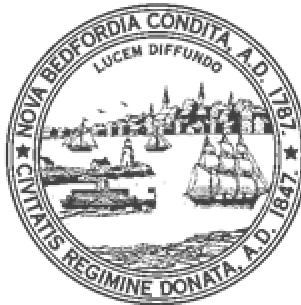


# FINAL PUBLIC INVOLVEMENT PLAN

**McCoy Field Disposal Site  
RTN 4-15685  
Hathaway Boulevard, New Bedford**

Prepared for:

**City of New Bedford  
New Bedford, Massachusetts**



**Revised June 9, 2004**

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- I. Site Plan
- II. Summary of Community Concerns
- III. Schedule of Public Involvement Activities

# **FINAL PUBLIC INVOLVEMENT PLAN**

## **McCoy Field Disposal Site RTN 4-15685 Hathaway Boulevard, New Bedford**

### **1.0 INTRODUCTION**

On March 25, 2004, the Massachusetts Department of Environmental Protection (DEP), received a petition from Wasted Away, a Neighborhood Group concerned about the development of McCoy Field for a new Middle School. The petition requested that the McCoy Field disposal site be designated as a Public Involvement Plan (PIP) Site under Section 14 (b) of Massachusetts General Laws chapter 21E (M.G.L. c. 21E), the State "Superfund" Law. Since the Massachusetts Contingency Plan (310 CMR 40.1404(2)) requires that the petition be submitted to the party responsible for conducting the response action at the disposal site. The DEP provided Wasted Away's petition to the City of New Bedford ("the City") on March 30, 2004. Upon receipt of the petition on March 30, 2004, the City officially designated the McCoy Field disposal site as a PIP Site, requiring the preparation and implementation of a Public Involvement Plan.

This Plan has been prepared by BETA Group, Inc. on behalf of the City in accordance with the requirements of the Massachusetts Contingency Plan (MCP), 310 CMR 40.0000. DEP has assigned responsibility for conducting both technical and public involvement activities at the McCoy Field disposal site to the City. DEP retains certain authority to ensure that public involvement activities are conducted in accordance with state law and regulations.

Under M.G.L. c. 21E, DEP has overall responsibility for overseeing remedial response actions at sites at which oil or hazardous materials have been released to the environment. Remedial response actions include determining the nature, source and extent of the contamination; risks posed by the Site; whether cleanup actions are necessary and if necessary, determining and implementing the most appropriate actions. On all sites, but particularly on designated PIP Sites, the remedial response action process provides for public outreach and opportunities for public involvement.

Public involvement during the remedial response action process is undertaken to inform and involve the public in planning for remedial response actions. For PIP Sites, DEP requires the preparation of a plan which identifies specific activities that will be undertaken to address public concerns to the extent reasonably possible.

The Draft Involvement Plan was prepared by BETA Group, Inc. on behalf of the City and was presented at the first PIP Meeting on May 5, 2004. On June 9, 2004 (PIP Meeting #2), the Draft Final PIP was presented to the public for review and after a 20 day public review period, there were no comments. Therefore, this is the Final PIP document.

This document is the Final Public Involvement Plan for the McCoy Field Site located along Hathaway Boulevard, directly across from the main entrance to the High School. Section 2 contains background information on the Site; including site, environmental assessment, and public involvement histories. Section 3 explains how the remedial response action process addresses community concerns which have been raised during the development of the PIP. Section 4 explains the proposed public involvement activities. Section 5 contains a schedule for public involvement activities. Section 6 outlines the roles and responsibilities of those involved in implementing the PIP. It also explains the procedures DEP will use to address situations in which the agency receives any complaints about the manner in which the Plan is being implemented. Section 7 describes how the Plan will be revised in the future.

As previously stated, a Draft Final PIP was presented at PIP Meeting #2 held on June 9, 2004 for any additional public comments. BETA received no comments on the Draft Final PIP. The Final PIP will be available at PIP Meeting #3 on Wednesday, July 14, 2004 at 7:00 PM at the Keith Junior High School Library located on Hathaway Boulevard. Additionally, the Final PIP will be available for review at the document repository or will be mailed upon request.

