

# MASSPIRG

**Standing Up  
To Powerful Interests**

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## Memorandum

**To: Secretary Matthew A. Beaton, Executive Office of Energy and Environmental Affairs**

**From: Kirstie Pecci, Staff Attorney, MASSPIRG**

**Date: September 25, 2015**

**Regarding: EEA No. 15356 Southbridge Recycling & Disposal Park, Draft Environmental Impact Report**

### **I. Introduction**

Southbridge Recycling and Disposal Park ("Casella") is the operator of the Southbridge Landfill, located at 165 Barefoot Road, Southbridge, Massachusetts (the "Landfill"). On August 17, 2015, Casella submitted a Draft Environmental Impact Report to the Executive Office of Energy and Environmental Affairs MEPA Office ("DEIR"). Casella proposes to expand the Landfill's disposal capacity by 4,461,600 tons and build over 32.78 acres of new landfill cells.

The proposed expansion has been divided into four phases. Phase I would allow Casella to move many of the existing landfill appurtenances south of Barefoot Road, and to build earthen berms around the existing landfill. Casella would then take advantage of the new capacity created by the berms and stack 7.39 acres of new landfill cells on top of the existing closed cells some of which are unlined. Phase II would allow Casella to build new cells with a berm on 3.25 acres adjacent to the existing cells.

Phase III would allow Casella to extend the landfill onto 10.45 acres north of the existing landfill into Charlton and land in Southbridge that has not been site assigned. Phase IV would allow Casella to build a new landfill across Commercial Drive, south of the landfill on 19.08 acres. All four phases require berms because they are building new cells on top of existing cells (Phase I) or they propose building cells where there is not adequate space to safely build traditional landfill cells.

MASSPIRG's comments focus on two topics not adequately addressed by Casella's DEIR:

- (1) Procedural Failures – Despite their exclusion of this requirement in the DEIR, as per 310 CMR 16.00, both Phase I and Phase III of the proposed expansion require a Determination of Site Suitability from the Massachusetts Department of Environmental Protection and a Major Modification to Site Assignment from the Boards of Health of the Towns of Southbridge and Charlton; and,
- (2) Need for Investigation and Remediation -- This expansion, if allowed, will increase the danger to public health due to the increased contamination of the air and water of the Towns of Charlton, Southbridge and Sturbridge, yet the DEIR does not even address investigation or remediation of ongoing releases into the environment.

Throughout the DEIR, Casella mischaracterizes the nature of a site assignment. Similar to an easement, a site assignment is a document that imposes specific conditions on a particular parcel of land. The use, footprint and conditions in a site assignment are in effect unless the board holds a new site assignment hearing to modify the old site assignment. Neither the applicant nor a board of health can dismiss or ignore the terms of a site assignment, or guess what a previous board would have decided. The only remedy for addressing new concerns (including new technologies) is a new site assignment. Secondly, the DEIR largely ignores the certain increase in contamination to the air and water (ground and surface) that this project would result in. Casella argues that because the yearly tonnage will not change,

the additional almost *four and a half million tons* of municipal solid waste to be dumped over the next 11 years does not constitute a danger to public health and the environment. To clarify, Casella is like a smoker who has been smoking a pack a day for many years, and when told they should quit, argues that continuing to smoke a pack a day for eleven more years won't further harm their lungs. This is especially ridiculous because the DEIR does not address investigating and remediating existing conditions. Well testing indicates that the landfill is already leaking leachate, and the release of landfill gas has been such a persistent problem that Casella shut down the landfill repeatedly over the summer to minimize odors.

## **II. Procedural Deficits – Phases I and III also require a Determination of Site Suitability from the MassDEP and a Major Modification to Site Assignment from the Town of Southbridge and Town of Charlton Boards of Health**

### **A. MSE Berms contradict the terms of the existing site assignment and must therefore be reviewed in a Site Assignment Hearing.**

310 CMR 16.08-16.11 require that an applicant must apply for a Determination of Site Suitability from the MassDEP and a Major Modification to Site Assignment from the applicable Board of Health to Expand a Site. "Expand a Site" is defined in 310 CMR 16.00 as "to move or expand a solid waste facility's

operation to a previously unassigned site that is contiguous to the original site or to modify a solid waste facility's operations causing it to exceed any capacity or total volume limit stated in its current site

assignment." Phase I and Phase III both Expand the Site to a previously unassigned site. See the

discussion below.

The proposed berms also cause the landfill to exceed previous capacity. Without the berms, the landfill

would be full in 2017. The berms, which are needed for all four phases, would allow the landfill to operate for 11 more years.

The 2008 Site Assignment does not discuss the Mechanically Stabilized Earthen Berms, or MSE Berms, or any berms, at any time. In fact, Condition 32 of the 2008 Site Assignment describes the slope of the landfill as "a maximum of 3:1 and a minimum of 20:1." In contrast, if allowed, the MSE berms will be

constructed at a slope of 1 horizontal: 2.7 vertical. Allowing the Berms to be built will greatly expand the capacity of the landfill in ways that were never imagined, and in fact contradict the existing site assignment. There are also no other regulations that set out requirements for berms, "The Massachusetts Solid Waste Regulations 310 CMR 19.000 contain no requirements relating specifically to the design, construction, operation, and post-closure monitoring of MSE berms." Page 2-12 DEIR. The berms would allow Casella to increase the slope of the landfill far beyond what is normally deemed safe. It is also unclear what additional danger building new cells on top of existing cells, **twelve acres of which are unlined**, would pose. For these reasons, not only Phases II and IV, but Phase I and Phase III, all of which require MSE berms, require a Determination of Site Suitability and Major Modification to Site Assignment prior to permitting.

**B. There have only been two site assignments that increased the footprint of the Southbridge Landfill – the 1979 and 1999 Site Assignments.**

Only 52.8 acres of land has been site assigned at the Southbridge Recycling & Disposal Park. Those 52.8 acres were site assigned for disposal only, and all 52.8 acres are located in the Town of Southbridge.

In other words:

- 1) Barefoot Road was never site assigned (Phase I);
- 2) No acreage south of Barefoot Road was ever site assigned (Phase I);
- 3) No acreage north of the 52.8 acres of the existing landfill cells was ever site assigned (Phase III); and
- 3) No acreage has been site assigned in the Town of Charlton, and any and all of the landfill appurtenances in Charlton require a site assignment from the Town of Charlton Board of Health (Phase I). See Exhibit P.

There have been three site assignments pertaining to the Southbridge Landfill, at Barefoot Road,

Southbridge, Massachusetts.

1. The one page **1979 Site Assignment** did not specify how many acres were site assigned, but the owner of the site, the operators of the site and the MassDEP, the EOEEA and the Town of Southbridge

confirmed that the site assigned area was **20.6 acres** in numerous certificates and filings (see more below). The only use site assigned in 1979 was landfilling.

2. In the **1999 Site Assignment**, only **32.2 acres** were added to the north of the already site assigned area. The only use site assigned at that time was landfilling.

3. The **2008 Site Assignment** did not specify how many total acres had been site assigned in the past, but did state categorically that the 2008 site assignment **did not expand the acreage** under site assignment. The 2008 site assignment did not site assign any use, but increased the yearly tonnage for regional landfilling.

4. Only traditional landfilling was reviewed during the three site assignments. The use of berms and the operation of a Processing Facility were never reviewed in a site assignment hearing before the Town of Southbridge Board of Health.

5. The **1979 Site Assignment** and the **1999 Site Assignment** assigned a total of **52.8 acres**.

#### C. The 1979 Site Assignment

*1. 1979 Site Assignment – The only use site assigned was landfilling.*

The law in effect today and in 1979, Chapter 111, Section 150A, requires that any sanitary landfill be site assigned by the board of health of such city or town as a site for a facility after a public hearing. Exhibit D (Unofficial transcript of M.G.L. circa 1979 for convenience). In accordance with this law, on July 2, 1979 the Town of Southbridge Board of Health granted an assignment on the tract of land then owned by George Corriveau on Barefoot Road, Southbridge, Massachusetts. The one page assignment specifically granted “an assignment of area to the proposed site for a sanitary landfill.” See Exhibit E. The Board of Health did not grant a site assignment for any other use at that time – in fact the Board specifically stated that “The Board, along with the Town Council’s Subcommittee for the Department of Public Works, — investigated in great detail alternate methods of solid waste disposal, such as incineration and recycling.

It came to the conclusion that such methods were not feasible or practical for our situation because of cost, efficiencies of operation, site location and other reasons.” *Id.*

*2. Newly discovered evidence proves beyond a reasonable doubt that only 20.6 Acres were site assigned.*

The 1979 Site Assignment is unclear as to how many acres were site assigned. See Exhibit E. However, the acreage by definition had to be limited -- in 1979, Chapter 111, Section 150A mandated that “The assignment of a place as a site for a facility shall be subject to such limitation with respect to the extent, character and nature of operation thereof as may be necessary to protect the public health, comfort and convenience.” See Exhibit D.

MASSPIRG recently found a MEPA file at the MEPA office that had been excluded from the record of the 2008 Site Assignment. After the 1979 Site Assignment, MEPA conducted a complete review of the landfill in response to concerns expressed by the Town of Charlton and residents of both Charlton and Southbridge. See Exhibit F. Because this review process was immediately after the 1979 Site Assignment, it accurately reflects the acreage that was site assigned at that hearing. As stated by now Commissioner Suuberg; “The most reliable way to interpret the site assignment is in light of the decision itself and documents issued by the Board shortly after the time of its vote, which followed the hearing.”

*Letter to Kirstie Pecci, Esq. from Martin Suuberg, Regional Director, the Commonwealth of Massachusetts, Department of Environmental Protection, dated May 12, 2008.* During that MEPA review, the area site assigned was repeatedly described by the Town of Southbridge, the EEA, the MassDEP, the Town of Charlton, local citizens and the press as **20.6 acres**, and the **entire parcel reviewed was described as approximately 23 acres.**<sup>1</sup>

Some specific references to acreage site assigned in EEA # 3729 (see portions of documents attached

<sup>1</sup> Please find the complete file, EEA # 3729, at:

<https://www.dropbox.com/s/l35y9bg510qpq2g/Southbridge%20Landfill%2C%201980%20MEPA%20File%2C%20EEA%20%233729.TIF?dl=0>

hereto):

- See Exhibit G. Proposed Landfill Site Barefoot Road, Southbridge, MA, page 2 of EEA# 3729. Please note that entire site is north of Barefoot Road and south of what was then the Southbridge/Charlton town line.<sup>2</sup> *Therefore the site could only be about 20 acres, and did not include the area where Casella hopes to move various landfill appurtenances, the Processing Facility, or "blue building" is now.*
- See Exhibit H. The owner of the site, the Town of Southbridge, retained E.J. Flynn Engineers, Inc. to prepare a "Report for the Operation of the Proposed Barefoot Farm Road Sanitary Landfill for the Town of Southbridge," dated Nov. 1980, beginning on page 99 of EEA# 3729. See page 102, "The Barefoot Farm Road site is a portion of a large town owned parcel consisting of approximately 150 acres located in the towns of Southbridge and Charlton. *The site to be landfilled contains approximately 23 acres and is located between the Southbridge/Charlton town line and Barefoot Farm Road on the Northerly and Southerly sides, respectively, and between two wetland areas on the Easterly and Westerly sides.*"
- See Exhibit I. The owner/applicant (the Town of Southbridge) filed a Draft Environmental Impact Report with the EEA, prepared by E.J. Flynn Engineers, Inc., dated December 24, 1980, beginning on page 143 of EEA# 3729. The Environmental Notification Form, prepared by the Town of Southbridge, was included as a preface. See page 146 of EEA# 3729, "General Boundaries: *Excavation and use of a drumlin bounded on the north by the Charlton-Southbridge town lines, east, west and south by Barefoot Farm Road.*" Also see page 149 of EEA#3729, "Project Description. . .B. State Total Area of the Project – **20.6 Acres.**"
- Also see Exhibit I, same document, page 176 of EEA# 3729, under 1.4 Present Zoning Ordinances, "The 23-acre proposed landfill site, including buffer zones, is presently in the residential-single family zone in accordance with the Town of Southbridge Zoning Map dated 1975."
- Also see Exhibit I, same document, page 179 of EEA#3729, under 2.2 Site Layout, "The total area of the site to be landfilled contains approximately 23 acres and is located between the Southbridge/Charlton town line and Barefoot Farm Road on the northerly and southerly sides, respectively, and between two wetland areas on the easterly and westerly sides."
- Also see Exhibit I, same page 179 of EEA#3729, Boundaries of the Landfilled Area, "The total 23 acres of the site to be landfilled is divided into six separate phases with each phase being approximately four acres in size."
- See Exhibit J. Map of the Plan of Land Southbridge-Charlton, Mass. Prepared by E.J.Flynn Engineers, Inc. dated Nov. 28, 1980, and Stamped for Approval by Department of Environmental Quality Engineering (DEQE) on August 18, 1981. Begin on page 207, EEA # 3729, copy is unclear. Obtained later, stamped clear copy from the MassDEP, which is attached.
- See Exhibit K. The Conservation Commission of the Town of Charlton submitted comments to the EEA dated February 8, 1981. See pages 376, 377 and 379 of EEA# 3729 which indicate Charlton's opposition to the project, and in which the engineer retained by the Town of Charlton explains that one of the their objections is the project is that is only about "23 acres."
- See Exhibit L. The Southbridge News, Articles dated January 13, 1981, January 28(sic?), 1981, and

<sup>2</sup> The Southbridge/Charlton town line was moved to accommodate the expansion of the Southbridge Landfill in 1993. Because the Town of Southbridge Board of Health could not site assign land in another town, it was impossible for them to assign more than 20.6 acres north of Barefoot Road in 1979. See Exhibit J 20.6 and Exhibit L for Town line after 1993.

February 4, 1981, all of which describe the total landfill site as *23 acres*, at pages 391, 393 and 394 of EEA# 3729.

EEA# 3729 includes the DEIR, FEIR and corresponding EEA comments and certificates. At no time in EEA file # 3729 was the site assigned area described as larger than 23 acres, or as more than 23 acres of the whole parcel purchased from George Corriveau, or even the portion of the Corriveau parcel that was in the Town of Southbridge at that time. **The record is clear and unequivocal --the total parcel was 23 acres, and the actual area site assigned for landfilling was 20.6 acres. The 23 acre parcel was located north of Barefoot Road and south of the then existing Charlton/Southbridge town line.**

#### **D. The 1999 Site Assignment**

##### ***1. The 1999 Site Assignment only site assigns landfilling.***

The first sentence of the 1999 Decision of the Town of Southbridge reads "The Town of Southbridge...has filed an application for a site assignment for an expansion of the existing landfill facility on Barefoot Road..." See Exhibit M, page 1.

*The 1999 Site Assignment does not site assign any property for any purpose other than landfilling.*

##### ***2. The 1999 Site Assignment only site assigns 32.2 acres.***

The acreage site assigned in the 1999 Site Assignment is also very clear. The lateral expansion is "into the non-site assigned portion of the site, located adjacent to and north of the existing active site; this expansion will cover a total of approximately 32.2 acres north of the permitted phases of the landfill." See Exhibit M. At no point does the 1999 Site Assignment assign any additional acreage.

***Therefore, the 1999 Site Assignment site assigned 32.2 acres, for landfilling, also north of Barefoot Road.<sup>3</sup>***

<sup>3</sup> Casella's attorneys have made the argument in the past that because 1999 Site Assignment adopted two conditions from the MassDEP's Determination of Site Suitability, the Board of Health adopted all the terms of the determination, which allowed for an 82 acre expansion. The 1999 Site Assignment's

***The only two site assignments that changed the acreage granted by the Southbridge Board of Health total 52.8 acres, solely for landfilling, both north of Barefoot Road.***

E. If the record is so clear, what is the origin of this confusion?

***1. EEA # 3729 was just located in 2015. It was not introduced in any prior site assignment or court proceedings.***

While the MEPA review associated with the 1979 Site Assignment was occasionally referenced, copies of the actual file were no longer at the MassDEP Office and were not admitted presented as evidence during the 2008 Site Assignment. Furthermore, usually MEPA documents are generated before the site assignment, not after it, so they would be of limited assistance in determining the acreage of the site assignment. However, in this case, the MEPA review took place after the site assignment, so they are very clear and conclusive evidence that only 20.6 acres was site assigned in 1979.

