

**NOTICE OF APPLICATION FOR A  
TIER 1B PERMIT EXTENSION**

**109 – 123 WATER STREET, BEVERLY, MA  
RELEASE TRACKING NUMBER 3-0234**

Pursuant to the Massachusetts Contingency Plan (310 CMR 40.0703), an application for a Tier 1B Permit Extension is being submitted to the Department of Environmental Protection (DEP) for the above-referenced site on **April 26 2005**. DEP issued a Tier I permit for this Site on May 23, 2003. The application proposes to extend the permit for this site two years for the following rationale:

- Completion of system installation and final inspection is required to reach Remedy Operation Status at the site.

Once a site has been classified as Tier I, a permit is required to proceed with a Comprehensive Remedial Response Process. Anyone interested in reviewing the Permit Extension application should notify DEP by writing to **DEP, Bureau of Waste Site Cleanup, Permit Section at DEP Northeast Regional Office, 1 Winter Street, Boston, MA 02108** by **May 23, 2005**. If anyone notifies DEP of his or her interest in reviewing or submitting comment on the Tier I Permit Extension Application, DEP will conduct a public comment review period of twenty (20) days, which shall run concurrently with DEP's Initial Technical Review of the application. Anyone who fails to notify DEP in writing of his/her interest in commenting on the application by the above date may be deemed to have waived his/her rights, if any, to appeal DEP's permit decision or to intervene in an adjudicatory proceeding with respect to this application, pursuant to 310 CMR 40.0770(2).

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of and involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2) Upon receipt of a petition from ten or more residents if the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact **Lawrence H. Lessard, President, Lessard Environmental, Inc., 30B Cherry Hill Drive, Danvers, MA at 978-777-2300**.