DRAFT SEVENTH EXPLANATION OF SIGNIFICANT DIFFERENCE
FOR THE
NEW BEDFORD HARBOR SUPERFUND SITE
UPPER AND LOWER HARBOR OPERABLE UNIT 1 (OU1)
NEW BEDFORD, MASSACHUSETTS
U.S. EPA REGION 1

June 10, 2025 DRAFT

I. INTRODUCTION TO THE SITE AND STATEMENT OF PURPOSE

Site name and Location: New Bedford Harbor Superfund Site (Site), Bristol County, Massachusetts

Lead Agency: United States Environmental Protection Agency

Support Agency: Massachusetts Department of Environmental Protection (MassDEP)

Statement of Purpose:

Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9617(c), and Section 300.435(c)(2)(i) of the National Contingency Plan (NCP), 40 CFR § 300.435(c)(2)(i), require that, if any remedial action is taken after adoption of a final remedial action plan, and such action differs in any significant respect from the final plan, the United States Environmental Protection Agency (EPA) shall publish an Explanation of Significant Difference (ESD). The ESD must describe the significant difference(s) between the selected remedial action and the modified remedial action, including an explanation of why such changes were made.

Description of the Operable Unit 1 CERCLA Remedy:

OU1 ROD Remedy

EPA documented the selected remedy for the Upper and Lower Harbor Operable Unit of the Site (Operable Unit 1 or OU1) in a Record of Decision (OU1 ROD or the 1998 ROD) signed on September 25, 1998. Since that time, EPA has gathered additional site information and refined the cleanup approach for the Upper and Lower Harbor areas through six prior ESDs, described below. The cleanup plan selected in the OU1 ROD called for dredging of sediment in the Upper Harbor and Lower Harbor contaminated with polychlorinated biphenyls (PCBs) above the

selected cleanup levels.[1] The OU1 ROD called for the construction of four shoreline confined disposal facilities (CDFs) (A, B, C, and D) to contain and isolate the dredged sediment, associated water treatment, capping of the CDFs, long-term monitoring and maintenance, and land use controls, also referred to as "institutional controls" (ICs)[2]. The CDFs were conceptually located in PCB-contaminated areas to avoid the need to dredge an additional approximately 126,000 cubic yards (cy) of contaminated sediment, which instead would have been contained within the footprints of the CDFs. The OU1 ROD also included the remediation of two localized areas of PCB-contaminated sediment that exceeded OU1 cleanup standards, located in the Outer Harbor just south of the Hurricane Barrier.[3] To support Harbor dredging efforts, among other facilities EPA established a Desanding Facility with several water/sediment holding cells (Cells 1, 2 and 3), on City-owned property at 103 Sawyer Street (the site of EPA's pilot CDF).

Remedy Modifications Through Six Explanation of Significant Differences

The six ESDs modified the OU1 remedy to address evolving conditions, as summarized below:

- ESD1 (2001): 1. Incorporated mechanical dewatering of dredged sediment (including construction of desanding and sediment dewatering facilities); 2. Authorized Construction of a rail spur to the dewatering facility; 3. Revised the dike design at CDF D; 4. Documented the creation and continuous use of a pilot CDF at EPA's Sawyer Street facility (Sawyer Street Pilot CDF); 5. Identified additional intertidal cleanup locations in residential zones; and 6. Refined the total volume of *in-situ* PCB-contaminated sediment to be addressed (approximately 800,000 cy).
- ESD2 (2002): 1. Eliminated CDF D and 2. Modified the sediment disposal destination from CDF D to off-site disposal.
- ESD3 (2010): Documented the temporary storage of highly contaminated PCB and volatile organic compound (VOC) sediment (dredged near the Aerovox facility) in the former hot spot sediment disposal cell #1 at EPA's Sawyer Street facility.
- ESD4: (2011): 1. Modified the remedy to include the construction and use of a confined aquatic disposal (CAD) cell in the lower harbor (the Lower Harbor CAD Cell or LHCC) for the disposal of approximately 300,000 cy of dredged sediment and 2. Refined the total volume of *in-situ* PCB-contaminated sediment above the 1998 OU1 ROD cleanup levels (approximately 900,000 cy).
- ESD5 (2015): 1. Eliminated CDFs A, B and C in the Upper Harbor; 2. Modified the sediment disposal destination from CDF A, B and C to off-site disposal; and 3. Confirmed

[1] The New Bedford Harbor Superfund Site is divided into the Upper, Lower, and Outer Harbors. The boundary between the Upper and Lower Harbor is the Coggeshall Street bridge; the boundary between the Lower Harbor and the Outer Harbor is the New Bedford Harbor hurricane barrier (Figure 1).

[2] Institutional controls (ICs) are legal and administrative tools used to protect people from exposure to contaminants left behind at a site.

[3] One of these Outer Harbor areas (the largest of the two) was capped in 2005 under a pilot capping study that included periodic long-term monitoring, most recently in 2022. See Section III.A below for more detail. The other, smaller Outer Harbor area was deemed to be based on a false positive pre-ROD sample, as two rounds of post-ROD sampling did not detect any PCBs above the cleanup level.

the pilot shoreline CDF at the Sawyer Street facility is protective and designated the location as a permanent disposal facility regulated under the Toxic Substance Control Act, 15 U.S.C. §2601 *et seq.* (TSCA).

- ESD6 (2017): Modified the OU1 remedy to expand the OU1 area to include the OU3 area and eliminate the designation of "OU3".

Establishment of Ten Sediment Cap Areas

EPA, together with the U.S. Army Corps of Engineers (USACE) and its contractors, completed the OU1 subtidal dredging program in 2020, except for some follow-up dredging in small areas conducted in 2023 and 2024. Approximately 1 million cy of PCB-contaminated sediment was dredged and disposed either off-site or, for dredged material with lower-level PCB contamination, in the LHCC established by ESD4. During this Superfund dredging program, however, ten specific areas were deliberately *not* dredged because it was considered not feasible, advisable or cost-effective to do so with the dredging equipment available at the time. Section III.A below discusses the technical reasons for not dredging each of these ten areas in more detail.

Seven of these ten specific areas[4] are located where the originally planned CDFs A, B, and C would have been constructed, and therefore these areas (or at least portions of these areas) were not slated to be dredged under the 1998 OU1 ROD but were to be capped in place by the CDFs. ESD 5 did modify the remedy in 2015 to eliminate the construction of these three CDFs and instead selected dredging and off-site disposal for the contaminated sediments within the seven areas.

Sediment caps were installed at these ten areas to provide interim protection of human health and the environment pending a decision on the final remedy for these areas, including public comment, which is being made through this seventh ESD. It should be noted that although these sediment caps were "interim" pending a final remedial decision for these areas, they were designed and constructed very robustly so that they could be effective for the long term. The 10 sediment cap areas are shown on Figure 2 and discussed further below.

Summary of this Draft Explanation of Significant Differences

This draft seventh ESD solicits public comment on three proposed modifications to the OU1 remedy: 1. Finalizing the remedy for the 10 sediment cap areas, 2. Proposed change in the PCB cleanup level (from 50 to 25 parts per million or ppm) for the intertidal shoreline adjacent to the proposed New Bedford River Walk and 3. Clarify that the scope of the remedy's Institutional Control (IC) requirements include preventing human contact risk with PCB-contaminated sediments in areas within the Site where the remedy left PCB-contaminated

[4] These seven capped areas are: Aerovox sediment cap, O-711 cap, Crib cap, L-014 cap, L-114 cap, Pilot CDF sediment cap and the Parcel 265 cap.

sediment in place that exceed unrestricted use/unrestricted exposure (UU/UE) (*i.e.*, residential) standards.

Finalizing the OU1 Remedy for the 10 Sediment Cap Areas

EPA investigated three alternatives for final remediation of the ten sediment cap areas and has proposed selecting one of the alternatives. These three alternatives are:

1) incorporating the sediment caps as permanent elements of the OU1 Remedy, combined with long term monitoring and maintenance, and implementation of ICs for these capped areas **(EPA's Proposed Alternative)**;

2) removal of the sediment caps and proceeding with the OU1 ESD5 dredging and off-Site disposal remedy for these areas (using sheet-piling and backfilling to protect abutting shoreline structures as well as different/heavier equipment to deal with the extensive amounts of debris where present); and

3) removal of the sediment caps and implementation of *in-situ* bioaugmentation at the ten sediment cap areas, combined with long term monitoring and maintenance, and implementation of ICs at these areas.

Through this Draft ESD, EPA is documenting that Alternative 1 is EPA's preferred alternative, but EPA is seeking public comment on all three alternatives. These three alternatives are evaluated in an Alternatives Analysis Report which is included in the Administrative Record (AR) for the site (see next section for availability of this AR).

Intertidal Cleanup Level Change Along the Shoreline Adjacent to the Proposed New Bedford River Walk

This Draft ESD is also seeking public comment on changing the OU1 Remedy's intertidal cleanup level along the shoreline adjacent to the proposed New Bedford River Walk along the Upper Harbor (see Figure 3). The cleanup level will be changed from the OU1 ROD's Site-specific cleanup standard of 50 ppm of PCBs to 25 ppm consistent with the expected change in land use from limited public access, as identified in the 1998 OU1 ROD, to current conditions with more intensive recreational use of the shoreline abutting the Harbor.

Ongoing Harbor Cleanup

This ESD is not changing any of the other remedial components of the OU1 Remedy including operation and maintenance of remedy components (including the LHCC and Pilot CDF). EPA will continue to perform the OU1 Remedy and implement ICs regarding consumption of locally caught seafood (*e.g.,* seafood advisories, signage, and educational campaigns). EPA and MassDEP will also continue to perform long-term seafood and benthic monitoring to assess the effect of the OU1 Remedy on the entire Site, including the Outer Harbor. The goal of the fish consumption ICs is to minimize ingestion of locally caught PCB-contaminated seafood until PCBs in seafood reach safe levels. State fishing restrictions/regulations are also in effect.

Institutional Control Requirements to Prevent Human Contact Risk from Contaminated Sediments

As noted above, EPA implemented different intertidal cleanup levels throughout the Harbor depending on adjacent land uses and to address fish consumption risks in subtidal areas. The UU/UE/residential cleanup level for human contact risk from PCB-contaminated sediments was determined to be 1 ppm PCBs (OU1 ROD, p.B-5). Except for residential intertidal shoreline areas that were cleaned up to this 1 ppm PCB standard, within the rest of the Site's intertidal zones where cleanup standards are above 1 ppm PCBs (*e.g.,* recreational and remote wetland areas) this ESD clarifies that the scope of the OU1 Remedy's IC controls include restricting activities that would result in human contact risk from PCB-contaminated sediment left in place that exceed UU/UE/residential risk. ICs may also be required in areas that were inaccessible during the dredging period, (*i.e.* underneath shoreline rip rap), if it is determined that contamination remains in place exceeding the remedy's cleanup standards at a later date.

Public Comment Period

This Draft ESD #7 is being issued for public comment. A formal public comment period on this Draft ESD #7 will run from June 11, 2025 through July 11, 2025. A public informational meeting will be held on this Draft ESD #7 on June 10, 2025. EPA is accepting written and e-mailed comments on this ESD which will be included in the administrative record. Submit your comments by mail or hand delivery/courier, to:

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Comments on the Draft EST #7 may also be submitted online via https://www.regulations.gov using Docket #: EPA-R01-SFUND-2025-0131. Follow the online instructions for submitting comments.

Additional Public Comment on Legal Findings/Determinations

EPA is specifically seeking public comments on EPA's proposed finding under the federal Clean Water Act that the OU1 Remedy, as proposed to be modified to authorize ten permanent sediment caps, is the Least Environmentally Damaging Practicable Alternative (LEDPA) to prevent contaminated sediment from impairing wetlands and aquatic habitats at the New Bedford Harbor Superfund Site.

In addition, this Draft ESD includes a draft determination required by regulations promulgated under TSCA at 40 CFR § 761.61(c) that this modification of the OU1 Remedy, specifically the permanent capping of PCB-contaminated sediments in the ten areas, will not pose an unreasonable risk of injury to health or the environment. TSCA determinations for the remedy were previously made in the 1998 ROD (page 38); ESD1 (Section III.C); ESD2 (Appendix A); ESD3 (Section III); ESD4 (Attachment B); and ESD5 (Attachment A). Those TSCA determinations would remain effective for the OU1 Remedy, as proposed to be modified by this Draft ESD, with the exception of the ESD2 TSCA determination, which was superseded by the ESD5 TSCA determination. EPA requests public comment on this ESD7 Draft TSCA Determination that the permanent capping of PCB-contaminated sediments in the ten sediment cap areas does not result in an unreasonable risk of injury to health or the environment so long as the conditions set forth in the draft TSCA Determination are maintained (including maintenance and monitoring of the caps).

