DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

March 14, 2019

Ms. Sara E. Porter
Conservation Agent
City of New Bedford
Conservation Commission
133 William Street, Room 304
New Bedford, Massachusetts 02740

Dear Ms. Porter:

Please find attached a description of the remedial action work anticipated to occur during 2019 for the New Bedford Harbor Superfund Site located in New Bedford, Massachusetts. USACE, on behalf of EPA, is providing this annual coordination letter to meet its coordination and consultations requirements pursuant to several resource statutes outlined below.

- *The Fish and Wildlife Coordination Act ("FWCA"), 16 U.S.C. §661-667e.* The FWCA Act requires consultation with the U.S. Fish and Wildlife Service ("FWS") and the fish and wildlife agencies of states to be undertaken for the purpose of "preventing loss of and damage to wildlife resources."

- *The Endangered Species Act, 16 U.S.C. §1531 et seq.* Section 7 of the Endangered Species Act requires EPA to ensure, in consultation with the U.S. Fish and Wildlife Service ("FWS") or the National Marine Fisheries Service ("NMFS") that any action authorized by EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat.

- *The Essential Fish Habitat Assessment under the Magnuson-Stevens Act, 16 U.S.C. §§1851 et seq.* Under Section 305(b)(2) of the Magnuson-Stevens Act, federal agencies need to consult with the National Marine Fisheries Service (NMFS) on activities that have the potential to impact designated essential fish habitat (EFH) for commercial species.

The intent of this letter is as follows:

1. Inform you of upcoming activities associated with the harbor cleanup.
2. Provide a recent summary of completed work for the Upper and Lower Harbor Operable Units.
3. Seek any comments you may have regarding implementation of the cleanup activities.
4. Document that after informal discussions with representatives at NOAA, USACE, on behalf of EPA, will provide NOAA an Essential Fish Habitat Assessment for the subtidal dredging work to satisfy EPA's obligations under the Magnuson-Stevens Act. EPA will take the lead in addressing Essential Fish Habitat requirements for wetlands work.

USACE/EPA will continue to keep you apprised in a timely manner of the various upcoming phases of the New Bedford Harbor Superfund Project. Should you have any comments, questions or concerns on the information presented here, please contact myself and Mr. Dave Lederer, EPA Remedial Project Manager and Site Team Leader, at (617) 918-1325.

Sincerely,

Marie Esten

Marie Esten
New Bedford Harbor Project Manager
USACE
Environmental Project Management Branch
978-318-8965
Marie.e.esten@usace.army.mil

Enclosures:

(1) Anticipated 2019 Remedial Action Work at the New Bedford Harbor Superfund Site Project, New Bedford, Massachusetts

COPY FURNISHED (electronically):

Mr. Dave Lederer
Remedial Project Manager
EPA Region I
Office of Site Remediation & Restoration
5 Post Office Square
Suite 100, OSRR 07-4
Boston, Massachusetts 02109-3912

Ms. Laurie O'Connor
Remedial Project Manager
EPA Region I
Office of Site Remediation & Restoration
5 Post Office Square
Suite 100, OSRR 07-3
Boston, Massachusetts 02109-3912

Mr. Dave Dickerson
Remedial Project Manager
EPA Region I
Office of Site Remediation & Restoration
5 Post Office Square
Suite 100, OSRR 07-1
Boston, Massachusetts 02109-3912

Ms. Cynthia Catri
Senior Enforcement Counsel
EPA Region I
Office of Site Remediation & Restoration
5 Post Office Square
Suite 100, OES-04-2
Boston, Massachusetts 02109-3912

Mr. Anthony Silva
Technical Lead – Engineering Division
U.S. Army Corps of Engineers
696 Virginia Road
Concord, Massachusetts 01742-2751

Mr. Joseph Mackay
Chief – Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, Massachusetts 01742-2751

SAME LETTER SENT TO:

