

EPA Official Record

Notes ID: 66C6E867B292284E85257A3F006A247C

From: "Davis, Gary (DCR)" <gary.davis@state.ma.us>

To: Ann Williams/R1/USEPA/US@EPA

Copy To: Carl Dierker/R1/USEPA/US@EPA; "Chet Myers" <cmyers@apexc.com>; Cynthia Catri/R1/USEPA/US@EPA

Delivered Date: 02/21/2012 02:58 PM EDT

Subject: RE: South Terminal

Thanks so much Ann, for the feedback. We will proceed and will keep you posted of our efforts. /gd

-----Original Message-----

From: Ann Williams [mailto:Williams.Ann@epamail.epa.gov]

Sent: Tuesday, February 21, 2012 2:45 PM

To: Davis, Gary (ENV)

Cc: Carl Dierker; 'Chet Myers'; Cynthia Catri

Subject: Re: South Terminal

Dear Gary,

Thank you for forwarding this information. As before, we encourage you to share the revised application with any potential stakeholders at whatever time you deem appropriate.

(BTW, I understand you sent a follow up message to me, which I received from Carl. It was addressed it to "Catherine Williams," so I didn't receive it directly from you. I agree that even though ACE appears to be concerned about an EPA CAD at the moment, it makes sense to engage with ACE and the community group sooner rather than later.)

Sincerely,

Ann

Ann H. Williams

Senior Assistant Regional Counsel

U.S. EPA Region 1

5 Post Office Square - Suite 100

Mail Code ORA18-1

Boston, MA 02109-3912

617-918-1097 (phone)

617-918-0097 (fax)

williams.ann@epa.gov

From: "Davis, Gary (DCR)" <gary.davis@state.ma.us>

To: Ann Williams/R1/USEPA/US@EPA

Cc: Carl Dierker/R1/USEPA/US@EPA, "'Chet Myers'"

<cmyers@apexc.com>

Date: 02/21/2012 12:17 PM

Subject: South Terminal

Good Morning Ann. As a follow up to our communication a few weeks ago, I recently learned that ACE is planning to work with Hands Across the River, a small New Bedford Organization to oppose the CAD cell to be constructed in the New Bedford Harbor. Subject to your consent, I would like to share our Restated Application with Gene Benson, ACE's General Counsel, and ask that Chet and I be participants in any upcoming public meetings so that we can hear and be responsive to any concerns this community may have. I also plan on reaching out to Mayor of New Bedford to engage him in this process as well. If ok with you, I would like to share our Restated Application with ACE. Please advise. /gd

From: Eric Macaux [mailto:EMacaux@MassCEC.com]

Sent: Thursday, February 16, 2012 10:11 AM

To: Davis, Gary (ENV)

Subject: FW: NEW BEDFORD RESIDENTS NEED YOUR HELP

Gary:

This was forwarded to me and I wanted to put it on your radar. A group in New Bedford is organizing to oppose EPA's planned CAD cell in NB harbor, which the port might try to tie into.

Massachusetts Environmental Justice
Assistance Network

Dear MEJAN Volunteer:

Hands Across the River (HARC) is a small organization in New Bedford that organizes residents against environmental injustices and works to bring environmental benefits and jobs to the community. HARC is concerned about the U.S. Environmental Protection Agency's (EPA) plan for removing PCB-contaminated sediments from the New Bedford Harbor. In 2012 or later, the EPA plans to begin construction of a confined aquatic disposal (CAD) cell for the PCB-contaminated sediment. The residents are opposed to the planned 300,000 cubic yard CAD cell because the sediments will remain in New Bedford Harbor and the cell cannot be capped (or fully contain the sediments) until after construction is complete, a process that the EPA predicts will take a minimum of five years. The residents are also concerned about contaminated sediments becoming airborne. In addition to not supporting the CAD cell disposal method, HARC is not satisfied with the EPA's interactions with New Bedford residents about the CAD cell process. HARC wants more public participation and community involvement in meetings with EPA and other agencies.

HARC needs a lawyer to assist them in accomplishing the following three actions:

1. Stop EPA from commencing construction of the CAD cell;
2. Attend a community meeting in March to discuss with the New Bedford residents their legal options; and
3. Act as a liaison between HARC and the EPA to create a Community Forum that focuses on public participation in the discussions about how to handle and remove PCB-contaminated sediment from the New Bedford Harbor.

An adverse party is AVX Corporation, the only identified potentially responsible party. Potentially adverse parties are the United States Environmental Protection Agency (CERCLA program), and perhaps a number of not-yet-identified potentially responsible parties.

If you are an attorney who can assist HARC in any of the three actions listed above, please contact Staci Rubin at 617-442-3343 x 236 or staci@ace-ej.org. Thank you for considering this request.

Very truly yours,

Staci Rubin
Staff Attorney
Alternatives for Community &
Environment, Inc. (ACE)
2181 Washington Street, Suite 301
Roxbury, MA 02119

E-mail: staci@ace-ej.org
Telephone: (617) 442-3343 ext. 236, Fax:
(617) 442-2425
www.ace-ej.org

Please donate to ACE
Alternatives for Community & Environment
(ACE) builds the power of communities of
color and lower income communities in
New England to eradicate environmental
racism and classism and achieve
environmental justice. We believe that
everyone has the right to a healthy
environment and to be decision-makers in
issues affecting our communities.

The Massachusetts Environmental Justice Assistance Network (MEJAN) provides pro
bono legal and other professional
assistance on environmental issues to
traditionally underrepresented
communities such as lower-income
communities and communities of color by
harnessing the resources of the legal
community, environmental and public
health professionals, nonprofit
organizations, and Massachusetts'
colleges and universities. MEJAN
promotes the empowerment of communities
by facilitating their participation in
decisions affecting their health,
safety, environment, culture, and
quality of life.

Forward email

http://img.constantcontact.com/letters/images/SafeUnsubscribe_Footer_Logo_New.png
(Embedded image moved to file: pic05712.gif)

http://img.constantcontact.com/letters/images/CC_Footer_Logo_New.png
This email was sent to hdoliner@verrilldana.com by staci@ace-ej.org |
[Update Profile/Email Address](#) | [Instant removal with SafeUnsubscribe™](#) | [Privacy](#)
[Policy](#).
Alternatives for Community & Environment | 2181 Washington Street, Suite 301 |
Roxbury | MA | 02119

(Embedded image moved to file: pic30209.gif) [http://r20.rs6.net/on.jsp?](http://r20.rs6.net/on.jsp?llr=m9yowzaab&t=1109299563217.0.1100374041420.2021&ts=S0725&o=http://ui.constantcontact.com/images/plxl.gif)
[llr=m9yowzaab&t=1109299563217.0.1100374041420.2021&ts=S0725&o=http://ui.constantcontact.com/images/plxl.gif](http://r20.rs6.net/on.jsp?llr=m9yowzaab&t=1109299563217.0.1100374041420.2021&ts=S0725&o=http://ui.constantcontact.com/images/plxl.gif)

Treasury Regulations require us to notify you that any tax advice in this communication (including any attachment) is not intended or written to be used, and cannot be used, for the purpose of avoiding tax penalties, and may not be referred to in any marketing or promotional materials.

This email and any attachment was sent from the law firm Verrill Dana, LLP. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it, please delete it and notify us as soon as possible. Thank you.

***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
image001.jpg

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request

that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****