the surrounding community. In short, EPA's recommended approach for this storage is to keep the sediments contained in the existing CDF on Sawyer Street, but with a series of site-related improvements, continued air and groundwater monitoring and site maintenance to ensure a safe and protective facility.

In addition to copies made available tonight, the ESD is available for review at the Wilkes Branch Library on Acushnet Avenue and at EPA's record center in Boston. As part of the community participation process, EPA will accept written comments on the ESD until May 1, 1995. We will consider all comments received, and will respond to them as part of a responsiveness summary to the ESD. Only after this comment and consideration period have been completed will EPA finalize the ESD.

So tonight we plan to give a series of short presentations by the EPA and the Commonwealth discussing the agencies' recommended approach for storing these sediments in a safe and protective manner until the final treatment process has been completed. Once we are through with the presentations, we will gladly answer any questions that you have on the ESD.

I should emphasize, however, that this ESD does not include the decision making issues for the final treatment process; a subsequent decision document will be developed for that purpose after the on-site treatability studies have been completed. Again, this ESD only addresses the need for continued storage of the hot spot sediments until the final treatment process has been selected and implemented.

That said, I will now hand the microphone over to (Jay Naparstek?) from the Massachusetts DEP for a short statement.

(after Jay, Cindy Catri from ORC)

(after Cindy, Dave Dickerson)