

NOTICE OF INITIAL SITE INVESTIGATION AND TIER I PERMIT APPLICATION

**Estate of Frank B. Bearse  
296 Winter Street, Hyannis, MA  
RTN # 4 18675**

Pursuant to the Massachusetts Contingency Plan (310 CMR 40.0480), an Initial Site Investigation has been performed at the above referenced location. A release of oil and/or hazardous materials has occurred at this location which is a disposal site (as defined by M.G.L. c. 21E, Section 2). This site has been classified as Tier I C (310 CMR 40.0500), and an Initial Tier I C Permit Application is being submitted on September 9, 2005 to the Department of Environmental Protection (DEP) pursuant to 310 CMR 40.0703. A permit is required to proceed with Comprehensive Response Actions at all Tier I sites.

Anyone interested in reviewing the Permit Application should contact Simon B. Thomas at Atlantic Design Engineers, LLC., P.O. Box 1051 Sandwich, MA or (508) 888-9282 to request a copy of the Permit Application. Interested persons may submit written comments related to the Permit Application within 21 days of the publication of this notice. The comments shall be submitted to (1) the Permit Applicant at the address provided above; and (2) DEP, Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347 by mail or by hand delivery during normal office hours. Anyone who fails to notify DEP and the Applicant in writing of his/her interest in the Application within the specified timeframe may be deemed to have waived his/her rights, if any, to appeal a permit decision or to intervene in an adjudicatory proceeding with respect to this Application, pursuant to 310 CMR 40.0770.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of or involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2). Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact Simon B. Thomas, at (508) 888-9282.

Legal Notice  
Cape Cod Times  
September 9, 2005

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9/9/05