



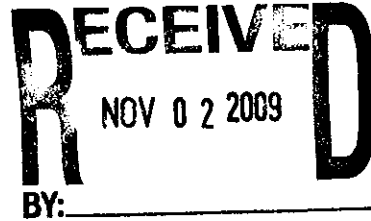
COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

DEVAL L. PATRICK
Governor

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Secretary

LAURIE BURT
Commissioner



October 30, 2009

Scott Alfonse, Director
Office of Environmental Stewardship
City of New Bedford – City Hall
133 William Street
New Bedford, Massachusetts 02740

RE: **NEW BEDFORD**
Release Tracking Number: 4-15685
Parker Street Waste Site - Walsh Field
**CONDITIONAL APPROVAL TO
CONDUCT A RELEASE ABATEMENT
MEASURE**

Dear Mr. Alfonse:

On October 7, 2009, the Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP), received a Release Abatement Measure Plan (the RAM Plan) related to the Parker Street Waste Site (the Site) submitted in accordance with 310 CMR 40.0000, the Massachusetts Contingency Plan (the MCP). The RAM Plan, prepared on behalf of the City of New Bedford (the City) by TRC Companies, Inc, detailed activities related to contaminated soil removal at the Walsh Field portion of the Site. Activities to be conducted, as described in the RAM Plan, include, but are not limited to: excavation of approximately 2283 tons of soil from eleven discreet areas of the Walsh Field athletic complex; temporary on-Site soil stockpiling and stockpile management; as-needed soil stabilization; off-Site transport and disposal of the excavated soils and backfilling of the excavated areas with fill that has been documented to be free of the presence of regulated contaminants. Air monitoring will be conducted during soil excavation and during soil stabilization if necessary to evaluate ambient conditions and minimize potential exposures to workers and nearby receptors. These components are more fully described in the RAM Plan.

MassDEP acknowledges that the City has posted public notices in the New Bedford Standard Times, O Jornal and El Latino Expresso announcing the RAM and announcing that, concurrent with the implementation of the work, the City will accept and consider written comments related to the RAM. The City will also prepare a summary of, and responses to,

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057, TDD# 866-539-7622 or 617-574-6868.

DEP on the World Wide Web: <http://www.mass.gov/dep>

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written comments received, and will incorporate any substantial and relevant comments into the response actions being conducted.

Pursuant to 310 CMR 40.0443(2), MassDEP hereby provides conditional approval to the City of New Bedford to implement the RAM as detailed in the above referenced submittal, and in accordance with the conditions described herein.

1. The City, or its contractor, shall provide MassDEP a minimum of seventy-two hours notice prior to commencing field work associated with the RAM Plan. When providing such notice, please provide the name and contact cellular phone number of the person responsible for project management and oversight at the Site;
2. As described in the RAM Plan, excavated soils will be stored in a designated temporary on-Site stockpile area pending characterization for off-Site disposal. The soil will be stockpiled on a minimum of 6-mm polyethylene sheeting and will be covered each day with the same. The cover is to be overlapped and weighted to form a continuous waterproof barrier over the excavated soils. Hay bales and/or silt fencing will be placed around the perimeter of the stockpile. The soil stockpile area should be inspected and managed daily to ensure that runoff of excavated material is not occurring and to ensure that fugitive dust generation is limited.
3. As described in the RAM Plan, the perimeter fence surrounding Walsh Field is to be utilized to limit unauthorized entry into the Site. In addition, the soil stockpile area should be segregated from the remainder of the Walsh Field athletic complex by erecting snow fencing or other temporary fencing to prevent access to the soil stockpile area. Finally, work hours are to be limited to ensure that students and visitors to the Walsh Field athletic complex are not present during any excavation, transport or soil stabilization (if necessary) activities.

Please be advised that, pursuant to 310 CMR 40.0445(1), a RAM Status Report must be submitted to MassDEP within one hundred and twenty (120) days from the date of MassDEP's receipt of the RAM Plan, and every six (6) months thereafter until a RAM Completion Report, prepared in full accordance with 310 CMR 40.0446 is submitted.

CLARIFICATION

The RAM Plan states, "when the RAM actions have been completed and a Condition of No Significant Risk has been achieved for soils, an AUL will need to be placed on the property to control certain Site uses and activities" and, "The proposed work to be performed under this RAM serve to expedite the reduction of current and future risks at the Site and achieve a Condition of No Significant Risk." MassDEP acknowledges that the City's goal in conducting the RAM is to achieve, on average, the MCP Category S-1 Cleanup Standards in the top three feet of soil at Walsh Field, thereby achieving a Condition of No Significant Risk for the current use of the Walsh Field portion of the Site. As a point of clarification, in addition to the excavation described in the RAM Plan, if no further remedial actions are taken at the Walsh

Field portion of the Site, an Activity and Use Limitation (AUL) will be required to achieve a Condition of No Significant Risk for the future use and activities at the Walsh Field portion of the Site.

All inquiries regarding this matter should be directed to Molly Cote at the letterhead address or by calling (508) 946-2792. All future communication regarding this matter must reference Release Tracking Number: **4-15685**.

Sincerely,



Leonard J. Pinaud, Chief
State & Federal Site Management Section
Bureau of Waste Site Cleanup

P/MC/re

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cc: MassDEP-SERO-Data Entry
David Johnston, Acting Regional Director
Millie Garcia-Serrano, Deputy Regional Director
Scott W. Lang, Mayor - City of New Bedford
City of New Bedford - Health Department
Eddie Johnson, President - C.L.E.A.N.
Kim Tisa, USEPA Region 1
David Sullivan, LSP - TRC