

Parker Street Waste Site Community Update

Revised

EPA Community Involvement

February 2010

This Fact Sheet replaces an earlier version issued by EPA. It is an update to explain activities that have occurred since the September 30, 2009 public meeting held at the Keith Middle School regarding the Parker Street Waste Site in New Bedford, Massachusetts.

EPA is reissuing a Feb. 2010 Parker Street Community Update, which inadvertently was produced using a fact sheet template from EPA's Superfund program. The Community Update also included a photograph which is being replaced. To remove any confusion, EPA is reissuing the community update. Parker Street is not designated as a Superfund site, and currently the site is not undergoing the intensive, years-long process to add it to the formal "National Priorities List" (aka NPL, this is the formal designation for a site being on EPA's Superfund list).

Introduction:

EPA and the Massachusetts Department of Environmental Protection (MassDEP) continue to work with the City of New Bedford and community members to expedite further investigation of the boundaries of the Parker Street Waste Site, and to determine whether there is any immediate threat to human health, safety or the environment related to contamination from the Site.

A team of technical experts from EPA, MassDEP and the City of New Bedford have been working diligently to address concerns from citizens regarding the site. EPA and MassDEP representatives have met with property owners, taken site tours and analyzed existing data pertaining to this site to develop a sampling and analysis plan (SAP) that will address the extent of soil contamination to define the boundaries of the Parker Street Waste Site.

Throughout this process, technical decisions have been and will continue to be made based on the best available expert knowledge, sound science and rule of the law. The team is committed to making these decisions with community involvement and input.

Additional Site Characterization:

Immediately following the September 30, 2009 public meeting, members of EPA's emergency response branch, EPA's Toxic Substances Control Act (TSCA) office, MassDEP, and the City of New Bedford began a series of meetings to evaluate areas that require further site study. Existing data and historical aerial imagery were reviewed. These meetings have continued with the purpose of developing a set of maps that will identify additional sampling locations. The site neighborhood has been walked jointly with representatives of the community and members of the site characterization team. Concerns raised and areas identified by the community have been incorporated into a draft SAP.

In the coming weeks, the SAP will be further refined to include specific resource needs and a project timeline. The objective of the SAP is to ensure that a comprehensive plan is created that will address existing data gaps at the boundaries of the Site. Additional meetings with community representatives and their technical consultants will continue to gather further input before the SAP becomes final.

Communication and Public Involvement:

EPA is continually working to improve communication and public outreach regarding decisions at the Parker Street Waste Site. Listening to and gathering input from community members will continue to be an integral part of this process. Moving forward in a transparent and open environment will help ensure that all parties involved can work together more productively in a spirit of mutual respect.

Abbreviations:

EPA
U.S. Environmental Protection
Agency

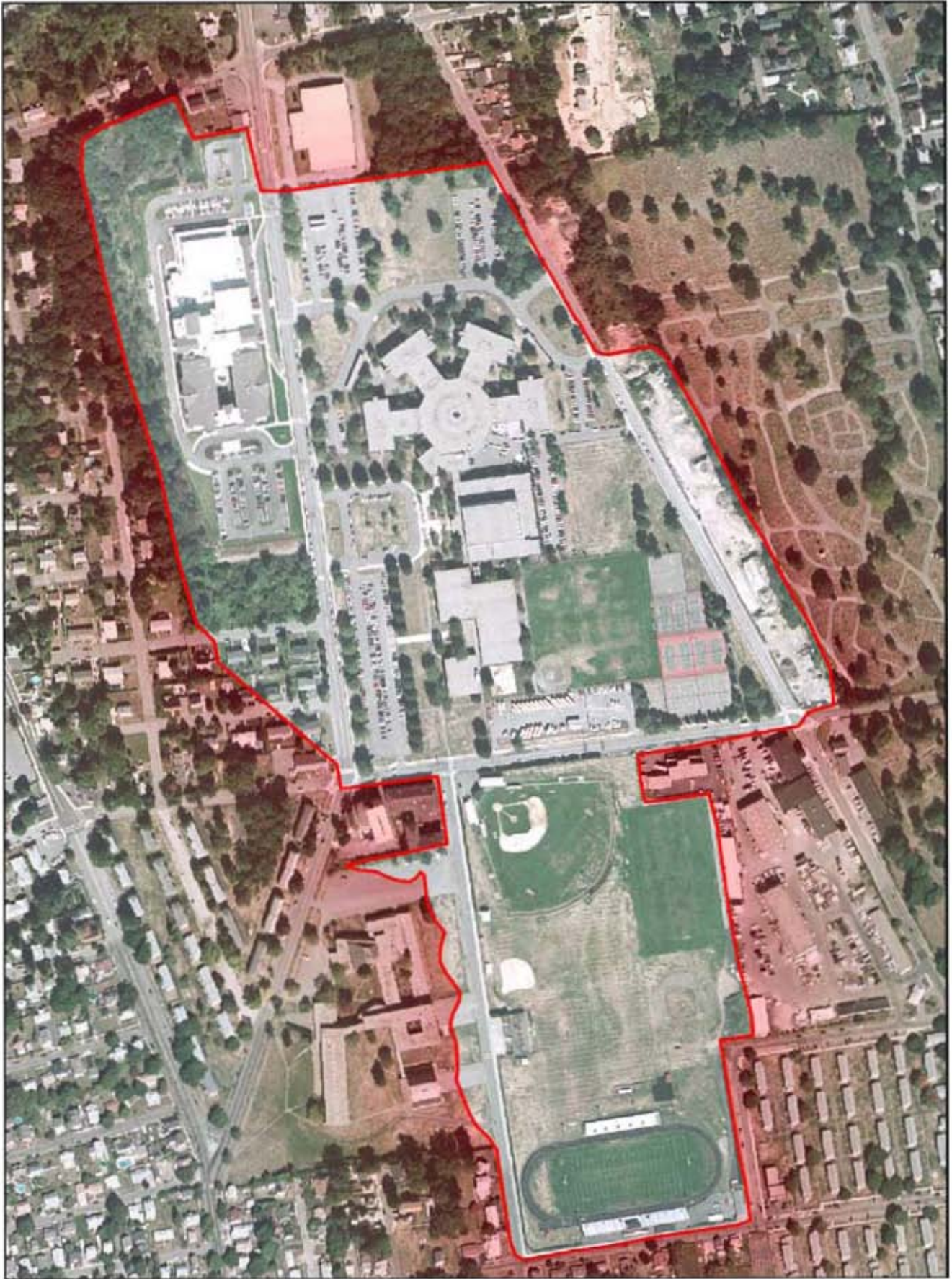
MassDEP
Massachusetts Department of
Environmental Protection

