



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

*Certified Mail – Return Receipt Requested*

**DEC 10 2012**

Michele Paul, Director  
Environmental Stewardship Department  
City of New Bedford  
133 William Street, Room 304  
New Bedford, Massachusetts 02740

Re: Acquired Residential Properties PCB Remediation  
101 and 102 Greenwood Street and 118 Ruggles Street

Dear Ms. Paul:

I write in response to the letter from your consultant, TRC Environmental,<sup>1</sup> concerning PCB-contaminated soils located at the following properties owned by the City of New Bedford:

- 101 and 102 Greenwood Street
- 118 Ruggles Street

The TRC letter requests EPA's concurrence for the removal of PCB-impacted soil from these properties as it applies to the requirements under the PCB regulations at 40 CFR Part 761. These properties have PCB concentrations in soil at greater than or equal to ( $\geq$ ) 50 parts per million (ppm). In its March 29, 2011 letter pertaining to these properties, EPA determined that PCB-contaminated soil with  $\geq$  50 ppm on these properties met the definition of a *PCB remediation waste* as defined under § 761.3 and was regulated for cleanup under 40 CFR Part 761.

In the August 15, 2012 letter TRC indicates that the planned remedial actions to address contaminated soils at the above properties also will be conducted under a Massachusetts Contingency Plan (MCP) Release Abatement Measure, or other MCP-compliant response action. As such, the intent of the remediation activity is to meet the requirements of both 40 CFR Part 761 and the MCP.

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<sup>1</sup> David Sullivan, TRC Environmental to Kimberly Tisa, EPA. *Request for Concurrence on Regulatory Opinion Remediation of Polychlorinated Biphenyl (PCB) Impacted Soils*, August 15, 2012. TRC provided additional information on the proposed remediation on November 2, 2012. These two submissions are referred to herein as the "TRC letter."

In the proposed remediation plan, PCB-contaminated soil with  $\geq 50$  ppm will be removed and disposed of in accordance with 40 CFR § 761.61(b). PCB-contaminated soil with less than ( $<$ ) 50 ppm will be addressed under the MCP.

To delineate the  $\geq 50$  ppm PCB-contaminated soil from the  $< 50$  ppm PCB-contaminated soil, TRC is proposing to conduct sampling prior to excavation. While confirmatory sampling to segregate the  $\geq 50$  ppm PCB-contaminated soil from the  $< 50$  ppm PCB-contaminated soil would generally be conducted following removal of the  $\geq 50$  ppm PCB-contaminated soil, the City is proposing to conduct the sampling prior to excavation to avoid leaving open excavations in a residential area. As a conservative measure during soil removal, excavations will be over-excavated by 6 inches beyond the  $\geq 50$  ppm PCB lateral and/or vertical extent, as applicable, to insure complete removal of the  $\geq 50$  ppm PCB soil.

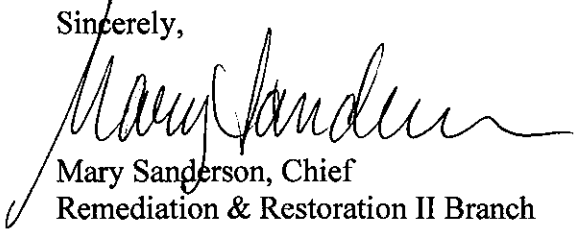
Based solely on the information provided by TRC, EPA has determined that the proposed pre-excavation sampling and removal procedure is sufficient for segregation of the  $\geq 50$  ppm PCB-contaminated soil at these properties and is reasonable given the location of the properties with the following conditions:

1. Samples shall be collected from the 3.0 to 5.0 foot horizon and 5.0 to 7.0 foot horizon at SB-101-4D on 101 Greenwood Street;
2. Samples shall be collected from the 3.0 to 5.0 foot horizon and 5.0 to 7.0 foot horizon at SB-101-6A on 101 Greenwood Street;
3. Analytical results of all pre-excavation sampling shall be submitted to EPA prior to the City conducting any soil removal on these properties;
4. The City shall submit any remedial plan modifications deemed necessary to comply with 40 CFR Part 761 as determined by the analytical results of the pre-excavation sampling; and,
5. In the event that during the pre-excavation sampling or during excavation, new information is discovered (e.g., electrical components such as small capacitors, stained soils, etc), the City shall contact EPA for a determination of what additional requirements, such as sampling, shall apply to the remedial project.

EPA's determination applies solely to the properties and the soil locations that were identified in the TRC letter and has no bearing on any other property located within the Parker Street Waste Site. Please be aware that this determination does not release the City from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other non-PCB contaminants under the Massachusetts Department of Environmental Protection (MassDEP) and the MCP.

Questions regarding this matter should be directly to Kim Tisa at (617) 918-1527.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Sanderson", with a long, sweeping horizontal line extending to the right.

Mary Sanderson, Chief  
Remediation & Restoration II Branch  
Office of Site Remediation & Restoration

cc: D. Sullivan, TRC  
M. Cote, MassDEP  
File