

New Bedford Harbor & Aerovox Mill Monthly Informational Meeting February 24, 2011 7:00-8:45pm

EPA is providing these informal meeting notes prepared by an EPA contractor for informational purposes only. EPA does not attest to the completeness or accuracy of the notes and these meeting notes do not create any legal obligations or enforceable rights. EPA recommends viewing the meeting in its entirety by contacting the local New Bedford public access cable station at 508.979.1744. These notes are provided solely for informational purposes.

Informal Meeting Notes

Summary of Action Items/Requests:

- *Discuss the shipwreck more at public meetings*
- *Provide map of dredging areas, with PCB levels, particularly for navigational dredging*
- *Provide more information about oversight and award of dredging permits
Harbor Development Commission
- *Allow more time for Q&A and discussion at public meetings*
- *Look into making more information on the project website multilingual*
- *Provide more specific details on health risks of fish, in layman's terms*
- *Provide more information on what it takes to do the harbor cleanup work*
- *Notify community of hiring, grant and internship opportunities.*
- *Provide more details on the 2011 dredging plan, including technical details and more specific information about air quality monitoring*
- *Discuss agenda items not discussed because of more time spent on earlier items: Aerovox Mill Work Plan Update and City of New Bedford Emergency Management Services*

Introduction: meeting goals, agenda overview, meeting guidelines

Meeting facilitator David Plumb of the Consensus Building Institute welcomed everyone and offered meeting guidelines:

- Be respectful; be tough on the issues, not on each other
- Speak one at a time; use the microphone (for cable access purposes)
- Share the floor

The facilitator introduced the agenda, and explained that the goals of the meeting. A participant requested that the shipwreck findings be discussed at these public meetings.

State Enhanced Remedy Update

MassDEP showed a PowerPoint presentation on the State Enhanced Remedy (SER). MassDEP is the lead agency overseeing the SER, which consists of navigational dredging and disposal.

A request was made for the date of the next SER meeting and for maps showing previous, current, and future dredging sites, including PCB levels at those sites, as well as information about air monitoring around dredging areas. Another participant asked when SER dredging would begin again, how it coincides with EPA dredging, and who are the contractors. Participants asked how the process for obtaining an individual dredging permit worked, and raised concerns about oversight of individual dredging. Participants also raised concerns about who would analyze sediment contamination and air quality around individually dredged sites.

MassDEP: Almost all areas dredged under this program have had PCB levels significantly below 50 parts per million in the sediment and the SER includes extensive water monitoring. Any decision to conduct air monitoring would be made by the Harbor Development Commission. The next SER meeting will be held on March 31st. SER meetings usually coincide with the evening Harbor meetings, and are held at 1:00pm at City Hall.

With regard to SER dredging, the New Bedford Harbor Development Commission (HDC) still needs funds for the next phase of dredging, so it was unclear when SER dredging would begin again. There may be a small amount of dredging done by a private party unrelated to the SER who obtains a dredging permit. SER dredging is done in collaboration with the state, EPA and the City. The Harbor Development Commission hires the dredging contractor, and the state provides oversight of environmental issues. An individual can obtain a dredging permit separate from the SER dredging process. It is usually difficult to get a permit for dredging, in part because it is difficult to dispose of contaminated materials. It was suggested that the Harbor Development Commission attend the next meeting to explain the permitting process in more detail. With regard to SER dredging, MassDEP provides environmental oversight. Sediment is analyzed to ensure it is contaminated enough to justify using the special disposal facility (i.e. CAD cell). Extensive water monitoring is also conducted; however, the SER does not include a specific air-monitoring program.*

**Additional clarification of EPA's role. MassDEP is responsible for the SER remedy program work and oversight and EPA reviews the state requests for projects to be done under the SER.*

New EPA New Bedford Harbor Website

EPA showed the new website to participants and walked through the main areas of content.

Participants praised the website, but cautioned that not everyone in the community has Internet access and asked whether EPA would be providing the content in other languages. Someone requested that any notification about poor air quality and work shutdowns be posted immediately on the website and that EPA notify local radio stations to get the word out to the community. Another participant asked whether an app for smart phones would also be available to provide alerts.

EPA replied that the website was meant to be just one avenue for engaging the community. It is intended to be a helpful resource for those who can access it, although EPA recognizes that this is not the case for everyone. Website notifications concerning work shut downs are already planned for the Aerovox work, and a process is in place to give an update every day on air quality during the Aerovox demolition. A call to radio stations with this information is also a good idea and will be included in the notification process. For phone apps, Twitter updates are part of the Aerovox community involvement plan; anyone will be able to sign up to follow these Twitter feeds from the Aerovox page on the website. Regarding additional languages, EPA replied that it can translate anything by request, since there is a contract in place for that. The main EPA website is available in multiple languages.

