



4 June 2007
Reference: 0051545

Brian Monahan
Conservation Administrator
Wayland Conservation Commission
Town Building
Wayland, MA 01778

Re: Response to Order of Conditions
Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts
DEP File No. 322-0647

Dear Mr. Monahan:

On behalf of Raytheon Company (Raytheon), Environmental Resources Management (ERM) is providing the Town of Wayland Conservation Commission (Commission) with supplemental information requested as part of the Order of Conditions dated 14 July 2006. The Order of Conditions was issued for remedial activities to be conducted in the resource area and buffer zone located at the Former Raytheon Facility at 430 Boston Post Road in Wayland, Massachusetts (Site). This letter is intended to address pre-construction requirements set forth in the Order of Conditions issued by the Commission.

The remainder of this letter is divided into two sections; WPA- Form 5 Order of Conditions and Town of Wayland Wetland Bylaw Chapter 194 (Wetland Bylaw).

WPA – Form 5 Order of Conditions

Conditions #8 and 18 – As requested, a copy of the Order of Conditions recorded at the Registry of Deeds in attached as Appendix A.

Condition #19/Bylaw Condition #11 – Appendix B provides a complete set of construction drawings illustrating the proposed work at the Site. All construction drawings have been stamped by a Massachusetts Registered Professional Engineer. Figure 2a of Appendix B depicts the placement of erosion and sedimentation controls to be installed prior to the commencement of construction activities at the Site. As requested by the

Commission, additional erosion controls were added parallel to the north side of the construction access road. These erosion controls were added to address Condition #11 of the Wetland Bylaw. Further detail regarding these additional erosion controls is provided below. A statement confirming that the erosion and sedimentation controls proposed in Figure 2a meet the requirements of the Massachusetts Stormwater Policy Act is also provided in Appendix B.

Condition #23 – A schedule for the implementation of construction activities at the Site is provided as Appendix C.

Condition #24/Bylaw Condition #12 – The project supervisor for all construction work proposed at the Site is Jeremy Picard, P.G. A project organization chart, which includes contact information for the project supervisor, is provided as Appendix D. The project organization chart also satisfies Condition #12 of the Wetland Bylaw.

Condition #29 – Erosion and sedimentation controls will be maintained throughout the duration of construction activities and until the disturbed area has been stabilized. Jason Flattery of ERM will supervise the maintenance of all erosion and sedimentation controls installed as part of this project and conduct weekly inspections thereof. Please refer to the project organization chart (Appendix D) for contact information.

Condition #34 – In accordance with Standard 8 of the Stormwater Management Policy, the erosion and sedimentation controls will be installed prior to construction to prevent impacts to bordering vegetated wetlands at the Site. At this time, the proposed work does not require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) under the Massachusetts Stormwater Management Policy or the National Pollutant Discharge Elimination System (NPDES) Remediation General Permit (RGP). However, erosion and sedimentation controls constructed at the Site will comply with the Best Management Practices set forth in the Stormwater Policy Handbook. Therefore, ERM is not providing a certified Notice of Intent (NOI) for this project.

Condition #36/Bylaw Condition #22 – As discussed above, a SWPPP is not required for this project. However, as requested in Condition #22 of the Wetland Bylaw, all stockpiles on Site will be surrounded by hay bales except during periods of soil movement or other construction activity which requires access to the stockpile by heavy equipment. All

stockpiles will be located outside the buffer zone on the paved parking area as shown on Figure 2a of Appendix B.

Condition #42 – As discussed above, Raytheon has been issued a RGP for the dewatering activities to be conducted during excavation of impacted soils at the Site. A copy of the NPDES RGP is included as Appendix E.

Town of Wayland Wetland Bylaw Chapter 194

Condition #4 – As requested, an affidavit certifying that all plans referenced in the NOI, and supplemented by this letter, are complete and represent the work to be completed at the Site is provided as Appendix F.

Conditions #8 and #9– During construction, ERM field personnel will maintain a Daily Site Log which will include, at a minimum, the following information:

- Number and type of equipment being used;
- Start and stop work time;
- Name of the company/corporation operating all on-Site equipment; and
- Names of all ERM field personnel on Site as representatives of Raytheon (the applicant).

In addition, the Daily Site Log will include a checklist to facilitate inspection of the erosion and sedimentation controls. The checklist will be completed and the Daily Site Log will be signed by the field personnel at the end of each work day. A copy of the Daily Site Log to be used during construction activities is provided as Appendix G. The project supervisor throughout the duration of construction activities will be Jeremy Picard, P.G. Contact information for Mr. Picard is provided in Appendix D.

Condition #16 – As requested, a “lay down area” for construction equipment and other vehicles has been established in the paved parking area as shown on Figure 2a included in Appendix B. The “lay down area” will be utilized throughout the duration of Site construction activities.

Condition #17 – In 2003, a bond of \$100,000 was received by Wayland in compliance with an order of conditions issued for DEP File Number 322-553. The work defined by that order included excavation and restoration

of a wetland at the Site, and will not be considered complete until 5 years of monitoring have shown satisfactory recovery of that area. The fifth year of wetland monitoring will be 2008.

Also in 2003, a second bond in the amount of \$30,000 was submitted to Wayland to secure vertical profiling, soil boring, and monitoring well installation activities in the Northern Area of the Site as required by the order of conditions issued for DEP File Number 322-556. On 10 October 2006 a request for Certificate of Compliance and return of the bond was submitted on behalf of Raytheon to the Commission. A copy of the request for Certificate of Compliance is provided in Appendix H. To date, this request has not been fulfilled.

Special Condition #17 of the Wetland Bylaw requests a letter from the applicant addressing both bonds and stating that the total sum will be used to secure completion of the proposed work. The work secured by the \$100,000 bond will not be completed until the end of 2008. ERM recommends securing the work performed under DEP file number 322-647 with the outstanding \$30,000 bond only.

Condition #18 – Based on the Limits of Disturbance shown on Figure 2a, a total of 17,342 square feet (wetland and upland) will be disturbed during the implementation of construction activities at the Site. In addition, the existing gravel road to be used for mobilization of construction vehicles comprises a total of 12,797 square feet (wetland and upland) from the paved parking area to the excavation area.

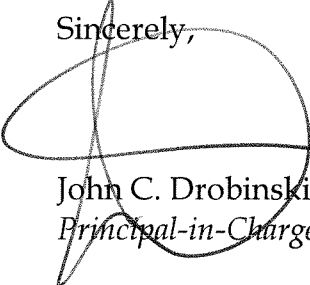
Condition #19 – As stated previously, Raytheon has been issued a NPDES RGP for the dewatering activities to be conducted during excavation of impacted soils at the Site. A copy is included as Appendix E.

Condition #29 – As requested in the Order of Conditions and in Wetland Bylaw, no construction equipment or vehicles will be refueled in the resource area or the associated buffer zone. A Refueling Plan is provided as Appendix I.

Condition #37 - As requested, a copy of the specifications for dewatering activities provided to subcontractors is included as Appendix J. Dewatering activities will be conducted in accordance with the NOI.

If you have any questions or comments please contact the undersigned at (617) 646-7815.

Sincerely,



John C. Drobinski, P.G., LSP
Principal-in-Charge



Jeremy J. Picard, P.G.
Project Manager

Appendices:

- Appendix A: Order of Conditions, 14 July 2006, as filed at Middlesex County Registry of Deeds
- Appendix B: Construction Drawings and Affidavit of Compliance with Stormwater Management Policy
- Appendix C: Northern Area Excavation Schedule
- Appendix D: Project Organization Chart
- Appendix E: NPDES Remediation General Permit MAG910262
- Appendix F: Affidavit
- Appendix G: Daily Site Log
- Appendix H: Request for Certificate of Compliance, 10 October 2006
- Appendix I: Refueling Plan
- Appendix J: Scope of Work, Northern Area Soils Excavation Project, Section 3.3 In Situ Dewatering and Treatment

cc: Louis Burkhardt, Raytheon Company
Benson Gould, CMG
Public Repositories

Appendix A
Order of Conditions, 14 July
2006, as filed at Middlesex
County Registry of Deeds

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

322-647

A. General Information

BOTH WAYS

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From: Wayland
1. Conservation Commission

2. This issuance is for (check one): Order of Conditions Amended Order of Conditions

3. To: Applicant:

Edwin Madera Raytheon Company
a. First Name b. Last Name c. Company
528 Boston Post Road, Mailstop 1880
d. Mailing Address
Sudbury MA 01776
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Twenty Wayland, LLC/Wayland Meadows Ltd.
a. First Name b. Last Name c. Company
33 Arch Street Ste. 2100 / 145 Rosemary Street
d. Mailing Address
Boston / Needham MA 02110 / 02494
e. City/Town f. State g. Zip Code

5. Project Location:

430 Boston Post Road Wayland
a. Street Address b. City/Town
23 23-52C & 52D
c. Assessors Map/Plat Number d. Parcel/Lot Number
Latitude and Longitude, if known (note: electronic filers will click for GIS locator): 42 21' 57" 71 22' 12"
e. Latitude f. Longitude

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex
a. County b. Certificate (if registered land)
52 22/23
c. Book d. Page

7. Dates: 4/27/06 6/22/06 8/8/06
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

See Attachment A RECORDED LAND BK 45981 Pg 177
a. Plan Title

b. Prepared By c. Signed and Stamped by

d. Final Revision Date e. Scale

f. Additional Plan or Document Title g. Date

9. Total WPA Fee Paid: \$1450.00 \$712.50 \$737.50
a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid

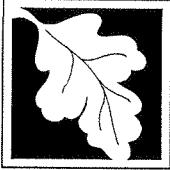


2007 00021750

234881 - 1307 74

Reg Land
LOT 1

700-440
Boston Post Rd
Wayland, Ma



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act. Check all that apply:

- a. Public Water Supply
- b. Land Containing Shellfish
- c. Prevention of Pollution
- d. Private Water Supply
- e. Fisheries
- f. Protection of Wildlife Habitat
- g. Groundwater Supply
- h. Storm Damage Prevention
- i. Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect these interests, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

- the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
3. <input type="checkbox"/> Bank	a. linear feet _____	b. linear feet _____	c. linear feet _____	d. linear feet _____
4. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	543 a. square feet _____	b. square feet _____	c. square feet _____	d. square feet _____
5. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet _____ e. cu.yd dredged _____	b. square feet _____ f. cu.yd dredged _____	c. square feet _____	d. square feet _____



B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
6. <input type="checkbox"/> Bordering Land Subject to Flooding Cubic Feet Flood Storage	a. square feet	b. square feet	c. square feet	d. square feet
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
7. <input type="checkbox"/> Isolated Land Subject to Flooding Cubic Feet Flood Storage	a. square feet	b. square feet		
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
8. <input type="checkbox"/> Riverfront area				
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
	c. square feet	d. square feet		
Sq ft between 100-200 ft	e. square feet	f. square feet		

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

9. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
10. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
11. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
12. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
13. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
14. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
15. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
16. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
17. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
18. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
19. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. cu.yd dredged	b. cu.yd dredged		
20. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. General Conditions Under Massachusetts Wetlands Protection Act

(only applicable to approved projects)

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
7. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]

"File Number 322-647"



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. General Conditions Under Massachusetts Wetlands Protection Act

10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
16. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
17. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

Special Conditions:

See Attachment A

If you need more space for additional conditions, select box to attach a text document



WPA Form 5 – Order of Conditions

322-647

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Furthermore, the Wayland _____ hereby finds (check one that applies):
Conservation Commission
2. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

a. Municipal Ordinance or Bylaw

b. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

3. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Wayland Wetlands and Water Resources Bylaw, Chapter 194

a. Municipal Ordinance or Bylaw

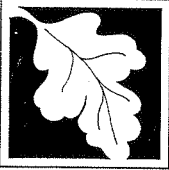
b. Citation

The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

- c. The special conditions relating to municipal ordinance or bylaw are as follows:

See Attached Chapter 194 Permit

If you need more space for additional conditions, select box to attach a text document



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

E. Issuance

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

8/8/06

1. Date of Issuance

Please indicate the number of members who will sign this form:

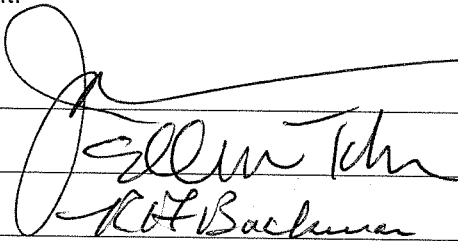
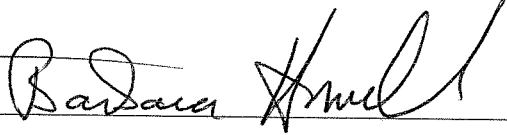
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2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Notary Acknowledgement

Commonwealth of Massachusetts County of

Middlesex

On this 14th of

July
Month

2006
Year

Before me, the undersigned Notary Public, personally appeared

Barbara Howell
Name of Document Signer

proved to me through satisfactory evidence of identification, which was/

known to me personally

Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of

Wayland
City/Town

Conservation Commission



Signature of Notary Public

Brian J. Monahan

Printed Name of Notary Public

11-13-2009

My Commission Expires (Date)

Place notary seal and/or any stamp above

This Order is issued to the applicant as follows:

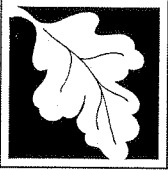
by hand delivery on

by certified mail, return receipt requested, on

Date

8/8/06

Date

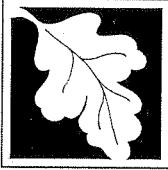


F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

Section G, Recording Information is available on the following page.



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 7 of this form shall be submitted to the Conservation Commission listed below.

Wayland

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Wayland

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

430 Boston Post Road

Project Location

322-647

DEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

“Attachment A”

Order of Conditions 322-647

Former Raytheon Facility, 430 Boston Post Road, Wayland

August 7, 2006

Map 23, Parcels 52C and 52D

Page 1 of 9

Project Description:

An application to excavate soils impacted by oil and/or hazardous materials within the buffer zone and bordering vegetated wetlands and thereafter to restore the wetlands that have been impacted by the proposed site work. The work includes excavating material to a depth of twenty-five feet. A cofferdam, 80 feet in diameter, will be constructed to permit the safe excavation to the required depth. The cofferdam is to be constructed in 8' lifts. Dewatering will be required. Portions of the excavated material, the top 5', will be screened, stockpiled and used as backfill. **There is a separate local wetlands bylaw decision for this work.**

Plan Reference: Sheet 1 of 3, 3 a, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003; Sheet 2 of 3, 3b, Sample Circular Commerdam Design, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003, rev. 12-03-03 (Revised lengths of sheet piling); Sheet 3 of 3, 3c, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003, Rev. 12-03-03 (Eliminated Details 4 and 5); Figure 2a – Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped, received Apr 27, 2006; Figure 2b - Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 2c, Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 1, “Existing Conditions in Northern Excavation Area”, June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E.; and Figure 2 – “Proposed Restoration Plan in Northern Excavation Area”, June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E. Note: The plans that best define the work area are Figures 1 and 2.

Decision:

The Conservation Commission approves the project, based upon the findings listed below and subject to the 63 conditions listed in this decision. The Conservation Commission finds that the conditions are necessary, in accordance with Performance Standards set forth in the Wetlands Regulations (310 CMR 10.00) to protect the interests in the findings. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

Findings - MGL Chapter 131, Sec. 40:

- a. The resource area where the activity proposed is: Bordering Vegetated Wetlands and buffer zone according to the Notice of Intent filed with the Conservation Commission. There are other resource areas on the property including riverfront area and bordering land subject to flooding.
- b. Work is proposed in the bordering vegetated wetlands.
- c. The resource areas have values relating to: the protection of public and private water supplies; prevention of pollution, wildlife habitat, prevention of flooding, prevention of storm damage, protection of ground water, and fisheries.
- d. The public hearing was opened on May 11, 2006 and continued, with the permission of the applicant to June 22, 2006 at which time it was closed.
- e. The Notice of Intent included a detailed summary of the Oil and/or hazardous materials (“OHM”) work program. With some modifications – specifically relocating stockpiling

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- and greater protection of the sensitive area to the north of the existing cart path, this OHM describes the work as permitted by the Commission.
- f. The minutes of these meetings are considered part of the record for this decision.
 - g. It is the responsibility of the applicant to ensure that the Conservation Commission's record is complete, up to date, and accurate.
 - h. The proposed remediation will result in the alteration of wetlands. A new wetlands is to be replicated, at a ratio of 1:2.8.
 - i. The replication will be maintained to avoid trees – the applicant's consultant did not wish to have any trees to colonize in the area of excavation.
 - j. The replicated wetland will be generally in the area where the alteration will occur – towards the northern portion of the wetland.
 - k. Figure 1 and Figure 2 generally define the work area and limit of work being permitted by this Order.
 - l. Sediment barriers, as defined by this decision, are staked hay bales and sediment fence, unless otherwise specified.
 - m. Additional sediment barriers will be installed along the north side of the cart path to protect a sensitive area (a pocket wetland) located there. Portions of the work area were relocated to a less sensitive area on the property.
 - n. Sediment barriers need to be properly installed and maintained until any disturbed area within 100 feet of a resource area is permanently stabilized.
 - o. The installation of sediment barriers should be done by hand or with equipment designed to minimize the amount of land disturbed. Heavy equipment should not be used to install the sediment barriers, trenches should not be more than 4"-6" deep and not more than 3" wide.
 - p. Improper installation of the sediment barriers reduces their effectiveness.
 - q. The existing roadways and cart paths will be used for access.
 - r. Clean soils will be segregated on the site, tested, and used for backfill.
 - s. Stockpiles will be covered with polyethylene. Water from the contaminated, covered piles will be collected and treated prior to being discharged.
 - t. Dewatering may take place for 4-6 weeks while the excavated area is open.
 - u. Water will be collected in a frac tank, and thereafter treated by filtration and carbon filtration. A NPDES permit will be secured for the discharge.
 - v. Solid impacted materials, i.e. contaminated soils, will be removed from the site.
 - w. There were no known pcp's or metals in the contaminated area.
 - x. Equipment will be decontaminated and the wash water from the decontamination site will be treated with the dewatering treatment system.
 - y. The plans submitted to the Conservation Commission were prepared by and stamped by a Registered Professional Engineer.
 - z. The Commission requires that plans for projects must be based upon the NGVD datum.
 - aa. A growing season, for the purposes of interpreting this Order of Conditions, is considered April through October of any given year.
 - bb. Excess excavated material will be removed from the site and disposed of legally. The Commission will require documentation of compliance with this requirement.
 - cc. Other permits may include, but are not limited to; subdivision approval, building permits; street opening permits, Board of Health approvals, state and federal permits.
 - dd. The Commission's decision is not intended to permit a person or activity to infringe upon the property of others.
 - ee. During construction precautions must be taken to avoid accidental spills of oils or hazardous materials in or near the wetlands or other resource areas. Precautions

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- include limiting where equipment is serviced and refueled, having spill containment kits at the site, and taking steps to avoid spills and accidents.
- ff. The Conservation Commission must review changes in plans before they are implemented. A change may require the filing of a new Notice of Intent or an Amendment to the Order of Conditions either of which necessitate a public hearing.
- gg. **The Conservation Commission may consider revoking this decision in the event the material presented during the hearing and/or on the plans is found to be different from material provided to another Board, Commission or official for work other than that described to the Conservation Commission during the public hearings.**

Conditions for Approval:

The Conservation Commission approves the project, based upon the findings noted above and subject to the 63 conditions listed below. The Conservation Commission finds that the conditions are necessary, in accordance with Performance Standards set forth in the regulations and/or in Chapter 194, to protect those interests noted above in the findings. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. **To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.**

Conditions 1 – 17 as noted on WPA Form 5 “Order of Conditions”; Pages 1 - 4

The applicant is urged to review these conditions.

