

COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 METROPOLITAN BOSTON - NORTHEAST REGIONAL OFFICE

WILLIAM F. WELD
 Governor

ARGEO PAUL CELLUCCI
 Lt. Governor

TRUDY COXE
 Secretary

DAVID B. STRUHS
 Commissioner

BWSC PHONE NOTES:

RELEASE TRACKING NO: less than reportable quantity

TOWN: Lawrence

ADDRESS: 207 Marston St

CONTACT NAME: Eliot Steinberg 12/5/00 4:20pm

PRP LSP CONSULTANT OTHER

PREPARED BY: _____

ISSUES DISCUSSED: whether an RQ had been exceeded
Over the weekend a small amount (~5 gallons) of oil was
spilled from an oil/water separator while moving the tank indoors
for the winter. American Recycling scooped up the soil (~2 yds)
and put it in a dumpster for disposal. American Recycling believes
the quantity released was less than a reportable ^{quantity} ~~quantity~~ of 10 gallons.

~~ITEMS REQUESTED:~~ _____

FOLLOW UP: soil sampling in spill area to confirm cleanup



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Secretary

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Commissioner

BWSC PHONE NOTES:

RELEASE TRACKING NO: 3-18126

TOWN: Lawrence

ADDRESS: 207 Marston St. - American Recycling

CONTACT NAME: Eliot Steinberg

PRP LSP CONSULTANT OTHER

PREPARED BY: Patricia Donahue 12/4/00

ISSUES DISCUSSED: Tier Classification - NRS

Discussed the Tier Classification with Mr. Steinberg. After checking with Fris Davis I told Mr. Steinberg that points could be taken off in Section VI. if a demonstration can be made that otter would not migrate to the NHESP Wetlands Habitat located across Rte 445 from the site. However, because the score would be

~~ITEMS REQUESTED:~~ > 30 in Section V.A., Section V.B. would also need to be scored which might put them in a Tier IC category.

FOLLOW UP: Mr. Steinberg will review the Environmental portion of the NRS and resubmit the Tier Classification with a permit application if necessary.



GREATER LAWRENCE SANITARY DISTRICT

RICHARD S. HOGAN, EXECUTIVE DIRECTOR

LAWRENCE

THOMAS CONNORS
MARY F. McCABE
RAYMOND E. DiFIORE

METHUEN

MICHAEL J. COSTA
CHARLES F. THOMPSON

ANDOVER

JOHN A. PETKUS Jr.

NORTH ANDOVER

JOHN PALLONE

SALEM, N.H.

EVERETT McBRIDE
TREASURER
JAMES GARVEY


September 22, 2000

Margaret Carson
MA DEP
Northeast Regional Office
205 A Lowell Street
Wilmington, MA 01887

Dear Ms. Carson:

As you requested, attached please find a copy of the plan of land prepared by Stowers Associates, Inc.

Sincerely,
GREATER LAWRENCE SANITARY DISTRICT


Richard S. Hogan
Executive Director

RSH/amt
attachment

Haley & Aldrich, Inc.
465 Medford St., Suite 2200
Boston, MA 02129-1400
Tel: 617.886.7400
Fax: 617.886.7600
www.HaleyAldrich.com

**HALEY &
ALDRICH**

Letter of Transmittal

Date 22 August 2000
File Number 12671-040
From Stew Wiley

To DEP NERO
205A Lowell Street
Wilmington, MA 01877

Attention Mr, Allen Wyman

Copy to C: American Recycling; Peter Prinz (transmittal only)
Nutter, McClennen & Fish; Mike Scott (transmittal only)
Baumgartner & Associates; Claiborne Thornton (transmittal only)

Subject 207 Marston Street

Copies	Date	Description
	10 June 1999	New Well Locations and Groundwater Data (HEA)
	28 Apr 1999	Summary Table of Grid Sample Data (HEA)
	3 June 1999	Groundwater Elevation Data and Sampling Notes (HEA) Available Grid Location Plan
	21 May 1999	Laboratory Results for Grid Samples (HEA)
	18 June 1999	Additional Laboratory Results for Soil Analyses (HEA)
	26-Jan-2000	Oil/Water Separator Discharge Data

Transmitted via First class mail Overnight express Hand delivery Other

Remarks

As requested, I have attached copies of information we have in our files. As you will note, most of the PCB soil grid results are relatively low with the exception of a couple locations.