## **2.0 SITE BACKGROUND**

### ***2.1 Site Description and History***

McCoy Field, the current location of three soccer fields across from New Bedford High School, has been designated as the site for construction of the New Keith Middle School. Pre-construction investigations of McCoy Field revealed the presence of Reportable Concentrations (RCs) of soil contaminants. Subsequent research into the history of McCoy Field identified the fact that much of the material underlying the current soccer fields originated from the location of the current High School, located on the east side of Hathaway Boulevard. Historic dumping and burning activities were reportedly performed in that area prior to construction of New Bedford High School circa 1970.

At the northern and western boundaries of McCoy Field, there is a steep embankment leading down to wetlands. As part of the construction, the embankment will be stabilized at a slope of 2:1 to 3:1 with 3 feet of clean soil overlying contaminated fill material left in place. Also, a clean corridor will be excavated for relocation of subsurface utilities. The soil to be excavated during embankment stabilization and construction of the clean corridor has been characterized in place to meet soil receiving requirements for off-site disposal and recycling facilities.

Other activities and mitigation measures to promote safe working conditions for on-site workers and area residents will be addressed thoroughly over the next several weeks.

A Site Plan is included as Exhibit I.

### ***2.2 Environmental Assessment***

#### **April 12, 2000 - Initial Soil Sampling**

As part of a geotechnical evaluation of subsurface conditions, Miller Engineering (Miller) collected soil samples for analysis of physical properties only. Miller identified four distinct soil horizons in soil from the playing field: surface soil, gravel layer, fill layer, and native soil. No samples were collected from surface soil at that time.

#### **May 08, 2000 – Environmental review of soil samples**

An Environmental Consultant was retained to review the soil boring logs and soil samples collected by Miller Engineering. It was concluded that environmental analyses were necessary due to the presence of “suspect” fill material present under the soccer field. At that time, eight (8) soil samples were selected from “geotechnical” soil samples, which had been retained by the laboratory. Laboratory analyses for heavy metals, semivolatile organic compounds (SVOCs), pesticides and extractable petroleum hydrocarbons (EPH) were performed.

Several “120-day reportable conditions”, as defined under the Massachusetts Contingency Plan (MCP), were identified; however, none of the samples were collected from surface soil and some contaminants were suspected to be attributable to urban background levels and, therefore, exempt from DEP notification.

### **July 25, 2000 - PCB Analyses**

The same eight soil samples were analyzed for PCBs. 120-Day Reportable Concentrations were discovered; however, no surficial soil samples were analyzed at that time.

### **August 11, 2000 - Supplemental Soil Sampling**

Several additional soil samples were collected from the playing field surface soil, the gravel layer immediately under the topsoil layer, and the embankment.

- Three surface soil samples (B2, B5, and B6) were collected from 0 to 6 inches on the playing field and submitted for PCB analysis. No PCB compounds were detected above laboratory method detection limits.
- Three soil samples (B2, B5, and B6) were collected from 6 to 12 inches and submitted for PCB analysis. Aroclor 1254 was detected in B2, at a concentration below Method 1 Standards. No PCB compounds were detected in the other two samples above laboratory method detection limits.
- One soil sample (G1) was collected from the embankment between the playing field and the wetlands and submitted for PCB analysis. Aroclor 1254 was detected in the sample at a concentration that exceeded its RC-S1 reporting threshold of 2 parts per million (ppm).

### **August 18, 2000 - “Imminent Hazard” Reporting & Assessment**

DEP was notified of a PCB concentration in excess of 10 ppm at one soil sample collected within 12” of ground surface, within 500 feet of a residence and the soccer fields (play area). The conclusion of the subsequent Imminent Hazard Assessment was that no imminent hazard exists, since access to the area has been restricted by a combination of snow fencing and exclusion tape. About a week after the placement of exclusion tape, the dense vegetation was cut back to provide access and the exclusion tape was replaced with snow fencing so that the entire area is now surrounded with snow fence.