12. **The work shall conform to the following plans except as herein conditioned:** Sheet 1 of 3, 3 a, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003; Sheet 2 of 3, 3b, Sample Circular Commerdam Design, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003, rev. 12-03-03 (Revised lengths of sheet piling); Sheet 3 of 3, 3c, Hartman Engineering, Sample Circular Cofferdam Design, “Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant”, November 7, 2003, Rev. 12-03-03 (Eliminated Details 4 and 5); Figure 2a – Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped, received Apr 27, 2006; Figure 2b - Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 2c, Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 1, “Existing Conditions in Northern Excavation Area”, June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E.; and Figure 2 – “Proposed Restoration Plan in Northern Excavation Area”, June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E. Note: The plans that best define the work area are Figures 1 and 2.

Special Conditions Issued by the Wayland Conservation Commission:

EFFECTIVE PRIOR TO ANY ALTERATION, EXCAVATION, OR CONSTRUCTION

18. **No work shall be undertaken within the areas subject to jurisdiction until the original Order has been recorded in the Registry of Deeds (refer to Condition #8).**

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19. **No work shall be undertaken** until the Conservation Commission has received a set of final construction drawings accompanied by a statement by a Registered Professional Engineer stating that the final design meets the standards of the Massachusetts Stormwater Policy Act and is in substantial agreement with those plans referenced in the Order of Conditions. If there are changes or differences these shall be clearly defined in this correspondence.
20. This Order of Conditions shall apply to any successor in interest or successor in control of this property. The Conservation Commission shall be notified in writing, at the time of such transfer, or any transfer in title for all or part of the property that occurs prior to the issuance of the Certificate of Compliance. Prior to any transfer of title the Order of Conditions shall be filed at the Registry of Deeds. A lack of such required written notification to the Conservation Commission may delay the issuance of the Certificate of Compliance.
21. All written submissions to the Conservation Commission shall include: a date, the DEP File Number, and the condition or conditions that the submission is intended to meet.
22. In the event the applicant believes that an item required in any condition has been provided to the Commission prior to the issuance of this Order formal notice of the document, the date of the document, and any other reference to the item shall be provided with a notation as to which condition the applicant believes the item satisfies.
23. **Prior to commencing any work** the applicant shall submit to the Commission a construction schedule. No alteration, excavation or construction shall begin until Conservation Administrator has reviewed this schedule. Should the schedule be inconsistent with these conditions notice of non-compliance will be provided to the applicant.
24. **Prior to commencing any work at the site** the applicant shall give the Commission a written list of the names, addresses, business phone number and home phone number of both the project supervisor who will be responsible for ensuring on-site compliance with this Order and his or her alternate.
26. The Conservation Commission shall receive notice by the applicant or a duly authorized representative not less than two nor more than five business days **prior to the commencement of any activity on the site**. Failure to comply with this condition shall result in a directive to cease any activity. In the event that work ceases on the site for a period of time greater than five days, this condition shall again apply prior to recommencing work on the site. Any item requiring additional information prior to commencing work shall be met prior to submitting the notice to start work. E-mail shall not be considered written notice.
27. **Prior to commencing any work** the location of the sediment barriers shall be defined by a P.L.S. who thereafter shall submit a stamped statement to the Conservation Commission attesting to the correct layout of the sediment barriers and work within the buffer zone.
28. A sediment barrier **consisting of filter fencing** and staked hay bales shall be installed as shown on the plan referenced in this decision and consistent with this decision. The location of this barrier shall be located as shown on the approved plan and as conditioned herein. In addition, a bright colored plastic fence shall be installed to delineate the limit of disturbance. This barrier shall delineate the limit of disturbance and no alteration of soils or vegetation shall take place

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beyond this line. This barrier shall remain in place until disturbed areas have been permanently stabilized (with vegetation or other appropriate means) sufficiently to prevent erosion.

29. **Prior to commencing any work** the applicant shall provide the name of the person responsible for all on-site erosion controls, the name of the person who shall make the inspection of the sediment barriers and the name of any alternate.

30. A copy of this Order shall be included in any bid document.

31. A copy of this Order shall be provided to the project supervisor and shall be available on the site at all times during construction.

32. **Prior to commencing any work at the site** the Conservation Commission or Conservation Administrator shall inspect the sediment barriers once they have been installed to ensure that the barriers have been properly installed.

33. Any catch basins on or adjacent to and down gradient from the site shall be protected by Silt Sacks. Any down gradient catch basin shall mean any catch basin within 100 feet of a resource area. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized. **They shall be monitored at least weekly and following major storm events (0.5” in 24 hours) to ensure proper function and removed immediately after construction has been completed. Note: there are catch basins on the site, which may merit protection based upon the work area and vehicle traffic related to this project.**

34. **Prior to commencing any work at the site** a copy of the Storm Water Pollution Prevention Plan shall be provided to the Conservation Commission. This plan shall clearly define the person or persons responsible for the daily inspection of the sediment barriers. A copy of the Certified Notice of Intent filed with the Environmental Protection Agency shall be provide to the Conservation Commission within 45 days of commencing work at the site.

35. There shall be a preconstruction conference on the site between the contractor who will do the work, the project engineer (at the discretion of the applicant), and Conservation Administrator. The purpose of the pre-construction meeting is to allow for final inspection of the site prior to construction and to answer any questions regarding these conditions. No change in the conditions or plan is permitted. All parties shall be provided with a minimum of 48 hours (excluding weekends and holidays) notice of the pre-construction meeting.

36. The stockpiling location shall be designated in the Stormwater Pollution Prevention Plan (SWPPP) referenced in this decision and shall be used unless otherwise modified by the Conservation Commission. There shall be no stockpiling of soil or other materials within 100 feet of any pond, stream, or wetland area. Maintenance of the stockpiles will be addressed in SWPPP. At a minimum, stockpiles shall be contained with hay bales around the perimeter of the pile.

37. The applicant shall take photographs from identifiable locations of the buffer zone on both the northern and southern side of the site before and after work is conducted. Preconstruction photographs shall be submitted before work commences on the site. Post construction photographs from the same identifiable locations shall be submitted to the Conservation

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Commission at the conclusion of the project. The photographs shall be taken to show the areas of jurisdiction to both the north and south of the site.

**Special Conditions Effective upon Commencement of Alteration, Excavation or Construction
(Issued by the Wayland Conservation Commission):**

38. Grading shall conform to the plans referenced in this decision except as conditioned herein.
39. Equipment shall not be refueled or serviced within 100 feet of the bordering vegetated wetlands or within bordering land subject to flooding. The Commission may permit, on a restricted basis, some refueling within the buffer zone, if a spill containment kit is provided on the site at all times.
40. Disturbed ground within those areas subject to this Order that cannot be permanently stabilized within 30 days shall be stabilized by temporary measures, such as jute netting, hydroseeding, or other method accepted in advance by the Commission. This shall be specifically addressed in the site inspection reports required by this Order. **Prior to commencing work within the areas of jurisdiction formal notice of the method or methods to be used to comply with this condition shall be submitted to the Conservation Commission.**
41. All disturbed or exposed areas shall be brought to final finished grade and stabilized with loam and seed. Permanent seeding shall conform to the specifications in “Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas”, prepared by Franklin, Hampden, Hampshire Conservation Districts, Northampton, MA, March 1997; pages 175 – 183, except as modified by these conditions. This shall be specifically addressed in the site inspection reports required by this Order.
42. Dewatering shall conform to the findings in this decision and the specifications outlined in the Notice of Intent dated 4/26/06, as amended. This shall include obtaining the necessary NPDES permit.
43. At the end of each workday, the applicant shall mechanically sweep or manually sweep sediments from the adjacent streets, unless tracking and sediment is not evident on the streets.
44. Any debris, which falls into any pond, stream, or wetland, shall be removed immediately by hand. All construction debris shall be properly disposed of off the site. Documentation that this condition has been met shall be submitted with, or before, seeking a Certificate of Compliance.
45. There shall be no more than a total of 50 gallons of flammable or combustible chemicals relating to this project stored on the site at any one time, exclusive of the fluids in the construction vehicles/equipment tank volumes. No routine servicing of vehicles used for this project shall be permitted on the site. The Conservation Commission shall be notified prior to initiating any emergency repair on the site.
46. Replication shall be done as approved by the Conservation Commission. The replicated area shall be monitored for not less than two growing seasons after the planting has been completed. The monitoring shall not include any planting done after July 1 of any year.

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47. At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, and until the completion of work within the buffer zone or draining to the buffer zone, the applicant shall submit a written report to the Conservation Commission from a registered Professional Engineer. The report shall certify that, to the best of his/her knowledge and belief based upon careful site inspections by a qualified individual working under the direction of a registered Professional Engineer that work is being performed in compliance with this Order of Conditions. Site inspections shall be conducted during work hours at least once a week during which work is being done and the date/time of the inspection shall be noted in the report. If the work is not in compliance, he/she will note where a deviation from the Order occurred. **The reports shall also include the date of the inspection/s, the time of the inspections, a summary of activities being conducted, any comment on the condition of the sediment barriers, a general comment with respect to the requirements of the Storm Water Pollution Prevention Plan, and compliance with both these conditions and conditions issued pursuant to the Wetlands Protection Act, if different.** These reports may be stopped if work ceases for a period of more than five days and the work is in conformance with this Order. If the reports are stopped no work may occur, except for maintenance of the sediment barriers, until the Conservation Commission is given written notice, as required in Condition #21 of the intent to recommence work. If needed a final inspection/report, not less than 180 before this Order expires shall also be submitted to the Commission.

49. The required reports shall be submitted within five business days after each required written report (the second inspection of each cycle). Failure to provide the required reporting shall result in the imposition of applicable penalties, as provided to the contractor at the pre-construction meeting.

50. A supply of straw bales (seed-free), silt fence, and organic filter fabric shall be stockpiled for emergency use only. The applicant shall immediately control any erosion/sedimentation problems that occur on the site and shall also immediately notify the Commission. Any additional erosion/sedimentation controls found to be necessary by either the applicant or the Commission during construction shall be implemented by the applicant, with the approval of the Commission. The applicant shall immediately control any erosion/sedimentation problems that occur on the site and shall also immediately notify the Commission.

51. Any fill used in connection with this project shall be clean fill. Any fill shall not contain trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, asphalt, or parts of any of the foregoing.

52. This decision is intended to comply with the provisions of 310 CMR 40.0032(3) in avoiding the degradation of property by the introduction of oil or hazardous materials at concentrations that are significantly higher than those existing at the project site whether or not those concentrations are reportable under 310 CMR 40.0000. The applicant shall provide copies of documentation for shipments of soil material being received as clean fill at the project site. The documentation shall identify the address of the specific property that was the source of the soil material, the name and mailing address of that property owner, and provide a certification by the operator/owner of that source property that there is no known disposal site, as defined in 310 CMR 40.0000, upon that source property. In lieu of the certification only, the applicant may also provide analytical data for contaminants listed in Table 1 of DEP Policy#COMM-97-001 by representative sampling of the fill material delivered to the project site. At the discretion of the Commission, based upon the observations of fill material delivered to the project site, the applicant may be required at

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their own expense to conduct sampling of fill and/or existing soils and analyze for contaminants listed in Table 1 of DEP Policy#COMM-97-001 by representative sampling of the soil materials and the frequency of sampling shall be equal to or greater than one sample per 500 cubic yards.

54. **No underground sprinkler systems shall be installed within the 100-foot buffer zone.** This Condition shall remain in force permanently and be recorded on the Certificate of Compliance.

55. Chemical storage, other than that specified in Condition 56, shall be in an upland area and shall include secondary containment for any liquids being stored.

56. With the exception of Calcium Chloride, or other chemicals approved by the Conservation Commission, no de-icing chemicals shall be used on any paved surface located within the 100-foot buffer zone. The Commission will consider the use of calcium chloride.

59. By acceptance of this Order of Conditions and commencement of work authorized herein, the applicant, owner, and their respective agents, assign, and successors in title agree to indemnify, defend and hold harmless the town for any damages that might occur on or off the subject property, or any legal claims which may be attributable to any alterations undertaken or construction performed on the subject property pursuant to this Order of Conditions. Issuance of this Order does not in any way imply or certify that the subject property or downstream or adjacent properties will not be subject to flooding, storm damage, or any other form of water damage that might result from alterations undertaken or construction performed on the subject property pursuant to this Order of Conditions.

60. Upon completion of the work relating to the drainage system, stabilization of areas within the buffer zone, and prior to activating the drainage system all of the catch basins, the forebay, and other pertinent drainage system components shall be cleaned. The Conservation Commission shall be notified at least 48 hours in advance of this activity and evidence shall be provided that the drainage system has been cleaned prior to seeking a Certificate of Compliance.

Special Conditions Taking Effect after Completion of the Project
(Issued by the Wayland Conservation Commission):

61. The Conservation Commission and/or Conservation Administrator may require the removal and dispersal of the erosion controls after the site has been fully stabilized to their satisfaction.

62. The applicant shall use [WPA Form 8A] to request a Certificate of Compliance and shall submit the following items with his request:

- a) A detailed narrative prepared by a Professional Engineer or Professional Land Surveyor registered in the Commonwealth of Massachusetts specifically addressing each condition and certifying compliance with the approved plans referenced above and this Order of Conditions and setting forth any deviations that exist with a note as to how it may be corrected. **This request shall be submitted not later than 180 calendar days prior to the expiration of this Order.** Work that is not complete shall be detailed in a

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schedule of planned completion dates prior to expiration of the Order with a certification to the commitment of resources by an authorized official representative of the applicant to complete the work prior to expiration of the Order. The request for a Certificate of Compliance shall specifically address the proper installation of a **properly sized** and constructed drainage system.

- b) Two sets of as-built site plans shall be prepared by a registered land surveyor or registered professional engineer showing the wetland resource areas, grades, utilities, building footprint and landscaping. These plans shall include the date/s of fieldwork.
- c) A copy of the as built shall be submitted on a computer disk in AutoCAD format dxf, dwg or may be e-mailed to the Town Surveyor at MTB_surveyor@msn.com (if this is not possible please contact the Commission).

63. The work authorized hereunder shall be completed within three years from the date of this Order except as herein conditioned. A request for an Extension shall be filed with the Conservation Commission not less than thirty days prior to the expiration date of this Order. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.

This Order expires on August 8, 2009.

If necessary, an extension should be filed before July 1, 2009.

The request for a Certificate of Compliance or evaluation of compliance specified in Condition 65 a) should be filed by before.



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3669
FAX: (508) 358-3046

August 8, 2006

Mr. Edward Madera
Raytheon Company
528 Boston Post Road, Mailstop 1880
Sudbury, MA 01776

RE: DEP FILE 322 – 647: Soil Excavation – Former Raytheon Facility, Wayland

Dear Mr. Madera,

Enclosed is the original of your Order of Conditions under the Wetlands Protection Act and the Chapter 194 Wayland Wetlands and Water Resources Permit for the application for remedial actions to excavate soils within the buffer zone and a bordering vegetated wetlands and to restore in place the resource areas at 430 Boston Post Road Drive Wayland issued by the Wayland Conservation Commission.

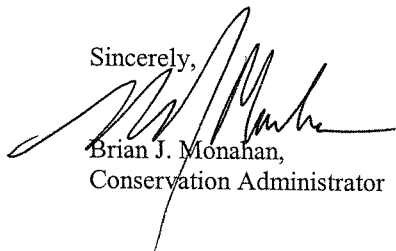
You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit. If you are dissatisfied with any of the conditions placed on the project in the Order, you may appeal to the Massachusetts Department of Environmental Protection (DEP) within ten days of the date of issue. If you are dissatisfied with any of the conditions placed on the project in the Chapter 194 Permit issued under Wayland's Wetlands and Water Resources Bylaw, the process for an appeal is outlined in the Bylaw itself (Section 194-11).

If there are no appeals made by you or by any other person, both of these decisions must be filed at the Middlesex South Registry of Deeds. Thereafter, evidence of the filing of both decisions must be provided to the Conservation Commission. The Middlesex Registry of Deeds is located at 208 Cambridge Street, Cambridge, MA, phone (617) 679-6300.

Evidence of the recording must be submitted to the Commission prior to commencing work. Written notice of not less than two nor more than five business days prior to the commencement of any activity on the site must be submitted to the Commission. All submissions must refer to the DEP file number and condition or conditions, which the submission is intended to address.

Please note that any modification of your plans must be reported to the Commission and may necessitate either an amendment to the Order of Conditions, or the submission of a new Notice of Intent. If you have any questions, please call 508-358-3669.

Sincerely,



Brian J. Monahan,
Conservation Administrator

Enc. (2)

cc: DEP, Northeast Regional Office w/enc.
Twenty Wayland, LLC, Owner w/enc.
Wayland Meadows Limited Partnership, Owner w/enc.
ERM – Attn. Ann McMenemy, w/enc.
Board of Health
Road Commissioners c/o Highway Superintendent
Planning Board
Town Assessor
Town Clerk w/enc.
Abutters w/o enc.
File



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3669
FAX: (508) 358-3606

Wayland's Wetlands and Water Resources Bylaw
CHAPTER 194 PERMIT
430 Boston Post Road – August 8, 2006
(Also DEP file 322-647)

Project Description: An application to excavate soils impacted by oil and/or hazardous materials within the buffer zone and vegetated wetlands and thereafter to restore the wetlands that have been impacted by the proposed site work. The work includes excavating material to a depth of twenty-five feet. A cofferdam, 80 feet in diameter, will be constructed to permit the safe excavation to the required depth. The cofferdam is to be constructed in 8' lifts. Dewatering will be required. Portions of the excavated material, the top 5', will be screened, stockpiled and used as backfill.

Decision:

The Conservation Commission approves the project, based upon the findings listed below and subject to the 51 conditions listed in this decision. The Conservation Commission finds that the conditions are necessary, in accordance with the provisions of Chapter 194, to protect those interests noted in the findings. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

Plan Reference/s: Sheet 1 of 3, 3 a, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003; Sheet 2 of 3, 3b, Sample Circular Commerdam Design, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003, rev. 12-03-03 (Revised lengths of sheet piling); Sheet 3 of 3, 3c, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003, Rev. 12-03-03 (Eliminated Details 4 and 5); Figure 2a – Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped, received Apr 27, 2006; Figure 2b - Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 2c, Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 1, "Existing Conditions in Northern Excavation Area", June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E.; and Figure 2 – "Proposed Restoration Plan in Northern Excavation Area", June 14, 2006, Former

Wetlands and Water Resources Permit
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Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E. Note: The plans that best define the work area are Figures 1 and 2.

