

**New Bedford Harbor & Aerovox Mill Monthly Informational Meeting
December 8, 2010 7:00-9:00pm**

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Informal Meeting Notes

Summary of action items for next meeting

- Address the Reverse 911 system - how will it work if most people use cell phones?
- Have city emergency response officials provide a presentation of emergency procedures plan (with education/childcare workers and others in attendance).
- Survey of fishing on hurricane barrier
- Provide breakdown of administration costs, lists of personnel, equipment, and subcontractors
- Breakdown of amounts of PCBs removed, where, what were hot spots

Meeting Minutes

EPA welcomed everyone, introduced the meeting, and explained that David Plumb from the Consensus Building Institute would run the meeting so that EPA could concentrate on giving presentations and answering questions instead of running the meeting.

David Plumb of CBI began by going over the agenda and identifying the action items. He explained the ground rules:

1. Be respectful
2. One person speaking at a time (use the microphone)
3. Share the floor

Aerovox Mill Demolition

URS gave a presentation about the planned demolition of the Aerovox Mill. Concerns were raised about whether work crews using water to keep dust down will track mud into the roads and if the tops of the trucks carrying material away from the site will be covered. A question was also raised about the location of the air monitors at the demolition site and whether air quality measurements will be based on the demolition alone or will the monitors be affected by the dredging as well?

URS: All trucks will be cleaned and washed at a truck decontamination station before leaving the site and they will be lined and covered. Any water from the site will be collected and treated. As to the air monitoring, there are four monitoring stations, one on each boundary of the demolition property. They are site specific for the demolition only.

Questions were raised about how the reverse 911 system will work if most people use cell phones.

EPA: The reverse 911 system has been used successfully in the past. It is adjusted to fit each particular sites as will be done for the Aerovox site. We will share more information about this system at a later meeting. Even before work starts substantial outreach will occur and the the emergency plan will be available in the New Bedford Public Library (at the reference desk) and in the neighborhood at community centers, at the nearby schools and online.

Emergency Evacuation Procedures

EPA gave a presentation on the emergency evacuation plan for the Aerovox site, noting that the City representative, Mark Mahoney, who was going to give a presentation of the plan, was not able to come tonight. EPA will continue to coordinate with the City to arrange to have Mr. Mahoney attend a meeting in the near future. The plan is available on the City website, and will be left in the main library and nearby schools. A question was raised about whether or not there be other methods of telling people about the plan, for those who do not have computers; for example, a presentation on TV? Also, it was noted by community members that representatives from schools and child care centers in the area should come to the meeting to hear the emergency procedures presentation.

EPA: We will go door to door when activity starts to make sure that everyone knows the evacuation plan. As explained, there will be a number of outlets for people to receive information. The school department is already very aware of what is going on as they work closely with New Bedford Emergency Services. Contact information for Mr. Mahoney is on the action items handout.

Seafood Monitoring in New Bedford Harbor

EPA/DEP gave a presentation about fish sampling and seafood monitoring in New Bedford Harbor. A number of health concerns were raised about the bioaccumulation of toxins in humans such as, how does the EPA decide how much and what kind of fish is acceptable to eat once per week or once per month, and does the State or EPA monitor how the average consumer tracks where their seafood is coming from. Another member commented that it is particularly important to get the message about fish consumption out in schools where children from bilingual homes can go home and educate their parents.

EPA: In 1979 MassDEP instituted the three fishing closure zones. As explained in tonight's presentation, since 1979 EPA has collected more data and now suggests additional consumption limits above and beyond the 1979 state restrictions. These limits are established through a scientifically well-established risk-based analysis of the effect of PCBs on the adult population, as well as more sensitive populations such as women and children. The limitations are targeted to the local individual who might fish or shellfish in the harbor. EPA does not have jurisdiction over interstate commercial fishing which is regulated by the Food and Drug Administration. It is a fair question to ask your store or restaurant where the fish you are purchasing comes from. With regard to reaching out to school children, we have been active in the schools, including developing a curriculum for the 5th grade level and holding workshops with teachers. We are currently working on how to get better integrated into the public schools, and plan to get more involved in 2011.

Issues concerning enforcement of the fishing restrictions were also voiced. In particular concerns about the lack of enforcement against people fishing in Area 2 and sometimes selling their catches and whether EPA monitors fishing activities at the hurricane barrier to determine how much fish is actually being consumed at home.

EPA: We have, at times, informally monitored fishing activities at the hurricane barrier. If anyone from the community happens to do this and has a conversation with those who are fishing, please let us know what you find out. Unfortunately the state ban from '79 doesn't have an enforcement element. We agree that we need to get the message out and are trying to address this by increased education and outreach as well as by working with those who issue the shellfish permits. With regard to Clarks Cove (Area 2), the fishing and selling of catch is possibly occurring more at Area 3 where PCB concentrations in shellfish make quahogs okay to eat once a week. Any community feedback on how to better approach the education aspect of this campaign would be appreciated

MassDEP: With regard to fishing, it is not illegal to fish, but it is illegal to take it home unless the fish is used as bait. Although there may be no enforcement for finfish, for shellfish permits are needed and it is up to the shellfish wardens to enforce those permits. If you see people fishing you can call the wardens. There are also permits needed for lobstering. It is up to the local authorities to enforce these permits. It is difficult and almost impossible to enforce a fishing ban. There is no penalty associated with the regulations and there are not enough resources for enforcement.

