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Commissioner

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The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

Department of Environmental Quality Engineering

Division of Hazardous Wastes

1 Winter Street, Boston 02108

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MEMORANDUM

TO: Sam Mygatt, EOE MEPA Unit

FROM: William F. Cass, Director, DHW 

DATE: January 21, 1983

SUBJECT: Draft Environmental Impact Report, Waterfront Park, New Bedford, Massachusetts, November 1982

OFFICE OF THE SECRETARY OF
ENVIRONMENTAL AFFAIRS

The staff of the Division of Hazardous Waste has received and reviewed the Draft Environmental Report for the Waterfront Park in New Bedford, Massachusetts. The objectives of the proposed project are twofold:

- 1) To construct a recreational park for a depressed area of New Bedford, and
- 2) To provide for a disposal site for the PCB contaminated dredge spoils from New Bedford Harbor.

The Draft Report provides minimal details on the state's hazardous waste regulations which may affect the construction of this project. Should the dredge spoils that are used as fill material for this project be determined to be hazardous waste, the following statutes and regulations may apply:

1. G.L. c. 111, s150B. This statute gives local boards of health the authority to grant site assignments to a site or works for the storage, treatment, or disposal of hazardous waste.
2. G.L. c. 21C and 310 CMR 30.000, the regulations promulgated pursuant to that statute. In particular, 310 CMR 30.370 and 30.501 detail special requirements for wastes containing greater than 50 ppm of PCB's.

At this time, it is not clear to this Division what impact these statutes and regulations may have on the proposed project. In order to clarify these issues, I strongly urge the preparers of the EIR to meet with us to discuss them. They may contact James Colman (292-5574) of my staff to make arrangements.

JC/YC/jp