



W. L. FRENCH EXCAVATING CORPORATION
3 SURVEY CIRCLE, SUITE 1
NORTH BILLERICA, MA 01862



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FILL MANAGEMENT PLAN

Expansion of
St. Mary Cemetery
90 River Road
Tewksbury, Massachusetts 01876

July 31, 2013

Prepared for: The Archdiocese of Boston, Inc.
 276 North Street
 Salem, MA 01970
 John Walsh, Assistant to the Executive Director
 781-322-6300

Care of: Cemetery Services, Inc.
 2 Salem Street
 Lawrence, MA 01843
 Joe Viel
 978-208-0266

Prepared by: W.L. French Excavating Corp.
 3 Survey Circle, Suite 1
 Billerica, Massachusetts 01864
 617-924-1234



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1.0 INTRODUCTION

This Fill Management Plan was prepared by W.L. French Excavating Corp. (W.L. French) in support of expansion of the St. Mary Cemetery at 90 River Road, in Tewksbury, Massachusetts. The site location is shown on Figure 1 – Site Locus Map. The area of expansion of the cemetery by filling and grading two areas of land is shown on Figure 2 –Site Plan.

The expansion is intended to provide level land for future use by St. Mary Cemetery. Expansion of the cemetery adjacent to the existing operating areas is proposed by importing fill material and grading the area. An estimated 450,000 cubic yards of fill material are proposed for the area of cemetery expansion. The proposed fill area is approximately 26 acres in area and will be filled approximately 10 - 15 feet to meet existing grades of the established cemetery. Soil placed within 6 to 8 feet of the proposed finish grade will likely be re-excavated in the future as the area is utilized as a cemetery. Soils at depth greater than 8 feet will not likely be excavated again under anticipated future use of the property as a cemetery.

Anticipated sources of fill material include large volumes of excess soil from excavation and construction projects in eastern Massachusetts. The intended fill material will include existing historic urban fill soil, soil/slurry mixtures from foundation installations, and native deposits of soil including sand, gravel, organic soils, estuarine deposits, marine sands, and Boston Blue Clay. Soil intended for reuse in the filling operation must meet Acceptance Criteria established for this location. The derivation of the Acceptance Criteria is explained herein. Testing of soil prior to acceptance and/or additional documentation of the soil source(s) with background information is required and is described herein.

It is anticipated that the fill project will take 3 years to complete based upon the size of the area to be filled, projections of volumes of fill material likely available, and anticipated daily operations at the site. Filling operations are subject to inspection by the Tewksbury Conservation Commission per a Negative Determination of Applicability relevant to the Massachusetts Wetlands Protection Act. A copy of the Negative Determination of Applicability is included in Appendix A. A Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) were prepared and implemented in accordance with USEPA NPDES requirements for a Construction General Permit disturbing over 1 acre of land. A copy of the SWPPP with NOI is included in Appendix B.

This plan was forwarded to and discussed with Massachusetts Department of Environmental Protection (MADEP) personnel and various Tewksbury municipal officials including the Town Manager, Selectmen, Board of Health, Planning Board, Traffic Control Division of Tewksbury Police Department, Department of Public Works, and Conservation Commission. These discussions provided relevant information regarding the filling operation to expand St. Mary Cemetery described within this plan so these officials have general awareness of this project and ongoing site activities. Additional comments from these officials will be appended to this plan as received.



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MADEP issued an Administrative Consent Order (ACO) for compliance purposes for acceptance of soil at this site. A copy of the ACO is included in Appendix C.

The content of this plan will be reviewed and revised periodically as site conditions, available fill sources, environmental regulations, project objectives and other perceptions change as the project proceeds.



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2.0 PARTIES INVOLVED

Several parties will be involved with the placement of fill material at the St. Mary Cemetery expansion.

Project Location:

St. Mary Cemetery Expansion
90 River Road
Assessor Map 15, Lots 7 and 13
Tewksbury, Massachusetts

Project Owner:

The Archdiocese of Boston, Inc.
276 North Street
Salem, MA 01970
John Walsh, Assistant to the Executive Director
781-322-6300

Owners Authorized Representative for St. Mary Cemetery Expansion:

Cemetery Services, Inc.
2 Salem Street
Lawrence, MA 01843
Joe Veil
978-208-0266

Daily Management of Filling Operations:

W.L. French Excavating Corp.
3 Survey Circle, Suite 1
Billerica, MA 01862
Bill French, Jr., President
617-924-1234

Placement of Topsoil/Revegetation and Maintenance:

Cemetery Services, Inc.
2 Salem Street
Lawrence, MA 01843
Joe Veil
978-208-0266



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Review and Approval of Soil Submittal Packages:

Independent Consultant/MA Licensed Site Professional hired by WL French Excavating Corp.

McPhail Associates, Inc.
2269 Massachusetts Avenue
Cambridge, MA
617-868-1420

Peter Dechaves, LSP
Joseph Lombardo, LSP
Tom Fennick, LSP
Ambrose Donovan, LSP



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3.0 SITE DESCRIPTION

The cemetery expansion and fill operation will take place on a portion of the St. Mary Cemetery at 90 River Road in Tewksbury, Massachusetts. St. Mary Cemetery is located in the northwest portion of Tewksbury. The Tewksbury/Lowell boundary line is approximately 500 feet west of St. Mary Cemetery. The center of Lowell is approximately 5 miles to the west.

St. Mary Cemetery is readily accessed from River Road. Route 133 (Andover Street) is located approximately 0.25 miles southwest of the entrance to St. Mary Cemetery. Access to Interstate 495 is located approximately 3 miles southeast of the project site via Route 133.

Abutters to St. Mary Cemetery include: the Merrimack River to the north; a golf course (Trull Brook Golf Course) to the east; a residential condominium complex on Merrimack Meadow Lane and other residential neighborhoods in Lowell to the west; and additional residential properties to the south across River Road in Tewksbury.

The Tewksbury Assessor's Office records identify St. Mary Cemetery as Map 15, Lot 7 and Lot 13. The Archdiocese of Boston purchased the property in the late 1950's. St. Mary Cemetery began operation in 1961. The property consists of approximately 106 acres of land in an area zoned for residential use (RG). The parcels together are rectangular in shape with dimensions of approximately 2750 feet north-south and 1,650 feet east west. Approximately 25 acres of the property (southwest portion) are currently used for cemetery operations. Wooded areas are located on the northern and eastern portions of the property. A wetland area is located on the north central portion of the property. Filling and grading for cemetery expansion will take place to the south of the wetland area and north and east of current cemetery operations. Soil excavated from cemetery plots and other miscellaneous materials generated during cemetery operations were staged in the area to be filled prior to the start of the expansion.

Wetlands are located on the north central portion of the property. Filling and grading will take place to the south of the wetlands. An estimated habitat of rare wetland wildlife is mapped on the north portion of the site along the Merrimack River approximately 1000 feet from the proposed cemetery expansion area. Wetland areas identified by Tighe & Bond in December 2012 and habitat areas are shown on Figure 2 and Figure 3.

A Negative Determination of Applicability relevant to the Massachusetts Wetlands Protection Act was issued by the Tewksbury Conservation Commission on July 2, 2013 pursuant to a Request for Determination of Applicability for this project. The Tewksbury Conservation Commission stated inspection of sedimentation and erosion controls placed for this project will be performed prior to starting of filling operations as may issue additional requirements as needed during the progress of the project.



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Other resource areas were not identified in the area of filling and grading. The 100-year flood plain is located along the Merrimack River. Open Protected Space was identified to the east of St. Mary Cemetery on the abutting golf course. No MADEP Disposal Sites were identified at St. Mary Cemetery. A Mobil Gas Station at 940 Andover St. Tewksbury, MA, approximately 0.25 miles southwest from the St. Mary Cemetery property, is listed as a MADEP Disposal Site. An active remediation system is in operation at this Mobil Station. A spill of transformer/mineral oil was reported at a utility pole on River Road approximately 1,500 feet east of St. Mary Cemetery. Other MADEP Disposal Sites where a release of oil or hazardous materials occurred were not identified within 3000 feet of St. Mary Cemetery.

The municipal water supply for the Town of Tewksbury is taken from the Merrimack River. The intake is located approximately 2000 feet downstream from St. Mary Cemetery. Private wells are also in operation in Tewksbury. A list of private wells obtained from Tewksbury Board of Health records by Tighe & Bond in March 2013 is included in Appendix D.

Tewksbury Board of Health Records indicate one private well is located on the St. Mary Cemetery property. The well is currently categorized as a potable domestic water supply well. However, the well is utilized for irrigation and for supply to an ornamental water fountain rather than as a potable source. Tewksbury Water Department records indicate that St. Mary Cemetery is connected to the municipal water system. Tewksbury Board of Health confirmed the St. Mary Cemetery well is used for irrigation. The status of the well at St. Mary Cemetery is being review by property ownership and will likely be changed with regulatory agencies.

Other private wells are located within 1,500 feet of St. Mary Cemetery. An irrigation well is operated at the golf course abutting to the east. An irrigation well is located at the residence at 168 Merrimack Meadows Lane, abutting to the west. Other wells were present at distance of at least 1,900 feet away.

