

Public Involvement Plan Meeting

May 2, 2012

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Agenda

☐ *Topics*

- *Draft Public Involvement Plan*
- *Draft Phase III Report – Acquired Residential Properties and Nemasket Street Lots*
- *Keith Middle School – Wetland and LTMMIP Revisions*
- *High School Update*
 - *Interior*
 - *Exterior (campus soil)*
 - *Mechanical room groundwater*
- *General Q&A*
- *Next PIP Meeting*

Draft Public Involvement Plan

- Presently available for public review.
- Comments due to City by May 25, 2012.

What is a PIP Plan?

- ❑ The party conducting response actions (in this case, the City) designates a disposal site as a Public Involvement Plan (PIP) site if the public indicates an interest in becoming involved in the remedial response action process through an MCP-specified petition process.
- ❑ MassDEP requires the development and implementation of site-specific Public Involvement Plans at all PIP sites that set forth the procedures for sharing and receiving input on response action related information with the public.

Community Comments

☐ *Community comments –*

➤ Interviews were conducted to receive community comments.

❖ Nature and extent of chemical impacts (2)

- Timely availability of sampling results
- Community notification of reporting conditions

❖ Potential exposure and neighborhood health issues (2)

- Notification to Massachusetts Education Commissioner
- Adequacy of remediation approach

❖ Site remediation process (1)

- Entity(ies) responsible for all impacted areas

Community Comments (continued)

❖ Public involvement during the remedial action process (10)

- Availability of toxicologist
- Transparency
- Information and opinion about data
- Separate meetings with community groups
- NBHS/other personnel/student awareness
- City council attendance
- Monthly meetings
- MassDEP/EPA meeting facilitation
- Separate “closed session” meetings
- Paper copy slides, availability in advance

❖ Other (7)

- Medical facility/professional potential exposure awareness
- Property tax abatement
- Fact sheets as hard copies for NBHS staff
- Separate meetings/advanced notice for NBHS staff
- Implementation of Massachusetts Department of Public Health September 2011 recommendations
- NBHS HVAC records maintenance/availability
- Oversized drawings

Draft Public Involvement Plan – Informing the Public

☐ *Informing the public -*

➤ *Information repositories (Internet access available at City libraries)*

❖ **MassDEP**

- Lakeville (electronic)
- On-line/MassDEP website (electronic)

❖ **City of New Bedford**

- City Hall/Environmental Stewardship (hard copy)
- On-line/City website (electronic)

➤ *Site mailing list and electronic distribution list*

❖ **Addressees**

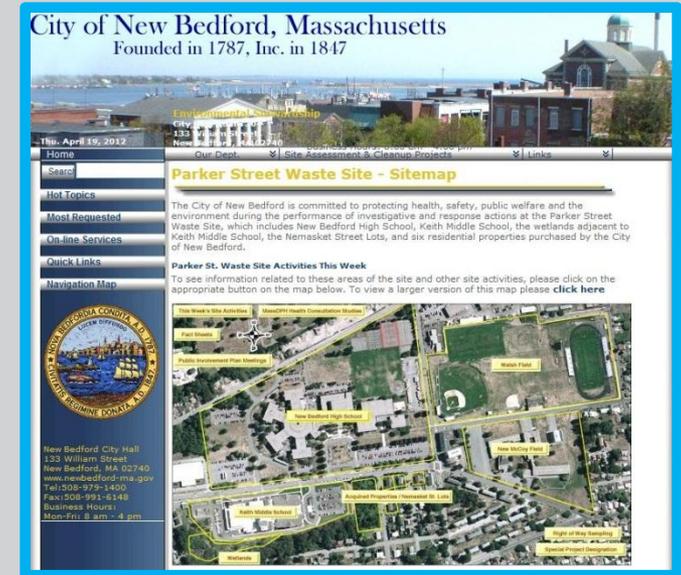
- Residents, activists, abutters
- News media, regulators, government officials

❖ **List updated by request**

- Contact Cheryl Henlin to be added or removed

➤ *Notifications of milestones and events*

- ❖ **Weekly newspaper and website postings**
- ❖ **E-mail notifications**
- ❖ **Other**