We are currently looking into compliance status of O/W Separator with GLSD.

Please let me know if you need additional information

The Following
Document Contains

Some Poor Quality

Originals

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 NORTHEAST REGIONAL OFFICE
 205A LOWELL STREET, WILMINGTON, MA

ATTENDANCE SHEET

MEETING PURPOSE: American Recycling and Tombrillo Enforcement Conference
 DATE: 1/11 CONFERENCE ROOM: POINT OF CONTACT: Jennifer Davis

	NAME	ORGANIZATION	ADDRESS	TELEPHONE #
1.	<u>Steward Niles</u>	<u>MALEY & ALDEN</u>	<u>465 MEDFORD ST, BOSTON</u>	<u>617-886-7414</u>
2.	<u>William Donahue</u>	<u>DEP/BWSC</u>	<u>205A Lowell St, Wilmington</u>	<u>978-661-7730</u>
3.	<u>John P. ...</u>	<u>DEP/BWSC</u>	<u>205A Lowell St, Wilmington</u>	<u>978-661-7730</u>
4.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
5.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
6.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
7.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
8.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
9.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>
10.	<u>...</u>	<u>...</u>	<u>...</u>	<u>...</u>



**TIER CLASSIFICATION, TIER II EXTENSION &
TIER II TRANSFER TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0510 and 40.0560 (Subpart E)

Release Tracking Number

3 18126

A. DISPOSAL SITE LOCATION:

Disposal Site Name: J. Tombarello & Sons, Inc.

Street: 207 Marston Street Location Aid: Hofmann Avenue

City/Town: Lawrence ZIP Code: 01843-0000

Related Release Tracking Numbers That This Submittal Will Address: _____

B. THIS FORM IS BEING USED TO: (check all that apply)

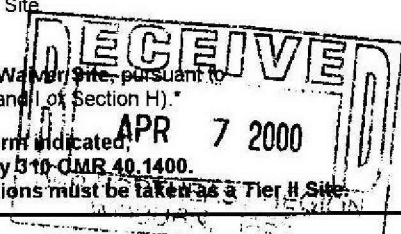
- Submit a new or revised Tier Classification Submittal for a Tier I Site, including a Numerical Ranking Scoresheet (complete Sections A, B, C, I, J, K and L).
- Submit a new or revised Tier Classification Submittal for a Tier II Site, including a Numerical Ranking Scoresheet (complete Sections A, B, C, F, G, I, J, K and L).
- Submit a Notice that an additional Release Tracking Number(s) is (are) being linked to this Tier Classified Site and rescoring is not required at this time (complete Sections A, B, J, K and L). If this submittal is for a Tier I Site, you must also submit a Minor Permit Modification Transmittal Form (BWSC-109).

List Additional Release Tracking Number(s): _____

- Submit a Phase I Completion Statement supporting a Tier Classification Submittal (complete Sections A, B, I, J, K and L).
- Submit a Tier II Extension Submittal for Response Actions at a Tier II Site (complete Sections A, B, D, F, G, I, J, K and L).
- Submit a Tier II Extension Submittal for Response Actions taken after expiration of a Waiver, pursuant to 310 CMR 40.0630(4) (complete Sections A, B, D, F, J, K and L, and also complete Sections G and I or Section H).*
- Submit a Tier II Transfer Submittal for a change in person(s) undertaking Response Actions at a Tier II Site (complete Sections A, B, E, F, G, I, J, K, L, M, N and O).
- Submit a Tier II Transfer Submittal for a change in person(s) undertaking Response Actions at a Waiver Site, pursuant to 310 CMR 40.0630(6) (complete Sections A, B, E, F, J, K, L, M, N and O, and also complete Sections G and I or Section H).*

You must attach all supporting documentation required for each use of form indicated, including copies of any Legal Notices and Notices to Public Officials required by 310 CMR 40.1400.