Findings:

- a. The resource areas on and near the location where the proposed remediation will occur include: Riverfront Area, Vegetated Wetlands and bordering land subject to flooding (100 year floodplain).
- b. All wetlands, bordering or isolated, have a 100-foot buffer zone pursuant to Chapter 194.
- c. Wayland's Wetland Bylaw, Chapter 194, establishes land within 100 feet of bordering land subject to flooding, the buffer zone as a resource area.
- d. Land subject to flooding and inundation includes isolated lands that flood if they are greater than 500 feet in area.
- e. Intermittent stream channels are a resource area regulated by Chapter 194.
- f. These resource areas have values relating to: the protection of public and private water supplies; prevention of pollution, wildlife habitat, prevention of flooding, prevention of storm damage, protection of ground water, and fisheries.
- g. In addition to the values noted above, passive recreation, such as hiking, cross-country skiing, gardening and other activities at the Cow Common Conservation Area is a wetland value protected by Chapter 194.
- h. Work, as it has been shown on the plan and described in the field, will be in resource areas.
- i. The Conservation Commission does not accept the delineation of the resource areas as flagged in the field nor as shown on the Figure submitted with the application.
- j. The Conservation Commission has considered information such as the report "Buffer Zones and Beyond – Wildlife use of Wetland Buffer zones and their Protection under the Massachusetts Wetland Protection Act", by Lynn Boyd, Department of Natural Resources Conservation, University of Massachusetts, July, 2001 and: "Wetland Buffers: Use and Effectiveness" prepared for the Washington State Department of Ecology, February 1992.
- k. The public hearing was opened on May 11, 2006 to June 22, 2006 at which time the hearing was closed. The minutes of these meetings are considered part of the record for this decision.
- l. The application (Notice of Intent) included a detailed summary of the Oil and/or hazardous materials ("OHM") work program. With some modifications – specifically relocating stockpiling and greater protection of the sensitive area to the north of the existing cart path, this OHM describes the work as permitted by the Commission.
- m. It is the responsibility of the applicant to ensure that the Conservation Commission's record is complete, up to date, and accurate.
- n. The Commission requires that plans for projects must be based upon the NGVD datum.

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- o. Proper site plans acceptable to the Conservation Commission are to be prepared by and stamped by a Registered Professional Engineer and Registered Professional Land Surveyor depicting both lot lines, proposed well locations, and existing (and proposed when applicable) elevations.
- p. Nothing in this decision is intended to permit an increase in rate or volume of water discharged from the applicant's property onto the property of others as a result of work being permitted by this decision.
- q. There is a decontamination station being used for equipment hauling contaminated soils off this site.
- r. Contaminated soils will be covered with an impervious material and stormwater runoff collected and treated with the system used for dewatering the excavated area.
- s. Contaminated soils will be legally disposed of off site.
- t. Clean soils will be segregated on the site, tested, and used for backfill in the area of excavation.
- u. The Commission discussed the need for Storm Water Pollution Prevention Plan (SWPP), which is required for construction on a site of more than one acre.
- v. Sediment barriers need to be used to protect the wetlands from disturbed soils resulting from the disturbance of the site.
- w. Sediment barriers, as defined by this decision, are staked hay bales and sediment fence, unless otherwise specified.
- x. Sediment barriers need to be properly installed and maintained until any disturbed area within 100 feet of a resource area is stabilized.
- y. The area has values for wildlife habitat. The applicant must take measures to prevent the accidental trapping of wildlife in the excavation area.
- z. The application states that only minor brush clearing and limb removal of trees is proposed to provide access to the locations for the vertical groundwater profiling.
- aa. Replication is required as part of this permit. The Commission will seek to review the specifications for the impermeable layer of soil used in replicating the wetlands.
- bb. There shall be not less than 2.8 times replicated wetland compared to the area of wetlands altered. The replicated wetlands must be monitored for a period of not less than two growing seasons after the planting of the plants and success shall be measured by 90% survival of plantings proposed.
- cc. A growing season, for the purposes of interpreting the Order of Conditions, is considered April through October of any given year.
- dd. To protect wetland areas from disturbance by invasive plants, the Conservation Commission requires that landscaping be achieved with native noninvasive plants according to *The Vascular Plants of Massachusetts: A County Checklist* by Bruce A. Sorrie and Paul Somers for those work in a resource area or buffer zone. A cultivar may be accepted as a substitute plant on a case-by-case basis.

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- ee. Excess material will be disposed of legally. The Commission will require documentation of compliance with this requirement.
- ff. Other permits may include, but are not limited to; street opening permits, Board of Health approvals, state and federal permits.
- gg. The Commission's decision is not intended to permit a person or activity to infringe upon the property of others.
- hh. During construction precautions must be taken to avoid accidental spills of oils or hazardous materials in or near the wetlands or other resource areas. Precautions include limiting where equipment is serviced and refueled, having spill containment kits at the site, and taking steps to avoid spills and accidents.
- ii. The Commission will seek daily logs of activities conducted on the site and may elect to require independent monitoring of the activities in the event an activity is found to be non-compliant with this decision.
- jj. Portable sanitary facilities will be required for workers on the site and it may not be located within a resource area.
- kk. Dewatering is permitted as specified in the application dated April 26, 2006.
- ll. The Commission's decision does not confer property rights onto the applicant.
- mm. Submission of an as-built plan showing deviations from the approved plan may result in a requirement to file a new application, enforcement action, or other actions as deemed appropriate by the Commission.
- nn. The Conservation Commission must be informed immediately of any change in the program as defined in the Notice of Intent and modified by these conditions. Failure to immediately notify the Commission is considered non-compliance with this permit.
- oo. **The Conservation Commission must review changes in plans before any change(s) is (are) implemented. A change may require the filing of a new Notice of Intent or an Amendment to the Order of Conditions either of which necessitate a public hearing.**
- pp. **The Conservation Commission may consider revoking this decision in the event the material presented during the hearing and/or on the plans is found to be different from material provided to another Board, Commission or official for work other than that described to the Conservation Commission during the public hearings.**
- qq. Section 194-9 of the Wetlands and Water Resources Bylaw permits the Commission secure the performance and observance of the conditions imposed herein by a proper bond or deposit of money or negotiable securities. Failure to comply with the conditions of this permit is a violation of the Wetlands Bylaw. Violations of Chapter 194 may result in the imposition of non-criminal penalties in the amount of \$300 in addition to other remedies available. Each day the violation exists may be considered a separate violation of the Bylaw.

Conditions for Approval:

The Conservation Commission approves the project, based upon the findings noted above and subject to the ?? conditions listed below. The Conservation Commission finds that the conditions are necessary, in accordance with Performance Standards set forth in the regulations and/or in Chapter 194, to protect those interests noted above in the findings. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. **To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.**

1. **The work shall conform to the following plans except as herein conditioned:** Sheet 1 of 3, 3 a, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003; Sheet 2 of 3, 3b, Sample Circular Commerdam Design, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003, rev. 12-03-03 (Revised lengths of sheet piling); Sheet 3 of 3, 3c, Hartman Engineering, Sample Circular Cofferdam Design, "Cofferdam for Construction of Headworks Structure of Wastewater Treatment Plant", November 7, 2003, Rev. 12-03-03 (Eliminated Details 4 and 5); Figure 2a – Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped, received Apr 27, 2006; Figure 2b - Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 2c, Site Features and Proposed Work Areas former Raytheon Facility – Wayland, MA, undated and unstamped received Apr 27, 2006; Figure 1, "Existing Conditions in Northern Excavation Area", June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E.; and Figure 2 – "Proposed Restoration Plan in Northern Excavation Area", June 14, 2006, Former Raytheon Facility – Wayland, MA, Jeffrey J. Plante, P.E. Note: The plans that best define the work area are Figures 1 and 2.
2. Prior to commencing any work permitted by this decision a copy of the decision shall be filed at the Middlesex South Registry of Deeds.
3. The work shall conform to the plans and special conditions referenced in this permit.

Special Conditions Effective prior to any Alteration, Excavation, or Construction

4. **No work shall be undertaken** until the Conservation Commission has received an affidavit from the applicant attesting to the completeness of the plans referenced in this decision.
5. This Order of Conditions shall apply to any successor in interest or successor in control of this property. The Conservation Commission shall be notified in writing, at the time of such transfer, or any transfer in title for all or part of the property that occurs prior to the issuance of the Certificate of Compliance. Prior to any transfer of title the Order of Conditions shall be filed at the Registry of Deeds. A lack of such required written

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notification to the Conservation Commission shall delay the issuance of the Certificate of Compliance.

6. All written submissions to the Conservation Commission shall include: a date, the DEP File Number, and the condition or conditions that the submission is intended to meet.

7. In the event the applicant believes that an item required in any condition has been provided to the Commission prior to the issuance of this Order formal notice of the document, the date of the document, and any other reference to the item shall be provided with a notation as to which condition the applicant believes the item satisfies.

8. The applicant shall keep a daily log when work is being conducted that lists the type and number of pieces of equipment being used, the hour that the operation began and the time that work stops that day, the name or names of the supervisor for the work being conducted, the name or names of the Company/Corporation operating any equipment, and the name or names of persons representing the applicant on the site during working hours. This log shall be made available to the Conservation Commission or agent of the Commission upon request and a copy of it shall be made available within 48 hours when requested.

9. **Prior to commencing any work** the applicant shall provide the Conservation Commission the name of the person responsible for assuring compliance with the daily inspection of, repair to, and maintenance of the sediment barriers. A daily log shall be kept with a signature by the person responsible for inspecting sediment barriers and all other erosion/sediment control measures.

10. The Conservation Commission shall receive notice by the applicant or a duly authorized representative not less than two nor more than five business days **prior to the commencement of any activity on the site**. Failure to comply with this condition shall result in a directive to cease any activity. In the event that work ceases on the site for a period of time greater than five days, this condition shall again apply prior to recommencing work on the site. All conditions requiring additional information prior to commencing work shall be met prior to submitting this notice. E-mail shall not be considered written notice.

11. A sediment barrier **consisting of filter fencing** and staked hay bales shall be installed as described in the Notice of Intent and consistent with this decision. The location of this barrier shall be located as shown on the approved plan and as conditioned herein. A sediment barrier is also to be installed along the northern side of the cart path to protect vegetated areas just north of the path.

12. **Prior to commencing any work at the site** the applicant shall give the Commission a written list of the names, addresses, business phone number and home phone number of both the project supervisor who will be responsible for ensuring on-site compliance, with particular attention given to maintaining the required sediment and erosion controls, with this Order and his or her alternate. In the event another

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individual is responsible for maintaining the sediment barriers this person shall also be identified in this notice.

13. A copy of this Permit shall be included in any bid document.
14. A copy of this Permit shall be provided to the project supervisor and shall be available on the site at all times during construction. If more than one operation is on going at a time each operator shall have a copy of these conditions at the site.
15. **Prior to commencing any work at the site** the Conservation Commission or Conservation Administrator shall inspect the sediment barriers once they have been installed to ensure that the barriers have been properly installed.
16. **Prior to commencing any work** on the site the applicant shall create a lay down area for construction equipment and vehicles. The area shall be subject to the review and approval or approval with modifications by the Conservation Commission.
17. **Prior to commencing any work on the site** the applicant shall submit to a Town a letter addressing the existing accounts (in the amount of \$100,000 and \$30,000) for two prior projects and that this work will be secured with those monies.
18. **Prior to commencing any work at the site** the applicant shall provide an estimate of the total disturbed area, including the access roads that will be anticipated to conduct the program permitted by this decision.
19. Conservation approval does not alter the need for the work to be conducted in compliance with State or Federal regulations and permitting applicable to construction dewatering. See Mass DEP requirements for Permit #BRP WM10 including submission to EPA for coverage under the Federal General Permit for Construction Dewatering. <http://mass.gov/dep/water/approvals/wm10.pdf>
20. Portable sanitary facilities shall be provided while work is being done at the site. The facility or facilities shall not be located within a resource area or within 100 feet of a resource area.
21. There shall be a preconstruction conference on the site between the contractor who will do the work, the project engineer (at the discretion of the applicant), and Conservation Administrator. The purpose of the pre-construction meeting is to allow for final inspection of the site prior to construction and to answer any questions regarding these conditions. No change in the conditions or plan is permitted. All parties shall be provided with a minimum of 48 hours (excluding weekends and holidays) notice of the pre-construction meeting.
22. If stockpiling is required, other than sediment barriers, the location shall be designated on a Figure referenced in this decision and shall be used unless otherwise modified by the Conservation Commission. Any soil stockpiled shall be covered with plastic or canvas, or stabilized in a manner acceptable to the Commission to prevent

soil from entering any resource area. Stockpiles shall also be contained with hay bales around the perimeter of the pile. Clean soils shall be segregated from contaminated soils and all stockpiles shall be covered until moved or used as backfill.

23. The applicant shall take photographs of the site before and after work is conducted. A set of the before photography shall be provided before work starts on the site and a final set of photographs at the conclusion of the project.

24. The applicant shall give a copy of any test results to the Conservation Commission within 10 days of receipt.

25. The excavated hole shall be contained (fenced) such that animals cannot accidentally fall into the hole.

Special Conditions Effective upon Commencement of Alteration, Excavation or Construction (Issued by the Wayland Conservation Commission):

26. The applicant shall create and maintain a daily log of activities conducted on the site. The Commission may elect to require independent monitoring of the activities in the event an activity is found to be non-compliant with this decision.

27. No permanent drainage structure shall be used as a temporary sedimentation basin or for erosion control during the permitted activity.

28. This decision permits no permanent change in grade in a resource area, buffer zone, or on the Conservation lands.

29. Equipment shall not be refueled or serviced within 100 feet of the bordering vegetated wetlands or within bordering land subject to flooding. **Prior to commencing any activity within the buffer zone or a resource area the applicant shall provide documentation to the Conservation Commission as to how they will achieve compliance with this Condition.**

30. A spill containment kit shall be kept with any drilling unit used on the site.

31. At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, after the completion of work within the buffer zone or draining to the buffer zone, the applicant shall submit a written report to the Conservation Commission from a Registered Professional Engineer. The Registered Professional Engineer shall certify that, to the best of his/her knowledge and belief based upon careful site inspections (conducted during work hours at the site not less than weekly) all work is being performed in compliance with the Order of Conditions and this Permit. If the work is not in compliance, he/she will note where a deviation from the Order occurred and what corrective action is needed to achieve compliance with this Order. These reports may be stopped if work ceases for a period of more than five days and the work is in conformance with this Permit. If the reports are stopped no work may

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occur, except for maintenance of the sediment barriers, until the Conservation Commission is given written notice, as required in Condition #21 of the intent to recommence work.

32. The required reports shall be submitted within five business days after each required written report (the second inspection of each cycle). Not less than 35% of the performance bond shall be forfeited if this condition is not met.

33. Disturbed ground that cannot be permanently stabilized within 30 days shall be stabilized by temporary measures, such as jute netting, seed free straw, or other method accepted in advance by the Commission. This shall be specifically addressed in the site inspection reports required by this Permit.

34. All disturbed or exposed areas outside bordering vegetated wetlands shall be brought to final finished grade and stabilized with loam and seed. Permanent seeding shall conform to the specifications in "Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas", prepared by Franklin, Hampden, Hampshire Conservation Districts, Northampton, MA, March 1997; pages 175 – 183, except as modified by these conditions. This shall be specifically addressed in the site inspection reports required by this Permit.

35. The bordering vegetated wetlands that are altered shall be restored using native wetlands plant species. Replicated wetlands shall be monitored for not less than two growing seasons after being planted. Native plant species shall be used for the replication. Any planting that is replaced shall in kind and the Commission shall be notified of any replanting required with the date of that the work has been done. The monitoring period for any replanted vegetation shall be two growing seasons after the planting is done. The plantings shall generally mimic or complement the existing wetlands vegetation found on the site and enhance the values of the wetlands for wildlife, water quality, and other Bylaw values.

36. The replicated wetland shall be deemed successful if not less than 90% area coverage of the vegetation is reestablished with wetland plant species (designated facultative or wetter, and approved by the Commission) that survive for not less than three consecutive growing seasons. The growing season for cultivated vegetation is considered to be from April 1 to October 31 and shall not include the year that plantings were done unless planting is completed prior to July 1. A written assessment shall be submitted to the Conservation Commission after each growing season for which monitoring is required. After two growing seasons if a success rate of less than 75% has been identified, the wetlands specialist shall propose replacement plantings for the Commission's review and approval or approval with modifications and thereafter such plantings shall be done.

37. Any dewatering or draw down activities shall not be directly discharged into a wetland resource area. **The dewatering method has been defined in the application and shall be implemented as specified in the application. A copy of the specifications for dewatering provided to the on-site contractor shall be**

given o the Conservation Commission who may formally note any change from the narrative in the application. Changes may require formal action by the Commission.

38. Excavated soils exhibiting no evidence of contamination may be re-introduced into the excavated area and used as backfill. The Commission will seek formal evidence of testing of soils re-used on the site prior to backfilling.

39. Pesticides, herbicides, and fungicides shall not be used within the wetland, floodplain, buffer zone or riverfront area for activities associated with this project. Fertilizers may be used if it is a slow release fertilizer and has been approved in advance by the Conservation Commission. **This condition shall be noted in the Certificate of Compliance.**

40. At the end of each workday, the applicant shall mechanically sweep or manually sweep sediments from the adjacent streets, unless tracking and sediment is not evident on the streets.

41. Any debris, which falls into any pond, stream, or wetland, shall be removed immediately by hand. All construction debris shall be properly disposed of off the site. Documentation that this condition has been met shall be submitted with, or before, seeking a Certificate of Compliance.

42. A supply of straw bales (seed-free), silt fence, and organic filter fabric shall be stockpiled for emergency use only. The applicant shall immediately control any erosion/sedimentation problems that occur on the site and shall also immediately notify the Commission. Any additional erosion/sedimentation controls found to be necessary by either the applicant or the Commission during construction shall be implemented by the applicant, with the approval of the Commission. The applicant shall immediately control any erosion/sedimentation problems that occur on the site and shall also immediately notify the Commission.

43. There shall be no more than a total of 50 gallons of flammable or combustible chemicals relating to this project stored on the site at any one time. No routine servicing of vehicles used for this project shall be permitted on the site. The Conservation Commission shall be notified prior to initiating any emergency repair on the site.

44. Any deviation from this Permit or the work program outlined in the Notice of Intent shall be immediately made known to the Conservation Commission in writing.

45. Chemical storage, other than that specified in Condition 43, shall be in an upland area and shall include secondary containment for any liquids being stored. Chemicals shall not be stored on the Cow Common Conservation Area.

46. No de-icing chemicals shall be used on any surface located within the 100-foot buffer zone, except with the prior written permission of the Commission.

47. The Conservation Commission shall receive written notice, with a set of dated photographs, within 48 hours after the applicant has determined that:
- a: The soil removal that needed to in the specific Area to achieve the clean-up goal has been completed.
 - b: Final grades for replacement of replacement soil has been completed.
 - c: When the planting for a specific area has been achieved. This notice shall include the date that planting in the Area for which the notice is being provided, commenced.

48. By acceptance of this Permit and commencement of work authorized herein, the applicant, owner, and their respective agents, assign, and successors in title agree to indemnify, defend and hold harmless the town for any damages that might occur on or off the subject property, or any legal claims which may be attributable to any alterations undertaken or construction performed on the subject property pursuant to this Permit. Issuance of this Permit does not in any way imply or certify that the subject property or downstream or adjacent properties will not be subject to flooding, storm damage, or any other form of water damage that might result from alterations undertaken or construction performed on the subject property pursuant to this decision.

Special Conditions Taking Effect after Completion of the Project
(Issued by the Wayland Conservation Commission):

49. The Conservation Commission and/or Conservation Administrator may require the removal and dispersal of the erosion controls after the site has been fully stabilized to their satisfaction.
50. The applicant shall use [WPA Form 8A] to request a Certificate of Compliance and shall submit the following items with his request:
- a) A detailed narrative prepared by a Professional Engineer or Professional Land Surveyor registered in the Commonwealth of Massachusetts specifically addressing each condition and certifying compliance with the approved plans referenced above and this Permit and setting forth any deviations that exist with a note as to how it may be corrected. **This request shall be submitted not later than 180 calendar days prior to the expiration of this decision.** Work that is not complete shall be detailed in a schedule of planned completion dates prior to expiration of the decision with a certification to the commitment of resources by an authorized official representative of the applicant to complete the work prior to expiration of the decision.
 - b) Two sets of as-built site plans shall be prepared by a registered land surveyor or registered professional engineer showing the wetland

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resource areas, grades, utilities, building footprint and landscaping. These plans shall include the date/s of fieldwork.