***2. The boundaries of the land site assigned and the site assigned uses were not part of the Board of Health's deliberations.***

Opponents of the 2008 tonnage expansion raised the inconsistencies in the site assigned area and use to the Hearing Officer during the hearing. Regarding those inconsistencies, she decided, "Based on the Record of this Hearing, it appears that there exists potentially contradictory evidence on 1) the lateral extent of the site assigned land; and 2) whether the area of land on which the Processing Facility is currently located and operating has a valid Site Assignment. While these are legitimate issues of concern, I do not believe that this is the correct forum for their resolution." Denial of Motion to Dismiss, Nancy Kaplan, Esq., Hearing Officer, April 17, 2008. Therefore, there was no testimony before the Board explaining the actual site assignment acreage or the allowed uses. Neither the Board of Health's decision, the appeal of the Board of Health's decision to the Superior Court, nor the appeal to the Supreme Judicial Court were made with the benefit of EEA # 3729 or any of the other additional documentation that

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specificity (use of the word "total") renders this argument impossible.

clarifies the site assignment.

**3. Casella has purposefully obscured, confused and enlarged the site assignment area in each filing.**

- Casella originally stated that "Initially, a 20.6 acre area was site assigned for waste disposal. In 1999, an additional approximately 32 acres were site assigned for disposal." Page 11,

Supplemental Environmental Impact Report on the Reallocation of Solid Waste Volumes at the Southbridge Environmental Industrial Park, EOEA #10955, October 1, 2007, (the "SEIR"). In October of 2007, Casella knew that 52.8 acres had been site assigned for landfilling.

- Less than three months later, in their Request for Modification to Existing Site Assignment dated December 27, 2007, Casella confirmed their assertion regarding the 1979 Site Assignment, stating "In 1979, the Board of Health granted a site assignment for the initial development of the landfill, on approximately 20.6 acres." However, they also stated "The 1999 Site Assignment permitted a lateral expansion of the Landfill of approximately 82 acres, 32.2 of which are used for

disposal." Page 3.

- Then, six months later, in their closing brief before the Town of Southbridge Board of Health, Casella increased the area site assigned once again. "On July 2, 1979 the Board granted a site assignment on approximately 64.25 acres of land along Barefoot Road in Southbridge for a sanitary landfill. . . On April 15, 1999, the Board granted a site assignment to expand the Landfill onto approximately 82.2 acres adjacent to the original site assigned property. . . . In total, approximately 144.4 acres are site assigned;" Section 2, Summary Memorandum of Southbridge Recycling and Disposal Park, Inc., in Support of Request to Approve Minor Site Assignment Modification and to Issue Proposed Finding of Fact, Rulings of Law and Special Conditions dated May 23, 2008.

- Casella continues to magically add acreage to the site assigned area. The DEIR describes the

facility as “a solid waste management facility that includes approximately 150 acres of site-assigned land.” Page 1-1, DEIR.

F. Barefoot Road was not site assigned.

*1. A public road cannot be site assigned by a board of health.*

Casella now claims that the land south of the original Barefoot Road was site assigned in 1979. As shown above, the Board of Health only site assigned the land north of Barefoot Road. However, even if the record indicated that the Board had attempted to site assign the road, the Board of Health does not now, nor did it then, have the power to site assign a public road.

In 1883, the Town of Southbridge accepted Barefoot Road as a public road. See Exhibit N. The original Barefoot Road, as described in that Barefoot Acceptance, and shown on the plot plan referenced above, was therefore a public road in 1979. As such, the Town of Southbridge made a covenant with its citizens and visitors, promising to keep Barefoot Road open to the public, clear and in good repair. To be clear, neither the Board of Health nor any other board or private party has the right to grant rights over a public road or prevent its use in any way that would interfere with the public’s access over the road. The Board of Health of the Town of Southbridge did not have the power to nullify that covenant via site assignment, i.e., the Board of Health does not have the power to site assign a public road. Considering that Barefoot Road was also the only means of accessing H Foot Road and the landfill at that time, I would also argue that it was not the Board’s intent to site assign Barefoot Road.

Therefore, the original Barefoot Road was never site assigned, and is still not site assigned to this day. That swath of land is part of Phase I. It crosses across the Southern MSE Berm and the proposed Construction Material Staging Area and the proposed Scale/Scale House/Resident drop-off area, and therefore requires a site assignment.

*2. The relocation of Barefoot Road is irrelevant to the site assigned area.*

In the 1990s a portion of Barefoot Road was relocated in connection with an airport project. The new portion of Barefoot Road was never accepted by the Town and remains private. The easterly portion of Barefoot Road remains in its original bed, and remains public. See Exhibit O. That is why Barefoot Road appears on the Private Ways and the Street List – part of it is a public road and part of it is a private road. However this relocation does not affect what portion of the land has been site assigned. The site assignment does not shift with the road, but can only be changed by the Board of Health, as per 310 CMR 16.00 after a site assignment hearing. Therefore, the acreage that was the original Barefoot Road is still not site assigned.

*3. Casella confirmed that part of Barefoot Road/Phase I is not site assigned in their ENF.*

The easterly portion of Barefoot Road, which is still public and has not been relocated, is adjacent to a parcel identified as Parcel 5 on Casella's Site Assignment Figure 6 of their initial ENF. Casella stated in the notes that Parcel 5 extends into the middle of Barefoot Road and is not site assigned. As stated above, the proposed Phase I, Southern MSE Berm covers the easterly, public portion of Barefoot Road. Therefore, according to Casella, part of the proposed Phase I is not site assigned, and requires a Determination of Site Suitability from the MassDEP and a Major Modification to Site Assignment from the Town of Southbridge Board of Health.

**As a result, Phase I, the berms of which extend over the original and present bed of Barefoot Road requires a Determination of Site Suitability as well as a Site Assignment before it can be permitted.**

### **III. Danger to the Environment**

Increasing the tonnage to be buried at the Southbridge Landfill would increase the potential for danger to the environment in a variety of ways, all of which should be evaluated carefully by the MEPA Office and the MassDEP.

A. Identify and remediate where the landfill is leaking now.

Citizens are troubled by the increased danger to surface and groundwater that will inevitably follow increasing the volume of toxic waste buried at the site. Citizens have also reported that Casella should not be allowed to expand the landfill unless the leachate leaking from the landfill now can be identified and remediated. Casella has been testing about 40 residential wells every three years. On Tuesday, September 15, 2015 a representative from Casella appeared before the Town of Charlton Board of Health and told the Board that Casella had discovered 1,4-dioxane contamination in a Charlton resident's well. Casella stated that they would make a plan for learning more about the source of the 1,4-dioxane, and were going to drill a deeper well for the residents. Casella also indicated that 1,4-dioxane levels exceeded allowable limits in at least one other residential well.

There was no discussion of this very serious development in the DEIR. Casella should submit all of its residential well testing to MEPA as part of the DEIR. MEPA should also require Casella to develop and implement (with the approval of the Town of Charlton Board of Health) a plan to identify and remediate the source of this landfill leak. Currently there is not enough data to establish what part of the landfill the contamination is from, or the best way to clean it up. Two or three years of dedicated testing would be necessary to resolve what action should follow. Until more is known, Casella should not be allowed to expand this already dangerous facility.

B. Implement a plan to decrease escaping landfill gas and better explain measures being used now.

When describing landfill gas emissions, Casella said "As stated earlier, the existing landfill operation includes every mitigation measure available." Page 4-6 DEIR. While Casella plans on increasing the number of LFGTE generators if they are allowed to expand the landfill, they have no plan for capturing more the landfill gas that is currently escaping into the air. MEPA should be made aware of the

seriousness and pervasive nature of the escaping landfill gas and its horrible odor. Please require Casella

to submit all of the odor complaints generating in all three communities surrounding the landfill. Casella received so many odor complaints that they shut the landfill down on certain days over the summer. Casella should report this problem to MEPA. Finally, Casella uses odor suppression chemicals to mitigate odors. While odors are unpleasant and herald that you are also breathing landfill gas, Casella should share how many gallons of this chemical they are spraying each year, what it is composed of, and how often they are using it. Again, unless Casella can protect citizens from present landfill gas emissions, they should not be allowed to expand the facility.

#### **IV. The Town of Charlton – Miscellaneous Process Issues**

##### **A. Zoning**

Until the zoning in the Town of Charlton is changed at a Town Meeting, Casella may not expand the landfill into the Town. Casella did not file the relatively simple zoning change needed with the Town so it can not be decided at the October 20, 2015 Special Town Meeting. As a result, Casella plans on waiting until the spring. However, this is cause for concern. Will Casella require the Town of Charlton to preside over a site assignment, when it may not be appropriate? This places undue expense and work on the Charlton Board of Health. Casella should be required to clear zoning hurdles before the initiation of the site assignment.

##### **B. The Town of Charlton must preside over a site assignment for Phase I and Phase III of the landfill.**

Only Phase III of the landfill extends into the Town of Charlton. However, basins that support the functioning of Phase I are also in Charlton. Furthermore, the other appurtenant structures, such as the LFGTE generators, leachate tanks, etc. are being moved as part of Phase I. In order for the Town of Charlton to adequately evaluate the efficacy and safety of the landfill systems, the Charlton Board of Health should preside over the entire site assignment, but must at the very least evaluate Phases I and III

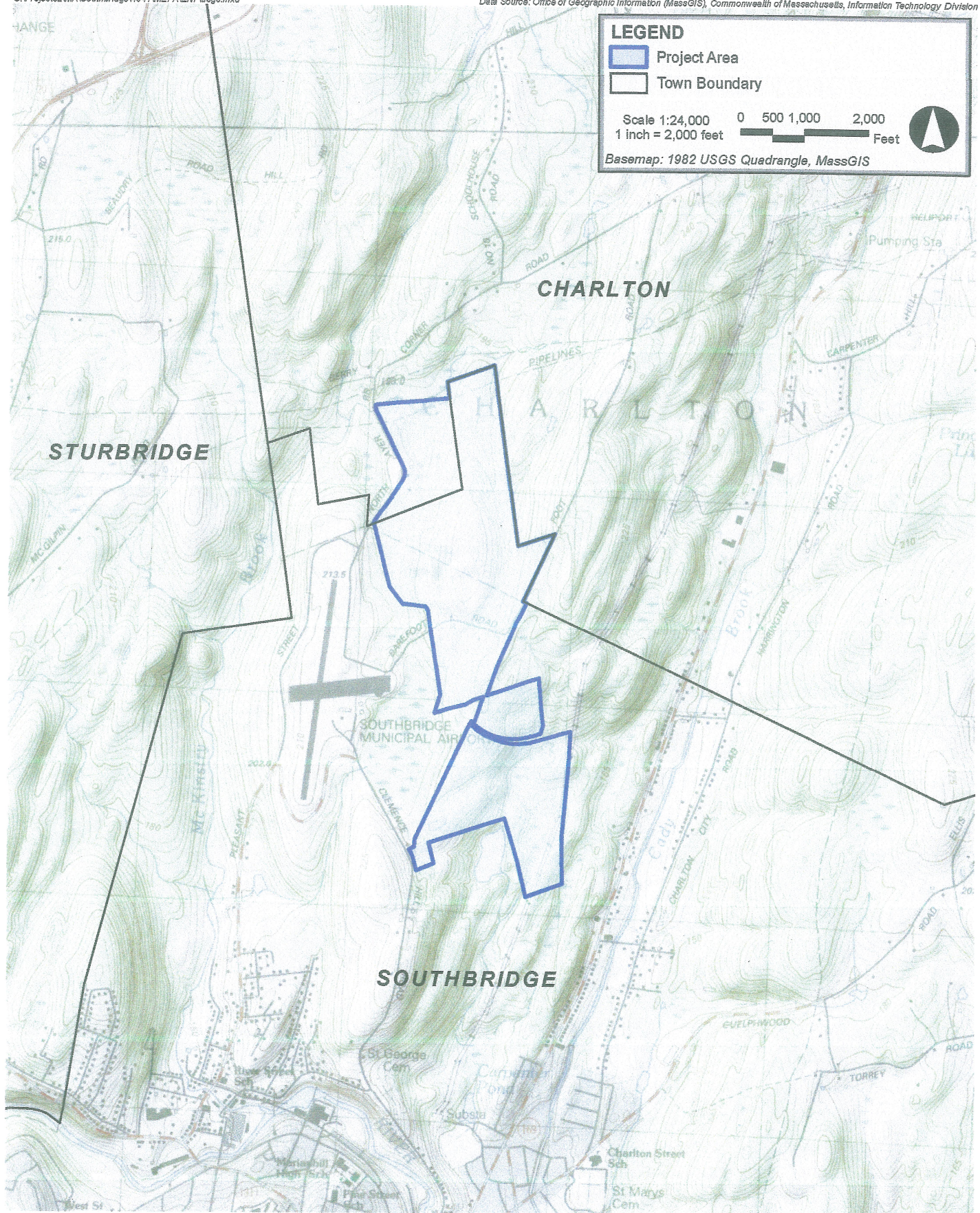
during a site assignment hearing.

C. The Conservation Commissions of the Towns of Charlton and Sturbridge must review the proposal and its impact on their wetlands.

As is clear in Exhibit A, the landfill would not only straddle the borders of Charlton and Southbridge, but it would also directly impact wetlands that extend into all three towns. As such, the Conservation Commissions from the Towns of Sturbridge, Charlton and Southbridge must be allowed to impose orders of conditions on any construction that is within 100 feet of vegetative wetlands that then extend into their communities.

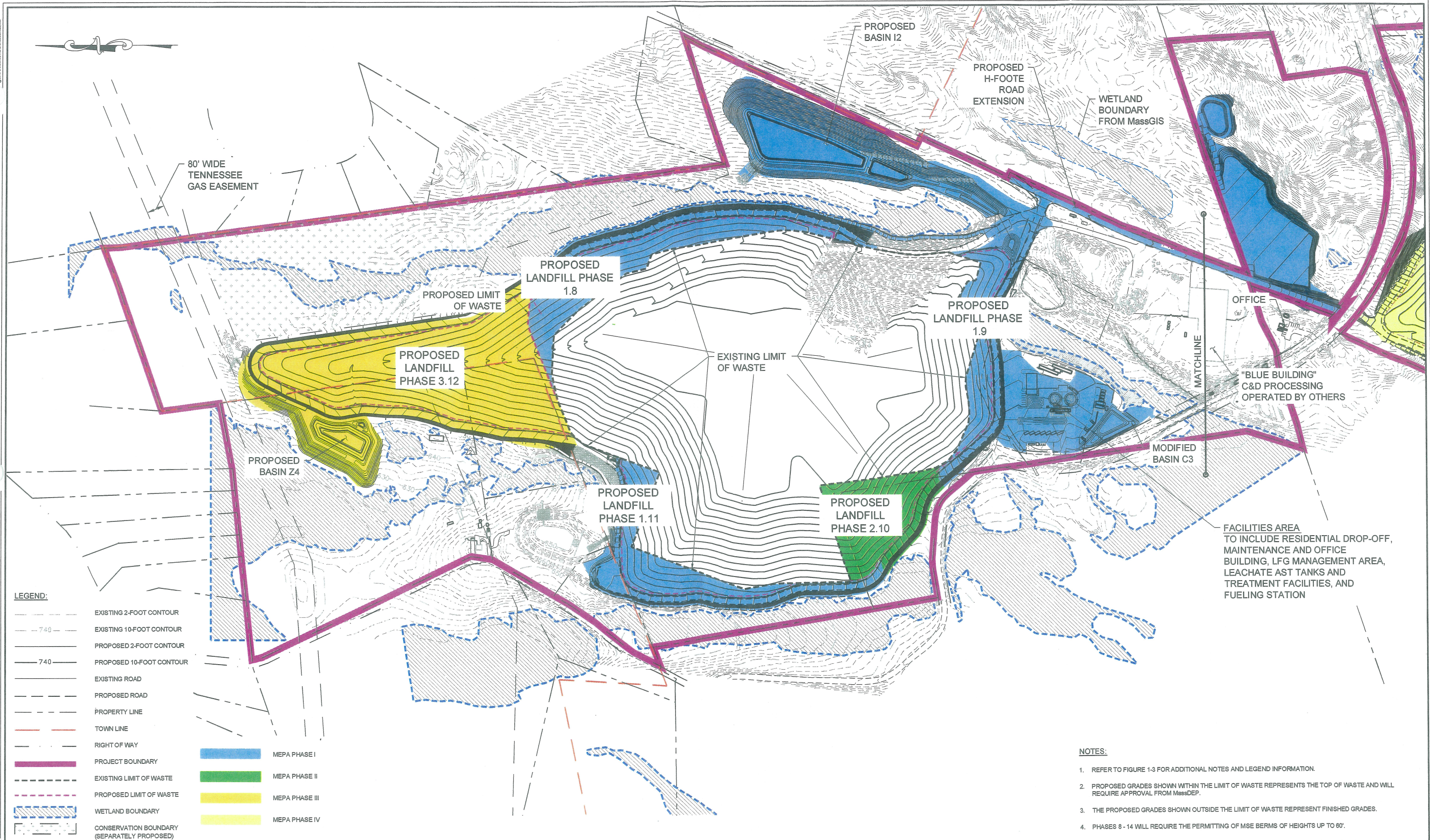
Thank you for your careful consideration of this submission. Please contact me if you have any questions or concerns.

