

**Newburyport Redevelopment Authority**

December 5, 2007

7:30pm

(Special meeting to address Administrative Consent Order by the DEP)

Present: Nat Norton, Erford Fowler, Patty Dorfman, Tim Brennan (8:15pm), Rick Taintor

Also Present: Carol Powers, Donald Maggioli

**Public Comment:** None

This special meeting of the NRA commenced at 5:50 PM. Donald Maggioli, P.E., L.S.P., Director of Oil and Hazardous Materials for the Watertown office of Vanasse Hangen Brustlin, presented (see attached).

Prior to meeting, Mr. Maggioli had reviewed the timeline outlined by the DEP, the background on the NRA property, the objective of the investigation required, and the deadlines to be imposed moving forward.

Mr. Maggioli summarized the background issues regarding the DEP's Notice of Non-Compliance dating back to January of 1997. He reviewed test results from that time citing that testing had determined that three compounds of concern (COCs) were found in the soil at concentrations greater than regulatory standards (Petroleum Hydrocarbons, PAH's, and Lead).

Mr. Maggioli explained that a park needs to adhere to residential standards as opposed to commercial standards. He suggested that he would need to review the historical use of the property in order to determine the extent of testing required for each of the contaminants cited in the original tests. He suggested that the NRA hire a project coordinator to help the NRA navigate the process. Carol Powers will investigate if the NRA can hire such a coordinator without an RFP.

Mr. Maggioli then explained the dispute resolution process and suggested changes to the schedule imposed by the DEP in their Administrative Consent Order. Patty Dorfman made a motion to authorize Carol Powers to negotiate terms of the ACO with the DEP. Erford Fowler seconded, all were in favor.

Nat Norton stated that the goal was to complete negotiations with the DEP and sign the ACO by our next scheduled meeting (January 2, 2008) and to discuss next steps at that time.

Rick Taintor reviewed his presentation to the Chamber of Commerce, Economic Development Committee.

Meeting was adjourned at 8:30PM.