



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

February 23, 2018

Ms. Sara E. Porter
Conservation Agent
City of New Bedford
Conservation Commission
133 William Street, Room 304
New Bedford, Massachusetts 02744

Dear Ms. Sara E. Porter:

Please find attached a description of the Anticipated 2018 Remedial Action Work at the New Bedford Harbor Superfund Site Project, New Bedford, Massachusetts. United States Army Corps of Engineers (USACE), on behalf of the Environmental Protection Agency (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. 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 NMFS on activities that have the potential to impact designated essential fish habitat (EFH) for commercial species.

This letter will:

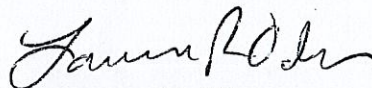
- a) Inform you of upcoming activities associated with the harbor cleanup.
- b) Provide a recent summary of completed work for the Upper and Lower Harbor Operable Unit.
- c) Seek any comments you may have regarding implementation of the cleanup activities.

- d) Document that after informal discussions with representatives at National Oceanic and Atmospheric Administration (NOAA) that consultation under the Endangered Species Act is not necessary for the Atlantic sturgeon because New Bedford Harbor has not been designated as critical habitat for the Atlantic sturgeon, and there is very low risk that an adult Atlantic sturgeon would potentially travel into New Bedford Harbor based on the best information available. A copy of USACE's no effect determination, on behalf EPA, is attached.
- e) Document that after informal discussions with representatives at NOAA, that USACE, on behalf of EPA, will be providing an Essential Fish Habitat Assessment to satisfy its obligations under the Essential Fish Habitat under the Magnuson-Stevens Act, for NOAA review.

The 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 questions or concerns, or if you would like any additional information regarding the work described above, please feel free to contact Mr. Dave Lederer, EPA Remedial Project Manager and Site Team Leader, at (617) 918-1325.

Copies of this letter will also be furnished electronically to: Mr. David Lederer (Remedial Project Manager, EPA Region I, Office of Site Remediation & Restoration), Mr. Christopher Smith (Remedial Project Manager, EPA Region I, Office of Site Remediation & Restoration), Mr. Dave Dickerson (Remedial Project Manager, EPA Region I, Office of Site Remediation & Restoration), Cynthia Catri (Senior Enforcement Counsel, EPA Region I, Office of Site Remediation & Restoration), Ms. Ellen Iorio, (Project Manager, U.S. Army Corps Engineers, New England District) and, Ms. Marie Esten (Technical Lead – Engineering Division, U.S. Army Corps Engineers).

Sincerely,



Lawrence R. Oliver
Chief, Evaluation Branch

Enclosures



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Anticipated 2018 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 (See 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). Five 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 select areas of the Upper Harbor, and disposal of that sediment 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 2017 work

In 2017, remediation activities at the New Bedford Harbor Superfund Site included debris removal and hybrid and mechanical dredging. Approximately 40,000 CY of materials were removed from the Upper Harbor, MU-25 and MU-28, by means of mechanical dredge. These materials were disposed of in the EPA Phase II CAD cell. Approximately 19,000 CY of materials were also removed from the Upper Harbor by hybrid dredge between October to December. About 100,000 CY of materials were removed from the Lower Harbor. Also, approximately 20,000 cubic yards of contaminated sediments were dredged from the intertidal zone in Riverside Park (Piece Mill Cove) area in New Bedford and Marsh Island in Fairhaven and these materials were disposed of at an off-site Toxic Substances Control Act landfill. In all, approximately 179,000 CY of polychlorinated biphenyl (PCB)-contaminated sediments were removed from both Lower and Upper Harbors. 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. No fish-kill events were observed during the 2017 season.

Anticipated 2018 Work

Recently started and planned work includes:

- Mechanical dredging of subtidal areas in the Lower Harbor and select areas of the Upper Harbor will continue in 2018. Dredged sediment is being placed in the LHCC.
- Dredging in the Upper Harbor using a mechanical dredge with on-dredge slurry system will resume in March 2018. Approximately 24,000 CY of materials will be excavated from the eastern side and about 12,000 CY of materials will be dredged from the Western side of the Upper Harbor. Collectively, these materials will be removed from an area that encompasses about 28 acres of wetland habitat. Material dredged using this system will first be pumped to the desanding facility, and then to the dewatering facility where it will be processed and prepared for loadout. Loadout of materials will be completed by rail or by truck, if rail is unavailable.
- Clean-up and restoration of intertidal areas of the western and eastern shoreline adjacent to the Upper Harbor is ongoing.
- A temporary interim subaqueous cap will be placed over highly contaminated sediments off the Aerovox shoreline to sequester contamination while the Potentially Responsible Party (PRP) remediates the upland source area.