EPA will consider and respond to all formal comments received during the comment period before determining whether to publish this Draft ESD as a final ESD7 or if modifications to the proposed remedy change are required to address public concerns. The final ESD7, if issued, will include a copy of all comments received during the comment period, along with EPA's responses to those comments and a description of any changes to the ESD since the issuance of the Draft ESD. The public comments and EPA's responses to them will be made part of the public Administrative Record (AR) for the Site.

Availability of Records and Public Notice

The documents supporting this draft ESD have been compiled into an administrative record file which will become part of the AR for the Site, as required by the NCP at 40 CFR § 300.825(a)(2). The AR for this ESD has been developed in accordance with Section 113 (k) of CERCLA and a copy of the files associated with the AR are available for public review at the following information repositories:

New Bedford Free Public Library
613 Pleasant Street, 2nd Floor Reference Department,
New Bedford, MA 02740
(508) 961-3067

EPA Region 1
SEMS Records and Information Center, 1st Floor (by appointment only)
5 Post Office Square, Suite 100 (HSC),
Boston, MA 02109-3912
(617) 918-1440

EPA's NBH Site website: https://www.epa.gov/new-bedford-harbor

Attachment A to this ESD identifies the documents contained in the Administrative Record for this ESD. Section 117(d) of CERCLA, 42 U.S.C. §9617(D), requires public notification of the ESD in a newspaper of general circulation. **Attachment B** includes a copy of the notice published in the New Bedford Standard Times and in the New Bedford Light on-line publication. The notice includes information about the formal public comment period for this Draft ESD.

II. SITE HISTORY, CONTAMINATION, AND SELECTED REMEDY

Site History and Enforcement Activity

The Site, located in Bristol County, Massachusetts, extends from the shallow northern reaches of the Acushnet River estuary south through the commercial harbor of New Bedford and into 17,000 adjacent acres of Buzzards Bay. See Figure 1. The Site has been divided into three areas consistent with geographical features of the area and gradients of contamination. The Upper Harbor comprises approximately 250 acres. The boundary between the Upper and Lower Harbor is the Coggeshall Street bridge where the width of the harbor narrows to approximately 100 feet. The Lower Harbor comprises approximately 750 acres. The boundary between the Lower and Outer Harbor is the 150-foot-wide opening of the New Bedford hurricane barrier (constructed in the mid-1960s). The Outer Harbor is comprised of approximately 17,000 acres with its southern extent (and the Site's southern boundary) formed by an imaginary line drawn from Rock Point (the southern tip of West Island in Fairhaven) southwesterly to Negro Ledge and then southwesterly to Mishaum Point in Dartmouth. The Site is also defined by three fish-consumption closure areas, promulgated by the Massachusetts Department of Public Health (MassDPH) in 1979, which match the boundaries of the Site.

Identification of PCB-contaminated sediment and seafood in and around New Bedford Harbor was first made in the mid-1970s, as a result of EPA region-wide sampling programs. Elevated levels of heavy metals in sediment (notably cadmium, chromium, copper and lead) were also identified during this time frame. The manufacture and sale of PCBs was banned by TSCA in 1978. In 1979, MassDPH promulgated regulations prohibiting consumption of locally caught fish and shellfish within the Site due to elevated PCB levels in area seafood. Due to these concerns, the Site was proposed for the Superfund National Priorities List (the NPL) in 1982 and finalized on the NPL in September 1983. Pursuant to 40 CFR § 300.425(c)(2), the Commonwealth of Massachusetts (Commonwealth) nominated the Site as its priority site for listing on the NPL.

EPA's site-specific investigations began in 1983 and 1984. Site investigations continued throughout the rest of the 1980s and early 1990s, including a pilot dredging and disposal study in 1988 and 1989, a baseline public health risk assessment in 1989, and computer modeling of site cleanup options and an updated feasibility study for the Site completed in 1990.

Thousands of additional environmental samples have been taken since then to support the implementation of the remedy.

Collectively, these investigations identified the former Aerovox facility on Belleville Avenue in New Bedford, an electrical manufacturing plant located on the western shore of New Bedford Harbor, as the primary source of PCBs to the Site. PCB wastes were discharged from the facility's operations directly to the Upper Harbor through drainage trenches and discharge pipes, or indirectly throughout the site via combined sewer overflows (CSOs) and the City's sewage treatment plant outfall. PCBs were also released to the Harbor from the Cornell Dubilier Electronics, Inc. (CDE) facility located just south of the hurricane barrier in New Bedford.

Based on the results of these investigations, state and federal enforcement actions were initiated against parties who owned and/or controlled both the Aerovox and CDE facilities, as well as the City of New Bedford (though the City was not named a CERCLA Potentially Responsible Party for this Site), pursuant to CERCLA (against the owners/operators of the Aerovox and CDE facilities only), Massachusetts General Law c.21E (commonly referred to as "21e"), and other federal and state environmental statutes. For a summary of early enforcement actions and resulting settlements, please see Section II of the 1998 ROD https://semspub.epa.gov/work/01/38206.pdf. In September 2013, the U.S. District Court for the District of Massachusetts approved a landmark $366.25 million, plus interest, cash-out settlement with AVX Corp., whose corporate predecessor, Aerovox Corp., owned and operated the Aerovox facility (through "reopeners" of a previous 1992 settlement with AVX). With this settlement, the pace of the Harbor cleanup was accelerated. For more information on the 2013 settlement, see EPA's Site website, including the 2015 Third Five Year Review, which includes references to the 2013 settlement with AVX: https://www.epa.gov/sites/production/files/2015-10/documents/583507.pdf.

On May 4, 2023, an additional cash-out settlement with CDE for $4 million became effective, through a reopener in the 1992 settlement with CDE. The settlement with CDE for New Bedford Harbor was part of a simultaneous global $8 million settlement with CDE for both New Bedford Harbor and for the Woodbrook Road Dump Superfund Site in New Jersey.

Initially, the Site was divided into three operable units. Of the three original OUs, OU3 was merged back into OU1 through ESD6. In April 1990, EPA issued a ROD for the Hot Spot Operable Unit of the Site (OU2). The Hot Spot ROD called for dredging and on-site incineration of sediment above 4,000 ppm PCBs in the vicinity of the Aerovox facility. Dredging and temporary disposal of this sediment - about 14,000 cy in volume and 5 acres in area - into a storage cell built at EPA's Sawyer Street facility (Cell #1) began in April 1994 and was completed in September 1995. Pursuant to an April 1999 amendment to the 1990 Hot Spot ROD, the contaminated sediment was removed from the storage cell, dewatered, and transported to an offsite landfill for permanent disposal. This final offsite disposal phase of the Hot Spot remedy was completed in May 2000.

As described above, EPA issued the OU1 ROD for the cleanup of the Upper and Lower Harbor areas in September 1998. The Site cleanup is being managed by EPA, in partnership with the MassDEP. The USACE is implementing the work under EPA's oversight.

Contamination Problems

The main Site concern is the widespread PCB contamination in New Bedford Harbor sediment (prior to completion of remedial dredging). PCB levels in sediment generally decrease from north to south from the Upper Harbor to the Lower Harbor and out into the Outer Harbor. Because of this sediment contamination, PCBs are also found in elevated levels in the water column and in local seafood. In addition to the PCB contamination, Harbor sediment also contains high levels of other contaminants, including heavy metals (*e.g.*, cadmium, chromium, copper and lead). High levels of solvents (*e.g.*, trichloroethylene) have also been identified in sediment adjacent to the Aerovox facility. However, because many of these other contaminants are co-located with PCBs, the OU1 ROD contains action levels only for PCBs.

As described more completely in Sections V and VI of the 1998 ROD, EPA found the PCB contamination in the Upper and Lower Harbors and in a limited area of the Outer Harbor to result in unacceptable risks to human health and the environment. The biggest human health risk was found to be from frequent (*e.g.*, weekly) ingestion of locally caught seafood. As a result, MassDPH in 1979 issued seafood consumption regulations and EPA issues seafood consumption recommendations which can be found at: https://www.epa.gov/new-bedford-harbor/fish-consumption-regulations-and-recommendations. These fish consumption regulations and recommendations are shown in Figure 1 below. Unacceptable risks were also found from frequent human dermal contact with, or incidental ingestion of, PCB-contaminated shoreline sediment. Ecologically, EPA's investigations concluded that the Harbor's marine ecosystem had become severely damaged from the widespread sediment PCB contamination.

Summary of Selected Remedy

OU1 Remedy - Dredging

The OU1 ROD called for the dredging of approximately 450,000 cy of PCB-contaminated sediments in the Upper and Lower Harbors to meet cleanup levels as presented below.

For subtidal areas, the cleanup levels, aimed at reducing human seafood consumption risks, were:

- 10 ppm PCBs for subtidal and mudflat sediment in the Upper Harbor
- 50 ppm PCBs for subtidal and mudflat sediment in the Lower Harbor

For the shoreline intertidal areas other than mudflats, the cleanup levels, aimed at reducing risk from human contact with and incidental ingestion of contaminated sediment, were:

- 1 ppm PCBs for areas bordering residential areas
- 25 ppm PCBs for shoreline areas bordering recreational (or "beachcombing") areas
- 50 ppm PCBs for other shoreline areas with little or no public access, including remote saltmarshes

The OU1 ROD called for the construction of four shoreline CDFs (A, B, C, and D) to contain and isolate the dredged sediment, associated water treatment, capping of the CDFs, long-term monitoring and maintenance, and ICs. The CDFs were conceptually located in PCB-contaminated areas to avoid the need to dredge an additional approximately 126,000 cy of sediment located within the footprints of the proposed CDFs. The ROD also required that ICs, such as the state-mandated fish consumption regulations, be in place until PCB levels in seafood reach acceptable levels for human consumption. The OU1 ROD also authorized the Commonwealth of Massachusetts to conduct additional navigational dredging and on-site disposal of such sediments contaminated with PCBs below the OU1 ROD cleanup levels as part of an enhanced remedy under CERCLA, known as the "State Enhanced Remedy."

The OU1 ROD (p.ii) described IC control requirements for the remedy as:

> Institutional controls, including seafood advisories, no-fishing signs and educational campaigns will be implemented to minimize ingestion of local PCB-contaminated seafood until PCBs in seafood reach safe levels. State fishing restrictions will also be in effect until such time as the Commonwealth deems it appropriate to amend them. Additional controls will protect the capped CDFs and allow for certain future uses.

Based on additional information and refinements of the cleanup approach for OU1, EPA has issued six ESDs modifying the OU1 ROD Remedy, as discussed above.

As of October 2024, EPA has completed all subtidal dredging called for in the OU1 ROD, totaling approximately 1 million cy dredged and disposed. Similarly, EPA has completed all intertidal excavation called for in the OU1 ROD, totaling approximately 102,000 cy removed and disposed.

In addition to the EPA Superfund dredging, various navigation-related projects authorized under the State Enhanced Remedy component of the OU1 ROD have led to the dredging and disposal in five navigational CAD cells constructed within a State-designated Dredged Material Management Plan area of an additional approximately 1 million cy of less PCB-contaminated sediment (less than 50 ppm PCBs) within the Lower Harbor.

III. EXPLANATION OF SIGNIFICANT DIFFERENCES

A. The Ten Sediment Caps

As discussed above, EPA together with the USACE and its contractors completed the OU1 subtidal dredging program in 2020 (some small areas were re-dredged in 2023 and 2024). Approximately 1 million cy of PCB-contaminated sediment was dredged and disposed either off-site or, for dredged material with lower-level PCB contamination, in the LHCC. During this Superfund dredging program, however, ten specific areas were deliberately *not* dredged because it was considered not feasible, advisable or cost-effective to do so with the dredging equipment available at the time. The discussion of each sediment cap in this section (see below) includes the technical reason(s) for placing them as opposed to the remedial dredging called for in the 1998 ROD. The ten sediment caps were installed to provide interim protection of human health and the environment pending a decision on the final remedy for these areas, including public comment, to be made through this ESD. In support of this ESD, EPA developed an Alternatives Analysis Report, which is included in the AR for this Draft ESD. Through this Draft ESD, EPA is proposing to select Alternative 1, which would make the ten sediment caps permanent components of the OU1 Remedy.

