

New Bedford Harbor Superfund Site
Administrative Record

Upper and Lower Harbor Operable Unit 1
and the Outer Harbor Operable Unit

Sixth Explanation of Significant Differences
(ESD) 6

INDEX

ESD6 Released: September 20, 2017

Prepared by
EPA New England
Office of Site Remediation and Restoration

Introduction to the Collection

This is the Administrative Record for the New Bedford Harbor Superfund Site, New Bedford, MA, Upper and Lower Harbor Operable Unit 1 and Outer Harbor Operable Unit, Sixth Explanation of Significant Differences (ESD) 6, issued on September 20, 2017. This Administrative Record contains site-specific documents and guidance used by EPA staff that form the basis for OU1 Sixth Explanation of Significant Differences.

This Administrative Record incorporates, by reference, the Administrative Records for the 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); the Administrative Record for 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); the Administrative Record for 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); the Administrative Records for the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance (OU1 UAO) issued by EPA on April 18, 2012; 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), the Explanation of Significant Differences issued by EPA on September 27, 2001 (OU1 ESD1, *a.k.a.* 2001 Upper and Lower Harbor ESD), the Explanation of Significant Differences issued by EPA on August 15, 2002 (OU1 ESD2, *a.k.a.* 2002 Upper and Lower Harbor ESD), the Explanation of Significant Differences issued by EPA on March 4, 2010 (OU1 ESD3, *a.k.a.* 2010 Upper and Lower Harbor ESD), the Explanation of Significant Differences issued on March 14, 2011 (OU1 ESD4, *a.k.a.* 2011 Upper and Lower Harbor ESD), and the Explanation of Significant Differences issued by EPA on July 16, 2015 (OU1 ESD5, *a.k.a.* 2015 Upper and Lower Harbor ESD). This Administrative Record also incorporates, by reference, the Administrative Records for the 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), the Explanation of Significant Differences issued by EPA on April 27, 1992 (OU2 ESD1, *a.k.a.* 1992 Hot Spot ESD), the Explanation of Significant Differences issued by EPA on October 30, 1995 (OU2 ESD2, *a.k.a.* 1995 Hot Spot ESD), and the Amended Record of Decision for the Hot Spot Operable Unit issued by EPA on April 27, 1999 (OU2 Amended ROD, *a.k.a.* 1998 Upper and Lower Harbor ROD). This Administrative Record also incorporates, by reference, the Administrative Record for the Administrative Order for Property Access for OU2, dated September 10, 1993, and the Administrative Record for the Administrative Order for Property Access for OU1, dated January 9, 2001.

This Administrative Record replaces the Administrative Record file for the Draft Sixth Explanation of Significant Difference (ESD) - Upper and Lower Harbor Operable Unit (OU) 1 and Outer Harbor Operable Unit (OU) 3 released on June 27, 2017 for public comment.

This Administrative Record is available for review at:

<https://semspub.epa.gov/src/collection/01/AR65253>

For general information of the site:

<https://www.epa.gov/superfund/newbedford>

EPA New England
OSRR Records & Information Center
5 Post Office Square, Suite 100 (OSRR 02-3)
Boston, MA 02109-3912
(by appointment)
(617) 918-1440 (phone)
(617) 918- 0440 (fax)

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/

This Administrative Record is the administrative record required by Section 113(j)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. § 9613(j)(1), which would be reviewed in any judicial action concerning the adequacy of any response action ordered by EPA, in particular OU1 ESD6.

Questions about the Administrative Record should be directed to the EPA New England Remedial Project Manager at EPA New England.

Sixth Explanation of Significant Differences (ESD), 09-15-2017

AR Collection Index Report

For External Use

File Break: 03.06 - REMEDIAL INVESTIGATION REPORTS

599078 REMEDIAL INVESTIGATION (RI) REPORT

of Pages: 4924

Doc Date: 06/01/2017

Resource Type:

Author: , WOODS HOLE GROUP INC

Addressee: , US ARMY CORPS OF ENGINEERS - NEW ENGLAND DISTRICT

Report

Access Control:

Uncontrolled

File Break: 04.06 - FEASIBILITY STUDY REPORTS

63864 DRAFT FINAL SUPPLEMENTAL FEASIBILITY STUDY (FS) EVALUATION FOR UPPER BUZZARDS BAY

of Pages: 179

Doc Date: 05/01/1992

Resource Type:

Author: ALAN S FOWLER, EBASCO SERVICES INC

Addressee:

Report

Access Control:

Uncontrolled

File Break: 05.01 - CORRESPONDENCE (ROD)

605891 PUBLIC COMMENT ON SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD)

of Pages: 2

Doc Date: 07/27/2017

Resource Type:

Author: KORRIN N PETERSEN, COALITION FOR BUZZARDS BAY

Addressee: DAVE LEDERER, US EPA REGION 1

Letter

Access Control:

Uncontrolled

Sixth Explanation of Significant Differences (ESD), 09-15-2017

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File Break: 05.01 - CORRESPONDENCE (ROD)