- c) A copy of the as-built shall be submitted on a computer disk in AutoCAD format dxf, dwg or may be e-mailed to the Town Surveyor at MTB_surveyor@msn.com (if this is not possible please contact the Commission).

51. The work authorized hereunder shall be completed within three years from the date of this decision except as herein conditioned. A request for an Extension shall be filed with the Conservation Commission not less than thirty days prior to the expiration date of this decision. If this decision is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Permit.

This Permit expires on August 8, 2009.

If necessary, an extension should be filed before July 1, 2009.

A compliance review shall be submitted no later than March 12, 2009.

This decision is not valid without a notarized signature sheet.



TOWN OF WAYLAND
 MASSACHUSETTS
 01778
CONSERVATION COMMISSION

TOWN BUILDING
 41 COCHITUATE ROAD
 TELEPHONE: (508) 358-3669
 FAX: (508) 358-3606

CHAPTER 194
 WETLANDS AND WATER RESOURCES PROTECTION BYLAW
 PERMIT

430 Boston Post Road (322-647)

Wayland Conservation Commission: _____

Barbara Howell

Ellen Turner

R.H. Baderna

Date issued: 8/8/06

Commonwealth of Massachusetts, Middlesex County

On this 19th day of July, 2006

Before me, the undersigned Notary Republic, personally appeared Barbara Howell

Proved to me through satisfactory evidence of identification, which was/were
known to me personally

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as a member of the Wayland Conservation Commission.

[Signature]

 Signature of Notary Republic
Foran J. Monohan
 Printed Name of Notary Republic

This Permit is issued to the applicant as follows: _____ by hand delivery on _____
 by certified mail on 8/8/06

with
1158270
PK RM

BOTH WAYS

DOCUMENT 01434197

Southern Middlesex LAND COURT
REGISTRY DISTRICT

RECEIVED FOR REGISTRATION

On: Feb 01, 2007 at 09:59A

Document Fee: 75.00
Receipt Total: \$75.00

CERT: 234881 BK: 01307 Pg: 76

LOUIS BURKHARDT (978) 436-8238
NAME TEL.
800 TECHNOLOGY PARK DRIVE
STREET ADDRESS
BILLERICA, MA 0201821
CITY OR TOWN ZIP

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.
Cambridge, Massachusetts 02141

Issued To:
K

Recording Fees

Document Description	Number	Book/Page	Recording Amount
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			\$75.00

Collected Amounts

Payment Type	Amount
Check	38524
	\$75.00
	\$75.00

Total Received : \$75.00
Less Total Recordings: \$75.00
Change Due : \$.00

Thank You
EUGENE C. BRUNE - Register of Deeds

By: Kimberley M

Receipt# Date Time
0702269 02/01/2007 10:12a

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.

Cambridge, Massachusetts 02141

Issued To:
WALKIN

Recording Fees

Document Description	Number	Cert Number	Recording Amount
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			\$75.00

Collected Amounts

Payment Type	Amount
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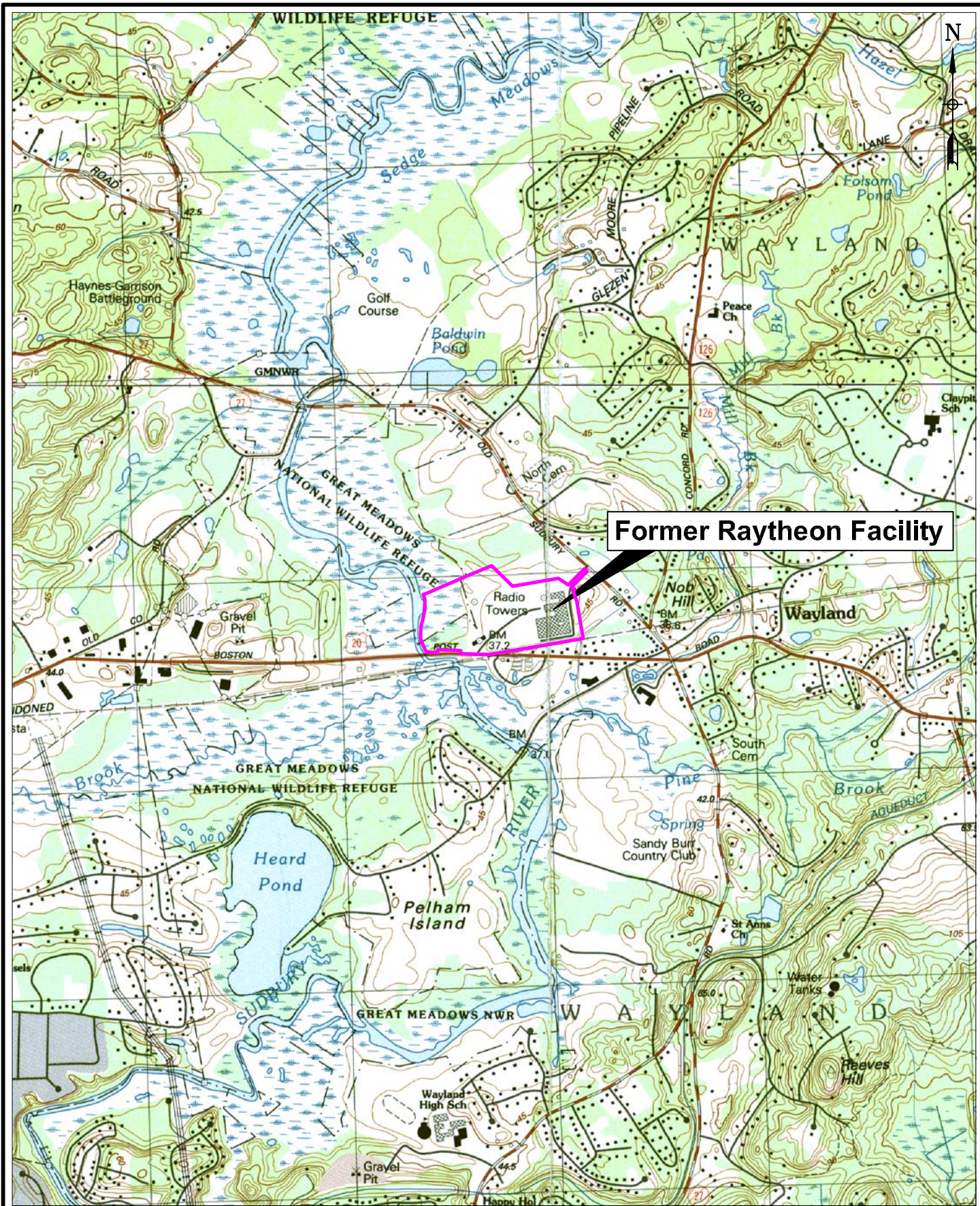
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Less Total Recordings: \$75.00
Change Due : \$.00

Thank You
EUGENE C. BRUNE - Register of Deeds

By: Eileen M

Receipt# Date Time
0702255 02/01/2007 09:59a

*Appendix B
Construction Drawings and
Affidavit of Compliance with
Stormwater Management Policy*



Former Raytheon Facility

Scale 1:25,000

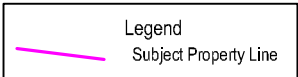
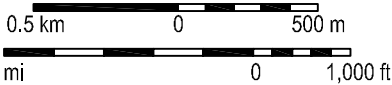
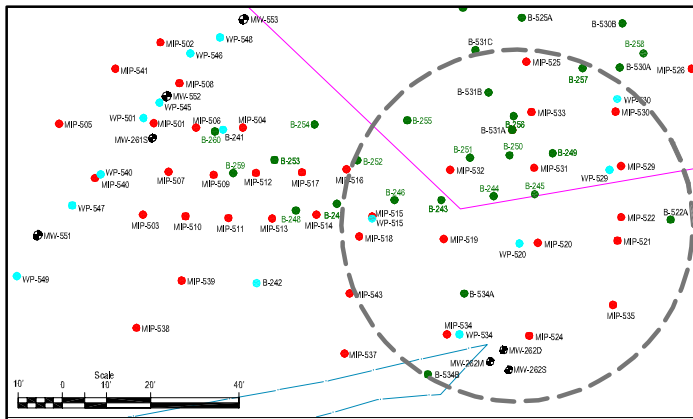


Figure 1 - Site Locus Map
 Former Raytheon Facility - Wayland, MA





- Legend**
- Existing Building
 - Property Line
 - Standing Water Based on 2001 Aerial
 - Delineated Wetland Boundary
 - 100' Wetland Buffer Zone
 - 100 Year Floodplain

Note: Wetlands flagging completed by Mark Christopher, Wetlands Scientist, Woodlot Alternatives, Topsham, Maine, June 2003

Note: a) Total Lot Areas = 3,366,035 square feet
 b) Total Impervious Area (outside of Buffer Zone) = 997,511 square feet
 c) Temporary Impacts = 17,342 square feet

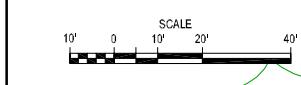
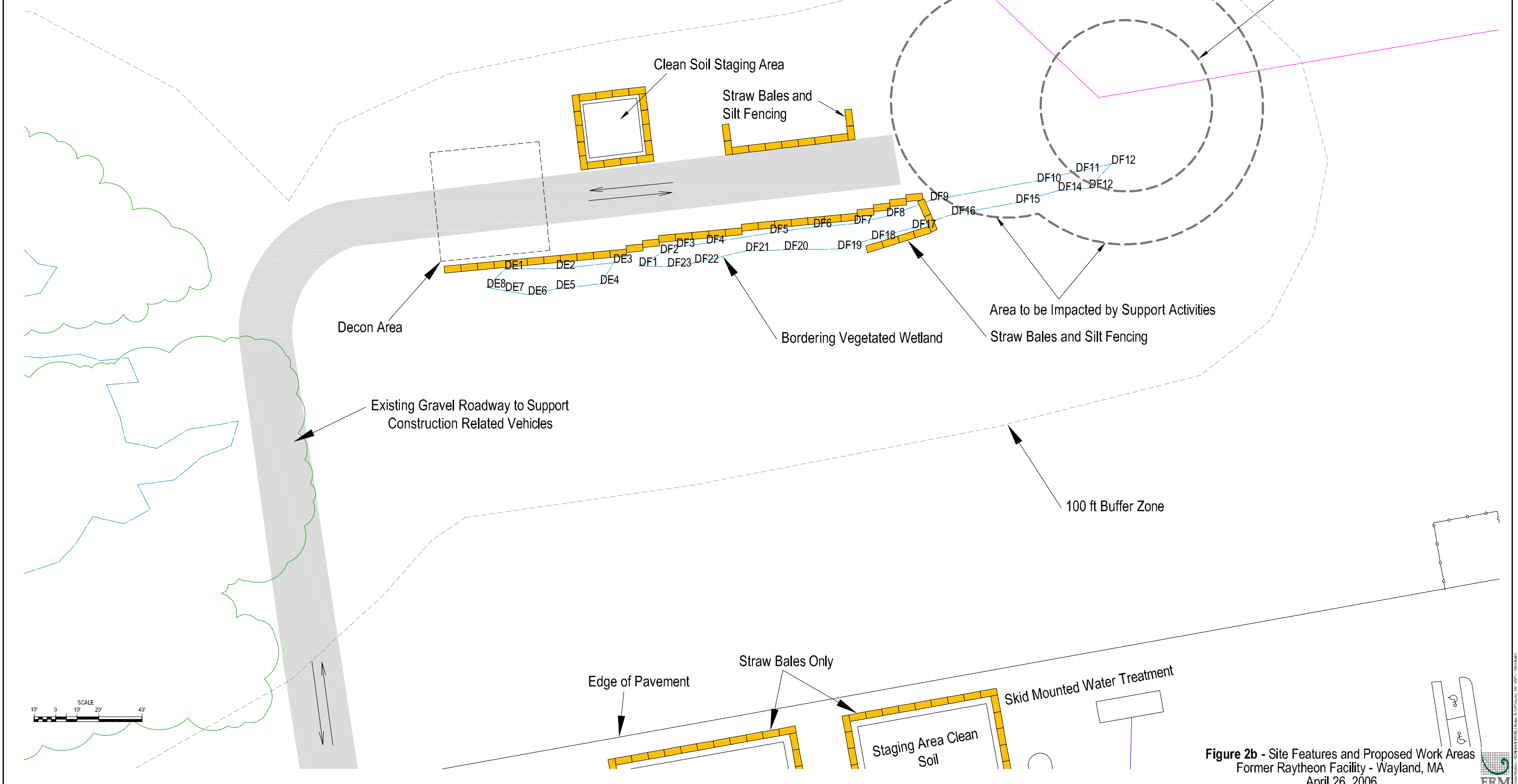
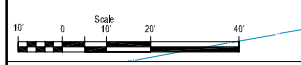
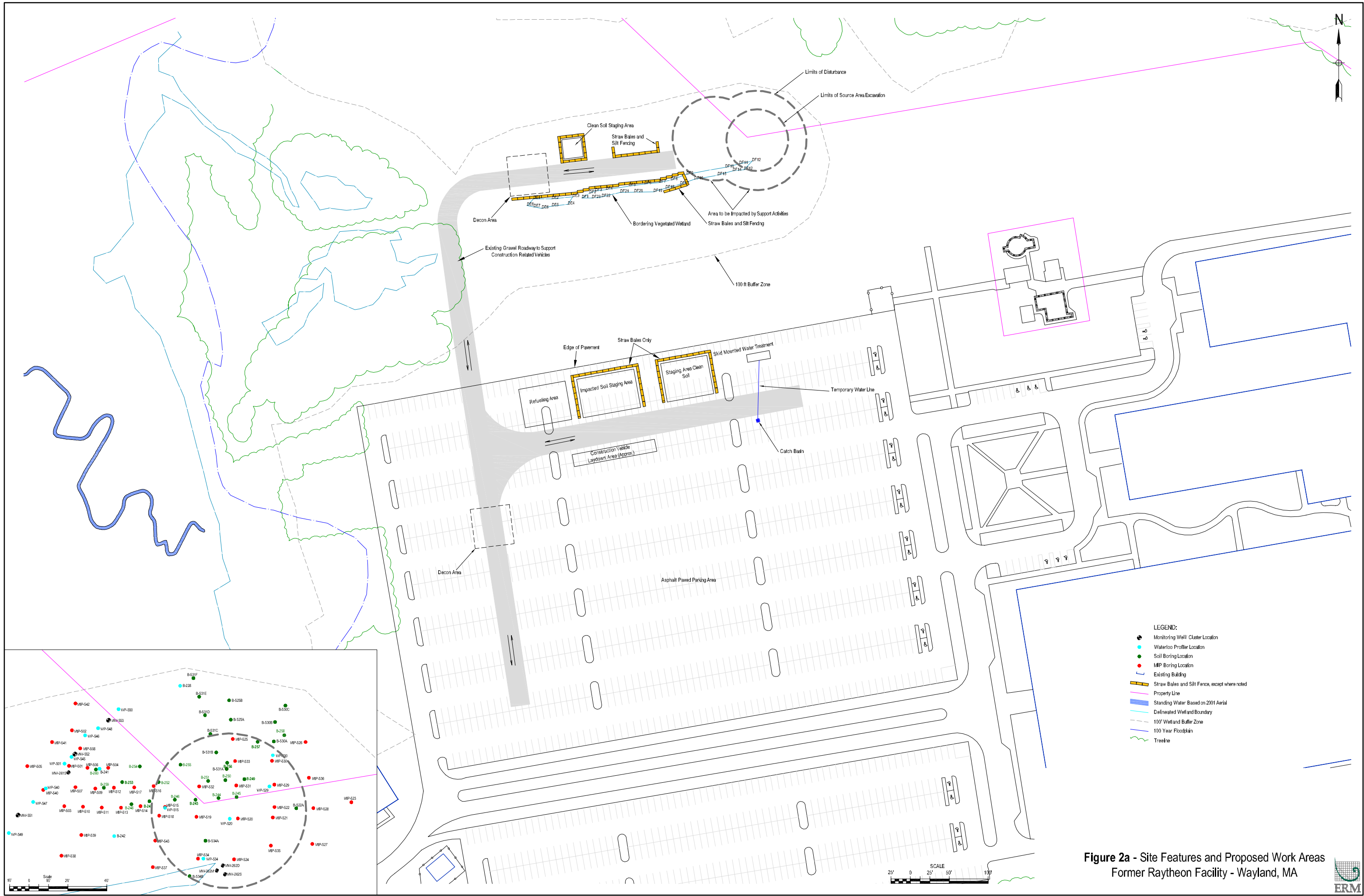


Figure 2b - Site Features and Proposed Work Areas
 Former Raytheon Facility - Wayland, MA
 April 26, 2006





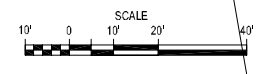
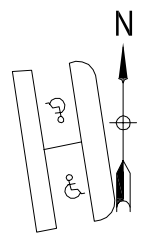
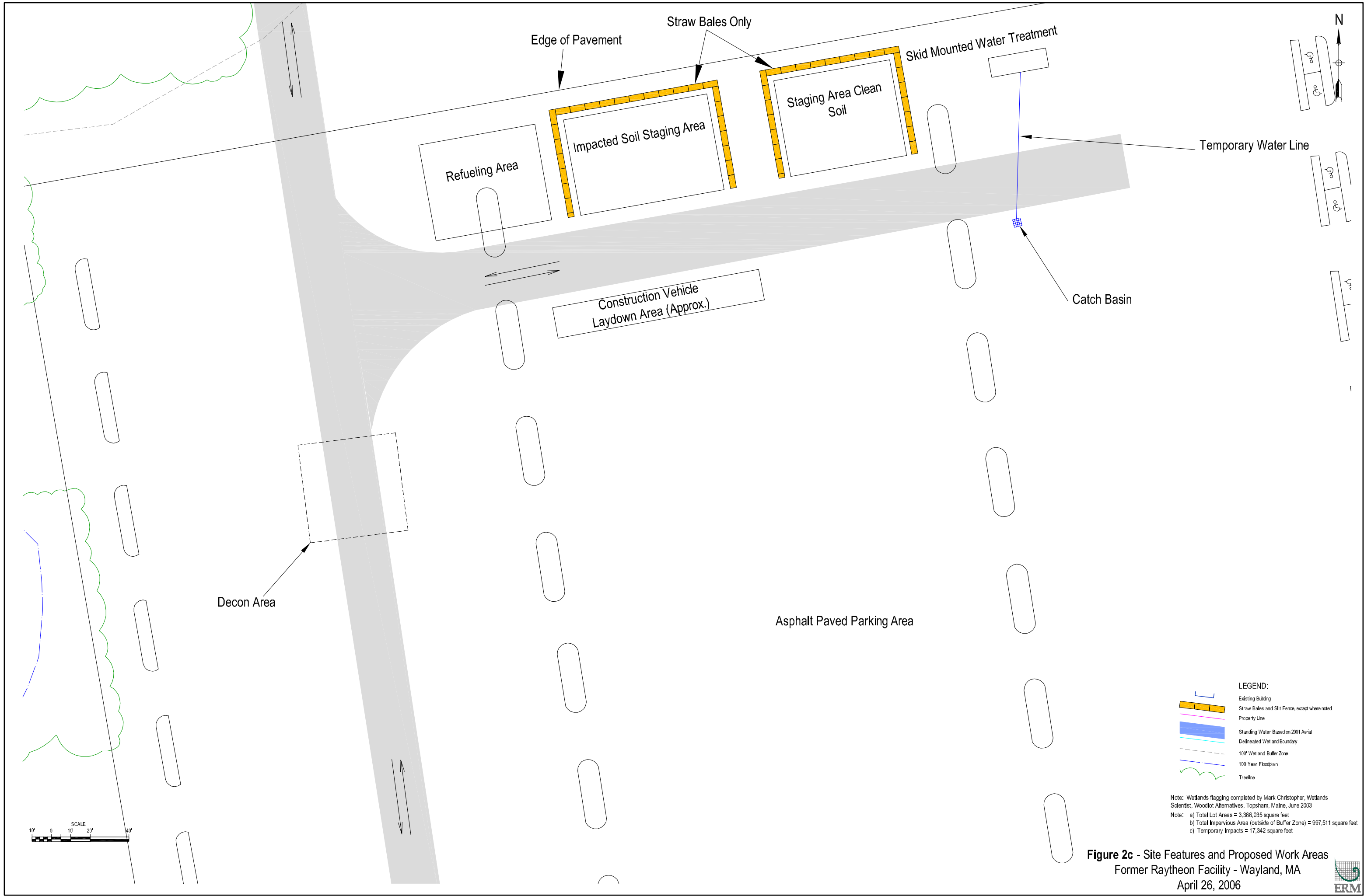
**Figure 2a - Site Features and Proposed Work Areas
Former Raytheon Facility - Wayland, MA**