Summary information regarding each of the ten sediment caps is listed below (see also Figure 2 for cap locations). Additional detail for each sediment cap can be found in the aforementioned Alternatives Analysis Report. All ten caps except for the very small (0.04 acre) Parcel 265 cap and the Outer Harbor Pilot Cap were constructed with an isolation layer containing high levels of organic carbon; this layer functions to filter out any dissolved PCBs that may otherwise be upwelling /discharging to the river/harbor since at a molecular level PCBs will strongly adhere to carbon rather than stay dissolved in water.

1. Aerovox Sediment Cap

Year Constructed: 2018-2019

Size: 3.14 acres

Reason for constructing: The State 21e cleanup at the adjacent, onshore former Aerovox facility had not been completed before the final pass dredging of the abutting river sediment was performed in the 2019 timeframe. EPA did not want the recently remediated/dredged riverbed to potentially become recontaminated from PCB migration in groundwater from the Aerovox 21e site.

2. O-711 Cap

Year Constructed: 2020

Size: 12,320 sq. ft.

Reason for constructing: Sampling of sediments in the area documented that PCB levels in sediment were *increasing* with depth at this location, with 11,500 ppm found at the 4.5 – 5.0 ft depth interval below the riverbed after several attempts to reach the ROD-based cleanup level

during remedial dredging. This PCB profile indicated the potential presence of Dense Non-Aqueous Phase Liquid (DNAPL)[5] at depth or a potential preferential bedrock groundwater pathway from the Aerovox site; continued attempts at dredging could potentially have made the problem worse by releasing significant PCBs to the water column and to the atmosphere.

3. Crib Cap

Year Constructed: 2020

Size: 19,884 sq. ft.

Reason for constructing: Heavy derelict infrastructure and debris within the sediment in this area prevented dredging. These included two wooden structures or "cribs" constructed in the river around former water intake facilities (the nearby mills formerly used river water for fire suppression) as well as associated valving and piping laying on/in the riverbed.

4. L-014 Cap

Year Constructed: 2020

Size: 6,483 sq. ft.

Reason for constructing: The large amounts of mostly construction type debris (*e.g.,* bricks) encountered in sediment in this area prevented dredging. Oil sheening was also encountered during nearby dredging, potentially due to nearby former leaking underground oil storage tanks (which have been addressed by the state's Ch.21e program). There was concern that additional debris removal and dredging could make this oil release/sheening problem worse.

5. L-114 Cap

Year Constructed: 2020

Size: 6,903 sq. ft.

Reason for constructing: The potential for DNAPL at depth caused concern that additional dredging in this area would result in significant PCB releases to the water column and to the atmosphere.

6. Pilot CDF Shoreline Cap

Year Constructed: 2020

Size: 54,782 sq. ft. (1.26 acres)

Reason for constructing: It was considered inadvisable to dredge next to the earthen perimeter dike of the pilot CDF, for fear of harming its structural integrity. In addition, in some areas the

[5] DNAPL is highly concentrated heavy liquid contamination (*e.g.*, oily matter) that does not dissolve well in water, or move with groundwater, but rather acts as a separate mass that sinks within the subsurface environment.

underlying geotextile fabric that was used for construction of this dike was present at or near the sediment surface abutting the CDF. The presence of this fabric prevented dredging, absent an additional operational step to safely cut and remove this fabric, if possible. The cap extent was designed to cover this exposed fabric as well as high PCB sediment areas, so that future boating activities would not damage this fabric or potentially the structural integrity of the dike.

7. Parcel 265 Cap

Year Constructed: 2016

Size: 1,635 sq. ft.

Reason for constructing: Confirmatory sampling during the 2016 "Parcel 265" intertidal remediation showed high post-excavation PCB levels in one small area, even after excavating 14 feet below the riverbed. It is hypothesized that a former water intake facility, wooden pier structure and associated navigational dredging in this area may have caused this result. The decision was made to cap the area since further excavation would have been difficult or impossible with the equipment on hand.

8. Coggeshall East Cap

Year Constructed: 2020

Size: 94,492 sq. ft. (2.17 acres)

Reason for constructing: It was considered inadvisable to dredge next to the earthen embankment supporting the Coggeshall Street bridge and associated approach roadways, for fear of harming the structural integrity of the embankment, the roadways and/or the bridge. In addition, there was considerable heavy debris in the sediments in this area, likely from construction of a temporary bridge during construction of the Coggeshall Street bridge. Note that this is the only sediment cap that is *not* located in New Bedford but rather is in Fairhaven.

9. Coggeshall West Cap

Year Constructed: 2020

Size: 23,209 sq. ft. (0.53 acres)

Reason for constructing: It was considered inadvisable to dredge next to the earthen embankment supporting the Coggeshall Street bridge and associated approach roadways, for fear of harming the structural integrity of the embankment, the roadways and/or the bridge. In addition, there was considerable heavy debris in the sediments in this area, likely from construction of a temporary bridge during construction of the Coggeshall Street bridge.

10. Pilot Outer Harbor Cap

Year Constructed: 2005

Size: 18.9 acres

Reason for constructing: The OU1 ROD described that sediment remediation would generally proceed north to south, to address the "worst first" areas of harbor contamination. The Outer Harbor Pilot Cap area was the southernmost area identified in the OU1 ROD to be dredged, with lower levels of PCBs present than in the Upper Harbor and Lower Harbor. Thus, it would have been the last area remediated. Based on the funding stream available at the time, the Region did not expect to dredge the Outer Harbor Pilot Cap area until about 2025. However, in 2005, excavation of the clean bottom-of-CAD (BOC) material from Navigational CAD Cell #2 in NBH by the City of New Bedford presented an opportunity for beneficial reuse by using this clean sandy material to cap the relatively low levels of PCB-contaminated sediment in this area (rather than dispose of this BOC material at an approved offshore disposal site). This resulted in this area being remediated cost-effectively at least 16 years sooner than otherwise would have occurred per the Superfund subtidal remedial OU1 dredging program (which was substantively completed for the upper and lower harbor in 2020). Figure 4 below shows the location of the 2005 sediment cap covered by this Draft ESD. This figure also shows an abutting cap placed in 2015 (by others) as a mitigation/habitat creation project for a State Enhanced Remedy dredging project; this 2015 cap is NOT covered by this ESD.

B. Intertidal Cleanup Level Change Adjacent to the Proposed New Bedford River Walk

In addition, through this Draft ESD7, EPA is soliciting public comment on the change of the shoreline intertidal cleanup level adjacent to the proposed New Bedford River Walk (*i.e.*, the western shoreline of the Upper Harbor north of Coggeshall Street) from 50 ppm to 25 ppm PCBs, to be protective of the recreational land use that will result.

Since the 1998 OU1 PCB cleanup standards were established, significant land use changes have occurred along the Site, particularly along the Upper Harbor shoreline in New Bedford. Many of the shoreline mills that were active at the time of the 1998 OU1 ROD have been converted into residential or recreational use. Several mills still support light manufacturing while others have been repurposed for a diverse range of uses including housing, business incubating and artist live-work space.

Specifically, the City of New Bedford is in the process of planning a River Walk along the shoreline, which will be a 17,000-foot (3.2 mile) linear recreational waterfront path along the western bank of the Acushnet River north of the Coggeshall Street Bridge.

The purpose of the River Walk Project is to construct a pedestrian greenway along the upper Acushnet River which will create an approximately 25 foot-wide upland riparian zone, with native plant species; provide open space/new park land for mostly passive recreation; and create opportunities for social interaction among the local community, the residents of the City, and visitors to New Bedford (BSC Group and Shadley Associates, 2019).

As documented in the 1998 OU1 ROD and subsequent CERCLA Five-Year Reviews[6], EPA has long been aware of changes in land use trends around the Site, particularly the steady change in land use along the New Bedford Upper Harbor shoreline from commercial and/or industrial to recreational and residential. For example, the 1998 OU1 ROD identified changes in land use for the Coffin Avenue Cove/Riverside Park area from industrial to recreational so that EPA cleaned up the adjacent areas of the Acushnet River to the 25 ppm PCB recreational cleanup standard. In the 26-plus years since the 1998 ROD was issued, this shift in land use along the Harbor has only increased.

Due to this trend towards riverfront recreational land use along the planned River Walk, EPA is soliciting public comment on its proposal to change the existing shoreline/intertidal 50 ppm PCB cleanup standard called for under the current OU1 Remedy, which was established for areas of limited public access (ecologically sensitive and remote saltmarshes), to a cleanup standard of 25 ppm PCBs. The new cleanup standard (which has already been implemented) is protective for a greater level of public access, based on beachcombing/recreational land use along the Upper Harbor shoreline in New Bedford. Upon adoption of the revised cleanup standard, ICs will be established to limit shoreline development along the proposed River Walk area to prevent exposures exceeding recreational use levels (*i.e.,* unrestricted use exposures).

C. Institutional Control Requirements to Prevent Human Contact Risk from Contaminated Sediments

EPA is also soliciting public comment on this ESD clarifying that the scope of the OU1 Remedy's ICs include preventing human contact risks where PCB-contaminated sediments have been left in place exceeding UU/UE/residential risk standards. As noted in the OU1 ROD (p.42) EPA reviewed risks from direct human contact with and accidental ingestion of PCB-contaminated sediments and concluded that cleanup levels should be derived on an area-by-area basis to more accurately reflect the land use and exposure scenarios that apply. Therefore, the different intertidal cleanup standards applied throughout the Harbor were established that addressed human contact risk based on the level of human activity within each area[7]. ESD1 (p.5) further incorporated into the OU1 Remedy new human contact risk assessment practices and cleanup levels for intertidal sediments in areas prone to beach combing and in areas where residences abutted the harbor. These remedy changes, however, did not expressly state that the OU1 Remedy's Institutional Controls should include restrictions on activities that would result in human contact risk from PCB-contaminated sediments left behind within each cleanup zone (other than the Intertidal Residential areas which achieved UU/UE risk standards). Therefore, through this ESD, it is clarified that the scope of the OU1 Remedy Institutional Controls include

[6] Under the legal requirements of CERCLA, EPA must review the protectiveness of CERCLA remedies at least every five years.

[7] Subtidal cleanup standards were not based on human contact risk since there is expected to be minimum human contact with the subtidal sediments. However, ICs do still need to address activities in the subtidal zone that may cause a human contact risk, such as the handling of dredged sediments.

preventing human contact risk throughout the Site where cleanup levels exceed UU/UE risk standards, including shoreline areas. Institutional controls, through notice to EPA of municipal wetland permitting applications, have already been established to address preventing exposure to PCB- contaminated sediments that exceed UU/UE risk standards.[8] Additional Institutional Controls measures to prevent human contact exposure risks may be established, including additional coordination with the State regarding the licensing of shoreline uses and on a case-by-case basis, coordination with the State to implement Notice of Activity and Use Limitations under CERCLA and the Massachusetts Oil and Hazardous Materials Release, Prevention and Response Act, M.G.L. c. 21E, as amended ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000, as amended (the "MCP"). ICs may also be required in areas that were inaccessible during the dredging and intertidal excavation period, (*i.e.,* underneath shoreline rip rap), if it is determined that contamination remains in place exceeding the remedy's cleanup standards at a later date.