*NOTE: The Waiver expires on the effective date of this submittal and all further Response Actions must be taken as a Tier II Site.



C. TIER CLASSIFICATION SUBMITTAL:

Numerical Ranking Score for Disposal Site: (from Numerical Ranking Scoresheet) 332

Proposed Tier Classification of Disposal Site: (check one) Tier IA Tier IB Tier IC Tier II

Check which, if any, of the Tier I inclusionary criteria are met by the Disposal Site, pursuant to 310 CMR 40.0520:

- Groundwater is located within an Interim Wellhead Protection Area or a Zone II, and there is evidence of groundwater contamination by an Oil or Hazardous Material at the time of Tier Classification at concentrations equal to or exceeding the applicable RCGW-1 Reportable Concentration set forth in 310 CMR 40.0360.
- An Imminent Hazard is present at the time of Tier Classification.
- Check here if this Tier Classification revises a previous submittal for this Disposal Site. You must include a revised Numerical Ranking Scoresheet with this submittal. If a Tier I Permit has been issued, you may also need to submit a Major Permit Modification Application (BWSC 10).

If incorporating additional Release(s) into the Disposal Site, list Release Tracking Number(s): _____

D. TIER II EXTENSION SUBMITTAL REQUIREMENTS:

State the expiration date of the Tier II Classification or Waiver for the Disposal Site, whichever is applicable: _____

Attach a statement summarizing why a Permanent or Temporary Solution has not been achieved at the Disposal Site. A Tier II Extension is effective for a period of one year beyond the current expiration date of the Tier II Classification or Waiver.

E. TIER II TRANSFER SUBMITTAL REQUIREMENTS:

State the proposed effective date of the change in person(s) undertaking Response Actions at the Disposal Site: _____

Attach a statement summarizing the reasons for the proposed change in person(s) undertaking the Response Actions. All Response Actions must be completed by the deadline applicable to the person who first filed either a Tier Classification Submittal for the Disposal Site or received a Waiver of Approvals.



**TIER CLASSIFICATION, TIER II EXTENSION &
TIER II TRANSFER TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0510 and 40.0560 (Subpart E)

Release Tracking Number

3 18126

F. DISPOSAL SITE COMPLIANCE HISTORY SUMMARY:

- > If providing either a **Tier Classification Submittal for a Tier II Site** or a **Tier II Extension Submittal for a Waiver Site**, the person named in **Section J** must provide a Compliance History.
- > If providing a **Tier II Extension Submittal for a Tier II Site**, the person named in **Section J** must **update** their Compliance History since the effective date of the Tier II Classification.
- > If providing a **Tier II Transfer Submittal for a Tier II or Waiver Site**, the person named in **Section M** must provide a Compliance History.

Compliance History for (provide only one name per History): American Recycling of Mass

Check here if there has been no change to the Compliance History of the person named above (Extension Submittal for a Tier II Site ONLY).

List all permits or licenses that have been issued by the Department that are relevant to this Disposal Site:

PROGRAM:	PERMIT NUMBER:	PERMIT CATEGORY:	FACILITY ID:
Air Quality		n/a	
Hazardous Waste (M.G.L. c. 21C)		n/a	
Solid Waste		n/a	
Industrial Wastewater Management		n/a	
Water Supply		n/a	
Water Pollution Control/Surface Water		see attached	
Water Pollution Control/Groundwater		n/a	
Water Pollution Control/Sewer Connection		see attached	
Wetland & Waterways		n/a	

List all other Federal, state or local permits, licenses, certifications, registrations, variances, or approvals that are relevant to this Disposal Site:

ISSUING AUTHORITY OR PROGRAM, OR DOCUMENTATION TYPE:	IDENTIFICATION NUMBER:	DATE ISSUED:
Office of State Fire Marshal	99 AC 11	07/26/99
Commonwealth of Massachusetts	1899	07/08/99

If needed, attach to this Transmittal Form a statement further describing the Compliance History of this Disposal Site. This statement must describe the compliance history of the person named above with the following:

- (1) DEP regulations; and
- (2) other laws for the protection of health, safety, public welfare and the environment administered or enforced by any other government agency.