### **August 23-24, 2000 - Supplemental Sampling**

Supplemental sampling of surficial soil on the soccer fields, surface soil from the adjacent wooded area, and surface water and sediment from the adjacent wetlands, were collected on August 23 and 24, 2000. Playing field surface soil samples were collected with a hand auger from ground surface to a depth of 12 inches. Soil samples from the area adjacent to the playing field were collected in the same manner. Surface water

samples were collected from standing water in the area adjacent to the playing field, and sediment samples consisted of bottom mud from these water bodies. The samples were submitted to an analytical laboratory for analysis of PCBs, semi-volatile organic compounds (SVOCs), barium, lead, and pesticides.

### **November 02, 2000 - Imminent Hazard Evaluation**

The IH evaluation focused on PCBs, barium, lead and PAH's. No Imminent Hazard to health, safety or the environment exists at the Site, based on the characterization using conventional risk assessment procedures developed by DEP.

### **March 02, 2001 - Supplemental Sampling at McCoy Field (monitoring)**

Eight (8) additional soil samples were collected from the surface of McCoy Field at a depth of 0-6" and analyzed for the presence of PCBs. The results indicated there were no exceedances of the Method 1, S-1 soil standard for PCBs of 2 ppm.

Five (5) test pits were excavated at the north end of the Site, near Durfee Street, ranging in depths from 4 to 5 feet. Soil samples were collected and analyzed for EPH, RCRA 8 Metals, and PCBs. Elevated concentrations of PAHs were detected in Test Pit 1 and Test Pit 2. A sample of Test Pit 1 was sent for coal ash screening. One grab sample was taken in a drainage swale in the back yard of the property on Durfee Street. This sample was identified as TP6, but did not contain PCBs over 2 ppm; however, additional sampling was recommended.

### **April 05, 2001 – Supplemental Sampling**

Twenty four (24) soil samples were collected in the back yard and front yard of the house on Durfee Street to further define the limits of PCBs in surface soil. Depth of samples was 0-6". Samples TP7-TP26 were collected in the back yard and sent to be analyzed for PCBs. Samples TP27 and TP28 were also collected in the back yard area of concern and tested for VOC, EPH, RCRA 8 Metals, and Conductivity for off-site disposal. Two samples were collected in the front yard (TP29 and TP30) between Test Pit 1 and 2 for VOC and conductivity analyses.

### **April 13, 2001 – Response Actions at Lot 5, Durfee Street**

Supplemental sampling performed at the back lot line of Lot 5 on Durfee Street identified levels of PCBs in surface soils and sediment that were above Method 1, S-1 levels. Approximately 4.5 cubic yards of soil was excavated and placed on and under polyethylene sheeting on the Site.

Also, approximately 30 cubic yards of "urban fill" material (previously brought onto the Parcel) was excavated and transported under Bill of Lading to Crapo Hill Landfill. The extent of the "urban fill" was excavated for off-site management, on the basis of visual inspection. Clean soil was then placed in the front yard.

This work was done in conjunction with and at the expense of the property owner who had purchased the lot from the City and developed it as a residential property.

### **August 27, 2001 - Application for Special Project Designation**

An application for Special Project designation was prepared and submitted to the DEP under the Massachusetts Contingency Plan (MCP).

### **December 21, 2001 - Soil Gas Survey**

A soil gas survey incorporating ten soil gas sampling points installed by Technical Drilling Services, Inc. (TDS) was performed on December 21, 2001. Based on conservative assumptions (the maximum concentration of each chemical, etc.) and soil gas vapor modeling, it was concluded that indoor air would not pose a significant health risk to building occupants. Nevertheless, a vapor barrier has been recommended and there are plans to install a vapor barrier under the proposed school to eliminate a potential exposure pathway.

