

For DISTURBANCE PERMIT within the City of New Bedford

APPLICATION / AGREEMENT

Permit # 570-2021
Dig Safe # _____
Date Issued: _____

This permit shall be posted at the work site, and shall remain until the work is completed. It is subject to inspection at all times.

TO THE MAYOR AND CITY COUNCIL: _____ DISTURBANCE PERMIT

Permission is hereby requested to excavate the surface of: _____ City Property

Location of work: _____ portions of right of way sidewalks at Hunter, Hillman, Florence, and Jenney Streets for temporary disturbance to install environmental investigation monitoring wells to sample soil and groundwater

Substantially as per plan annexed, for the purpose of: _____ to complete an environmental assessment of subsurface soil and groundwater conditions in a residential area down gradient from a MADEP listed disposal site

Work will begin (weather permitting) on: December 8, 2021

Work will end (weather permitting) on: December 14, 2021

Applicant Name: MASS DEP

Excavator(s) Name: GeoSearch, Inc. Thomas E. Belsky

Company Name: MASS DEP

Hoisting Equipment License Number: HE-063491

Grade: 2A & 4B Expiration Date: 1/16/2022

Contact Name: Kathryn Cavallaro

Name & Contact Number of Insurer: Hanover Insurance Company

Approved By: Kathryn Cavallaro Date: 11/19/2021

Julie DelleChiaie 978-343-6946 Charles River Ins. Brok.

Title: Environmental Analyst III

Provide Sketch

Roadway closures will require authorization from the Commissioner of Public Infrastructure. Traffic management plans may be required. For inspection, 24 hour notice is required and the Contractor / Applicant is required to notify the D.P.I. @ 508-979-1550 Press 4 Repair. Permit Expires in 3 Months from work start date

Repair requirements: Full sidewalk panel replaced once monitoring wells are to be removed/retrieved at the end of the project. No spot repairs or half panels allowed.

See attached for sketch
-installing (7) 2" monitoring wells each finished flushed w/ existing grade

NOTE: Petition for Location not on file for this location.
Requirement waived per agreement of Manny Silva
and Michele Paul for this time only. Petitions required
for all monitoring wells moving forward.

11-24-2021

Approximate Well Locations



Monitoring Well Locations





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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

November 4, 2021

City of New Bedford
Attn: Jamie Ponte, Commissioner
Director of Public Works
1105 Shawmut Avenue
New Bedford, Massachusetts 02746

RE: **NEW BEDFORD**
Release Tracking Number: 4-0028242
Hunter, Hillman, Florence, and
Jenney Streets
REQUEST FOR ACCESS

570-2021

Dear Mr. Ponte:

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP or the Department), is tasked with ensuring the cleanup of oil and hazardous material releases pursuant to the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, Massachusetts General Law (M.G.L.) c. 21E (Chapter 21E), and 310 Code of Massachusetts Regulations (CMR) 40.0000, the Massachusetts Contingency Plan (MCP). Both M.G.L. c. 21E and the MCP require the performance of response actions to provide for the protection of harm to health, safety, public welfare and the environment which may result from releases and/or threats of releases of oil and/or hazardous materials at disposal sites.

REASON FOR THIS LETTER

MassDEP would like install monitoring wells in town-owned rights-of-way along Hunter Street, Hillman Street, Florence Street, and Jenney Street to delineate the groundwater contamination presumably originating from a property in proximity to 45 Hunter Street.

SITE SUMMARY

The property at 350 North Street, New Bedford, was formerly occupied by West End Dry Cleaning. The property is now home to a woodworking shop. Chlorinated volatile organic compounds (CVOCs) used in former dry-cleaning operations at the property, specifically tetrachloroethylene (PCE) and trichloroethylene (TCE), have been released to the soil and groundwater at 350 North Street. Assessment activities have identified CVOC impacted groundwater moving off the 350 North Street property and impacting properties to the east and northeast. The area of 350 North Street and the area where contamination has come to be located is known as the 350 North Street Disposal Site.

In December 2019, elevated concentrations of CVOCs were identified in a monitoring well (GEO-24) installed near the intersection of Hillman and Hunter Streets, located to the north of the 350 North Street Disposal Site. The Phase II Comprehensive Site Assessment (Phase II Report) submitted for the 350 North Street Disposal Site concluded that the CVOC impacts at well GEO-24 are not resulting from the release at 350 North Street. This conclusion was based on the following: 1). monitoring well GEO-24 is located upgradient of the 350 North Street Disposal Site; and 2). there are higher proportions of TCE relative to PCE present in the groundwater from well GEO-24 than in the groundwater from within the 350 North Street Disposal Site.

Based on the Phase II, 350 North Street may not be the source of CVOCs in well GEO-24. It is possible that historical operations at 45 Hunter Street are a source of CVOCs in well GEO-24.

MassDEP, using its state contractor, would like to install additional monitoring wells in the town-owned rights-of-way along Hunter Street, Hillman Street, Florence Street and Jenney Street to continue the identification of the areas where groundwater has been impacted by CVOCs and to evaluate whether 45 Hunter Street could be a source of CVOCs. The proposed monitoring well locations are depicted in the attached Figure. The locations may change slightly depending on the location of underground utilities.

The monitoring wells will be used to collect groundwater samples to determine if the groundwater has been impacted with CVOCs and to obtain groundwater elevation data to evaluate groundwater flow direction. If concentrations of CVOCs are identified near any of the residences on the above referenced streets at concentrations exceeding GW-2 Standards (which are intended to be protective of indoor air), MassDEP will conduct the necessary evaluation to assess whether the indoor air of the residences is impacted.

Enclosed with this letter is an access agreement that further explains the proposed work. Upon receipt of the signed access agreement, MassDEP will be able to finalize the schedule for the subsurface work in this area.

