

US EPA ARCHIVE DOCUMENT



S. RUSSELL SYLVA
Commissioner
935-2160

The Commonwealth
Department of Environmental Quality Engineering
Metropolitan Boston - Northeast Region
5 Commonwealth Avenue
Woburn, Massachusetts 01801

December 1, 1986

Whitney Barrel Company
256 Salem Street
Woburn, MA 01801

SUPERFUND RECORDS CTR _____	
Site:	<u>Wells G+H</u>
Break:	<u>11.9</u>
Other:	<u>Whitney Barrel</u>

RE: WOBURN - Whitney Barrel
256 Salem Street

NOTICE OF RESPONSIBILITY
PURSUANT TO M.G.L. CHAPTER 21E
DEQE Case # 3-534

Dear Sir/Madam:

The Department of Environmental Quality Engineering has become aware of a condition of environmental contamination on your property at 256 Salem Street, Woburn, Massachusetts. As part of an investigation conducted by the U.S. Environmental Protection Agency to identify sources of contamination to Woburn municipal wells G & H, an attempt was made to install a groundwater monitoring well on your property in February 1985. While drilling, NUS Corporation, an EPA contractor, encountered a sludge-like substance at a depth of 3.5 feet. Air monitoring at the borehole utilizing an Organic Vapor Analyzer, a field instrument, detected levels of 250 ppm total organics. The drilling process was abandoned as site conditions posed a threat to the health and safety of contract personnel and drillers.

Statement of Conclusions/Statutory Liabilities

Based upon the aforementioned investigation sufficient information exists to conclude that organic chemical materials have been disposed of or spilled onto your property.

Be advised that such conditions constitute a "release" of oil/hazardous materials at the subject site. The prevention and/or mitigation of such a release or threat of release is governed by Massachusetts General Law, Chapter 21E, the "Massachusetts Oil and Hazardous Material Release Prevention and Response Act."

US EPA ARCHIVE DOCUMENT



Chapter 21E identifies as responsible parties the current owner or operator of a site at which there has been a release or threat of release of oil or a hazardous material; the past owner or operator of a site where a release of a hazardous material has occurred; any person who directly or indirectly arranged for the transport, disposal, storage or treatment of hazardous materials to or at such a site; and any person who caused or is legally responsible for a release or a threat of release of oil or a hazardous material at such a site. Such parties are liable without regard to fault; the nature of this liability is joint and several. (M.G.L. Chapter 21E, Section 5 a).

This letter is to inform you in writing that:

- (1) The Department has determined that a "release" of oil/hazardous materials has occurred at the subject site.
- (2) An environmental investigation and assessment is necessary to define the impact of this release on public health and the environment.
- (3) Information available to the Department indicates that you as owner are a liable and "responsible" party pursuant to Section 5(a) of Chapter 21E.
- (4) Should you fail to implement those actions deemed necessary by this Office, the Department may, pursuant to M.G.L. Chapter 21E, take or arrange for any and all necessary actions at the site. If public funds are expended under such conditions, Chapter 21E, Section 11 stipulates that the Attorney General of the Commonwealth of Massachusetts may initiate legal action against the responsible party(s) to recover all costs incurred by the Department in the assessment, containment, and removal of any release or threat of release of oil or hazardous materials.

Requisite Site Actions

Immediate actions must be taken by you to define and evaluate environmental conditions at the subject site. You must engage the services of an environmental/engineering consultant to conduct the following:

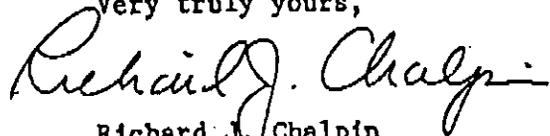
- 1) Pursuant to the enclosed Departmental document, "Site Investigation/Remedial Action Guidelines", implement a "Phase I" evaluation of the site.
- 2) Based on the results of the Phase I effort, prepare a proposal for a Phase II investigation.
- 3) Submit the above information to the Department within 60 days for our review and approval.

Whitney Barrel Company
Page 3

A written response indicating your intentions to comply with the provisions of this letter is required before December 10, 1986.

If you have any questions regarding this matter, please contact Rodene DeRice at the letterhead address or 935-2160. All future communications regarding this site must reference the DEQE Case Number designated in the subject heading.

Very truly yours,



Richard J. Chalpin
Acting Regional
Environmental Engineer

RJC/RD/gg

cc: DEQE, DSHW
1 Winter St., 5th Fl.
Boston, MA 02108
Attn: Madeline Snow

Woburn Board of Health
33 Plympton Street
Woburn, MA 02108

Barbara Newman
U.S. EPA, Region I
JFK Federal Building
Boston, MA 02203