Draft Public Involvement Plan – Soliciting Input

☐ *Soliciting public input –*

➤ *Public comment periods*

- ❖ **Reviews of remedial planning documents**
- ❖ **Comments regarding remedial decisions**
- ❖ **Eligible documents:**
 - **Draft PIP and any subsequent revisions**
 - **Phase II Comprehensive Site Assessment Report (including a Risk Assessment)**
 - **Immediate Response Action Plans**
 - **Release Abatement Measure Plans**
 - **Phase III Remedial Action Plans**
 - **Phase IV Remedy Implementation Plans (RIP)**
 - **RAO Statements and AULs.**

➤ *Response to comments –*

- ❖ **Summaries of comments received**
- ❖ **Posting of written responses to comments**



Draft Public Involvement Plan – Public Meetings

☐ *Public meetings –*

➤ *Purpose –*

- ❖ **Progress reporting - Provide community officials and the general public with a progress report regarding remedial response actions at the Site**
- ❖ **Questions/comments - Provide an opportunity for the public to question and comment on the Site.**

➤ *Overall meeting schedule/requirements –*

- ❖ **Beginning - At the beginning of the PIP process (review of Draft PIP)**
- ❖ **Milestones - As set forth in the MCP; City proposes a return to quarterly meetings**
- ❖ **Advanced notification - Notification provided a minimum of 14 days in advance of the public meeting**

Draft Public Involvement Plan – Public Meetings

☐ *Public meetings –*

➤ *Means of notification*

- ❖ **Website** - A notice will be posted on the City's Website and the New Bedford Public Schools' website at <http://www.newbedford.k12.ma.us/>
- ❖ **Advertising** - An advertisement will be placed in the following newspapers:
 - Standard Times (legal notice section)
 - O Jornal (a Portuguese language weekly)
- ❖ **Regular Mail** - Regular mail notification to those on the mailing list
- ❖ **Electronic Mail** - E-mail notification to those on the mailing list
- ❖ **Telephone** - Automated telephone message will be made to everyone on the Keith Middle School and the New Bedford High Schools reverse 911 telephone number list.

Near-term Document Review Schedule

❑ Public comment periods for documents

❖ *Acquired Residential Properties/Nemasket Revised Phase III*

- April 13 – May 11, 2012

❖ *Draft Public Involvement Plan*

- April 25 – May 25, 2012

❖ *Potential Class C RAO for Acquired Residential Properties/Nemasket*

- Schedule to be announced after filing of Phase III report



Acquired Residential Properties and Nemasket Street Lots

Phase III - Remedial Action Plan Identification, Evaluation and Selection of Comprehensive Remedial Action Alternatives

- Presently available for public review.
- Comments due to City by Friday, May 11, 2012.

Phase III - Basic Features

□ What is a Phase III Identification, Evaluation and Selection of Comprehensive Remedial Action Alternatives?

- *Identifies and evaluates alternatives*
- *Recommends a remedy*
- *Describes and documents the evaluation*