Please feel free to contact Kathryn Carvalho at any time with any questions regarding the schedule, the process, or the enclosed form. Ms. Carvalho may be reached by telephone at (508) 946-2742 or by email at Kathryn.Carvalho@mass.gov. Thank you for your cooperation.

Sincerely,

John Handrahan

John T. Handrahan, Section Chief
Site Management / C&E Section
Bureau of Waste Site Cleanup

H/KC/xx

Enclosed: Access and Consent to Enter Property Agreement
Proposed Monitoring Well Locations

**CERTIFIED MAIL #
RETURN RECEIPT REQUESTED**

ec: City of New Bedford
Mayor's Office
Board of Health
Environmental Stewardship Office

DEP – SERO
Kathryn Carvalho, Project Manager

**COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION**

ACCESS AND CONSENT TO ENTER PROPERTY AGREEMENT

**City of New Bedford
Hillman Street, Hunter Street, Florence Street & Jenney Street**

Statutory Authority: The Massachusetts Department of Environmental Protection, its employees, agents, and/or contractors (collectively "MassDEP") require access to a portion of town-owned land (hereinafter referred to as the "Property"), identified below, for the purpose of performing certain investigative, removal, response and/or remedial actions pursuant to the authority of M.G.L. c. 21E, §§ 4 and 8. Through execution of this Access And Consent to Enter Property Agreement ("Agreement"), the City of New Bedford ("Owner") acknowledges MassDEP's authority to enter the Property pursuant to M.G.L. c. 21E, §8 to perform activities to protect the public health, safety, welfare and the environment, and will allow MassDEP access to the Property to perform these activities in accordance with the terms and conditions set forth below.

Property Description: The land covered by this Agreement includes land located within the town-owned rights-of-way of Hunter Street, Hillman Street, Florence Street and Jenney Street (collectively referred to as "Property"). The proposed monitoring well locations are depicted in the attached figure. The locations may change depending on the location of underground utilities. The final locations will be confirmed with the City of New Bedford prior to well installation.

Scope of Work: The activities to be performed by MassDEP will be undertaken in accordance with M.G.L. c. 21E and the Massachusetts Contingency Plan, 310 CMR 40.0000 et seq. (the "MCP"). The scope of work proposed by MassDEP may include, but may not be limited to, the following activities in order to investigate, address and/or eliminate any risks to public health, safety, welfare and the environment associated with a potential release or threats of release of oil and/or hazardous materials presumably originating from the 45 Hunter Street property located in New Bedford, Massachusetts:

- The installation of seven (7) monitoring wells within the town-owned rights-of-way along Hunter Street, Hillman Street, Florence Street, and Jenny Street. MassDEP is proposing to install the wells in the right-of-way, off the pavement.
- Once the monitoring wells are installed, MassDEP will return to survey and develop the monitoring wells and collect groundwater samples from the wells.
- The wells may be accessed periodically to either record water levels and/or obtain additional groundwater samples.

Timing and Duration of Work Activities: The work activities described above will begin upon the Owner's execution of this Agreement. MassDEP will provide reasonable advance notice to the Owner of the exact date and time for the commencement of work activities. It is anticipated that work activities will be between the hours of 8 a.m. and 4 p.m., Monday through Friday. Depending upon the results of initial work activities, MassDEP may need to return to the Property to collect additional groundwater samples and the Owner acknowledges through execution of this Agreement MassDEP's right to return and access the Property to perform any required additional or periodic work activities. MassDEP will provide reasonable advance notice

Approximate Well Locations



Monitoring Well Locations



"For Intra-Agency Policy
Deliberations Only"

to the Owner of the specific date(s) and time(s) for the performance of any additional or periodic work activities.

Term of Agreement: It is anticipated that all work associated with this Agreement, excluding any/all additional or periodic work activities, such as groundwater monitoring, will be completed by MassDEP by no later than June 30, 2022. With respect to MassDEP's ongoing work activities, MassDEP will continue to access the Property to perform these activities until such time as MassDEP determines that such activities are no longer required. MassDEP will provide reasonable advance notice to the Owner of the specific date(s) and time(s) for the performance of these additional or periodic work activities.

Availability of Sampling Results/Reports: Pursuant to 310 CMR 40.1403(10), the Owner will be provided with a copy of all analytical data and related reports generated as a result of this project within thirty (30) days of the date the sample results are issued to MassDEP by the analytical laboratory.


Property Responsibility/Certificate(s) of Insurance: In executing this Agreement, the Owner understands that MassDEP will exercise reasonable efforts to minimize disruption of the usual, daily activities at the Property while performing work activities under this Agreement, and will make reasonable efforts to restore the areas of the Property where the work activities occurred to its prior condition. Upon execution of this Agreement, the Owner may obtain upon request a Certificate of Insurance from each MassDEP contractor who will be performing work on the Property. The Owner will otherwise continue to be responsible for all other liability and insurance obligations related to the Property.

No Conveyance of Property Interest: In executing this Agreement, the Owner understands that this Agreement is not intended to convey an interest in property to MassDEP.

Access Authorization: By executing this Agreement below, the Owner hereby grants access to MassDEP, its employees, authorized agents and/or contractors to enter the Property for the purpose of performing the above-referenced work activities.

Requirement of Written Revocation of Access: In executing this Agreement, the Owner also acknowledges and agrees that, in the event that the Owner seeks to revoke this Agreement, the Owner shall provide MassDEP with a written notice revoking this Access Agreement at least forty-eight (48) hours prior to MassDEP's cessation of work activities.

City of New Bedford



Jamie Ponte, Commissioner
Director of Public Works
1105 Shawmut Avenue
New Bedford, Massachusetts 02746

Date: 12-7-2021