- LEGEND:**
- Monitoring Well Cluster Location
 - Waterloo Profiler Location
 - Soil Boring Location
 - MIP Boring Location
 - Existing Building
 - Straw Bales and Silt Fence, except where noted
 - Property Line
 - Standing Water Based on 2001 Aerial
 - Delineated Wetland Boundary
 - 100' Wetland Buffer Zone
 - 100 Year Floodplain
 - Tree Line

SCALE
25' 0 25' 50' 100'

Scale
0 10' 20' 40'



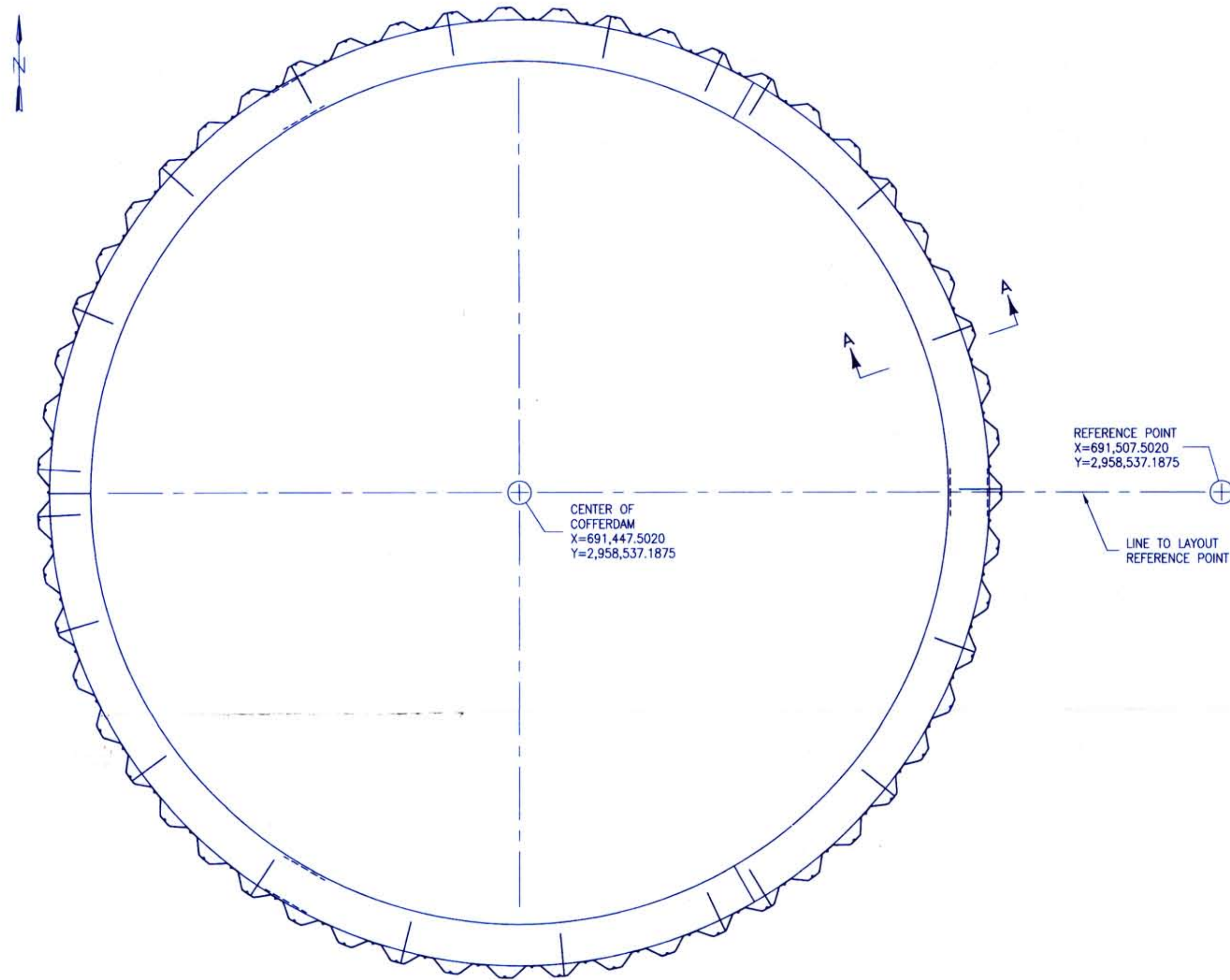


- LEGEND:**
- Existing Building
 - Straw Bales and Silt Fence, except where noted
 - Property Line
 - Standing Water Based on 2001 Aerial
 - Delineated Wetland Boundary
 - 100' Wetland Buffer Zone
 - 100 Year Floodplain
 - Trailline

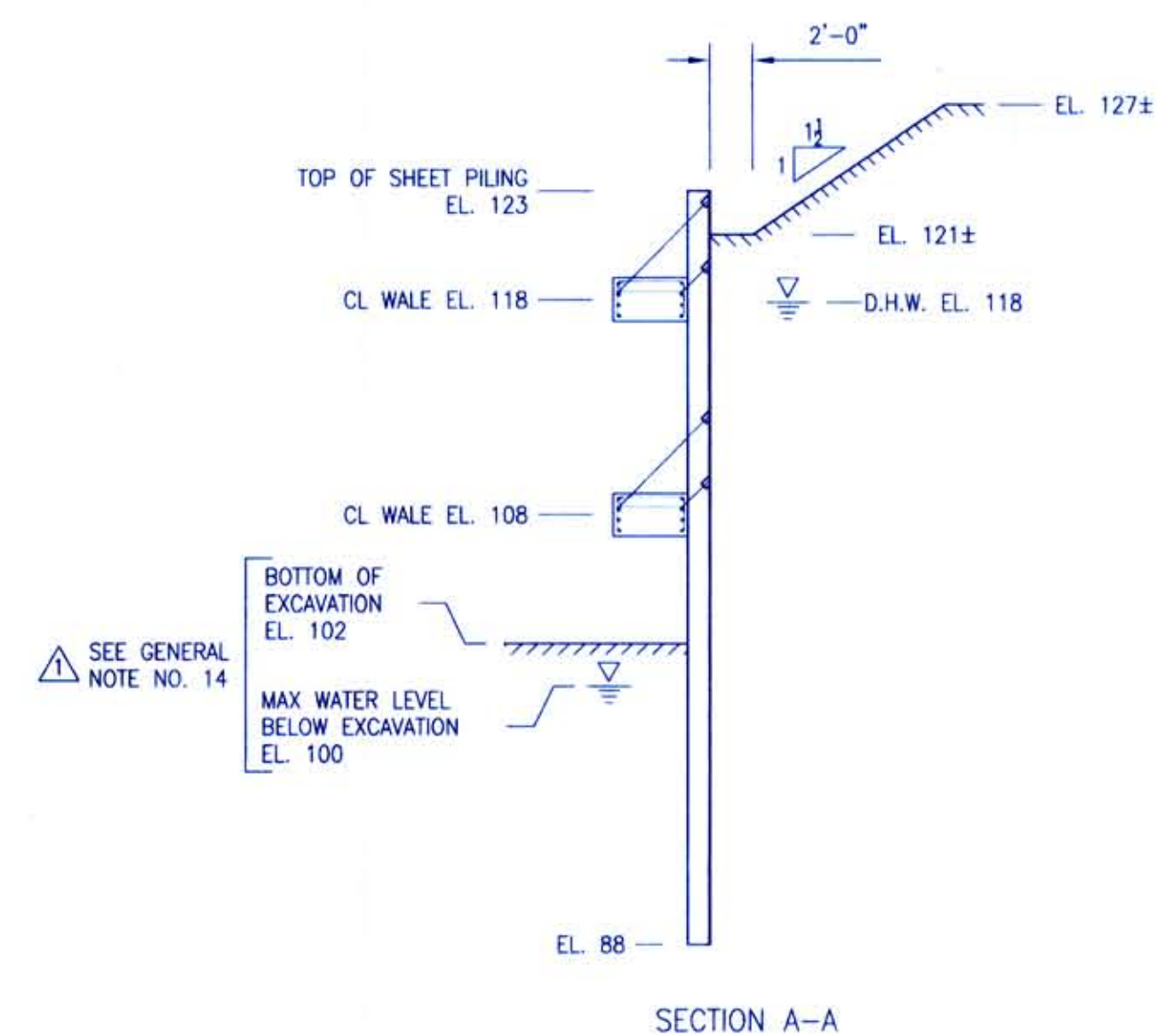
Note: Wetlands flagging completed by Mark Christopher, Wetlands Scientist, Woodlot Alternatives, Topsham, Maine, June 2003
 Note: a) Total Lot Areas = 3,366,035 square feet
 b) Total Impervious Area (outside of Buffer Zone) = 997,511 square feet
 c) Temporary Impacts = 17,342 square feet

Figure 2c - Site Features and Proposed Work Areas
 Former Raytheon Facility - Wayland, MA
 April 26, 2006





COFFERDAM ALTERNATIVE A
USING 110 PCS PZC13 SHEET PILE



GENERAL NOTES

- The cofferdam portion of the project involves the construction of a cofferdam to allow excavation and removal of contaminated soil. The cofferdam consists of a steel sheet piling wall and circular reinforced concrete wales. It is anticipated that the sheet piling will be extracted after the cofferdam is backfilled. It is anticipated that the reinforced concrete wales will be left in place and covered with backfill.
- Available geotechnical information indicates strata of granular soil with varying amounts of silt and minor amounts of clay. In general terms, the anticipated soil conditions are approximately 9 feet of medium dense sand and silt, underlain by approximately 37 feet of loose sand and silt, then underlain by various strata of more dense granular soil with silt. Groundwater is anticipated approximately 9 feet or deeper below existing ground level.

In the event that the soil actually encountered differs significantly from the descriptions above, or if unanticipated obstructions are encountered, Hartman Engineering will be notified immediately and construction operations in the vicinity of the differing soil or obstruction will cease until the situation is evaluated.
- Groundwater will enter the cofferdam through interlock seepage and through the soil at the bottom of the excavation. It is anticipated that pumps located inside the cofferdam will maintain the water at an acceptable level.

Special attention must be directed toward examining the excavation bottom for indications of piping (rapid upward water flow at a specific location) or heave (swelling or uplift of a portion of the excavation bottom). Either of these conditions is an indication of an unanticipated subsurface condition which may cause damage to the cofferdam. If piping or heave is detected or suspected, Hartman Engineering will be notified immediately and dewatering operations will be suspended until the condition is evaluated.
- The Contractor will measure and record the length of each sheet pile prior to driving and will keep a record of all trimming, cutting, etc., such that the bottom elevation of individual sheet piles can be determined at any time. Refer to Monitoring Procedure Item 1A.
- If, at any time, the bracing or monitoring system is damaged by construction operations, Hartman Engineering will be notified immediately. Until the severity of the damage can be evaluated, construction operations will cease and construction personnel will be evacuated from the excavation.
- In the event that the cofferdam cannot be constructed as designed and detailed, the Contractor will not proceed with the construction of the cofferdam until the data for this determination has been reviewed and incorporated into the design by Hartman Engineering.
- Standard construction site safety measures (construction of stairways, provision of barricades to stop rolling objects, provision of ladders, fences, etc.) are the responsibility of the Contractor and are not shown on these drawings.
- The concrete wales are not to be used for storage of materials.
- All work will be performed in a manner consistent with industry standards established by AISC (American Institute of Steel Construction), ACI (American Concrete Institute), and AWS (American Welding Society).
- Test cylinders will be used to evaluate concrete wale strength. It is recommended that sufficient cylinders be made so that strength can be evaluated 2 days, 3 days, 4 days, 7 days, and 28 days after installation of the concrete.
- It is intended that a representative of Hartman Engineering will be present at the jobsite at the time the strain gauge instrumentation is installed in the concrete wales in order to instruct and assist the Engineer's field personnel in the installation and use of the strain gauge monitoring system. The schedule of the visit will be coordinated by the Engineer's personnel and Hartman Engineering.
- For additional information related to the cofferdam, see Drawings No. 06-602-LT-1, and 06-602-DT-1.
- The previously issued Drawings No. 06-602-GP-1, 06-602-GP-2, 06-602-LS-1, 06-602-LS-2 and 06-602-DE-1 are obsolete.
- If excavation inside the cofferdam is not required below Elevation 107, installation of the wale at Elevation 108 is not necessary. If excavation is no deeper than Elevation 107, the maximum allowable groundwater level inside the cofferdam is Elevation 105.

MATERIAL SPECIFICATIONS

- Sheet Piling: Chaparral Steel Co. PZC13 Section, ASTM A572 Grade 50 Steel or approved equal. All sheet piling will be new at the start of the project.
- Concrete: Use concrete meeting Project Specifications for Structural Concrete; additionally, concrete must develop 3000 psi ultimate strength after 7 days.
- Concrete Reinforcement: Steel reinforcing bars for concrete will be ASTM A615 Grade 60 bars detailed in accordance with current ACI Specifications. Splices in the longitudinal reinforcement must be capable of developing the full tensile capacity of the reinforcement. Splices in adjacent bars will be separated 2'-6" minimum. The contractor shall submit shop drawings of the reinforcement to Hartman Engineering for approval.
- Structural Steel:
 - Plate and Miscellaneous Steel: ASTM Grade A36 or stronger steel.
 - Welding Electrodes: E70XX
 - Welder Qualifications: Each Welder, Welding Operator or Tackler who performs work on the cofferdam must be qualified for each process and position used for the construction. Qualification standards required are those stipulated in the Project Documents.

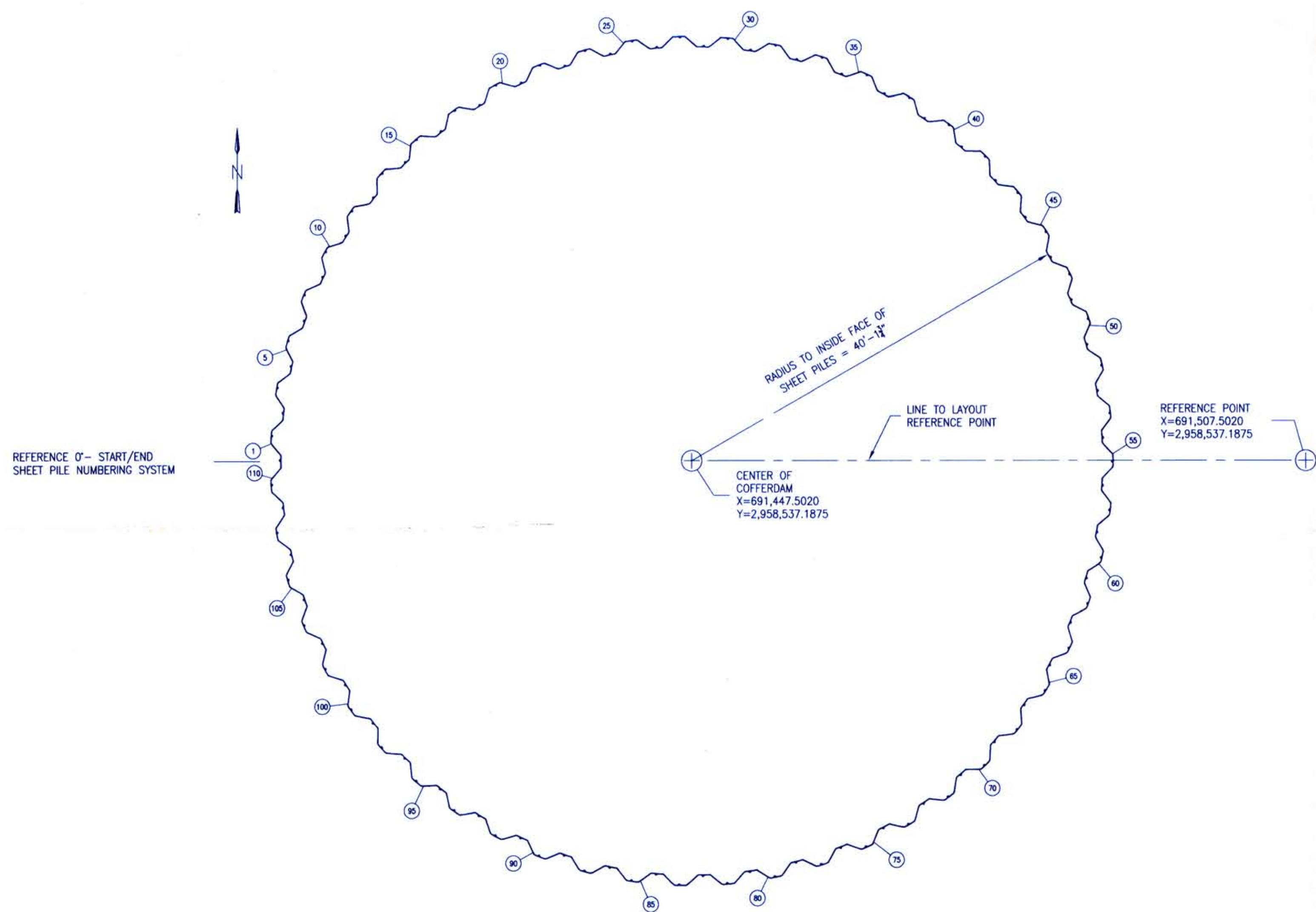
MOST RECENT REVISION DATE IS: MAY 24, 2007