IV. DESCRIPTION OF PROPOSED CHANGE TO THE SELECTED REMEDY

Regarding the remedy modification to address the ten sediment cap areas, EPA believes that Alternative 1 above - incorporating the sediment caps as permanent elements of the OU1 Remedy - is the preferred approach for these ten sediment cap areas. This determination is based on, among other things, the protectiveness, cost-effectiveness, lack of short- and long-term risks and the fact that the sediment caps are already in place (*i.e*., risks to human health and the environment are already adequately addressed). The estimated costs for the three sediment cap alternatives discussed herein are shown below:

Estimated Costs for the Three Sediment Cap Alternatives

Alternative	Construction Cost	30 Year O&M Cost	Net Present Value
1 – Keep caps in place	$0 (already in place)	$1.3 M	$1.02M
2 – Remove the caps and perform dredging	$132M	$0 (no *additional* site-wide costs)	$127.2M
3 - Remove the caps and perform *in-situ* bio-augmentation	$58.2M	$36.7M	$80.6M

As described above, EPA also proposes changing the intertidal cleanup level for the shoreline adjacent to the proposed New Bedford River Walk from 50 ppm PCBs to 25 ppm PCBs which will be the basis for revised ICs for the area. EPA also proposes that this ESD clarify that the

[8] City of New Bedford amended Chapter 15, Licenses and Permits, Business Regulation; Article VII Wetlands Protection ordinance; Town of Fairhaven amended Chapter 192, Town of Fairhaven Wetlands Bylaw.

scope of the OU1 Remedy's Institutional Controls include preventing human contact risks where PCB-contaminated sediments have been left in place exceeding UU/UE risk standards.

This ESD is not changing any of the other remedial components of the OU1 Remedy. EPA will continue to perform the OU1 Remedy, including operation and maintenance of components of the remedy (*i.e.*, the LHCC and the Pilot CDF), and implement institutional controls on seafood consumption (seafood advisories, signage, and educational campaigns) and will, together with MassDEP, continue to perform long-term seafood monitoring. The goal of the fish consumption institutional controls is to minimize ingestion of locally caught PCB-contaminated seafood until PCBs in seafood reach safe levels. State fish consumption regulations are also in effect. The seafood monitoring program will also help evaluate the long-term effectiveness of the OU1 Remedy. As noted above, the OU1 Remedy's ICs will also include preventing exposure to PCB-contaminated sediments that would pose a human contact risk. EPA will also continue to perform long term monitoring of sediment and biota and will continue to conduct Five-Year Reviews for the Site.

V. APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS (ARARs)

The term "Applicable or Relevant and Appropriate Requirements" or "ARARs" are the legal statutes and regulations identified in the 1998 OU1 ROD and subsequent ESDs that apply to the CERCLA cleanup. A review of the ARARs identified in the OU1 Remedy documents was performed to identify any potential new ARARs or changes to existing ARAR requirements that would pertain to making the ten sediment caps permanent, changing the cleanup standards along the proposed Riverwalk shoreline or clarifying that the OU1 Remedy's ICs include preventing human contact risks from exposure to PCB-contaminated sediments. ARARs pertaining to the capping, monitoring and maintenance of the LHCC's underwater sediment cap were added to the OU1 Remedy in ESD4. These ARARs were also determined to be the legal requirements that would also apply to any remedy change that makes the i sediment caps permanent components of the OU1 Remedy. These ARARs can be found at https://semspub.epa.gov/src/document/01/479471 (see Table 2 therein). No ARAR changes are involved in changing the shoreline cleanup standard along the proposed River Walk shoreline or clarifying the scope of the OU1 Remedy's Institutional Controls .

However, if the current OU1 Remedy is changed to make the sediment caps permanent, several existing ARARs require the issuance of specific draft findings or determinations that need to be presented for public comment in this Draft ESD. Specifically,

- TSCA regulations at 40 CFR. § 761.61(c) require a finding by the Director, Superfund and Emergency Management Division, EPA Region 1, that any modification of the OU1 Remedy for PCBs will not pose an unreasonable risk to human health or the environment (see discussion in Section VIII, below).

- Section 404 of the Clean Water Act (CWA) requires a determination that any remedy change involving the dredge or filling of federal jurisdictional wetlands or aquatic

habitats be the Least Environmentally Damaging Practicable Alternative (LEDPA) (see discussion in Section VIII, below).

- Under federal Floodplain Management and Protection of Wetlands regulations at 44 CFR. Part 9, EPA must seek public comment on its determination that any proposed modification of the OU1 Remedy is protective of floodplain and wetland resources (see discussion in Section VIII, below).

VI. SUPPORTING AGENCY COMMENTS

EPA will accept comments on the Draft ESD during a formal public comment period. In the Final ESD, EPA will respond to comments it has received from the public on the Draft ESD. EPA may modify or choose an alternative other than the preferred alternative based on comments or other information it receives from the public. EPA will also consider comments the State may provide on the Draft ESD and ultimately whether the State agrees with the remedy modification proposed. State comments or other information received from the State may result in the choice of a different alternative or modification of the preferred alternative discussed herein.

VII. STATUTORY DETERMINATIONS

The remedy as modified herein remains protective of human health and the environment, complies with all federal and state requirements that are applicable or relevant and appropriate to the remedy, and is cost-effective. In addition, the remedy as modified utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable for this Site.

Specific draft determinations are being made as required by ARARs for the remedy as follows:

- Pursuant to Section 404 of the Clean Water Act, EPA is seeking public comment on EPA's proposal to determine that the permanent caps are the LEDPA for the ten capped areas. EPA's draft determination is based on the technical difficulties with conducting dredging in the ten areas that would require more temporary disruption of the aquatic environment than leaving the capped sediments in place. In addition, since PCB-free material was used to construct the caps, surface PCB contamination within the caps' footprints has been eliminated. Under Alternative 1, clean cap material would be maintained that would contain no PCBs in the biologically active surface layer and therefore prevent any contaminant exposure to the aquatic environment. Recolonization of cap surfaces with aquatic organisms, including oysters (*Crassostrea virginica)* in at least two caps, has been documented.

- Pursuant to Floodplain Management and Protection of Wetlands regulations at 44 CFR Part 9, EPA is seeking public comment on EPA's draft determination that maintaining

permanent sediment caps in the ten areas is protective of floodplain resources and federal jurisdictional wetlands/aquatic habitats. Cap maintenance activities would have no impact on flooding in the Harbor and a 500-year storm engineering evaluation demonstrates that the caps would withstand such a storm event and not release any underlying sediment contamination (Jacobs, 2024). Maintenance of clean covers in the ten areas will improve the aquatic environment by removing any exposure to PCBs in the ten areas.

- Changing the PCB cleanup standards along the shoreline adjacent to the proposed River Walk will have no impacts to wetland and floodplain resources because removal of all contaminated sediment that exceeds the revised standards has already occurred and the shoreline has been restored with clean backfill and native wetland vegetation. ICs will be established to ensure the shoreline is not disturbed by activities that are inconsistent with the revised cleanup standards for the shoreline.

- Pursuant to TSCA regulations at 40 CFR 761.61(c), EPA is presenting a draft determination for public comment (ESD #7) that the maintenance of permanent caps in the ten areas discussed herein and the change in the PCB cleanup standards along the shoreline adjacent to the proposed River Walk does not result in an unreasonable risk of injury to health or the environment. Draft ESD #7 also clarifies that the scope of Institutional Controls (ICs) for the OU1 ROD includes preventing human health risks from dermal contact with, or incidental ingestion of, harbor sediments which were not remediated to residential standards (*i.e.*, 1 ppm PCBs). Specifically, the draft determination includes the following, and would be signed by the Director of the Superfund and Emergency Management Division at EPA Region 1:

    - Based on prior manufacturing operations in New Bedford, PCB-contaminated sediments in New Bedford Harbor likely meet the definition of PCB remediation waste as defined under 40 CFR Section 761.3 and thus are regulated for cleanup and disposal under 40 CFR Part 761.
    - In accordance with the requirements under the Toxic Substances Control Act (TSCA) and 40 CFR Section 761.61(c), I have reviewed the Administrative Record for the site and considered the maintenance and monitoring of permanent sediment caps for the disposal of PCB-contaminated sediment set out in the final ESD #7 for the first operable unit of the New Bedford Harbor Superfund Site. Under this Section, PCB remediation waste may be disposed of in a manner other than prescribed under Section 761.61(b) provided EPA determines that this alternative disposal does not result in an unreasonable risk of injury to health or the environment. The ESD includes maintenance and monitoring of ten permanent sediment caps over PCB-contaminated sediment. Based on the

information provided, the ESD will not pose an unreasonable risk of injury to health or the environment as long as the following conditions are met:

1. Water quality monitoring shall be performed during any maintenance work on the caps to ensure that turbidity levels comply with the Superfund harbor cleanup performance criteria (see https://semspub.epa.gov/work/01/580306.pdf).
2. The ten permanent caps are capped with a minimum of 2 feet of clean material. All caps except the Parcel 265 cap and the Outer Harbor Pilot Cap have an isolation layer containing a minimum organic content of 1.5%.
3. The Parcel 265 sediment cap is quite small (0.037 acres) compared to the size of the upper harbor (about 1,000 acres) and the entire NBHSS (18,000 acres) and given the >2-ft cap thickness is not expected to pose an unreasonable risk to human health and the environment. Consistent with this assessment is the recent observation that oysters (*Crassostrea virginica*) have self-colonized in and around this cap.

The Outer Harbor Pilot Cap has been monitored since 2005 using both bathymetry and sampling of PCB levels on its surface. The bathymetry surveys show that the cap is stable physically. The PCB sampling shows that the cap is functioning as designed with maximum PCB levels approximately two orders of magnitude lower post-capping than pre-capping (*e.g.,* 1.12 ppm versus 94 ppm).

4. The ten permanent caps shall be monitored to ensure that the caps are functioning as designed and that the integrity of each cap is maintained. Monitoring shall include, at a minimum, bathymetric surveys, visual inspections at low tide, and, where possible, PCB flux monitoring. Site-wide water quality monitoring and benthic organism enumeration shall be continued to monitor the overall effectiveness of the Remedy, including any impacts from the ten sediment caps. The fifth year's cap monitoring report shall include a recommended frequency for future monitoring, for EPA approval, but in no event shall this future monitoring frequency be less than once every five years. Monitoring reports for each monitoring event shall be submitted to EPA no later than one month after all validated monitoring data has been received for a given monitoring event.
5. Institutional controls shall be implemented and enforced to ensure the long-term integrity of the caps. These may include, but not be limited to, collaboration with appropriate harbor stakeholders to ensure that future shoreline development projects or navigational dredging does not negatively impact the caps. EPA will also assist these stakeholders in developing and implementing ICs that will protect the integrity and protectiveness of the caps.

- That if EPA receives notice, through the institutional controls established for the remedy, that future shoreline development may disturb areas of Harbor shoreline that were inaccessible to remedial efforts, EPA will require an assessment of any underlying soil/sediment to determine if the material exceeds remedy cleanup standards and address any such sediments in a manner that will not pose an unreasonable risk of injury to health or the environment.
- Changing the PCB shoreline cleanup standard adjacent to the proposed River Walk in New Bedford from 50 ppm to 25 ppm is protective of recreational receptors who may occasionally wade or walk into the abutting mudflats or saltmarsh areas seaward of the riverbank. ICs will be established to restrict activities that may cause human health exposure risks at the new cleanup standard (*i.e.*, unrestricted use).

VIII. PUBLIC PARTICIPATION COMPLIANCE

EPA maintains meaningful public outreach regarding the Site including, among others, an extensive website, emailed community updates, and the holding of public meetings to keep the public up to date on the Site's cleanup status. EPA will hold a public meeting on June 10, 2025 to present the Draft ESD. During the meeting, EPA will announce the opening of the 30-day comment period. A notice of the 30-day comment period, which will last from June 11, 2025 to July 11, 2025, was published in the New Bedford Standard Times newspaper, the New Bedford Light on-line publication, the Fairhaven Neighborhood News, and the Dartmouth Weekly. **Attachment D** to the Final ESD will include EPA's responses to any comments received on the Draft ESD.

IX. DECLARATION

For the foregoing reasons, by my signature below, I approve the issuance of this seventh Explanation of Significant Differences for the New Bedford Harbor Superfund Site located in New Bedford, Acushnet, Fairhaven and Dartmouth, Massachusetts and the changes and conclusions stated therein. Through my signature I also approve the determination, under 40 CFR § 761.61(c) of the regulations promulgated under TSCA, that the OU1 Remedy modifications approved under this seventh ESD do not result in an unreasonable risk of injury to health or the environment.

