

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023



SDMS DocID

457530

Superfund Records Center

NO: WELLS G&H

DATE: 11.9

NUMBER: 457530

May 7, 2004

280 Salem Street LLC
c/o Robert Holland
1 Winning Road
North Billerica, MA 01862

Re: Wells G&H Superfund Site, Woburn, MA
Planned Redevelopment of 278-280 Salem Street, Woburn, MA (former Aberjona
Auto Parts facility)

Dear Mr. Holland:

I am writing in response to concerns you raised at a meeting on August 22, 2003, with my staff and others concerning the former Aberjona Auto Parts facility. As you know, the former Aberjona Auto Parts facility at 278-280 Salem Street in Woburn, MA (the "Property"), is located within the Wells G&H Superfund Site in Woburn, MA (the "Wells G&H Superfund Site" or the "Site"). The United States Environmental Protection Agency ("EPA") is overseeing the performance of a Remedial Investigation/Feasibility Study at the Property, under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, *et seq.*

As I understand it, 280 Salem Street LLC (Salem Street) acquired title to the Property on or about October 23, 2001. At this time, Salem Street is planning to construct one or more hockey rinks at the Property, and you have asked whether EPA has technical concerns about your proposed reuse of the Property. Specifically, you have indicated that your proposal for reuse of the Property includes: the removal of all junked automobiles and other vehicles and parts from the Property; shallow excavations (less than 15 feet below ground surface) for the installation of underground utilities and construction of a detention basin and building/rink foundation; minor grading for pavement and parking; fence installation around the perimeter; and construction of the building and rinks in accordance with state and local requirements. You also have indicated that the hockey rinks will rely on municipal water provided by the City of Woburn.

EPA further understands that you have hired a licensed site professional, licensed under Massachusetts law, who will assist you in ensuring that your redevelopment complies with federal and state environmental requirements. Specifically, you have hired Mr. Samuel Butcher

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of Goldman Environmental, 60 Brooks Drive, Braintree, Massachusetts, as the licensed site professional to oversee your redevelopment.

Based on the information you have provided and EPA's investigation of the Property to date, our comments and recommendations are provided below.

Description of the Property

The Property is approximately 6.6 acres in size. The Aberjona Auto Parts facility operated on the Property from approximately 1950 to the late 1990s as an automotive reclamation, used part and car storage center with an attached automobile service station. A gas station also operated at the facility from approximately 1950 to 1960. As part of the automotive reclamation process, the facility also conducted degreasing operations to clean used parts. Currently, hundreds of junked cars remain on the Property, and only the automobile service station continues to operate on the Property. The reclamation and car storage operations ceased in the late 1990s.

The Wells G&H Superfund Site

In 1979, volatile organic compounds (VOCs), e.g. trichloroethene (TCE) and tetrachloroethylene (PCE), were discovered at the City of Woburn's production wells G and H, and the City immediately shut down the wells. This discovery led to EPA placing the Wells G&H Superfund Site on the National Priorities List on September 8, 1983. The National Priority List contains those sites or other releases which appear to warrant remedial actions by EPA.

The Site is approximately 330 acres in Woburn, MA, and generally bounded by Route 128 to the north, Salem and Cedar Street to the south, MBTA right of way to the west, and Interstate 93 to the east. At the Site, groundwater is contaminated with VOCs (e.g. TCE and PCE), soils with polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), VOCs, and pesticides, and sediments with PAHs and metals. Five source areas were previously identified at the Site. Under a 1991 Consent Decree, cleanup activities are being implemented at four of the five source areas. Cleanup activities are being negotiated at the fifth source area. Additional Remedial Investigations are underway for other areas of the Site (including this Property as part of the Southwest Properties, the Aberjona River, and the remaining portions of the aquifer not already addressed by the five source areas) which will lead to future cleanup decisions.

Status of Investigation of Property

EPA has not yet selected a remedy for the portion of the Site which includes the Property. Pursuant to a Consent Decree, a group of Potentially Responsible Parties ("Settling PRPs") is currently performing a Remedial Investigation/Feasibility Study at the Property, as well as other areas of the Site. EPA is currently reviewing the Settling PRPs' Supplemental Remedial Investigation Report for the Southwest Properties, which identifies the presence of VOCs (e.g.

TCE, PCE, cis-1,2-dichloroethene, and vinyl chloride), as well as other compounds, in groundwater underneath the Property.

