

Message

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Sent: 5/17/2010 1:36:20 PM
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Subject: FYI- South Coast Today- Toxic Legacy: A long process from approval and construction to remediation

Monsanto is mentioned as one of the responsible parties for the PCB cleanup at New Bedford High School.

[South Coast Today \(MA\)](#)

May 16, 2010

Toxic Legacy: A long process from approval and construction to remediation

By Jack Spillane

On Feb. 12, 2001, the New Bedford School Committee voted to build the new Keith Middle School on the Andre McCoy Soccer Field, setting off a now nine-year long construction and environmental remediation process.

During that time, the estimated cost — 90 percent of which will be paid by the state of Massachusetts — increased from \$42 million to a one-time estimate as high as \$103.6 million (more recently, the city estimates the costs could end up in the low ninety-millions, exclusive of a planned \$4.5 million field house at the site.)

The cost escalation began in 2004 when, during site preparation, the city discovered that PCBs in excess of the EPA's safety's threshold were present on the site.

Neighbors, and "Wasted Away," (the local activist group predecessor to CLEAN) objected vociferously.

"The project needs to be stopped until they get a handle on how much contamination is there and how much it costs to clean it up," said the late Brian Woolley in April of 2005.

In 1979, after determining that the organic compound PCBs probably caused cancer, the EPA banned their further production.

PCBs, because they made good insulators, were once commonly used in the manufacture of electrolytic capacitors in New Bedford, and were dumped at the Parker Street Waste Site.

Heavy metals, PAHs (polycyclic aromatic hydrocarbons) and other semi-volatile organic compounds have also been found at the Parker Street site. They have been indicated in liver and kidney damage, as well as leukemia.

The new middle school was constructed on a once boggy wetland that used to be part of a city landfill, where both household and industrial contamination was dumped.

The New Bedford School Committee, in deciding to build on the McCoy Field site, reversed an earlier vote to build the school on the same site as the former Keith Junior High School, a few blocks up Hathaway Boulevard. As a reason, committee members cited the cost of spending \$3 million to bus students for two years during construction to the old Normandin Junior High School in the North End.

Then Assistant Superintendent Michael E. Longo — who was in charge of the building planning, and who recommended the McCoy site to the committee — said he liked the idea of the high school and middle school adjacent to each other, and the ballfield complexes next to each other.

And former Mayor Frederick M. Kalisz Jr., the chair of the committee, had prided himself on his ability to clean up and redevelop brownfield sites throughout the city.

The School Committee hired an environmental consultant — Beta Group — who said the McCoy site would only cost the city an additional \$5 million of the estimated \$42 million cost.

By August of the same year (2001), the environmental costs had already jumped to \$8 million. (It's now at more than \$12 million with expensive testing and possible remediation work yet to come.)

By the time the city broke ground for the school in 2004, the new middle school site was found to be so contaminated with PCBs that federal safety thresholds were triggered and the EPA became involved in the project.

In August 2005, the EPA approved the city's plan to go forward with Keith construction. However, it required the city to comply with a list of conditions that conformed with the federal Toxic Substances Control Act (TSCA).

"EPA has reached a preliminary determination that the city's proposed plan to address PCB contamination at the site is acceptable, and that there will be no unreasonable risk to site users when the cleanup is completed," said a June 2005 draft approval of the cleanup plan.

The city ended up excavating highly-contaminated soil (1,200 tons) from the Keith site, and respreading, under a cap, 60,000 tons of contaminated soil that was below safety thresholds.

A venting system for the new middle school was constructed.

The EPA also required the city to take responsibility for testing and devising a cleanup plan for the rest of the 104-acre site on which the Parker Street dump was once located.

That site includes the high school; its adjacent ballfields; a state skating rink; both private and public residential properties and several commercial properties.

At the time the EPA gave the city permission to build the middle school, New Bedford had already spent some \$2.8 million in planning and cleaning costs. It had taken out an additional \$18 million in bonds for actual construction and further cleanup.

Mayor Kalisz's continuation of the project as it grew more expensive was an issue in his unsuccessful 2005 re-election campaign against now incumbent Mayor Scott Lang.

Lang, and other mayoral challengers during that campaign, backed a demand by Wasted Away that the whole site be rid of the remaining PCB-contaminated soil at an additional cost of \$24 million.

The year after the middle school opened in December, 2006, the city began planning for the cleanup and remediation of the rest of the property.