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 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. We are currently in the process of updating this document for 2018. The Fish Migration Impact Plan will be coordinated with MADMF and NMFS before being finalized. 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.

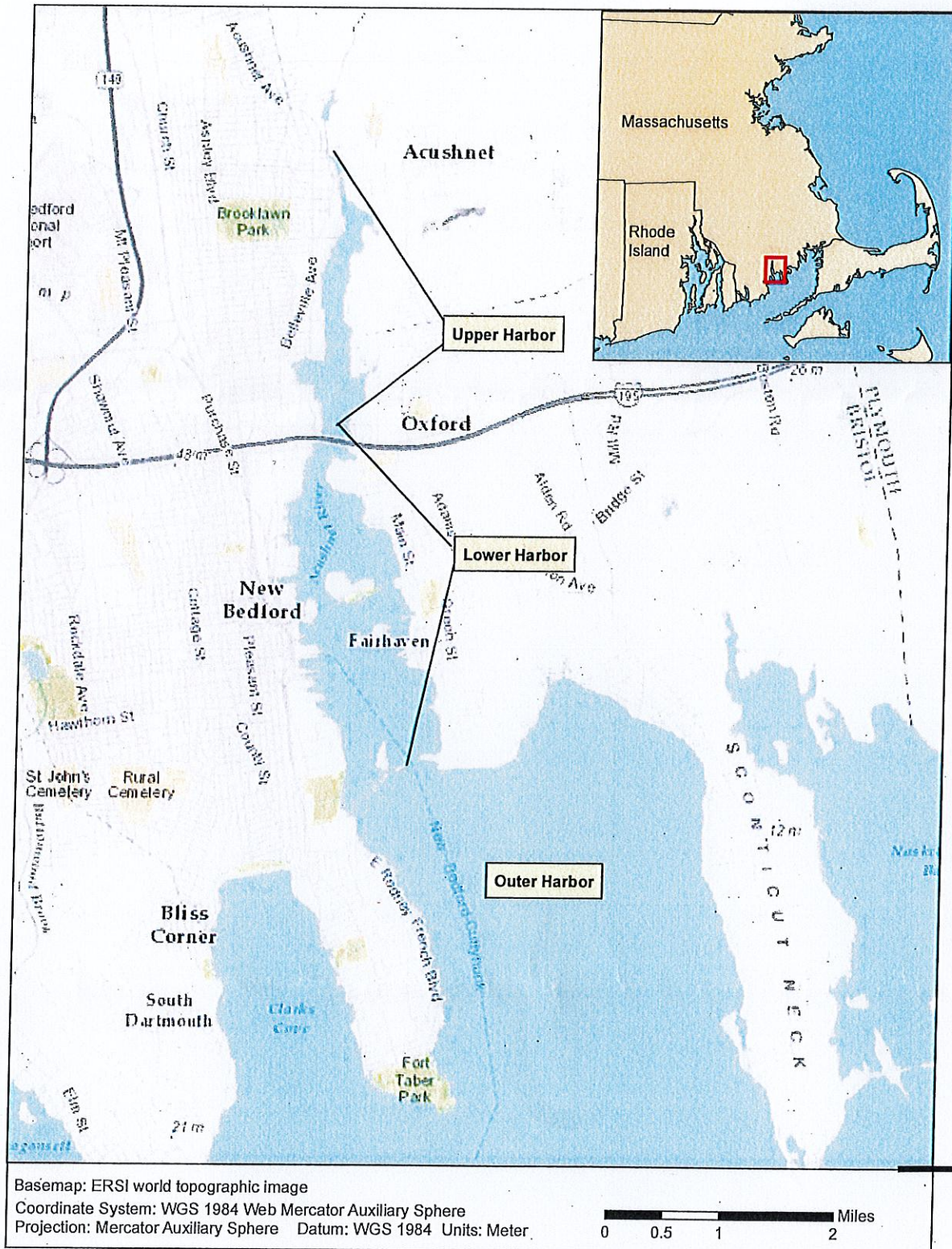


Figure 1 – New Bedford Harbor Superfund Site

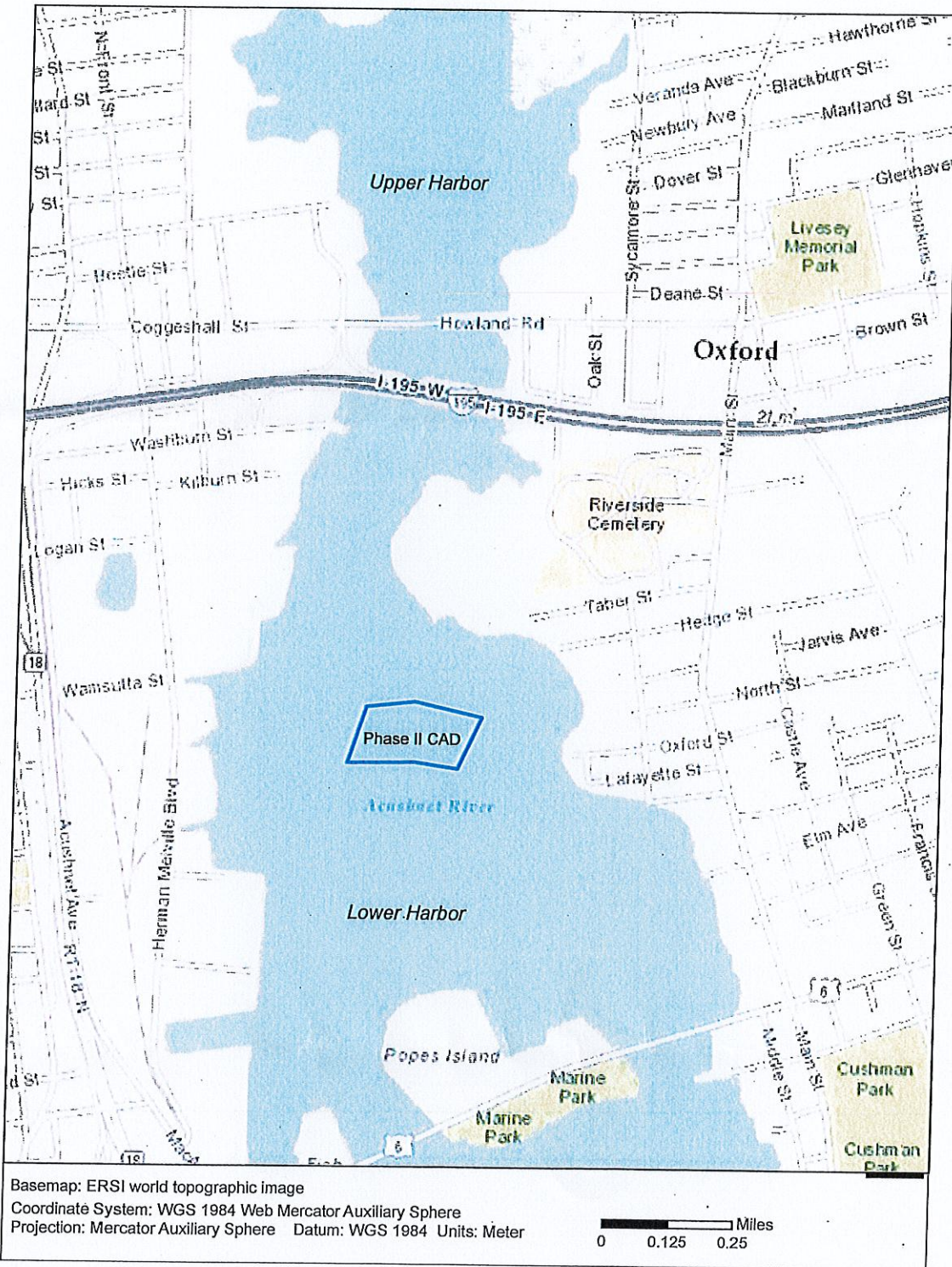


Figure 2: Lower Harbor CAD Cell Phase II