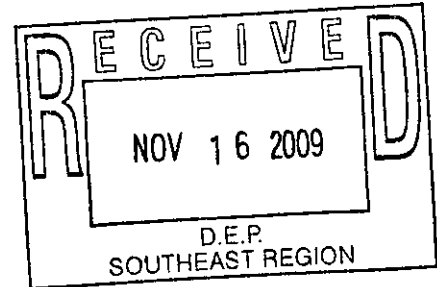


SCANNED

Katherine Connolly  
268 Union Street  
Holbrook, MA 02343

November 13, 2009



Mr. Craig Blake  
Woodard & Curran  
980 Washington Street, Suite 325  
Dedham, MA 02026

Re: Comments on Draft Public Involvement Plan  
3 Phillips Road, Holbrook MA  
RTN: 4-3024519 & 4-19944

Dear Mr. Blake:

On behalf of the Holbrook petitioners, our comments on the Draft Public Involvement Plan submitted at the Town of Holbrook Public Hearing on October 27, 2009 are as follows:

1. The Draft PIP does not provide the name, address, and phone number of a contact person for the person(s) conducting response actions. In fact, the Draft PIP does not even indicate who, with Woodward & Curran, authored the plan. See 310 Mass.Code Regs. 40.1405 (6)(c) (2009).

2. Individuals and entities included on the required mailing list for the PIP site should receive all information regarding the investigation, analysis, assessment, and all site reports and remedial plans electronically or be given sufficient information to locate such documents in an electronic format. The state repository included in the Draft PIP has limited hours of operation and charges fees for copying documents and information. The specific local repository identified in the Draft PIP, the Holbrook Public Library, is often utilized and has limited hours of operation. As noted on the Draft PIP, the hours are so limited there are no weekend hours and evening hours on only two nights a week. As members of the public with full-time jobs, these hours are insufficient for public review access. In addition, there will be many state and local permit public hearings held during evening hours on the proposed site that the public will be attending. The PIP process should provide the public with ready access to the complex and lengthy documents associated with the site cleanup such that the public has the ability to review and comment upon such documents within the time period prescribed by the Massachusetts Contingency Plan. Providing these documents in an electronic format will allow for a more efficient and timely comment process. The petitioners request all documents be mailed and emailed to me as their contact in addition to the repository at the Holbrook Public Library.

3. A PIP must “establish a public information repository(ies) in the community(ies) in which the disposal site is located and in any other communities which are, or are likely to be, affected by the disposal site, with a location and hours that are convenient to the public....” 310 Mass.Code Regs. 40.1405(6)(i) (2009). As noted above, we understand that the public library is often used as a local repository; however, due to its limited hours of operation and the complexity and length of the information being generated for this disposal site, we do not believe the public library is convenient for the public. A local repository should be chosen that has later evening hours and full weekend hours such that the public can access and review all information regarding this disposal site without having to expend the funds for copying the information due to the unavailability of review time. Additionally, more than one local repository should be utilized for this disposal site due the close proximity of the Braintree and Randolph communities and the concern that has already been demonstrated by residents of those communities regarding the disposal site.

4. Section 4.2.3 of the Draft PIP vaguely indicates that a response summary to all written comments will be prepared and distributed or otherwise made available. We note as clarification that the summary of all public comments received during any comment period throughout the PIP process shall be provided within sixty (60) days of the close of the comment period and that summary shall include:

- (1) the comments received;
- (2) identification of comments that have been incorporated; and
- (3) an explanation for comments that were not incorporated into the applicable plan.

See 310 Mass.Code Regs. 40.1405(6)(g) (2009).