DWG No 06-602-	DRAWING TITLE	ISSUE DATE	REVISIONS					
			1	2	3	4	5	
GP-1	GENERAL PLAN, SECTION A-A, GENERAL NOTES, AND MATERIAL SPECIFICATIONS	05-25-06	08-08-06	OBSOLETE				
LS-1	EAST COFFERDAM SHEET PILE LAYOUT AND WALE LAYOUTS	05-25-06	08-08-06	OBSOLETE				
LS-2	WEST COFFERDAM SHEET PILE LAYOUT AND WALE LAYOUTS	05-25-06		OBSOLETE				
DE-1	WALE REINFORCEMENT, TYPICAL SECTION SHOWING STRAIN GAUGE MONITORING INSTRUMENTATION, MONITORING PROCEDURE AND DETAILS 1 THROUGH 4	05-25-06	08-08-06	OBSOLETE				
PL-1	GENERAL PLAN, SECTION A-A, GENERAL NOTES, MATERIAL SPECIFICATIONS, AND DRAWING INDEX FOR COFFERDAM USING PZC13 SHEET PILES	02-01-07	05-24-07					
PL-2	GENERAL PLAN, SECTION B-B, GENERAL NOTES, MATERIAL SPECIFICATIONS, AND DRAWING INDEX FOR COFFERDAM USING AZ13 SHEET PILES	02-01-07						
LT-1	SHEET PILE LAYOUT AND WALE LAYOUT FOR PZC13 SHEET PILE	02-01-07						
LT-2	SHEET PILE LAYOUT AND WALE LAYOUT FOR AZ13 SHEET PILE	02-01-07						
DT-1	WALE REINFORCEMENT, TYPICAL SECTION SHOWING STRAIN GAUGE MONITORING INSTRUMENTATION, MONITORING PROCEDURE AND DETAILS 1 THROUGH 4	02-01-07						

MAY 24, 2007	ADDED GENERAL NOTE NO. 14
HARTMAN ENGINEERING	
4910 RANSOM ROAD CLARENCE, NEW YORK 14031	
DATE: FEBRUARY 1, 2007	DRAWN BY: DAM
COFFERDAM FOR REMEDIATION OF FORMER RAYTHEON FACILITY SITE IN WAYLAND, MA	
GENERAL PLAN, SECTION A-A, GENERAL NOTES, MATERIAL SPECIFICATIONS, AND DRAWING INDEX FOR COFFERDAM USING PZC13 SHEET PILES	
SCALE: 1/8"=1'-0"	DRAWING NUMBER: 06-602-PL-1

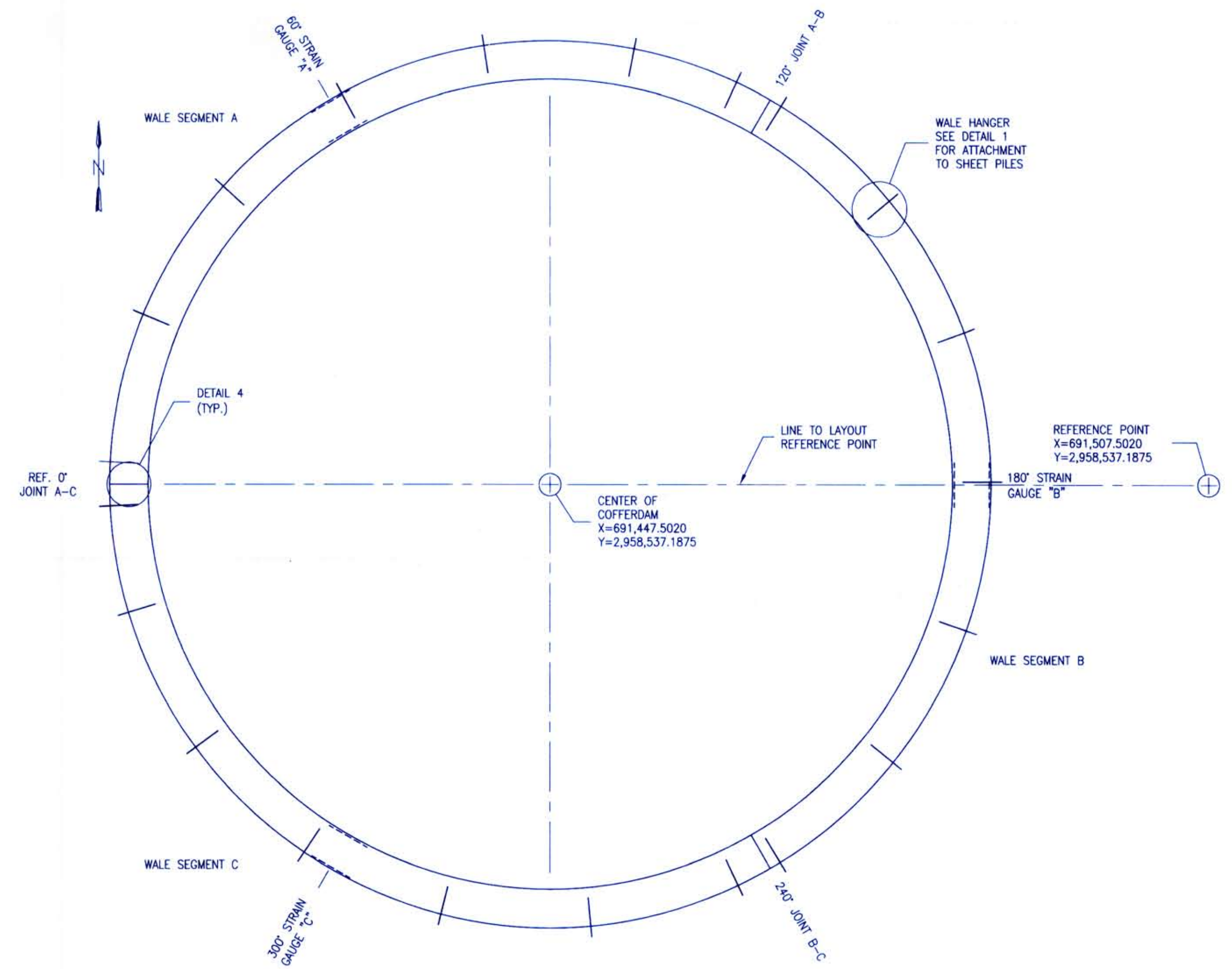
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Richard J. Hartman
May 24, 2007



REFERENCE 0' - START/END SHEET PILE NUMBERING SYSTEM

NOTE:
 (N) INDICATES SHEET PILE NUMBER DESIGNATION
 SHEET PILE LAYOUT
 110 PCS PZC13

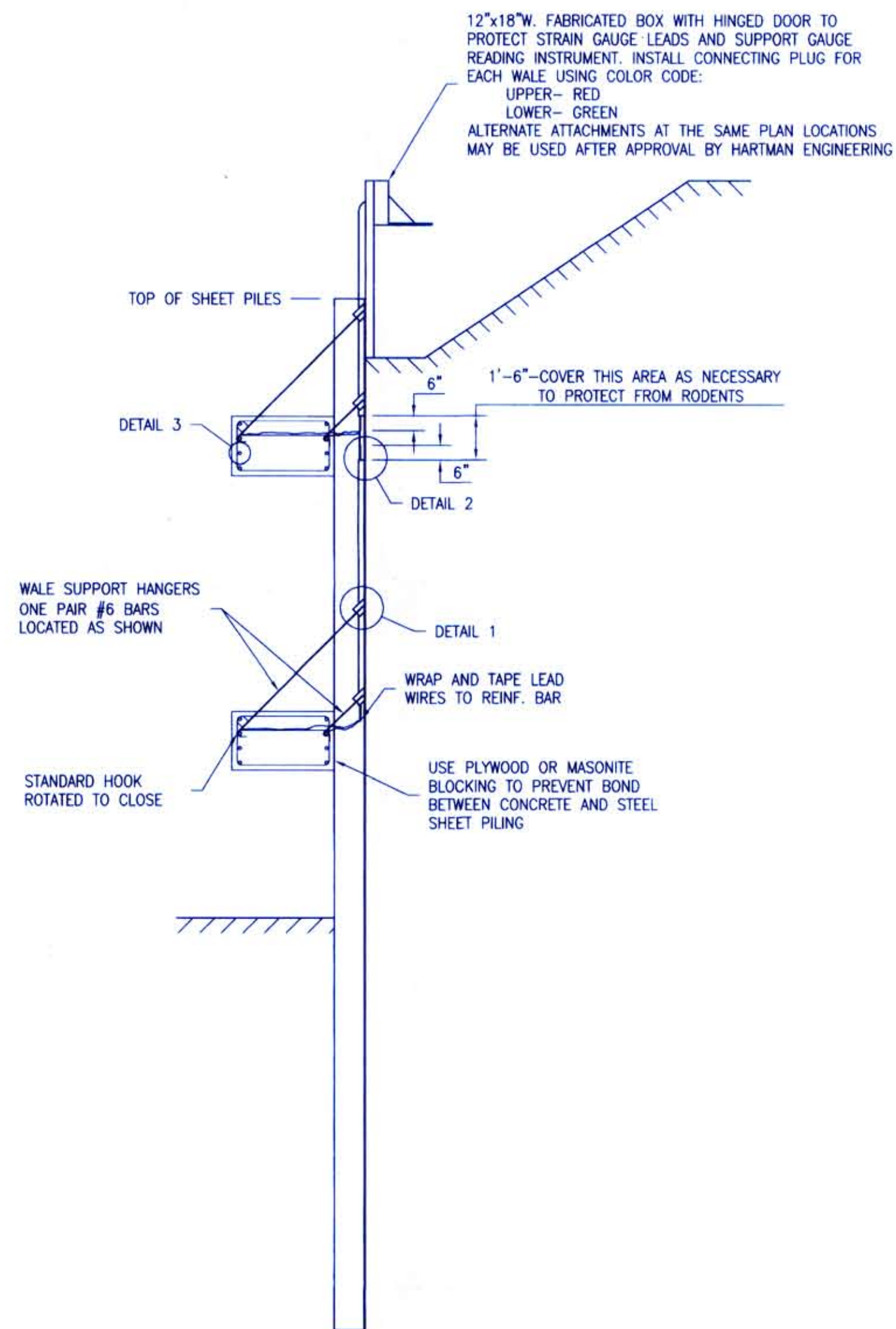
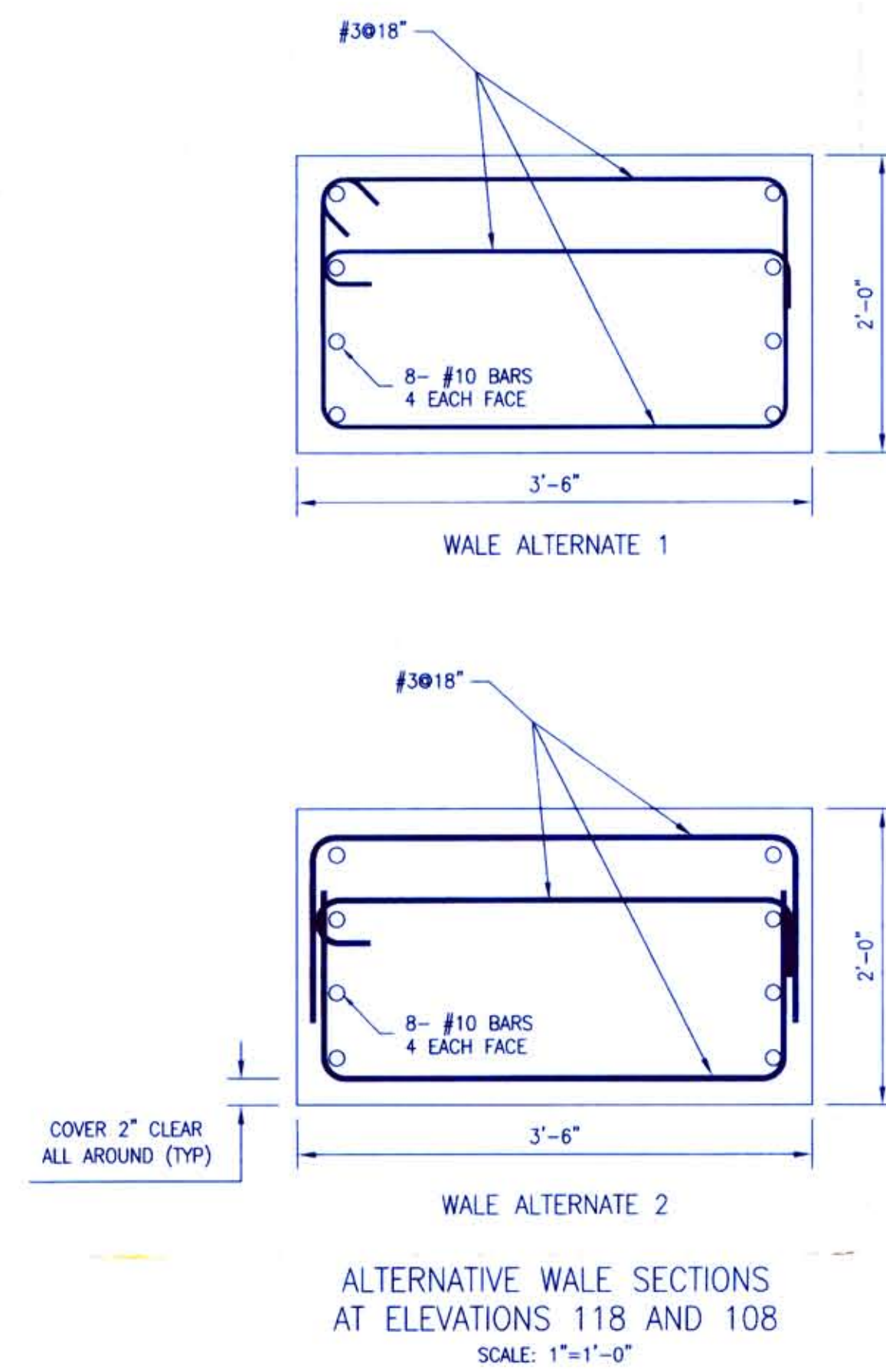


LAYOUT OF WALE AT ELEVATIONS 118 AND 108

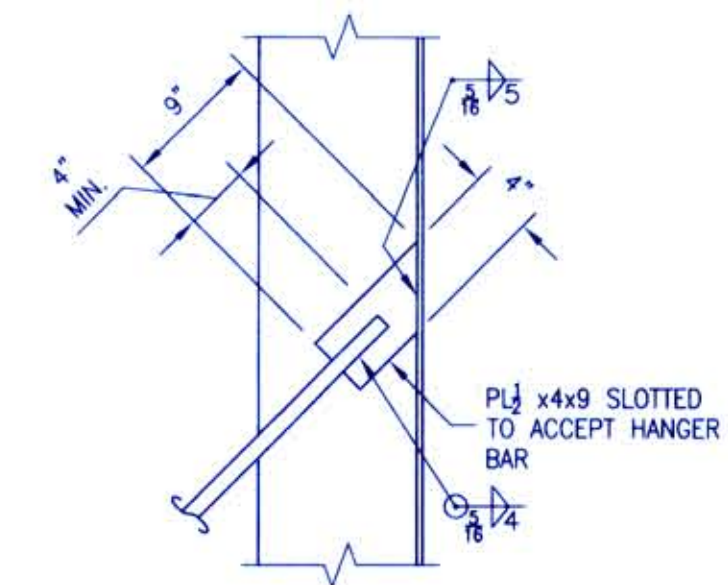
FILENAME: 06-602-PLANS.DWG DATE: FEBRUARY 1, 2007

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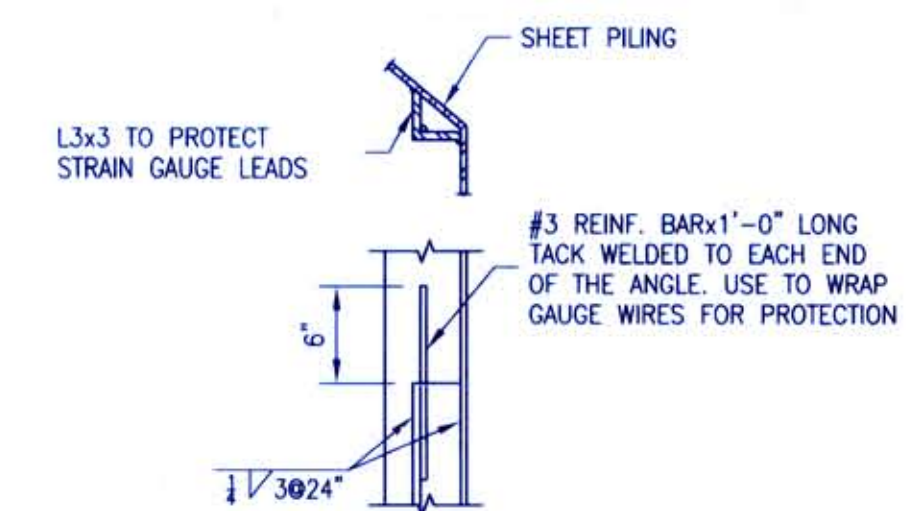
<p>Richard J. Hartman February 1, 2007</p>	HARTMAN ENGINEERING		
	4910 RANSOM ROAD CLARENCE, NEW YORK 14031		
	DATE: FEBRUARY 1, 2007	DRAWN BY: DAM	CHECKED BY: RJH
	COFFERDAM FOR REMEDIATION OF FORMER RAYTHEON FACILITY SITE IN WAYLAND, MA		
SHEET PILE LAYOUT AND WALE LAYOUT FOR PZC13 SHEET PILE			
SCALE: 1/8"=1'-0"	DRAWING NUMBER: 06-602-LT-1		



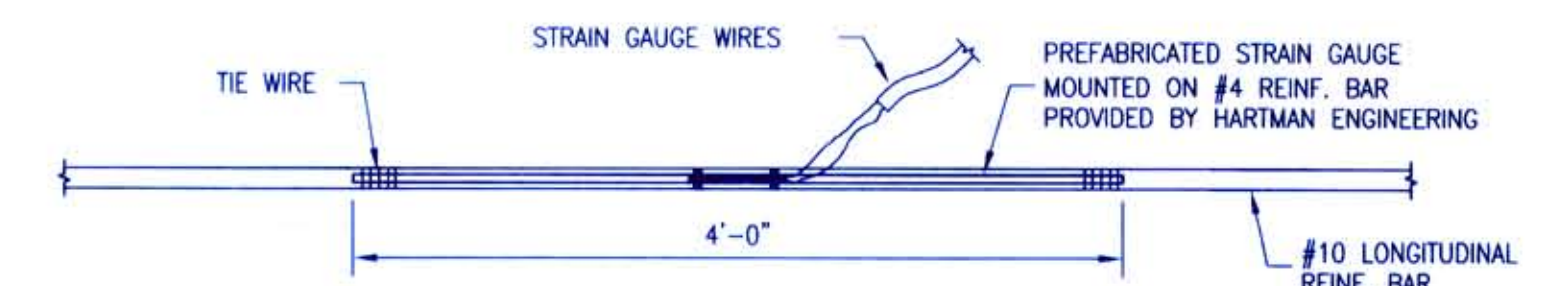
TYPICAL SECTION SHOWING STRAIN GAUGE MONITORING INSTRUMENTATION
SCALE: 1/2"=1'-0"