**A**

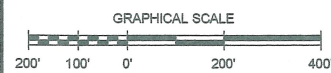


## Southbridge Recycling & Disposal Park    Southbridge, Massachusetts

**B**



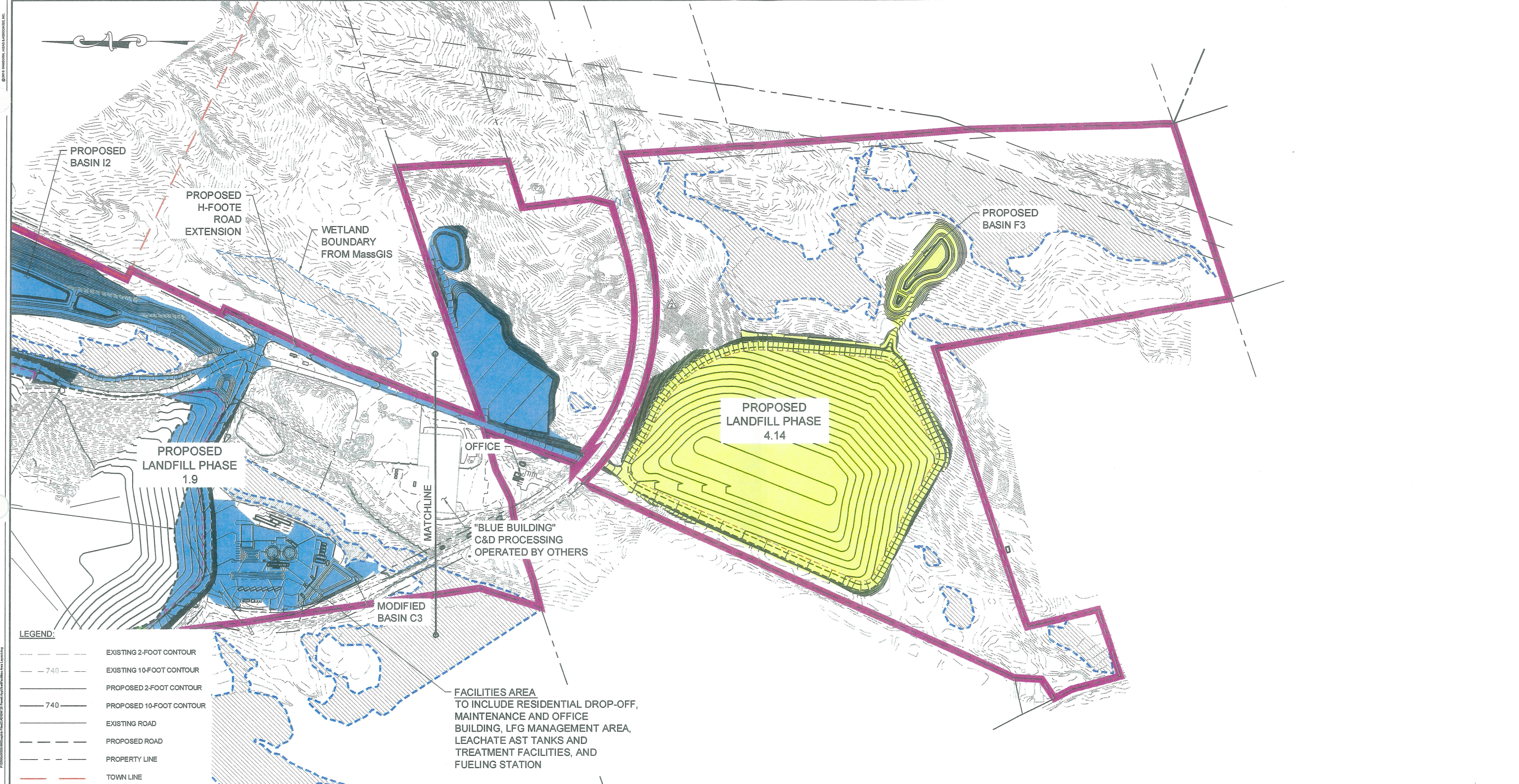
SANBORN HEAD



NO.	DATE	DESCRIPTION		BY

DRAWN BY: D. LONG  
DESIGNED BY: D. LONG  
REVIEWED BY: R. ST. MICHEL  
PROJECT MGR: R. ST. MICHEL  
PIC: M. POIRIER  
DATE: AUGUST 2015

DRAFT ENVIRONMENTAL IMPACT REPORT  
SOUTHBRIDGE RECYCLING & DISPOSAL PARK, INC.



**LEGEND:**

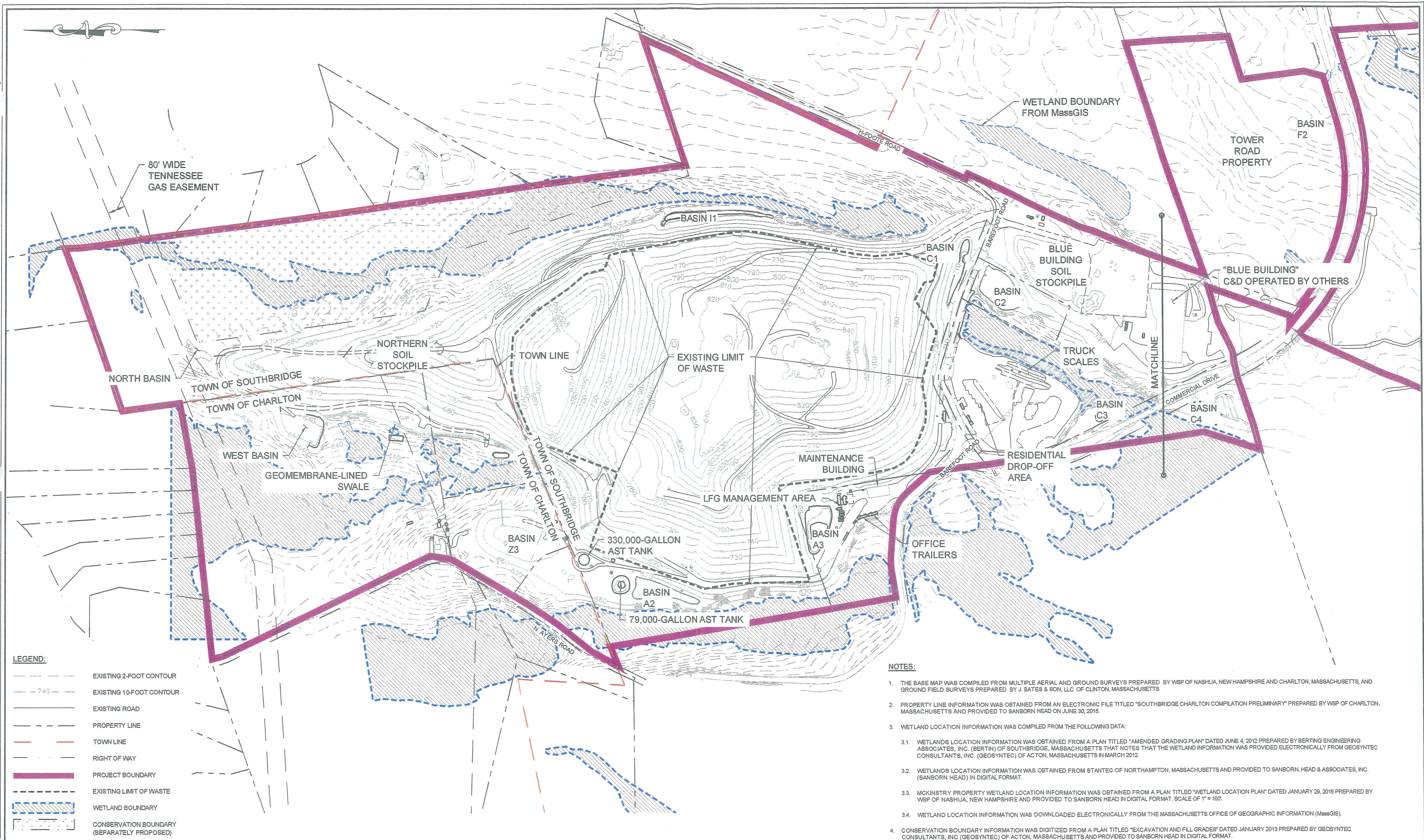
---	EXISTING 2-FOOT CONTOUR		
- - 740 - -	EXISTING 10-FOOT CONTOUR		
---	PROPOSED 2-FOOT CONTOUR		
--- 740 ---	PROPOSED 10-FOOT CONTOUR		
---	EXISTING ROAD		
---	PROPOSED ROAD		
---	PROPERTY LINE		
---	TOWN LINE		
---	RIGHT OF WAY		
---	PROJECT BOUNDARY		
---	EXISTING LIMIT OF WASTE		
---	PROPOSED LIMIT OF WASTE		
---	WETLAND BOUNDARY		
---	CONSERVATION BOUNDARY (SEPARATELY PROPOSED)		
		MEPA PHASE I	
		MEPA PHASE II	
		MEPA PHASE III	
		MEPA PHASE IV	

FACILITIES AREA  
TO INCLUDE RESIDENTIAL DROP-OFF,  
MAINTENANCE AND OFFICE  
BUILDING, LFG MANAGEMENT AREA,  
LEACHATE AST TANKS AND  
TREATMENT FACILITIES, AND  
FUELING STATION

- NOTES:**
1. REFER TO FIGURE 1-3 FOR ADDITIONAL NOTES AND LEGEND INFORMATION.
  2. PROPOSED GRADES SHOWN WITHIN THE LIMIT OF WASTE REPRESENTS THE TOP OF WASTE AND WILL REQUIRE APPROVAL FROM MassDEP.
  3. THE PROPOSED GRADES SHOWN OUTSIDE THE LIMIT OF WASTE REPRESENT FINISHED GRADES.
  4. PHASES 8 - 14 WILL REQUIRE THE PERMITTING OF MSE BERMS OF HEIGHTS UP TO 60'.

		<table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th><th>BY</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	NO.	DATE	DESCRIPTION	BY																																					<p>DRAWN BY: D. LONG DESIGNED BY: D. LONG REVIEWED BY: R. ST. MICHEL PROJECT MGR: R. ST. MICHEL PIC: M. POIRIER DATE: AUGUST 2015</p>	<p>DRAFT ENVIRONMENTAL IMPACT REPORT SOUTHBRIDGE RECYCLING &amp; DISPOSAL PARK, INC.</p>	<p>PROJECT NUMBER: 3530.06</p>
			NO.	DATE	DESCRIPTION	BY																																							
				<p>PROPOSED EXPANSION AREAS</p>	<p>FIGURE NUMBER: 1-6</p>																																								

C



**LEGEND:**



**D**

**M.G.L. c.111, §150A: SOLID WASTE DISPOSAL FACILITIES; MAINTENANCE AND OPERATION; APPLICATIONS FOR SITE ASSIGNMENT**

*Section 150A.* As used in this section, "facility" means a sanitary landfill, a refuse transfer station, a refuse incinerator with a grate area in excess of ten square feet, a refuse composting plant, a residual waste storage or treatment plant, a dumping ground for refuse or any other works for treating or disposing of refuse; and "refuse" means all solid or liquid waste materials, including garbage and rubbish, sludge and residual waste, but not including sewage.

No place in any city or town shall be established or maintained or operated by any person, including any political subdivision or agency of the commonwealth, as a site for a facility, unless such place has either been assigned by the board of health of such city or town as a site for a facility after a public hearing, subject to the provisions of any ordinance or by-law adopted therein under chapter forty A or corresponding provisions of earlier laws, or, in the case of an agency of the commonwealth, has been assigned by the department of environmental quality engineering, in this section called the department, after a public hearing and unless public notice of such assignment has been given by the board of health. The assignment of a place as a site for a facility shall be subject to such limitation with respect to the extent, character and nature of operation thereof as may be necessary to protect the public health, comfort and convenience. The department shall advise, upon request, any board of health previous to the assignment of a place as a site for a facility.

If such facility is a landfill owned or operated by any person other than a town or an agency of the commonwealth, such person shall pay to the town where the facility is located a fee of fifty cents for each ton of solid waste from outside such town which is disposed of in such landfill. Residue from a resource recovery facility located in the municipality wherein such landfill is located shall not be deemed to be solid waste for purposes of said payment. On or before the twentieth day of each month every such person shall file a return subscribed under the penalties of perjury with the board of health of the town in which such facility is located, on such form as the commissioner of environmental quality engineering, in this section called the commissioner shall prescribe, giving such information as the commissioner shall require for the determination of the fee imposed by this paragraph. Said fee shall be due and payable on or before the due date of the return. (So much of the provisions of section one hundred and fifty A of chapter one hundred and eleven of the General Laws, as are inserted by section six of this act, shall apply only to a facility at a location where there has been no facility assigned under the provisions of said section one hundred and fifty A at any time prior to the effective date of this act).

Any person aggrieved by the action of a board of health in assigning a place as a site for a facility, including persons in control of any public land, the selectmen of any town, and in cities having a Plan D or Plan E charter the city manager, and in other cities the mayor, when authorized by vote of the city council, may, within sixty days of the publication of notice of such assignment, appeal to the department from the assignment of the board of health. Upon such appeal or upon the department's own initiative, the department may, after due notice and public hearing, rescind or suspend such assignment or modify the same by the imposition or amendment of conditions.

A facility shall not be constructed or operated unless the proposed use and the plans or design therefor have been approved by the department.

Every person, including every political subdivision of the commonwealth, maintaining or

operating a facility, shall maintain and operate the same in such manner as will protect the public health, comfort and convenience and prevent a nuisance or a danger to the public health by reason of odor, dust, fires, smoke, the breeding or harboring of rodents, flies or vermin, or other causes. Upon determination that the operation or maintenance of a facility results in a nuisance or a danger to the public health, such assignment may be rescinded or suspended or may be modified through the imposition or amendment of conditions, at any time after due notice and public hearing, by the board of health of the city or town where such facility is located, upon its own initiative or upon complaint by any person aggrieved by such assignment, or by the department, upon its own initiative or upon complaint by any person aggrieved by such assignment.

The department shall adopt and may from time to time amend rules and regulations, and the commissioner may issue orders, to enforce the provisions of this section. Any person, including any political subdivision of the commonwealth, who fails to operate and maintain a facility in accordance with the provisions of this section or in accordance with any rules, regulations, or orders hereunder promulgated shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars. Each day's failure to comply with said provisions, rules, regulations or orders shall constitute a separate violation.

The superior court shall have jurisdiction in equity to enforce the provisions of this section upon petition of the department or any aggrieved person.