Such a statement should identify information such as:

- (1) actions relevant to the Disposal Site taken by the Department to enforce its requirements including, but not limited to, a Notice of Noncompliance (NON), Notice of Intent to Assess Civil Administrative Penalty (PAN), Notice of Intent to Take Response Action (NORA), and an administrative enforcement order;
- (2) administrative consent orders;
- (3) judicial consent judgements;
- (4) similar administrative actions taken by other Federal, state or local agencies;
- (5) civil or criminal actions relevant to the Disposal Site brought on behalf of the DEP or other Federal, state, or local agencies; and
- (6) any additional relevant information.

For each action identified, provide the following information:

- (1) name of the issuing authority, type of action, identification number and date issued;
- (2) description of noncompliance cited;
- (3) current status of the matter; and
- (4) final disposition, if any.



**TIER CLASSIFICATION, TIER II EXTENSION &
TIER II TRANSFER TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0510 and 40.0560 (Subpart E)

Release Tracking Number

3	18126
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G. CERTIFICATION OF ABILITY AND WILLINGNESS:

- > If providing either a **Tier II Classification Submittal** or a **Tier II Extension Submittal**, the person who signs this certification **MUST** be the person named in **Section J**, or that person's agent.
- > If providing a **Tier II Transfer Submittal**, the person who signs this certification **MUST** be the person named in **Section M**, or that person's agent.

I attest under the pains and penalties of perjury that (i) I/the person(s) or entity(ies) on whose behalf this submittal is made has/have personally examined and am/is familiar with the requirements of M.G.L. c. 21E and 310 CMR 40.0000; (ii) based upon my inquiry of the/those Licensed Site Professional(s) employed or engaged to render Professional Services for the disposal site which is the subject of this Transmittal Form and of the person(s) or entity(ies) on whose behalf this submittal is made, and my/those person's(s') or entity's(ies') understanding as to the estimated costs of necessary response actions, that/those person(s) or entity(ies) has/have the technical, financial and legal ability to proceed with response actions for such site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements; and (iii) that I am fully authorized to make this attestation on behalf of the person(s) or entity(ies) legally responsible for this submittal. I/the person(s) or entity(ies) on whose behalf this submittal is made is aware of the requirements in 310 CMR 40.0172 for notifying the Department in the event that I/the person(s) or entity(ies) on whose behalf this submittal is made learn(s) that it/they is/are unable to proceed with the necessary response actions.

By: [Signature] Title: Vice President
 (signature)

For: American Recycling, Inc. Date: 4/5/00
 (print name of person or entity recorded in Section J or M, as appropriate)

If you are submitting either a Tier II Extension Submittal for a Waiver Site or a Tier II Transfer Submittal for a Waiver Site, you may choose to sign the alternative Ability and Willingness Certification found in Section H in place of providing the certification in Section G and the LSP Opinion in Section I.

H. ALTERNATIVE CERTIFICATION OF ABILITY AND WILLINGNESS:

- > If providing a **Tier II Extension Submittal for a Waiver Site**, the person who signs this certification **MUST** be the person named in **Section J**, or that person's agent
- > If providing a **Tier II Transfer Submittal for a Waiver Site**, the person who signs this certification **MUST** be the person named in **Section M**, or that person's agent.

I attest under the pains and penalties of perjury that (i) I/the person(s) or entity(ies) on whose behalf this submittal is made has/have personally examined and am/is familiar with the requirements of M.G.L. c. 21E and 310 CMR 40.0000; (ii) based upon my inquiry of the Consultant-of-Record for the disposal site which is the subject of this Transmittal Form and of the person(s) or entity(ies) on whose behalf this submittal is made, and my/those person's(s') or entity's(ies') understanding as to the estimated costs of necessary response actions, that/those person(s) or entity(ies) has/have the technical, financial and legal ability to proceed with response actions for such site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements; and (iii) that I am fully authorized to make this attestation on behalf of the person(s) or entity(ies) legally responsible for this submittal. I/the person(s) or entity(ies) on whose behalf this submittal is made is aware of the requirements in 310 CMR 40.0172 for notifying the Department in the event that I/the person(s) or entity(ies) on whose behalf this submittal is made learn(s) that it/they is/are unable to proceed with the necessary response actions.

