



**Diane Nichols Tradd**  
*Assistant City Manager/DPD Director*

**Kevin E. Coughlin**  
*Deputy Director*

**MEMORANDUM**

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: MOTION OF 10/10/17 BY COUNCILOR ROURKE  
REQUEST CITY MANAGER UPDATE COUNCIL ON THE DELAY ASSOCIATED WITH THE CONTAMINATED SOIL IN REGARDS TO MASSDOT-VFW HIGHWAY PROJECT FROM UNIVERSITY AVENUE, SUCH REPORT SHOULD OUTLINE SAFETY MEASURES THAT HAVE BEEN PUT IN PLACE DURING THE DELAY

MassDOT and their general contractor, S&R Construction (S&R) are currently undertaking the replacement of the bridges that carry the VFW Highway over Beaver Brook. The project impacts property owned by the University of Massachusetts Lowell (UMass Lowell), the City of Lowell, and the Massachusetts Department of Conservation and Recreation (DCR). The project began in fall 2016.

During excavation work, composite soil samples were collected in preparation for soil management and disposal activities. As a result of this soil sampling and the subsequent laboratory analysis, it was determined that Oil and Hazardous Materials (OHM) are present in soil on both the UMass Lowell and City of Lowell parcels. Additionally, asbestos-containing debris was observed in some of the soil material south of the VFW Highway on both the east and west sides of Beaver Brook.

MassDOT's environmental consultant, Tetra Tech, has concluded that no Imminent Hazard exists because the impacted soil is not accessible and is currently protected by fences and locked gates.

MassDOT initially met with UMass Lowell, the City of Lowell, and DCR to inform all land owners of the contamination in March 2017. Since that meeting, the City of Lowell has completed an ownership review of all City-owned properties impacted by the project, attended several additional meetings including those coordinated with the Massachusetts Department of Environmental Protection (MassDEP), contracted with Weston & Sampson for Licensed Site Professional services and oversight, and completed all required reporting obligations to MassDEP.

The Massachusetts Department of Transportation (MassDOT) and their consultants recently completed a draft Alternative Work Plan for Excavation of Asbestos in Soil (AWP). The City reviewed the AWP and provided comments to MassDOT on October 20, 2017. The City is currently awaiting responses to the comments. It is anticipated that MassDOT will conduct additional soil sampling and provide additional reports for the City's review over the course of the next few months.

As a result of the soil sampling and possible soil remediation, bridge construction has been delayed by at least a year. A more accurate estimate for a new completion date will be available once the extent of required remediation measures is known. In the meantime, the contractor has set up temporary traffic control measures to assure the safety of the traveling public. The contractor and MassDOT is reviewing the traffic situation on a weekly basis and replacing any damaged or missing construction signs or barrels.

DNT/ns  
11/2/17

cc: Nicolas Bosonetto, Transportation Engineer  
Sarah Brown, Environmental Officer