Phase III - Basic Features

Identification of Potential Remedial Technologies

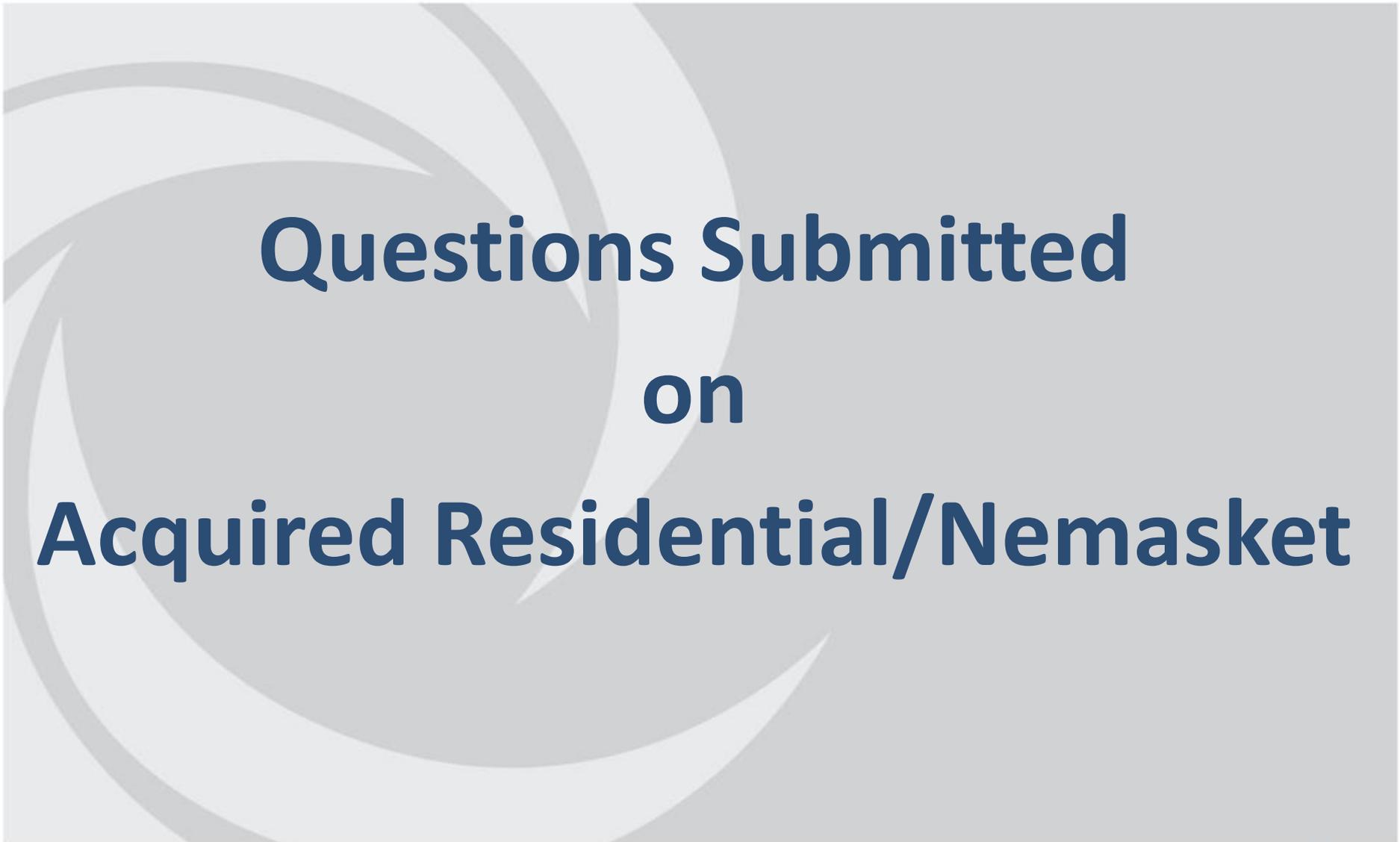
- *No action*
- *File an Activity and Use Limitation*
- *In-situ treatment*
- *Ex-situ treatment/reclamation/recovery*
- *Containment via soil and/or pavement cap*
- *Excavation/Removal*

Evaluation and Comparison of Remedial Solutions

Selection of Remedial Action Alternative

Phase III – Decision

- A Temporary Solution will be implemented under the MCP until such time that resources can be arrayed to achieve a permanent solution.
- The City is actively evaluating options to achieve a permanent solution.



**Questions Submitted
on
Acquired Residential/Nemasket**

Acquired Residential/Nemasket

- Q.** How can the City take Massachusetts School Building Authority (MSBA) money to purchase residential homes and then not build on the property? That (MSBA) money was intended for the "Keith Middle School" project; was this transaction even legal?
- A.** The City has paid for the acquisition of private properties on Ruggles and Greenwood Street out of the City's non-reimbursed portion of the Keith bond. MSBA has committed to reimburse the City for 90% of eligible expenses incurred under the bond for the environmental remediation work and construction of Keith Middle School, as well as other nearby properties as required by EPA's *August 31, 2005 Approval for Risk-Based PCB Cleanup and Disposal under 40 CFR §761.61(c)*.

Acquired Residential/Nemasket

Q. Does the Massachusetts School Building Authority (MSBA) routinely purchase contaminated land?

A. The MSBA did not purchase the private properties on Ruggles and Greenwood Street; the City did.

Acquired Residential/Nemasket

Q. The land was known to be contaminated long before it was purchased; why was there not an AUL [Activity and Use Limitation] put on that land as part of the purchase?