The Tewksbury Zoning Map indicates the nearest Groundwater Overly District is 1.75 miles east of St. Mary Cemetery. The MassDEP BWSC MCP Numerical Ranking System Map indicates the site is not over a medium yield or high yield aquifer. Therefore, groundwater beneath the site is not considered a current or potential drinking water resource.

Prior to beginning the filling and grading activities for cemetery expansion, WLF will excavate and stockpile suitable overburden soil. Some or all of the overburden soil will be used to construct an earthen berm(s) between the filling operation area and the condominium complex abutting to the west. Other berms may be constructed beyond the northern limits of the current operating portion of St. Mary Cemetery and between the filling operation and the abutting golf course to the east, if determined necessary during project progress. The berm(s) will be stabilized with vegetation. The berm(s) will act as a buffer between the filling and grading project and abutters to minimize potential visual, sound, and dust impacts. Once fill placement



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grades are achieved, the overburden soil may be used to achieve final grades or may remain in berms.

Four ground water monitoring wells will be installed and sampled in conjunction with the St. Mary Cemetery Expansion project. Wells will be placed in assumed down-gradient and cross-gradient locations from the proposed areas of soil placement. Proposed locations of wells are shown on Figure 2. Two wells will be located in an assumed down-gradient direction (northerly toward the Merrimac River) from the cemetery expansion area. The other two wells will be located laterally to the east and laterally to the west of the cemetery expansion area. Well construction and development details, sampling test results, and other relevant monitoring well information will be added to Appendix G as obtained. Monitoring wells will be decommissioned upon completion of the cemetery expansion project.

Monitoring wells will be sampled following USEPA Low Flow procedures prior to the start of the cemetery expansion project to establish background levels of constituents in groundwater and again 2 years after completion of the cemetery expansion project. Groundwater samples will be tested for: Volatile Organic Compounds (EPA 8260), Semivolatile Organic Compounds (EPA 8270), MCP 14 Metals, PCBs, Herbicides, Pesticides, and Extractable Petroleum Hydrocarbons. During the time of fill placement, groundwater samples will be tested annually for Volatile Organic Compounds and MCP 14 Metals only. Groundwater sample test data will be added to Appendix G as obtained.



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4.0 SOIL ACCEPTANCE CRITERIA

Soil Acceptance Criteria were established prior to the start of the expansion project for various constituents in soil intended for use as fill material. The criteria were based on review of available and applicable soil standards, guidelines, values, criteria, and background levels established by MADEP in various regulations, guidelines, and MADEP technical guidance documents; white papers and discussions of the MA LSP Association; concentration ranges of typical contaminants detected in historic urban fill, naturally-deposited soil, Boston Blue Clay, and other soil, and discussions with MADEP personnel. The Acceptance Criteria were established to be protective of surrounding natural resource areas including wetlands on the property and the Merrimack River, construction workers at the site, visitors, and surrounding residents.

A summary of applicable standards, guidelines, and background levels evaluated is presented in Table 1 – Summary of Values Used to Establish Acceptance Criteria. Based upon compilation of the information and the current and future use of the property, Acceptance Criteria were established and are presented in Table 2 – Summary of Soil Acceptance Criteria.

Chemical Criteria

Chemical constituents within candidate soil must be below established Acceptance Criteria. Criteria were established for the following: 14 MCP Metals with consideration for others, Semi-volatile Organic Compounds (SVOCs), Total Petroleum Hydrocarbons (TPH), Volatile Organic Compounds (VOCs), Polychlorinated Biphenyls (PCBs), pH/corrosivity, Specific Conductance, Moisture Content/Free Liquids, Reactivity (cyanide and sulfide), Ignitibility/Flash Point, Herbicides, Pesticides, and other potential constituents based on location-specific history.

Detection limits for laboratory tests must be appropriate and adequate for evaluation and comparison to Acceptance Criteria. MADEP CAM methods and levels must be utilized where applicable.

Averaging of concentrations will not be allowed to meet Soil Acceptance Criteria. Soil containing a constituent at a concentration at or exceeding Soil Acceptance Criteria will not be accepted. All soil must meet Soil Acceptance Criteria as established herein.

Visual, Olfactory, and Field Screening Criteria

All soil intended for reuse in the cemetery expansion as filling and grading material will meet visual, olfactory and field screening criteria prior to being accepted and/or placed. Visual inspection of soil is to be performed at time of soil borings, test pits, stockpile sampling, at time of excavation, and/or upon arrival at the St Mary Cemetery site prior to acceptance and



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placement. Soil will exhibit no indication of staining or other discoloration indicative of a release or impact of oil or hazardous material or other nuisance conditions. De minimis and incidental debris only (< 5% by volume) consisting of asphalt, brick, and/or concrete less than 6 inches in any dimension will be considered on a case-by-case basis provided the material can be placed greater than 6 to 8 feet below proposed finished grade. No wood, metal, wire, plastic, textile, ceramic, ash, tires, pipe, potential asbestos containing material, or other debris will be accepted.

Loads arriving with material not meeting acceptance criteria or determined to contain contaminants at levels at or exceeding acceptance criteria based on quality assurance/quality control sampling will be rejected and removed from St. Mary Cemetery at the expense of the Generator of that material. Loads not meeting acceptance criteria at the time of delivery to St. Mary Cemetery due to debris, odors, or other nonconformance with Acceptance Criteria will be rejected prior to off-loading or reloaded immediately by W.L. French. Such loads will be removed from St. Mary Cemetery immediately in the truck they were delivered in. Should QA/QC testing indicate soil as delivered is not below Acceptance Criteria, then the Generator of that soil and the party contracting with W.L. French for placement of soil at St. Mary Cemetery will promptly remove such soil from St. Mary Cemetery. Should the Generator and/or contracting party not promptly remove unacceptable soil, W.L. French will promptly act to remove that soil from St. Mary Cemetery. W.L. French will pursue cost recovery from the Generator and/or the contracting party for all costs associated with removal from St. Mary Cemetery of soil not below all Acceptance Criteria.

Soil will contain no nuisance odors such as petroleum, chemicals, solvent, and/or organic material/hydrogen sulfide as described on soil boring or test pit logs, stockpile sampling plans, and/or upon arrival at the project location. Soil with natural organic/hydrogen sulfide odor that is mixed with an odor reducing agent at the location of origin will be evaluated on a case-by-case basis. The MSDS for all odor reducing products is required with soil submittal packages.

Soil must be field screened for Total Organic Vapors following the MADEP Jar Headspace Screening Procedure (MADEP Policy #WSC-94-400 Attachment 2, modified to be based upon an isobutylene response factor rather a Benzene standard) at time of sample collection from borings, test pits, stockpiles or other locations. Soil must also be field screened at the time of excavation and load out to St. Mary Cemetery at a frequency of 1 field screening test per approximately 50 cubic yards of soil. Soil must contain less than 2 parts per million volume (ppmv) total organic vapors (TOV) above ambient background by the jar headspace screening procedure to meet Acceptance Criteria.

Soil mixed with bentonite or other slurry material will be accepted on a case-by-case space availability basis. A description of the process and materials generating the soil with slurry must be provided. The MSDS for all slurry and additive products must be submitted for review. If



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needed, pH must be adjusted to meet Acceptance Criteria prior to arrival at the fill site. Soil with slurry mixture is subject to field screening for pH upon arrival at the fill site and subject to rejection if Acceptance Criteria are not met.

Soil will contain no free liquid at the time of loading or upon arrival at the project site. Soil containing free liquid is subject to rejection upon arrival and inspection.

Source Site History and Use Criteria

Relevant site history and uses of each soil origin/source with regard to the presence, use, disposal, and/or release of oil or hazardous material must be provided in submittal packages prior to acceptance at St. Mary Cemetery. Reports including MCP phase reports, URAMs, RAMS, LRAs, ASTM Environmental Site Assessment Reports, or similar documentation must be submitted and will be reviewed with regard to suitability of soil as fill material for this project.

5.0 SOIL CHEMICAL TESTING REQUIREMENTS

Testing is required on soil proposed for acceptance as fill material from sources such as developed areas with historic urban fill soil, locations identified as an MCP Disposal Site or other oil or hazardous material release or spill locations, locations with history of manufacturing or industrial use, locations with current or past chemical or petroleum storage, or soil known to contain naturally-occurring elevated levels of metals including Boston Blue Clay and soil from Worcester County with arsenic. Naturally-deposited soil originating from locations with no documented source of petroleum, hazardous materials, historic urban fill, soil known to contain elevated levels of metals such as Boston Blue Clay, or other site history that may indicate some type of detrimental impact to soil, will be accepted without testing provided a written statement from the Generator and a Qualified Environmental Professional (LSP, CHMM, PG, PE, etc.) documents the background conditions associated with that soil relative to the presence of oil and hazardous materials.

Upon review of initial submittal package information from a soil source, source-specific supplemental testing to delineate limits of constituents exceeding Acceptance Criteria must be conducted to the satisfaction of W.L. French and the independent LSP performing soil submittal package review prior to acceptance. W.L. French and the soil submittal review consultant will provide a source-specific delineation testing plan including locations, parameters, and frequency for supplemental testing that must meet Acceptance Criteria prior to acceptance.