Over the past three years, those testing, cleanup and remediation plans have included extensive work at the new McCoy Field, Walsh Field and New Bedford High School campus.

After an extensive testing plan is completed this spring and summer, the city, state and federal governments hope to better define the boundaries of the old dump, which long ago became thickly developed. It then hopes to conduct and further cleanup and remediation necessary at the end of the summer and into the fall.

Various portions of the site, including the air quality at the new middle school and the condition of its cap will have to be monitored for the foreseeable future. Other areas that may have to be monitored include the wetlands behind the middle school, the air quality at the 38-year-old high school, and the water table below the high school.

THE RESPONSIBLE PARTIES

In addition to the middle school, the 104-acre site also includes New Bedford High School (opened in 1972); the high school baseball, soccer and football fields; the new McCoy Field and planned field house; single family and housing development residential properties; several private businesses and a state (Hetland) ice skating rink.

In recent months — in the wake of lawsuits lodged against New Bedford by residential abutters to the property — the city is testing only properties it owns; the EPA is testing the residential properties that the city is involved with litigation; and the federal agency is also testing, on behalf of the state, the state (Hetland) skating rink.

Though the city of New Bedford has developed the cleanup and remediation plans for the Parker Street Waste Site, the work has become, in many respects, a joint effort by the city, the state Department of Environmental Protection and the Environmental Protection Agency.

All of the city's plans have been developed in cooperation with the DEP and EPA, and have been approved by both agencies.

The DEP is involved because building a new middle school on a PCB-impacted site triggered the state regulations known as the Massachusetts Contingency Plan (MCP). The EPA is involved because, during site preparation, the new middle school site was found to contain PCBs in excess of the federal thresholds of the Toxics Substances Control Act.

The EPA is also involved because local activists like John "Buddy" Andrade, the Rev. Curtis Dias and CLEAN (Citizens Leading Environmental Activist Network) have pitched the site — which is partially surrounded by low-income housing — as an "environmental justice" issue to EPA administrator Lisa Jackson.

Jackson personally visited New Bedford last year and has also met with Andrade in Washington.

Environmental justice is a philosophy that working class neighborhoods are more heavily impacted by environmental contamination and deserve to be compensated for that impact.

The DEP has named the city "a responsibly party," for the cleanup and more recently named Cornell-Dubilier Electronics Corp of Liberty, S.C. as a second responsible party.

The city is itself suing several businesses (including Cornell-Dubilier, **Monsanto** and AVX — the successor of Aerovox) for responsibility for the cleanup.

Area residential property owners, and the parties who sold the current owners their properties, also have potential cleanup/remediation responsibilities according to federal and state environmental law. Several private residential property owners have sued the city, asking to be either compensated for their property or to have it better remediated.

A PRIVATIZED SYSTEM

Most frequently, environmental cleanups in Massachusetts are done through a privatized system, said David Johnston, DEP's regional administrator.

In the privatized system, scientific consultants called "licensed site professionals" oversee the cleanups while following state regulations.

"They make submittals to Mass DEP for our concurrence and review," said Johnston.

But for the Parker Street site, the state has been involved in reviewing every cleanup action, not waiting until the end of the process, said Johnston.

"We're actually involved, more or less, every step of the way" he said.

The reason for higher state involvement is complexity, he said.

"It's a very complicated site. There's a lot of different potential exposures, pathways. There are different land uses on the site."

If there's a release of oil or hazardous material, the party responsible for the cleanup — so far the city of New Bedford — is required to notify the state.

When the city notifies the state, they've often found different levels of risk at the complex site, Johnston said. And different problems that need to be addressed on different time frames.

For instance, if the hazardous material meets the "imminent hazard" standard, it must be addressed in one manner — an "Immediate Response Action." But if the material is not an imminent hazard, it can be addressed in other ways.

A cleanup/remediation method called "Release Abatement Measure" has been used in New Bedford in some non-imminent hazard situations.

A RAM reduces risks "and/or increases the cost effectiveness of response actions."

The RAM allows individuals or entities to "stabilize, treat, control, minimize or eliminate hazardous release until what the state calls a 'Response Action Outcome'" is achieved, the city's Environmental Stewardship office said.

A Response Action Outcome, or RAO, generally means that a cleanup has reached a level where there is "no significant risk."

A Release Abatement Measure typically involves soil removal but it can also be comprised of other remedial approaches, including capping, the installation of an asphalt barrier; the injection of chemical or stimulating of microbial compounds, or even fencing.

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