Mr. Steve Block, Coordinator
New Bedford Harbor Trustee Council
C/o National Marine Fisheries Service
55 Great Republic Drive
Gloucester, Massachusetts 01930

Mr. Christopher Boelke
Attn.: Alison Verkade
National Marine Fisheries Service
Northeast Regional Office, Habitat Conservation Division
55 Great Republic Drive
Gloucester, Massachusetts 01930-2298

Mr. Tom Chapman, Supervisor
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301-4986

Mr. Thomas French
Assistant Director
Division of Fish and Wildlife
Natural History Endangered Species Program
1 Rabbit Hill Road
Westborough, Massachusetts 01581

Mr. Garry Waldeck
Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup
One Winter Street
Boston, Massachusetts 02108

Mr. John Sheppard
Massachusetts Division of Marine Fisheries
836 South Rodney French Boulevard
New Bedford, Massachusetts 02744

Mr. Robert Boeri
Dredging Coordinator
Project Review Coordinator
Massachusetts Coastal Zone Management Office
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2138

Ms. Sara E. Porter
Conservation Agent
City of New Bedford
Conservation Commission
133 William Street, Room 304
New Bedford, Massachusetts 02740

Ms. Merilee Kelly
Conservation Agent
Acushnet Conservation Commission
Acushnet Parting Ways Building
130 Main Street
Acushnet, Massachusetts 02743

Ms. Whitney McClees
Conservation Agent
Town of Fairhaven
Town Hall
40 Center Street
Fairhaven, Massachusetts 02719

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

Anticipated 2019 Remedial Action Work at the New Bedford Harbor Superfund Site Project, New Bedford, Massachusetts

Site Overview:

New Bedford Harbor Superfund Site is divided into three management areas – the Upper Harbor, the Lower Harbor and the Outer Harbor, consistent with the geographical features of the area and gradients of PCB concentrations in sediment. The boundary line between the Upper and Lower Harbor is the Coggeshall Street Bridge where the width of New Bedford Harbor narrows to approximately 100 feet. The boundary between the Lower Harbor and Outer Harbor is the 150 foot wide opening of the New Bedford Harbor Hurricane Barrier (Figure 1).

The U.S. Environmental Protection Agency (EPA) selected the cleanup plan for the Upper and Lower Harbor areas (OU#1 Remedy) in the September 1998 Record of Decision (ROD). Six subsequent Explanations of Significant Differences (ESDs) refined the approach over time. The major components of the OU#1 Remedy include:

- Dredging of subtidal sediment mainly in the Upper Harbor, dewatering and off-site disposal.
- Excavation of contaminated sediment in the wetland areas and subsequent restoration of impacted wetlands.
- Mechanical dredging of sediment from the Lower Harbor and areas of the Upper Harbor, followed by disposal in a Confined Aquatic Disposal (CAD) cell located in the Lower Harbor.
- Long-term site-wide monitoring and institutional controls (e.g., seafood monitoring, seafood advisories and land use restrictions).
- Long-term operation and maintenance (O&M) of components of the Harbor remedy including monitoring of:
    - A pilot capped underwater area of sediment just southwest of the hurricane barrier in the Outer Harbor.
    - The Pilot CDF (formerly known as the Debris Disposal Area or DDA) located at the Sawyer Street facility.
    - The Lower Harbor CAD Cell (LHCC) once it is filled and subsequently capped.

Most of the OU#1 work is being implemented through an interagency agreement between EPA and the U.S. Army Corps of Engineers (USACE). The remediation of the Harbor is being accomplished in the most expeditious manner following careful planning and evaluation of the remaining contamination.

Summary of 2018 work

In 2018, remediation activities at the New Bedford Harbor Superfund Site included debris removal, hybrid and mechanical dredging, construction of an interim cap adjacent to Aerovox, and remediation and restoration of intertidal wetlands. Hybrid dredging consists of a mechanical dredge with an on-dredge slurrying system that hydraulically transports material to a treatment system. Material is first pumped to the desanding facility, and then to the dewatering facility, where it is processed and prepared for loadout. Material is finally transported to an off-site Toxic Substances Control Act (TSCA) landfill by rail or by truck, if rail is unavailable.

