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June 29, 2015

Mr. Paul Locke, Director, Director of Response and Remediation  
Bureau of Waste Site Cleanup  
Massachusetts Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

RE: DRAFT Interim Soil Management Policy

Dear Mr. Locke:

Thank you for your discussion of the Draft Interim Policy on the Re-Use of Soil for Large Reclamation Projects, Policy # COMM-15-01 at the June 25, 2015 Bureau of Waste Site Cleanup (BWSC) Strategic Advisory Committee (SAC) meeting. Cumberland Farms, Inc. (CFI) is completing the re-development and development of many existing and new convenience stores, respectively, in the Commonwealth and is therefore keenly interested in the proposed improvements to the management and disposal of construction generated soil. We have been monitoring and providing input on the soil management policies and procedures in development by the Massachusetts Department of Environmental Protection (MassDEP).

CFI is concerned with the relative uncertainty in the current and proposed soil management process. This uncertainty results in additional costs to characterize soil for disposal at multiple facilities to account for unanticipated sampling results and the availability of space/resources at any one (1) facility. Increasing the number of MassDEP approved soil receiving locations will be of great assistance to soil generators in appropriately managing soil.

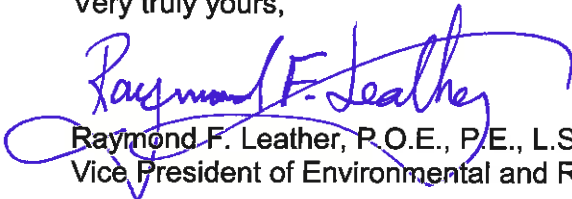
In addition, due to the additional uncertainty in transferring existing large soil reclamation projects not currently operating under a MassDEP Administrative Consent Order (ACO) approval, CFI is and will remain hesitant to transport soil that meets the disposal requirements of the receiving facility to any non-ACO soil reclamation facilities described in the Draft Interim Policy until this uncertainty is resolved.

It is recommended that the MassDEP immediately articulate the timing and requirements to transition existing non-ACO locations into the DRAFT Interim COMM-15-01 Policy and consider consistent sampling requirements to develop ACO requirements for these affected facilities.

Thank you for your consideration of these recommendations and, as always, please feel free to call me if you have any questions at:

(508) 270 – 4444

Very truly yours,



Raymond F. Leather, P.O.E., P.E., L.S.P.  
Vice President of Environmental and Regulatory Affairs



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