



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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April 15, 2011

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: 4-0015685
Parker Street Waste Site
New Bedford High School
**CONDITIONAL APPROVAL TO CONDUCT A
RELEASE ABATEMENT MEASURE**

Dear Mr. Alfonse:

On April 6, 2011, the Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP), received a Release Abatement Measure Plan (the RAM Plan) for the Parker Street Waste Site (Site), Release Tracking Number 4-0015685. The RAM Plan was submitted in accordance with 310 CMR 40.0000, the Massachusetts Contingency Plan (the MCP), and was prepared on behalf of the City of New Bedford (the City) by TRC Companies, Inc. (TRC). The RAM Plan proposes the following response actions on the New Bedford High School (NBHS) Campus:

- ◆ Excavation of approximately 4,860 cubic yards of impacted soil from the top three feet in landscaped areas of the NBHS Campus;
- ◆ Excavation and grading to support the expansion of paved areas;
- ◆ On-Site crushing of asphalt and concrete materials generated from the removal of existing surfaces and reuse of the crushed material as construction material;
- ◆ Transportation of approximately 2,095 cubic yards of excavated soil to the City of New Bedford Transfer Station located at 1103 Shawmut Avenue for temporary stockpiling;
- ◆ Temporary storage of the excavated soil either in a stockpile placed on a minimum of 6-mil polyethylene or in lined and covered roll off containers. Stockpiles will be covered at the end of each work day with a minimum 6-mil polyethylene. The stockpile area will be secured by a temporary fence;
- ◆ Transportation and off-Site disposal of the excavated soil at appropriately licensed facilities;

- ◆ Excavation areas will be backfilled with documented suitable fill material and topsoil, and then seeded.
- ◆ Air monitoring and dust suppression measures will be implemented whenever potentially impacted soils will be disturbed or moved, as described in the RAM Plan.

MassDEP acknowledges that the City posted public notices of the availability of a draft version of the RAM Plan and held a public comment period on the Draft RAM Plan from February 11, 2011 through March 12, 2011. In addition, the City hosted a Public Involvement Plan (PIP) meeting on March 2, 2011, in part, to present the RAM Plan details and to solicit comments from the public on the RAM Plan. The City prepared and distributed a summary of comments received and responses to the comments. On April 5, 2011, the City posted notice that the response summary document was prepared and available for public viewing, along with the RAM Plan on the City's website at: <http://www.newbedford-ma.gov/McCoy/sitemap/nbhs.html> under the section titled "Campus Soil Removals."

Pursuant to 310 CMR 40.0443(2), MassDEP hereby provides conditional approval to the City to implement the RAM as detailed in the above referenced submittals, 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. Because the work proposed is anticipated to occur periodically over an extended duration from April 2011 through late August/September 2011, this notice is to be provided to MassDEP each time the City, and/or its contractors, mobilize to the NBHS Campus to conduct 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. MassDEP acknowledges that it has received the notice required by this condition for the work scheduled to occur between April 16, 2011 and April 23, 2011.
2. Soils should be removed from the NBHS Campus on the same day that they are excavated. As allowed by 310 CMR 40.0034(4), and as described in the RAM Plan, soil can be temporarily stored at the City-owned transfer station on Shawmut Avenue provided the following occurs:
 - a) The soil is stored/stockpiled at the temporary location and covered in a manner that will ensure that rainwater or other precipitation does not infiltrate the stockpile/storage container; and,
 - b) The storage area is secured and locked at the end of each work day.
3. As described in the RAM Plan, each excavation area is to be backfilled on the same day that it is excavated. Should conditions arise that require leaving any excavation are open (or partially backfilled) at the end of the work day, the excavation should be both covered with steel plates and a secured with a temporary chain link fence (as described in Section 4.2.1) to prevent unauthorized access to the excavation, or exposure to impacted soils.
4. As presented in Section 5.3 of the RAM Plan, some groundwater dewatering will be required related to the installation of storm water utilities to accommodate additional runoff from increasing paved surfaces at the northern end of the NBHS Campus, and will be addressed in a separate Utility Related Abatement Measure (URAM) Plan. Please note that, pursuant to 310 CMR 40.0461(3),

URAMs are not allowed to be conducted at sites where a "2 hour" or a "72 hour" release or threat of release has been reported until such time as an Immediate Response Action (IRA) Completion Statement has been submitted to MassDEP. On January 29, 2010, MassDEP was notified of a 72 hour release/threat of release related to the New Bedford High School property. MassDEP assigned RTN 4-22409 to that release/threat of release. Since that time, the City has been conducting IRAs to address that release/threat of release. To date, an IRA Completion Statement has not been submitted to MassDEP for RTN 4-22409, which has been linked to RTN 4-125685. Therefore, a URAM should not be conducted on the NBHS Campus until an IRA Completion Statement is submitted for RTN 4-22409. However the proposed work may be addressed utilizing a RAM Plan Modification.

A RAM Plan modification should be submitted to MassDEP for review and approval prior to implementing the activities associated with the areas where pavement will be increased and/or for the installation of the storm water utilities. The RAM Plan Modification should include, but not be limited to, the following:

- a) Final design drawings for the increased paved area, as referenced in Section 4.2.8 of the RAM Plan;
 - b) A copy of the On-Site Rubble Crushing Notification Form, referenced in Section 4.2.7 of the RAM Plan;
 - c) A copy of both the Stormwater Pollution Prevention Plan (SWPP) and the Request for Determination, referenced in Section 4.2.8 of the RAM Plan;
 - d) Copies of any determinations received by the City as a result of the submittals listed in (a)-(c).
5. Pursuant to 310 CMR 40.0443(3) the RAM activities shall be conducted as described in the RAM Plan, and as approved herein. Any proposed modifications to the RAM Plan must be submitted in writing to MassDEP for review and approval prior to implementation.

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.

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

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