Mechanical dredging in the Upper Harbor, and between the I-195 and Coggeshall Street bridges moved approximately 29,000 yd^3 of sediment to the LHCC in 2018 (Figure 2). Approximately 170,000 yd^3 were also mechanically dredged from the Lower Harbor and disposed of in the LHCC, substantially completing the subtidal sediment cleanup in the Lower Harbor. Additionally, the hybrid dredge system removed approximately 97,000 yd^3 of sediment from the Upper Harbor. The combination of mechanical and hybrid dredging has lowered PCB levels in Upper Harbor subtidal sediment from a Surface Weighted Average Concentration (SWAC) of about 140 ppm in 2017 to approximately 35 ppm at present.

Intertidal remediation and restoration was completed in two areas located in the Town of Fairhaven on the eastern side of the harbor: the area between the I-195 and the Coggeshall Street bridges (BtB area), and at the terminus of North Street. Both areas consisted of beach, salt marsh and mud flat habitat types. The remediation of the BtB area required removing 655 yd^3 of material in a 7,600 ft^2 area. The North Street action removed approximately 2,000 yd^3 of material over a 42,345 ft^2 area. Materials were stabilized and then disposed of at an off-site TSCA landfill.

The construction of the "Interim Aerovox cap", a 3 acre subaqueous cap along the boundary of the New Bedford Harbor Superfund site with the Aerovox 21e MassDEP site began in 2018. At the end of 2018, the cap was 62% complete by area. The Interim Cap will remain in place until the MassDEP 21e work with the responsible party(ies) have achieved source control.

Turbidity plumes observed in the vicinity of dredging and debris removal activities were generally limited in both spatial extent (<100 feet from dredge operations) and duration. At no time were in situ turbidity levels measured in exceedance of the ecologically protective thresholds established for this work.

Anticipated 2019 Work

Dredging in the Upper Harbor will resume in March 2019. Approximately 112,000 yd^3 of materials are planned to be dredged from the Upper Harbor subtidal areas. At present it is estimated that 35,000 yd^3 will be mechanically dredged from the Upper Harbor, transported via scow to the Lower Harbor and placed in the LHCC. It is anticipated at present that the remainder of UH sediments causing exceedance of the UH Target Cleanup Level of 10 ppm will by removed via the hybrid dredge system.

Intertidal remediation and restoration is under consideration, but unlikely to be undertaken in 2019 due to funding constraints. Completion of the Aerovox temporary interim subaqueous cap will likely be completed in the spring of 2019.

Environmental Controls

The boat-based real-time water quality monitoring program continues to monitor remediation activities including: intertidal excavation, subtidal dredging, debris removal, placement of dredged material into the LHCC, subaqueous capping and other project-related construction activities. A silt curtain is deployed around the perimeter of the LHCC as a protective measure. Oil booms are readily available on the dredge barges and will be deployed as necessary to control any oil liberated during project activities.

A Fish Migration Impact Plan was developed in 2016, outlining specific requirements of the dredge contractor to ensure that any impacts to fish passage are minimized in the project areas. This document is updated annually to account for changes in site-specific dredging methods. Upon review at the beginning of the 2019 dredge season, only minor editorial changes were identified, therefore the document does not require further coordination with MADMF. As a result of these measures, no observable impediments to fisheries migration were observed during previous years dredging activities from either decreased water quality or physical obstruction associated with dredging activities.

