



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

August 7, 2013

Mr. Vincent Barletta
TLA – Holbrook, LLC
40 Shawmut Ave
Canton, Massachusetts 02021

RE: **HOLBROOK**
Release Tracking Number: 4-3024519
3 Phillips Road
**DRAFT ADMINISTRATIVE CONSENT ORDER -
AMENDMENT
INTERIM DEADLINE
ACO-SE-12-3T-014-Amend #1**

Dear Mr. Barletta:

The Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP), has enclosed two (2) copies of the Administrative Consent Order Amendment #1 (Consent Order Amendment) prepared for the above referenced disposal site.

Pursuant to 310 CMR 40.0167, MassDEP hereby establishes Friday, August 23, 2013, as an enforceable Interim Deadline by which you must either return to MassDEP two signed copies of the Consent Order, or provide to MassDEP constructive comments regarding the Consent Order. The Consent Order Amendment should be sent to the letterhead address above.

If you have any questions regarding this letter or the Consent Order Amendment, please contact John Handrahan at (508) 946-2883. All communication regarding this matter must reference Release Tracking Number (RTN) 4-3024519.

Sincerely,

GERARD M. R. MARTIN

For: Millie Garcia – Serrano
Deputy Regional Director
Bureau of Waste Site Cleanup

GM/JTH/lg

Enclosure: Copy of Administrative Consent Order ACO-SE-12-3T-014-Amend #1

CERTIFIED MAIL # 7012 1640 0001 4831 1085
RETURN RECEIPT REQUESTED

W:\BWSC\Document Archive\4-3024519.Holbrook.AMEND.08-07-2013

ec: DEP-SERO

Gerard Martin, Chief, Compliance, Enforcement and Brownfields Redevelopment Section

Dawn Stolfi Stalenhoef, Regional Counsel

John Handrahan, BWSC

Lisa Ramos, Regional Enforcement Office

Lara Goodine, BWSC – Data

Mr. Craig Blake, LSP

cblake@woodardcurran.com

cc: DEP-SERO

Attn: Regional Enforcement Office

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:)
)

TLA – Holbrook, LLC)
40 Shawmut Road)
Canton, Massachusetts 02021)

File No.: ACO-SE-12-3T-014-Amend#1

AMENDMENT OF ADMINISTRATIVE CONSENT ORDER

The Department of Environmental Protection (“Department” or “MassDEP”) and the Respondent agree to amend and incorporate the following changes into the Administrative Consent Order ACO-SE-12-3T-014:

1. *Section III, paragraph 10, that originally stated:*

10. Respondent shall perform the following actions:

- A. By **January 20, 2013**, submit to MassDEP a Phase II Comprehensive Site Assessment, prepared in full accordance with the provisions of 310 CMR 40.05670(7).
- B. By **January 20, 2013**, submit to MassDEP a Phase III Remedial Action Plan, prepared in full accordance with the provisions of 310 CMR 40.0850.

is hereby amended to:

10. Respondent shall perform the following actions:

- A. By **January 20, 2013**, submit to MassDEP a Phase II Comprehensive Site Assessment, prepared in full accordance with the provisions of 310 CMR 40.05670(7).
- B. By **January 20, 2013**, submit to MassDEP a Phase III Remedial Action Plan, prepared in full accordance with the provisions of 310 CMR 40.0850.
- C. By **November 1, 2013**, the Respondent shall submit to MassDEP a Phase IV Remedy Implementation Plan (RIP) prepared in full accordance with the provisions of 310 CMR 40.0870.
- D. By **June 2, 2014**, submit a Response Action Outcome (RAO) Statement to MassDEP, prepared in full accordance with 310 CMR 40.1000. This deadline to achieve an RAO

shall not apply if you achieve and maintain Remedy Operation Status pursuant to 310 CMR 40.0893 on or before **June 2, 2014**.

2. The undersigned certify that they are fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.
3. This Consent Order Amendment shall become effective on the date that it is executed by MassDEP.
4. The Department represents that the Regional Director has the authority to issue this Order on behalf of the Department.
5. The remaining provisions of this Order, specifically Section III, which addresses the terms and conditions for imposing stipulated penalties, are still in force.

Consented To:

TLA – HOLBROOK, LLC

By: _____
Mr. Vincent Barletta, Manager
TLA-Holbrook, LLC
40 Shawmut Road
Canton, Massachusetts 02021

Date:

Issued By:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Mr. Philip Weinberg
Regional Director
MassDEP
20 Riverside Drive
Lakeville, Massachusetts 02347

Date:

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
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By: _____
Mr. Philip Weinberg
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