At the time that you met with my staff in August 2003, EPA's contractor was preparing a Baseline Risk Assessment ("BRA") to evaluate human health and environmental risks at the Property and two other adjacent properties (collectively known as the "Southwest Properties"). The BRA for the Southwest Properties has been completed, and was provided to you on April 14, 2004. In addition, the Aberjona River Study BRA (performed by EPA's contractor) for surface water and sediments along the Aberjona River was provided to you on April 15, 2004. The conclusions provided in both BRAs are as follows: (1) the levels of contamination detected in the soils on the Property are low and appear not to pose a risk in excess of EPA's risk range; (2) the levels of contamination in shallow groundwater (less than 15 feet below the ground surface) underlying the Property appear not to pose a risk to construction workers in excess of EPA's risk range; (3) the levels of contamination in groundwater underlying the Property exceed drinking water standards; and (4) the levels of contamination in sediments at sediment stations WS and 10 on the east side of the Property along the Aberjona River are high and may pose a risk to the environment in excess of EPA's risk range (see EPA's April 15, 2004 Aberjona River correspondence and figure for station locations).

Recommendations

Given that your planned reuse of the Property will not rely on the use of the groundwater underlying the Property or disturbance of sediments at stations WS and 10, and that you do not plan to excavate 15 feet below the ground surface, EPA does not believe that the conditions at the Property as currently characterized would restrict you from proceeding with your hockey rink proposal as described above. However, due to EPA's continuing investigation of the Property, and the presence of hazardous substance contamination at the Property, EPA is requesting that you undertake the following additional actions:

- Grant EPA, the Massachusetts Department of Environmental Property ("DEP") and their representatives voluntary access to the Property for on-going and future remedial activities (e.g. additional investigations, installation of additional monitoring wells, sampling, remedial actions, etc.) (A separate letter requesting access to the Property is enclosed);
- Cooperate with EPA and DEP regarding future remedial activities, including the potential application of institutional controls on the Property (e.g. groundwater use restrictions).
- Preserve and maintain all existing and future monitoring wells on the Property;
- Replace at your sole expense any existing and/or future monitoring well(s) on the Property damaged during the construction phase or operations of the proposed reuse with

an equivalent monitoring well(s), after notifying EPA and DEP of the damage and receiving written EPA approval for the replacement;

- Do not remove any existing or future monitoring well(s) from the Property unless approved by EPA in writing. If approved by EPA, you shall replace at your sole expense any monitoring well(s) removed from the Property with an equivalent monitoring well(s) at a location approved by EPA in writing;
- Do not extract groundwater for any use;
- If groundwater is withdrawn from shallow excavations (less than 15 feet below ground surface) during construction, you must ensure that contaminated groundwater, and any other contaminated materials, are managed, stored and/or disposed of appropriately in accordance with state and federal law;
- Along the east side of the Property, avoid disturbance of sediments along the Aberjona River, particularly at sediment stations WS and 10, including designing and constructing the facility to meet all applicable federal, state, and local flood plain protection, surface runoff, and sedimentation and erosion control standards;
- Obtain all required federal, state and local permits and approvals for the project;
- If you become aware of any action or occurrence which causes or threatens a release of hazardous substances, pollutants or contaminants at or from the Property (e.g., if any suspicious materials such as drums or containers are unexpectedly discovered during construction), you should immediately take all appropriate action to prevent, abate, or minimize such release or threat or release, and, in addition to complying with any applicable notification requirements under Section 103 of CERCLA, 42 U.S.C. § 9603, or any other law, immediately notify your licensed site professional, EPA and DEP;
- Notify all contractors, subcontractors, lessees and any other parties operating at the Property of this letter, and ensure that these parties satisfy the requirements set forth in this letter;
- Provide EPA and DEP with copies of any environmental data collected at the Property during redevelopment activities;
- Provide EPA and DEP with written monthly progress summaries during construction, and continue coordination with EPA and DEP until construction has been completed; and
- Provide EPA and DEP a copy of the final reuse design plans before proceeding with construction, and as-built drawings at the completion of construction.

EPA wishes to emphasize that the implementation of response actions at the Site (including but not limited to work required to complete any Remedial Investigation/Feasibility Study and work required to implement any Record of Decision which will be issued for the Site) may interfere with your use of the Property, and may require closure of your operations or a part thereof. EPA will, consistent with its responsibilities under applicable law, use reasonable efforts to minimize any interference with your operations by such entry and response. Furthermore, EPA reserves the right to modify these conditions in the event it receives additional information regarding existing contamination or information concerning new contamination associated with future activities conducted on the property.

Lastly, this letter does not provide a release from CERCLA liability, but only provides technical information and recommendations relating to the proposed reuse of the Property, based on the information EPA has available to it. EPA reserves its rights to take enforcement actions with respect to the Property, including actions based on your status as current owner of the Property. EPA requests that you cooperate with EPA in any future response and enforcement actions with respect to the Property.