A. An AUL is a type of response action under the Massachusetts Contingency Plan (MCP) and the appropriate time to implement and file an AUL is with the close out of the site under a Response Action Outcome (RAO).

Acquired Residential/Nemasket

Q. What is the 6 year plan for the residential properties as well as the Nemasket Street property seeing how its going to lay fallow for at least 5 years? What about the sixth year?

A. The Temporary Solution that has been proposed has not been approved yet. If the Temporary Solution is approved, the City would monitor funding availability and would take action to bring about a permanent remedial solution if sufficient funds became available.

Acquired Residential/Nemasket

Q. If the school department/City is the current owner, what is the schedule for maintaining the property and what if any ramifications are in place if the City doesn't hold up to its end of the agreement?

A. The City is the current owner of the vacant properties on Ruggles and Greenwood Street, as well as the Nemasket Street Lots. The Department of Public Facilities will continue to maintain the grass. The Department of Environmental Stewardship will check the fence condition weekly and initiate any required maintenance. School Department staff will assist with monitoring the fence's condition. The Temporary Solution proposed by the City is the subject of ongoing discussions with MassDEP.

Acquired Residential/Nemasket

Q. Ask yourself, as a child, how many fences did you personally climb over? What besides a fence is going to stop anyone from climbing the fence and playing in the empty lots?

A. The City hears the concern that trespassing may occur, and will post “No Trespassing” signs by summer 2012. Please call DPF at (508) 991-6133 if fence repairs are needed, or the Police Department at (508) 979-5042 to report any trespassers.

The risk assessment for these properties considered the potential for an older child “trespasser” to be in contact with the top foot of soil. The trespasser scenario assumes 60 days of exposure per year. There was No Significant Risk (NSR) for the trespasser exposed to 0-1’ soil.

Acquired Residential/Nemasket

Q. What relief is the City going to give the residents for the blight and next to zero property values incurred due to the City putting the contaminated dirt in its current location from the excavation of the high school construction in 1970?

A. Interested residents may contact the City Assessor's office at (508) 979-1440 to see if a tax abatement is possible.

The City has filed lawsuits against companies that it believes contributed to soil impacts in this area.



Keith Middle School Wetland and Other Updates

Wetland Question

Q. What is the source of the re-contamination of the wetland after a proper cleanup was conducted?

A. The following slides provides a synopsis of the City's efforts, and the outcome of those efforts, in this regard.

Wetland Project Synopsis

- ❑ *PCBs identified in wetland (pre-2004)*
- ❑ *Pre-excavation sampling (July 2004/April 2005)*
- ❑ *Wetland remediation (August-December 2006)*
 - *Remove PCB impacted sediments >1 mg/kg*
 - *Removal depth of 6-inches in targeted areas (deeper in some).*
 - *Post-excavation sampling*
 - *Performed while remediation was ongoing.*
 - *Confirmed PCBs <1 mg/kg (At the time, the remedy appeared to be successful) .*
- ❑ *Post-remedial sampling (2008-2010)*
 - *Sampling conducted per the Long Term Monitoring and Maintenance Plan (LTMMIP).*
 - *PCBs >10 mg/kg detected in remediated sediments.*

What did the City do in response?

- ❑ *Conducted significant amounts of supplemental investigation.*
 - *Borings*
 - *Sediment samples*
- ❑ *Reviewed remedy design and implementation.*
- ❑ *Determined that it is not an ongoing problem.*
- ❑ *Initiated legal discussions with prior consultant/contractor team to address the issue.*

Wetland Question

Q. When is the City going to remediate the wetlands behind the Keith Middle School?

A. The City will keep the public apprised as process proceeds.

Keith Middle School – Long-term Monitoring

- ❑ **Long-Term Monitoring and Maintenance Implementation Plan (LTMMIP) - required by EPA (December 2006)**