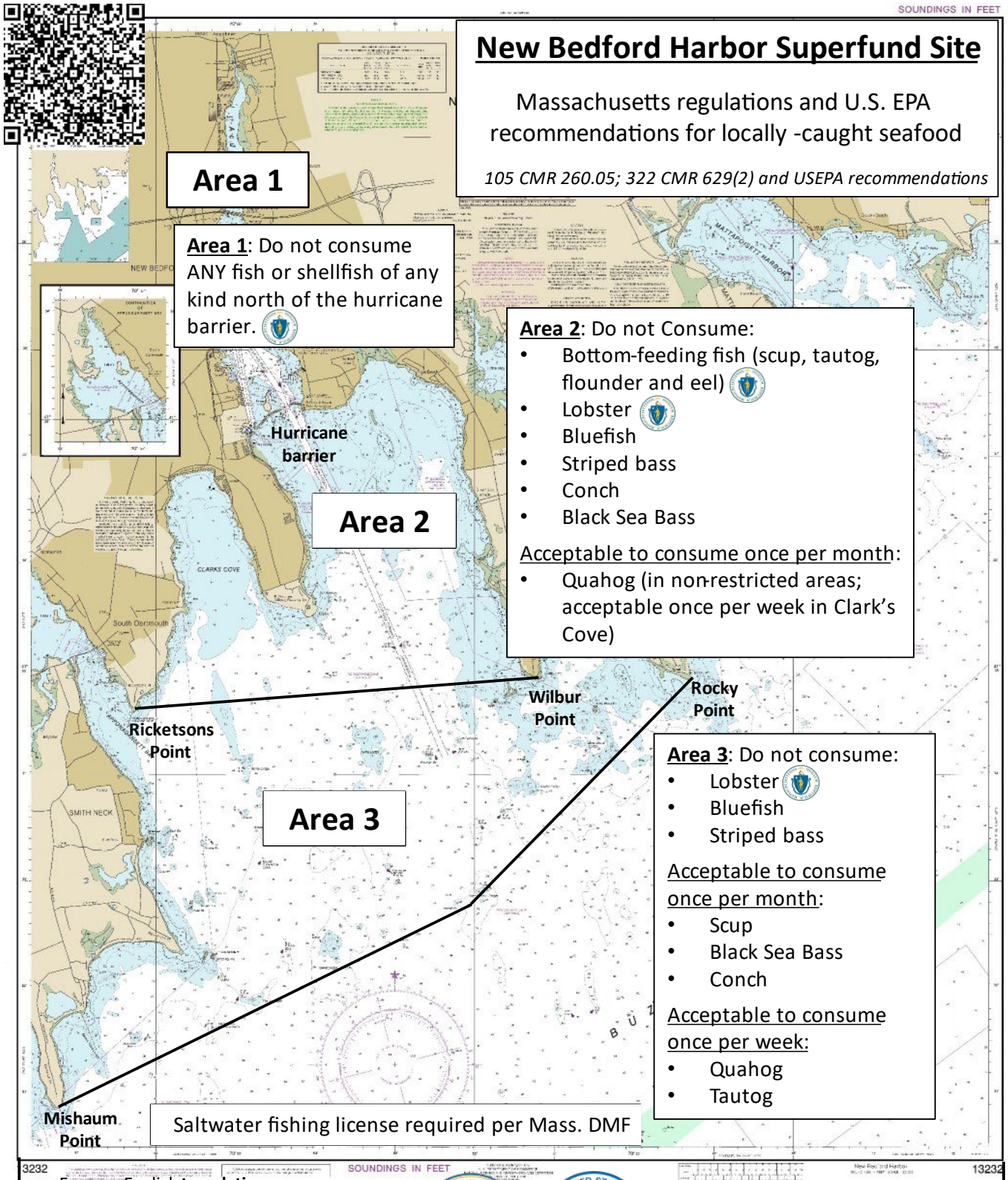
_____ _____

Bryan Olson, Director
Office of Site Remediation and Restoration
EPA Region 1

Date

FIGURES

Figure 1 - Locus Map with Fish Consumption Closure Areas



For non-English **translation**, recommendations for **sensitive populations,** (young children, pregnant women, etc.) **fish identification photos**, and **health information regarding PCBs** use the QR code in top left corner.

= Massachusetts regulations

Seafood is an important part of a healthy diet provided it's caught in approved areas
The restrictions listed here are due to PCB (Polychlorinated biphenyl) contamination.

Figure 2 – Location of the Ten Sediment Caps

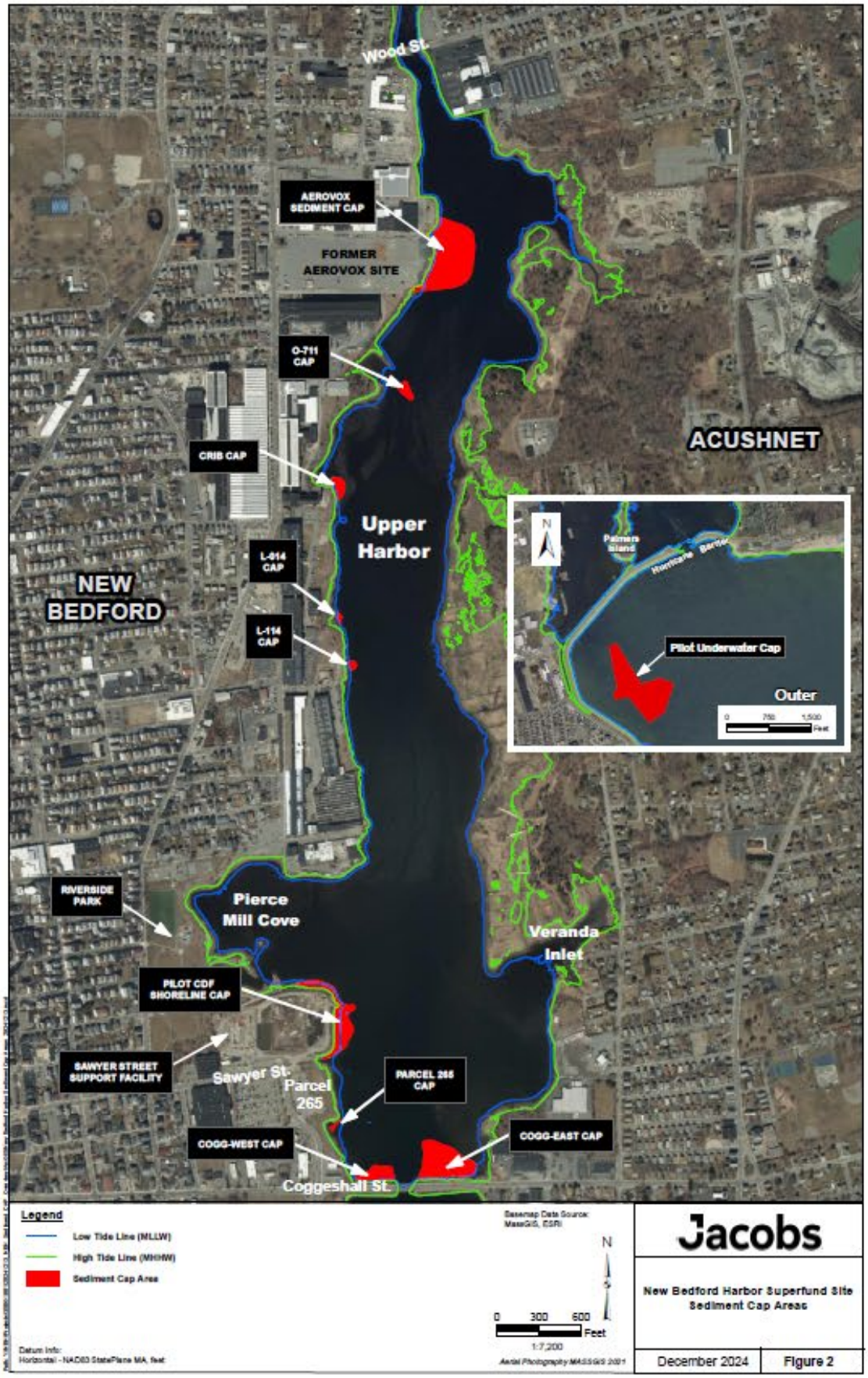


Figure 3 – Location of the Proposed New Bedford River Walk

Figure 4. Pilot Outer Harbor Cap: 2005 and 2015 Cap Footprint Areas (<u>note that only the 2005 cap area is covered under this ESD</u>)

ATTACHMENT A

LIST OF DOCUMENTS IN ADMINISTRATIVE RECORD

Seventh Explanation of Significant Differences for the
New Bedford Harbor Superfund Site, New Bedford, Massachusetts

ADMINISTRATIVE RECORD INDEX to be inserted

New Bedford
NPL Site Administrative Record
Draft 7th Explanation of Significant Differences (ESD) for Public Comment

Index

Draft ESD Dated: June 10, 2025
Released: June 2025

Prepared by
EPA New England
Superfund & Emergency Management Division

Introduction to the Collection

This is the administrative record file for the New Bedford Superfund Site, New Bedford, MA, Draft Explanation of Significant Differences (ESD) for public comment, released June 10, 2025. The file contains site-specific documents and a list of guidance documents used by EPA staff that form the basis for the decision.

This Administrative Record incorporates, by reference, the Administrative Records for:

--The Upper and Lower Harbor Operable Unit (OU1):

1. The Record of Decision for the Upper and Lower Harbor Operable Unit (OU1) issued by EPA on September 25, 1998 (OU1 ROD, *a.k.a*. 1998 Upper and Lower Harbor ROD).
2. The Explanation of Significant Differences issued by EPA on September 27, 2001 (OU1 ESD1, *a.k.a*. 2001 Upper and Lower Harbor ESD).
3. The Explanation of Significant Differences issued by EPA on August 15, 2002 (OU1 ESD2, *a.k.a*. 2002 Upper and Lower Harbor ESD).
4. The Explanation of Significant Differences issued by EPA on March 4, 2010 (OU1 ESD3, *a.k.a*. 2010 Upper and Lower Harbor ESD).
5. The Explanation of Significant Differences issued on March 14, 2011 (OU1 ESD4, *a.k.a.* 2011 Upper and Lower Harbor ESD).
6. The Explanation of Significant Differences issued by EPA on July 16, 2015 (OU1 ESD5, *a.k.a*. 2015 Upper and Lower Harbor ESD).
7. The Explanation of Significant Differences issued by EPA on September 20, 2017 (OU1 ESD6, *a.k.a*. 2017 Upper and Lower Harbor ESD).
8. The Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance (OU1 UAO) issued by EPA on April 18, 2012.

--The Hot Spot Operable Unit (OU2):

1. Record of Decision for the Hot Spot Operable Unit (OU2) issued by EPA on April 6, 1990 (OU2 ROD*, a.k.a*. 1990 Hot Spot ROD).
2. The Explanation of Significant Differences issued by EPA on April 27, 1992 (OU2 ESD1, *a.k.a.* 1992 Hot Spot ESD).
3. The Explanation of Significant Differences issued by EPA on October 30, 1995 (OU2 ESD2, a.k.a. 1995 Hot Spot ESD).
4. The Amended Record of Decision for the Hot Spot Operable Unit issued by EPA on April 27, 1999 (OU2 Amended ROD, *a.k.a*. 1999 Hot Spot ROD Amendment).

--The South Terminal Project:

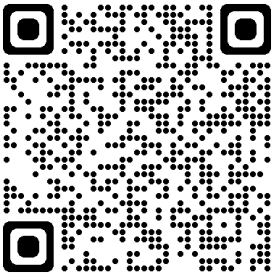
1. Third Modification to EPA's Final Determination for the South Terminal Project – Channel Widening and Additional Blasting, issued by EPA on September 30, 2014 (Third Modification – South Terminal Project).
2. EPA's Second Modification for South Terminal Project –Additional Dredging and Blasting for Rock Removal, New Bedford Harbor Superfund Site, Operable Unit 1, State Enhanced Remedy, issued by EPA on September 30, 2013 (Second Modification – South Terminal Project).

3. EPA's Final Determination for the South Terminal Project, New Bedford Harbor Superfund Site, Operable Unit 1, State Enhanced Remedy, issued by EPA on November 19, 2012 (Final Determination– South Terminal Project).

--Administrative Records for Administrative Orders for Property Access:

1. The Administrative Order for Property Access for OU2, dated September 10, 1993.
2. The Administrative Order for Property Access for OU1, dated January 9, 2001.

Documents listed as bibliographic sources in individual reports might not be listed separately in the index.