I hope that this letter responds to your technical concerns concerning your proposed reuse of the Property. If you should have any questions regarding this letter, please contact Joseph LeMay the Remedial Project Manager for the Site at (617) 918-1323 regarding any technical questions, and David Peterson, Senior Enforcement Counsel, at (617) 918-1891 regarding any legal questions.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Site Remediation & Restoration

Enclosures

cc: Robert Cianciarulo, EPA
Joseph F. LeMay, EPA ✓
David Peterson, EPA
Mary Jane O'Donnell, EPA
Gretchen Muench, EPA
Anna Mayor, DEP
Diane Silverman, M&E
David Sullivan, TRC
John Kelley, 280 Salem Street LLC

CONSENT FOR ACCESS TO PROPERTY

NAME: 280 Salem Street LLC c/o Robert Holland

ADDRESS: 278 - 280 Salem Street, Woburn, MA (Map 38, Block 1, Parcels 5 and 6)

I (We) consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") and the Massachusetts Department of Environmental Protection ("DEP") entering and having continued access to the above-referenced property for the following purpose(s):

- Taking air, liquid and/ or solid samples as may be determined necessary.
- Drilling or excavating holes for subsurface investigation.
- Taking other actions related to the investigations or remedial actions of surface or subsurface contamination (e.g. soils, groundwater, sediments, surface water, air).

I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 *et seq.*

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

Date

Signature of Property Owner or
Owner's Authorized Representative

Name: _____

Title: _____

Address: _____

Phone: _____

Entered

ADDING COMFORT LETTERS TO SITES OR PROPERTIES IN WASTELAN

5/18/04

***Please attach a copy of the comfort Letter sent.

Property Information:

Property/site name: Former Aberjona Auto Parts Property (part of the Southwest Properties) within Wells G&H Superfund Site

Property/site address: 278 - 280 Salem Street

City/State/Zip: Woburn, MA 01801

Region: 1 - New England

Site ID: 0146

Associated CERCLIS

Sites (if applicable): Aberjona Auto Parts, Salem Street, Woburn, MA

Site Type (choose one):

Brownfield Archived Not on the NPL Pre-Proposal Site

Site is Part of NPL Site Not Valid Site or Incident

Recipient Information:

Recipient Name: 280 Salem Street LLC, c/o Robert Holland

Recipient Address: 1 Winning Road/ PO Box 158

City/State/Zip: North Billerica, MA 01862

Phone Number: (978) 667 - 5885

Note: The elements in italics are not currently part of the tracking done for SPIM, i.e. they are additional items.

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Recipient Type (choose one):

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Developer/ Owner | <input type="checkbox"/> State Government Official | <input type="checkbox"/> Local Government Official |
| <input type="checkbox"/> Citizen | <input type="checkbox"/> City/County Council Member | <input type="checkbox"/> Mortgage Holder |
| <input type="checkbox"/> PRP Parent company | <input type="checkbox"/> PRP Subsidiary | <input type="checkbox"/> PRP Successor |
| <input type="checkbox"/> PRP Trustee | <input type="checkbox"/> Contractor - property owner | <input type="checkbox"/> Contractor - developer |
| <input type="checkbox"/> Adjacent property owner | <input type="checkbox"/> Property owner | <input type="checkbox"/> Non-profit |
| <input type="checkbox"/> Attorney - private party | <input type="checkbox"/> Attorney - federal government | <input type="checkbox"/> Attorney - state government |
| <input type="checkbox"/> Attorney - municipal government | <input type="checkbox"/> Lender | |

EPA Contact Name:

Joseph F. LeMay, Remedial Project Manager, (617) 918-1323

Comfort Letter Information:**Date Request**Received: 08/ 22/ 2003 (Meeting at Mayor of Woburn's Office)**Date of Comfort**Letter Signature: 05/ 07/ 2004**Intended Use of Property:**

- | | | |
|---|--|---|
| <input type="checkbox"/> Agricultural - residential | <input type="checkbox"/> Agricultural - industrial | <input type="checkbox"/> Commercial - office |
| <input type="checkbox"/> Commercial - gas station | <input type="checkbox"/> Commercial - retail | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Government - federal | <input type="checkbox"/> Government - state | <input type="checkbox"/> Not Documented |
| <input type="checkbox"/> Government - municipal | <input type="checkbox"/> Industrial - manufacturing | <input type="checkbox"/> Industrial - pharmaceutical |
| <input type="checkbox"/> Religious organization | <input type="checkbox"/> Non-profit | <input type="checkbox"/> Ecological |
| <input type="checkbox"/> Passive Recreation (non-commercial) | | <input type="checkbox"/> Residential |
| <input checked="" type="checkbox"/> Active Recreation (commercial) | | <input type="checkbox"/> Educational |
| <input type="checkbox"/> Other _____ | | |

Summary of EPA Response to Comfort Letter Recipient:

EPA's March 2004 Baseline Risk Assessment for the property and May 2003 Aberjona River Study Baseline Risk Assessment did not identify risks which would prohibit the proposed reuse (active recreation - commercial skating rink) from moving forward. EPA's comfort letter described the risk assessment results, and recommendations for the property owner to follow as he proceeds with the proposed reuse.

Note: The elements in italics are not currently part of the tracking done for SPIM, i.e. they are additional items.