- ❑ **Activities required by the *current LTMMIP* and *proposed changes*:**
 - **Cap inspections – *Three-times/year* to *two-times/year***
 - **Indoor air and vent monitoring – *Three-times/year* to *two-times/year*; *eliminate VOC analysis for indoor air***
 - **Wetland inspection – *Once/year*.**
 - **Groundwater sampling – *Twice/year*; *eliminate VOC analysis***
 - **Site personnel training – *Once/year* to *a) within 30 days of starting work at KMS for new or transferred employees and b) once/2 years for existing maintenance and grounds keeping staff***
 - **Reporting/*as needed follow-up*.**

- ❑ **The modifications improve efficiency and remain fully protective.**

- ❑ **Proposed modifications to LTMMIP submitted to EPA in March 2012, awaiting approval before implementation (increased efficiency, reduced sampling frequency and significantly lower costs)**

Summary of Major Revisions

| Description | Rationale/Benefits |
|---|---|
| <u>Volatile organics</u> - Eliminate volatile organic compound analysis for indoor air | VOCs are not the principal chemicals of concern of the soil/fill underlying the cap. Save approximately \$4,300 in annual laboratory expenses. |
| <u>Frequency</u> - Reduce frequency of PCB monitoring for indoor air and vents from 3 to 2 times per year. | Based on the 29 rounds of indoor air monitoring conducted by TRC and the prior consultant, the remedy implemented for the KMS site has been shown to be protective of potential airborne PCB exposures associated with the capped PCB contamination. Save approximately \$34,000 in annual laboratory expenses. |
| <u>Method</u> - Specify PCB air analysis by the homologue method (EPA Method 680) rather than congeners and Aroclors | This provides reliable total PCB quantification (upon which the site-specific risk-based comparison criteria are based) and the data are comparable to the air data gathered at New Bedford High School (NBHS), improving accuracy and clarity of public communication. |

Summary of Major Revisions

| Description | Rationale/Benefits |
|--|--|
| <p><u>Filter processing</u> - Extract the quartz pre-filter and adsorbent (PUF) together per Method TO-4A, rather than separately as currently required by the original LTMMIP.</p> | <p>Separate analysis of the filter and PUF does not yield useful information about the physical state of the PCBs at the time of sampling due to evaporative losses of the analyte from the filter during sampling (as stated in the laboratory method). Reduces analytical laboratory costs for PCB indoor air monitoring by nearly \$10,200.</p> |
| <p><u>Groundwater</u> - Eliminate the requirement for VOC sampling for KMS groundwater. Limit monitoring to PCBs and metals.</p> | <p>VOCs are not a chemical of concern for KMS groundwater. Saves approximately \$1,000 in annual laboratory expenses (based on the two rounds of sampling currently specified in the LTMMIP).</p> |
| <p><u>Cap inspections</u> - Schedule cap inspections for twice per year (spring and early fall) rather than three.</p> | <p>Performing cap inspections twice per year (spring and late summer/early fall) is consistent with typical EPA landfill cap inspection protocols. The timing of the two inspections allows sufficient time for repairing areas of damaged vegetative growth that would be difficult to accomplish following a November inspection. Saves approximately \$3,000 in consultant labor and expense (assuming no need for follow-up inspections per the LTMMIP).</p> |

Additional Proposed Adjustment

Decrease the frequency of KMS staff training from annually to every other year, particularly since there has not been high staff turnover and there has been no change in the remedy. The City proposes the following:

- ❖ Conduct routine training every other year for current School Department staff.
- ❖ Continue the requirement to provide training within 30 days of hire date for new hires or maintenance/grounds keeping staff transferred to KMS from other schools.
- ❖ In the year without training, issue a memorandum to staff (fact sheet or key points) as a reminder of important items.

Update for New Bedford High School

- Polychlorinated Biphenyls (PCBs) Indoor Remediation
- Soil Remediation for NBHS Campus
- Groundwater (Mechanical Room)

NBHS 2011 PCB Interior Remediation Synopsis

❑ Wall Paint –

- *Deed restriction being filed for A-213-4 to document PCBs over 1 part per million in remaining paint covered by two layers of contrasting-color epoxy paint and a false sheetrock wall*

❑ Auditorium Seats –

- *Remedial approach and status:*
 - *Remove and dispose of foam (completed), refurbish seats (in process/punch list phase).*