Ash produced from the combustion of coal, including but not limited to fly ash and bottom ash, shall not be construed as refuse, rubbish, garbage, or waste material under this section when used as a raw material for concrete block manufacture, aggregate, fill, base for road construction, or other commercial or industrial purpose, or stored for such use. A location where such use or storage takes place may be constructed, established, maintained, and operated without being construed as a facility or site for a facility under this section, and no assignment or approval from the board of health or the department shall be required for such construction, establishment, maintenance, or operation; provided, however, the department shall have jurisdiction to determine, after notice and hearing, that the establishment, or operation of such a location has created a nuisance condition by reason of odor, dust, fires, smoke, the breeding or harboring of rodents, flies or vermin, or other causes, and to prevent or order abatement thereof; and provided, further, that no final disposal of ash produced by the combustion of coal may be accomplished by burial of such ash in the ground, other than as base for road construction or fill, unless the place where such disposal takes place has been assigned for such disposal by the board of health and plans for such disposal have been approved by the department pursuant to this section. The department may waive the requirements of the preceding paragraphs of this section and the application of any regulations, or portions thereof, promulgated under the preceding paragraphs of this section as they may apply to the disposal by burial of ash produced by the burning of coal, and shall review and may approve the plans, site and method of storage upon a determination that no nuisance is created and damage to the environment is minimal. Use of ash produced from the combustion of coal as intermediate cover material over rubbish at sanitary landfill facilities may be permitted by assignment of the board of health with approval of the department under this section.

**E**

BOARD OF HEALTH  
TOWN OF SOUTHBRIDGE



SOUTHBRIDGE, MASSACHUSETTS 01550

The Southbridge Board of Health, at a meeting on July 2, 1979, unanimously voted to grant an assignment of area to the proposed site for a sanitary landfill on a tract of land presently owned by George Corriveau in the Barefoot Road section of Southbridge.

Such a grant is a requirement by the Massachusetts Department of Environmental and Quality Engineering and will allow the Town and State to continue the necessary site development tests and plans in order to conclude the feasibility study.

The Board has carefully considered its decision, considering and understanding all the objections that have been raised against the proposed site. In its opinion, these objections would be raised against any proposed site by any neighboring citizens. However, the Board based its decision on the welfare and health of the majority of the Town's citizens, keeping in mind environmental and cost factors. A negative decision on the part of the Board of Health would force the town to consider another site, even with all the same objections. This could leave Southbridge with absolutely no method of waste disposal when the life of the present site expires, an intolerable situation from a health and welfare point of view.

The Board, along with the Town Council's Subcommittee for the Department of Public Works, investigated in great detail alternate methods of solid waste disposal, such as incineration and recycling. It came to the conclusion that such methods were not feasible or practical for our situation because of cost, efficiencies of operation, site location and other reasons.

Sincerely,

\_\_\_\_\_  
Samuel J. Fearing DMD, Chairman

\_\_\_\_\_  
Albert Gendron, Clerk

\_\_\_\_\_  
William Berry, Member

## TOWN OF SOUTHBRIDGE



SOUTHBRIDGE, MASSACHUSETTS 01550

July 3, 1979

Mr. Peter Boyer, Town Manager  
Town Hall  
Southbridge, Mass.



Dear Mr. Boyer:

The Southbridge Board of Health, at a meeting on July 2, 1979, unanimously voted to grant an assignment of area to the proposed site for a sanitary land fill on a tract of land presently owned by George Corriveau in the Barefoot Road section of Southbridge.

Such a grant is a requirement by the Massachusetts Department of Environmental and Health Engineering and would allow the Town and State to continue the proposed sanitary development in the area and in order to control the health of the majority of the Town's citizens.

The Board has carefully considered the decision, considering the health and the objections that have been raised from the proposed site. In the opinion of the Board, these objections would be more easily handled if the proposed site were located in a more rural area. However, the Board's decision on the health and the health of the majority of the Town's citizens, keeping in mind the cost factors. A negative decision on the part of the Board of Health would force the Town to consider another site, again with all the same objections. This could leave Southbridge with absolutely no method of waste disposal when the present site expires, an intolerable situation from a health and welfare point of view.

The Board, along with the Town Council's Subcommittee for the Department of Public Works, investigated in great detail alternate methods of solid waste disposal, such as incineration and recycling. It came to the conclusion that such methods were not feasible or practical for our situation because of cost, efficiencies of operation, site location and other reasons.

Sincerely,

*Samuel Fearing*  
Samuel Fearing, MD, Chairman

*Albert Gendron*  
Albert Gendron, Clerk

*William A. Berry*  
William Berry, Member

copy to T.M.  
copy to P.E.D.E.

7-3-79

**F**



EDWARD J. KING

GOVERNOR

JOHN A. BEWICK

SECRETARY

# *The Commonwealth of Massachusetts*

*Executive Office of Environmental Affairs*

*100 Cambridge Street*

*Boston, Massachusetts 02202*

## M E M O R A N D U M

TO: Peter Boyer, Town Manager  
Town of Southbridge

FROM: Samuel G. Mygatt *SGM*  
Director, MEPA Unit

DATE: April 8, 1980

RE: Consultation Session, EOE # 03729  
Southbridge Sanitary Landfill

Pursuant to Section 4.10 of the Regulations Governing the Implementation of the Massachusetts Environmental Policy Act, a consultation session will be held on site at the Southbridge Sanitary Landfill, Barefoot Road, Southbridge, on Friday, April 25, 1980, 1:30 PM. The project proponent and all agencies which have jurisdiction by law or special expertise should make themselves available for information as may be necessary to permit them to advise the Secretary on the need for an EIR, and the scope of the EIR, if needed.

Questions may be answered by calling Ashvin Patel of the MEPA staff at 727-5830.

SGM/mn

CC: Gilbert T. Joly - DEQE Central  
John Desmond - DEQE Central  
C. Harris - DEQE Central  
Thomas Arnold - Weston, Patrick, Willard and Redding  
Paul Killeen Esq., Southbridge  
H. Clarke, DPW - Southbridge  
Lee Lyman, Lycott Environmental Research  
Southbridge Conservation Commission  
Central Mass. Regional Planning Commission

EOEA NUMBER : 037:29 file

B Form with addendum

~~1-A~~ & C Form, with  
attached scope

✓ Consultant Town of Southbridge, 41 Elm Street, Southbridge MA 01550  
Lee Lyman ( )

STATE AGENCIES: 133 Main Street, Southbridge  
 \*\*\*DOE : Commissioner : Dick Bates

Water Supply, attn : \_\_\_\_\_ (2692) 600 Wash.  
DAHM 600 Wash. attn : \_\_\_\_\_ (2658 5188)

✓ Div. Water Pollution Control, attn. Donald Fontaine  
Waterways, attn. (4796) 100 Nashua

✓ Regional Office in WORCESTER, attn. Gilbert T. Joly (

\*\*\*DEM : \_\_\_\_\_

\*\*\*Coastal Zone Management :      attn : \_\_\_\_\_ /0520

\*\*\* Food & Agriculture : atten :

\*\*\* Mass DPW : Commissioner (4800): John Hurley (8186); Greg Brandenberg (8186)

DPW District, Office in \_\_\_\_\_; attn: \_\_\_\_\_

\*\*\* Massport : attn : \_\_\_\_\_ N. Faramelli (482-2930); \_\_\_\_\_ Other \_\_\_\_\_  
 \*\*\* Mass Turnpike : attn : \_\_\_\_\_

\*\*\* Mass Aeronautics Comm. \_\_\_\_\_ : attn \_\_\_\_\_ (5350)  
 \*\*\* EOTC : attn Elizabeth Murray (2271)

\*Regional Planning Commission, Office in \_\_\_\_\_; \_\_\_\_\_; attn. \_\_\_\_\_

\*Dept. Public Utilities, Boston Sewer &amp; Water \_\_\_\_\_ : \_\_\_\_\_

CITY/TOWN : ☒ Conservation Commission, attn Chairman  
☒ Planning Board/Community development, attn Director

\* MERA Staff: \_\_\_\_\_ D.P.W. \_\_\_\_\_  
 \_\_\_\_\_ Homer D. Clarke, Director,  
 77 Mill Street, Boston, MA 02108

\* Others : Citizens; Elected Officials

→ Thomas Arnold  
Westron, Patrick, Willard and Redding  
84 State street  
Boston MA 02109

→ D.C. McKinstry  
389 Pleasant St.  
Southbridge, Me. 01550

DEPA STAFF EVALUATION SHEET - ENF

EOEA No. 03729 Town SOUTH BRIDGE

Project Name SANITARY LANDFILL

Lead Proponent TOWN OF SOUTH BRIDGE

Estimated Project Cost 162,000 Other EAF No. \_\_\_\_\_

Filing Date 3-31-80 Monitor Date 4-7-80

Secretary's Decision Date \_\_\_\_\_ Scoping Session Date \_\_\_\_\_

Decision: A/C B

Withdrawn

7543226  
See Fallu

Staff Comments on ENF (please date):

*Very complicated discussions with John, Pope*

→ Obtain copy of published Notice of Intent to file ENF.  
Requested additional information from Mr. Clarke, DPW.

**G**

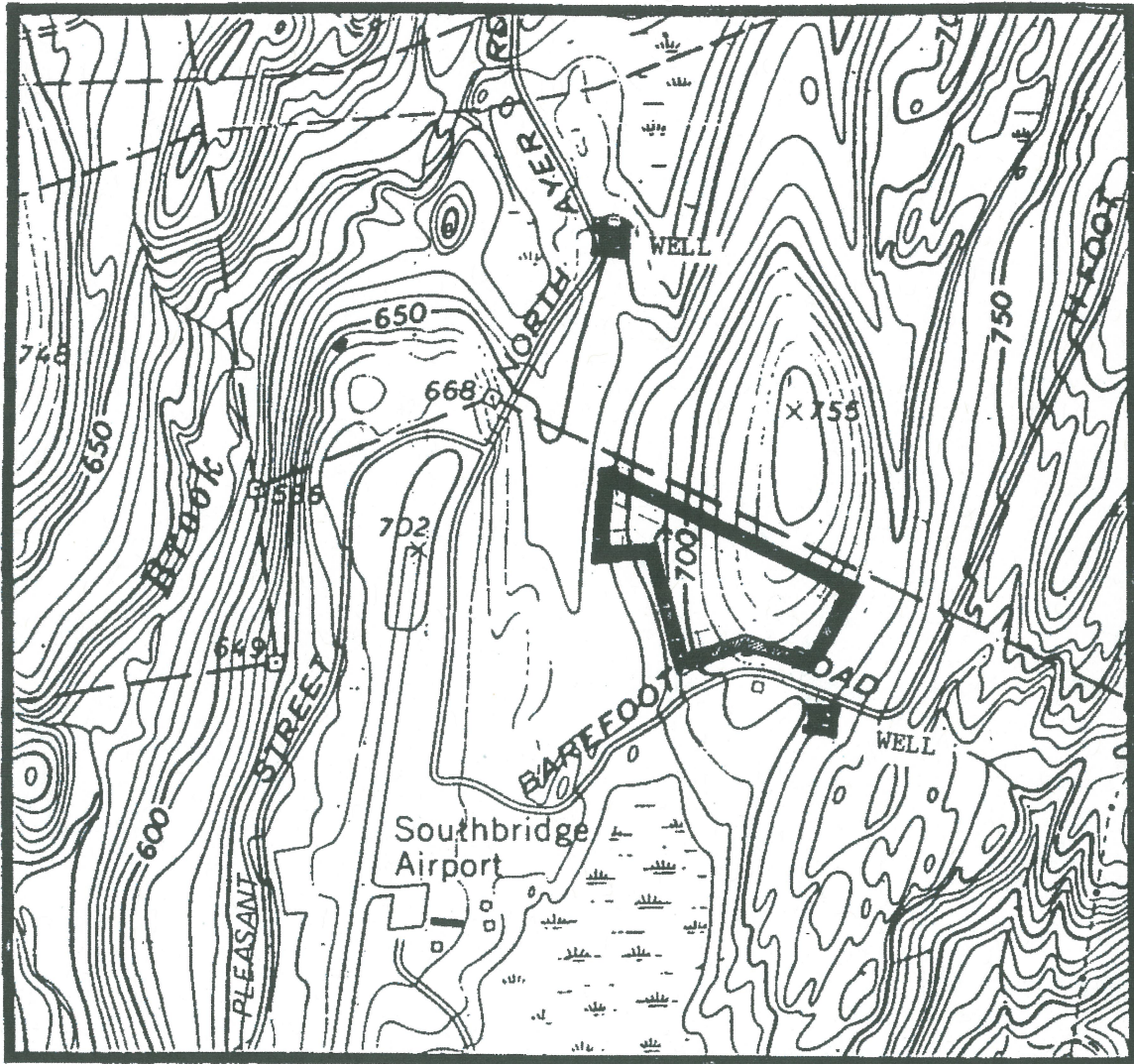
**SRC NUMBER**

**F101D01**

**CASE FILE**

**3729**





PROPOSED LANDFILL SITE  
BAREFOOT ROAD  
SOUTHBRIDGE, MASS.



SCALE 1" = 1000.0'

Н

REPORT FOR THE OPERATION OF  
THE PROPOSED BAREFOOT FARM ROAD  
SANITARY LANDFILL FOR THE  
TOWN OF SOUTHBRIDGE

PREPARED BY:

E. J. FLYNN ENGINEERS, INC.  
127 TAUNTON STREET  
MIDDLEBORO, MA.

November, 1980

## TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
LETTER OF SUBMITTAL	
PURPOSE	1
DESCRIPTION OF SITE	1
SUBSURFACE CONDITIONS	2
GROUND WATER CONDITIONS	3
LANDFILL DESIGN	4 & 5
DESIGN CRITERIA	6 & 7
ACCESS TO SITE	7
EXISTING BUILDINGS ON SITE	8
DAILY OPERATION	8
SEQUENCE OF OPERATION	9
COVER MATERIAL	10 & 11
BUFFER ZONES	11
DRAINAGE CONSIDERATIONS	12
LANDFILL LIFE EXPECTANCY	12
LANDFILL EQUIPMENT	13
EQUIPMENT AND PERSONNEL SHELTER	13
HOT LOAD AREA	14
FIRE PROTECTION	14
BRUSH	14
DUST AND LITTER CONTROL	14
FINAL CLOSURE	15
FINAL SITE USE	15
APPENDIX A - TEST BORINGS	
APPENDIX B - SKETCH OF TEST TRENCHES	
APPENDIX C - AREA METHOD OF LANDFILL	
APPENDIX D - LANDFILL COVER DETAIL	
APPENDIX E - DRAINAGE CALCULATIONS FOR SEDIMENTATION BASIN	

## E. J. Flynn Engineers, Inc.

A SUBSIDIARY OF  
 **Thermo  
Electron**  
CORPORATION

127 Taunton Street  
Middleboro, Massachusetts 02346  
(617) 961-2188 (Boston)  
(617) 947-3514 (Middleboro)

November 14, 1980

Peter Boyer, Town Manager  
Town Hall  
Southbridge, MA.

Re: Southbridge-Solid Waste-Proposed Sanitary Landfill,  
Barefoot Farm Road, Job #80-S40.

Dear Mr. Boyer;

In accordance with our agreement outlined in Lycott Environmental Research's contract proposal submitted to you on July 17, 1980, we hereby submit our report and operational design plan for the proposed operation of a sanitary landfill at the above referenced site.

It is our opinion that the proposed site will have a life of approximately 20 years if the desired compaction is achieved in the landfill operation.

Sincerely,

E. J. FLYNN ENGINEERS



Fred L. DeFeo, P.E.  
Chief Engineer

## PURPOSE

The purpose of this project is to present a design for a sanitary landfill on the Barefoot Farm Road site. The development of a new landfill for the town of Southbridge is necessary because use of the existing Sturbridge/Southbridge regional site in Sturbridge will be completed in the near future. Therefore, it is imperative that operational plans for the new site be approved as soon as possible by the Department of Environmental Quality Engineering to avoid the possibility of the town having to haul its refuse to a private landfill.