5. Section 5 of the Draft PIP indicates that Appendix B: Public Involvement Activities Schedule specifies the milestones during the response action process when public involvement activities will be conducted. Although Appendix B generally provides an overview of which public involvement activities will be provided during the remedial response action process, it does not include any estimated dates or time process; therefore, it is not an actual schedule. As a Phase I has already been completed for the disposal site, we believe the Town of Holbrook and Woodward & Curran likely have an estimate or date ranges for the remainder of the remedial response action process. We understand that the schedule may be modified based on the results of response activities, but providing the public with an estimated schedule will allow the public to reserve time for the review necessary to understand and comment upon the remedial response plans. Additionally, the general schedule provided in

Appendix B does not provide enough public involvement activities throughout the process to ensure that the public is adequately notified of major milestones and events and has the opportunity to discuss and make inquiries regarding the remedial actions to the Town of Holbrook and its chosen Licensed Site Professional, Woodward & Curran. Given the complexity and technical nature of a disposal site cleanup such as this one, we believe the following public involvement activities should be added to the ones already noted in Appendix B:

(1) Notification of Major Milestones and Events should occur whenever the public is also provided an opportunity to comment on a particular remedial response action and when a major physical event is to occur. For example, when the Phase II Comprehensive Site Assessment scope of work is drafted, notification should be provided to the public such that they can review and comment upon the draft in a timely manner. Then, the public should be notified prior to the Phase II work being conducted. Finally, the public should be notified when the draft Phase II Report has been prepared and is available for public comment. Without adequate notification and no estimated schedule of remedial response actions, the public has to guess as to when such activities will occur, prohibiting true, meaningful public involvement.

(2) Appendix B indicates there will be no public meetings at any time throughout the remedial response action process. Public meetings are necessary to provide community and surrounding community members with an opportunity to discuss and make inquiry regarding the information contained in the various reports and documents prepared throughout the process. Additionally, Woodward & Curran, as the Licensed Site Professional, is to manage the investigation and cleanup process and should be made available to the public to answer questions regarding its investigation, analysis, and conclusions with regard to the disposal site. Denying the public the opportunity for an open dialogue on the remedial response action activities with those responsible for conducting such activities is effectively denying the public meaningful public involvement in the process. At a minimum, public meetings should be held during the Release Abatement Measure, Phase II Comprehensive Site Assessment, and Phase III Remedial Action Plan activity phases.

6. During the public hearing, the LSP stated that the Town of Holbrook had no knowledge of the chemicals produced by Holbrook Chemical Corporation. The petitioners question this statement and request access to the Holbrook Board of Health, Holbrook Conservation Commission and all other Holbrook boards, departments or commissions' records related to Holbrook Chemical Corporation's operation at 3 Phillips Road. The LSP noted at the public hearing that he was in possession of said records.

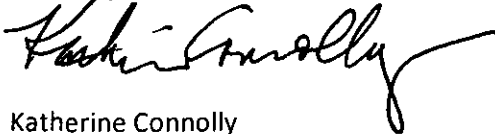
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7. The petitioners recommend the LSP interview Mr. William Miles of South Street in Holbrook and all past and present members of the Baird & McGuire Task Force for information related to 3 Phillips Road. Also the petitioners were told that former Holbrook Selectman, David Holden, was a former employee at Holbrook Chemical Corporation.

8. The petitioners are concerned with the LSP's ability to be impartial in their duties regarding the remediation of the Disposal Site. As confirmed by Mr. Blake at the Public Hearing, the LSP is being paid by their client TLA Holbrook LLC and not the Town of Holbrook. In addition, TLA Holbrook Vice President Jack Walsh was present at the PIP Public Hearing conducting the meeting alongside the LSP, responding to questions and offering to post documents on the TLA Holbrook website. Also, the Holbrook cable access television station, H-CAM, has been airing the 10/27/09 Public Hearing with a title **TLA Holbrook, PIP Meeting** showing during the entire broadcast. As you are aware, the proposed regional solid waste transfer station at 3 Phillips and the remediation and response to the Disposal Site at the same address are two separate matters. The Town of Holbrook as the owner of the property and the Principal Responsible Party should be conducting the PIP process. The petitioners believe TLA Holbrook LLC's engineering firm, Woodard & Curran, should not be acting as the LSP on behalf of the Town of Holbrook in the PIP process due to this conflict of interest.

Please call with any questions; I can be contacted by email at [kathy\\_connolly@comcast.net](mailto:kathy_connolly@comcast.net) or by phone 781-986-0926.

Sincerely,



Katherine Connolly

cc: Town of Holbrook  
Mass DEP, Lakeville

Katherine Connolly  
268 Union Street  
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