❑ Fluorescent Light Fixtures –

- *Remedial approach completed.*

PCBs in Indoor Air

- ❑ *City task force repaired and calibrated ventilation system in room A-203-2 (closed since April 2011 indoor air sampling).*
- ❑ *Follow-up air sampling for A-203-2 conducted April vacation (2012)*
 - ❑ *Results in validation, but PCB levels appear to remain elevated*
 - ❑ *Further assessment being evaluated for this room and A-315-1 and A-110-1.*

Univent Dust – January 2012

☐ White dust

- Observed near certain unit ventilators (univents) in some B-Block classrooms.
- Prevalent in third floor univents with heating & cooling capabilities.
- Also observed to lesser degrees in 2nd and 1st floor units.

☐ Microscopy analysis

- *Primarily aluminum oxide (85-percent)*
- *Balance is rust and typically household dust materials.*

☐ Corrosion mechanisms

☐ Additional filters installed, further work being evaluated

NBHS Campus Soil Remediation 2011

❑ Soil Excavation

- *Approximately 8,000 cubic yards removed since February 2011.*
- *Additional soil volume remains to be excavated (see below).*
- *Total remaining volume dependent on final design, which is still being evaluated.*



❑ Paving/Other

- *Expanded paving/exposure barriers to prevent direct contact with impacted soil.*