### **March 13, 2002 – Supplemental Sampling at McCoy Field (monitoring)**

Additional surface soil sampling was performed to provide additional coverage and to determine if PCB concentrations exist in any other surface soils that could constitute an Imminent Hazard (IH) condition. Ten additional soil samples were collected at a depth of 0-6". The soil was observed to be consistent in color and texture at all ten sample locations. Soil color was light brown and included medium sand. No evidence of fill or ash was visible in any of the samples.

All results for the ten samples are below MCP Method 1, S-1 levels.

### **June 11, 2002 –Stockpile Sampling**

On June 11, 2002, a soil sample (SP-1) was collected from the soil stockpile located to the north of the playing field (see Figure 2). Both Aroclor 1254 and lead were detected in the sample, with the concentration of lead exceeding Method 1 S-1 Standards.

### **September 06, 2002 – Supplemental Sampling**

On September 6, 2002, supplemental sampling of surface soil, embankment soil, and the soil stockpile was conducted. Four surface soil samples were collected from 0 to 6 inches on the playing field (SS-101, SS-102, SS-103, and SS-104) and submitted for PCB analysis. One soil sample (SED-102) from the embankment was also collected and submitted for PCB analysis. An additional soil sample (SED-101) was collected from the soil stockpile and submitted for PCB analysis. No PCB compounds were detected in any of the samples above laboratory method detection limits.

### **September 30, 2002 – Supplemental Geotechnical Investigations**

Miller Engineering advanced 26 soil borings for Geotechnical investigations on the Site using a hollow stem auger drill rig. At four of these locations (TB/OW-2, TB/OW-6, TB/OW-18, and TB/OW-22) soil samples were collected and temporary monitoring wells were installed.

### **October 31, 2002 – Groundwater Sampling**

On October 31, 2002, four (4) temporary groundwater monitoring wells on the playing field were sampled: TB/OW-2, TB/OW-6, TB/OW-18, and TB/OW-22. The samples were submitted for total metals, VOC, SVOC, PAH, PCB, and EPH analyses. Barium and several VOCs were detected, but all at concentrations below Method 1 Standards. Naphthalene was also detected in TB/OW-6. No compounds were detected at concentrations above RCGW-1 Standards. No SVOCs, PAHs, or PCBs were detected in any of the samples at concentrations above laboratory method detection limits.

<p><b>Note:</b> Due to funding constraints, the project was put on hold indefinitely. It was reactivated in February 2004, as described below.</p>
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### **February 23-25, 2004 – In-Situ Characterization for Disposal (Env. Contract #1)**

BETA conducted extensive in-situ sampling to determine options for on-site reuse, off-site disposal and/or recycling of excavated soil. The proposed excavation for the clean corridor was separated into 39 quadrants, each containing approximately 200 tons of fill material.

One sample was collected from the fill layer of each quadrant and analyzed for RCRA 8 Metals, TCLP Metals, TPH, PCBs, SVOCs, and VOCs. One sample contained PCBs at a concentration over 50 ppm. (regulated under TSCA). Also, TCLP analysis for lead in two samples resulted in a concentration over the toxicity characteristic of 5 mg/L.

### **March 29, 2004 – Supplemental In-Situ Characterization for Disposal (Env. Contract #1)**

BETA conducted supplemental sampling to define the extent of soil containing PCBs at concentrations exceeding 50 ppm and to define the extent of soil exhibiting the toxicity characteristic for lead. Also, previous analysis of samples collected from the fill layer did not include ignitability, corrosivity, reactivity, TCLP SVOCs, TCLP herbicides, TCLP pesticides, because the fill is not expected to exhibit those characteristics. Analysis of four of the supplemental samples included these additional parameters.

Alignment of the proposed utility lines shifted slightly to the north, causing the samples collected from Quadrants 33 through 36 on February 23-25, 2004 to fall just outside the proposed excavation. Therefore, additional samples were collected in the new alignment within Quadrants 33 through 36.

### **March 30, 2004 – Meeting between City, EPA and DEP**

At the request of Kimberly Tisa, PCB Coordinator for the U.S. EPA Region 1, a meeting was set up to review the site history, in-situ characterization of soil, and disposal options.