## DESCRIPTION OF SITE

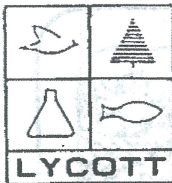
The Barefoot Farm Road site is a portion of a large town owned parcel consisting of approximately 150 acres located in the towns of Southbridge and Charlton. The site to be landfilled contains approximately 23 acres and is located between the Southbridge/Charlton town line and Barefoot Farm Road on the Northerly and Southerly sides, respectively, and between two wetland areas on the Easterly and Westerly sides. Appropriate buffer zones have been established between the proposed landfill limits and the above mentioned boundaries.

The site was assigned, after a public hearing, by the Southbridge Board of Health on July 2, 1979. The assignment was appealed to the regional office of the Department of Environmental Quality Engineering on August 24, 1979 and subsequently on May 21, 1980, the Department of Environmental Quality Engineering upheld the Town's assignment.

### SUBSURFACE CONDITIONS

Soil and subsurface examinations were taken on the site in the form of test borings, seismic tests and test wells by Lycott Environmental Research, Inc. in November, 1978, April, 1979 and October, 1980. The test borings indicated, as shown in Appendix A, that the natural soil consists mainly of compact glacial till with varying amounts of silt, clay, stones and boulders. The seismic tests were conducted to determine the depth to and locations of bedrock. The borings and test wells show that the soil was saturated at varying elevations on the hill due to the impermeable layer of glacial till on top of the bedrock.





**LYCOTT ENVIRONMENTAL  
RESEARCH, INCORPORATED**

SOUTHBRIDGE, MA. 01550

617-765-0101

F101D01

3729

ENVIRONMENTAL IMPACT REPORT  
**FILE COPY**  
PROPOSED SOUTHBRIDGE SANITARY LANDFILL

for the  
TOWN OF SOUTHBRIDGE, MASSACHUSETTS

**DRAFT**

EOEA NO. 03729

LYCOTT NO. E-088-80

SUBMITTED: DECEMBER 24, 1980

PREPARED BY  
LYCOTT ENVIRONMENTAL RESEARCH, INC.  
600 CHARLTON STREET  
SOUTHBRIDGE, MASSACHUSETTS

and

E. J. FLYNN ENGINEERS, INC.  
127 TAUNTON STREET  
MIDDLEBORO, MASSACHUSETTS



ENVIRONMENTAL NOTIFICATION FORM

P R E F A C E

Environmental Notification Form

Scope and Alternatives

for EOEA No. 03729

APPENDIX A  
COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

## ENVIRONMENTAL NOTIFICATION FORM

### I. SUMMARY

#### A. Project Identification

1. Project Name Southbridge Sanitary Landfill

2. Project Proponent Town of Southbridge

Address 41 Elm Street

Southbridge, MA 01550

#### B. Project Description: (City/Town(s)) Southbridge

1. Location within city/town or street address Barefoot Road

2. Est. Commencement Date: June 1980 (Construction) Est. Completion Date: \_\_\_\_\_

Approx. Cost \$ 162,000

Current Status of Project Design: 5 % Complete

#### C. Narrative Summary of Project

Describe project and give a description of the general project boundaries and the present use of the project area. (If necessary, use back of this page to complete summary).

Project: Construct and operate municipal solid-waste sanitary landfill. Ultimate design will process 192 compacted cubic yards per day, including cover material. This volume is equivalent to 36 acre-feet per year.

General Boundaries: Excavation and use of a drumlin bounded on the north by the Charlton-Southbridge town lines, east, west and south by Barefoot Farm Road.

Present Use Of Project Area: Open areas loaned out for production of silage. Wooded areas remain as forest land or used to produce cordwood.

Copies of this may be obtained from:

Name: Town Manager

Firm/Agency: \_\_\_\_\_

Town of Southbridge

Address: 41 Elm Street

Southbridge, MA 01550

Phone No. 764-6832

E. Has this project been filed with EOE A before? Yes \_\_\_\_\_ No X  
 If Yes, EOE A No. \_\_\_\_\_ EOE A Action? \_\_\_\_\_

F. Does this project fall under the jurisdiction of NEPA? Yes \_\_\_\_\_ No X  
 If Yes, which Federal Agency? \_\_\_\_\_ NEPA Status? \_\_\_\_\_

G. List the State or Federal agencies from which permits will be sought:

Agency Name	Type of Permit
Mass. Dept. of Environmental Quality Engineering	Landfill Approval

H. Will an Order of Conditions be required under the provisions of the Wetlands Protection Act (Chap. 131, Section 40)?  
 Yes X No \_\_\_\_\_

DEQE File No., if applicable: Not Applicable at this time

I. List the agencies from which the proponent will seek financial assistance for this project:

Agency Name	Funding Amount
None	None

## II. PROJECT DESCRIPTION

A. Include an original 8 1/2 x 11 inch or larger section of the most recent U.S.G.S. 1:24,000 scale topographic map with the project area location and boundaries clearly shown. Include multiple maps if necessary for large projects. Include other maps, diagrams or aerial photos if the project cannot be clearly shown at U.S.G.S. scale. If available, attach a plan sketch of the proposed project.

B. State total area of project: 20.6 Acres

Estimate the number of acres (to the nearest 1/10 acre) directly affected that are currently:

1. Developed .....	<u>0</u> acres	4. Floodplain .....	<u>0</u> acres
2. Open Space/Woodlands/Recreation .....	<u>12.8</u> acres	5. Coastal Area .....	<u>0</u> acres
3. Wetlands .....	<u>0</u> acres	6. Productive Resources	
		Agriculture .....	<u>7.8</u> acres
		Forestry .....	<u>0</u> acres
		Mineral Products .....	<u>0</u> acres

C. Provide the following dimensions, if applicable:

Length in miles <u>0.3</u>	Number of Housing Units <u>N/A</u>	Number of Stories <u>N/A</u>
Longest Dimension	Existing	Immediate Increase Due to Project
Number of Parking Spaces .....	<u>0</u>	<u>0</u>
Vehicle Trips to Project Site (average daily traffic) .....	<u>68</u>	<u>0</u>
Estimated Vehicle Trips past project site .....	<u>50</u>	<u>0</u>

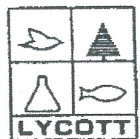
D. If the proposed project will require any permit for access to local or state highways, please attach a sketch showing the location of the proposed driveway(s) in relation to the highway and to the general development plan; identifying all local and state highways abutting the development site; and indicating the number of lanes, pavement width, median strips and adjacent driveways on each abutting highway, and indicating the distance to the nearest intersection. No Access Permits Required.

are received every operating day. A figure of 192 cubic yards per day is used for calculating life expectancy considering that an additional 20 per cent of the refuse volume must be added to the 160 cubic yards to account for cover material.

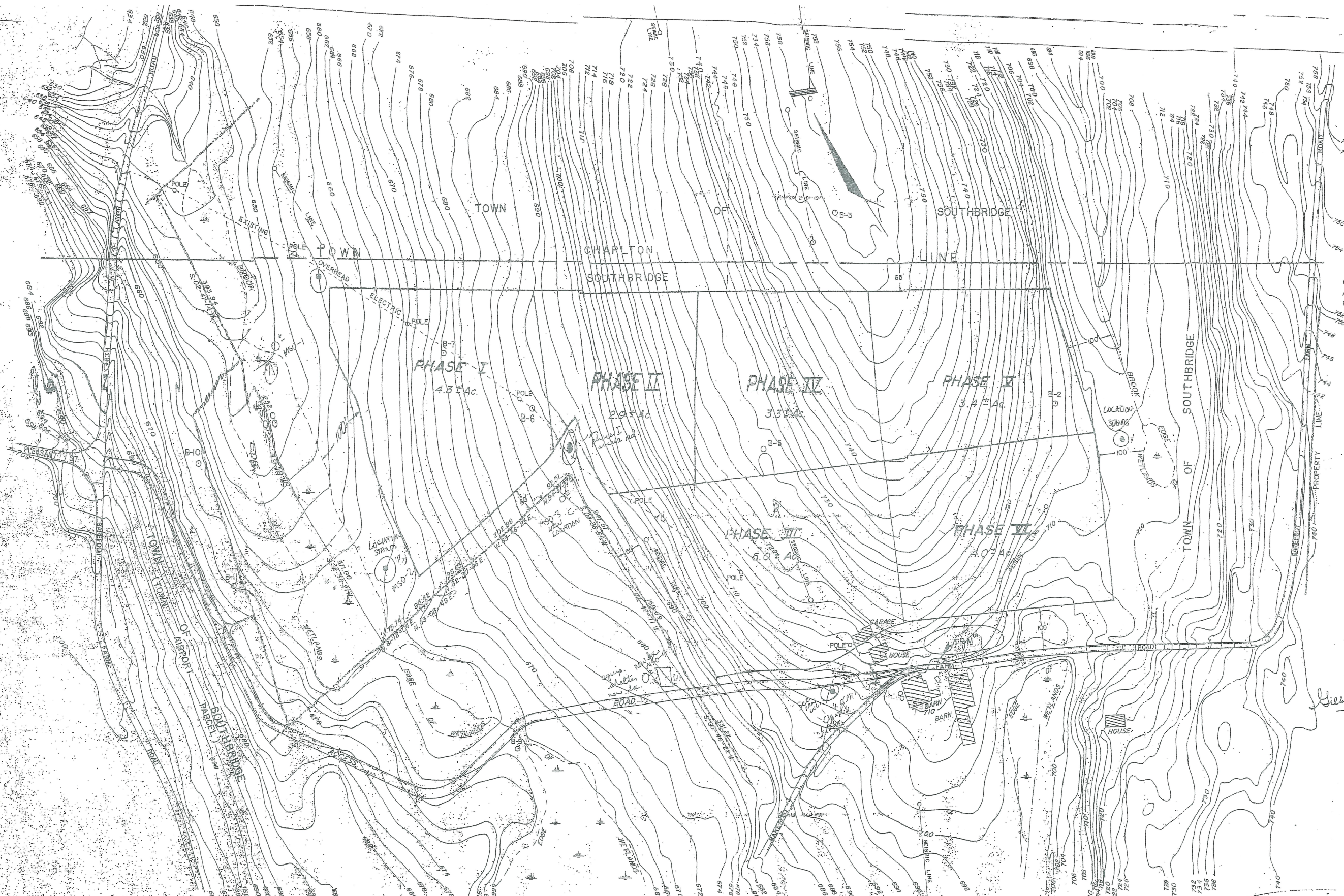
It is anticipated that approval from DEQE can be obtained by March 15, 1981, and that construction of the new access road and earth removal operations for the first phases of the site can be instituted during late spring. The method of development and phasing of the site is described in Section 3.0 of this report and, as outlined in that section, the site will be developed on a phased basis over the next 20-year period.

#### 1.4 Present Zoning Ordinances

The 23-acre proposed landfill site, including buffer zones, is presently in the residential-single family zone in accordance with the Town of Southbridge Zoning Map dated 1975. The abutting land on the east and south in Southbridge is also in the residential-single family zone. The abutting land on the west is owned by the Town Municipal Airport and is in the retail business zone. The abutting land on the north in the Town of Charlton has not been specifically zoned as Charlton does not have a zoning map. As a result of a zoning change which was adopted by the Town of Southbridge on November 25, 1980, the proposed landfill site at Barefoot Farm Road will not need a variance or zoning change to accommodate the landfill. The zoning change which was adopted by the town allows use of land in any zoning district for municipal purposes.



J



SITE BENCHMARK  
CHISELED "X" ON TOWN BOU  
ABOUT 2' HIGH ON EAST S  
BAREFOOT FARM ROAD  
EL. = 756.30 (U.S.C. & G.S.)

T.B.M. 1  
NAIL IN BASE OF POLE E  
ON BAREFOOT FARM ROAD  
EL. = 756.30

APPROVED  
DEPARTMENT OF ENVIRONMENTAL  
QUALITY ENGINEERING  
AUG 18  
*Silbert T. Joly* Date

NEW LOCATIONS OF MONITORING WELLS 11/25/81 (MINOR CHANGES)  
ADD PROPOSED MONITORING WELLS - 24-31  
REVISED - SEMIC LINES ADDED, BENCH INFO. 2-24-81

NOTE:  
EXISTING TOPOGRAPHY IS TAKEN FROM A PLAN ENTITLED  
"TOPOGRAPHIC PLAN OF LAND IN SOUTHBRIDGE, MASS."  
DRAWN BY COL-EAST, INC. DATED APRIL 29, 1970.

EXISTING TOPOGRAPHICAL CONDITION		JOB NO.	
PROPOSED SANITARY LANDFILL OFF BAREFOOT FARM ROAD		DWS. 11	
FOR THE TOWN OF SOUTHBRIDGE, MA.		DWS. 11	
DATE NOV 28, 1980	SCALE 1" = 100'	DRAWN K.W.F.	CHECKED FLD

LEGEND  
TEST BORINGS  
EXISTING CONTOURS

**K**



# CONSERVATION COMMISSION

CHARLTON, MASS.

01507

February 8, 1981

Executive Office of Environmental Affairs  
Office of the Secretary  
100 Cambridge Street  
Boston, Massachusetts 02202

RE: Proposed Southbridge Sanitary Landfill  
EOEA No. 0329 03729  
Comm. No. 0070

Gentlemen:

Enclosed is a technical review of the proposed Town of Southbridge Sanitary Landfill Environmental Impact Report and related information, containing our questions and grave concerns for the protection and welfare of the Town of Charlton.

It is our sincere hope when you evaluate the Environmental Impact Report and our attached review of this report, you will seriously consider all possible dangers and inconvenience to the people of Charlton who have nothing to gain and all too much to lose by the selection and development of this site as a landfill.

Very truly yours,

Judith Butler, Chairman

RECEIVED

FEB 9 1981

OFFICE OF THE SECRETARY  
ENVIRONMENTAL AFFAIRS

EDWARD B. JABLONSKI, P.E.  
Consulting Engineers  
8 SPRINGFIELD STREET  
WILBRAHAM, MASSACHUSETTS 01095  
(413) 596-4604

RECEIVED

February 6, 1981

FEB 9 1981

Conservation Commission  
Town of Charlton  
Town Hall  
Charlton, MA 01507

OFFICE OF THE COMMISSIONER OF  
ENVIRONMENTAL AFFAIRS

Attention: Ms. Judith Butler, Chairperson

Subject: Review of Draft EIR  
Proposed Southbridge Sanitary Landfill  
EOEA No. 03729  
Comm. No. 0070

Dear Members of the Commission:

In accordance with our agreement and discussions, a technical review of the proposed Town of Southbridge Sanitary Landfill Environmental Impact Report and related information has been completed. It is important to note that the review has been conducted to evaluate those aspects of the EIR considered germane to the interests of the Town of Charlton, and more precisely, its Conservation Commission. Furthermore, only information made available by the Town of Southbridge through its EIR, or readily obtained from other sources, has been considered. No extended or additional new studies have been completed, nor have the studies, investigations, etc. of others been verified or witnessed, i.e. information has been accepted as presented.

