



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Central Regional Office, 627 Main Street, Worcester, MA 01608

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Commissioner

**BWP SW 37 POST-CLOSURE USE - MINOR
Acton Municipal Landfill**

Provisional Permit Date: October 3, 2005

Name of Permittee: Town of Acton. (the "Permittee")

Mailing Address: 472 Main Street
Acton, Mass. 01720

Name of Facility: Acton Municipal Landfill
Facility Address: 14 Forest Road
Acton, Massachusetts 01720

DEP Region: MassDepartment of Environmental Protection
(the "Department" or "MassDEP")
Central Regional Office (CERO), Worcester
Division of Solid Waste Management (DSWM)

Permit No: Transmittal Number: W067113

I. FACILITY DESCRIPTION AND OUTSTANDING APPROVAL STATUS

A. Facility

1. Owner: Town of Acton
2. Lessor: None
3. Operator: Town of Acton

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057.

<http://www.mass.gov/dep> • Phone (508) 792-7650 • Fax (508) 792-7621 • TDD # (508) 767-2788

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4. Description:

The Landfill is a former municipal sanitary landfill owned by the Town of Acton. It ceased operations in 1970 and capping was completed in 1988. Part of the site is presently being used as a transfer station for the town. The landfill site measures approximately 18 acres.

B. Permit Application Information for BWP SW 37 Post-Closure Use - Minor

1. Applicant Name: Town of Acton (Permittee)

2. Transmittal Number: W067113

3. Start Date of Application: August 12, 2005

4. Date of Fee Receipt: Exempt

5. Consulting Registered Professional Engineer:

Camp Dresser & McKee Inc.
One Cambridge Place, 50 Hampshire Street
Cambridge, Mass. 02139
Tel - (617)-452-6000
Contact: Christopher Koehler, P.E.

6. Title of Submittals and Date of Receipt at DEP, CERO:

Application for Post-Closure Use-Minor
Town of Acton Landfill
Acton, Massachusetts
Dated: August 8, 2005
Received by DEP-CERO: August 11, 2005

7. Project Description:

The Permittee proposes to use the capped landfill area for: a multi-recreational field containing a baseball /softball diamond, soccer field and a golf ball driving range with a DPW stockpiling and storage area as well as the presently constructed transfer station and an improved recycling area. This use will include a paved roadway for access and a paved parking lot for the public's use.

II. POST CLOSURE USE – MINOR, APPLICATION REVIEW AND APPROVAL

This application complies with the application requirements at 310 CMR 19.016 and 19.143: Post Closure Use of Landfills, and was reviewed in accordance with 310 CMR 19.037: Review Procedure for Existing Facility Permits, Permit Modifications, Permit Renewals and other Approvals. The plans and reports described above establish that the submittal complies with the criteria at 310 CMR 19.143, Post-Closure Use of Landfills.

This document is a Permit, issued pursuant to Massachusetts General Laws (MGL) Chapter 111, Section 150A and 310 CMR 19.000, the Solid Waste Management Facility Regulations (the “Facility Regulations”), and is subject to the conditions set forth below. In the event this Permit conflicts with all or parts of prior plan approvals or permits issued pursuant to Chapter 111, Section 150A or solid waste regulations in effect prior to July 1, 1990, the terms and conditions of this Permit shall supersede the conflicting provisions of the prior permits and/or approvals. This Permit does not convey property rights of any sort or any exclusive privilege.

This permit application is approved as it has been found, through the above outlined review process, to comply with the above outlined laws and regulations.

III. GENERAL PERMIT CONDITIONS

- 1. Compliance with Plans** - The Permittee shall assure that the site is constructed and operated in accordance with approved plans, reports, and other submissions described in Section I, except as may be modified by the conditions set forth in Section IV. No material changes in the design or activities described in the approved documents shall be performed without prior written Department approval.
- 2. Compliance with Other Approvals** - The post-closure use of this facility shall be in compliance with other applicable local, state and federal laws and regulations. The Permittee shall effect coordination with local boards and departments as required.
- 3. Standard Conditions** - The Permittee shall maintain the facility in accordance with the conditions at 310 CMR 19.007-19.011 and 19.043(5).
- 4. Transfer** - No transfer of the permit shall be permitted except in accordance with 310 CMR 19.044.
- 5. Permit Modification** - The Department reserves the right to rescind, suspend or modify this Permit by the imposition of additional conditions based upon a

determination of actual, or the threat of, adverse impacts from the construction, operation, maintenance or closure of the facility.

IV. SPECIFIC PERMIT CONDITIONS

1. **Post-Closure Maintenance** – In accordance with 310 CMR 19.142, *Landfill Post-Closure Requirements*, the Permittee shall conduct post-closure monitoring and maintenance of the landfill during the post-closure period
2. **Criteria for Post-Closure Use** - This approval for post-closure use of the Town of Acton Landfill shall be accomplished such that the integrity of the existing cap and the function of the facility's monitoring systems shall not be impaired in any way. There is to be no penetration of the cap. All drainage structures and other erosion/sedimentation controls shall be maintained with minor changes as described in the permit application described in Section 1 above. Proposed modifications to the site will have negligible effect on the drainage patterns and the applicant will get an NPDES permit.
3. **No construction of permanent structures on the cap** - No permanent structures or structures that require a support foundation, are to be constructed on the cap without approval from the MassDEP.
4. **Slopes** – Top and side slopes are to meet the grade requirements detailed in 310 CMR 19.130 (18) with a minimum top slope grade of 5% and side slopes of three horizontal to one vertical.

V. RIGHT OF APPEAL

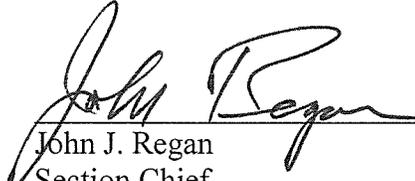
1. **Right to Appeal**- Pursuant to 310 CMR 19.037(5), any person aggrieved by the issuance of this Permit may file an appeal for judicial review of said decision in accordance with the provisions of MGL, Chapter 111, Section 150A and Chapter 30A not later than thirty (30) days following notice of this decision.
2. **Notice of Appeal** - Any aggrieved person intending to appeal the decision to the superior court shall provide notice to the Department of intention to commence such action. Said notice of intention shall include the Department File Number and shall identify with particularity the issues and reason(s) why it is believed the approval decision was not proper. Such notice shall be provided to the Office of General Counsel of the Department, and the Regional Director for the regional office, which made the decision. The appropriate addresses to send such notices are:

Office of General Counsel
Department of Environmental Protection
One Winter Street-Third floor
Boston, MA 02108

Regional Director
Department of Environmental Protection
Central Regional Office
627 Main Street
Worcester, MA 01608

No allegation shall be made in any judicial appeal of this decision unless the matter complained of was raised at the appropriate point in the administrative review procedures established in those regulations, provided that matter may be raised upon a showing that it is material and that it was not reasonably possible with due diligence to have been raised during such procedures, or that the matter sought to be raised is of critical importance to the public health or environmental impact of the permitted activity.

Thank you, and if you have any questions or comments relating to this matter, please feel free to contact John McMichael of the Solid Waste Management Program at 508-767-2833.



John J. Regan
Section Chief
Solid Waste Management Program
Bureau of Waste Prevention

cc: Acton Board of Health
Christopher Koehler, CD&M