

SITEC ENVIRONMENTAL, Inc.  
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Dartmouth, MA 02747  
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July 30, 2019

Mr. Andy Jones  
Department of Environmental Protection  
Southeast Regional Office  
20 Riverside Drive  
Lakeville, MA 02347

**RE: Notification of Delay for Submission of Phase I Report and Tier Classification**  
**85 McCabe Street**  
**Dartmouth, Massachusetts**  
**Release Tracking Number (RTN): 4-27363**

Dear Mr. Jones:

On behalf of Terceira Construction LLC, this correspondence has been prepared to inform the Massachusetts Department of Environmental Protection (MassDEP) of a delay to submit a Phase I Initial Site Investigation (ISI) Report. Specifically, the Phase I ISI Report for the above-referenced Site will not be submitted by July 30, 2019, the Massachusetts Contingency Plan (MCP) established deadline for submission (one year from the release date).

Since the time that this release was unexpectedly discovered, Terceira Construction LLC has spent in excess of \$50,000.00 to preform the necessary MCP immediate response actions (IRAs) to stabilize Site conditions and to characterize the contamination on the Site. Due to these unanticipated expenses, Terceira Construction LLC, a small local corporation with one employee, does not have the financial resources to continue with response actions and is currently seeking an "Eligible Person" to transfer ownership (at no cost) whom would be able and willing to continue with the necessary response actions.

In order to meet the MCP performance action standards for a Phase I ISI, groundwater would need to be sampled and analyzed at a cost of approximately \$5,000.00, and SITEC estimates the cost of preparing the Phase I ISI report at an additional \$5,000.00. Terceira Construction LLC does not have the financial resources to spend the additional \$10,000.00 to complete the Phase I ISI. Terceira Construction LLC has spent a total in excess of \$186,000.00 on the Site, which includes, in addition to the MCP response action expenses; the purchase price, demolition, and the initial excavation. Terceira Construction LLC is willing to accept this loss provide they do not incur any additional expenses and will deed the Site to an "Eligible Person" whom is willing and able to continue response actions and develop the Site.

A Tier Classification submittal is also due to be submitted by July 30, 2019; however, in accordance with 310 CMR 40.0510(1)(a), a Tier Classification cannot be submitted until a Phase I ISI Report is completed. In addition, since there is a private drinking water supply well within 500-feet from the Site, groundwater is classified as GW-1 and groundwater concentrations would need to be evaluated to determine the Tier Classification.

It is SITEC's understanding that MassDEP has received documents provided by the City of New Bedford and the Town of Dartmouth pertaining to historic dumping in the neighborhood. MassDEP is in the process of reviewing the information to identify any other Responsible Parties (RPs) whom may be responsible for future response actions.

Authorization from Terceria Construction LLC to file this Notification of Delay is attached. Please do not hesitate to contact Terceria Construction or myself with any questions.

For SITEC Environmental, Inc.

A handwritten signature in black ink, appearing to read 'Geoffrey Souza', is written over a horizontal line.

Geoffrey Souza, LSP  
Project Manager

cc: Terceria Construction LLC

August 28, 2018

Massachusetts Department of Environmental Protection  
20 Riverside Drive  
Lakeville, MA 02347

**RE: 85 McCabe Street  
Dartmouth, Massachusetts  
Release Tracking No.: 4-27363**

To Whom It May Concern:

In accordance 310 CMR 40.0009(2), I am authorizing SITEC Environmental, Inc. to act as my agent in electronically filing any required Massachusetts Contingency Plan documents for the above referenced release.

Sincerely,



George Verissimo  
Terceira Construction