

935-2160

Daniel S. Greenbaum
Commissioner

The Commonwealth of Massachusetts

Department of Environmental Quality Engineering

Metropolitan Boston - Northeast Region

5 Commonwealth Avenue

Woburn, Massachusetts 01801

November 2, 1989

Mich-Lin Realty Trust, Inc.
45 Mooney Street
Cambridge, MA 02139

RE:CAMBRIDGE-Solid Wastes
Reconstruction of Mich-Lin
Realty Trust Demolition Waste
Transfer Station, Mooney Street
Application No. NESW-89-004

Gentlemen:

The Metropolitan Boston/Northeast Region of the Department of Environmental Protection, Division of Solid Waste Management, has reviewed the plans and manual of standard operating procedures for the modification and reconstruction of the Mich-Lin Realty Trust Demolition Waste Transfer Station located at 45 Mooney Street in Cambridge, Massachusetts.

The plans, prepared by GHR Engineering Associates, Inc., are entitled:

"Proposed Waste Transfer Station
Mooney Street
Cambridge, Massachusetts
Client: Mich-Lin Realty Trust"
Final Revision: July 20, 1989

The manual is entitled:

"Standard Operating Procedures for
Demolition Transfer Station
Mich-Lin Realty Trust
45 Mooney Street
Cambridge, Massachusetts
January 20, 1989"

Mich-Lin Realty Trust, Inc. currently operates a solid wastes transfer station facility at the above-noted location. Information available to this Department indicates that the property has been used for solid waste disposal purposes since approximately 1938. The Cambridge Department of Health and Hospitals held various hearings on an application by Mich-Lin Realty Trust to determine whether the operation had an existing site assignment as a pre-existing use. In a December 7, 1987 decision, it was determined that the area is assigned as a valid, nonconforming use and certain conditions were imposed to ensure protection to the public health, comfort and convenience. Included in those conditions is a requirement that Mich-Lin Realty Trust construct a building to contain the operation.

RECEIVED
89 NOV -8 AM 9:27
OFFICE OF THE CITY MANAGER

The existing operation processes approximately 300 tons per day of construction debris and demolition wastes material. Mich-Lin Realty Trust proposes reconstruction and modifications to the existing transfer station facility operation through the construction of a 70 feet by 70 feet metal frame transfer building. The transfer station operations will then take place completely within the enclosed building on a concrete slab tipping floor. The access road and vehicle turn-around area will be constructed of bituminous concrete. A truck scale and weigh station will be installed on-site to weigh incoming and outgoing vehicles, both full and empty. Toilet and lavatory facilities for personnel are provided in the office building across the street.

On April 26, 1989 the Secretary of Environmental Affairs issued an opinion on the Environmental Notification Form filed for this project. The Certificate issued by the Secretary determined that the proposed construction of a building to house the existing demolition waste transfer operation would constitute an improvement over the existing condition and that the preparation of an Environmental Impact Report would not be required.

The Department hereby approves the standard operating procedures manual and the accompanying plans for the reconstruction and enclosure of the Mich-Lin Realty Trust, Inc. Transfer Station Facility operation subject to the following conditions:

1. The facility shall be operated in accordance with the provisions of 310 CMR 18.00 "Installation, Operation and Maintenance of Solid Waste Transfer Stations", the approved standard operating procedures manual, the approved plans, and the Department's tonnage limit policy. The facility shall be limited to a daily maximum of 300 tons of construction debris and demolition wastes material per day, provided that on no day shall refuse be received in such a quantity as to create a nuisance. Accurate tonnage records must be maintained at the facility to avoid any condition subject to penalty.
2. In accordance with Section 18.04 of 310 CMR 18.00, the Department must be notified when construction has been completed in order that an inspection can be conducted with the supervising consultant engineer to determine compliance, following written certification that the facility has been constructed in accordance with the approved plans.
3. The Department shall be notified of a definitive construction schedule and be kept informed of the progress on this established schedule. Any deviations from this schedule should be reported to the Department.
4. Mich-Lin Realty Trust, Inc. shall submit monthly summary reports to the Department at the Metropolitan Boston/Northeast Region, Division of Solid Waste Management, 5A Commonwealth Avenue, Woburn MA 01801. The report form should include a summary of daily tonnages received at the facility and daily tonnages discharged from the facility with locations of disposal sites, information regarding the operation, equipment, maintenance performed, personnel used and any deviations made from the approved plans and standard operating procedures manual.