By: _____ Title: _____
 (signature)

For: _____ Date: _____
 (print name of person or entity recorded in Section J or M, as appropriate)

I. LSP OPINION:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and (iii) the provisions of 309 CMR 4.03(5), to the best of my knowledge, information and belief,

- > if Section B of this form indicates that a **Tier I or Tier II Classification Submittal** which relies upon a previously submitted Phase I Completion Statement is being submitted, this Tier Classification Submittal has been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000;
- > if Section B of this form indicates that a **Phase I Completion Statement** or a **Tier I or Tier II Classification Submittal** which does not rely upon a previously submitted Phase I Completion Statement is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal;

SECTION I IS CONTINUED ON THE NEXT PAGE



**TIER CLASSIFICATION, TIER II EXTENSION &
TIER II TRANSFER TRANSMITTAL FORM**
Pursuant to 310 CMR 40.0510 and 40.0560 (Subpart E)

Release Tracking Number

3 18126

I. LSP OPINION: (continued)

> if Section B of this form indicates that a Tier II Extension Submittal or a Tier II Transfer Submittal is being submitted, the response action(s) that is (are) the subject of this submittal (i) is (are) being implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal.

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provision(s) thereof.

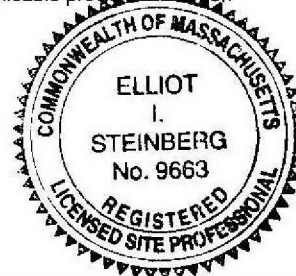
LSP Name: Elliot I. Steinberg LSP #: 9663 Stamp:

Telephone: 617-886-7459 Ext.: _____

FAX: (optional) 617-886-7754

Signature: [Handwritten Signature]

Date: 5 April 2000



J. PERSON MAKING SUBMITTAL: (For Transfer Submittals describe person currently undertaking response actions, not transferee)

Name of Organization: American Recycling, Inc.

Name of Contact: Peter Prinz Title: Vice President

Street: P.O. Box 76488

City/Town: Highland Heights State: KY ZIP Code: 41706-0000

Telephone: 606-572-0199 Ext.: _____ FAX: (optional) _____

K. RELATIONSHIP TO DISPOSAL SITE OF PERSON MAKING SUBMITTAL: (check one)

RP or PRP Specify: Owner Operator Generator Transporter Other RP or PRP: _____

Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

Any Other Person Making Submittal Specify Relationship: _____

L. CERTIFICATION OF PERSON MAKING SUBMITTAL:

I, Peter Prinz, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

By: [Handwritten Signature] Title: Vice President
(signature)

For: American Recycling, Inc. Date: 4/5/00
(print name of person or entity recorded in Section J)

Enter address of the person providing certification(s), including Ability and Willingness Certification where applicable, if different from address recorded in Section J:

Street: _____

City/Town: _____ State: _____ ZIP Code: _____

Telephone: _____ Ext.: _____ FAX: (optional) _____

YOU MUST COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE, AND YOU MAY INCUR ADDITIONAL COMPLIANCE FEES.

Attachment to BWSC 107A
Section F

Response actions at the site have been subject to the following DEP issued notices:

- Request for Information (RFI) (RTN 3-16817), dated 2 December 1998. The RFI established an Interim Deadline of 22 January 1999 for providing information relative to environmental conditions on the property.
- Notice of Responsibility (NOR) & Interim Deadline (RTN 3-18126) dated 31 1999. The NOR established an Interim Deadline of 17 April 1999 for preparation of an IRA Plan to mitigate a potential Imminent Hazard. According to an IRA Status Report, dated July 1999, the potential Imminent Hazard has been mitigated.



