



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

Response to comments received on the
*Special Project Designation Permit Extension and Modification Application for the
Parker Street Waste Site*

The following comments shown in bold were received by the City on the *Special Project Designation Permit Extension and Modification Application* during the public comment period from December 2-22, 2011. The City's response follows each comment.

1. I am not for or against the Special Project Designation provided that:

- a. A compliance schedule be established that sets enforceable deadlines for the investigation and cleanup of the entire Parker Street Waste Site; and**

The City included a proposed work schedule for the Parker Street Waste Site with its annual Special Project Status report, which was submitted to the Massachusetts Department of Environmental Protection (MassDEP) in August 2011. The City will submit a new schedule as part of the *Special Project Designation Permit Extension and Modification Application*. The City will continue to work closely with MassDEP to identify realistic deadlines for project milestones. Note that some deadlines may need to be adjusted based on circumstances beyond the City's control (for example, requests to extend public comment periods); these adjustments will be made in coordination with MassDEP.

- b. A formal, written Public Involvement Plan be developed in conformance with the Massachusetts Contingency Plan and adhered to.**

The City will commit to formalizing a written *Public Involvement Plan*. A timeframe for developing the draft *Public Involvement Plan*, which will be subject to public comment, will be included on the project work schedule.

- 2. Throughout the extension request, the City of New Bedford makes reference to negotiations for access to "privately owned properties". Please provide clarification on this point as, to date, the City has focused its efforts on City owned property and has been resistant to investigate and address contamination on non-City owned properties.**

In the *Approval for Risk-Based PCB Cleanup and Disposal under 40 CFR §761.61(c)* issued to the City by the Environmental Protection Agency (EPA) on August 31, 2005, EPA required the City to investigate privately-owned properties near City-owned properties where polychlorinated biphenyl (PCB) impacts may have come to be located. Accordingly, the City investigated several privately-owned properties from 2005-2008, and is seeking to renew its access to certain properties to complete any necessary remediation activities to achieve a Condition of No Significant Risk. The City is not free to access these properties without such agreements in place, which are handled on a case by case basis.