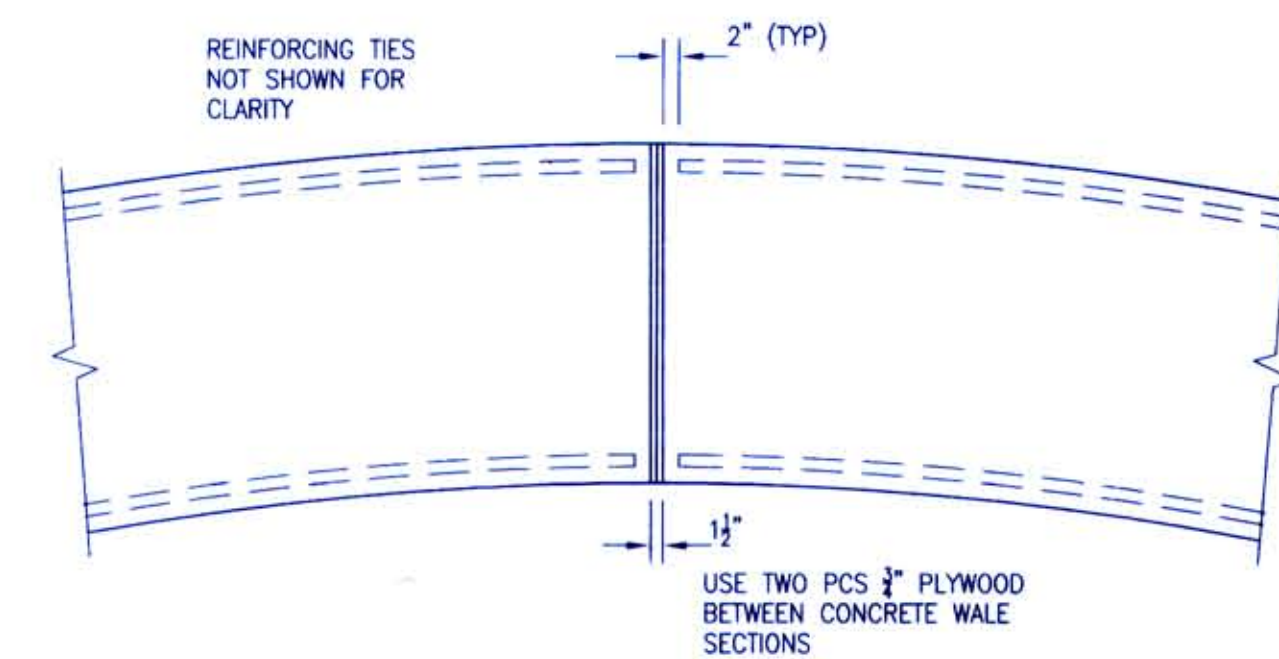
DETAIL 1
WALE HANGER ATTACHMENT
SCALE: 1"=1'-0"



DETAIL 2
GAUGE WIRE PROTECTION
SCALE: 1"=1'-0"



DETAIL 3
INSTALLATION OF STRAIN GAUGE INSTRUMENTATION
SCALE: 1"=1'-0"



DETAIL 4
JOINT AT ENDS OF WALE SEGMENTS
SCALE: 1/2"=1'-0"

MONITORING PROCEDURE

1) General Monitoring Procedure During Construction of the Circular Cofferdam

- (A) Prior to driving the sheet piling, check the length of the sheet piling to verify all sheets are the anticipated length. If under-length sheets are detected, they shall not be used without approval of Hartman Engineering. If over-length sheets are detected, they may be used provided:
 - (1) They are permanently identified.
 - (2) A permanent record of the length and exact location is established.
- (B) Immediately after the sheet piling is driven, the location of the sheet pile line will be verified by survey and the results of the survey will be immediately forwarded to Hartman Engineering. In the event that sheet piles are located either:
 - (1) More than 3 inches off location toward the inside of the cofferdam, or
 - (2) More than 6 inches off location toward the outside of the cofferdam, Hartman Engineering will be contacted immediately.
- (C) As construction of the cofferdam progresses, the location of the sheet pile will be determined by survey at the elevation of each wale and the results of the survey will be immediately forwarded to Hartman Engineering. If the deviation of any sheet piles from the intended location exceeds the limits in part (B) above, Hartman Engineering will be contacted immediately.

2) Strain Gauge Monitoring Procedure

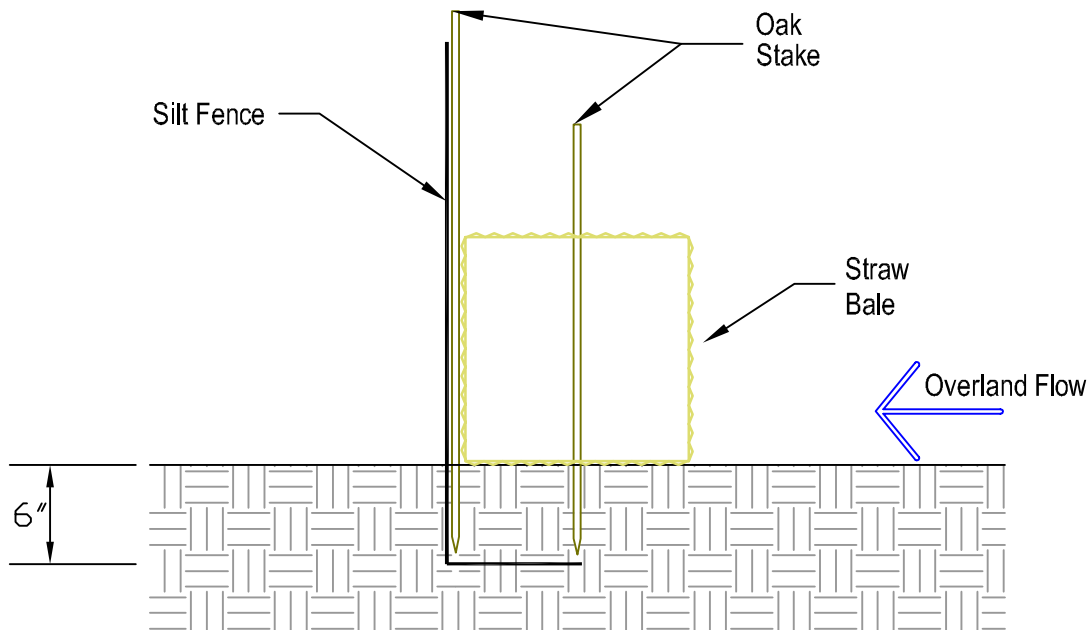
- (A) Electrical resistance type strain gauges will be incorporated into the concrete wales at locations as shown on Drawing No. 06-602-LT-1 or 06-602-LT-2. See also General Note Number 11 on Drawing No. 06-602-PL-1 or 06-602-PL-2 for additional information.
- (B) The gauges will be read by the Engineer in accordance with the following schedule:
 - (1) After the strain gauge rods are in place and before the concrete wale is poured.
 - (2) One day after the concrete is poured.
 - (3) Every working day from the start of construction of the cofferdam until the excavation is complete, then
 - (4) Twice weekly until the backfill operation is complete.
- (C) If any strain gauge readings exceed the ranges of strain reading specified on the data recording sheet, the contractor will immediately contact Hartman Engineering. Otherwise, the data will be transmitted weekly by telephone facsimile to Hartman Engineering at 716-759-2666.

HARTMAN ENGINEERING		
4910 RANSOM ROAD CLARENCE, NEW YORK 14031		
DATE: FEBRUARY 1, 2007	DRAWN BY: DAM	CHECKED BY: RJH
COFFERDAM FOR REMEDIATION OF FORMER RAYTHEON FACILITY SITE IN WAYLAND, MA		
WALE SECTIONS, STRAIN GAUGE INSTALLATION, AND DETAILS 1 THROUGH 4		
SCALE: AS NOTED	DRAWING NUMBER: 06-602-DT-1	

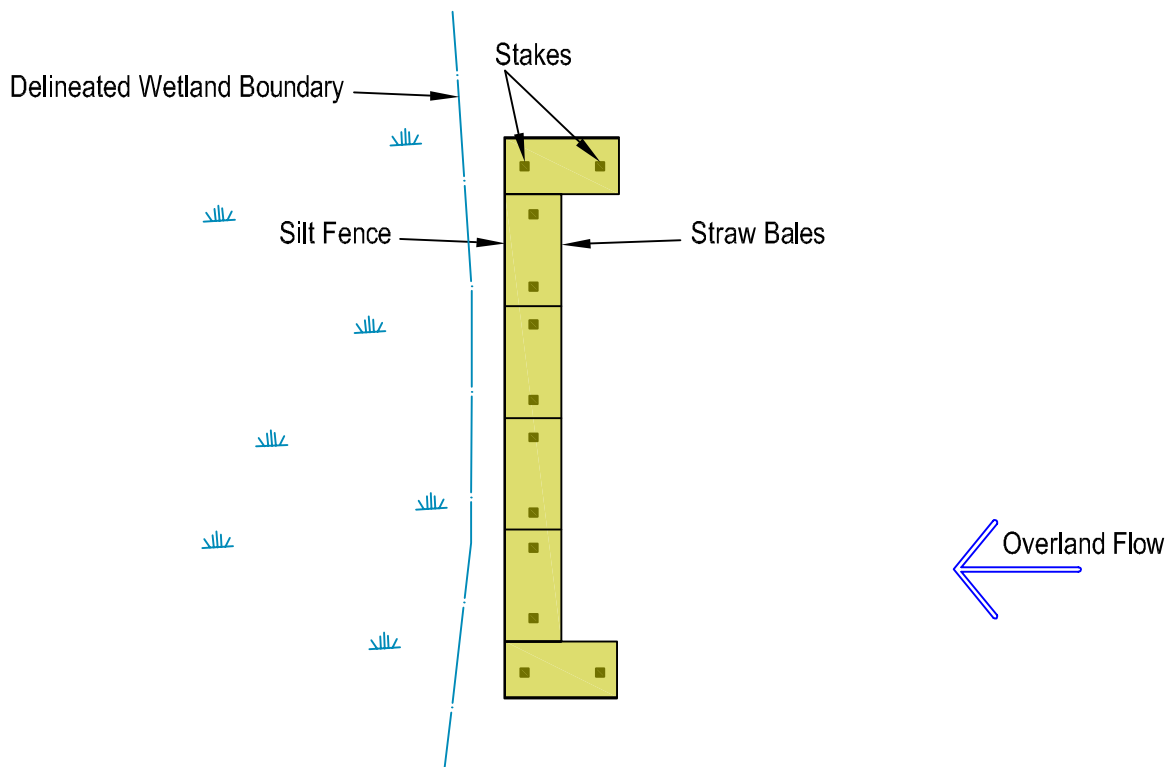
COMMONWEALTH OF MASSACHUSETTS
REGISTERED PROFESSIONAL ENGINEER
RICHARD J. HARTMAN
No. 33639

Richard J. Hartman
February 1, 2007

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TYP. BARRIER DETAIL



TYP. SILT FENCE AND STRAW BALE ARRANGEMENT

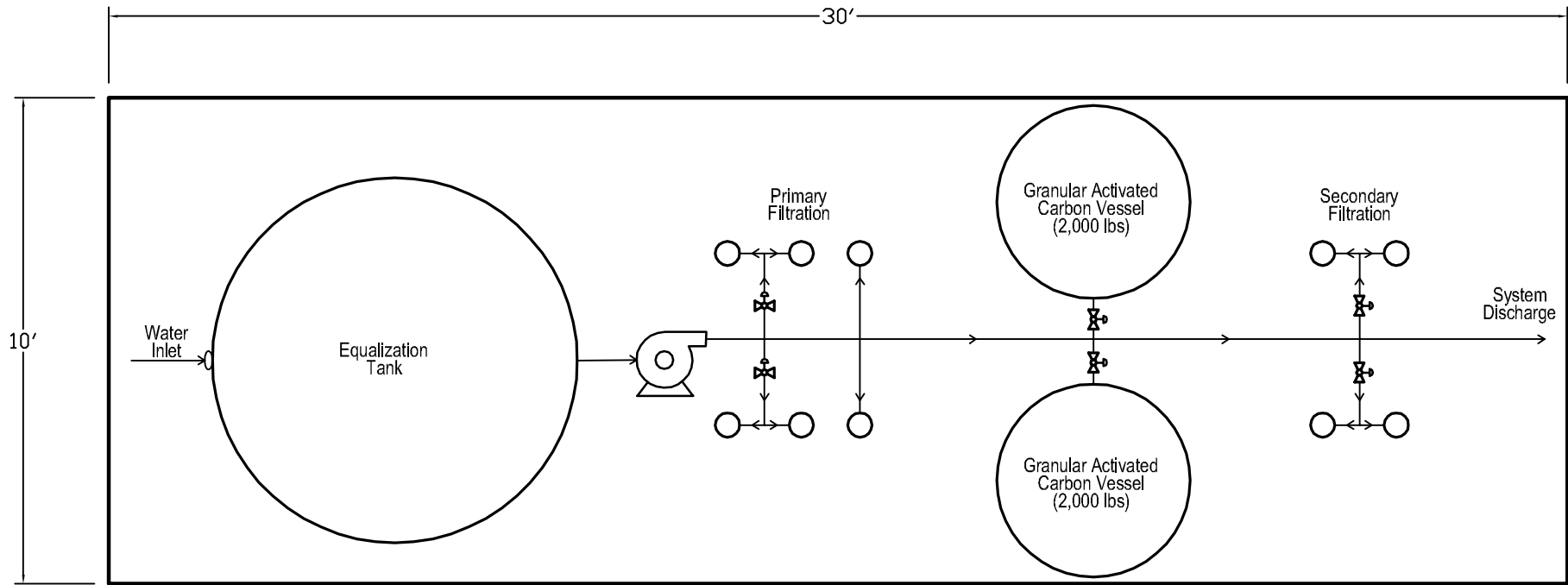
NOTE:

- 1) Erosion check to be bales of hay secured to the ground with two (2) 4'-long stakes for each bale.
- 2) Stakes to be imbedded to a depth of 1', spaced no more than 1.5' apart.
- 3) All silt fences to be landward of Wetland.

Scale = Not To Scale

Figure 4 - Straw Bale and Silt Fence Detail
Former Raytheon Facility - Wayland, MA





Not to Scale

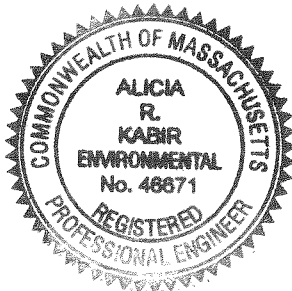
Figure 5 - Typical Skid-Mounted Water Treatment Unit
Former Raytheon Facility - Wayland, MA



Statement of Compliance with the Stormwater Management Policy
Response to Order of Conditions
Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts
DEP File No. 322-0647

I attest under the penalties of perjury that I have personally examined and am familiar with the information contained in this submittal, including any and all documents, accompanying this certification statement; and that I am fully authorized to make this attestation on behalf of the project applicant.

The final design of the proposed project complies with the applicable standards of the Massachusetts Stormwater Policy Act.



Alicia Kabir

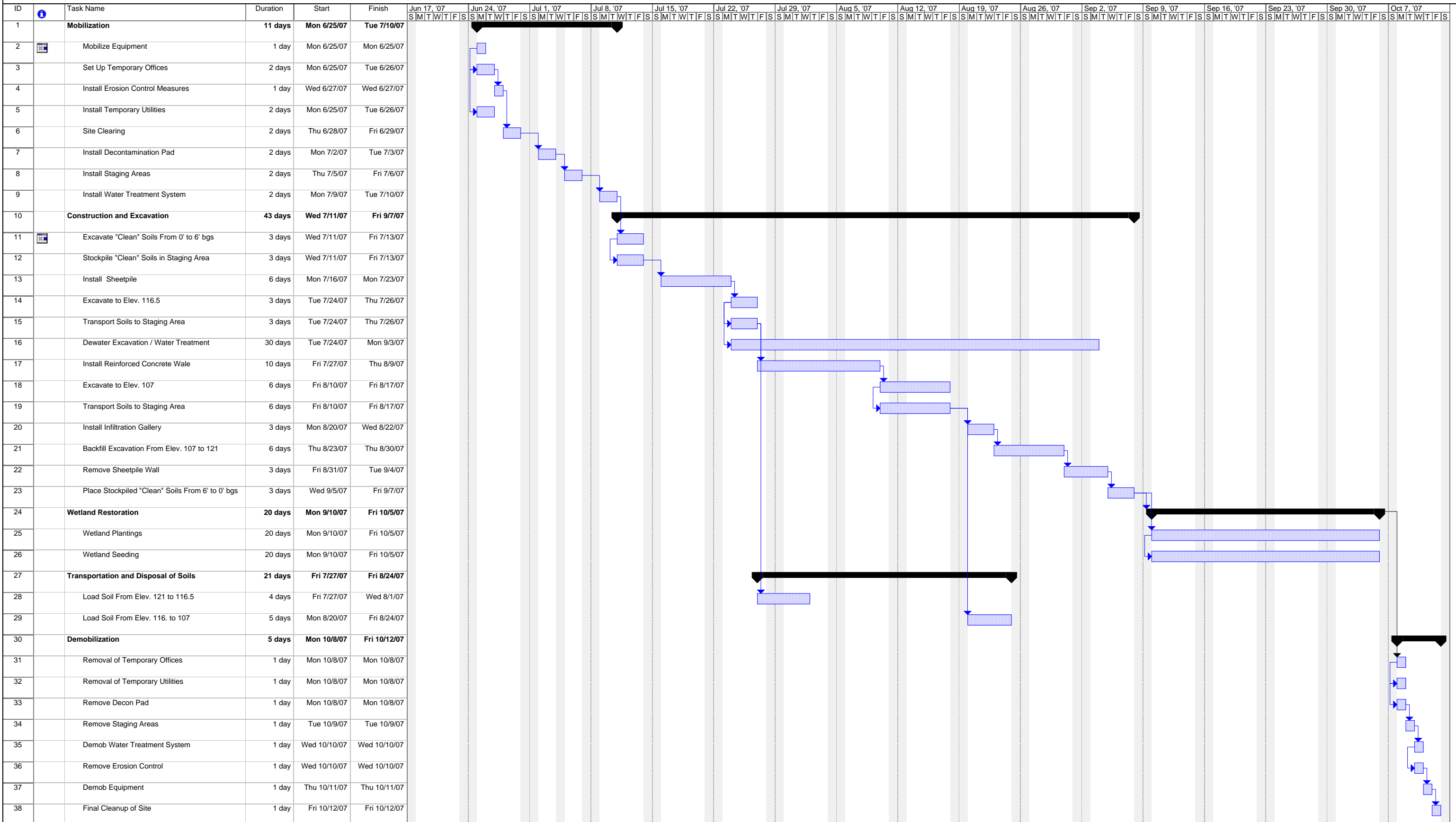
Alicia Kabir, P.E.

1 June 2007

Date

Appendix C
Northern Area Excavation
Schedule

Preliminary Northern Area Excavation Schedule
Former Raytheon Facility
Wayland, Massachusetts



Project: Construction Schedule for Con
Updated: Mon 6/11/07

Task Split Progress Milestone Summary Project Summary External Tasks External Milestone Deadline

Appendix D
Project Organization Chart

**Project Organization Chart
Northern Area Excavation
Former Raytheon Facility
Wayland, Massachusetts**



**Raytheon
Project Manager**

Louis J. Burkhardt Raytheon Company 880 Technology Park Drive MS 2-2124-01 Billerica, MA 01821 mobile: (978) 886-8581 office: (978) 436-8238
--

**ERM
Project Management Team**

John Drobinski ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 833-3583 office: (617) 646-7850	Jason Flattery ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 512-4733 office: (617) 646-7816	Jeremy Picard ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 519-3267 office: (617) 646-7815
---	---	--

**ERM
On-Site Supervisors**

Holly Anzenberger ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 448-0782 office: (617) 646-7836	Joseph Ferring ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 285-4369 office: (617) 646-7830	Bahaar Massihzadegan ERM 399 Boylston St, 6th Floor Boston, MA 02116 mobile: (617) 721-6140 office: (617) 646-7838
--	---	---

Notes:

All queries regarding on-site compliance with the Order of Conditions should be directed to J. Picard or J. Flattery.