GREATER LAWRENCE SANITARY DISTRICT
RICHARD S. HOGAN, EXECUTIVE DIRECTOR

LAWRENCE
THOMAS CUNNINGHAM
MAYOR

METHUEN
MICHAEL F. O'NEILL
MAYOR

ANDOVER
ROBERT J. GAGLIARDI
MAYOR

NORTH ANDOVER
BENJAMIN S. GARDNER
MAYOR

SALEM
JAMES J. HARRIS
MAYOR

June 17, 1998

Mr. John C. Tombarello
John C. Tombarello & Sons, Inc.
207 Marston Street
Lawrence, MA 01841

Re: Tombarello - Letter of June 8, 1998

Dear Mr. Tombarello

In reference to your letter of June 8, 1998; under current G.L.S.D. Rules and Regulations issuance of an Industrial Discharge Permit is not required and will not be necessary for your facility. As previously outlined, the containment and drainage conditions at the site must be maintained and the pretreatment inspectors of the District must be allowed access for future inspections. Compliance with these conditions will satisfy all District requirements. John C. Tombarello is hereby allowed to continue its current practice of area discharge to the District's north bank interceptor in compliance with the conditions stated in our May 4, 1998 letter to Mr. DiFruscio (attached).

No further documentation will be necessary at this time. Please feel free to contact this office if you have any comments or questions

Sincerely,

GREATER LAWRENCE SANITARY DISTRICT

Richard S. Hogan, P.E.
Executive Director

101
B-11
B



The Commonwealth of Massachusetts
Department of Fire Services
Office of the State Fire Marshal
P.O. Box 1023, State Road, Salem, MA 01875



PERMIT

Date: JULY 26 19 99
FIRE SAFETY NUMBER
M.D.A. C.D. S. 40
Start Date

Permit No. 9184 11
(If Applicable)

In accordance with the provisions of M.G.L. Chapter 148 as provided in
This Permit is granted for: AMERICAN RECYCLING OF MASS. INC.
(Full name of company, firm or corporation)
for STORAGE AND USE OF ACETYLENE TANKS FOR TORCH CUTTING.

Restrictions: APPLICANT IS REQUIRED TO MEET ALL SAFETY REQUIREMENTS.

Fee Paid \$: 25.00
This Permit will expire JULY 26, 2000
(Give location by street and no., or describe in such manner as to provide adequate identification of location)
John J. Smalley
Inspector
(Signature of official granting permit)

THIS PERMIT MUST BE CONSPICUOUSLY POSTED UPON THE PREMISES

NUMBER 1897

FILE 21

THE COMMONWEALTH OF MASSACHUSETTS
 City of Amherst

This is to Certify that Armin Bejeli of Gross
 NAME 207 Houston St
 ADDRESS

IS HEREBY GRANTED A LICENSE
 For Wholesale purchase

This license is granted in conformity with the Statute and ordinances relating thereto, and expires 7/8/2000
7/8 99
8/1

FORM 439 HAW Horses & Winers

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Waste Site Cleanup

NUMERICAL RANKING SYSTEM SCORESHEET
(310 CMR 40.1511)

CLASSIFICATION SUBMITTAL		DISPOSAL SITE SCORE					
Initial Submittal	Re-Classification	II	III	IV	V	VI	TOTAL
<input checked="" type="checkbox"/>	<input type="checkbox"/>	185	107	20	20	0	332

Disposal Site Tier Classification	I			II
Permit Category (Tier I Only)	A	B	C	

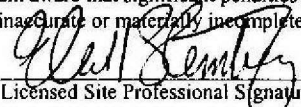
I. DISPOSAL SITE INFORMATION

DEP Release Tracking Number(s)	3-18126	UTM Coordinates	N: 71° 08' 35"
DEP Disposal Site Number(s)			E: 42° 43' 09"

Disposal Site Name	J. Tombarello & Sons, Inc.		
Disposal Site Address	207 Marston Street		
	City: Lawrence	Zip: 01841	

