

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

August 23, 2004

William Connors
Clean Harbors of Braintree
1501 Washington Street
P.O. Box 859048
Braintree, MA 02185-9048

Subject: Murphys Waste Oil Service
252 Salem Street
Woburn, MA 01801
EPA ID# MAD066588005

Dear Mr. Connors:

I am writing to inform you that the U.S. EPA intends to utilize the Comprehensive Environmental Response Compensation Liability Act (CERCLA) program to oversee investigation and remedial activities at the property known as Murphy's Waste Oil Service located at 252 Salem Street in Woburn, Massachusetts. The facility has been recorded into the Comprehensive Environmental Response Compensation Liability Information System (CERCLIS) inventory of known or potential hazardous waste disposals areas. Currently, Clean Harbors of Braintree is listed as the operator of the facility, under the name "Murphy Waste Oil, A Division of Clean Harbors".

The Murphy's Waste Oil Service facility would be subject to EPA's RCRA Corrective Action Program were it not located within the Wells G&H Superfund (NPL) site boundaries. As part of the Wells G&H Superfund Site, EPA and the Massachusetts Department of Environmental Protection (DEP), along with the Wells G&H Site Settling Defendants under a 1991 Consent Decree, have been investigating the Murphy Waste Oil property, as well as two other properties known as Whitney Barrel at 256 Salem Street, and Aberjona Auto Parts at 278 - 280 Salem Street. These three properties are adjacent to each other, and collectively known as the Southwest Properties at the Wells G&H Site. In March 2004, EPA, in consultation with MADEP, completed a "Baseline Human Health and Ecological Risk Assessment, Southwest Properties, Wells G&H Superfund Site, Operable unit 2." On April 14, 2004, a copy of this document was provided to Clean Harbors.

By deferring the facility from RCRA to CERCLA, EPA does not intend to include the Murphy's site on the RCRA Corrective Action 2008 Government Performance and Results Act (GPRA) Baseline. However, the facility will continue to be tracked under the 2005 GPRA Baseline. EPA's goal for sites on the 2005 GPRA baseline is to meet two Environmental Indicators, known as Current Human Exposures Under Control and Migration of Contaminated Groundwater Under Control, before the close of September

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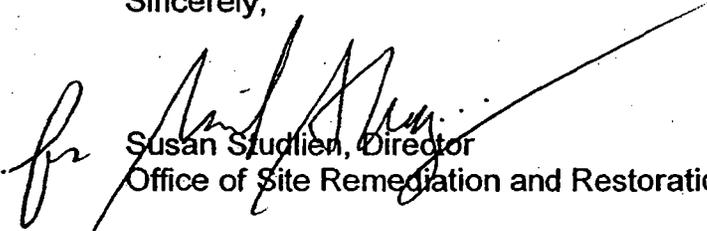
2005. The facility achieved the Current Human Exposures Under Control indicator in September of 2003 and has yet to achieve the Migration of Contaminated Groundwater Under Control indicator. Data collection efforts under CERCLA may be used to support environmental indicator determinations.

EPA may consider deferring the facility back to the RCRA Corrective Action program at a future time, depending on the outcome of the CERCLA actions. Please note that EPA is committed to the principle of parity between the RCRA Corrective Action and CERCLA programs and we do not expect a future need to repeat investigations or cleanup activities upon a shift between the federal cleanup programs.

Finally, please note that this deferral does not relieve you of any non-Corrective Action obligations under RCRA or of any requirements set out in your RCRA Operating License issued by the MA DEP.

If you have any questions regarding the deferral process or the GPRA, please contact Frank Battaglia, at 617 918-1362. For questions regarding the Wells G&H Superfund Site and the Superfund process, please contact Joseph LeMay at 617 918-1323. Mr. LeMay is the Wells G&H Superfund Site remedial project manager.

Sincerely,



Susan Studien, Director
Office of Site Remediation and Restoration

cc: Matthew Hoagland, EPA
Frank Battaglia, EPA
Joseph LeMay, EPA
Bob Cianciarulo, EPA
Nancy Smith, EPA
Mary Jane O'Donnell, EPA
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