Presentation of Seafood Guide on the Web

EPA presented the work it has done to simplify seafood guidelines so they are easier to understand. The guidelines are available on the website, and can be downloaded as a handout.

Participants asked for clarification about whether fishing is actually illegal, and if not, whether it could be made illegal. If it is illegal, who enforces the rules? Someone questioned whether New Bedford Harbor herring can spread PCBs more widely into the ocean and along the coast when they migrate and are eaten by bigger fish. A comment was made that none of the fish in the harbor area should be eaten, so it was not appropriate to provide information about which species were safe to eat. Another comment highlighted that many people cannot identify fish species, so it is difficult for them to avoid specific species. A suggestion was made to provide more easily understandable information about the health risks of eating local fish, and more information was requested about the educational efforts underway related to this topic. One participant said that several local schools were interested in forming environmental committees and/or teaching this information to kids.

EPA and MassDEP: It is not illegal to fish recreationally, catch and release is permitted but the “fishing ban” exists from MassDPH to discourage consumption of the fish from these restricted areas. Rules against illegal commercial fishing are enforced by different state and local agencies, depending on the type of fish. For example, local wardens enforce shellfish rules. Lobster rules are enforced through licenses issued by the Division of Fisheries. Other fishing bans are imposed by the Department of Public Health, although they don’t have enforcement authority so these bans are often inadequately enforced.

With regard to consumption of fish from New Bedford Harbor, EPA replied that the information on the website is based on the best risk assessment information available. There are also links from the homepage to EPA’s PCB information, so that the public can learn more about why PCBs are banned, their chemical makeup, etc. As to concerns about herring, EPA and MassDEP replied that herring (i.e. alewife) are tested as part of the Seafood Monitoring program. It is true that they pick up PCBs in the harbor and then migrate; this is a nationwide problem and the reason for several seafood restrictions up and down the East Coast. Seafood monitoring information is available on the website.

Straightforward information about consumption of fish is available on the website, including species-specific images as well as information geared to kids. EPA is eager to work with schools, and is currently involved in an environmental science curriculum committee set up by New Bedford Public Schools. EPA suggested the participant pass along information about the schools mentioned. EPA has worked with teachers to train them in how to teach these issues to kids, targeting 5th graders. There is also a page on the EPA website on environmental education resources that teachers and students can utilize, including lesson plans.

**Additional clarification: In addition to the MassDPH fishing ban, EPA's guidelines include additional restrictions about consumption of certain fish.*

2011 Harbor Dredge Plan

EPA presented its preliminary plans for dredging in 2011. EPA also presented a breakdown of its estimated breakdown for the 2011 budget in response to earlier requests for information about dredging and administrative costs.

Participants asked for more details about how contracting for dredging work is done, and for how long the current contractor has held the contract. Other questions related to the specifics of the work such as employee titles, work descriptions, information about equipment used and associated costs. A request was made that more local workers be used for this project, and that there should be efforts to train local residents – particularly young people – to do the required work. A specific idea was presented to implement a training project in which local youth could combine academic work and internships at the harbor site, which could be used as a “living laboratory” to train youth for the type of cleanup work being done. A specific request for \$200,000 for this job-training program was made.

EPA: The Army Corps of Engineers typically awards 5-year contracts through a competitive bidding process. The contractor that wins the contract then hires subcontractors. EPA is not involved in the bidding process. The contract for the current contractor, Jacobs, will expire in 2012, and the Army Corps will hold another bidding process at that time. The current contractor has been working since 2004. The contractor before that was Foster Wheeler. Contractors are selected based on “best value”; cost is one part of how best value is calculated. Handouts were provided to show the cost breakdown of the project and an organizational chart of contractors and their roles. EPA said it was constrained in disclosing further detail due to privacy concerns and business confidentiality. With regard to the job training project request, EPA noted that this type of job training project is already occurring in New Bedford through the Brownfields Jobs Training Program and that the support of local and minority hiring will continue to be a priority of the project.

**** Pending Items ****

The planned discussions around the Aerovox Mill Work Plan Update and City of New Bedford Emergency Management Services were pushed to the next meeting due to longer discussions on the previous agenda items. **Adjourn: 8:55 pm.**