Required Test Parameters

Test parameters required on soil to be considered for acceptance include:



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- Volatile Organic Compounds (EPA 8260)
- Semi-volatile Organic Compounds (EPA 8270 full list)
- Metals – MCP 14 metals
- PCBs
- Total Petroleum Hydrocarbons (summation of EPH Fractions can be substituted)
- Hexavalent Chromium if Total Chromium > 30 mg/kg
- pH/Corrosivity
- Specific Conductance (conductivity)
- Field Screening for Total Organic Vapors (PID following MADEP Jar Headspace Screening Procedure based upon an isobutylene response factor)
- Herbicides (may be excluded or limited based on site history)
- Pesticides (may be excluded or limited based on site history)
- Ignitibility/Flash point (may be excluded or limited based on site history)
- Reactive Cyanide (may be excluded or limited based on site history)
- Reactive Sulfide (may be excluded or limited based on site history)
- Others as deemed prudent based on soil source site history.

Current and appropriate versions of applicable methods are to be used in accordance with MADEP Compendium of Analytical Methods. Detection limits for analyses must be appropriate for comparison to acceptance criteria. Generator and Qualified Environmental Professional/LSP must ascertain data is appropriate for use as intended.

Required Chemical Testing and Frequency

Initial testing is required at the minimum frequencies below. Supplemental contaminant limit delineation and frequency testing is required for the following situations when an Acceptance Criteria is exceeded within or in proximity to soil requested for reuse at St. Mary Cemetery:

	General Source/Origin Description	Test Profile Frequency
1	Naturally Deposited Soil: Not from an area of known or suspected high background levels of contaminants, Not proximate to urban fill soil, No MCP Disposal Sites nearby, No industrial or manufacturing history	No testing with Generator and Qualified Environmental Professional/LSP Certification Statement including documentation of site background/area conditions
2	Naturally deposited soil in proximity to but not abutting Urban Fill or an MCP Disposal Site	1 test profile per 1,000 cu yds (1,500-1,700 tons) and Supplemental delineation testing of specific areas for specific contaminants with exceedance of any Acceptance Criteria to define/confirm



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		limits of acceptable soil at 1 test per 100 cu yd.
3	Boston Blue Clay and Marine Soils; Naturally-deposited Soil from an area of naturally occurring high background levels of constituents or otherwise regulated soil	1 test profile per 1,000 cubic yards (1,500 – 1,700 ton) for initial review, and Supplemental delineation testing of specific areas for specific contaminants with exceedance of any Acceptance Criteria to define/confirm limits of acceptable soil at 1 test per 100 cu yds.
4	Urban Fill Soil	1 test profile per 500 cu yds (750-850 ton) and Supplemental delineation testing of specific areas for specific contaminants with exceedance of any Acceptance Criteria to define/confirm limits of acceptable soil at 1 test per 100 cu yd.
5	Soil from Industrial, Commercial, Manufacturing site with history of Tannery, Textiles, Chemical/Paint Production, Circuit Board manufacturing, Plating/metal finishing, Foundry operations, Coal Gasification, Dry Cleaning, Salvage Yards, Herbicide/pesticide use, storage or distribution facilities. No soil or fill shall be obtained from or immediately contiguous to such locations unless an LSP provides a report detailing why such soils conform to St. Mary Cemetery Acceptance Criteria.	Minimum 1 test profile per 500 cu yds (750-850 ton) and Supplemental delineation testing of specific areas for specific contaminants with exceedance of any Acceptance Criteria to define/confirm limits of acceptable soil at 1 test per 100 cu yd. Additional test parameters such as cyanide may be required.
6	Soil from source not otherwise described above where historic test data indicates exceedance of St. Mary Cemetery Acceptance Criteria, or where past use or site history indicated use or storage of oil or hazardous materials at more than household quantities.	Minimum 1 test profile per 500 cu yds (750-850 ton) and Supplemental delineation testing of specific areas for specific contaminants with exceedance of any Acceptance Criteria to define/confirm limits of acceptable soil at 1 test per 100 cu yd. Additional test parameters such as cyanide may be required.

For acceptance purposes, soil density will be considered 1.5 tons per cubic yard for soil sampled from a stockpile, and no greater than 1.7 ton per cubic yard for soil sampled in-situ via borings or



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test pits. Further technical justification will be required for acceptance of soil with assumed density greater than 1.7 ton per cubic yard.

Test Data Quality and Usability

Test data provided for review and acceptance must be considered current. If aged data (greater than 1 year old) is to be utilized for acceptance, then a statement from the qualified environmental professional making the submittal must be provided indicating site conditions have not changed since collection of data and that no documented releases that may impact site condition have occurred since data was collected.

Prior to submittal, the environmental professional making the submittal must perform a QA/QC evaluation of the data to ascertain data is representative and usable for its intended purpose.

The St. Mary Cemetery Expansion Project Owner proposes to once monthly collect and test a grab sample to confirm soil as received meets established Acceptance Criteria. Monthly quality control/quality assurance grab sample collection and testing will be performed by an independent third party yet to be determined. This information will be utilized by W.L. French as made available. Other sampling and testing may be performed by W.L. French should soil as received appear to be inconsistent with the characterization data and information used to obtain acceptance.

Soil deemed not meeting Acceptance Criteria due to debris, odors, or other observations at the time of arrival at St. Mary Cemetery will not be accepted. W.L. French will reload such soil into the truck upon which it arrived and reject the load. No additional loads will be accepted from that source until appropriate explanation and assurance that no additional similar loads will be delivered to St. Mary Cemetery is provided by the Generator, Generator's LSP, and the party contracting delivery of soil to St. Mary Cemetery.

Loads of soil selected for monthly quality control/quality assurance sampling performed at the direction of St. Mary Cemetery owner result will be segregated pending receipt of test results. Should the test results indicate that contaminants detected in soil tested for quality assurance/quality control purposes is not below all Acceptance Criteria, then arrangements must be made promptly by the Generator and/or party contracting for soil placement to immediately remove that soil from St. Mary Cemetery. If the Generator and/or party contracting for soil placement fail to promptly remove unacceptable soil, then W.L. French will promptly remove the soil from St. Mary Cemetery and manage the soil at an appropriate location. W.L. French will seek recovery from the Generator and/or party contracting for soil placement for all costs associated with removal of any unacceptable soil from St. Mary Cemetery.



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6.0 SOIL SUBMITTAL AND APPROVAL PROCESS

A Soil Submittal Package must be provided by representatives of each soil source/origin for review and approval by representatives of St. Mary Cemetery expansion project.

A complete package is to be provided to:

W.L. French Excavating Corp.
3 Survey Circle, Suite 1
Billerica, MA 01864
Attention: Dan Walsh, LSP
617-924-1234
dwalsh@wlfrench.com

W.L. French will perform a preliminary review to establish whether the submittal is complete and soil is appropriate for reuse as fill material at St. Mary Cemetery. The submittal will then be assigned a Profile Number and forwarded to the independent Licensed Site Professional contracted by W.L. French to perform the final review and approval.

Upon completion of the initial review, supplemental information, clarification, or additional delineation/frequency testing can be requested prior to acceptance. The source making the submittal must provide the information, clarification, or additional test data as requested for the approval process to proceed.

Upon completion of the submittal review process and determination that soil meets acceptance criteria, an Acceptance Letter will be issued. The Acceptance Letter will reference the assigned Profile Number, will state a review of information as provided was performed and found adequate and appropriate for acceptance, the quantity of soil that is approved, samples/soils that are not acceptable, and any other conditions applicable to the acceptance of applicable the soil. Soil submittal packages and Approval Letters will be retained by W. L French and the review consultant.

The review process will typically take from 1 to 4 business-days depending on the number of submittals in the queue for review, the amount of soil requested for approval, and available capacity. Submittal packages awaiting supplemental information will be placed back into the review queue. Supplemental review will start once all required information is received.

All submittals must be complete at time of submittal. No partial packages with information to be submitted later will be considered for review. No preliminary reviews of data summaries will be performed.



W. L. FRENCH EXCAVATING CORPORATION

**3 SURVEY CIRCLE, SUITE 1
NORTH BILLERICA, MA 01862**



Phone [617] 924.1234 / [978] 663.2623

Main Fax [978] 663.5240 Estimating Fax [978] 663.0229

A complete submittal package must contain the following:

- Soil Submittal Checklist
- Soil Reuse Submittal form completely filled out and signed by the Generator
- LSP/QEP Opinion Letter stating relevant site history and use, and a statement that the soil requested for acceptance at St. Mary Cemetery Expansion project meets acceptance criteria established in this plan, or other explanations as needed.
- Appropriate Shipping Papers signed by LSP/Qualified Environmental Professional and Generator.
- Laboratory test data reports with Chain of Custody and QA/QC for the soil samples intended for reuse at St. Mary Cemetery. Sample data representative of soil not intended for St. Mary Cemetery must not be included in submittal packages.
- A Data Summary Table comparing source-specific soil test data to St. Mary Cemetery Acceptance Criteria. For values below the detection or minimum reporting limit, the limit should be identified. For example ND < 20 mg/kg, or < 20 mg/kg must be in the summary table. Stating ND alone is not acceptable.
- Supplemental site investigation reports or information supporting acceptance of subject soil at St. Mary Cemetery Expansion project.