The following generalized procedure has been used in completing the technical review and evaluation cited above:

1. Consideration of background information developed prior to issuance of the draft EIR and brief site inspection of the proposed and alternative sanitary landfill sites which have been evaluated by the Town of Southbridge;
2. Brief review of the draft EIR, Plan of Operation and Drawings in consideration of the EOEA Scope of Alternatives required for the proposed action;
3. Extended inspection of the site and vicinity, and detailed review of the draft EIR, Plan of Operation and Drawings in consideration of the interests of the Town of Charlton;
4. Oral presentation of the review findings and conclusions in a public meeting forum, followed by public comment and discussion; and

SUMMARY REPORT

February 6, 1981

REVIEW OF DRAFT  
ENVIRONMENTAL IMPACT REPORT  
PROPOSED SOUTHBRIDGE SANITARY LANDFILL  
EOEA NO. 03729

Background Information:

During the approximate period 1977 to Spring 1980, the Town of Southbridge and others developed technical information relative to the siting of a new sanitary landfill within the Town of Southbridge. The following, related to this background information as it has been made available, is provided in consideration of the draft Environmental Impact Report (EIR), with direct reference thereto:

1. The Town of Southbridge has interest in providing municipal solid waste disposal facilities for its sole use. Other methods, alternative to sanitary landfilling, have been studied in detail, but have been eliminated from consideration due to "cost, efficiency of operation, site location and other reasons." (Reference Appendix E) Although these detailed studies have not been presented for public review (i.e. within the EIR), it would appear that they have been principally economics oriented. This information should be provided, including the costs of alternatives and the proposal, in order that the value which the Town of Southbridge has placed upon the known, probable and potential negative environmental consequences to the Town of Charlton can be determined.
2. An initial report indicates: "One criterion for these sites" (potential landfill) "is that they must contain at least fifty (50) useable acres, so that the site will last at least twenty (20) years."; and "..... areas which were unfavorable for landfill sites due to land use,.....". (Reference Appendix A) The usable portion of the Town of Southbridge owned, 150 acre, Barefoot Road site is 23 acres. The approximate 85 acres within the Town of Charlton has not been assigned for use as a solid waste disposal area. Additionally, the remainder within the Town of Southbridge, not proposed for landfilling, is primarily wetland. Since the proposed 23 acre site has potential to last for 20 years; how many other sites with similar characteristics have been omitted during the initial study?
3. Review of topographic mapping and visual inspection of alternative landfill sites given in the initial study indicates that all sites are remote, have no discernible active land use and likely have capability for expansion beyond 50 acres. Actual field tests to determine site soil properties, and ground water and ledge depths are not contained in initial studies. (Reference Appendix A) A Phase II study has evaluated "other particular characteristics of each potential site" pertaining to ground water, wetlands, available cover material, vegetation, wildlife, travel distances and traffic considerations. In addition developmental costs, buffer zones and sociological

L

January 13, 1981



## Landfill designers pledge no pollution

**SOUTHBRIDGE** — Residents should not harbor fears about groundwater contamination resulting from the landfill planned for hilltop farmland off Barefoot Road, say its designers.

Officials from Lycott Environmental Research of Southbridge and E. J. Flynn Engineers Inc. of Middleboro last night all but carved in stone a guarantee that their recently completed plans — which call for a series of drainage trenches and back-up settling basins — will prevent contamination of the water table.

Lee Lyman, president of Lycott, said the drainage system, coupled with the slope and soil makeup of the land, will ensure rainwater cannot seep through the debris to the groundwater table. But, he stressed the plans will work only if the landfill is operated in accordance with the six phases outlined in the design plans.

"Proper use of the landfill will eliminate any problems with leachates," Lyman said.

Lyman and engineers Bruce C. Wait and Fred DeFeo, both of E.J. Flynn, outlined the landfill design plans for a small group of residents and town officials who gathered at Town Hall last night.

While Lyman's and DeFeo's remarks were consistently positive about the Barefoot Road site, Lyman noted that "We're not dealing with an ideal site. Albeit the best in the town, it still is difficult," he said.

The town first began planning the Barefoot Road landfill more than one year ago, but has been stalled by outcries from local environmentalists whose major concern was leachate contamination.

Leachate is a mixture of waste material and water which occurs when groundwater seeps through land on which trash has been buried.

The most strenuous environmental objections were offered by the Charlton-Southbridge Neighbors Association. Their involvement resulted in a state Department of Environmental Quality Engineering mandate for a complete environmental impact statement and detailed plans.

There were few questions and few concerns expressed last night by residents who listened to the engineers and viewed slides and plans. Debra Coddington McKinstry, a leader of the Charlton-Southbridge Neighbors Association, was not present and was not available for comment.

Lyman said the plans now need to be reviewed by the state Executive Office of Environmental Affairs and the Worcester branch of the state Department of Environmental Quality before the town can begin construction work.

"Barring any appeals, we're hopefully optimistic that you will have final approval within 90 days," he said.

The design work plus the en-

vironmental impact statement cost the town approximately \$60,000. Lyman said that cost is nearly six times the average landfill design cost and is due to extra work required by environmental objections.

Added expenses were accrued in trying to verify the existence of a major bedrock fault which engineers hired by the Charlton-Southbridge Neighbors Association claimed made the land unsuitable for a landfill, Lyman said.

"There isn't one," he added, and termed the claims, "bogus, inaccurate information."

Both Lyman and Town Manager Peter Boyer declined to speculate how much overall construction costs would be.

Boyer said it would be difficult to calculate that because the landfill will be operated in a series of separate phases.

The total land parcel purchased for the landfill is 150 acres, which straddles the Southbridge-Charlton land.

Charlton last summer resoundingly refused Southbridge's request to use the Charlton part of the parcel as a landfill.

The new plans therefore apply only to the Southbridge land and call for 23 acres to be used over the next 10 to 15 years in a series of six phases.

Each phase, Lyman said, will use a small three-to-four-acre area that would be completely filled in two to three years.

He said their aim was to minimize the exposed area that would be susceptible to water saturation from rainfall.

DeFeo said, "Our purpose is to build up a layer of refuse so it can absorb water. The only time you have leachates is when the (debris) is saturated.

"If we can keep it deep (the debris) and then cap it, you should be without leachate," he said.

Operation of the new landfill is estimated to double the cost per ton of debris. It now costs the town about \$3 per ton, and will cost between \$5 and \$6 per ton at the new landfill, DeFeo said.

Southbridge Conservation Commission approval of the plans is also being sought because a proposed new access road would traverse a wetland area.

Besides the access road, however, Lyman said the landfill is planned so that it is 100 feet from any wetland area, 50 feet from any property line, and 60 feet from the Charlton Southbridge border.

Robert Brogna, chairman of the Charlton Board of Selectmen, attended last night's presentation to "see what environmental protections they built into the (landfill) plans."

Brogna said although he was "impressed" by the design work, Charlton is "comfortable" with its decision against allowing landfill operation on its part of the land.

# Charlton engineer severely questions border site dump

By BILL HOPKINS  
News Staff Writer

CHARLTON — Saying that Charlton had "everything to lose" and Southbridge "everything to gain," an engineer last night raised questions about the environmental impact of a proposed Southbridge landfill on Charlton's border.

The most important objection offered by the engineer was that Southbridge would change the drainage of the landfill site so that water would flow toward Charlton.

Edward Jablonski, the engineer hired by Charlton's Conservation Commission to study the landfill's environmental impact report, said there would be a "severe change" in the slope of the land when the landfill site was prepared. Instead of groundwater flowing southerly toward Southbridge, it would flow northwesterly toward Charlton, said Jablonski.

Jablonski also said the report had a "disregard for potential environmental impacts." In particular, he said the possible pollution of groundwater was not "adequately addressed."

Jablonski presented his review of the environmental impact study last night at an informational hearing attended by 10 citizens and members of several Charlton town boards.

The environmental impact report was prepared by Lycott Environmental Research of Southbridge and E.J. Flynn Engineers Inc. of Middleboro. The landfill would be located on Barefoot Road in Southbridge on a 23-acre site, 60 feet from the Charlton border.

Judy Butler, chairman of the Conservation Commission, said after the presentation by Jablonski that the commission had "serious doubts and questions (about the landfill) that need to be clarified."

Butler said she expected that the commission would appeal to the state concerning the landfill plans. Such an appeal has to be filed by Monday, Feb. 9 with the Executive Office of Environmental Affairs.

Wesley Stevens Jr., chairman of the Board of Selectmen, wondered why the drainage was to be changed from a southerly direction to a northwesterly direction. It is expected that the selectmen will also write a letter to the state with their objections to the plans.

Jablonski explained that the state will make a decision on the plans seven days after the appeal deadline. Suggestions by the state could then be appealed in a 30-day period before a final report was issued.

Jablonski said that answers to his questions "may only cost Southbridge more money and take more time," but the answers were important to Charlton, which "only stands to lose environmentally."

Among other questions Jablonski raised was whether there was a bedrock fault in the site area. A previous report had conflicting opinions by two geologists as to the existence of a fault in the area. But, Jablonski said, the final report disregarded one geologist's opinion that there was a fault. He said there should have been a third opinion to determine whether the fault actually exists.

Jablonski questioned why more background information on Charlton's topography wasn't included in the report. For instance, he mentioned McKinstry Brook, which could be affected by runoff from the landfill site. Jablonski said the report provided no information as to the condition of the stream —

did it have fish, how would these be affected?

McKinstry Brook is stocked with trout, several of those present at the hearing said. Jablonski said information such as this should be included in the report. He pointed out that the people in Boston, who would make the decision concerning the landfill site, would have no idea of actual conditions of the land if this information was not included.

The type of waste that would be brought to the landfill was also not outlined in the report, said Jablonski. This is important because the waste would determine the quality of leachates developed at the landfill, said Jablonski.

Leachate is a mixture of waste material and water which occurs when groundwater seeps through land on which refuse has been buried.

Jablonski said there was no reference to the makeup of possible industrial refuse, nor reference to control over oils, solvents, sludges and special wastes, in the report.

The construction of the landfill will involve moving large quantities of topsoil. Jablonski said the report did not study what effect this would have on the level of the groundwater table.

The report made no reference to rainfall, said Jablonski.

He said the report did not show the location of wells in the area and did not address the problem of con-

tamination of water from leachates — such as who would be responsible for the cleanup of the pollution.

Jablonski said that items such as these should have been looked at in the report.

The report did not look at the need for a liner of impermeable material to prevent leachates from polluting the wetlands, said Jablonski.

He asked what the cost of reclaiming polluted streams would be compared to the safeguards of a liner.

Because of questions that were not asked in the report, Jablonski expressed doubts about assurances that the site would be leachate-free. Dobra McKinstry of Pleasant

Street, Southbridge, near the proposed dump site, told Jablonski, that it was "depressing" that Southbridge, after "spending \$60,000 for this report" still did not have answers to the residents' questions.

Jablonski said he had a "philosophical problem" with the "same town that has spent \$200,000 for a landfill should be asked to study the environmental protections of the site. Where's the credibility?"

Jablonski said answers to his and Charlton's questions should have been done in the initial report. He said it shouldn't be up to Charlton to determine these answers.

Jablonski wondered why this site was chosen in the first place. He said that the two main criteria for the

If they don't want them (pollutants) in their town, then why do they want to put them in our town? — Jablonski also suggested to Charlton that it force Southbridge to hold a formal public hearing on the landfill.

being used for agricultural purposes. — Jablonski told the town it needed more assurances than "if we see it (pollution), then we'll treat it." — Selectman Robert Brogna said Southbridge "owes it to the people."

original selection of a landfill site were an area of more than 50 acres and an area that had no present use. — Jablonski pointed out that the Barefoot Road site meets neither one of these criteria, being 23 acres in size, and the land is presently

**M**

EX-101

4/15/99



TOWN OF SOUTHBRIDGE  
BOARD OF HEALTH

RE: Site Assignment Application  
DEP File No. 123919

In the Matter of )

The Town of Southbridge )

Barfoot Road Landfill Expansion )

DECISION OF THE  
TOWN OF SOUTHBRIDGE BOARD OF HEALTH

The Town of Southbridge (the "Applicant") has filed an application for a site assignment for an expansion of the existing landfill facility on Barfoot Road into the non-site assigned portion of the site, located adjacent to and north of the existing active site; this expansion will cover a total of approximately 32.2 acres north of the permitted phases of the landfill. The capacity of the landfill is also requested to be increased from 379 TPD to 500 TPD (500 TPD recycling residuals and 80 TPD of municipal solid waste ["MSW"]).

On March 3 and March 4, 1999, the Board of Health ("BOH") of the Town of Southbridge, Massachusetts, conducted a public hearing at the Town Hall, Southbridge, Massachusetts, following the required notices and procedures established by M.G.L. c.111, §150A and M.G.L. c.111, §150A½ and the Code of Massachusetts Regulations regarding Procedures and Standards for the Conduct of Solid Waste Facility Site Assignments (310 CMR 16.00 et seq).

Sworn testimony was taken from two (2) witnesses, Richard Barthelmes of Lynnfield Engineering, Inc., Danvers, Massachusetts, and Hamer Clarke, Director of Public Works for the Town of Southbridge, Massachusetts.

Twenty-nine (29) exhibits were taken into evidence (see attached Exhibit List) and transcripts of the hearings were provided to all BOH members and parties by the Applicant. Briefs were requested by parties (the Applicant and a Ten-Citizens Group) to be submitted by 4:30 p.m. on Monday, April 5, 1999, and the BOH deliberated at a public meeting held at the Southbridge Town Hall on Thursday evening, April 8, 1999.

Based upon a review of the evidence produced at hearing, the BOH hereby makes the following findings regarding the suitability of the site proposed by the Applicant for the expansion of the current landfill and proposed increased tonnage.

The BOH finds that the Applicant presented unrebutted, uncontroverted and unchallenged evidence that the site meets all of the fifteen (15) specific site suitability criteria as follows:

1. 310 CMR 16.40(3)(a)(1)  
 •Waste handling area is not within a Zone II of an existing public water supply well...  
 (3/3/99 Tr. at p. 82; Exhibit #21, p. 34 and Exhibit #23)
2. 310 CMR 16.40(3)(a)(2)  
 •No area of waste deposition would be within the Interim Wellhead Protection Area ("IWPA")...  
 (3/3/99 Tr. at p. 83-84; Exhibit #21, p. 34-35 and Exhibit #23)
3. 310 CMR 16.40(3)(a)(3)  
 •No area of waste deposition would be within 15,000 feet upgradient of the existing well for which a Zone II has not been calculated...  
 (3/3/99 Tr. at p. 89; Exhibit #21, p. 35)
4. 310 CMR 16.40(3)(a)(4)  
 •No area of waste deposition would be within a Zone II of a potential public water supply...  
 (3/3/99 Tr. at p. 90; Exhibit #21, p. 35)

5. 310 CMR 16.40(3)(a)(5)  
 •The Department has not determined that a discharge from the area of waste deposition would pose a danger to a potential public water supply for which a Zone II has not been determined...  
 (3/3/99 Tr. at p. 91; Exhibit #21, p. 35)
6. 310 CMR 16.40(3)(a)(6)  
 •No area of waste deposition would be over the recharge area of a Sole Source Aquifer...  
 (3/3/99 Tr. at p. 91, 130; Exhibit #21, p. 36)
7. 310 CMR 16.40(3)(a)(7)  
 •No area of waste deposition would be less than ½ mile upgradient of a surface drinking water supply as defined by groundwater flow or surface water drainage...  
 (3/3/99 Tr. at p. 92; Exhibit #21, p. 36)
8. 310 CMR 16.40(3)(a)(8)  
 •No area of waste deposition would be less than 250 feet upgradient of a surface drinking water supply as defined by groundwater flow or surface water drainage, of a perennial water course that drains to a surface drinking water supply which is within one mile of the waste deposition area...  
 (3/3/99 Tr. at p. 93,94; Exhibit #21, p.36)
9. 310 CMR 16.40(3)(a)(9)  
 •No area of waste deposition would be less than 500 downgradient of a surface drinking water supply as defined by groundwater flow or surface water drainage...  
 (3/3/99 Tr. at p. 94; , Exhibit #21, p. 36-37 and Exhibit #23)
10. 310 CMR 16.40(3)(a)(10)  
 •Although an area of waste deposition may be within 500 feet of a private water supply well existing or established as a potential supply at the time of submittal of the application provided, however, the applicant has shown a valid option to purchase the restricted area, including the well and will guarantee not to use the well as a drinking supply, the exercise of which shall be a condition of any site assignment...  
 (3/3/99 Tr. at p. 94-96; , Exhibit #21, p. 37-38 and the options for said land at attachment #3, Option Agreement)

11. 310 CMR 16.40(3)(a)(11)  
 •The maximum high groundwater table is not within four feet of the ground surface in areas where waste deposition is to occur or, where a liner is designed to the satisfaction of the Department, within four feet of the bottom of the lower-most liner...  
 (3/3/99 Tr. at p. 96, 97; Exhibit #21, p. 38 and Appcn. B, Exhibit #24)
12. 310 CMR 16.40(3)(a)(12)  
 •The outermost limits of waste deposition or leachate containment structures are not within a resource area protected by the Wetlands Protection Act, M.G.L. c. 131, §40, including the 100 year floodplain.  
 (3/3/99 Tr. at p. 96, 97; Exhibit #21, p. 38, 39 and Exhibit #17 (FEMA Flood Plain Map))
13. 310 CMR 16.40(3)(a)(13)  
 •No area of waste deposition or the leachate containment structures would be less than 250 feet to a lake or river (not including a stream) as defined in 310 CMR 10.00, other than a drinking water supply...  
 (3/3/99 Tr. at p. 97-99; Exhibit #21, p. 39 and Exhibit #23)
14. 310 CMR 16.40(3)(a)(14)  
 •No area of waste deposition would be within 500 feet of an occupied residential dwelling, bedded health care facility, prison, lower educational institution or children's pre-school, excluding equipment storage or maintenance structures; provided, however, that the applicant may show a valid option to purchase the restricted area, the exercise of which shall be a condition of any site assignment...  
 (3/3/99 Tr. at p. 100, 101; Exhibit #21, p. 39, 40 and Attachment 3, Option Agreements)
15. 310 CMR 16.40(3)(a)(14)  
 •No waste deposition on the site would result in a threat of an adverse impact to groundwater through the discharge of leachate, unless it is demonstrated to the satisfaction of the Department that a groundwater protection system will be incorporated to prevent such threat...  
 (3/3/99 Tr. at p. 101-104; Exhibit #21, p. 40, 41 and Exhibit #25. (Groundwater Contour Map).

