

**CITY OF NEW BEDFORD**

SCOTT W. LANG, MAYOR

Response to comments received on the
RELEASE ABATEMENT MEASURE (RAM) PLAN: SOIL REMOVAL AT SAMPLE
LOCATION HF-31, NEW BEDFORD HIGH SCHOOL

The following are comments (shown in italics) which were received by the City on the RAM Plan for soil removal at sample location HF-31 on the New Bedford High School campus. The City's response follows each comment.

1) *The Release Abatement Measure (RAM) plan proposes confirmatory sampling for the small area of soil regulated as polychlorinated biphenyl (PCB) remediation waste; however, no confirmation samples are proposed for the soil excavated to comply with Massachusetts Contingency Plan (MCP) risk reduction goals. To be protective, to ensure MCP risk reduction goals are met, and to characterize what is left behind, confirmatory soil samples from the floor and side walls of the excavation are recommended.*

As discussed on pages 3-2 and 3-5 of the RAM plan, the boundaries of the area of soil to be excavated to comply with MCP risk reduction goals were determined through MCP risk assessment calculations, and the associated boundaries of the excavation determined in advance with pre-excavation documentary sampling. The calculations were based on results from delineation samples collected by TRC from July 2008 through August 2009. The delineation samples have resulted in an excavation area that will be protective of human health and ensure that MCP risk reduction goals are met. A condition of No Significant Risk will be achieved for this area following excavation; further characterization will not be required. This approach is consistent with excavations performed at other portions of the Parker Street Waste Site with the approval of the Massachusetts Department of Environmental Protection. The approach allows the excavation and backfilling to proceed quickly, with a clearly defined scope that facilitates planning and coordination, and has the excavation open for the minimum amount of time required.

2) *While the RAM plan includes dust suppression and decontamination to mitigate exposure to site contaminants during remedial activities, the planned excavation activities require the use of heavy equipment, including large trucks entering and leaving the site, which could pose a physical hazard to students and school staff on campus. Traffic safety measures should be put in place to ensure the safety of students and staff as well as neighboring residents. Traffic safety measures could include using traffic cones, caution tape, and crossing guards.*

The City agrees that the safety of people using the school's campus and neighboring residents is a top priority. To minimize potential safety hazards, the City intends to conduct this work during a time when school is not in session (i.e. during a school vacation or over a weekend). A discussion of traffic safety measures will be included in our contractors' health and safety plans rather than the RAM Plan.

3) *The Massachusetts Department of Public Health (MDPH) recommends that a provision be included in the RAM to ensure compliance with the state idling reduction regulation to reduce health and environmental effects of vehicle exhaust. Massachusetts General Law (MGL Chapter 90, Section 16A) and the Massachusetts Department of Environmental Protection (DEP) idling reduction regulation (310 CMR 7.11(1)(b)) both prohibit unnecessary vehicle idling by stating that the engine must be shut down if the vehicle will be stopped for more than five minutes.*

The City appreciates this recommendation to support the state's idling reduction regulation. This provision will be added to the vendor's contract.

4) *The RAM plan proposes securing the work area with temporary chain link fencing to prevent access by non-essential personnel. The chain link fence should enclose not only the excavation area itself, but also any areas of soil that may be disturbed by heavy equipment. Fencing must prevent students, staff, and community members from coming into direct contact with disturbed soil.*

The top foot of soil across the campus has been shown to pose No Significant Risk, so incidental disturbance of the top foot does not pose an issue. In addition, as noted below, the RAM Plan calls for "live loading" and removal of the impacted soils from the HF-31 location. The intent of the fencing is to provide security around the excavation itself and the related remedial work activities. The area of "disturbance" will be within the fenced area as a matter of course.

5) *On page 4-3, the RAM plan indicates that if excavated soil needs to be held prior to disposal, that the soil will be stored at an alternative city-owned property. However, page 3-1 of the Soil Management Plan in Appendix C states that soil may be stored either on-site or at an alternative city-owned location. MDPH recommends that should soil need to be stored prior to disposal that it be stored at an alternative city-owned property and not on school property.*

It is the City's intention that the impacted soil be removed from the site, whether for ultimate disposal or for temporary storage prior to the ultimate disposal of the soil, as noted in the RAM plan. The Soil Management Plan is a general document that can be applied site wide. The language in the RAM Plan takes precedence.