This information is provided in accordance with Conditions 24 and 29 of the Town of Wayland's Order of Conditions and Conditions 9 and 12 of the Town of Wayland Wetland Bylaw, Chapter 194.

ERM does not give out employees' home telephone numbers, cell phone numbers should be used instead.

Appendix E
NPDES Remediation General
Permit MAG910262



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 3, 2006

Rachel Leary, Project Manager
Environmental Resources Management RCM
399 Boylston Street, 6th Floor
Boston, MA 02116

Re: Former Raytheon Facility site at 430 Boston Post Road, Wayland, MA 01778; Authorization #
MAG910262.

Dear Ms. Leary:

Based on the review of your notice of intent (NOI) for the site referenced above the US Environmental Protection Agency (EPA) hereby authorizes you to discharge in accordance with the provisions of the Remediation General Permit (RGP) at that site.

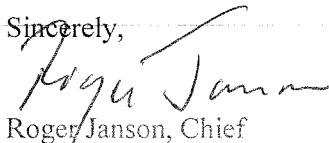
This letter and authorization terminate any and all exclusion letters or previous permit(s) for this facility issued prior to this date and closes out any and all NPDES applications submitted to EPA prior to this date for this discharge. Your authorization number is listed above.

The enclosed checklist designates the monitoring parameters applicable to your discharge. Note that the checklist does not represent the complete requirements of the RGP. Operators must comply with all of the applicable requirements of this permit, including influent and effluent monitoring, narrative water quality standards, record keeping, and reporting requirements, found in Parts I and II, and Appendices I – VIII of the RGP. See EPA's website for the complete RGP and other information at:

<http://www.epa.gov/region1/npdes/mass.html#dgp>. This general permit and authorization to discharge expires on September 9, 2010.

Thank you in advance for your cooperation in this matter. Please contact Victor Alvarez at (617) 918-1572, or Alvarez.Victor@epa.gov, if you have any questions.

Sincerely,


Roger Janson, Chief
Municipal Permits Branch

Enclosure

cc: Paul Hogan, MADEP
John C. Drobinski, Environmental Resources Management

SUMMARY OF MONITORING PARAMETERS¹ UNDER THE REMEDIATION GENERAL PERMIT (RGP)

Facility/Site Name: FORMER RAYTHEON FACILITY

Facility/Site Address: 430 BOSTON POST ROAD, WAYLAND, MA 01778

Permit # MAG 910262

Permit Issued: October 3, 2006

Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)	Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)
✓	1. Total Suspended Solids (TSS)	✓	27. Trichloroethylene (TCE)
	2. Total Residual Chlorine (TRC)	✓	28. Vinyl Chloride (Chloroethene)
	3. Total Petroleum Hydrocarbons (TPH)		29. Acetone
	4. Cyanide (CN) ²		30. 1,4 Dioxane
✓	5. Benzene (B)		31. Total Phenols
	6. Toluene (T)	✓	32. Pentachlorophenol (PCP)
	7. Ethylbenzene (E)		33. Total Phthalates
✓	8. (m,p,o) Xylenes (X)		34. Bis (2-Ethylhexyl) Phthalate
	9. Total BTEX ³		35. Total Group I Poly. Aromatic Hyd.
	10. Ethylene Dibromide (EDB)		a. Benzo(a) Anthracene
✓	11. Methyl-tert-Butyl Ether (MtBE)		b. Benzo(a) Pyrene
	12. tert-Butyl Alcohol (TBA)		c. Benzo(b)Fluoranthene
	13. tert-Amyl Methyl Ether (TAME)		d. Benzo(k)Fluoranthene
	14. Naphthalene		e. Chrysene
✓	15. Carbon Tetrachloride		f. Dibenzo(a,h)anthracene
✓	16. 1,4 Dichlorobenzene (p-DCB)		g. Indeno(1,2,3-cd) Pyrene
	17. 1,2 Dichlorobenzene (o-DCB)		36. Total Group II Polycyclic Aromatic Hydrocarbons
	18. 1,3 Dichlorobenzene (m-DCB)		h. Acenaphthene
	18.a. Total dichlorobenzene		i. Acenaphthylene
✓	19. 1,1 Dichloroethane (DCA)		j. Anthracene
	20. 1,2 Dichloroethane (DCA)		k. Benzo(ghi) Perylene
	21. 1,1 Dichloroethylene (DCE)		l. Fluoranthene
✓	22. cis-1,2 Dichloro-ethylene (DCE)		m. Fluorene
✓	23. Dichloromethane (Methylene Chloride)		n. Naphthalene
✓	24. Tetrachloroethylene (PCE)		o. Phenanthrene
	25. 1,1,1 Trichloro-ethane (TCA)		p. Pyrene
✓	26. 1,1,2 Trichloro-ethane (TCA)		37. Total Polychlorinated Biphenyls (PCBs)

Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)	Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)
	38. Arsenic	✓	52. Total Flow
✓	39. Arsenic		53. pH Range for Class A & Class B Waters in MA
	40. Cadmium		54. pH Range for Class SA & Class SB Waters in MA
	41. Chromium III (trivalent)		55. pH Range for Class B Waters in NH
	42. Chromium VI (hexavalent)		56. Daily maximum temperature - Warm water fisheries
✓	43. Copper		57. Daily maximum temperature - Cold water fisheries
	44. Lead		58. Maximum Change in Temperature in MA - Any Class A water body
	45. Mercury		59. Maximum Change in Temperature in MA - Warm Water
✓	46. Nickel		60. Maximum Change in Temperature in MA - Cold Water and Lakes/Ponds
	47. Selenium		61. Maximum Change in Temperature in MA - Coastal
	48. Silver		62. Maximum Change in Temperature in MA - July to September
	49. Zinc		63. Maximum Change in Temperature in MA - October to June
✓	50. Iron		
✓	51. Instantaneous Flow		

Footnotes:

1. This checklist does not represent the complete requirements of the RGP. Operators must comply with all of the applicable requirements of the remediation general permit (RGP), including influent monitoring, narrative water quality standards, etc. Operators must follow the RGP, including Parts I, II, and Appendices I - VIII in order to comply with the specific applicable requirements.

2. Limits for cyanide are based on EPA's water quality criteria expressed as micrograms (ug) of free cyanide per liter. There is currently no EPA approved test method for free cyanide. Therefore, total cyanide must be reported.

3. BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes

Distribution: _____

REC'D OCT - 9 2006 ERM Boston

Client/Location: (# if contract file)

File Folder: _____

Appendix F
Affidavit

AFFIDAVIT

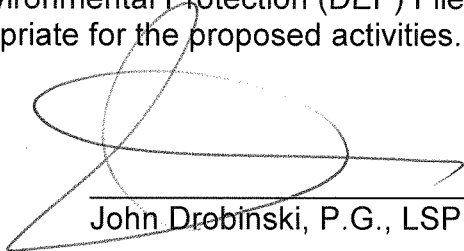
Commonwealth of Massachusetts

County: Suffolk

City: Boston

BE IT KNOWN that John Drobinski is of legal age and is hereby deposed and being duly sworn, under oath says the following:

The plans and materials referenced in the Notice of Intent (NOI), Massachusetts Department of Environmental Protection (DEP) File Number 322-0647 are complete and appropriate for the proposed activities.




John Drobinski, P.G., LSP

6/04/07

Date

Sworn to before me on 6/04/07, by John Drobinski, who acknowledged that the foregoing statements are true.



William H. O'Connell
Notary Public

3/24/11

My Commission Expires:

Appendix G
Daily Site Log

DAILY SITE LOG
Northern Area Excavation
Former Raytheon Facility
Wayland, Massachusetts



Date: _____

Start Time: _____

End Time: _____

Personnel

ERM: _____

Other Personnel: _____

Visitors: _____

Equipment On Site

Type	Operating Company	Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Describe Activities:

EROSION AND SEDIMENTATION CONTROL INSPECTION

Northern Area Excavation
Former Raytheon Facility
Wayland, Massachusetts



Are silt fence, hay bails and wooden stakes intact?

Have soils/sediment been deposited in any wetland areas?

If yes, was it removed and how? Please describe below.

Is there evidence of erosion along access road?

If yes, please describe below.

Please note any corrective actions taken.

Field Supervisor Name (Printed):

(Signature):

Appendix H
Request for Certificate of
Compliance, 10 October 2006

RECEIVED
OCT 24 2006
WAYLAND CONSERVATION COMMISSION

Environmental
Resources
Management

399 Boylston Street, 6th Floor
Boston, MA 02116
(617) 646-7800
(617) 267-6447 (fax)

10 October 2006
Reference: 0043035

Mr. Brian J. Monahan
Conservation Administrator
Conservation Commission
Town of Wayland
Town Building
41 Cochituate Road
Wayland, MA 01778



RE: Request for Certificate of Compliance for DEP File No. 322-0564
Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts

Dear Mr. Monahan:

On behalf of Raytheon Company (Raytheon), Environmental Resources Management (ERM) has prepared this letter to request a Certificate of Compliance (COC) associated with Massachusetts Department of Environmental Protection (DEP) File No. 322-0564. In accordance with the Town of Wayland Conservation Commission (Commission) Order of Conditions, dated 20 November 2006, for DEP File No. 322-0564, Special Conditions 66, 67, and 68 must be met before the Commission will issue the COC.

The following lists Special Conditions 66 through 68 per the Order of Conditions and details the steps taken to resolve those conditions.

Special Condition 66: The Conservation Commission and/or Conservation Administrator may require the removal and dispersal of the erosion controls after the site has been fully stabilized to their satisfaction.

All erosion controls have been removed from properties in accordance with this condition as previously communicated to the Conservation Administrator.

Special Condition 67: The applicant shall use Wetlands Protection Act Form 8A to request a Certificate of Compliance and shall submit the following items with his request.

- a) *A detailed narrative prepared by a Professional Engineer or Professional Land Surveyor registered in the Commonwealth of Massachusetts specifically addressing each condition and certifying compliance with the approved plans referenced above and this Order of Conditions and setting forth any deviations that exist with a note as to how it may be corrected.*
- b) *Two sets of as-built site plans prepared by a registered land surveyor or registered professional engineer showing wetland resource areas, grades, utilities, building footprint and landscaping. These plans shall include the dates of the fieldwork.*
- c) *A copy of the as-built shall be submitted on a computer disk in AutoCAD format dxf, dwg or may be e-mailed to the Town Surveyor at MTB_surveyor@msn.com (if this is not possible please contact the Commission).*

The documentation requested by Special Condition 67 is provided in the following appendices:

- Appendix A - WPA Form 8A;
- Appendix B - Professional Engineer Narrative; and
- Appendix C - As-Built figure, (original and electronic copies).

Condition 68: The work authorized hereunder shall be completed within three years from the date of this order except herein conditioned. A request for an extension shall be filed with the Conservation Commission not less than thirty days prior to the expiration date of this Order. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.

Completion of this project occurred within the three year time frame set forth; the Order of Conditions for DEP File No. 322-0564 will expire on 21 November 2006.

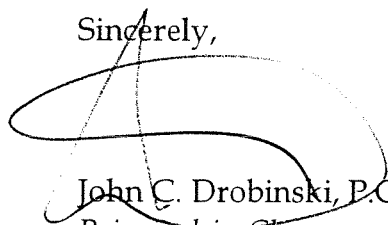
On behalf of Raytheon, ERM requests the Conservation Commission issue a Certificate of Compliance for DEP File No. 322-0564 and return the \$30,000 bond held against completion of the work authorized by this permit.

Mr. Brian Monahan
Reference: 0043035
10 October 2006
Page 3

Enviromental
Resources
Management

Should you have any questions or require additional information please
feel free to contact the undersigned at 617-646-7800.

Sincerely,



John C. Drobinski, P.G., LSP
Principal-in-Charge



Jeremy J. Picard, P.G.
Project Manager

Enclosures: Appendix A - WPA Form 8A
Appendix B - Professional Engineer Narrative
Appendix C - Original and Electronic copy of As-Built Site
Plan



WPA Form 8A – Request for Certificate of Compliance

322-0564

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

24 August 2006
Reference: 0043035

Mr. Brian J. Monahan
Conservation Administrator
Town of Wayland Conservation Commission
Town Building
41 Cochituate Road
Wayland, MA 01778



RE: Request for Certificate of Compliance for DEP File No. 322-0564
Appendix B - Professional Engineer Narrative and Certification
Former Raytheon Facility - 430 Boston Post Road
Wayland, Massachusetts

Dear Mr. Monahan:

Based on my inspection and review of the work completed, I certify that the work performed under DEP File No. 322-0564 by Environmental Resources Management (ERM) at the former Raytheon Facility on 430 Boston Post Road was completed in accordance with the requirements of the Town of Wayland Conservation Commission (Commission) Order of Conditions dated 20 November 2003, with the exceptions noted below. Note that each of these exceptions were identified and discussed in the appropriate weekly inspection report.

Exception to Condition 12. The work shall conform to the following "figures" except as herein conditioned:

- a) *Figure 2, "Proposed Investigation Locations," Former Raytheon Facility -Wayland, MA, ERM, Undated, not stamped. Note: Figure shows well locations on a number of properties.*
- b) *Figure 3, "Straw Bale and Silt Fence Detail," Former Raytheon Facility - Wayland, MA, ERM, undated, not stamped, and not to scale.*
- c) *Figure 4, "Construction Road Specification," Former Raytheon Facility - Wayland, MA, 09/24/03, Environmental Resources Management, Unstamped (Note on Figure - Stamped version to be submitted at Conservation Commission Hearing).*

- d) *Figure 5, "Well Construction Access," Former Raytheon Facility – Wayland, MA, 09/23/03, Environmental Resources Management, Unstamped (Note on Figure-Stamped version to be submitted at Conservation Commission Hearing).*

Pertaining to Figure 2 "Proposed Investigation Locations," Figure 4 "Construction Road Specification," and Figure 5 "Well Construction Access," the southernmost monitoring well location that had been proposed was moved to better delineate the extent of chlorinated volatile organic compounds impacts. The relocation of this well was communicated to the Commission in a letter dated 21 July 2004.

Pertaining to Figure 3, "Straw Bale and Silt Fence Detail," the arrangement of the straw bale and silt fence arrangement was changed and submitted to the Commission in A Notice of Commencement of Activity and Work Plan Modification dated 13 February 2004.

Exception to Condition 27. A sediment barrier consisting of filter fencing and staked hay bales shall be installed as described in the Notice of Intent and consistent with this decision. The location of this barrier shall be located as shown on the approved plan and as conditioned herein.

ERM submitted a letter dated 13 February 2004 to the Commission addressing a modification to the work plan that pertained to Condition 27. The arrangement of the straw bales and silt fence was modified because of frozen ground. Included in this report was a figure that detailed the modified plan.

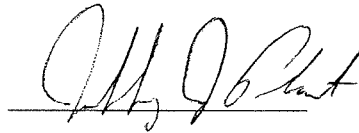
Exception to Condition 37. Portable sanitary facilities shall be provided while work is being done at the site. The facility or facilities shall not be located in a resource area.

Portable sanitary facilities were not provided as suggested by this condition because of the availability of bathrooms onsite in the building, as well as the availability of additional staff to allow site personnel to use off-site facilities during personal breaks.

Exception to Condition 45. Ruts greater than 2" in depth shall be filled with loam, seeded with an appropriate seed mixture for the area of restoration, and mulched with straw (seed free) within 14 days after work is completed.

Ruts greater than 2" in depth were intermittently created along the access road, as well as in access route locations within adjoining Commission fields, during site activities. These ruts were documented in Inspection Reports 1, 2, 3, and 4 and were filled in accordance with the Order of Conditions, as documented in Inspection Report 5, dated 6 May 2004.

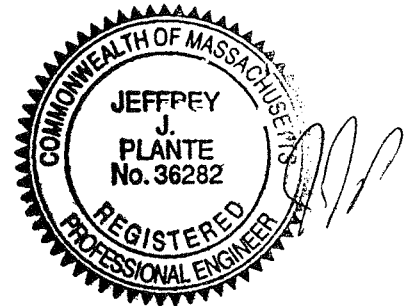
As required by Condition 67, I certify that, to the best of my knowledge based on conversations with ERM field representatives, work at the Former Raytheon Facility located at 430 Boston Post Road in Wayland, Massachusetts has, with the exceptions noted above, been conducted in accordance with the Order of Conditions for DEP File No. 322-0564.



Jeffrey J. Plante, P.E., C.I.P.S.

MA Professional Engineer

MA License #36282



Appendix I
Refueling Plan

Refueling Plan

DEP File 322-0647
430 Boston Post Road
Wayland, Massachusetts

Motorized vehicles and gas-powered equipment will be refueled outside of the wetland resource and buffer zone, with the exception of the stationary crane, during installation of the cofferdam. The crane will be fueled on Site in the buffer zone from an auxiliary vehicle with no more than 50 gallons in its tank. The following steps must be taken for refueling the crane within the buffer zone:

- Park refueling auxiliary vehicle as close to crane as possible;
- Turn off engine and secure refueling auxiliary vehicle;
- Ensure spill kit is in close proximity to the fueling area or stored on the auxiliary vehicle, and contains absorbent material to handle up to 50 gallons of fuel prior to fueling;
- A designated observer (someone other than persons conducting fueling activities) must oversee fueling to protect employees and the environment from potential hazards; and
- Commence fueling. Secure fuel cap when task is completed.

To protect the resource area, the above steps will be followed in addition to the following safety and environmental protection measures:

- Absorbent booms will be placed around the perimeter of the refueling area to contain any fuel in the event of spill;
- Positive pressure pumps and leak-proof hoses will be used; and
- Non-sparking equipment and hoses will be used during fuel transfer.

A list of spill control materials to be maintained at the Site follows:

- 50 feet of absorbent booms;
- 4-8 bags of oil-absorbent Speedi-Dry;
- 3 bags of absorbent pads;
- 1 roll of 40 mil polyethylene sheeting;
- Hand tools - shovel, rake, etc. ; and
- Gloves and safety glasses.

Other vehicles and equipment will be refueled outside the buffer zone.

*Appendix J
Scope of Work, Northern Area
Soils Excavation Project, Section
3.3 In-Situ Dewatering and
Treatment*

**NORTHERN AREA SOILS EXCAVATION PROJECT
FORMER RAYTHEON FACILITY
430 BOSTON POST ROAD
WAYLAND, MASSACHUSETTS**

The following is an excerpt from the *ERM RCM Request for Proposal, 0051003 Raytheon Company Northern Area Excavation Project, Wayland, Massachusetts*.

3.3 IN SITU DEWATERING AND TREATMENT

- A. In situ dewatering shall be performed in the excavation area as deemed necessary by Subcontractor to perform its work. Dewatering shall be conducted as excavation proceeds.
- B. Well screen, 0.010 slot, wrapped in non-woven geotextile and crushed stone ($\frac{3}{4}$ " to 2") shall be used to filter water prior to pumping. Place pump intake inside the well screen. ERM RCM will approve final dewatering methods.
- C. For the purposes of bidding state the assumed dewatering rate required to dewater the excavation area(s). Actual site conditions will determine the necessary dewatering rate. Payment terms are described in Item 6 (Section 1.1 F).
- D. All collected water must be treated for VOCs and suspended solids in accordance with RGP requirements (Appendix B).

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