The BOH further finds that the Applicant presented un rebutted, uncontroverted, and unchallenged evidence that the site meets all of the General Site Suitability requirements as follows:

1. 310 CMR 16.40(4)(a)  
Agricultural Lands. 100 foot buffer will be present between the site assignment area and active farmland.  
 (3/3/99 Tr. at pp. 106, 107; Exhibit #21, p 41)
2. 310 CMR 16.40(4)(b)  
Traffic and Access to the Site. Traffic impacts from the facility operation will not constitute a danger to the public health, safety, or the environment taking into consideration the following facts:
  1. traffic congestion;
  2. pedestrian and vehicle safety;
  3. road configurations;
  4. alternate routes; and
  5. vehicle emissions
 (3/3/99 Tr. at p. 108 -112; Exhibit #21, p 41, 42; and 3/4/99 Tr. at p.149)
3. 310 CMR 16.40(4)(c)  
Wildlife and Wildlife Habitat. The site will not:
  1. have an adverse impact on Endangered, Threatened, or Special Concern species listed by the Natural Heritage and Endangered Species Program of the Division of Fisheries and Wildlife in its database;
  2. have an adverse impact on an Ecologically Significant Natural Community as documented by the Natural Heritage and Endangered Species Program in its database; or
  3. have an adverse impact on the wildlife habitat of any state Wildlife Management Area.
 (3/3/99 Tr. at p. 112 -114; Exhibit #21, p. 42 and Exhibit #26 (Massachusetts Wildlife Management Areas))
4. 310 CMR 16.40(4)(d)  
Areas of Critical Environmental Concern. The site will not:
  1. be located within an Area of Critical Environmental Concern (ACEC), as designated by the Secretary of the Executive Office of Environmental Affairs; or

2. fail to protect the outstanding resources of an ACEC as identified in the Secretary's designation if the solid waste management facility is to be located outside, but adjacent to the ACEC.

(3/3/99 Tr. at p. 115; Exhibit #21, p. 45 and Exhibits #23 (GIS Map) and Exhibit #27 (ACEC))

5. 310 CMR 16.40(4)(e)

Potential Air Quality Impacts. The anticipated emissions from the facility will meet required state and federal air quality standards or criteria or will otherwise not constitute a danger to the public health, safety, or the environment, taking into consideration:

1. the concentration and dispersion of emissions;
2. the number and proximity of sensitive receptors; and
3. the attainment status of the area.

(3/3/99 Tr. at p. 115-117; Exhibit #21, p. 45)

6. 310 CMR 16.40(4)(f)

Potential for the Creation of Nuisances. The establishment or the operation of the facility will not result in nuisance conditions which would constitute a danger to the public health, safety, or the environment taking into consideration the following factors:

1. Noise;
2. Litter;
3. vermin such as rodents and insects;
4. odors;
5. bird hazards to air traffic; and
6. other nuisance problems.

(3/3/99 Tr. at p. 117-123; Exhibit #21, p. 45-48 and 3/4/99 Tr. at p. 142-149)

7. 310 CMR 16.40(4)(g)

Size of Facility. The proposed site is sufficient to properly operate and maintain the proposed facility. In making this determination, the distance of the waste handling area or disposal area from the property boundary was taken into account.

(3/3/99 Tr. at p. 124; Exhibit #21, p. 48, 49)

8. 310 CMR 16.40(4)(b)  
Areas Previously Used for Solid Waste Disposal. The area to be assigned is an expansion of the existing Southbridge Sanitary Landfill. The existing landfill and proposed expansion will be combined into one contiguous landfill structure prior to final closure.  
 (3/3/99 Tr. at pp. 124-127; Exhibit #21, pp. 41-55 and Exhibit #28 {Massachusetts Solid Waste Master Plan, Vol. I & II, 1997})
9. 310 CMR 16.40(4)(i)  
Existing Facilities. The proposed area to be site assigned is located on the site of the existing Southbridge Municipal Landfill Facility. No other active solid waste disposal or solid waste combustion facilities are located within the Town of Southbridge.  
 (3/3/99 Tr. at pp. 124-127; Exhibit #21, pp. 41-55 and Exhibit #28 {Massachusetts Solid Waste Master Plan, Vol. I & II, 1997})
10. 310 CMR 16.40(4)(i)  
Regional Participation. The Southbridge Sanitary Landfill facility is intended to primarily provide for the disposal of recycling residuals from WRI's proposed Wood Fiber Recovery and Processing Facility, located opposite the site, and future recycling firms which locate within the Southbridge Environmental Industrial Park. The limited quantity of MSW, 80 TPD, is to provide for the continued disposal of residential MSW generated from business and industry within the Town. WRI's proposed Wood Fiber Recovery and Processing Facility will have a permit capacity of 1,500 tons per day of c&d waste. C&D waste received at the site will be from commercial customers located throughout Massachusetts. A total of 100 TPD of capacity has been reserved for the disposal of recycling residuals from future firms to be located with the Southbridge Environmental Industrial Park. It is anticipated that the recycling residuals received will be the result of recycling operations which also serve the regional area.  
 (3/3/99 Tr. at pp. 124-127; Exhibit #21, pp. 41-55 and Exhibit #28 {Massachusetts Solid Waste Master Plan, Vol. I & II, 1997})
11. 310 CMR 16.40(5)(a)  
Promotion of Integrated Solid Waste Management. The proposed Southbridge Environmental Industrial Park and Southbridge Sanitary Landfill expansion were planned to satisfy a need identified with the Massachusetts Solid Waste Management System. The industrial park is intended to promote the development of businesses involved within the

recycling industry. The landfill expansion is intended to provide a locally available facility for the disposal of residuals from recycling activity concentrated within the industrial park.

The proposed landfill expansion in conjunction with the development of WRI's Wood Fiber Processing and Manufacturing Facility, as well as the Southbridge Environmental Industrial Park, promotes the goals of DEP's Comprehensive Waste Prevention Strategy to divert as much as possible from the waste stream through recycling and reuse and disposal of unrecoverable solid waste in an environmental sound manner. The facility increases the availability of recycling options to business and municipalities located in the state. The proposed WRI facility will remove approximately 330,000 tons of material per year from the region's waste stream through recycling.

The recovery and reuse of recyclable materials for the manufacturing of new products promotes the goal of Integrated Solid Waste Management System to maximize the beneficial reuse of recyclable materials.

(3/3/99 Tr. at pp. 124-127; Exhibit #21, pp. 41-55 and Exhibit #28 (Massachusetts Solid Waste Master Plan, Vol. I & II, 1997))

#### DECISION

The Board of Health hereby renders a favorable decision on the Applicant's Petition, subject to the provisions/conditions identified on page three (3) of the February 8, 1999 letter from DEP to Florence Chandler, Town Manager, Town of Southbridge (see Exhibit #22), which provisions/conditions are hereby incorporated by reference as part of this approval.

Darlene Marcucci  
Darlene Marcucci, Chairperson

Susanne Latour 4/15/99  
Susanne Latour

Raymond Renaud  
Raymond Renaud

Date: 4/15/99

01/28/99 14:05 508 76 5425

TOWN OF SOUTHBRIDGE

002

115-20

TEL: 508 764-5412  
FAX: 508 764-5425INSPECTION SERVICES  
TOWN HALL  
41 ELM STREET

# TOWN OF SOUTHBRIDGE

SOUTHBRIDGE, MASSACHUSETTS 01550

## BOARD OF HEALTH MINUTES

Meeting of November 16, 1998  
6:30 PM, Pict Conference Room  
Southbridge Town Hall  
41 Elm Street  
Southbridge

Present:	Nick Tortis	Florence Chandler
	Darlene Marcucci	Hamer Clarke
	Susan Latour	Raymond Renaud

Absent/Excused: No

1. Meeting Called to order at 6:35 p.m.

2. Discussion by Hamer Clarke:

Site assignment assigned 07/02/79 as a Sanitary Landfill Facility a request to change the wording to Solid Waste Management Facility. The name change allows for processing to take place. This request of change to the Town of Southbridge allows the landfill to process solid waste.

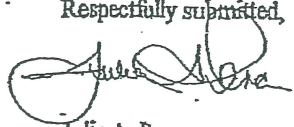
Motion by Darlene Marcucci - to vote on name change from Existing Sanitary Landfill of the site assignment to Solid Waste Management Facility.

Second - Susan Latour

Vote - unanimous

Meeting adjourned at 7:00 PM

Respectfully submitted,

  
Julie A. Pena  
Senior Clerk B.O.H.

## TOWN OF SOUTHBRIDGE



SOUTHBRIDGE, MASSACHUSETTS 01550

July 3, 1979

Mr. Peter Boyer, Town Manager  
Town Hall  
Southbridge, Mass.

Dear Mr. Boyer:

The Southbridge Board of Health, at a meeting of July 2, 1979, unanimously voted to grant an assignment of area to the proposed site for a sanitary land fill on a tract of land presently owned by George Coriveau in the Barefoot Road section of Southbridge.

Such a grant is a requirement by the Massachusetts Department of Environmental and Natural Resources and is subject to the Town and State to comply with the proposed site development and plans in order to conduct the reasonably sound.

The Board has carefully considered the proposed conditions and under and all the objections that have been made against the proposed site. In our opinion, these objections would not be considered as a basis for denying the health of the majority of the Town's citizens keeping in mind the health and cost factors. A negative decision on the part of the Board of Health would leave the Town to consider another site, again with all the same objections. This could leave Southbridge with absolutely no method of waste disposal when the present site expires, an intolerable situation from a health and welfare point of view.

The Board, along with the Town Council's Subcommittee for the Department of Public Works, investigated in great detail alternate methods of solid waste disposal, such as incineration and recycling. It came to the conclusion that such methods were not feasible or practical for our situation because of cost, efficiencies of operation, site location and other reasons.

Sincerely,

*Samuel Fearing*  
Samuel Fearing, M.D., Chairman

*Albert Gendron*  
Albert Gendron, Clerk

*William A. Berry*  
William Berry, Member

copy to T.M.  
copy to P.W.D.  
7-3-79

BOARD OF HEALTH  
TOWN OF SOUTHBRIDGE



SOUTHBRIDGE, MASSACHUSETTS 01550

The Southbridge Board of Health, at a meeting on July 2, 1979, unanimously voted to grant an assignment of area to the proposed site for a sanitary landfill on a tract of land presently owned by George Corriveau in the Barefoot Road section of Southbridge.

Such a grant is a requirement by the Massachusetts Department of Environmental and Quality Engineering and will allow the Town and State to continue the necessary site development tests and plans in order to conclude the feasibility study.

The Board has carefully considered its decision, considering and understanding all the objections that have been raised against the proposed site. In its opinion, these objections would be raised against any proposed site by any neighboring citizens. However, the Board based its decision on the welfare and health of the majority of the Town's citizens, keeping in mind environmental and cost factors. A negative decision on the part of the Board of Health would force the town to consider another site, again with all the same objections. This could leave Southbridge with absolutely no method of waste disposal when the life of the present site expires, an intolerable situation from a health and welfare point of view.

The Board, along with the Town Council's Subcommittee for the Department of Public Works, investigated in great detail alternate methods of solid waste disposal, such as incineration and recycling. It came to the conclusion that such methods were not feasible or practical for our situation because of cost, efficiencies of operation, site location and other reasons.

Sincerely,

---

Samuel J. Fearing DMD, Chairman

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Albert Gendron, Clerk

---

William Berry, Member

**N**

ARTHUR G. MOORE,  
Civil Engineer & Surveyor,  
STURBRIDGE, MASS.

Location of a town road near the Barefoot Farm in  
Southbridge, Mass.

Beginning at a stake driven in the ground, 2 links  
northerly from the north-east corner, and in line with the  
easterly side of the farm on the Barefoot Farm, so called, now  
owned by John Marcy of Fairfield Iowa. Thence: S.  
 $64^{\circ}15'E$ . 20 rods 5 links to a stake & stones at a corner  
of a wall. Thence: S.  $58^{\circ}E$ . 27 rods 22 links to a  
stake & stones. Thence: N.  $52^{\circ}15'E$ . 12 rods 8 links to  
a stake & stones at the westerly side of a wall. Thence  
N.  $35^{\circ}10'E$ . 39 rods 2 links to a pine tree on the  
line between the towns of Charlton & Southbridge.

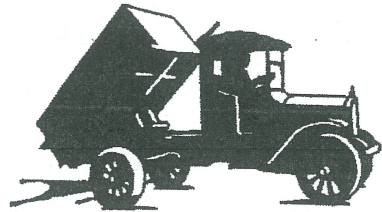
The road is laid out two rods wide on the  
northerly & westerly side of the above given line.  
The whole location is over and of the said  
John Marcy.

Southbridge Oct. 9<sup>th</sup> 1883.

Arthur G. Moore  
Surveyor.

O

# Memorandum



**DATE:** JULY 26, 2006

**TO:** CLAYTON CARLISLE, TOWN MANAGER

**FROM:** MAUREEN A. CIESLA *MAC*

**RE:** BAREFOOT ROAD STATUS

Per your inquiry, Barefoot Road is a public way open to public use. The original layout of Barefoot Road was accepted by the Town as a public way in 1884. In 1990, the road was relocated under an airport project. This relocation and the abandoned portion have not been accepted/discontinued formally by the Town (see attached letter dated July 18, 1991).

TOWN OF SOUTHBRIDGE  
DEPARTMENT OF PUBLIC WORKS

62 Pleasant Street  
Southbridge, MA 01550

July 18, 1991

Southbridge Airport Commission  
P.O. Box 827  
Southbridge, MA 01550

ATTENTION: Mr. Lloyd Pote, Chairman

RE: Barefoot Road Relocation

Gentlemen:

Please be advised that the D.P.W. has not received a layout plan and description for the relocation of Barefoot Road as of this date. A description of the portion of Barefoot Road that has been discontinued also needs to be forwarded to our office. This information is required for the Town to assume "rights" to the new road and discontinue services to the old road.

Please submit this information as soon as possible.

If you should have any questions, please advise.

Sincerely,



---

Herbert G. Stine III, P.E.  
Public Works Department Head

HGS/da

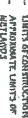
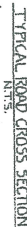
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cc: Florence C. Chandler

a:airport.ltr



51A 6145.97

DATE: 8/7/88

1962.