Copies of the Soil Submittal Checklist and Soil Reuse Submittal form are included in Appendix E. Soil Acceptance Criteria for use in a data comparison table are listed in Table 2.

The assigned Profile Number must be placed at the top center of each page of the intended shipping papers. Trucks will not be allowed access to St. Mary Cemetery without the Profile Number on shipping papers.

Each truck will be weighed on a certified scaled upon arrival with a load at St. Mary Cemetery and again after dropping the load (unless truck tare weight was previously recorded in the scale program). A net weight will be provided on a scale ticket to each truck leaving the site.



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7.0 SITE ACCESS

Access to St. Mary Cemetery will be from Interstate I-495 via Exit 39 (Route 133) or Exit 38 (Route 38).

From Exit 39 (Route 133 Tewksbury, MA) off I-495 proceed west on Route 133/Andover Street. Turn right on to River Road (Tewksbury). Access to St. Mary Cemetery is on left.

From Exit 38 (Route 38, Lowell, MA) off I-495 proceed north on Route 38 toward Lowell. Turn right (east) on Route 133/Andover Street (Lowell). Turn left on River Road (Tewksbury). Access to St. Mary Cemetery is on left.

Access to St. Mary Cemetery is off River Road in Tewksbury. Upon entering the cemetery, trucks will be directed to the scale and then to the tipping area. Trucks will pass through the scale again prior to exiting the site. Each truck will be provided a scale ticket indicating weight in pounds and/or tons. The Profile Number will be referenced on each scale ticket.

Trucks proceeding to St. Mary Cemetery must not use River Road in Tewksbury from the east or the River Road exit off I-93. Only loads originating locally in Tewksbury may utilize River Road from the east to access St. Mary Cemetery. Use of River Road from the east toward St. Mary Cemetery is otherwise prohibited.

Truck drivers that fail to follow the approved routes will be given one warning. Drivers that repeat use of an unauthorized trucking route will be directed not to return to St. Mary Cemetery with any additional loads.

Operating hours are approximately 7:00 AM to 4 PM. Some allowance can be made until 5 pm for late loads with advanced notice.

Some limited Saturday hours may be available. Advanced request (5 to 7 days) for Saturday opening is required to obtain approval from various parties involved.

Some limited access delays may be experienced due to cemetery operations. Restricted truck access will be allowed during these times.



W. L. FRENCH EXCAVATING CORPORATION
3 SURVEY CIRCLE, SUITE 1
NORTH BILLERICA, MA 01862



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Main Fax [978] 663.5240 Estimating Fax [978] 663.0229

8.0 SOIL PLACEMENT

Once trucks are scaled, they will be directed to the off-loading area. Loads will be inspected visually, olfactory, and/or using a photoionization detector. The approximate location of placement of loads in the working area will be noted in the daily operating logs.

Loads deemed suspect or unacceptable will be rejected from St. Mary Cemetery. Rejected loads will be reloaded by W.L. French if needed and turned away from St. Mary Cemetery at the Generator's expense. No additional loads will be accepted from that source until the Generator, Generator's LSP, and the party contracting for placement of soil at St. Mary Cemetery provide appropriate explanation and assurance that no additional similar loads will be delivered to St. Mary Cemetery. Rejected loads will be promptly removed by the Generator and/or party contracting for soil placement at St. Mary Cemetery. Should the Generator and/or contracting party fail to remove unacceptable soil from St. Mary Cemetery, W.L. French will promptly remove unacceptable soil and manage the soil at an appropriate location. W.L. French will seek recovery of all costs from the Generator, the Generator's LSP, and/or the party contracting for reuse of soil for unacceptable soil removed from St. Mary Cemetery by W.L. French.

Various areas and depths will be utilized for different soil types as categorized and received. Future operations at the cemetery require certain physical characteristics of soil within 6 to 8 feet of proposed surface grade. Boston Blue Clay and other cohesive materials will be placed greater than 8 feet below proposed final grades. Historic urban fill soils will be placed greater than 6 to 8 feet below final grades. Other naturally-deposited soils and soils relocated at the fill area will be placed within 8 feet of final grades. Specific areas furthest away from wetlands will be dedicated and utilized for placement of soils with slightly elevated conductivity and/or soils mixed with slurry spoils. Other areas may be designated for specific types or volumes of soil from various origins as the cemetery expansion project proceeds.



W. L. FRENCH EXCAVATING CORPORATION

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Phone [617] 924.1234 / [978] 663.2623

Main Fax [978] 663.5240 Estimating Fax [978] 663.0229

9.0 PROJECT COMPLETION

Upon receipt of all fill from an off-site source and a request from the submitting party, W.L. French will sign off as representative of the Receiving Facility on the shipping papers (Material Shipping Record or Bill of Lading). Sign-offs will be forwarded electronically and by U.S. Mail to the party contracting the services or other party as authorized by contracting party. A final report indicating number of loads and tonnage received will be provided with the sign-off paperwork.

Upon completion of the filling and grading project, W. L. French will compile and retain documentation of soil submittal packages, approvals, and tonnage received.

Overburden soil that was relocated to a berm(s) between the active cemetery and the fill area will be spread and graded over the fill material after achieving approved project subgrades.

Once W.L. French has completed fill soil placement, topsoil and revegetation will be overseen by others at the direction Cemetery Services, Inc.



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10.0 ADDENDUM TO FILL MANAGEMENT PLAN

This fill management plan will be modified as needed to meet changing project objectives, environmental regulations, or other requirements. Updates to this plan will be noted on the cover page. Copies of Correspondences with various Municipal, State, or Federal agencies and officials will be added to Appendix F as the project proceeds. Supplemental Information will be added to Appendix G as the project proceeds.

Soil Acceptance Criteria may be modified as the project proceeds to meet changing regulatory criteria such as Reportable Concentrations, cleanup standards, background levels, or other guidelines published by MADEP.