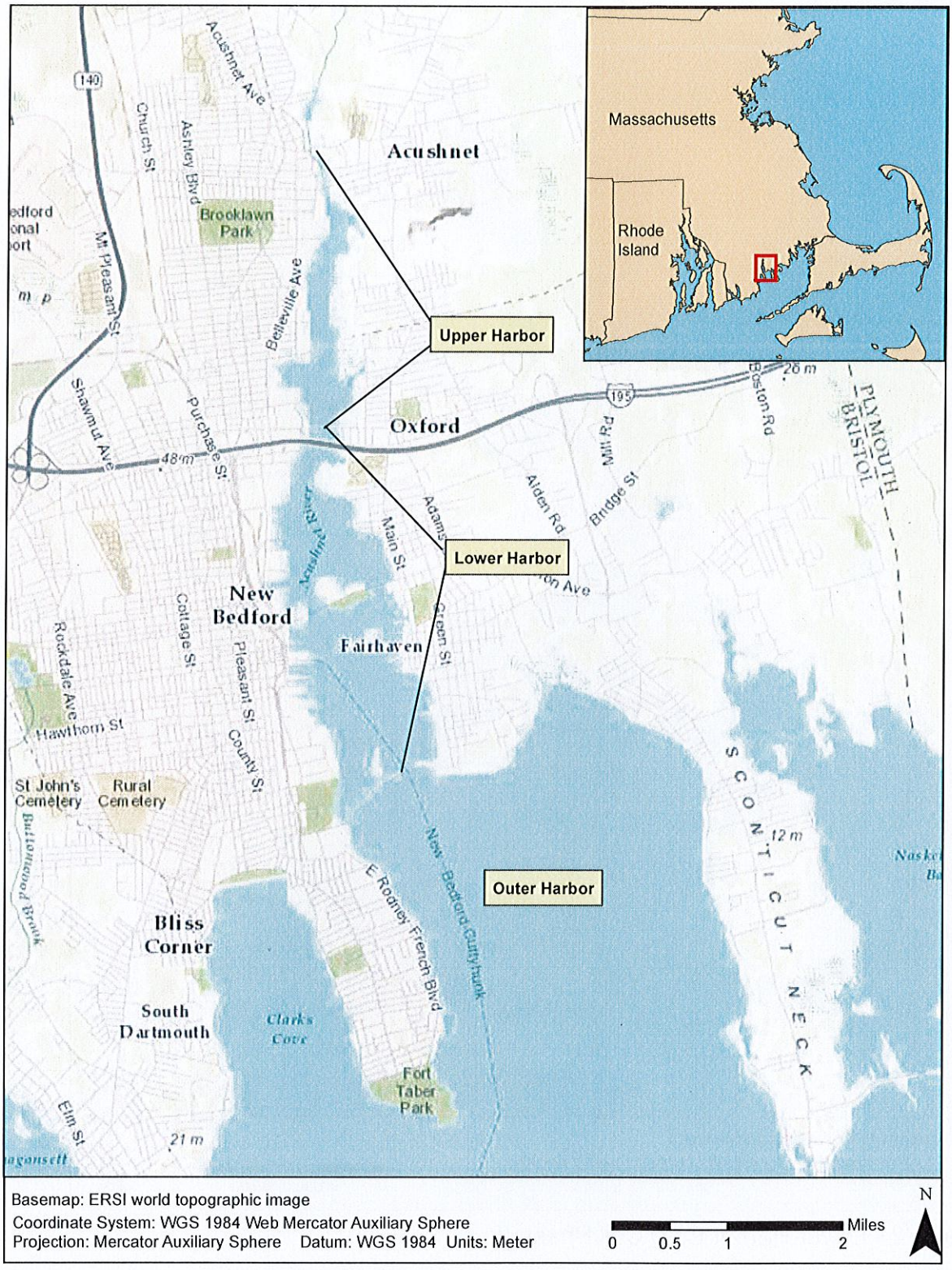

Figure 1 – New Bedford Harbor Superfund Site