NAME	FROM	TO	LENGTH	ADM RTE FUNCT NO CLASSURE LT	SIDE WAL RT OP WD TP (miles)	SECTION		Art. #	
						Accepted Date	Warrant Date		
								Plan #	Comments

Access Road	Marjorie Ln.	"old-de-sac"	1,795.00	40	8	0	0	0	0	2	16	11	0.34		22	Westville Dam access road
Ashlie Street	Peck St.	Clement Hill Rd.	300.00	40	2	0	0	0	0	2	26	11	0.04			
Airport Access Road	Pleasant St.	2,750.00	2,750.00	0	0	6	0	0	0	2	22	11	0.49			Town pews, sands, maintains
Alpine Drive	Lebanon Hill Rd.	9,589.80	9,589.80	33	2	6	0	0	0	2	20	11	1.86		3	formerly Bickyard Rd, portion reloc. 1947
Apex Street	Contraux Ave.	"dead end"	238.00	40	2	0	0	0	0	2	22	11	0.05		66	File A
Apollo Drive	Maria Ave.	"old-de-sac"	720.00	50	2	0	3	0	4	2	30	11	0.14		11	part of Lebanon Acres subdivision
Atlant Drive	Maria Ave.	"old-de-sac"	840.00	50	2	0	3	4	0	2	30	11	0.16		11	part of Lebanon Acres subdivision
Armory Lane	Maria Ave.	"dead end"	590.65	40	2	0	0	0	0	2	28	11	0.10		36	5-1-84
Ash Avenue	Sages St.	High St.	291.42	30	2	0	0	0	0	2	18	11	0.05		12	
Ashland Avenue	Dudley Town Line		10,511.62			131				2	26	11	1.44			3-4-5
Ashland Avenue		Old N. Woodstock Rd.		2		0	0	0	0	2	22	11	0.31		10	1-2-84
				2		0	0	0	0	2	16	11	0.06			1-2-84
Ballard Court	West Main St.	"dead end"	2,086.92	33	2	0	0	0	0	2	10	5	0.04		4	
Barret Road	Pleasant Street		1,941.06	33	2	0	0	0	0	2	14	11	0.40		27	aka Rd. Acq from O.Oakes to Wld.CurtisHae'
Beaudy Way	Chaffon Town Line		579.50	40	0	0	0	0	0	2	22	9	0.11			
Beech Street	Litchfield Ave.	Dennison Dr.	561.50	40	2	0	0	0	0	2	22	11	0.10		34	
Beecher Street	Everett St.		581.40	30	2	0	0	0	0	2	20	11	0.10			1-4B-7
Bellvue Avenue	Westwood Plwy.	Everett St.	134.30	27.5	2	0	0	0	0	2	20	11	0.03		48	1-4B-14
Bellvue Avenue		"dead end"	506.67	60	2	0	2	0	5	2	38	11	0.09		21	Eck. 3/10/41- Act #27 plan 1-2-80
Bentall Street	Pleasant St.	"dead end"	629.40	40	2	0	2	0	4	2	22	11	0.12		2	
Bickner Road	North St.	"dead end"	477.90	25	2	0	2	0	4	2	20	11	0.09			Rank 9
Blackburn Drive	Old Dudley Road	Old Dudley Town Line	5,006.74	33	2	0	0	0	2	2	14	11	0.85		24	aka "Rd by Hiram Cheney's to Dudley Line"
Blanchard Drive	Bellvue Ave.		555.33	50	2	0	0	0	0	2	30	11	0.10		46	1-4-129
Boulevard Lane	Warren St.	"dead end"	115.71	50	2	0	0	0	0	2	30	11	0.02		27	extension of 1941 portion
Bowen Avenue	Chapin St.	"dead end"	136.00	40	2	0	0	0	0	2	24	9	0.03			
Beahtrock Road	South St.	"dead end"	182.20	30	0	0	0	0	0	2	12	11	0.78		3	part of Chapin St. lot; Town pews,sands,maint.
Beahtrock Road	Dennison Crossroad		4,114.80	45	2	0	0	0	0	2	20	7	1.00			relocation of old road(8/18/904, Act. #2)
Beahtrock Road	Dennison Crossroad		5,285.61	33	2	0	0	0	0	2	10	5	0.83			previously called Simmon Mason Rd.
Beahtrock Road	Dennison Crossroad		approx.4382	33	2	0	0	0	0	2	10	11	0.63		12	ext. 12/5/66, Act.15 & 3/17/69, Act.44
Beahtrock Road	Dennison Crossroad		3,344.13	40	2	0	0	0	0	2	25	11	0.34		9	5-5-102
Beahtrock Road	Dennison Crossroad		1,794.00	40	2	0	0	0	0	2	14	5	0.07			runs to parking lot; Town pews, sands
Beahtrock Road	Dennison Crossroad		377.62	24	2	0	0	0	0	2	30	11	0.05		11	2-6-52
Bick Row	Canal St.	old-de-sac	240.00	50	2	0	3	0	5	6	24	11	0.04		9	5-5-102
Bristol Lane	Montis St.	"dead end"	522.88	40	2	0	0	0	0	2	24	11	0.10		43	ext. 12/20/65, Act.12; plan 1-4A-123
Brook Street	Mechanic St.	"dead end"	803.15	40	2	0	0	0	0	2	20	11	0.15		45	ext. 3/3/61, Act.40
Brook Street	Worcester St.	Chaffon St.	1,005.88	40	2	0	0	0	0	2	32	11	0.19		20	ext. 3/17/65, Act.447
Brookside Road	High View St.	Janel Ave.	256.75	40	2	0	0	0	0	2	14	5	0.05			5-2-16/76B
Bruce Lane	Hillcrest Ave.	"dead end"				0	0	0	0	2						3/16/64, Act.64, postponed
Buckley Street																
Cady Lane	Chaffon St.	"dead end"	250.00	40	2	0	1	5	0	2	12	5	0.05		3	1-4A-24
Canal Street	Mill St.	Pleasant St.	425.50	34	2	0	0	0	0	2	24	11	0.08		7	5-5-76
Caron Street	Everett St.	High View St.	335.30	30	2	0	2	0	3	2	25	7	0.06		25	1-2-68
Cathy Lane	Highridge Ave.	Labanon St.	826.00	40	2	0	0	0	0	2	30	11	0.15			
Cedar Street	Elm St.		275.00	40	2	0	0	0	0	2	25	11	0.05		44	
Center Street	Worcester St.	Hornstead Ave.	269.83	40	2	0	0	0	0	2	0	5	0.05			Sewer easement, used as a private driveway
Central Street	Main St.	Worcester St.	1,257.30	25	P	3	3	7	7	2	35	11	0.23			width varies from 49.5 to 66'; reloc. in 1934
Chapin Court	Elm St.	"dead end"	101.00	10	0	0	0	0	0	2	16	8	0.02			Town pews,sands
Chapin Street	Main St.	Dresser St.	680.50	26	2	0	3	0	0	1	16	11	0.13			1-2-13
Chapin Street	Dresser St.	Forest Ave.	721.00	40	2	0	3	4	5	2	30	11	0.14		23	extension 4/11/678
Chapin Street	Forest Ave.	Hartwell St.	648.20	40	2	0	3	4	4	2	30	11	0.12			1-2-19
Charlton Street	Worcester St.	4,118.40	5,700.00	33	2	6	3	5	6	2	30	11	1.07			3-3-7
Charlton Street			4,118.40	24	2	0	0	0	0	2	24	11	0.78			formerly, Charlton Road; Old Charlton City Rd; varies in width, curbing, surface treatment, etc.
Chatter Lane	Westwood Plwy		543.92	40	2	0	0	0	0	2	26	11	0.10		25	
Chatter Street	Pine St.	Main St.	284.00	40	2	0	0	0	0	2	34	11	0.05		17	5-5-48
Chrystal Street	Main St.		897.60	45	2	0	3	5	5	2	36	11	0.17		2	1-2-78
Chrystal Street	Main St.		1,494.90	30	2	0	0	0	0	2	26	11	0.26			
Cross Street	Montis St.	"dead end"	342.70	30	2	0	0	0	0	2	22	11	0.06		8	1-2-77A

Private

NAME	FROM	TO	LENGTH	WIDTH	SECTION LENGTH		Comments
					(miles)		
Airport Access Road	Pleasant St.	Clemence Hill Rd.	2,750.00	50	0.49	Town plows, sands, maintains	
Ames Street	Ames St.	Hillcrest St.	100.00	28	0.02	Town plows, sands	
Ballard Court	West Main St.	"dead end"	210.00		0.04		
Barefoot Road	Pleasant St.	Charlton Line	5,293.20	40	1.00	Town plows, sands, maintains	
Beaudry Way	Dennison Dr.	Hudson Ave.	579.50	40	0.11	Town plows, sands	
Bowlen Avenue	Chapin St.	"dead end"	162.20	30	0.03	Town plows, sands, maintains	
Brick Row	Canal St.	Mill St.	377.62	24	0.07	Town plows, sands	
Buckley Street	Hillcrest Ave.	"dead end"	258.75	40	0.05	Town plows, sands	
Cady Lane	Charlton St.	"dead end"	250.00	40	0.05		
Center Street	Worcester St.	Homestead Ave.	269.83	20	0.05		
Chapin Court	Elm St.	"dead end"	101.00	10	0.02	Town plows, sands	
Corriveau Street	Corriveau	Stevens St.	200.00	40	0.04	Town plows, sands, maintains	
Crescent Street	William St.	Elm St.	668.20	17	0.13	Town plows, sands	
Deer Run	Morris St.	"dead end"	407.00	30	0.08	Town plows, sands	
Dennison Lane	Dennison Lane	Conn. State Line	7,035.60	33	1.33	Town plows, sands, maintains	
Douly Street	North Woodstock Rd.	"dead end"	1,007.00	33	0.20	Town plows, sands	
Durfee Street	Lasallet Mission	Dennison Dr.	3,373.92	33	0.64		
Ellis Road	Guelph Wood Rd.	Torrey Rd.	2,374.66	33	0.45	Town plows, sands	
Evergreen Street	Charlton St.	"dead end"	581.50	33	0.11	Town plows, sands	
Fox Run	Morris St.	"dead end"	240.00	10	0.04	Town plows, sands	
Golf Street	North Woodstock Rd.	Jennison St.	543.00	40	0.10	Town plows, sands, maintains	
Grace Lane	Dennison Ln.	"cul de sac"	809.41	40	0.15	Town plows, sands	
Hill Avenue	Clarke St.	"dead end"	489.00	40	0.09	Town plows, sands, maintains	
Homestead Avenue	Kim Dr.	"dead end"	493.00	40	0.09	Town plows, sands	
Hudson Avenue	Spruce St.	Oak St.	996.00	40	0.19	Town plows, sands	
Janet Avenue	"dead end"	"cul de sac"	106.00	40	0.02	Town plows, sands	
Lincoln Street	Marcy St.	"dead end"	264.00	30	0.05	Town plows, sands	
Litchfield Avenue	end of pavement	Oak St.	330.00	40	0.07	Town plows, sands	
Margaret Street	Margaret St.	Old N. Woodstock Rd.	239.00	33	0.05	Town plows, sands	
Martin Street	Worcester St.	"dead end"	311.00	12	0.08	Town plows, sands	
Mass Avenue	Worcester St.	"dead end"	966.00	50	0.18	Town plows, sands, maintains	
Moriarty Street	Egan St.	Randall St.	265.00	40	0.05		
Morton Street	Worcester St.	"dead end"	187.80	30	0.04	Town plows, sands	
Newman Avenue	260W of Faulkner	Guelph Wood Rd.	685.00	40	0.13	Town plows, sands	
Notre Dame Street	Randall St.	"dead end"	251.40	40	0.05		
Oak Street	"dead end"	"cul de sac"	196.00	40	0.04	Town plows, sands	
off Morris Street	Morris St.	"dead end" (#13-1/2)	370.00	19.7	0.07	Town plows, sands	
off Morris Street	Morris St.	"dead end" (#301)	370.00	30	0.07	Town plows, sands	
off Morris Street	Morris St.	"dead end" (#345)	485.00	20	0.10	Town plows, sands	
Old Saw Mill Road	Lebanon St.	"dead end"	107.00	33	0.02		
Old South Road	South St.	Westville Access rd.	665.30	varies	0.13	Town plows, sands, maintains	
Partridge Valley Road	Lebanon Hill Rd.	"dead end"	250.00	40	0.05		

NAME	FROM	TO	LENGTH	WIDTH	SECTION LENGTH		Comments
					(miles)		
Pearl Street	Violet Ave.	"dead end"	325.00	40	0.06	Town plows,sands	
Peck Street	Pleasant St.	Adeline St.	200.00	25	0.04	Town plows,sands	
Prince Road	Reynolds Rd.(Charlton)	"cul-de-sac"	2,210.55	55	0.42	Town plows,sands	
Quail Run	Whitetail Circle	"cul de sac"	629.70	50	0.12		
Randall Street	Moriarty St.	"dead end"	1,230.00	40	0.23	Town plows,sands	
Red Fox Boulevard	Ashland Ave.	Whitetail Circle	1,337.00	60	0.25		
Ridgewood Avenue	Cisco St.	"dead end"	211.10	28	0.04	Town plows,sands	
River Avenue	River St.	"dead end"	520.00	18	0.10	Town plows,sands	
River View Place	Tillyer Ave.	"cul-de-sac"	1,090.00	50	0.21		
Spruce Street	Litchfield Ave.	Hudson Ave.	297.54	40	0.05		
Stevens Street	Coriveau Ave.	Hillcrest Ave.	340.00	40	0.06	Town plows,sands	
Tipton Rock Road	Lebanon Hill Rd.	"dead end"	1,056.00	33	0.20	Town plows,sands	
Tipton Rock Road	"dead end"	North Woodstock Rd.	6,239.28	33	1.18	Town plows,sands	
Tipton Rock Road	North Woodstock Rd.	Dudley Town Line	6,600.00	33	1.25	Town plows,sands	
Town Dump Road	Torrey Rd.	"dead end"	1,615.00	50	0.31	Town plows, sands, maintains	
Village Drive	Sandersdale Rd.	"dead end"	2,297.00	40	0.44		
Walker Court	Crescent St.	Elm St.	443.35	10	0.08	Town plows,sands	
Westview Terrace	West St.	"dead end"	422.40	20	0.08	Town plows,sands	
Whitetail Circle	Red Fox Boulevard	"cul de sac"	1,354.00	50	0.26		
TOTAL MILES			12.15				
TOTAL MILES PLOW/SAND			9.87				

**P**



Commonwealth of Massachusetts  
Executive Office of Environmental Affairs

## Department of Environmental Protection

Daniel S. Greenbaum  
Commissioner

Mr. Robert S. Magnusson  
Wehran Engineering Corp.  
Andover Research Park  
Six Riverside Drive, Suite 101  
Andover, MA. 01810-1121

June 12, 1991

Dear Mr. Magnusson,

This letter is in regard to our conversation and your subsequent letter dated May 28, 1991 requesting clarification on whether various landfill appurtenances need to be on site assigned land. Your letter specifically mentioned the following items:

- landfill access roads;
- leachate storage facilities, such as tanks or lagoons;
- leachate transmission system outside the limit of waste deposited in the landfill. This includes such structures as manholes, gravity lines, pump stations and force mains;
- storm water drainage swales;
- storm water sedimentation ponds;
- the exterior side slopes of landfill containment berms;
- the limit of the landfill's final cover.

C.111, s.150A requires that:

"No place ... shall be maintained or operated by any person... as a site for a facility, or as any expansion of an existing facility, unless, after a public hearing, such place has been assigned by the board of health..."

The Solid Waste Management Facility Regulations, 310 CMR 19.000 define a solid waste management facility as follows:

"Solid Waste Management Facility means an established site or works and other appurtenance thereto, which has been or will be used for the storage, transfer, processing, treatment or disposal of solid waste including all land, structures, and improvements which are directly related to solid waste management activities."

It is the Department's opinion that in general all the items listed in your letter, with the exception of landfill access

\*roads and portions of leachate transmission systems, must be on site assigned land. Each of these items is an "appurtenance" as that term is used in the regulations.

Access roads from a public way into a facility need not be assigned. However, roads which encircle a landfill for purposes of access, fire protection, access to monitoring wells, etc. should be located on site assigned land.

Leachate transmission system components such as manholes, gravity lines and force mains needed to make a connection from the landfill to a sewer system (ie. a sewer connection) do not need to be entirely located on site assigned land.

It is possible that site-specific conditions would warrant the location of appurtenances outside of a site assigned area, particularly for upgrading of existing facilities. The Department will consider such situations on a site-specific basis.

If you have any further questions regarding this matter please call me at (617) 292-5868.

Sincerely,



James A. Doucett  
Environmental Analyst

cc: DSWM section chiefs  
Paul Emond