

From: Guerin, Philip D. [GuerinP@worcesterma.gov]
Sent: Wednesday, June 17, 2015 6:04 PM
To: Locke, Paul (DEP)
Cc: mwwa@verizon.net; Scherer, Kevin; King, Johanna M.; Blanchard, Bruce J.
Subject: Draft Interim Policy on Re-Use of Soil for Large Reclamation Projects

Hi Paul

I just wanted to offer a few thoughts on the Draft Policy on Re-Use of Soil for Large Reclamation Projects.

1. The Policy as described applies only to soil re-use projects over 100,000 cubic yards in quarries, sand pits and gravel pits. Here in Central Massachusetts the most controversial soil reuse sites have been situated on agricultural lands (farms) and not the landforms targeted by the policy. We would suggest that the policy apply to any soil reuse project of 100,000 cubic yards or more at any location.
2. Protection of public water supplies, including surface waters and wells must be given the highest priority. Here in Worcester we have been dealing with a large soil re-use project on a farm adjacent to the City's second largest reservoir. The project has been a major concern for us and we believe highlights some of the weaknesses in the current program. A major issue was the lack of on-site (receiving site) monitoring of incoming loads to assure that soil quality was consistent with documentation. Much of the imported soil came from sites in eastern Massachusetts and elsewhere with documented releases of OHM. Operators claimed the material being imported was RCS-1 quality from sites with more contaminated soils but there was no program to test and monitor incoming loads to verify. With millions of dollars changing hands in the soil reuse "market" there are many reasons for the more unscrupulous involved in this endeavor to cheat the system. When the potentially contaminated soil is being deposited in huge amounts adjacent to wetlands and streams feeding the water supply of New England's second largest city one would hope that someone besides the Worcester DPW&P would be concerned.

We would suggest that any soil reuse project containing or potentially containing OHM or meeting criteria for RCS-1 but below RCS-2 should require a much higher level of scrutiny and control if it is located within the watershed of a surface water supply (ORW) or in the Zone 2 of a groundwater supply. That heightened scrutiny could be accomplished through this policy or may involve a different policy/regulation. We do believe it critical for DEP to address this statewide issue of water supply protection.

Thank you for the opportunity to comment.

Phil

Philip D. Guerin
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