### **April 5-6, 15-19, & 30, 2004 – Supplemental In-Situ Characterization for Disposal (Env. Contract #1)**

BETA conducted supplemental sampling to further characterize soil to be excavated under the first environmental contract. The US EPA requested additional samples in each Quadrant in order to composite sample results to better identify and define the limits of PCB-impacted soil above 50 ppm.

### **May 24-26, 2004 – Supplemental In-Situ Characterization for Disposal (Env. Contract #1)**

BETA continued to conduct supplemental sampling to further characterize soil to be excavated under the first environmental contract.

**Note: Additional soil characterization and rigorous review of the analytical results is ongoing. Results will be tabulated and provided to the public at future PIP meetings, in addition to filing copies of project documents at the designated repositories.**

## ***2.3 Public Involvement History***

While specific documentation is not currently available, several public meetings involving the School Committee, a Press Release meeting, a formal public meeting at Keith Middle School, Conservation Committee Meetings and others have been held over the past several years.

On March 25, 2004, DEP received a petition from a local neighborhood group, Wasted Away, requesting that the McCoy Field disposal site be designated a Public Involvement Plan (PIP) site, in accordance with M.G.L. c. 21E. DEP forwarded the request to the City and the City formally responded to the petition, designating the site as a PIP site. They also authorized BETA to develop this DRAFT PIP Plan and to coordinate all public involvement activities at the Site. In developing this DRAFT PIP, BETA has used information collected from various City officials, local residents, school maintenance staff and others who have knowledge of historic site activities. Concerns identified to date are presented in Exhibit II.

On April 7, 2004, the City conducted a public meeting at the Keith Junior High School Auditorium to discuss upcoming construction at the Site involving excavation and off-site management of soil to enable relocation of existing utilities and to stabilize the embankment areas. That construction project is ongoing.

On May 5, 2004, the first Public Involvement Plan (PIP) meeting was held at the Keith Junior High School Library to present the DRAFT PIP, an overview of the PIP process, solicit public input, and present an overview of the risk assessment process. Additionally, construction related issues (Environmental Contract #1) were addressed at this meeting. Public comments were encouraged and the public was notified of the May 25, 2004 deadline for receipt of requested comments. BETA then reviewed public comments that were submitted, and prepared responses for revisions of and/or inclusion into the Final PIP. It should be noted that not all public comments required a revision to the PIP.

### **3.0 ADDRESSING PUBLIC CONCERNS**

The process for assessing and cleaning up disposal sites, as set forth in the MCP (310 CMR 40.0000), is designed to address the effects of the Site on health, safety, public welfare, and the environment. Once a release of oil or hazardous materials has been confirmed at a disposal site, the process proceeds to:

- Comprehensive field investigation of the nature and extent of the contamination, and an evaluation of any risks posed to the public and the environment from the site (Phase II);
- Identification and evaluation of remedial response action alternatives and selection of feasible measures that will achieve a permanent cleanup at the site (Phase III); and
- Implementation of the selected remedial response actions (Phase IV).

Physical work at a disposal site includes sampling and other environmental field testing, and the implementation of the selected response actions. It may also include the implementation of measures designed to stabilize conditions at the Site to prevent the continued migration of contaminants or eliminate an imminent threat to public health, safety, welfare or the environment until planning for remedial response is underway (i.e. Immediate Response Actions).

At each step of the remedial response action process, plans for work are developed, the work is conducted, and reports describing results and recommendations for the next step are prepared. The documents which describe each of these steps are the cornerstone of the remedial response action planning process, since they provide the information necessary to make decisions about how the Site should be cleaned up.

As noted in Exhibit II, the public has raised certain concerns about the McCoy Field disposal site. The remedial response action planning process is designed to address the concerns about the nature and extent of contamination; risks posed by the Site to health, safety, public welfare, and the environment; and the adequacy of proposed cleanup measures. These concerns will primarily be addressed in Phases II and III of this process. For example, the assessment of off-site contamination is considered in Phase II, as is the impact of the disposal site on public health and the environment. Phase III will address the adequacy of proposed remedial response actions to provide permanent solutions for the contamination problems at this Site.

