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EPA secures funding for New Bedford Harbor cleanup

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New Bedford, MA The U.S. Environmental Protection Agency's (EPA) deputy administrator, Janet McCabe was joined near the banks of New Bedford Harbor by federal, state and local officials to say that EPA's decades-long work to address PCB contamination in harbor sediments is now on track to be completed in about three years thanks to a major commitment from the Biden Administration to allocate \$72.7 million from the Bipartisan Infrastructure Law (BIL). Also, EPA and the Commonwealth of Massachusetts announced a settlement with Cornell Dubilier Electronics, Inc., a South Carolina-based capacitor company with a facility in the city, which will provide an additional \$3.6 million for the completion of shoreline remediation of the harbor and \$400,000 to the Commonwealth toward the costs of operating and maintaining the Superfund remedy.

"I am thrilled to announce that thanks to vital funding from the Bipartisan Infrastructure Law and the steadfast commitment of our enforcement attorneys, state counterparts, and community partners, EPA now has the resources to complete the job of addressing hazardous pollution that has contaminated New Bedford Harbor for decades," said McCabe. "EPA and the Biden-Harris Administration have prioritized protecting public health and addressing environmental impacts in communities who have historically been left out of the conversation and overburdened by dangerous pollution. I am proud of this collaborative effort and the progress that we have made."

The New Bedford Harbor site is one of thousands of contaminated sites nationally that have been given Superfund status due to the nature and extent of hazardous wastes at the site, and the cost and logistics associated with cleaning them. Superfund sites can include former manufacturing facilities, industrial locations, processing plants, landfills and mining sites. The \$72.7 million allocation for the New Bedford Harbor Superfund Site is part of a \$1 billion "first wave" of funding from \$3.5 billion in the Bipartisan Infrastructure Law to help cleanup polluted Superfund sites in communities across the country.

The historic Bipartisan Infrastructure Law (BIL) is making a huge difference in EPA's efforts to protect human health and the environment. Thanks to funding authorized in BIL, over the next five years EPA will be putting \$60 billion into improving the health, equity, and resilience of communities in every corner of the country. Areas that BIL will make a dramatic difference include improving drinking water, wastewater, and stormwater infrastructure, removing lead service lines, and protecting communities from emerging contaminants like PFAS. BIL will invest a historic \$5.4 billion to clean up legacy pollution at Superfund and brownfields sites, helping to restore the economic vitality of communities. Finally, BIL is helping U.S. communities to make a \$5 billion investment in electric and low-emission school buses and healthier air for children.

EPA has made significant progress removing and addressing PCB contamination in New Bedford Harbor since 2012, when the U.S. Government and the Commonwealth of Massachusetts reached a \$366 million settlement with AVX Corp. However, by 2022 those funds were mostly depleted with work remaining to complete shoreline remediation efforts. The total cost for the harbor PCB cleanup, including agency indirect costs, is approximately \$1 billion. Approximately half of that amount has been funded by the federal and state governments' cost recovery efforts.

"Nearly 40 years ago EPA began a generational, transformational cleanup commitment to remove and address PCB pollution in New Bedford Harbor and surrounding areas. Because of the funding announced today, we can now foresee the end of this lengthy chapter of cleanup work. We can also clearly see the future for New Bedford as a vital coastal community coming into focus, maintaining its vibrant fishing industry while also pivoting to servicing the offshore clean energy economy of the 21st Century and growing much needed jobs in the community. This is a fantastic outcome for a community that has shouldered a disproportionate burden of pollution," said EPA New England regional administrator David Cash.

"Thanks to historic levels of funding passed by Congress, the Biden administration is providing the resources that New Bedford needs to get toxic pollution out of its harbor once and for all," said senator Edward Markey, a member of the Senate Committee on Environment and Public Works. "Communities like New Bedford have had to live alongside corporate pollution for too long, and I applaud the EPA for investing in efforts to address this injustice. We have a clear roadmap to a healthy future: clean up existing pollution, get polluters to pay for it, and prevent new pollution from being released into our neighborhoods."

