

BOARD OF SELECTMEN
Board of Public Works

Town of Holbrook

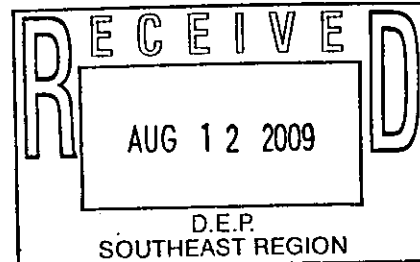
50 North Franklin Street, Holbrook, MA 02343
Tel: (781) 767-4312 Fax: (781) 767-3143
selectmen@holbrookmassachusetts.us

SCANNED

August 10, 2009

Ms. Katherine Connolly
268 Union Street
Holbrook, MA 02343

Re: Former Holbrook Chemical Corporation
3 Philipps Road, Holbrook
RTNs: 4-3024519 & 4-19944



Dear Ms. Connolly:

The Town of Holbrook is in receipt of a copy of a petition signed by ten residents of Holbrook, Braintree and Randolph formally requesting that the 3 Philipps Road site be designated as a Public Involvement Plan (PIP) site in accordance with the Massachusetts Contingency Plan (MCP) (310 CMR 40.1404). The copy of the petition was received by the Holbrook Board of Selectmen on July 30, 2009, with the original request being sent to Craig Blake, Licensed Site Professional (LSP) of Woodard & Curran as LSP-of-Record for the site.

The Town of Holbrook agrees that responding to the contamination at the site that resulted from the historical operations at the 3 Philipps Road property by the former Holbrook Chemical Corporation should be performed in a manner that protects the affected residents of Holbrook from any significant risk in accordance with the MCP. As you are aware, the PIP process involves establishing a means of communication with the affected residents to keep them informed of the progress of the site cleanup and solicit public comments concerning the cleanup. Being the "responsible party" under the MCP, the designation of the 3 Philipps Road site as a PIP site creates an additional expense to the Town which will be passed on to the lessee of the property.

The PIP process is not a process that addresses the redevelopment of the property once the site cleanup is completed. Concerned residents wishing to discuss or comment on the reuse of the 3 Philipps Road property as a municipal solid waste transfer station once the remediation of the site is complete should make their concerns known during the ongoing Zoning Board of Appeals permit process and the Board of Health Site Assignment process that will be initiated in the near future under the provisions of 310 CMR 16.00.

The PIP regulations (310 CMR 14.04 (6)) specifically state that upon receipt of a petition "signed by ten or more residents of a municipality in which the disposal site is located, or of a municipality potentially affected by the disposal site, the disposal site will be designated a PIP site." Based on the assessment activities completed to date, the 3 Philipps Road disposal site is wholly contained within the property

boundaries of the 3 Philipps Road property and there is no aspect of the site, i.e. groundwater migration, which could potentially impact adjacent properties or municipalities. Therefore the anticipated cleanup of the disposal site will only impact residents of the Town of Holbrook. As the PIP process is pertinent to the MCP disposal site and cleanup and not the proposed reuse of the property, there are no residents of adjacent municipalities affected by the disposal site.

The petition you submitted to request that the disposal site be designated a PIP site, having only five (5) signatures from residents of the Town of Holbrook, does not meet the requirements of a valid request as stated in 310 CMR 40.1404 (6). Therefore, the Town of Holbrook will continue to ensure that the cleanup of the 3 Philipps Road site is performed in a manner protective of human health and the environment but will not incur the added expense of designating the site as a PIP site until a proper request is received.

Should you decide to continue to pursue a request to designate the site as a PIP site, understanding that only site related assessment and cleanup activities will be discussed in any PIP communications, and submit a proper petition with the signatures of ten or more Holbrook residents wishing to designate the site as a PIP site, the Town of Holbrook will gladly honor that request.

Sincerely,



Michael D. Yunits, Town Administrator

cc: Holbrook Board of Selectmen

Holbrook Board of Health

Craig Blake, P.E., LSP Woodward & Curran

Ellie Grillo, DEP Regional Public Involvement Coordinator

William Merrigan, Merrigan & Merrigan

Dale Lewis 281 Weymouth Street Holbrook

John A. Nicholson 268 Union Street Holbrook

Michael & Deborah Barbuto 21 South Street Braintree

Dan Clifford 265 Saint Claire Street Braintree

Kevin Laitinen 37 South Street Braintree

Megan Montefusco 10 Hayward Street Randolph

Robert S. Mirabito 264 Union Street Holbrook

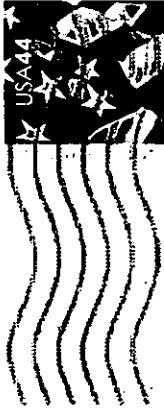
Donna Hayward 264 Union Street Holbrook

Board of Selectmen

50 North Franklin Street
Holbrook, Massachusetts 02343

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Ellie Grillo, Regional Public Involvement
Coordinator
MassDEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347

02347+1676