## **4.0 PUBLIC INVOLVEMENT ACTIVITIES**

In accordance with the MCP (40.1400), activities undertaken to involve the public in response actions are intended to serve two purposes:

- To inform the public about the risks posed by the disposal site, the status of remedial response actions, and the opportunities for public involvement; and
- To solicit the concerns of the public about the disposal site and remedial response actions so that, to the extent possible, these concerns can be addressed and incorporated in planning remedial response actions.

To meet each of these objectives, the City proposes to undertake specific activities during the remedial response process at the McCoy Field disposal site. These activities are described below.

The City will provide site-specific information to the public by establishing information repositories; developing and maintaining a site mailing list to distribute information about the site; and providing advance notification to local officials and residents about site activities.

### ***4.1 Information Repositories***

#### **Publicly Available Site Files - DEP**

A file on the McCoy Field disposal site is maintained at the Southeast Regional DEP Office. The file will contain all documents pertaining to the Site, with the exception of any enforcement-sensitive material, if any. Appointments to view the site files can be made by contacting Mr. Gerard Martin at DEP Regional office, 20 Riverside Drive, Lakeville, MA 02347 or by calling 508-946-2700.

#### **Local Information Repository**

The City has established and will maintain a local information repository to provide City residents with easy access to information about the site cleanup process and results of site investigations. At a minimum, the site information repository will contain a complete copy of the DEP site file including:

- Special Project Designation Application;
- Public Involvement Plan Interim Guidance for Waiver Sites;
- Work plans;
- Sampling and field testing plans;
- Technical reports and documents summarizing results and recommendations;
- Relevant correspondence;
- Press releases;
- Public information materials;

- Public Involvement Plan documents;
- Public meeting summaries;
- Summaries of responses to comments received; and
- Copies of public notices about the disposal site.

All currently available information has been compiled and is available for review. Further information will be sent to the repository by BETA, on behalf of the City, as it is developed. The local repository will be updated approximately every two (2) weeks.

The **local** information repository for the McCoy Field disposal site is located at:

New Bedford Public Library  
613 Pleasant Street  
New Bedford, MA 02740  
(508) 991-6280  
Hours: Monday-Thursday 9:00 am - 9:00 pm; Friday & Saturday 9:00 am - 5:00 pm.  
Closed Sunday & Holidays

#### ***4.2 Site Mailing List***

On behalf of the city, BETA has established and maintains a mailing list for the McCoy Field disposal site. The site mailing list includes: petitioners, interested residents, site abutters, local and regional news media, municipal officials (specifically the Chief Municipal Officer and the Chairperson of the Board of Health), state legislators, DEP site file, and anyone else indicating an interest in receiving information about the site. The mailing list will be used to announce upcoming public meetings, distribute fact sheets, notices of public comment periods on and the availability of documents in the information repositories, and any other information about the McCoy Field disposal site. BETA will maintain the mailing list and update it as necessary. BETA will provide DEP with a copy of the site mailing list.

Anyone wishing to be added to the mailing list can call, email or write to:

Barbara Markley  
BETA Group, Inc.  
315 Norwood Park South  
Norwood, MA 02062  
781/255-1982 (Tel)  
781/255-1974 (Fax)  
[BMarkley@BETA-Inc.com](mailto:BMarkley@BETA-Inc.com)

#### ***4.3 Notification to Local Officials and Residents of Major Milestones and Events***

The MCP requires community notification of major planning and implementation milestones at disposal sites. Major milestones include:

- 1) Start of field work related to response actions, involving heavy equipment or protective clothing (Level A or B protection).....April 7, 2004 Meeting;
- 2) Completion of each phase of the remediation process; and
- 3) Any significant deviation from the activities outlined in the Immediate Response Action Plan (Amended IRA Plan #1, dated March 10, 2004).