FIGURES

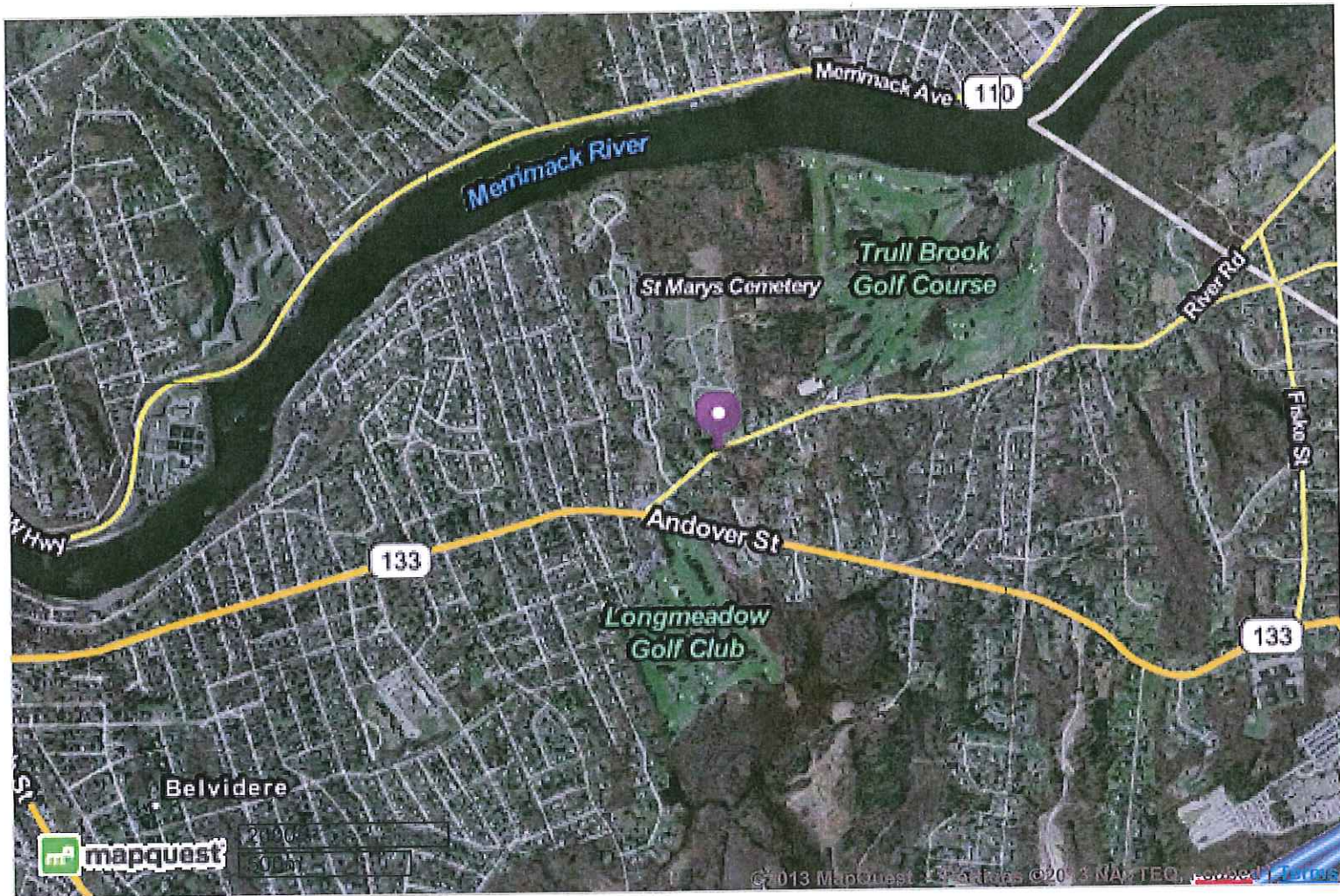
FIGURE 1 – SITE LOCUS MAP

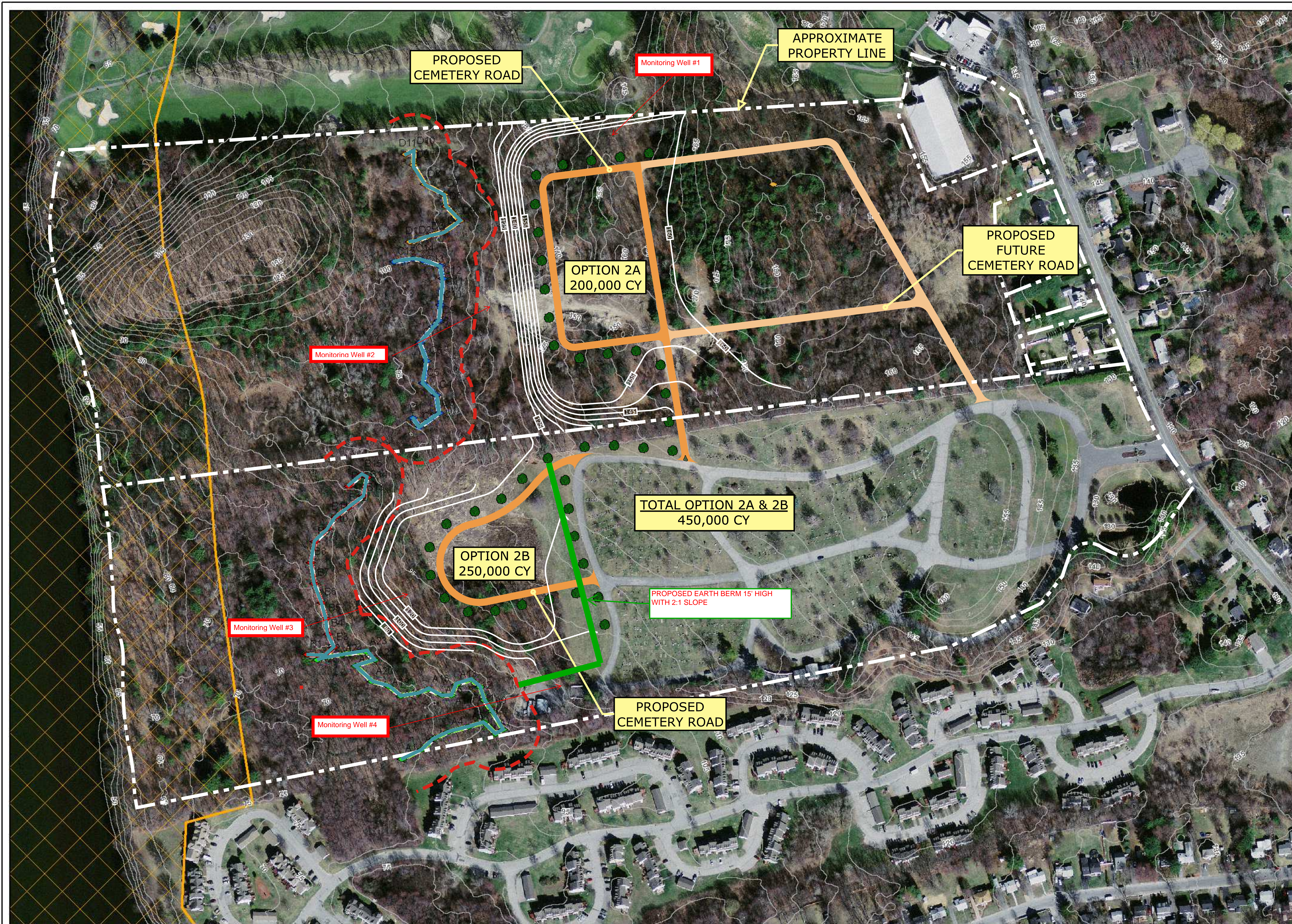
FIGURE 2 – SITE PLAN

FIGURE 3 – MASS GIS RESOURCE MAP

Map of:
90 River Rd
Tewksbury, MA 01876-1065

Figure 1 - Site Locus Map
St. Mary Cemetery
90 River Road
Tewksbury, MA

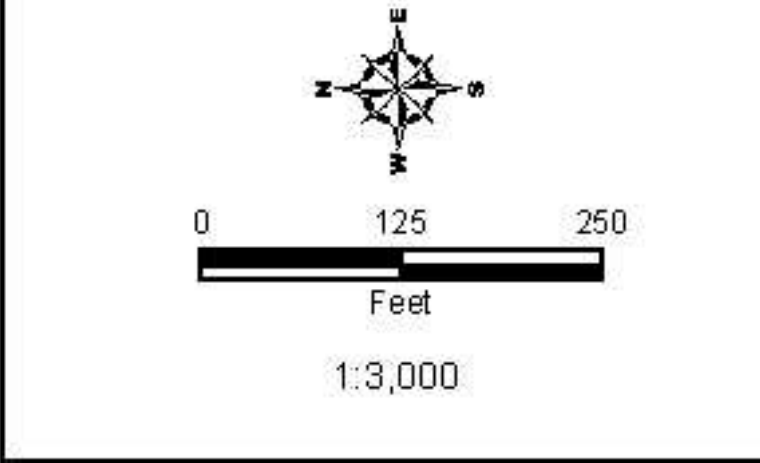
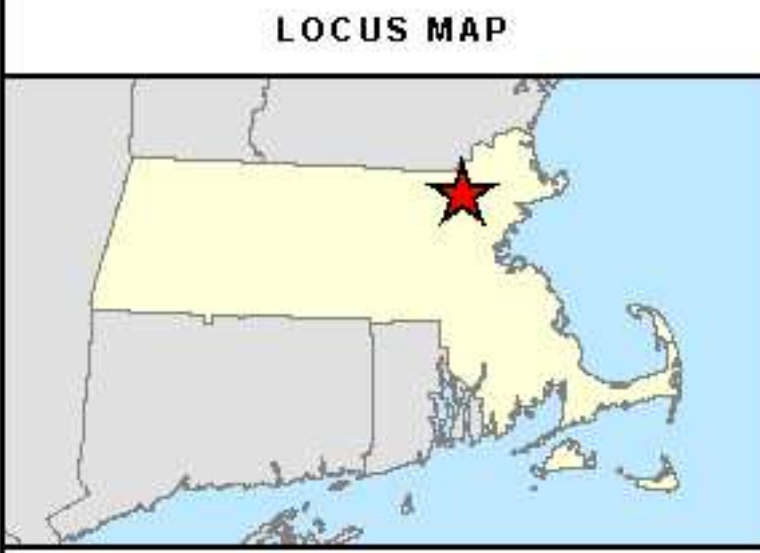




ORTHOGRAPH SITE PLAN

LEGEND

- 5 ft Contours
- Wetland Flag**
 - A
 - B
 - C
 - D
- Wetland Line**
 - A
 - B
 - C
 - D
- NHESP Estimated Habitats for Rare Wildlife
- NHESP Priority Habitats for Rare Species



- NOTES**
1. Based on MassGIS Color Orthophotography (April 2009) Orthophoto Sheet ID # 21929335
 2. Data source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs. Data valid as of August, 2012.
 3. 5 foot contour elevation in NVGD 88

