

6.6 Interviews

EPA coordinates on a daily basis with the USAGE design/build team, and regularly with other harbor stakeholders, so there was no need to conduct interviews specifically for this five-year review period.

7.0 TECHNICAL ASSESSMENT

7.1 Question A: Is the remedy functioning as intended by the decision documents?

Due to the very large size of the site cleanup, construction of the remedy has not been completed. At the current annual funding rate, completion of the cleanup is not expected for many years. However, EPA's oversight of construction activities and its review of monitoring data, ARARs, risk assumptions, and other documents demonstrates that the remedy is being implemented in full accordance with the 1998 ROD and the 2001 and 2002 ESDs. EPA continues to expect that the remedy will be protective when it is completed.

7.2 Question B: Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives used at the time of remedy selection still valid?

Based on a review of the most current state and federal regulations, as well as other PCB contaminated sediment sites nationally, the target sediment cleanup levels remain valid. The overall long term goals of the remedy also remain appropriate (e. g., eventual lifting of the state fishing bans and compliance with the PCB AWQC).

7.3 Question C: Has any other information come to light that could call into question the protectiveness of the remedy?

While not calling into question the protectiveness of the remedy, there is an issue regarding changes in shoreline land use over time. The site team works closely with the City and private shoreline landowners to assess changes in shoreline land use that would trigger the ROD's more stringent cleanup levels for public access and residential shoreline areas (e.g., Brownfield or industrial use changing to public access or residential). Specific examples of these land use changes have already occurred, and the site team has made the appropriate adjustment in cleanup level (e.g., Founders' Park, Pierce Mill Park). Given the overall trends towards a more publically accessible shoreline in the upper harbor, as well as towards conversion of shoreline mills to residential use (e.g., Rope Works building, Whalers Cove assisted living, etc.) the site team expects to see additional shoreline properties developed before remediation occurs which will trigger more stringent shoreline cleanup levels over time. Continued coordination and surveillance by the site team will be required to track these land use changes and incorporate them into the remedy.

In other words, the remedy is still protective and sufficiently addresses the expected range of shoreline land uses, but these land uses will change over time - especially given the long time frame of the cleanup. The biggest issue this raises is in the scenario wherein EPA remediates an industrial/commercial shoreline parcel, but then some years later the land use changes to public access or

Five-Year Review Report



SDMS DocID 237034

First Five-Year Review Report
for the

New Bedford Harbor Superfund Site

Bristol County, Massachusetts

September 2005

Prepared by the
United States Environmental Protection Agency
Region 1, New England
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09/30/05