Notification of field work will include information on the type of work and its approximate duration. Notification will be made by the City to the people on the Notification List at least two weeks prior to the planned remedial action. Notification at the end of a remedial phase will include a summary of the Immediate Response Action (IRA) Status report and information on where the report can be reviewed. Those to be notified include:

<u>Name</u>	<u>Affiliation</u>	<u>Address &amp; Phone</u>
Frederick M. Kalisz, Jr.	Mayor, City of New Bedford	133 William Street - Room 119 New Bedford, MA 02740 508-979-1410
	Chairman of the Board of Health	1213 Purchase Street New Bedford, MA 02740 508-991-6291
Barney Frank	Congressman, representing the 4 <sup>th</sup> district of Massachusetts	558 Pleasant Street Room 309 New Bedford, MA 02740 (508) 999-6462
Edward Kennedy	State Senator	317 Russell Senate Office Building Washington DC 20510 (202) 224-4543
Brian J. Woolley	Key petitioner/citizen contact President, Wasted Away	249 Summit Street New Bedford, MA 02740-2810 508-993-6269
Sarah Porter	Conservation Commission Agent	133 William Street – Room 309 New Bedford, MA 02740 508-991-6188
Others, as appropriate		

In addition, the New Bedford Health Department, Conservation Commission, Fire and Police Departments will be notified in situations where public health and safety is a concern.

#### **4.4 Other Public Involvement Activities to Provide Information**

The City will provide opportunities for public input regarding site cleanup decisions by holding public meetings and comment periods to provide additional opportunities for oral and written

input regarding site cleanup decisions and preparing summaries of all comments received during the public comment period, and responses to them.

#### **4.5 Public Comment Periods**

The City will provide specific opportunities for the public to submit comments about documents concerning the Site. When key documents are available in draft form, they will be provided to the information repositories, and a notice of their availability will be sent to the PIP Site mailing list. The notice will include the title of the document, where it is available for review, information about how to submit comments to the City, and the length of the public comment period. The City will determine the length of the comment period, which will typically be 20 calendar days, but may be longer if warranted by the complexity of a particular document or if requested by the public. Comment periods for immediate response actions may be reduced or eliminated (with DEP's review and concurrence) if the nature of the hazard dictates that an immediate response action is necessary. The City will be responsible for providing document copies to the information repository and to the DEP site file, as well as sending out notices of availability of all documents.

At a minimum, documents available for public comment are anticipated to include:

- Draft Public Involvement Plan;
- Scopes of Work for the Supplemental Comprehensive Site Assessment;
- Reports summarizing the findings of the Comprehensive Site Assessment; and
- IRA Status Reports.

#### **4.6 Response to Comments**

On behalf of the City, BETA will prepare a summary of all comments received on each document available for public comment, and responses to those comments. A copy of each response summary will be sent to all those who submitted comments and will be placed in the information repository and the DEP site file. The City will also send a notice of availability of the response summary to the mailing list.

The summary will be made available prior to the City taking any remedial response actions submitted for comment, or prior to moving to the next MCP phase.

#### **4.7 Public Meetings**

The City will brief the public about the status of the McCoy Field disposal site during the remedial action process. Meetings are initially planned to take place monthly, subject to comments received from the public.

Meetings are intended to serve two purposes:

- 1) To provide community officials and the general public with a progress report regarding remedial response actions at the Site; and

- 2) To provide an opportunity for the public to question and comment on remedial action plans for the Site. The City will send notices announcing public meetings to individuals on the site mailing list. On behalf of the City, BETA will prepare meeting summaries, submit the summaries to DEP, and place a copy of each summary in the local information repository.

#### ***4.8 Other Public Involvement Activities to Solicit Input***

Other activities to solicit public input will be the mailing of a one-time newsletter prior to the initiation of remedial activities. Additionally, the creation of a site specific website, associated with the City of New Bedford website, is currently being considered.

## **5.0 SCHEDULE OF FOR PUBLIC INVOLVEMENT ACTIVITIES**

Exhibit III provides a Draft Schedule of the public involvement activities listed in Section 4.0. The schedule specifies the milestones during the remedial response action when public involvement activities will be conducted.