OPTION 2A & 2B
 St. Marys Cemetery
 River Road
 Tewksbury, Massachusetts

December 2012
 Figure 2 - Site Plan



MassDEP - Bureau of Waste Site Cleanup

Site Information: MCP Numerical Ranking System Map: 500 feet & 0.5 Mile Radii

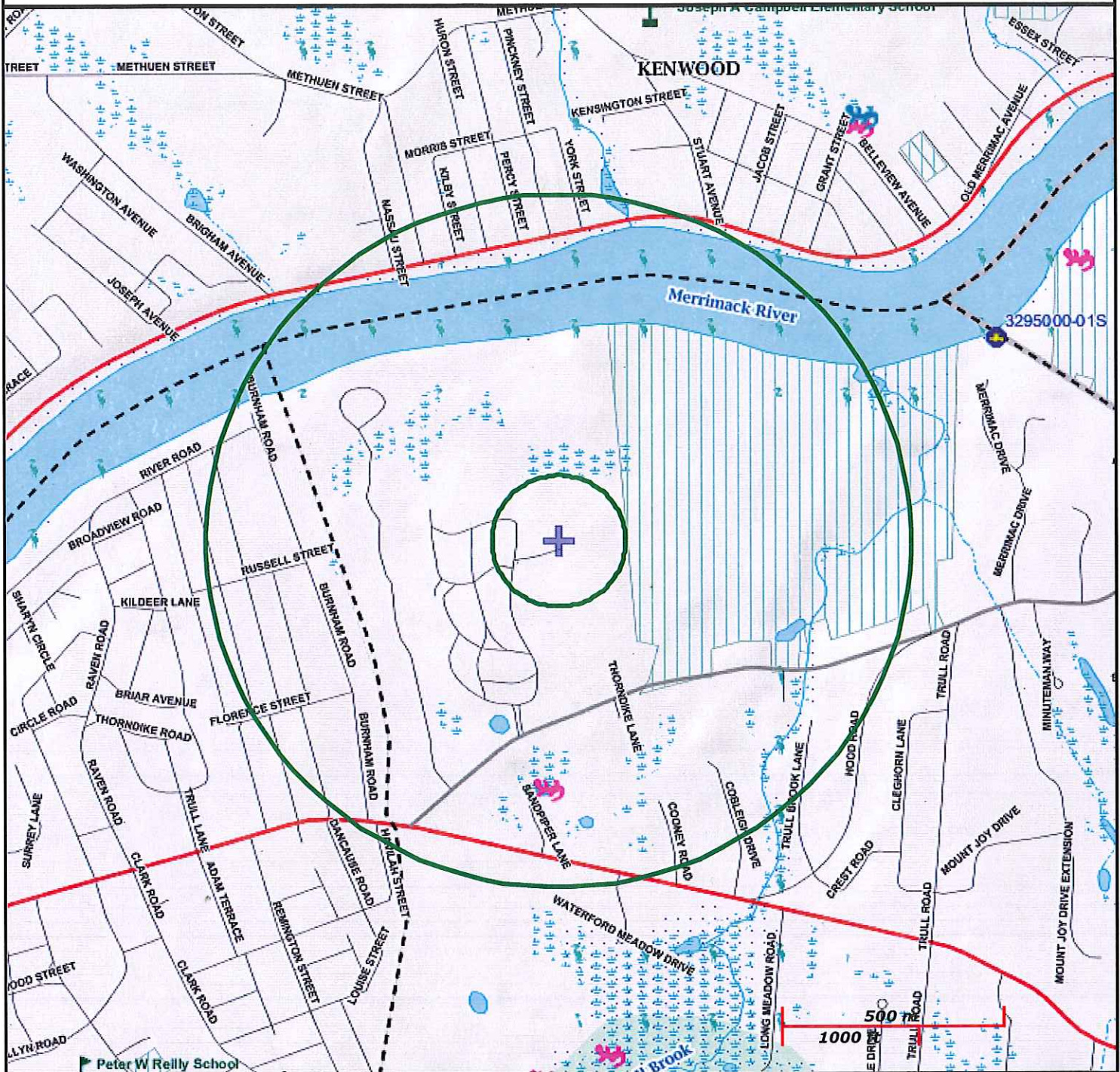
ST MARY CEMETERY
90 RIVER ROAD TEWKSBURY, MA

NAD83 UTM Meters:
5259171mN, -7933392mE (Zone: 18)
March 14, 2013

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at:
<http://www.mass.gov/mgis/>.



MassDEP
Commonwealth of Massachusetts
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail	PWS Protection Areas: Zone II, IWPA, Zone A			
Boundaries: Town, County, DEP Region; Train; Powerline; Pipeline; Aqueduct	Hydrography: Open Water, PWS Reservoir, Tidal Flat			
Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam	Wetlands: Freshwater, Saltwater, Cranberry Bog			
Aquifers: Medium Yield, High Yield, EPA Sole Source	FEMA 100yr Floodplain; Protected Open Space; ACEC			
Non Potential Drinking Water Source Area: Medium, High (Yield)	Est. Rare Wetland Wildlife Hab; Vernal Pool: Cert., Potential			
	Solid Waste Landfill; PWS: Com. GW, SW, Emerg., Non-Com			

FIGURE 3 - MassGIS Resource Map

TABLES

TABLE 1 – Summary of Values Used to Establish Soil Acceptance Criteria

TABLE 2 – Summary of Acceptance Criteria

TABLE 1

SUMMARY OF VALUES USED FOR DERIVATION OF SOIL ACCEPTANCE CRITERIA
 FILL MANAGEMENT PLAN
 ST. MARY'S CEMETERY EXPANSION
 TEWKSBURY, MASSACHUSETTS

CONSTITUENT	VALUES FOR COMPARISON							Proposed MCP RCS1 2013 Public Hearing Draft	PROPOSED ACCEPTANCE CRITERIA	REASONING
	MCP RCS1 March 2013	MADEP Identified BACKGROUND - Fill Material with Coal or Wood Ash	MADEP Identified BACKGROUND - Natural Soil	MADEP BUD Method 1 Values S-3/GW-3 Table 12	MADEP BUD Method 1 Values S-3/GW-1 Table 10	MADEP BUD Method 1 Values S-2/GW-1 Table 7	Source of Information			
SEMI-VOLATILE ORGANIC COMPOUNDS (mg/kg)	1	2	2	3	3	3	4			
2-Methylnaphthalene	0.7	1	0.5	240	0.66	0.66		< 0.7	< RCS-1	
Acenaphthene	4	2	0.5	5000	3.9	3.9		< 4	< RCS-1	
Acenaphthylene	1	1	0.5	14	1.1	1.1		< 1	< RCS-1	
Anthracene	1000	4	1	5000	5000	3000		< 10	< RCS-1, 10x background	
Benzo(a)anthracene	7	9	2	160	160	21		< 7	< RCS-1	
Benzo(a)pyrene	2	7	2	16	16	2.1		< 2	< RCS-1	
Benzo(b)fluoranthene	7	8	2	160	160	21		< 7	< RCS-1	
Benzo(g,h,i)perylene	1000	3	1	5000	5000	3000		< 10	< RCS-1, 10x background	
Benzo(k)fluoranthene	70	4	1	1600	1600	210		< 10	< RCS-1, 10x background	
Bis(2-ethylhexyl)phthalate	200	not established	not established	230	230	230	90	< 10	< RCS-1, typical of urban soil	
Carbazole	not established	not established	not established	not established	not established	not established		< 10	typical of urban soil	
Chrysene	7	7	2	3400	3400	2100	70	< 20	< RCS-1, typical of urban soil	
Dibenzo(a,h)anthracene	0.7	1	0.5	16	16	2.1		< 0.7	< RCS-1	
Dibenzofuran	100	not established	not established	not established	not established	not established		< 10	< RCS-1, typical of urban soil	
Fluoranthene	1000	10	4	5000	5000	3000		< 40	< RCS-1, 10x background	
Fluorene	1000	2	1	5000	5000	3000		< 10	< RCS-1, 10x background	
Indeno(1,2,3-cd)pyrene	7	3	1	160	160	21		< 7	< RCS-1	
Naphthalene	4	1	0.5	3000	0.66	0.66		< 4	< RCS-1	
Phenanthrene	10	20	3	3000	10	10		< 10	< RCS-1	
Pyrene	1000	20	4	5000	5000	3000		< 40	< RCS-1	
others considered and evaluated on a case by case basis if not related to a known release of oil or hazardous materials										
METALS (mg/kg)										
Antimony	20	7	1	16	16	16		< 10	< RCS-1, DEP input, 10 x background	
Arsenic	20	20	20	11	11	11		< 20	< RCS-1, typical background level	
Barium	1000	50	50	2100	2100	2100		< 380	< RCS-1, DEP input, 7.5 x background	
Beryllium	100	0.9	0.4	10	10	1.1	90	< 4	< RCS-1, DEP input, 10 x background	
Cadmium	2	3	2	16	16	16	40	< 2, < 20 after fall 2013 MCP changes	< RCS-1, < 10 x background after fall 2013 MCP revisions	
Chromium, total	30	40	30	570	570	570	100	< 30	< RCS-1	
Chromium, III	1000	40	30	960	960	960		< 230	< RCS-1, DEP input, 7.5 x background	
Chromium, VI	30	40	30	570	570	570	100	< 30	< RCS-1	
Lead	300	600	100	110	110	110	200/300	< 200	< proposed RCS-1	
Mercury	20	1	0.3	16	16	16		< 3	< RCS-1, DEP input, 10 x background	
Nickel	20	30	20	350	350	350	600	< 20, < 150 after fall 2013 MCP changes	< RCS-1/ 7.5x background after fall 2013 MCP revisions	
Selenium	400	1	0.5	390	390	390		< 5	< RCS-1, DEP input, 10 x background	
Silver	100	5	0.6	110	110	110		< 6	< RCS-1, DEP input, 10 x background	
Thallium	8	5	0.6	37	37	26		< 6	< RCS-1, DEP input, 10 x background	
Vanadium	600	30	30	530	530	530	30	< 100	Anticipated RCS-1 after proposed Fall 2013 MCP revisions	
Zinc	2500	300	100	5000	5000	3000	1000	< 500	< RCS-1, 5x background	
others considered and evaluated on a case by case basis if at naturally occurring levels and not related to a known release of oil or hazardous materials										
TOTAL PETROLEUM HYDROCARBONS (mg/kg)	1000	not established	not established	500	8.4	8.4		< 500	< RCS-1, 1/2 RCS-1	
VOLATILE ORGANIC COMPOUNDS (mg/kg)	various	not established	not established	various	various	various		< 10% or RCS-1 Considered *	lab contaminant/remanants, not a site-related contaminant	
PCBs (mg/kg)	2	not established	not established	1.6	1.6	1.6	1	None Detected (< 0.1 mg/kg) **	Not a site-related contaminant	
pH/CORROSIVITY	not established	not established	not established	not established	not established	not established		5-9	typical of fill soil	
SPECIFIC CONDUCTANCE/ (umhos/cm)	not established	not established	not established	not established	not established	not established		< 500 wetland vicinity, < 2000 elsewhere	< 1/2 MA DEP Unlined Lf limit	
FLASH POINT/IGNITABILITY (° F)	not established	not established	not established	not established	not established	not established		> 140 o F, not ignitable	not hazardous waste	
REACTIVE SULFIDE (mg/kg)	not established	not established	not established	not established	not established	not established		< 500 mg/kg	not hazardous waste	
REACTIVE CYANIDE (mg/kg)	not established	not established	not established	not established	not established	not established		< 250 mg/kg	not hazardous waste	
HERBICIDES (mg/kg)	various	not established	not established	various	various	various		None Detected *	Not a site-related contaminant	
PESTICIDES (mg/kg)	various	not established	not established	various	various	various		None Detected *	Not a site-related contaminant	
Free Liquid								no free liquid at time of loading or upon arrival		
Odor								no petroleum, chemical, organic, or nuisance odors		
Other testing may be required based on location-specific history										
									Cyanide,	

