

9.0 TIER CLASSIFICATION

Tier Classification is required for all disposal sites where Comprehensive Response Actions are necessary, and is intended to establish an appropriate level of DEP oversight for those response actions. The Tier Classification process consists of:

- Completion of a Phase I Initial Site Investigation Report in accordance with 310 CMR 40.0480;
- Comparison of conditions at the disposal site with the Tier I Criteria in 310 CMR 40.0520(2);
- Preparation and filing of a Tier Classification submittal; and
- Public involvement activities.

In accordance with 310 CMR 40.0520(2), the Site is designated as a Tier I disposal site, as assessment activities have identified groundwater contamination at concentrations above MCP RCGW-1 reportable concentrations, and the Site is located within a Zone 2.

Revisions to 310 CMR 40.000 that took effect on April 25, 2014, eliminate the requirement to submit and Initial Tier I Permit Application, Numerical Ranking System score sheet, or Tier I Permit Application fee.

9.1 Response Action Deadlines for Tier I Disposal Sites

Response action deadlines and requirements for Tier I disposal sites are described in 310 CMR 40.0560, and are as follows:

- A Phase II Comprehensive Site Investigation Report and a Phase III Remedial Action Plan shall be submitted within 2 years of the effective date of initial Tier Classification.
- A Phase IV Remedial Implementation Plan shall be submitted within 3 years of the effective date of initial Tier Classification.
- A Response Action Outcome shall be achieved at the Site within 5 years of the effective date of initial Tier Classification.

9.2 Tier Classification Public Notification

Within seven days of filing a Tier Classification Submittal, a legal notice must be published in a local newspaper pursuant to 310 CMR 40.1403(2)b. At least three days prior to public notification, copies of cover letters and notices shall be forwarded to the Barnstable Chief Municipal Officers, Board of Health, and owner of the Maher PWS wells. Copies of all public notices will be provided to DEP in accordance with 310 CMR 40.1403(2)(c)1.