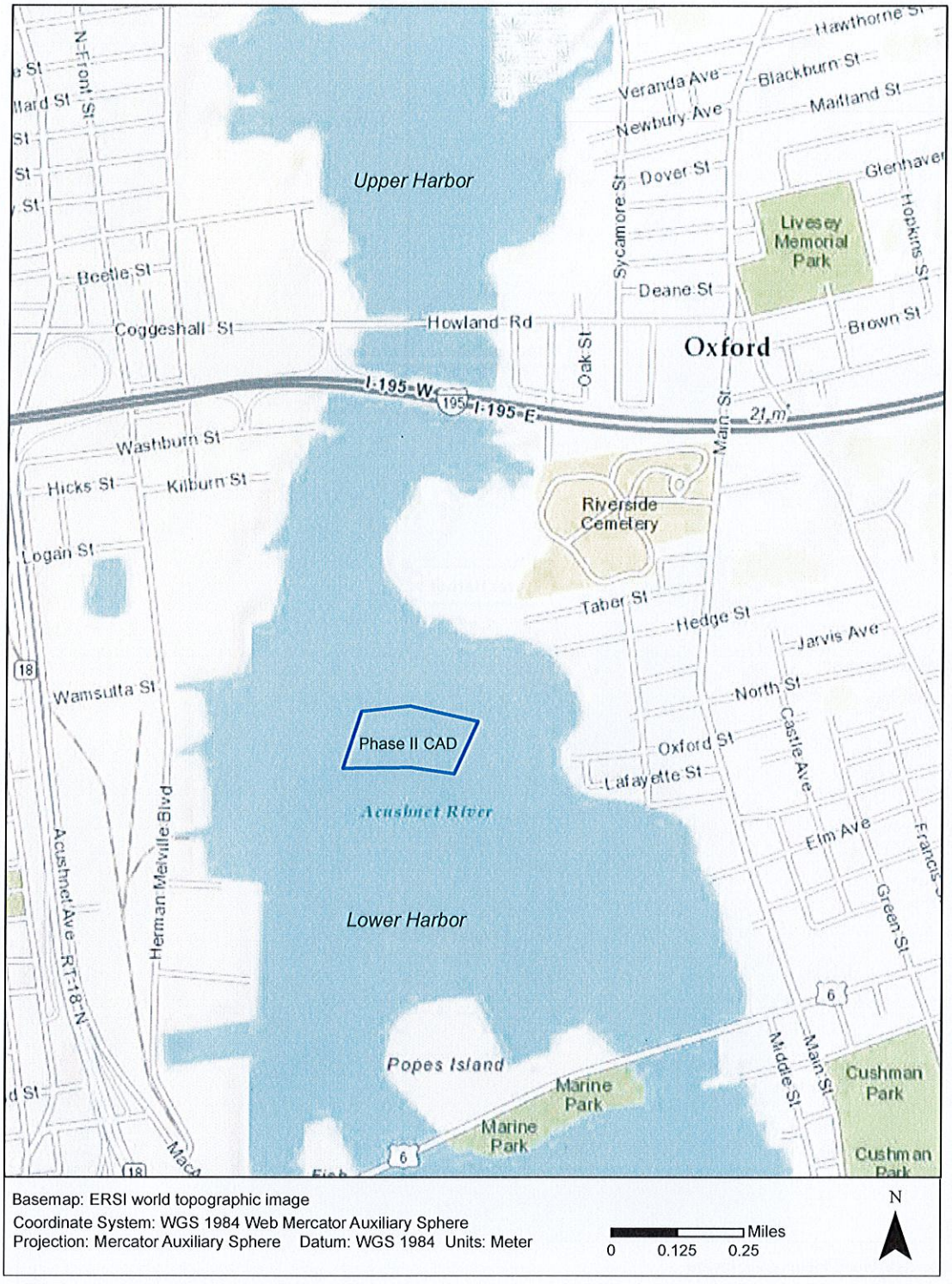

Figure 2 - Lower Harbor CAD Cell Phase II