Sources of Information:

- 1 Massachusetts Contingency Plan 310 CMR 40.0000 in effect as of March 1, 2013.
- 2 MADEP, Technical Update, *Background Levels of Polycyclic Aromatic Hydrocarbons and Metals in Soil*, May 23, 2002.
- 3 MADEP, Bureau of Waste Prevention, *Draft Interim Guidance Document for Beneficial Use Determination Regulations*, 310 CMR 19.060, March 18, 2004.
- 4 Proposed changes to MCP RCS-1, 2013 Public Hearing Draft

Notes

- * Trace part per billion levels well below RCS-1 of VOCs, Herbicides, Pesticides with very low frequency of detection and no known or potential source considered and evaluated on a case by case basis.
- ** Trace levels PCB below 0.1 mg/kg considered and evaluated on a case by case basis.

Updated 4-12-13 D Walsh
 Updated 4-23-13 D Walsh
 Updated 4-24-13 D Walsh
 Updated 5-2-13 D Walsh
 Updated 5-10-13 D Walsh
 Updated 7-11-13 D Walsh
 Updated 7-22-13 D Walsh

TABLE 2

**SUMMARY OF ACCEPTANCE CRITERIA
FILL MANAGEMENT PLAN
ST. MARY CEMETERY EXPANSION
90 RIVER ROAD
TEWKSBURY, MASSACHUSETTS**

CONSTITUENT	ACCEPTANCE CRITERIA	Notes
SEMI-VOLATILE ORGANIC COMPOUNDS (mg/kg)		
2-methylnaphthalene	< 0.7	
Acenaphthene	< 4	
Acenaphthylene	< 1	
Anthracene	< 10	
Benzo(a)anthracene	< 7	
Benzo(a)pyrene	<2	
Benzo(b)fluoranthene	<7	
Benzo(g,h,i)perylene	<10	
Benzo(k)fluoranthene	<10	
Bis(2-ethylhexyl)phthalate	<10	
Carbazole	<10	
Chrysene	<20	
Dibenzo(a,h)anthracene	<0.7	
Dibenzofuran	<10	
Fluoranthene	<40	
Fluorene	<10	
Indeno(1,2,3-cd)pyrene	<7	
Naphthalene	<4	
Phenanthrene	<10	
Pyrene	<40	
others considered and evaluated on a case by case basis if not related to a known release of oil or hazardous materials		
METALS (mg/kg)		
Antimony	< 10	
Arsenic	< 20	
Barium	< 380	
Beryllium	< 4	
Cadmium	< 2	1
Chromium III	< 230	
Chromium, Total or VI	< 30	
Lead	< 200	1
Mercury	< 3	
Nickel	< 20	1
Selenium	<5	
Silver	<6	
Thallium	<6	
Vanadium	< 100	1
Zinc	< 500	
others considered and evaluated on a case by case basis if at naturally occurring levels and not related to a known release of ohm or anthropogenic source		
TOTAL PETROLEUM HYDROCARBONS (mg/kg)	< 500	2
VOLATILE ORGANIC COMPOUNDS (mg/kg)	< 10% of RCS-1 Considered	3
PCBs (mg/kg)	None Detected (< 0.1)	
pH/CORROSIVITY	5 - 9	4
SPECIFIC CONDUCTANCE/ (umhos/cm)	< 2000	5
FLASH POINT/IGNITABILITY (° F)	> 140 ° F/Not Ignitable	
REACTIVE SULFIDE (mg/kg)	500	
REACTIVE CYANIDE (mg/kg)	250	
HERBICIDES (mg/kg)	Not Detected	6
PESTICIDES (mg/kg)	Not Detected	6
FREE LIQUID/PAINT FILTER TEST	No Free Liquid	
ODOR	No odor	7
TOTAL ORGANIC VAPOR SCREENING	< 2 ppmv above background	8
Other testing may be required based on location-specific history		

Notes:

See *Fill Management Plan* for further explanation of acceptance criteria, testing needs, and additional considerations.

See Table 1 of *Fill Management Plan* for information used to derive Acceptance Criteria.

Current EPA/MADEP or other approved method required for laboratory testing; MADEP CAM utilized where applicable.

Laboratory detection limits must be adequate and appropriate for evaluation and comparison to Acceptance Criteria.

Averaging not allowed. All constituents must be below Acceptance Criteria for acceptance of soil.

Working Draft 4-12-13 D. Walsh

Updated 4-12-13 dwalsh

Updated 4-23-13 Dwalsh

Updated 4-24-13 dwalsh

Updated 5-2-13 D Walsh

Updated 5-7-12 D Walsh

Updated 5-10-12 D Walsh

Updated 7-11-13 D Walsh

1. MCP Reportable Concentrations for these constituents are proposed to change in Fall 2013. Acceptance Criteria will be modified at time of MCP Standards changes.

2. The summation of EPH fractions can be utilized for TPH comparison.

3. VOCs present at 10% of the RCS-1 Criteria considered and evaluated on case by case basis.

4. pH of slurry spoils/soil mix will be evaluated on a case-by-case basis depending on availability of space and proximity to wetlands.

5. Limited volumes from various sources with higher levels considered if space is available away from wetland areas.

6. Herbicides and Pesticides must be Not Detected at applicable RCS-1 levels and at MADEP Compendium of Analytical Methods appropriate levels.

7. Soil with odor control agent applied at point of origin may be considered. MSDS and other product info must be provided for review prior to acceptance.

8. Total organic vapor screening following the MADEP Jar Headspace Screening Procedure referenced in Policy #WSC 94-400 Attachment 2 modified to use isobutylene response factor.

Updated 7-22-13 D Walsh

APPENDICES

APPENDIX A – Negative Determination of Applicability from Conservation Commission

APPENDIX B – Storm Water Pollution Prevention Plan

APPENDIX C – Administrative Consent Order from MADEP

APPENDIX D – List of Private Water Wells

APPENDIX E – Soil Submittal Package Requirements

APPENDIX F – Correspondences Regarding Fill Management Plan

APPENDIX G – Supplemental Information Added as Project Proceeds

APPENDIX A
CONSERVATION COMMISSION
NEGATIVE DETERMINATION OF APPLICABILITY



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 2 – Determination of Applicability
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From:

Tewksbury
 Conservation Commission

To: Applicant

W.L French Excavating, Inc.
 Name
3 Survey Circle
 Mailing Address
North Billerica MA 01862
 City/Town State Zip Code

Property Owner (if different from applicant):

St. Mary's Cemetary
 Name
90 River Road
 Mailing Address
Tewksbury MA 01876
 City/Town State Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

<u>St. Mary's Cemetary</u>	<u>June 2013</u>
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

2. Date Request Filed:

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Deposit 450,000 cubic yards of clean fill to create approximately 26.2 acres of land to be used for St. Mary's Cemetery.

Project Location:

River Road
 Street Address
15
 Assessors Map/Plat Number

Tewksbury
 City/Town
7 and 13
 Parcel/Lot Number



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
- 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

- 2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.
4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).
5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Name

Ordinance or Bylaw Citation



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

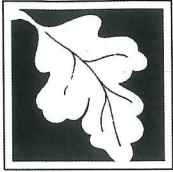
- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
Erosion controls will be installed by the applicant and inspected by the Conservation Administrator

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



Massachusetts Department of Environmental Protection
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WPA Form 2 – Determination of Applicability
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

- by hand delivery on by certified mail, return receipt requested on

Date

Date

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) and the property owner (if different from the applicant).

