

Stevens, Rachel (DEP)

From: Baldi, Mark (DEP)
Sent: Wednesday, April 13, 2022 8:51 AM
To: llessard@llessard-environmental.com; ghailer@lawson-weitzen.com; McCarthy, Gail (DEP); Pigsley, MaryJude (DEP); aloree@westminster-ma.gov; tchiarelli@westminster-ma.gov; Vigeant, Paul (DEP); Stevens, Rachel (DEP); Daoust, Kevin (DEP); jbrendel@clarkhill.com
Subject: RE: 2-0021866 - Westminster - Deadline Correction

It has been brought to my attention that I miscalculated the deadlines in the email below. Pursuant to 310 CMR 40.0420(7), the written IRA Plan is due 60 days from the date of notification, March 15, 2022, identified in the Notices of Responsibility. Therefore, the correct date for submittal of the written IRA Plan is **May 14, 2022**, and the first quarterly IRA Status Report is then due on **August 14, 2022**.

I apologize for any confusion.

Thank you,

Mark E. Baldi
Deputy Regional Director
Bureau of Waste Site Cleanup
MassDEP, Central Region
(508) 767-2803

From: Baldi, Mark (DEP)
Sent: Monday, April 11, 2022 4:51 PM
To: llessard@llessard-environmental.com
Cc: ghailer@lawson-weitzen.com; McCarthy, Gail (DEP) <gail.mccarthy@mass.gov>; Pigsley, MaryJude (DEP) <maryjude.pigsley@mass.gov>; aloree@westminster-ma.gov; tchiarelli@westminster-ma.gov; Vigeant, Paul (DEP) <paul.vigeant@mass.gov>; Stevens, Rachel (DEP) <Rachel.Stevens@Mass.gov>; Daoust, Kevin (DEP) <kevin.daoust@mass.gov>
Subject: 2-0021866 - Westminster - Immediate Response Action

Larry,

Thank you for taking the time to speak with me earlier today. As we discussed, MassDEP Regional Director Mary Jude Pigsley and I attended a meeting last Wednesday, April 6, at the Town of Westminster's Board of Health office to update the BOH and area residents about response actions being conducted by Mass Natural Fertilizer Company, Inc. (Mass Natural), located at 65 Bean Porridge Hill Rd., Westminster, under your Licensed Site Professional supervision to address detections of per- and polyfluorinated alkyl substances (PFAS) in nearby private drinking water wells. As you are aware, concentrations of PFAS have been detected up to approximately 90 times the drinking water standard of 20 ng/l in private residential drinking water wells within 500 ft. of the Mass Natural property, posing an Imminent Hazard pursuant to 310 CMR 40.0950.

Residents at the BOH meeting conveyed confusion and frustration regarding the type and level of communication to request access to their homes to sample drinking water wells and provide treatment systems for contamination. Several residents expressed that the access agreements were mailed to their homes with a cover letter that did not explain the reason for requesting access to sample their wells or the type of contamination, and that the access agreements came from an attorney with liability and indemnity language that required clarification. Some residents stated that they

would prefer to have separate access agreements for well sampling and treatment, if needed. Residents also noted that telephone calls and/or emails with questions had gone unanswered. The Westminster BOH also noted that they did not know which homes had been contacted to sample. Several people also expressed concerns with the timing between sampling and receiving analytical results. MassDEP did convey that to date Mass Natural has been very cooperative and is performing Immediate Response Actions as required by MassDEP. MassDEP appreciates Mass Natural's cooperation and attention to this matter, and is aware that a remote meeting is being scheduled by Mass Natural's attorney, George Hailer, to answer residents' questions.

As the Imminent Hazard condition in the neighborhood of Bean Porridge Hill Road and Mass Natural Fertilizer is a serious matter requiring serious attention, good communication with residents, the Town of Westminster, and MassDEP is essential. And, while MassDEP does feel that Mass Natural has been working hard to address the levels of PFAS detected to date in the potable water of certain private homes, MassDEP is requiring the following Immediate Response Actions, in addition to those conditions outlined in the Notices of Responsibility, dated March 31, 2022, to both Mass Natural Fertilizer and Otter Farm, Inc., based upon the feedback received at the BOH meeting:

1. To improve communication, MassDEP is requiring weekly IRA Status updates be provided via email to MassDEP and the Westminster BOH. The weekly email updates are to include a summary of access agreements mailed and received, identification of private wells sampled that week, identification of residences where point-of-entry treatment systems have been installed, a summary of environmental sampling results received, and a summary of work planned for the coming week. Please upload weekly email updates to Massachusetts Energy & Environmental Affairs Data Portal using Transmittal Form BWSC-126, beginning Friday, April 15, 2022.

In addition to the weekly email updates, MassDEP is requiring submittal of quarterly IRA Status Reports, following submittal of the written IRA Plan due June 15, 2022. Therefore, the first quarterly status report shall be due for submittal to MassDEP by September 15, 2022.

2. MassDEP understands that Mass Natural is already providing bottled water immediately upon receipt of a signed access agreement from residents rather than waiting for sampling results. As it is likely that the current round of well sampling will reveal detections of PFAS in private wells on White Pine Drive and Amber Road, which will require another 500 ft. radius of sampling, MassDEP recommends that you also consider contacting and arranging sampling of all residences on White Pine Drive, Rock Maple Lane, and Amber Road at this time rather than waiting to receive the current laboratory results in order to identify and mitigate any exposures quickly and efficiently. It has also been brought to the attention of MassDEP that the residence of 14 Amber Road has not been contacted to be sampled; please contact the owners of 14 Amber Road to sample their drinking water well. Please copy the Westminster BOH and MassDEP on mailed access agreements.
3. Sample surface water from the stream originating at the Mass Natural property where it flows through properties at 10, 12, and 14/16 Amber Road to evaluate potential PFAS exposure and health risk to residents, including children.
4. Include ultraviolet lights for water disinfection with point-of-entry treatment systems installations, including retrofitting previously installed systems.

MassDEP appreciates the efforts and attention of Mass Natural and you to ensure that Imminent Hazards and PFAS exposures are expeditiously identified and mitigated. Please contact Rachel Stevens of MassDEP's Central Regional Office at 617-895-6077 if you have any questions regarding these Immediate Response Action requirements.

Thank you,

Mark E. Baldi
Deputy Regional Director
Bureau of Waste Site Cleanup

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