"This historic federal funding to complete the cleanup of the New Bedford Harbor Superfund Site is wonderful news and a testament to the decades long partnership among all levels of government and the community," said senator Elizabeth Warren. "For far too long, New Bedford has faced the burden of pollution and its detrimental consequences on public health and the environment. Now, we are a significant step closer to righting these wrongs, and I'll keep fighting to secure investments like this that tackle environmental justice and spur economic opportunity."

"The cleanup of New Bedford Harbor has been a great success and this funding from the Infrastructure Bill will take the cleanup into its final stages," said congressman Bill Keating. "The EPA has done a tremendous job at this site. While it's been a long road, the end is in sight and our community will be the better for it."

"For decades, the PCB contamination of New Bedford Harbor has been an environmental blight on our region and a barrier to investment in the Port of New Bedford. The acceleration of the cleanup will pave the way for more maritime investment and jobs in the Port, and open up recreational opportunities for our residents, especially in the Near North End. We are grateful for the Biden Administration's commitment to get this project over the goal line, which will improve the City's quality of life for generations to come," said city of New Bedford mayor Jon Mitchell.

“Fairhaven has been impacted by the superfund cleanup efforts and we are very grateful to the Biden-Harris Administration, the EPA, the Baker-Polito Administration and the delegation that made this tremendous award possible. This news will be very well received by tens of thousands who live in proximity to the site, use the waters for recreation and depend on the harbor for their livelihood,” said Bob Espindola, town of Fairhaven select board member.

EPA and the Commonwealth of Massachusetts announced today a settlement with Cornell Dubilier Electronics, Inc., which has agreed to pay a total of \$4 million which will help fund the cleanup of PCB contamination at the New Bedford Harbor Superfund site. The U.S. Department of Justice on behalf of EPA lodged this and a related settlement agreement in U.S. Federal District Courts. Of the \$4 million of settlement funds designated for New Bedford Harbor, \$400,000 will go to the Commonwealth of Massachusetts for the operation and maintenance of the Harbor Superfund remedy. The remaining \$3.6 million will be applied to the remaining shoreline cleanup work being conducted with the aid of BIL funding announced today. The settlements are subject to a 60-day public comment period.

The settlement with Cornell Dubilier Electronics underscores efforts by EPA and Commonwealth of Massachusetts enforcement attorneys over time to establish liability for legacy pollution resulting in sites across the country requiring complex and costly cleanup efforts. EPA’s and the Commonwealth’s adherence to the “polluter pays” principle has resulted in about \$500 million from settlements that have contributed to the New Bedford Harbor cleanup since it began in 1983. These efforts from EPA and Commonwealth legal staff ensure that taxpayers are not burdened with the entire cost of cleaning up industrial pollution.

The 18,000-acre New Bedford site, added to the National Priorities List (NPL) in 1983, is an urban tidal estuary with sediments which were highly contaminated with polychlorinated biphenyls (PCBs) and heavy metals until EPA remediated the Harbor. At least two manufacturers in the area used PCBs while producing electric devices from the 1940s to the late 1970s. These facilities discharged industrial wastes containing PCBs directly into the harbor and indirectly through the city sewer system. This stopped when the manufacture of PCBs was banned by EPA in the late 1970s. As a result, the harbor was contaminated with PCBs in varying degrees for at least 6 miles from the upper Acushnet River into Buzzards Bay.

In 1980, the Comprehensive Environmental Response, Compensation and Liability Act, known as Superfund, was passed. The important law gave EPA the authority and funds to hold polluters accountable for cleaning up the most contaminated sites across the country. When no viable responsible party is found or cannot afford the cleanup, funds appropriated by Congress are used. A tax on chemical and petroleum industries provided funds to the Superfund Trust fund for Superfund cleanups up until 1995. The Bipartisan Infrastructure Law reinstates the chemical excise taxes and invests an additional \$3.5 billion in environmental remediation at Superfund sites, making it one of the largest investments in American history to address the legacy pollution that harms human health and the environment of communities and neighborhoods.

The Bipartisan Infrastructure Law is a once-in-a-generation investment that will create millions of

jobs modernizing our infrastructure, turn the climate crisis into an opportunity, and put us on a path to win the economic competition for the 21st century.

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