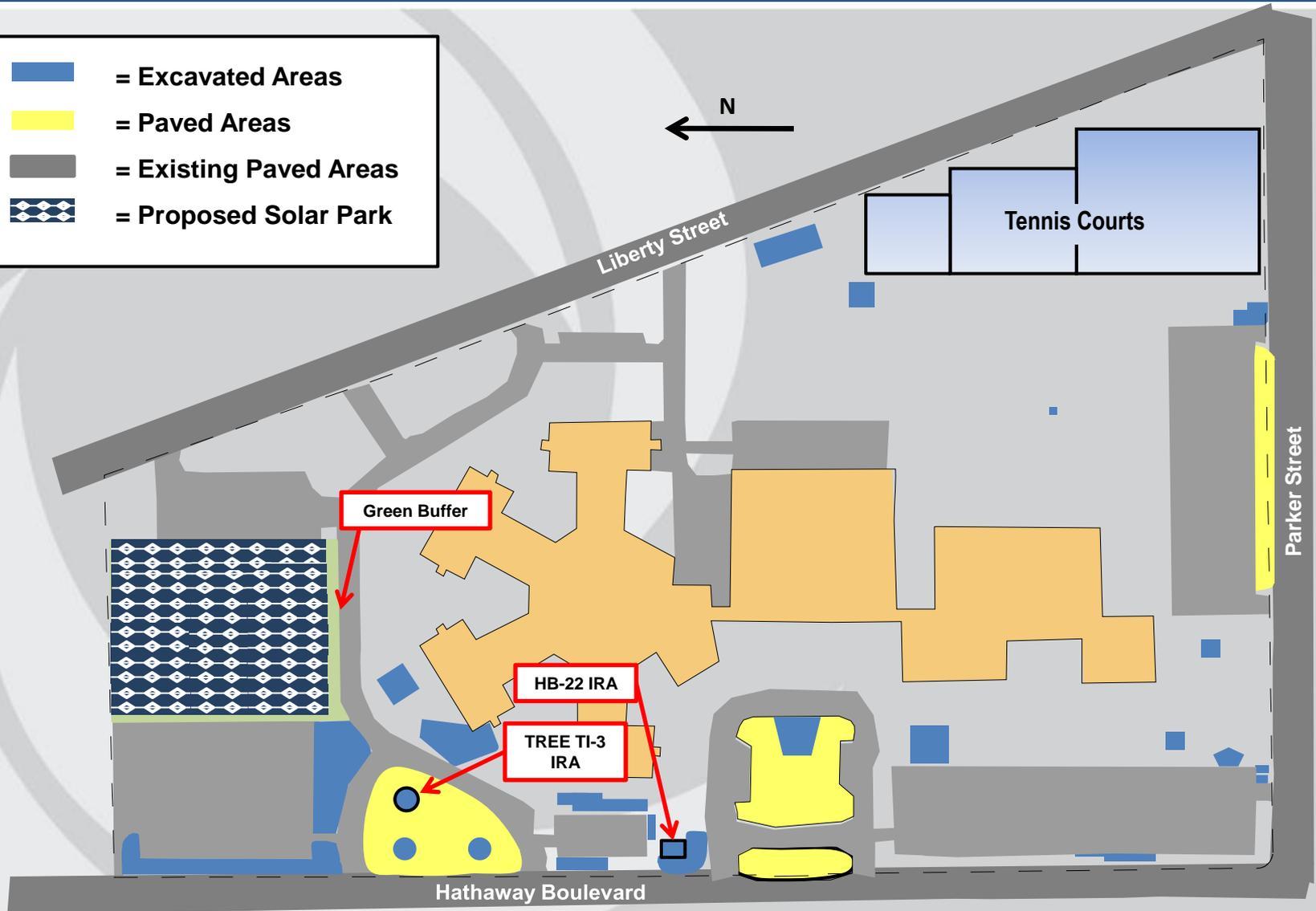


❑ Pending

- *Solar power development north of school building (between the north parking lots).*

NBHS Campus Soil Remediation

-  = Excavated Areas
-  = Paved Areas
-  = Existing Paved Areas
-  = Proposed Solar Park



Soil Related Immediate Response Action (IRA)

- Follow-up PCB soil sampling at one tree-related excavation.
 - TREE-TI 3 location

- Reported to MassDEP and gained approval for:
 - Further evaluation
 - Excavate, remove and/or cover

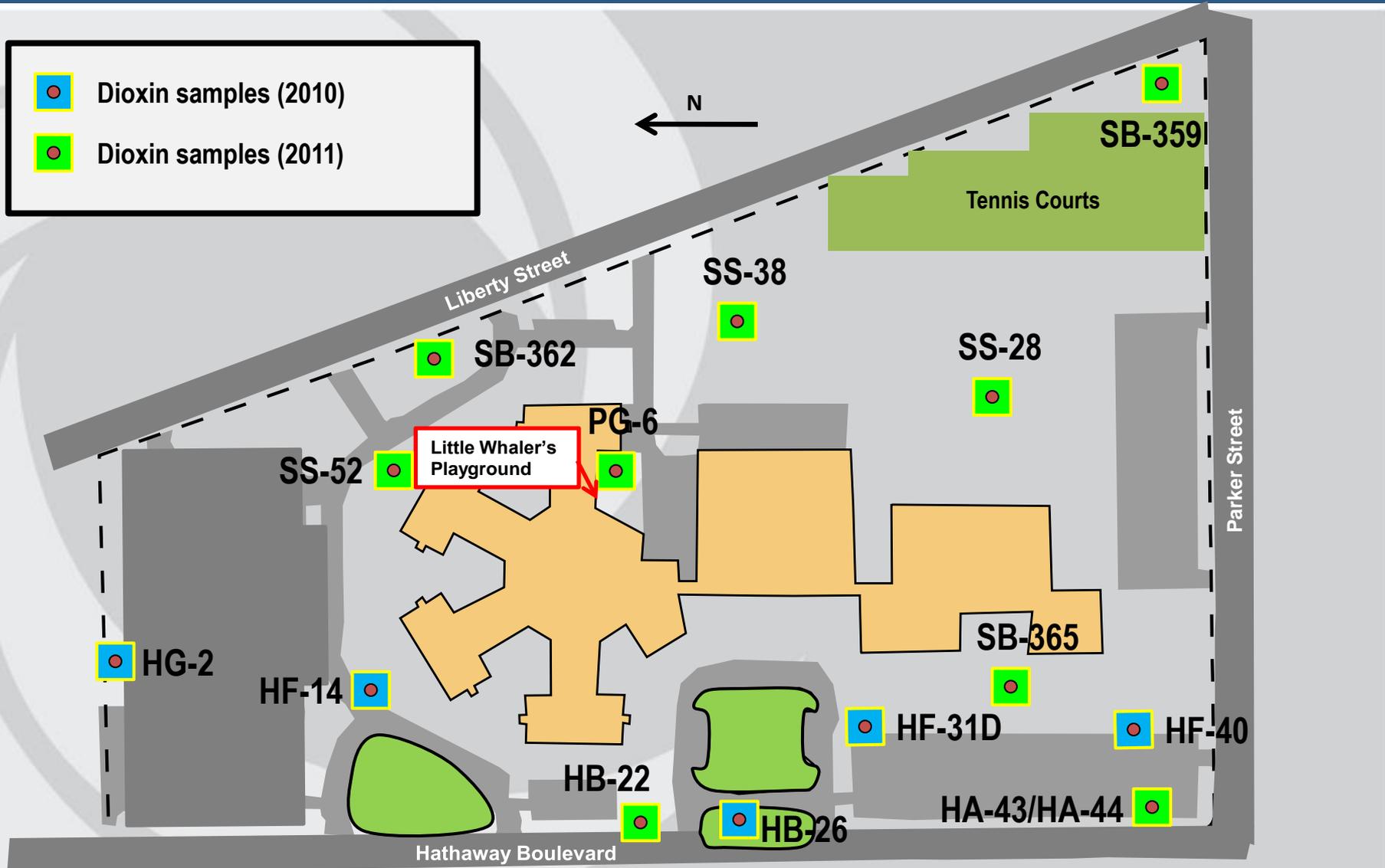
- Further evaluation showed No Significant Risk.