## **6.0 RESPONSIBILITY FOR IMPLEMENTING THE PUBLIC INVOLVEMENT PLAN**

The McCoy Field disposal site has received Special Project Designation from DEP and the City has been assigned responsibility for conducting both remedial and public involvement activities at this site. The City has developed this Public Involvement Plan and is responsible for carrying out the activities listed in this Plan during the site cleanup process.

To ensure that Public Involvement Plans are implemented properly by Responsible Parties, DEP has established an appeal process for handling disputes about public involvement activities at MCP sites. The appeal process is initiated when ten or more residents of the community in which the site is located or of a community potentially affected by the Site submit a signed petition to the PRP and to DEP stating that the PRP is not implementing activities agreed upon in the final Public Involvement Plan. The petition must provide specific information documenting the PRP's failure to implement specific sections of the Plan.

Upon receipt of the appeal petition, the PRP must provide written confirmation of receipt to the petitioners and provide a copy of this letter to DEP. The PRP then has twenty calendar days to work with the petitioners to address their concerns. Within this twenty day period, the PRP must respond to the petition in writing, describing how each issue identified by the petition will be addressed. Any resulting changes in public involvement activities must be incorporated into the public involvement plan. A twenty day public comment period must then be held on the revised Plan, in accordance with Section 7 of this Plan. Any revisions to the Plan or specific responses to the appeal petition must be copied to DEP.

If the PRP and the petitioners cannot resolve the petitioners' concerns within twenty calendar days, each petitioner must submit written information to DEP documenting his/her concerns, actions taken to date to resolve the issues, and his/her inability to resolve the issues independently of DEP. When DEP receives this information, it will take one or more of the following actions:

1. Review the information packages to assess specific petitioner complaints, identify other community concerns, and determine what public involvement activities, as specified in the Plan, have and have not been conducted. DEP may inspect local information repositories, review notification letters, and contact members of the Notification List.
2. Determine whether the PRP has made any efforts to address community issues. This may include a review of meeting summaries, correspondence or other formal attempts to resolve community concerns about insufficiencies in public involvement activities. If, based upon review of the appeal petition, DEP determines that the Public Involvement Plan is not being implemented, DEP may take one or more of the following actions:
  - a. Adding a condition to the Special Project Designation Approval, requiring the PRP to hire a public involvement consultant specifically to perform activities contained in the PIP; and/or

- b. Conducting an audit of the Site to determine whether the City is conducting the response action in compliance with the MCP, any Special Project Designation conditions, and/or the final Public Involvement Plan. Based on the results of the audit, DEP will determine whether the Special Project Designation status for the Site will be maintained or revoked.

## **7.0 REVISIONS TO THIS PLAN**

This Public Involvement Plan may be revised as necessary during the course of the remedial response action process. If revisions are proposed, the City will place copies of any proposed changes in the local information repository, and will send a notice of the availability of recommended changes to the mailing list.

The City will hold a twenty-day public comment period on any proposed revisions to the Plan. On behalf of the City, BETA will review any comments received and revise the Plan, as appropriate.

The final Revised PIP will be placed in the information repository.

**EXHIBIT I**

**SITE PLAN**

## **EXHIBIT II**

### **COMMUNITY CONCERNS ABOUT THE McCoy Field DISPOSAL SITE**

A. Concerns about the nature and extent of contamination:

- Complete characterization of the site.
- Presence of PCBs in wetlands
- Presence of contaminants in downstream sediments

B. Concerns about routes of exposure and neighborhood health issues:

- Dust emissions from work areas
- Soil releases from transport vehicles
- Contaminated storm water runoff
- Drainage at surrounding properties

C. Concerns about the site remediation process:

- Dust control
- Decontamination
- Safety of area residents and students

D. Concerns about opportunities for public involvement during the remedial response action process:

- Meeting Location

E. Other Concerns:

- None

**EXHIBIT III**

**Public Involvement Plan SCHEDULE**

**Monthly meetings are proposed at this time, until further notice and until public input is received.**