The administrative record file is available for review at:

https://www.regulations.gov/docket/EPA-R01-SFUND-2025-0131
https://go.usa.gov/xtNhM (case sensitive)

Additional information about the site is also available via computer at
https://www.epa.gov/new-bedford-harbor

New Bedford Free Public Library
613 Pleasant Street
New Bedford, MA 02740
(508) 991-6280 (phone)
(508) 991-6268 (fax)
www.newbedford-ma.gov/library/

US EPA Region 1 - New England
SEMS Records and Information Center
5 Post Office Square, Suite 100 (2-CI)
Boston, MA 02109-3212
(by appointment)
617-918-1440 (phone)
617-918-0440 (fax)

An administrative record file is required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA).

Questions about this administrative record should be directed to the EPA New England remedial project manager, Christopher Kelly (617) 918-1382, Kelly.Christopher@epa.gov.

AR 67798 **Draft ESD for Public Comment** **June 2025**

Document ID	Title	Document Date	Page Count	Resource Type	Program Information	Author	Addressee	Access Control	Region	URL
689120	PROPOSED DRAFT SEVENTH EXPLANATION OF SIGNIFICANT DIFFERENCE (ESD) - OPERABLE UNIT 1 (OU1)	06/10/2025	37	RPT / Report	053-REMEDIAL, 053-REMEDIAL/0533-Remedy Characterization/05.04-RECORD OF DECISION (ROD)	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689120
689163	PUBLIC NOTICE AS APPEARING IN DARTMOUTH WEEK: NEW BEDFORD HARBOR SUPERFUND SITE PUBLIC MEETING	06/05/2025	1	PUB / Publication	051-COMMUNITY INVOLVEMENT/0511-Community Involvement Activities/13.03-NEWS CLIPPINGS/PRES RELEASES	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689163
689164	PUBLIC NOTICE AS APPEARING IN FAIRHAVEN NEIGHBORHOOD NEWS: NEW BEDFORD HARBOR SUPERFUND SITE PUBLIC MEETING	06/05/2025	1	PUB / Publication	051-COMMUNITY INVOLVEMENT/0511-Community Involvement Activities/13.03-NEWS CLIPPINGS/PRES RELEASES	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689164
689165	PUBLIC NOTICE AS APPEARING IN STANDARD TIMES: NEW BEDFORD HARBOR SUPERFUND SITE PUBLIC MEETING	06/05/2025	1	PUB / Publication	051-COMMUNITY INVOLVEMENT/0511-Community Involvement Activities/13.03-NEWS CLIPPINGS/PRES RELEASES	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689165
689160	NEWS RELEASE: NEW BEDFORD HARBOR SUPERFUND SITE PUBLIC MEETING SCHEDULED FOR 06/10/2025	06/03/2025	1	PUB / Publication	051-COMMUNITY INVOLVEMENT/0511-Community Involvement Activities/13.03-NEWS CLIPPINGS/PRES RELEASES	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689160
688138	INSPECTION OF UPPER HARBOR SEDIMENT CAPS, 04/28/2025	05/12/2025	11	RPT / Report	053-REMEDIAL, 053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Dickerson, David J (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/688138
689166	AEROVOX BEDROCK GEOLOGY AND MASS FLUX EVALUATION	03/01/2025	15	MTG / Meeting Document	053-REMEDIAL/053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: (US ARMY CORPS OF ENGINEERS)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689166
689158	ALTERNATIVES ANALYSIS REPORT FOR THE TEN SEDIMENT CAPS	03/01/2025	85	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689158
689137	FINAL 2024 AEROVOX SEDIMENT CAP PASSIVE SAMPLER SURVEY SUMMARY DATA REPORT	01/01/2025	671	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (BATTELLE)	R01: (JACOBS PROJECT MANAGEMENT CO)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689137
100032731	FINAL 500-YEAR STORM EVALUATION OF NEW BEDFORD HARBOR CAPS	12/11/2024	17	RPT / Report	053-REMEDIAL/053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Rigassio Smith, Anita (JACOBS ENGINEERING GROUP INC), R01: Fallin, Lonnie (JACOBS ENGINEERING)	R01: Cummings, Josh (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING), R01: Burgo, Natalie (US EPA REGION 1), R01: Dickerson, Dave (US EPA REGION 1), R01: Belisle, Lisa (US ARMY CORPS OF ENGINEERS), R01: Donato, Kerwin (US ARMY CORPS ENGINEERS), R01: Esten, Marie (US ARMY CORPS ENGINEERS), R01: Pickering, Tim (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/100032731
682153	MEMO REGARDING 10/16/2024 INSPECTION OF UPPER HARBOR SEDIMENT CAPS	10/24/2024	11	MEMO / Memorandum	053-REMEDIAL/053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Dickerson, Dave (US EPA REGION 1)	R01: (US EPA REGION 1), R01: (USACENAE)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/682153
689149	PROJECT NOTES, DRAFT FINAL, CRIB CAB AERIAL SURVEY - POST ARMOR LAYER SMOOTHING COMPLETION	07/17/2024	4	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689149
689150	PROJECT NOTES, DRAFT FINAL, PILOT CDF REPAIR SURVEY DATA SUBMITTAL	06/25/2024	21	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689150
689118	INSPECTION OF UPPER HARBOR SEDIMENT CAPS, 05/07/2024	06/13/2024	10	RPT / Report	053-REMEDIAL/053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Dickerson, Dave (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689118
689167	MEMO REGARDING STORMWATER MONITORING - SPRING 2024 QUARTERLY SAMPLING EVENT SUMMARY	05/24/2024	414	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: Winchell, Paula (AECOM)	R01: Esten, Marie (US ARMY CORPS OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689167
675769	REPORT OF 11/13/2023 INSPECTION OF UPPER HARBOR SEDIMENT CAPS	12/08/2023	14	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Dickerson, Dave (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/675769
689132	QUALITY CONTROL REPORT, AEROVOX SEDIMENT CAP LONG TERM MONITORING, SECOND POST-CAP BATHYMETRIC SURVEY (2023, YEAR 5)	11/02/2023	9	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689132
675255	MEMO DOCUMENTING 05/05/2023 INSPECTION OF UPPER HARBOR SEDIMENT CAPS	08/22/2023	11	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.01-CORRESPONDENCE (RA)	R01: Dickerson, Dave (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/675255
100034485	PRELIMINARY DESIGN REPORT - RIVERWALK CONCEPT PLANS	06/01/2023	13	FIG / Figure/Map/ Drawing	053-REMEDIAL/0532-Remedial Design/06.04-REMEDIAL DESIGN REPORTS			UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/100034485
686839	NEW BEDFORD RIVERWALK PRELIMINARY DESIGN REPORT	06/01/2023	87	RPT / Report	053-REMEDIAL/0532-Remedial Design/06.04-REMEDIAL DESIGN REPORTS	R01: (BROWN RICHARDSON + ROWE INC)	R01: (NEW BEDFORD (MA) CITY OF)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/686839
689136	FINAL 2022 AEROVOX SEDIMENT CAP PASSIVE SAMPLER SURVEY SUMMARY DATA REPORT	03/01/2023	415	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (BATTELLE)	R01: (CR ENVIRONMENTAL INC)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689136
689147	QUALITY CONTROL REPORT, OUTER HARBOR PILOT CAP LONG TERM MONITORING BATHYMETRIC SURVEY (2022)	02/24/2023	6	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689147
689153	QUALITY CONTROL REPORT, UPPER HARBOR SEDINENT CAPS LONG TERM MONITORING, BATHYMETRIC SURVEY (2022, YEAR 3)	01/17/2023	29	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689153

689154	FINAL QUALITY CONTROL REPORT, UPPER HARBOR SEDINENT CAPS LONG TERM MONITORING, BATHYMETRIC SURVEY (2023, YEAR 4)	01/01/2023	31	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689154
689146	PROJECT NOTES, DRAFT FINAL, OUTER HARBOR PILOT UNDERWATER CAP BATHYMETRIC SURVEY, FALL 2022	12/05/2022	3	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689146
675254	MEMO DOCUMENTING 10/25/2022 INSPECTION OF UPPER HARBOR SEDIMENT CAPS	11/17/2022	13	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.01-CORRESPONDENCE (RA)	R01: Dickerson, Dave (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/675254
689133	QUALITY CONTROL REPORT, AEROVOX INTERIM CAP LONG TERM MONITORING BATHYMETRIC SURVEY (2022, YEAR 4)	09/28/2022	5	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689133
659756	MEMO REGARDING 05/17/2022 INSPECTION OF UPPER HARBOR SEDIMENT CAPS [PHOTOGRAPHS ATTACHED]	05/24/2022	12	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.01-CORRESPONDENCE (RA)	R01: Dickerson, David J (US EPA REGION 1)	R01: (SITE FILE)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/659756
657944	MEMO REGARDING VISUAL SHORELINE INSPECTION OF UPPER HARBOR SEDIMENT CAPS, 12/03/2021	02/18/2022	14	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.01-CORRESPONDENCE (RA)	R01: Dickerson, David J (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/657944
689131	QUALITY CONTROL REPORT, AEROVOX CAP LONG TERM MONITORING, SECOND POST-CAP BATHYMETRIC SURVEY (2021)	11/08/2021	6	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689131
689152	QUALITY CONTROL REPORT, UPPER HARBOR PERMANENT CAPS LONG TERM MONITORING, 2021 BATHYMETRIC SURVEY	10/22/2021	19	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Cummings, Joshua (JACOBS ENGINEERING), R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689152
655286	MEMORANDUM REGARDING 05/26/2021 AEROVOX INTERIM SEDIMENT CAP INSPECTION	06/15/2021	9	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.01-CORRESPONDENCE (RA)	R01: Dickerson, David J (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/655286
653820	MEMORANDUM REGARDING COMPLETION OF REMEDIAL ACTION (RA) 9, OPERABLE UNIT (OU) 1, UPPER HARBOR SEDIMENT CAPS	05/11/2021	2	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/653820
653811	FINAL UPPER HARBOR SEDIMENT CAPS REMEDIAL ACTION (RA) REPORT NO. 9 FOR OPERABLE UNIT (OU) 1	04/01/2021	38	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: (JACOBS)	R01: (US ARMY CORPS OF ENGINEERS), R01: (US EPA REGION 1)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/653811
689119	INSPECTION OF UPPER HARBOR SEDIMENT CAPS, 02/26/2021	03/24/2021	9	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Dickerson, David J (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689119
689151	QUALITY CONTROL REPORT, O-711 CAP SAND QC CHANGES - AUGUST 2020	08/01/2020	58	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: Taylor, S (JACOBS)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689151
689139	DRAFT FINAL COGGESHALL EAST CAP LOCATION SPECIFIC ADDENDUM	06/01/2020	713	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689139
689140	DRAFT FINAL COGGESHALL WEST CAP LOCATION SPECIFIC ADDENDUM	06/01/2020	512	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689140
689156	DRAFT FINAL UPPER HARBOR SUBAQUEOUS CAP CONSTRUCTION WORK PLAN	06/01/2020	29	WP / Work Plan	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689156
689138	DRAFT FINAL AREA C PILOT CDF CAP LOCATION SPECIFIC ADDENDUM	05/01/2020	323	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689138
689155	DRAFT FINAL UPPER HARBOR PERMANENT CAPS GENERIC DESIGN	05/01/2020	334	RPT / Report	053-REMEDIAL/0532-Remedial Design/06.04-REMEDIAL DESIGN REPORTS	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689155
689142	DRAFT FINAL L-014 CAP LOCATION SPECIFIC ADDENDUM	04/01/2020	309	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689142
689143	DRAFT FINAL L-114 CAP LOCATION SPECIFIC ADDENDUM	04/01/2020	243	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689143
689141	DRAFT FINAL CRIB CAP LOCATION SPECIFIC ADDENDUM	02/01/2020	301	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689141
689144	DRAFT FINAL O-711 CAP LOCATION SPECIFIC ADDENDUM	02/01/2020	134	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689144
689135	FINAL 2019 AEROVOX PASSIVE SAMPLER SURVEY SUMMARY DATA REPORT	01/01/2020	129	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (BATTELLE)	R01: (JACOBS ENGINEERING)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689135
689148	AEROVOX INTERIM CAP POREWATER SAMPLING TRIP SUMMARY	09/30/2019	6	MEMO / Memorandum	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: Curran, Patrick (JACOBS ENGINEERING)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689148
100012480	FINAL AEROVOX INTERIM CAP COMPLETION REPORT	09/01/2019	814	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: Curran, Patrick (JACOBS ENGINEERING)	R01: (US ARMY CORP OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/100012480
100010852	ADDENDUM TO THE FINAL AEROVOX INTERIM SEDIMENT CAP 100% DESIGN PLAN	09/01/2018	21	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (JACOBS)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/100010852
100011851	FINAL PARCEL 265 INTERTIDAL AFTER ACTION REPORT - AUGUST 2018	08/01/2018	31	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.05-REMEDIAL ACTION DOCUMENTS	R01: (US ARMY CORPS OF ENGINEERS - NEW ENGLAND DISTRICT), R01: (JACOBS)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/100011851
100010586	INTERIM SEDIMENT CAP - 100% DESIGN	06/01/2018	819	RPT / Report	053-REMEDIAL/0532-Remedial Design/06.04-REMEDIAL DESIGN REPORTS	R01: (JACOBS)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/1000010586
591570	FACT SHEET - EPA TO INSTALL INTERIM SEDIMENT CAP ALONG AEROVOX SHORELINE IN 2018	03/01/2018	1	RPT / Report	051-COMMUNITY INVOLVEMENT/0511-Community Involvement Activities/13.05-FACT SHEETS/INFORMATION UPDATES			UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/591570
689134	FINAL AEROVOX PASSIVE SAMPLER SURVEY SUMMARY DATA REPORT	12/01/2017	334	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (BATTELLE)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689134
689145	FINAL 2017 OUTER HARBOR PILOT CAP SEDIMENT MONITORING SUMMARY REPORT	06/01/2017	221	RPT / Report	053-REMEDIAL/0533-Remedial Action/07.02-SAMPLING & ANALYSIS DATA (RA)	R01: (BATTELLE)	R01: (US ARMY CORPS ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/689145