5. Table 2, "Approval Demolition Disposal and Recycling Facilities" of the standard operating procedures manual shall be updated on an annual basis. In addition, the standard operating procedures manual (Section 7.4, page 22) identifies Recycled Wood Products in Somerville and Prospect Iron and Steel in Woburn. Appropriate corrections shall be made to the manual.
6. The proposed dust control measures and any other pertinent air pollution control requirements, if necessary, shall be approved by the Department's Division of Air Quality Control prior to reconstruction of the facility.
7. Mich-Lin Realty Trust shall conduct soil sampling and install monitoring wells so that a decision about the necessity to require further remediation at the site can be based on appropriate data. The Department's Hazardous Wastes 21E Site Assessment Program shall be contacted regarding specific sampling requirements in this regard. If the results indicate the need for remedial action, it will be managed within the scope of the 21E program.
8. A copy of the approved plans and standard operating procedures manual, enclosed herein, must be kept on the premises and be available at all times.
9. No changes and/or alterations to the approved plans shall be made without written approval of the Department. Any deviation from the plans requires a correction sheet submitted to the Department and approval prior to the proposed change.
10. The Department reserves the right to amend or add to these conditions in the future as may be appropriate to effect compliance with the Department's regulations.

In accordance with the provisions of M.G.L. Chapter 111, Section 150A as amended by Chapter 584 of the Acts of 1987, this approval shall constitute a Permit to Reconstruct, Operate and Maintain the existing Solid Waste Transfer Station, with the condition that reconstruction of the facility including the construction of a building and enclosure of the operations within the proposed building and the other conditions of the plan approval as noted above be implemented and completed within six months of issuance of this Permit. This Permit is issued to Mich-Lin Realty Trust, Inc. and is not transferable. Should the Department adopt regulations for the issuance of Permits to Construct, Operate or Maintain a Solid Waste Transfer Facility and should this Permit not conform to the requirements of those regulations, the Department reserves the right to withdraw this Permit and require the operator to submit an application for a permit in accordance with those regulations.

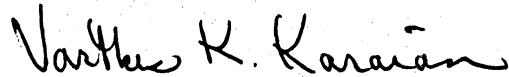
Page 4

The Permit shall become effective upon notice of its issuance being registered with the Registry of Deeds, or if the land is registered land, in the Registry Section of the Land Court for the District in which it lies and a copy of the registration being forwarded to the Department.

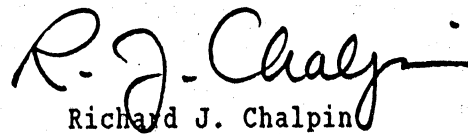
Any person aggrieved by the action of the Department in granting this Permit may appeal said decision pursuant to the provisions of Section 14 of Chapter 30A.

Any questions relative to this matter should be directed to the Division of Solid Waste Management at the above address or telephone number.

Very truly yours,



Vartkes K. Karaian
Environmental Engineer

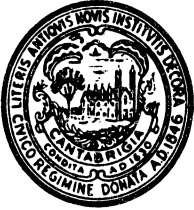


Richard J. Chalpin
Regional Engineer

RJC/VK/ram

Enclosures:

cc: GHR Engineering Associates, Inc., 109 Rhode Island Rd., Lakeville, MA 02347
Wright & Moehrke, Counselors at Law, 283 Dartmouth St., Boston, MA 02116
Robert Healy, City Manager, City Hall, Cambridge, MA 02139
Cambridge Health Dept., City Hall, Cambridge, MA 02139
DEP/DSWM, 1 Winter St., Boston, MA 02108
DAQC, 5 Commonwealth Ave., Woburn, MA 01801
DHW-21E Site Assessment Program, 5A Commonwealth Ave., Woburn, MA 01801
Office of Attorney General, Div. of Environmental Protection, 1 Ashburton
Place, Boston, MA 02108
MEPA Unit, 100 Cambridge St., Boston, MA 02108



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

November 13, 1989

To the Honorable, the City Council:

Enclosed please find a copy of communication from the Commonwealth of Massachusetts, Department of Environmental Quality Engineering, relative to Conditions of Solid Wastes Reconstruction of Mich-Lin Realty Trust Demolition Waste Transfer Station, Mooney Street Application No. NESW-89-004.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/dls
enclosure

Agenda # 4 *S-977*

Conditions for solid waste reconstruction
at the Mich-Lin Demolition Waste Transfer
Station.

In City Council,

November 13, 1989

Placed on file