



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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JANE SWIFT
Governor

New Bedford Harbor
9.1
Doc # 25329

BOB DURAND
Secretary
LAUREN A. LISS
Commissioner

September 27, 2001

Ms. Patricia Meaney
U.S. EPA Region I
Office of Site Remediation & Restoration
Suite 1100 (HBO)
1 Congress St.
Boston, MA 02114-2023

Re: DEP concurrence with proposed ESD dated September 2001
Upper and Lower Harbor Operable Unit #1
New Bedford Harbor Superfund Site

Dear Ms. Meaney:

The Department of Environmental Protection ("DEP") has reviewed the proposed Explanation of Significant Differences ("ESD") dated September 2001 for the New Bedford Harbor Superfund Site - Operable Unit #1. This ESD is for the New Bedford Harbor Site Record of Decision ("ROD") dated September 28, 1998.

The ROD originally called for the hydraulic dredging/transport by floating pipeline; water treatment; sediment consolidation in Confined Disposal Facilities (CDFs); and capping of the CDFs. This ESD calls for: 1) additional intertidal cleanup areas in the Upper Harbor to address dermal contact risk; 2) mechanical dewatering of dredged sediments; 3) interim storage of the early action sediments at the Pilot Study disposal area at Sawyer Street; 4) change in CDF D wall design; 5) use of rail at CDF D location; and 6) updated cost estimate.

The DEP has evaluated the EPA's ESD for consistency with M.G.L. Chapter 21E, and the Massachusetts Contingency Plan (MCP). The ESD addresses a continuing source of surface water and sediment contamination in the estuary, harbor, and bay of the Site. DEP concurs with this ESD

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DEP on the World Wide Web: <http://www.state.ma.us/dep>

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because it continues the remedial actions of the contaminated sediments from the Acushnet River Estuary ecosystem and provides for overall risk reduction.

DEP appreciates the opportunity to provide input on this ESD. If you have any comments on DEP's concurrence, please contact Paul Craffey at (617) 292-5591.

Very truly yours,

A handwritten signature in black ink that reads "Deirdre C. Menoyo". The signature is written in a cursive style with a large, prominent "D" at the beginning.

Deirdre Menoyo, Assistant Commissioner
Bureau of Waste Site Cleanup

cc: Edward Kunce, DC, DEP
Paul Craffey, BWSC, DEP
Richard Lehan, OGC, DEP