Report on dredging funds for 2009, 2010, 2011

EPA gave a report on dredging funds for 2009, 2010, 2011. A concern was raised about the length of the 2010 season and the budget. The questioner said he thought the regular budget was \$15 million and the stimulus money added an extra \$10 million, and that a contact at Congressman Frank's office confirmed those amounts. It was not clear that, in fact, there was only 15 million in total. Was the annual budget reduced to only 5 million plus the 10 million in stimulus money?

*EPA: Yes, the 2010 annual budget consisted of \$5 million in annual headquarters funding and \$10 million in remaining stimulus funding (ARRA) leftover from other ARRA Superfund projects. This stimulus funding was required to be obligated to another site before September 30, 2010 and the New Bedford Harbor project could utilize the funds quickly. In 2009 the project received \$30 million in stimulus money, in addition to EPA's planned annual funding of \$15 million.**

**EPA provides additional information since the December meeting. Attached is an EPA letter addressed to Congressman Barney Frank providing more detail about the 2009 and 2010 cleanup budget.*

For the 2011 budget, the Region anticipates receiving cleanup funding from the general headquarters Superfund budget not affiliated with ARRA.

A question was asked about site administrative costs and are there costs that can be cut in administration? A request was made for a roster of personnel, a list of equipment and equipment costs. Another comment noted that there is a big difference between

projecting costs for a project that will take six years and projecting costs for a 46 year project. Are there ways to cut costs to get more dredging done in less than 40 years? A question was also raised about the breakdown of the expenses and where the money is going. EPA was also asked to identify the "other subcontractors" listed on the handout?

EPA: There are administrative costs associated with every type of work, such as site security, utility costs, and support staff costs. Administrative costs are a comparatively small part of the budget. It costs approximately \$240,000 per day to dredge. When not dredging, yearly tasks include monitoring, pre- and post-dredge monitoring, cleaning up equipment, and planning the next season's dredge area. These are expensive things to do. We can provide a list of the contractors working on the project. Treatment, processing and disposing of sediment out of state is the major cost on this project. The majority of the \$15 million goes to all things dredging, not administrative costs. However we are constantly trying to cut costs and be more efficient; our contractors do a good job of getting this much work out of this amount of money. The subcontracts include labs to do all the analytical work, transport and disposal work, monitoring work, surveyors, and coring work. The dredging contractors also own the equipment.

A question was raised about completion of the cable dredging in the upper harbor.

EPA: We finished making a conduit for the cables a few years ago. Next we need to remove the old cables, dredge, and then put the new cables through the new conduit.

A question was raised about why, if the federal government provides the money for this project, does it have to be paid back for admin costs?

EPA: For all construction projects, especially federal projects, there are costs associated with oversight and contract administration. This is to ensure that the work is performed according to federal and state laws and regulations, and in accordance with project specifications.

State Enhanced Remedy Meeting Summary and South Terminal

MassDEP and EPA gave a presentation on the State Enhanced Remedy, including the proposed project at the South Terminal. A question was raised about air emissions and the amounts of PCBs removed during the navigational dredging process. Were there any hotspots or any concentrations over 50 ppm. If so, where, and did the sediment go into CAD cells? A strong concern was raised that mechanical dredging could cause PCB air emissions from the dredged sediment to get into the air and that this is monitored.

EPA and MassDEP: We conduct extensive air monitoring for Superfund dredging. Air monitoring results have only caused us to temporarily stop work twice during very hot summers while dredging the hot spots in the mid 1990s; the areas of the highest concentrations. The issue of air quality is a valid question, but it is not worsened by dredging, which our results continue to verify.

MassDEP: Navigational dredging is done mostly in areas with PCB concentrations lower than 50 ppm. It is possible that a few areas above 50 ppm could get included in the navigational dredging and disposed of in their CAD Cells. There is low potential for risk from airborne contaminants during navigational dredging because the

concentrations in the sediment are much lower than where we dredge for the Superfund cleanup and we don't see a problem from that work. Dredging gets rid of the contaminated sediment and helps to protect people. The background PCB levels in the air are higher in summer and at low tide, irregardless of dredging, but if anything just proves further why we need to clean it up. If conditions were to change we can consider air monitoring in the future, but it has to be money well spent on monitoring; the only way to effectively reduce the risk is to continue with the cleanup, and it's important that available funds address this highest priority.

EPA & MassDEP provide additional clarification not available at the meeting: EPA reviews the latest science behind risk assessments during every Five Year Review – the most recent of which was completed in September of 2010 - as well as anytime more information becomes available that may change the way we do risk assessments, to ensure that we continue to be protective of public health and the environment.

Closing remarks:

EPA said that all public comments on the proposed CAD cell project are available online and hard copies are available at the library.

The next meeting will be on January 27th