



CITY OF NEW BEDFORD
MASSACHUSETTS

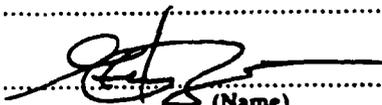
New Bedford, Mass. February 13, 1992

To the City Council

City of New Bedford:

Superfund Records Center
SITE: New Bedford
BREAK: 17.2
OTHER: SDMS 294739

The undersigned respectfully asks that the City Council request the Legal Counsel to the City Council meet with the City Solicitor to advise this body on the application of Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) 42 U.S.C. Section 9604(e), as that citation relates to the ability of the Federal U.S. Environmental Protection Agency to take the land at the foot of Sawyer Street, Park Department property, to be used as a site for a PCB incinerator; and further that Julie Belaga, Regional Administrator of the U.S.E.P.A. Region I, be advised that there is state law and constitutional law that prohibits the taking of park land for any purpose without an expressed act of the State Legislature, in order for her to be aware that her communication of 2/3/92 did not bring immediate cessation of the attempts by this petitioner to refuse permission to EPA to use the land in question for the purposes outlined in the illegal lease that was executed between the Park Board and the U.S.E.P.A.


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(Name)

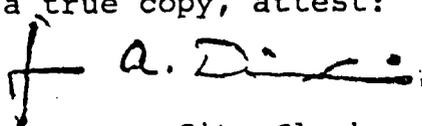
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(Address)

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IN CITY COUNCIL, February 13, 1992

Adopted. Janice A. Davidian, City Clerk
Presented to the Mayor for approval February 18, 1992
Janice A. Davidian, City Clerk
Approved February 19, 1992 Rosemary S. Tierney, Mayor

a true copy, attest:

City Clerk



SDMS DocID 294739

RECEIVED

REGION I
OFFICE OF THE
REGIONAL ADMINISTRATOR