



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

October 7, 2014

Robert J. Espindola, Chairman
Board of Selectmen
Town Hall
40 Center Street
Fairhaven, MA 02719

Dear Chairman Espindola:

I am writing to follow up on the September 29, 2014 Selectmen's open public meeting held at the Fairhaven Town Hall at which EPA was invited to make a presentation and to respond to questions forwarded by you about the New Bedford Harbor Superfund Site cleanup. EPA greatly appreciates the continued support and cooperation of the Fairhaven Board of Selectmen and will continue to work collaboratively and cooperatively with the Board, Mr. Osuch, Mr. Roth, and other interested Town stakeholders towards the implementation of the Superfund cleanup and related outreach and education efforts.

As promised, enclosed are copies of the slide presentation that EPA had prepared for the meeting and the site summary document that EPA provided to attendees at the end of the meeting. In response to many of the questions raised, EPA is also preparing a longer version of the summary document that provides additional detail, including hyperlinks to responsive publicly available documentation, and a complete summary of the over 20 years of outreach activities EPA has conducted related to the harbor cleanup. This longer summary document, along with the presentation slides and brief summary handout provided at the meeting, will all be made available on EPA's New Bedford Harbor Superfund Site website at www2.epa.gov/nbh. EPA encourages the Board of Selectmen to direct concerned citizens to these specific resources, as well as all of the other publicly available information related to the EPA's cleanup at www2.epa.gov/nbh. We also encourage the Board to include this link on your Town webpage.

As I mentioned in our discussion, while I understand your decision to relay the questions posed by some concerned citizens verbatim, I remain concerned about the tenor of the conversation. While EPA will continue its long-standing practice of public outreach to inform and educate the communities surrounding the Harbor about the cleanup, I am not willing to place my staff in the position to have to defend against unfounded assertions of wrongdoing and having to correct misinformation being offered by others as "facts". We understand that some of your constituents do not support EPA's cleanup plan, specifically, the use of the Lower Harbor confined aquatic disposal (CAD) cell to manage contaminated sediments. However, as the Board knows, EPA followed its mandated process for public input for all of our major cleanup decisions and produced detailed responses to public comments as part of those documents. We take our mandate of public health protection very seriously and all of our plans for carrying out the

cleanup are rooted in this overarching goal of protecting human health and the environment. We will continue to engage in any constructive dialogue about the progress of the cleanup and opportunities to minimize to the extent practicable any construction-related impacts on nearby residents.

As my staff discussed at the September 29, 2014 Selectmen's meeting, the use of CAD cells in New Bedford Harbor is rooted in the New Bedford/Fairhaven Harbor Dredge Material Management Plan (DMMP) which was developed through the Commonwealth of Massachusetts' Office Coastal Zone Management and supported through the 2003 Final Environmental Impact Report for New Bedford/Fairhaven Harbor. Completion of the DMMP was accomplished through a full public process by the Commonwealth, the City of New Bedford, and the Town of Fairhaven, among other federal, state and local stakeholders. The DMMP designation and the navigational CAD cells constructed to date have been critical to addressing navigational dredging needs of Fairhaven businesses and will continue to be important to address existing navigational and maintenance dredging needs for both Fairhaven and the City of New Bedford, supporting vital economic growth and additional environmental benefits.

The residents around New Bedford Harbor have endured the prospect of a Superfund site in their area for over 30 years. With EPA's recent settlement, we are now able to expedite the cleanup, including the construction and filling of the Lower Harbor CAD cell, and complete cleanup construction efforts over the next 5-7 years. EPA's cleanup work, coupled with other navigational dredging projects, including the South Terminal Project, utilizing the Superfund State Enhanced Remedy program, continues to improve the quality of the harbor environment while also supporting economic growth for the Town, its businesses and its citizens.

During our conversation, you requested that EPA coordinate with the Town regarding (1) EPA's construction air monitoring program to provide you with a better understanding of that program and (2) the installation of no fishing signs. With respect to air monitoring, Ginny Lombardo would be happy to meet with you or other Town staff to discuss the ongoing air monitoring program. Further, in conjunction with the expedited cleanup schedule as a result of the settlement and the upcoming issuance of a new Remedial Action Contract for the Harbor cleanup, EPA intends to update its air monitoring program prior to the 2015 dredge season and will work to address the community's concerns related to air monitoring. Further, Ginny Lombardo and Kelsey O'Neil will work directly with Mr. Roth of your staff regarding the installation of fishing advisory signs along the Fairhaven shoreline where the public may be fishing and consuming fish or shellfish.

As you know, EPA staff will also host a public informational meeting to be held at Fairhaven Town Hall on October 22, 2014 from 6:30 to 8:30 pm to provide further information and opportunities for discussion regarding human health and ecological risks being addressed under the Superfund cleanup. We will also present information about what local residents can expect during the Lower Harbor CAD cell construction. We hope that you and other members of the Board of Selectmen are able to attend.

Please feel free to share this letter with the entire Board, and if the Town has any additional questions regarding our cleanup activities, please feel free to contact me or Ginny Lombardo,

EPA's New Bedford Harbor Superfund Site Team Leader, at lombardo.ginny@epa.gov or 617-918-1754.

Sincerely,



Robert Cianciarulo, Chief
Massachusetts Superfund Section
Office of Site Remediation and Restoration

Enclosure

cc:

Jeffrey Osuch, Executive Secretary, Fairhaven Board of Selectmen
William D. Roth Jr., Fairhaven Director of Planning and Economic Development
Ginny Lombardo, New Bedford Harbor Superfund Site Team Leader, EPA
Elaine Stanley, New Bedford Harbor Superfund Site Remedial Project Manager, EPA
David Lederer, New Bedford Harbor Superfund Site Remedial Project Manager, EPA

