

BY EMAIL AND HAND DELIVERY

November 29, 2016

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Mr. James A. McQuade, Section Chief
Department of Environmental Protection (the "Department")
Central Regional Office
Solid Waste Management
8 New Bond Street
Worcester, MA 01606

Re: Satisfaction of Public Notice Requirements
BWP SW 01 Permit Application
Site Suitability Report (Transmittal No. X269337)
Report Number 278-007-A
Southbridge Recycling & Disposal Park, Inc.
Southbridge, Massachusetts

Dear Mr. McQuade:

Southbridge Recycling & Disposal Park, Inc. ("SRD") has satisfied the public notice requirements set forth in 310 CMR 16.10(4) for the above-referenced Site Assignment Application.

SRD received a notice of completeness from the Department on November 14, 2016 (and a revised notice of completeness on November 16, 2016).

Public Notice

Based on the requirements at 310 CMR 16.10(4)(b) and the BWP SW01 Site Suitability Application Instructions and Supporting Materials Application Completeness Checklist for a Site Assignment Public Notice Advertisement Format example, SRD submitted the attached public notice ("Public Notice") (Exhibit A) to:

- the *Massachusetts Environmental Policy Act (MEPA) Monitor* – published November 23, 2016 (Exhibit B);
- the *Southbridge Evening News* – published November 24, 2016 (Exhibit C);
- the *Worcester Telegraph & Gazette* – published November 19, 2016 (Exhibit D);

In addition, pursuant to 310 CMR 16.10(4)(c), SRD submitted a Spanish translation of the Public Notice to a Spanish-language newspaper:

- *Vocero Hispano* – published November 25, 2016 (Exhibit E).

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Notification to Parties Identified at 310 CMR 16.08(2)

On November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to the following parties identified at 310 CMR 16.08(2):

- a) the Southbridge Board of Health;
- b) Jacob Edwards Library (Southbridge);
- c) the Department (the Business Compliance Division, Boston, and the Central Regional Office);
- d) the Massachusetts Department of Public Health, Bureau of Environmental Health Services, Boston;
- e) the Sturbridge Board of Health, the Charlton Board of Health, Joshua Hyde Public Library (Sturbridge), and the Charlton Public Library;
- f) the Central Massachusetts Regional Planning Commission; and
- g) the following persons who requested copies of the Site Assignment Application from SRD:
 1. Jaclyn Caceci, Tighe & Bond;
 2. Anna Smith, Town of Southbridge;
 3. Kirstie Pecci, Masspirg;
 4. Robert Cox, Bowditch & Dewey; and
 5. Rebekah Lacey, Miyares and Harrington.

Exhibit F provides copies of the electronic verification that each of the above notices was delivered or that a delivery attempt was made.

Notification to Abutters

As stated in the Department's notice of completeness, the "site" for which SRD seeks assignment¹ includes:

- Parcel 1 (Phase 2.10 or the "Triangle Parcel"), an approximately 4.92-acre parcel of Southbridge Property ID 007-001;
- Parcel 2 (the "Rectangle Parcel"), an approximately 2.18-acre parcel within Southbridge Property ID 004-004; and

¹ As noted in the Department's notice of completeness, SRD has withdrawn Parcel 3 (Phase 4.14) from the Application.

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- three slivers of land (totaling approximately 0.15 acres) within Southbridge (the “Slivers”) that were created when the Massachusetts legislature re-drew the Charlton/Southbridge boundary.²

Triangle Parcel

The Triangle Parcel will be subdivided from Southbridge lot 007-001 (the “Airport Parcel”). The Town of Southbridge—which owns lot 007-001 and lot 004-001 (which abuts the Triangle Parcel to the north and east)—is the only abutter of the Triangle Parcel. On November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to the Town of Southbridge. Exhibit F provides a copy of electronic verification that this notice was delivered or that a delivery attempt was made.

To facilitate participation in the public review of the Application, on November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to the abutters of the entire Airport Parcel. A certified abutters list for the Airport Parcel, from the Southbridge Board of Assessors, is provided in Exhibit G. That list includes all the abutters of the Triangle Parcel. It also includes owners of properties that do not abut the Triangle Parcel or the “site” (i.e., they do not share a common boundary or corner with the area of the proposed activity). Exhibit F provides copies of electronic verification that these notices were delivered or that a delivery attempt was made.

Rectangle Parcel

The Rectangle Parcel is part of Southbridge lot 004-004. On November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to the abutters of Southbridge lot 004-004. A certified abutters list for Southbridge lot 004-004, from the Southbridge Board of Assessors, is provided in Exhibit H. Exhibit F provides copies of electronic verification that these notices were delivered or that a delivery attempt was made.

Slivers

When the Massachusetts legislature re-drew a portion of the Charlton/Southbridge boundary line in 1993, it did not set the town border to precisely follow the boundary of existing lots. Instead, the legislative language set the boundaries in straight line segments. As a result, it created the Slivers between lot 004-001 in Southbridge and lots 47-B-4.8, 47-B-3, and 47-B-2 in Charlton.

² Acts and Resolves of Massachusetts of 1993, Chapter 210 (An act relative to the boundary line between the towns of Charlton and Southbridge) (October 29, 1993), *available online at* <http://archives.lib.state.ma.us/actsResolves/1993/1993acts0210.pdf>.

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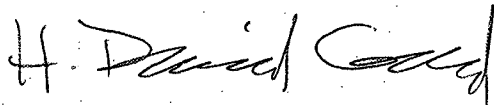
Wood Recycling, Inc., the owner of lots 47-B-4.8, 47-B-3, and 47-B-2, is the sole abutter to the Slivers in Charlton, as shown in the certified abutters list from the Charlton Board of Assessors (Exhibit I). On November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to Wood Recycling, Inc. Exhibit F provides a copy of electronic verification that notice to Wood Recycling, Inc. was delivered or that a delivery attempt was made.

The Town of Southbridge, the owner of lot 004-001, is the sole abutter to the Slivers in Southbridge (Exhibit J). On November 18, 2016, SRD provided, by certified mail, the Public Notice and a copy of the revised notice of completeness to the Town of Southbridge. Exhibit F provides a copy of electronic verification that notice to the Town of Southbridge was delivered or that a delivery attempt was made.

Conclusion

This letter demonstrates that the public notice requirement set forth in 310 CMR 16.10(4) has been satisfied. The Public Review Period must now commence pursuant to 310 CMR 16.10(5).

Respectfully submitted,



H. David Gold

Attachments:

- Exhibit A. Public Notice
- Exhibit B. *Massachusetts Environmental Policy Act (MEPA) Monitor* public notice
- Exhibit C. *Southbridge Evening News* tear sheet
- Exhibit D. *Worcester Telegraph & Gazette* tear sheet
- Exhibit E. *Vocero Hispano Newspaper* tear sheet
- Exhibit F. Electronic verification of Certified Mail deliveries
- Exhibit G. Certified abutters list for Southbridge Lot 007-001
- Exhibit H. Certified abutters list for Southbridge Lot 004-004
- Exhibit I. Certified abutters list for Charlton Lots 47-B-4.8, 47-B-3, and 47-B-2
- Exhibit J. Statement from Wil Cournoyer, Southbridge Board of Assessors