MassDPH
Massachusetts Department of
Public Health

TASC
Technical Assistance Services for
Communities

TSCA
Toxic Substances Control Act

RAM
Release Abatement Measure



Parker Street Waste Site - New Bedford, MA

On September 30, 2009, EPA and MassDEP conducted a public meeting in New Bedford to learn firsthand about some of the issues of concern for directly affected residents of New Bedford. One of the commitments that EPA made at this meeting was to fund a third-party neutral to work with EPA, MassDEP, the City of New Bedford and the community with the goal of improving communications and public involvement as this relates to the Parker Street Waste Site.

In late December 2009, EPA secured the services of a qualified and experienced third-party neutral. Marion Cox of ReSource Associates serves in this capacity. Marion has met with EPA's project team, and has initiated contact with the Massachusetts Department of Public Health (MassDPH), MassDEP and community members.

Marion will conduct an assessment of the current status of communications and public involvement among the agencies and the interested and affected public involved with the Parker Street Waste Site to determine what type of updated communication process is needed to meet current needs within the community for the Site.

Independent Technical Support to the Community:

EPA has funded two separate "Technical Assistance Services for Communities" (TASC) projects to assist New Bedford citizens. The TASC program provides independent experts to work for communities to improve their understanding of hazardous waste issues, and help improve their ability to effectively participate in the assessment and cleanup process.

One of the TASC projects will assist the community in working with representatives at the EPA and MassDEP to establish an educational network or forum related to environmental justice issues that encompass the entire New Bedford community.

The second TASC project has been

designated to address the technical aspects of the SAP for the Parker Street Waste Site. An independent engineering consultant from Ecology and Economics (E2), Inc. has met with community representatives to listen to their concerns and will be reviewing site documents and working with the agencies and community members in the coming months as the SAP is implemented.

Keith Middle School Wetlands Area:

On November 3, 2009 EPA officials met with community representatives to discuss the history of activities which have occurred in wetlands adjacent to the Keith Middle School. The purpose of the meeting was to obtain information that would help determine whether unauthorized activities in the wetlands area had occurred at the site. At the conclusion of the meeting, a visit of the wetlands area was conducted with community representatives. After further evaluation, and based on currently available information, EPA has concluded that there is no basis for any Clean Water Act enforcement action to address contaminants in wetlands at the site because there is no information that suggests that the contaminants resulted from an illegal discharge of dredged or fill material (which is what is necessary to trigger EPA's jurisdiction under section 404 of the Clean Water Act). EPA's authority under TSCA, on the other hand, extends to all kinds of properties – uplands and wetlands and other waters – and does not depend on whether the contamination resulted from the discharge of dredged or fill material. This is why EPA is proceeding under its TSCA authority for the investigation in the wetlands, rather than the Clean Water Act.

Environmental Justice:

EPA has committed to provide additional opportunities to engage the

community regarding Environmental Justice issues. On October 22, 2009, a meeting was held to gather community input on the format and goals for future environmental justice-related discussions. Community members at the meeting expressed an interest in building community capacity through educational workshops about environmental justice, environmental laws, grant writing and brownfields, for example. Participants also expressed the need to develop an action plan to address environmental issues in New Bedford.

Based on this input, EPA plans to support community efforts to (1) establish an environmental justice network in New Bedford and (2) develop an action plan to begin addressing environmental concerns in New Bedford, including establishing a process for issue identification, prioritization, and identifying requests for action. EPA will provide technical assistance to the community for these efforts through the TASC Contract.

Next Steps:

EPA, working together with the MassDEP, the City of New Bedford and community leaders, will host a community meeting regarding the Parker Street Waste Site on Wednesday, March 10, 2010 from 6:30-9 pm at the Keith Middle School. The Draft Sampling and Analysis Plan (SAP) and the necessary access to private properties to implement the SAP will be discussed.

The SAP will be finalized in March 2010. Sampling activities are projected to occur over a 4 to 6 week period beginning in the spring of 2010.

Following the sampling activities, the results of the sample analysis will be provided to individual property owners following complete data validation. Community meetings will continue to be held to convey important information.

Next Meeting:

Wednesday • March 10th
6:30 - 9 p.m. at the
Keith Middle School Auditorium

Please visit Parker Street Neighborhood Community Meetings Calendar:

<http://www.epa.gov/region1/mccoyfield/calendar.html>

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<http://www.newbedford-ma.gov/McCoy/Keithmiddleschool.html>