605894 STATE CONCURRENCE LETTER FOR SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) - UPPER AND LOWER HARBOR OPERABLE UNIT (OU 1) AND OUTER HARBOR OPERABLE UNIT (OU3) # of Pages: 3
Doc Date: 09/10/2017
Resource Type: Letter
Access Control: Uncontrolled

Author: PAUL LOCKE, MA DEPT OF ENVIRONMENTAL PROTECTION Addressee: BRYAN OLSON, US EPA REGION 1

File Break: 05.04 - RECORD OF DECISION (ROD)

599376 PROPOSED SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) - UPPER AND LOWER HARBOR OPERABLE UNIT 1 (OU1) AND THE OUTER HARBOR OPERABLE UNIT 3 (OU3) # of Pages: 17
Doc Date: 06/01/2017
Resource Type: Report
Access Control: Uncontrolled

Author: , US EPA REGION 1 Addressee:

605896 ATTACHMENT D - RESPONSE TO COMMENTS ON SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) - UPPER AND LOWER HARBOR OPERABLE UNIT 1 (OU1) AND OUTER HARBOR OPERABLE UNIT 3 (OU3) # of Pages: 11
Doc Date:
Resource Type: Letter
Access Control: Uncontrolled

Author: , US EPA REGION 1 Addressee:

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File Break: 05.04 - RECORD OF DECISION (ROD)

605897 SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) - UPPER AND LOWER HARBOR OPERABLE UNIT 1 (OU1) AND OUTER HARBOR OPERABLE UNIT 3 (OU3) # of Pages: 43

Author: , US EPA REGION 1

Addressee:

Doc Date:

Resource Type:

Report

Access Control:

Uncontrolled

File Break: 07.05 - REMEDIAL ACTION DOCUMENTS

583616 LONG TERM MONITORING (LTM) PROGRAM: COMPARATIVE ANALYSIS OF THE 2014 LTM COLLECTION # of Pages: 21

Author: BARBARA J BERGEN, NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS RESEARCH LABORATORY (NHEERL)

Addressee:

Doc Date: 09/23/2015

Resource Type:

Report

Access Control:

Uncontrolled

583617 LONG TERM MONITORING (LTM) SURVEY 6: FINAL SUMMARY REPORT # of Pages: 1978

Author: , BATTELLE

Addressee: , US ARMY CORP ENGINEERS

Doc Date: 09/01/2015

Resource Type:

Report

Access Control:

Uncontrolled

File Break: 07.05 - REMEDIAL ACTION DOCUMENTS

599080 FINAL 2017 PILOT UNDERWATER CAP BATHYMETRIC SURVEY REPORT

of Pages: 236

Doc Date: 06/01/2017

Author: , JACOBS

Addressee: , US ARMY CORPS OF ENGINEERS - NEW ENGLAND DISTRICT

Resource Type:

Report

Access Control:

Uncontrolled

599091 PCB TRANSPORT AND FATE MODELING AT NEW BEDFORD HARBOR

of Pages: 189

Doc Date: 06/01/2017

Author: LAWRENCE BURKHARD, US EPA

Addressee: , US EPA REGION 1

Resource Type:

Report

Access Control:

Uncontrolled

JOSEPH Z GAILANI, US ARMY ENGINEER
RESEARCH AND DEVELOPMENT CENTER

KARL GUSTAVSON, US EPA

EARL HAYTER, US ARMY CORPS OF
ENGINEERS

DAVE LEDERER, US EPA REGION 1

ELLEN LORIO, US ARMY CORPS OF
ENGINEERS - NEW ENGLAND DISTRICT

JARRELL SMITH, US ARMY CORPS OF
ENGINEERS

ELAINE STANLEY, US EPA REGION 1

AR Collection: 65253

Sixth Explanation of Significant Differences (ESD), 09-15-2017

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For External Use

File Break: 13.03 - NEWS CLIPPINGS/PRESS RELEASES

605895 ATTACHMENT B - PUBLIC MEETING NOTICE REGARDING PROPOSED SIXTH EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) # of Pages: 1
- UPPER AND LOWER HARBOR OPERABLE UNIT 1 (OU1) AND OUTER HARBOR OPERABLE UNIT 3 (OU3)

Doc Date: 06/23/2017

Author: , THE STANDARD TIMES

Addressee:

Resource Type:

Publication

Access Control:

Uncontrolled

Number of Documents in Administrative Record:12

EPA Guidance Documents may be reviewed at the OSRR Records and Information Center in Boston, MA

DOCNUMBER	DOCDATE	Selected Key Guidance Documents TITLE	OSWEREPAID
2002	10/1/1988	INTERIM FINAL GUIDANCE FOR CONDUCTING REMEDIAL INVESTIGATIONS AND FEASIBILITY STUDIES UNDER CERCLA.	OSWER #9355.3-01
C525	7/1/1999	GUIDE TO PREPARING SUPERFUND PROPOSED PLANS RECORDS OF DECISION AND OTHER REMEDY SELECTION DECISION DOCUMENTS.	OSWER # 9200.1-23P