535590	FINAL TECHNICAL MEMORANDUM: OPERABLE UNIT (OU) #3 PILOT CAP SEDIMENT MONITORING - NOVEMBER 2012 SEDIMENT SAMPLING EVENT	05/01/2013	308	MEMO / Memorandum	053-REMEDIAL/0531-Remedy Characterization/03.07-WORK PLANS & PROGRESS REPORTS (RI)	R01: (WOODS HOLE GROUP INC)	R01: (US CORPS OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/535590
512477	FINAL 2011 BATHYMETRIC SURVEY OF PILOT UNDERWATER CAP	06/01/2012	72	RPT / Report	053 - REMEDIAL / 0533 - Remedial Action / 07.05 REMEDIAL ACTION DOCUMENTS	R01: (JACOBS ENGINEERING GROUP INC)	R01: (US ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/512477
507924	US COAST GUARD FINAL RULE FOR PILOT UNDERWATER CAP, FEDERAL REGISTER VOL.76, NO.118	07/20/2011	3	LAWS / Laws/Regulations/Guidance	053-REMEDIAL/0534-Post Construction/08.07-INSTITUTIONAL CONTROLS, 056-SITE SUPPORT/0561-Administrative Support/17.07-REFERENCE DOCUMENTS	R01: (FEDERAL REGISTER)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/507924
479436	MEMO REGARDING 2010 OU3 CAP MONITORING	02/11/2011	5	MEMO / Memorandum	053 - REMEDIAL / 0533 - Remedial Action / 07.02 SAMPLING & ANALYSIS DATA (RA)	R01: Walsh, Dave (WOODS HOLE GROUP), R01: Clark, Heidi (WOODS HOLE GROUP)	R01: Anderson, Mark (US ARMY CORPS OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/479436
454690	FINAL 2010 BATHYMETRIC SURVEY OF PILOT UNDERWATER CAP	02/01/2011	51	ADD / Analytical Data Document	053 - REMEDIAL / 0533 - Remedial Action / 07.02 SAMPLING & ANALYSIS DATA (RA)	R01: (JACOBS ENGINEERING)	R01: (US ARMY CORPS OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/454690
507242	[REDACTED] FINAL 2010 BATHYMETRIC SURVEY OF PILOT UNDERWATER CAP	02/01/2011	51	ADD / Analytical Data Document	053 - REMEDIAL / 0533 - Remedial Action / 07.02 SAMPLING & ANALYSIS DATA (RA)	R01: (JACOBS ENGINEERING)	R01: (US ARMY CORPS OF ENGINEERS)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/507242
507213	[REDACTED] FINAL 2009 BATHYMETRIC SURVEY OF PILOT UNDERWATER CAP	03/01/2010	20	ADD / Analytical Data Document	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: (JACOBS ENGINEERING GROUP INC)	R01: (US ARMY CORPS OF ENGINEERS - NEW ENGLAND DIVISION)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/507213
275468	MEMO REGARDING BATHYMETRIC SURVEY	10/23/2007	15	MEMO / Memorandum	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: (APEX COMPANIES LLC)	R01: Gaynor, Ken (JACOBS ENGINEERING GROUP INC)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/275468
272425	TECHNICAL MEMORANDUM - POST-CAP MONITORING UPDATE	08/24/2007	7	RPT / Report	053-REMEDIAL/0534-Post Construction/08.04-LONG TERM RESPONSE MONITORING	R01: Dickerson, David J (US EPA REGION 1)		UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/272425
237084	CAP THICKNESS: PLACEMENT AREA SURVEY OU3	07/26/2005	1	FIG / Figure/Map/ Drawing	053-REMEDIAL/0533-Remedial Action/07.06-WORK PLANS & PROGRESS REPORTS (RA)	R01: (Apex Environmental)	R01: (US EPA REGION 1 - OFFICE OF SITE REMEDIATION & RESTORATION)	UCTL(Uncontrolled)	01	https://semspub.epa.gov/src/document/01/237084

ATTACHMENT B

PUBLIC NOTIFICATION OF THE ESD

Seventh Explanation of Significant Differences for the
New Bedford Harbor Superfund Site, New Bedford, Massachusetts

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LEGAL ADVERTISEMENTS

New Bedford Harbor Superfund Site Public Meeting

The U.S. Environmental Protection Agency (EPA) is hosting a virtual public meeting on June 10 from 6:00PM – 7:30PM via Microsoft Teams. In addition to reviewing the cleanup work completed in 2024 as well as what is planned for 2025, EPA will present the draft seventh Explanation of Significant Differences (ESD) proposing to modify the upper and lower harbor remedy (Operable Unit 1) for the New Bedford Harbor Superfund Site.

The Agency is soliciting public comments on the draft ESD7 during the 30-day public comment period starting on June 11, 2025, and ending on July 10, 2025. Comments on the draft ESD7 and Administrative Record can be submitted via https://www.regulations.gov (Docket ID No. EPA-R01-SFUND-2025-0131). All comments are reviewed and responded to in writing by EPA prior to selecting a final alternative for the ESD. Meeting materials will be posted prior to the public meeting on https://www.epa.gov/new-bedford-harbor

DARTMOUTH CONSERVATION COMMISSION NOTICE OF PUBLIC MEETING

Notice is hereby given that a meeting will be held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., Ch. 131, §40, the Wetlands Protection Act, on the Request to Amend an Order of Conditions from David Lameiro to construct a new inground pool, patio area, and shed within the previously disturbed 100-ft Buffer Zone to a Bordering Vegetated Wetland on land described as Map 115 Lot 9_13 or 27 Twin Ponds Drive. The Conservation Commission voted in a Public Meeting to continue meeting virtually (via a Zoom Link) in accordance with the Governor's 2025 extension of the virtual/hybrid open meeting option through June 30, 2027. The meeting will begin at 7:00 p.m., on Tuesday June 10, 2025. Login information for the meeting appears on the agenda posted on the Dartmouth Conservation Commission page of the Town of Dartmouth website. All interested parties should log into the meeting and be present at that time.

Michael Kehoe, Chair
Also posted on masspublicnotices.org

TOWN OF DARTMOUTH ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Notice is hereby given of a public hearing to be held on W**ednesday, June 18, at 6:00 P.M.** on the petition of Dion Calheta who is seeking a Variance to reduce the setbacks from the required 20' to 0' to construct an outdoor deck/kitchen grill area in the rear of the house to the property line. (Article 375-10.4 D.1(B) (Development Standards.) The property is located at 25 Thatcher Street in the General Residence District and is identified on Assessor's Map 122 Lot 91-1. Information is on file in the office of the Board of Appeals and may be seen upon request. Notice also on www.masspublicnotices.org

Michael Medeiros, Esq., Chairman
For the Zoning Board of Appeals

TOWN OF DARTMOUTH ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Notice is hereby given of a public hearing to be held on **Wednesday, June 18, at 6:00 P.M.** on the petition of Derek & Crystal Andrade who is seeking a Variance to reduce front setback from 30' to 19.8' in order to build an 830 sq. ft. attached ADU 19.8' to the street, encroaching on the required 30' front setback. Main house built in 1973 qualifies for the 10' perimeter lines and 30' from the street. (Article 375-7.4 D.4(B) (Development Standards.) The property is located at 33 Sagamore Drive in the Single Residence A District and identified on Assessor's Map 131 Lot 47. Information is on file in the office of the Board of Appeals and may be seen upon request. Notice also on www.masspublicnotices.org

Michael Medeiros, Esq., Chairman
For the Zoning Board of Appeals

The Week today — From Our Members

Dartmouth Week gives businesses and non-profit organizations the opportunity to become online Affiliate Members of DartmouthWeekToday.com and post news and information directly to our homepage. The following items have been excerpted from recent posts to our site.

Consolidating debt

Debt can feel overwhelming, but consolidating it can help provide a clear path toward repayment and financial stability. Whether you're juggling multiple credit card balances, loans, or other debts, finding the right consolidation strategy can help simplify your monthly payments and set you on the path to financial freedom. For some key steps to consolidating debt effectively, go to BankFive.com, click on Resources, and then blog.

Is your water acidic?

Low pH in water can be very destructive. The measurement reflects how acidic or alkaline it is. (pH stands for "potential of hydrogen.") It is measured on a scale that runs from 0 to 14. Seven is considered neutral, meaning there is a balance between acid and alkalinity. A measurement below 7 means acid is present and a measurement above 7 is basic (or alkaline).

Acidic water can leach metals from pipes and fixtures, it can damage metal pipes and cause aesthetic problems. This may include a metallic or sour taste, laundry staining or blue green staining (from dissolved copper) in sinks and drains

The U.S. Environmental Protection Agency (EPA) does not regulate the pH level in drinking water. It is classified as a secondary drinking water contaminant whose impact is considered aesthetic. Nevertheless, the results of acidic water can be devastating to the water quality. However, the EPA recommends that public water systems maintain levels of between 6.5 and 8.5. Two methods for adjusting pH are acid neutralizing, point of entry and chemical feed pump systems injecting a neutralizing solution. For more, check out H2O Care's From Our Members post on DartmouthWeekToday.com.

To learn more about Affiliate Membership on DartmouthWeekToday.com, email sales@dartmouthweek.net.

Public Hearings/Legal Notices

NOTE: All legal notices are available on the Neighb News website, www.NeighbNews.com, under the "Legal Notices" tab on the top of the main page. Legal ads are also available at http://masspublicnotices.org, search under "Fairhaven Neighborhood News"

TOWN OF ACUSHNET

There will be an Annual Town Meeting held on Monday, June 16, 2025, at 7:00 P.M. at the Ford Middle School in the Auditorium, 708 Middle Road, Acushnet, MA 02743.

Board of Selectmen
David Wojnar, Chairman
Kevin Gaspar, Sr.
Robert Hinckley
FNN, 6/5/25, 6/12/25

New Bedford Harbor Superfund Site Public Meeting

The U.S. Environmental Protection Agency (EPA) is hosting a virtual public meeting on June 10 from 6:00PM–7:30PM via Microsoft Teams. In addition to reviewing the cleanup work completed in 2024 as well as what is planned for 2025, EPA will present the draft seventh Explanation of Significant Differences (ESD) proposing to modify the upper and lower harbor remedy (Operable Unit 1) for the New Bedford Harbor Superfund Site.