Signatures

[Handwritten signatures in blue and purple ink]

Date

7/2/13



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

Project Location

Mailing Address

City/Town

State

Zip Code

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. DEP File Number:

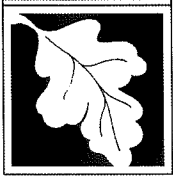
B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions (\$100 for individual single family homes with associated structures; \$200 for all other projects)
- Superseding Determination of Applicability (\$100)
- Superseding Order of Resource Area Delineation (\$100)

Send this form and check or money order for the appropriate amount, payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Request for Departmental Action Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

APPENDIX B

STORMWATER POLLUTION PREVENTION PLAN

APPENDIX C

ADMINISTRATIVE CONSENT ORDER FROM MADEP

APPENDIX D

LIST OF PRIVATE WATER WELLS

Table 2 Potable/Irrigation Wells 1/2 Miles

Saint Mary's Cemetery
90 River Road
Tewksbury, MA

Address	Well Type	Distance (Feet)
12 Hood Rd	I	2,500 SSE
30 Hood Rd	I	2,300 SE
Helvetia St (Long Meadow Golf Course)	D	1,900 SSW
168 Merrimack Meadows Ln	I	500 W (West Abbuter)
90 River Rd	D	Site
170 River Rd (Trull Brook Golf Course)	I	500 E (East Abbuter)
749 Tull Rd	D	2,500 ESE

I = Irrigation Well

D = Domestic Potable Well

APPENDIX E
SOIL SUBMITTAL PACKAGE REQUIREMENTS

SOIL SUBMITTAL PACKAGE CHECKLIST

ST. MARY CEMETERY EXPANSION PROJECT 90 RIVER ROAD TEWKSBURY, MA

~ Please RETURN this check list with all supporting information ~

Facility Name: St. Mary Cemetery Expansion Project
Address: 90 River Road, Tewksbury, MA
Owner: Catholic Cemetery Association of The Archdiocese of Boston, Inc. care of Cemetery Services, Inc.
Operator: W.L. French Excavating Corp., 3 Survey Circle, Suite 1, Billerica, MA
Contact Person: Chris Paulino/Dan Walsh **Title:** Project Manager **Telephone#:** 617-924-1234
Type of Project: Cemetery Expansion by Soil Fill and Grading Project

- | | <u>Circle One</u> |
|--|--------------------------|
| 1. Laboratory Testing performed every 500 cubic yards. | Yes / No |
| 2. Laboratory Testing performed every 1000 cubic yards. | Yes / No |
| 3. Supplemental delineation testing performed at 100 cubic yard frequency | Yes / No |
| 4. Laboratory Testing not performed. | Yes / No |
| 5. LSP opinion letter states that soil meets acceptance criteria. | Yes / No |
| 6. Description of site and contaminants provided.
(Describe in LSP Opinion Letter) | Yes / No |
| 7. Description of current and former site usage/history is provided.
(Describe in LSP Opinion Letter) | Yes / No |
| 8. Soil analytical data for specific samples attached and of sufficient quantity with QA/QC and Chain of Custody attached. | Yes / No |
| 9. Quantity of Soil is provided. | Yes / No |
| 10. Field screening data used to support chemical composition provided. | Yes / No |
| 11. Physical description/soil classification is provided. | Yes / No |
| 12. Site figure showing soil origin, soil stockpiles, and location of all soil samples is provided. | Yes / No |
| 13. Data table comparing all applicable results to St. Mary Cemetery Acceptance Criteria provided. | Yes / No |
| 14. Signed & Stamped MSR/BOL are provided. | Yes / No |
| 15. St. Mary Cemetery Reuse Submittal Form completed, signed, and attached. | Yes / No |

Please explain in detail any item above which "No" has been circled for in the LSP opinion letter provided with the package for approval. Failure to provide the above information may result in the submittal being denied.

Print Name	Signature	Title	Date
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W. L. FRENCH EXCAVATING CORPORATION

COMMERCIAL SITE DEVELOPMENT • CONTRACT TRUCKING • ENVIRONMENTAL MANAGEMENT

SOIL REUSE SUBMITTAL FORM ST. MARY CEMETERY EXPANSION 90 RIVER ROAD TEWKSBURY, MASSACHUSETTS

PROFILE NUMBER _____

(Assigned by WL French Excavating Corp.)

A. SITE INFORMATION:

Name:	Contact:
Address:	Phone:
City:	State, Zip:
Release Tracking No. or Site ID No. (if applicable):	

B. GENERATOR INFORMATION:

Name:	Contact:
Address:	Phone:
City:	State, Zip:

C. CONSULTANT INFORMATION:

Company:	Contact:
Address:	Phone:
City:	State, Zip:

D. ESTIMATED SOIL QUANTITY:

Tons:	or	Cubic Yards:
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W. L. FRENCH EXCAVATING CORPORATION

COMMERCIAL SITE DEVELOPMENT • CONTRACT TRUCKING • ENVIRONMENTAL MANAGEMENT

E. LABORATORY ANALYSIS

Check the following laboratory analysis performed on the material to be reused (check all that apply)

- VOCs, SVOCs, TPH, PCBs
- MCP14 Metals
- TCLP (if required by total levels)
- Conductivity
- Ignitability/Flash Point
- Pesticides
- Other laboratory analysis performed: _____
- pH
- Reactivity
- Herbicides

- Field screening performed (describe below)

- Attach data summary tables for all soil from source and laboratory reports for only applicable samples

F. SITE HISTORY:

- Check if extra sheet attached

Current Use(s):
Past Use(s):

Check additional site history/uses below. Provide additional description as needed:

- Tannery Yes ___ No ___
- Textiles Yes ___ No ___
- Foundry Yes ___ No ___
- Dry Cleaning Yes ___ No ___
- Coal Gasification Yes ___ No ___
- Machine Shop Yes ___ No ___
- Salvage/Junk Yard Yes ___ No ___
- Petroleum Storage Yes ___ No ___
- Plating/metal finishing Yes ___ No ___
- Chemical Production Yes ___ No ___
- Circuit Board Manufacturer Yes ___ No ___
- Herbicide or Pesticide use, storage, or disposal Yes ___ No ___
- Historic Urban Fill Soil present Yes ___ No ___
- Boston Blue Clay present Yes ___ No ___
- Soil with elevated natural background of Arsenic or other constituents Yes ___ No ___
- Dumping Ground for dredge spoils, fill soil, ash waste, or other waste Yes ___ No ___
- Source of soil is on an MCP Disposal Site RTN _____
- Source of soil is adjacent/near to an MCP Disposal Site RTNs _____



W. L. FRENCH EXCAVATING CORPORATION

COMMERCIAL SITE DEVELOPMENT • CONTRACT TRUCKING • ENVIRONMENTAL MANAGEMENT

G. PHYSICAL SOIL DESCRIPTION:

Physical Description (sand, gravel, silt, peat, fill, clay etc.):

Check if the following materials are present (check all that apply):

- Clay Coal Ash
 Construction Debris Vegetative Matter Other Material: _____

H. SOIL SAMPLING METHODOLOGY:

Sampling Methods (check all that apply):

- Grab Composite (Acceptance criteria based on grab samples)
 Headspace Screened Visually Contaminated Olfactory Contaminated
 Other: _____

I. SOIL CHARACTERIZATION METHODOLOGY:

Soil Characterization (check all that apply):

- Stockpile In-situ Other: _____

No. of Samples Collected:	
"Hotspots" identified (material not suitable for reuse at St. Mary's): Describe how "hotspots" were segregated (if applicable):	

J. CERTIFICATION

I, the generator, having used due diligence and determined that the soil described within this Soil Submittal Package and intended for reuse at St. Mary Cemetery Expansion Project meets the acceptance criteria, screening procedures, and due diligence described within the Fill Management Plan. There is no reason to suspect or believe soil intended for reuse at St. Mary Cemetery has been impacted by any releases of oil or hazardous materials or contains any other contaminants than those at levels described herein. I agree to promptly remove any soil delivered to St. Mary Cemetery that is determined by W.L. French Excavating Corp. to not meet acceptance criteria. Should W.L. French Excavating Corp. take action and remove such soil from St. Mary Cemetery and manage that material elsewhere, W.L. French will seek payment from the Generator for all costs including damages.

Signature of Generator:	Date:
Generator - Printed Name:	



W. L. FRENCH EXCAVATING CORPORATION

COMMERCIAL SITE DEVELOPMENT • CONTRACT TRUCKING • ENVIRONMENTAL MANAGEMENT

K. SITE DIAGRAM:

A site diagram is required indicating any major structures, roads, excavation areas, soil origin, sample locations, and stockpile locations. All sampling locations must be noted:

Check if Diagram is Attached

APPENDIX F

CORRESPONDENCES RELATIVE TO FILL MANAGEMENT PLAN

APPENDIX G

SUPPLEMENTAL INFORMATION ADDED AS PROJECT PROCEEDS