- Completion report submitted to MassDEP in November 2011

Follow-up excavation to June 2011 NBHS Dioxin Soil Sampling (HB-22 Immediate Response Action)

- ❑ **Sampled soil for polychlorinated dibenzo-p-dioxins (dioxins), polychlorinated dibenzofurans (furans) and dioxin-like polychlorinated biphenyls (PCBs).**
- ❑ **Fifteen out of eighteen samples below Method 1 S-1 soil standards and below MassDEP background.**
- ❑ **Condition of No Significant Risk for top foot of soil.**
- ❑ **Sample location HB-22 excavated in December 2011**

NBHS Approximate Dioxin Soil Sampling Locations



Mechanical Room

Immediate Response Action (IRA) Update

- ❑ Chlorinated Volatile Organic Compound (VOC) and PCBs in separate phase liquid detected in groundwater under Mechanical Room.
 - Remedy underway via Modified IRA Plans (January 2011 and February 2012).

- ❑ Currently safe to occupy NBHS and the surrounding campus.
 - No Significant Risk to the health of building occupants associated with the IRA condition.

- ❑ Potential exposure evaluation
 - No direct contact risk and no vapor intrusion impact to regularly occupied spaces.

Mechanical Room

Immediate Response Action (IRA) Update

- ❑ *Groundwater Pump and Treat System Installation – Migration Mitigation (February vacation and March 2012).*
 - *Showing effective hydraulic control based on initial measurements*

- ❑ *Performed follow-up sub-slab investigation in the Mechanical Room*
 - *April vacation 2012*

- ❑ *Ongoing Coordination with MassDEP and EPA on Final Remedy.*

General Q&A

City Yard

- Q. Why hasn't the City put a timeline on remediation of all City-owned properties at the Parker Street Waste Site, including the City Yard? When is the City Yard going to be tested? For the past 3 years, we as a community have been told it will be addressed. Please provide all data collected from the City Yard to date.**
- A. The City has worked with MassDEP to establish deadlines for “next steps” at each area of the Parker Street Waste Site where a Response Action Outcome has not been submitted based on information that is currently available.**

The City does not currently believe that the City Yard is part of the Parker Street Waste Site. The City understands its responsibility to demonstrate to MassDEP whether it is or is not appropriate to include the City Yard within the Parker Street Waste Site boundaries before RTN 4-15685 can be closed.

Massachusetts Department of Public Health

Q. Has the City been in contact with the State Health Department as to its own admission of its submitted deficient health assessment? If so what is the action plan for filling in the missing data or rectifying the errors in the submitted report?

A. The City is not aware of any admission by MDPH that the health assessments issued for the Parker Street Waste Site Neighborhood and New Bedford High School were “deficient.” The City provided comments on MDPH’s health assessment for NBHS in November 2011. MDPH is in the process of responding to the public comments that they received, and hopes to finalize its reports by early summer 2012.

Thank You for Coming.

**Next meeting tentatively
scheduled for July 2012.**