The Agency is soliciting public comments on the draft ESD7 during the 30-day public comment period starting on June 11, 2025, and ending on July 10, 2025. Comments on the draft ESD7 and Administrative Record can be submitted via https://www.regulations.gov (Docket ID No. EPA-R01-SFUND-2025-0131). All comments are reviewed and responded to in writing by EPA prior to selecting a final alternative for the ESD. Meeting materials will be posted prior to the public meeting on https://www.epa.gov/new-bedford-harbor

FNN 06-05-25

PUBLIC HEARING NOTICE Fairhaven Conservation Commission

Monday, June 16, 2025 at 6:00pm
Fairhaven Town Hall, 40 Center Street
Fairhaven, Massachusetts

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at 40 Center Street, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public. MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

Anyone wishing to access the meeting via remote means may do so in the following manner:

Join Zoom Meeting:
https://us06web.zoom.us/j/86953155076?pwd=VFdUQkhzdVYrNzJlQktiVi9XSGppZz09
Meeting ID: 869 5315 5076
Passcode: 633695
Or call: 1-929-205-6099

In-person attendance is permitted for the public at Town Hall at 40 Center Street

The Fairhaven Conservation Commission will hold the following **Public Hearings** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Code of the Town of Fairhaven Chapter 192, Wetlands:

a. **CON 023-510, SE 023-1505: 7 Silver Shell Beach Drive, Map 41, Lot 47** Notice of Intent filed by Cornelius Minihan to replace failing septic tight tank. Edge of tank will be located 20' from the edge of wetland/marsh area. Minor filling & grading to take place within disturbed area. Work to take place within Buffer Zone to Bordering Vegetated Wetlands (BVW), Marsh & FEMA Flood Zone VE (El. 20').
b. **CON 023-511, SE 023-1506: 51 Association Road, Map 29, Lot 33B** Notice of Intent filed by Joshua & Katie Cardoso to propose a 24.2' x 28.2' carport with studio/loft area & proposed elevated deck to service the existing single-family dwelling located within FEMA Flood Zone VE (El.17') & Buffer Zone to BVW.
c. **CON 023-512: 2 Mark Drive, Map 32, Lot 19G** Request for Determination of Applicability filed by Tyler Bates to install new 15' x 50' concrete driveway in existing front lawn area. Parcel falls within Buffer Zone to BVW.
d. **CON 023-513: 15 School Street, Map 24, Lot 161** Request for Determination of Applicability filed by William Ryan to install fence on west side of property. Parcel located within Buffer Zone to BVW.
e. **CON 023-514: 0 Point Street, Map 28B, Lot 131** Request for Determination of Applicability filed by Heather Skrutski to permit existing camper and gazebo on property. Parcel located within Buffer Zone to Coastal Beach & FEMA Flood Zone VE (El.16').
f. **CON 023-515: 73 Nakata Avenue, Map 43, Lot 097** Request for Determination of Applicability filed by Joseph Dupre to install 8' x 18' x 6"-thick concrete pad on the north side of garage for lawn equipment storage. Parcel located within Coastal Beach & FEMA Flood Zone VE (El.18').
g. **CON 023-481: 29 Shore Drive, Map 29C, Lot 613 – *Heard January 27, 2025, February 24, 2025, March 24, 2025, April 7, 2025 & April 28, 2025 – readvertised due to May 19, 2025 agenda omission.*** After-the-fact Request for Determination of Applicability filed by Brian Reis to raise flooded driveway area with gravel located within Flood Zone VE (El.17').

The agenda will be posted on the Town's website at least 48 hours prior to the meeting.

Copies of the applications and site plans may be viewed at the Conservation Office in Town Hall, located at 40 Center Street, Fairhaven, MA and links to the applications are on the Town Website under current filings.

Brandon Estrella, Chair
Fairhaven Conservation Commission
FNN: 6/5/25

Acushnet Zoning Board of Appeals Public Hearings

The Zoning Board of Appeals is hereby giving notice that a meeting will be held by the Board on Tuesday, June 17, 2025 at 6:30 PM. in the Selectmen's Meeting Room located at 122 Main Street, Acushnet, MA 02743.

- **Case #2025.05.20A (Continued from May 20, 2025 Meeting)** A case of Meet in the Middle, LLC for property located on 474 Middle Road, Map 23, Lot 1, Area 27.14 Ac, Seeking a Special Permit for a proposed Storage/Warehouse use in the Residence A (RA) district per Section 33.3.3.B.14 of the Zoning Bylaw. The stated reason for the petition is that the subject property is suitable for this low density use given the overall parcel size and the use of this land for contractor storage is compatible with the uses in the project vicinity.
- **Case #2025.06.17A** A case of John Lienard for property located on 195 Perry Hill Road, Map 8, Lot 22, Area 2.55 Ac, Seeking a Special Permit for the operation of a "retail store" with adequate off street parking pursuant to Section 3.3.1B 11 of the Town zoning bylaws. In addition, a Variance is also required to permit an oversized sign pursuant to Section 3.6.C.1.
- **Case #2025.06.17B** A case of Three Kings Marine, LLC for property located on 42 South Main Street, Map 15, Lot 271 & Sivigny Street, Map 15, Lot 270. The petitioner is appealing a letter from the Building Commissioner to Cease and desist all activity on the premise.
- **Case #2025.06.17C** A case of Lori Elias for property located at 199 Leonard Street, Map 19, Lots 29B & 30A-1. The Applicant requests a variance from the zoning bylaws Section 3.3.1 A, to temporarily have two single-family dwellings on the property for a period of one-year or until an occupancy permit is issued for the new dwelling. The Applicant requests that the ZBA allow her to relocate the existing mobile home on the property so that she can continue to live in it while the new house is constructed, at which point she will remove it from the site.
- **Case #2025.06.17D** A case of MD Southcoast Properties, LLC for property located at 72 Middle Road, Map 24, Lot 35. The Applicant requests a Variance from Section 3.3.7C. Standards 1. Tract size requirement that the property contain a minimum of 150 feet of frontage on a Public Way. The property contains 141.97 feet of frontage on Middle Road, a public way, which is short 8.03 feet of the minimum requirement.

Plans are available for public view in the Town Clerk's office, 130 Main St., Acushnet, during their normal business hours

FNN, 5/29/25, 6/5/25

ACUSHNET CONSERVATION COMMISSION PUBLIC HEARINGS

Notice is hereby given that the Acushnet Conservation Commission will hold a public hearing on Wednesday, June 11, 2025 beginning at 6:00 p.m. in the Police Station Conference Room, located at the Acushnet Police Station, 64 Middle Road, Acushnet, Massachusetts.

- **Public Hearing – NOI – Jose Castelo, Deep Brook Estates LLC / Lot 11 Park Drive SE 001-0605** A Notice of Intent was filed by Jose Castelo for property located at Lot 11, Park Drive, Map 17, Lot 84. The applicant proposes to construct a single-family dwelling with associated septic system, drainage, grading and utilities. The applicant is represented by Jamie Bissonnette of Zenith Consulting Engineers, LLC. Plan name is "Subsurface Sewage Disposal System New Construction" dated April 15, 2025.
- **Public Hearing – NOI – Jose Castelo, Deep Brook Estates LLC / Lot 12 Park Drive SE 001-0606** A Notice of Intent was filed by Jose Castelo for property located at Lot 12, Park Drive, Map 18, Lot 88. The applicant proposes to construct a single-family dwelling with associated septic system, drainage, grading and utilities. The applicant is represented by Jamie Bissonnette of Zenith Consulting Engineers, LLC. Plan name is "Subsurface Sewage Disposal System New Construction" dated April 15, 2025.
- **Public Hearing – After The Fact RDA – Kathleen DeBarros / 56 Hathaway Road** An After the Fact Request for Determination was filed by Kathleen DeBarros for property located at 56 Hathaway Road, Map 14, Lot 4C. The work consisted of the removal of historical fill piles using an excavator and dump trucks. Plan name is "Sewage Disposal System Repair Plan – Site Plan for Hathaway Road" dated January 19, 2022.

Mark Minton, Acushnet Conservation Agent
FNN, 6/5/25

Unless we remember
we cannot understand.

E. M. Forsterig

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- To post job openings, visit: **Southcoasttoday.com/jobs**

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PUBLIC NOTICES

Govt Bids & Proposals

Request for Proposals
#25293167
The City of New Bedford is seeking qualified respondents to submit proposals for Groundskeeping and Environmental Public Outreach Services. The successful proposer will provide maintenance of public space including litter picking and weeding of plant beds with a community education component and youth training initiative. Bid documents can be found online at bidnet.com/massachusetts/newbedford. Proposals are to be submitted electronically at the same website by Monday, June 23, 2025 at 2 pm.
June 5 2025
LNEO0309135

Govt Public Notices

New Bedford Harbor Superfund Site Public Meeting
The U.S. Environmental Protection Agency (EPA) is hosting a virtual public meeting on June 10 from 6:00PM – 7:30PM via Microsoft Teams. In addition to reviewing the cleanup work completed in 2024 as well as what is planned for 2025, EPA will present the draft seventh Explanation of Significant Differences (ESD) proposing to modify the upper and lower harbor remedy (Operable Unit 1) for the New Bedford Harbor Superfund Site.

The Agency is soliciting public comments on the draft ESD7 during the 30-day public comment period starting on June 11, 2025, and ending on July 10, 2025. Comments on the draft ESD7 and Administrative Record can be submitted via https://www.regulations.gov (Docket ID No. EPA-R01-SFUND-2025-0131). All comments are reviewed and responded to in writing by EPA prior to selecting a final alternative for the ESD. Meeting materials will be posted prior to the public meeting on https://www.epa.gov/new-bedford-harbor
June 5 2025
LNEO0307647

Notice To Creditors

Commonwealth
of Massachusetts
The Trial Court
Bristol Probate and Family Court
40 Broadway, Suite 240
Taunton, MA 02780
(508) 977-6040
Docket No. BR25P1066EA
CITATION ON
PETITION FOR

Notice To Creditors

FORMAL ADJUDICATION
Estate of: Russell Bradford Rothwell
Also known as: Russell B Rothwell, Russ Rothwell
Date of Death: November 20, 2024
To all interested persons: A Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative has been filed by Jaelyn M Rothwell of Taunton, MA requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition.
The Petitioner requests that: Jaelyn M Rothwell of Taunton, MA be appointed as Personal Representative(s) of said estate to serve Without Surety on the bond in unsupervised administration.
IMPORTANT NOTICE
You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on June 20, 2025. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an Affidavit of Objections within thirty (30) days of the return date, action may be taken without further notice to you.
UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)
A Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual

Notice To Creditors

accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.
WITNESS, Hon. Katherine A Field, First Justice of this Court
Date: May 22, 2025
Thomas C Hoye, Jr., Register of Probate
June 5 2025
LNEO0307197

Public Notices

INFORMAL PROBATE PUBLICATION NOTICE
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court
Bristol Probate and Family Court
Office of Register Suite 240
40 Broadway, Taunton, MA 02780
(508) 977-6040
Docket No. BR25P1233EA
Estate of: Kara Elizabeth Borges
Date of Death: April 4, 2025
To all persons interested in the above captioned estate, by Petition of Petitioner **Debra J. Borges** of **Westport, MA**
has been informally appointed as the Personal Representative of the estate to serve without surety on the bond. The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court,

Public Notices

but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representative appointed under formal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner.
June 5 2025
LNEO0309555

FRANCIS ESTATE LEGAL NOTICE
Commonwealth
of Massachusetts
The Trial Court
Bristol Probate
and Family Court
Office of Register Ste 240
40 Broadway
Taunton, MA 02780
(508)977-6040
CITATION ON PETITION FOR FORMAL ADJUDICATION
Docket No. BR25P1145EA
Estate of: Anna Delores Francis
Also Known As: Anna D Francis, Anna Francis
Date of Death: 01/28/2025
To all interested persons: A Petition for Formal Probate of Will with Appointment of Personal Representatives has been filed by Gary A. Francis of Dartmouth MA and Scott N. Francis of Fall River MA requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition.
The Petitioners request that: Gary A. Francis of Dartmouth MA and Scott

Public Notices

N. Francis of Fall River MA be appointed as Personal Representatives of said estate to serve Without Surety on the bond in unsupervised administration.
IMPORTANT NOTICE
You have the right to obtain a copy of the Petition from the Petitioners or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on the return day of 06/20/2025. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an affidavit of objections within thirty (30) days of the return day, action may be taken without further notice to you.
UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)
A Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.
WITNESS, Hon. Katherine A Field, First Justice of this Court.
Date: May 22, 2025
Thomas C Hoye, Jr., Register of Probate
June 5 2025
LNEO0305981