Is the Disposal Site classified Tier I because it is located within the boundaries of a Zone II or Interim Wellhead Protection Area and groundwater concentrations equal or exceed RCGW-1 at the time of Tier Classification pursuant to 310 CMR 40.0520(2)(a)1.?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Disposal Site classified Tier I because an Imminent Hazard is present at the time of Tier Classification pursuant to 310 CMR 40.0520(2)(a)2.?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

I attest under the pains and penalties of perjury that I have personally completed this Numerical Ranking System Scoresheet, and have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this submittal, and in my professional opinion and judgment based upon: (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and (iii) the provisions of 309 CMR 4.03(5), to the best of my knowledge, information and belief, this Scoresheet was developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000. I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

 LSP Registration Number	9663	Date	5 April 2000
LSP Name (Printed)	Haley & Aldrich, Inc.	Company Name	617-886-7454
	American Recycling, Inc.	Telephone Number	

Responsible Party, Potentially Responsible Party, or Other Person who will provide certification in accordance with 310 CMR 40.0009.



II. EXPOSURE PATHWAYS

II. EXPOSURE PATHWAYS				
<i>Score according to 40.1512 - Exposure Pathway Designation Criteria</i>				
<i>MEDIA</i>	<i>DESIGNATION</i>			
	<i>NONE or NOT APPLICABLE</i>	<i>EVIDENCE OF CONTAMINATION</i>	<i>POTENTIAL EXPOSURE PATHWAY</i>	<i>LIKELY OR CONFIRMED EXPOSURE PATHWAY</i>
A. SOIL (Includes Sediment)	0	15	100	150
B. GROUNDWATER	0	20	100	150
C. SURFACE WATER (Includes Wetlands)	0	20	100	150
D. AIR	0	15	100	200

Note: Score only the highest value for each media, i.e., score None or Not Applicable or Evidence of Contamination or Potential Exposure Pathway or Likely or Confirmed Exposure Pathway.

<i>II. (A - D)</i>	<i>Summary Rationale for Section II A - D Values and Phase I Report References</i>
A.	OHM has been identified in soil at concentrations exceeding applicable RCs and staining is visible in certain locations on the soil's surface at the site. The property is surrounded by a fence, and infrared sensors are used to restrict access.
B.	OHM has been identified in groundwater at concentrations exceeding the applicable RCs; however, there are no exposure pathways.
C.	OHM has likely not attributed to contamination of any surface water since the closest body of water is approximately 2000 ft. away and the types and degree of contamination at the site are unlikely to migrate significantly.
D.	OHM has not been identified in air. It is not anticipated to be identified in air due to the low volatility of the compounds. However, the OHM is visible in certain locations on the soil's surface and there is a potential for the OHM to transfer into the air.

II.E. OHM SOURCES			
	1	2	≥ 3
Number of OHM Sources: Refuse metal recycling facility	0	25	50

SECTION II SCORE (A. + B. + C. + D. + E.)					
A.	B.	C.	D.	E.	TOTAL: (15 - 700)
100	20	0	15	50	185

Check here if Section VI has been used to amend the score for this Section of the NRS.	<input type="checkbox"/>
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III. DISPOSAL SITE CHARACTERISTICS

III.A. OHM TOXICITY SCORE	
<i>Highest OHM Toxicity Score From Table III.A. or Worksheet III.A.1. on Following Pages.</i>	
OHM Scored: <u>Lead</u>	Toxicity Score (1 - 80)
Concentration and Media: <u>4,170 µg/g in soil</u>	<u>40</u>

III.B. MULTIPLE OHMs		
More Than One OHM With an OHM Toxicity Score of ≥ 30	No 0	Yes 30

III.C. OHM MOBILITY and PERSISTENCE	
<i>Score according to 40.1514 – OHM Mobility and Persistence</i>	
OHM Scored: <u>Lead: 4,170 µg/g in soil</u>	Score (0 - 50) <u>25</u>

III.D. DISPOSAL SITE HYDROGEOLOGY			
<i>Score according to 40.1515 - Soil Permeability</i>			
DEPTH TO GROUNDWATER (in feet)	SOIL PERMEABILITY		
	Low	Medium	High
> 25	2	4	8
10.1 - 25	4	8	12
5.1 - 10	8	12	16
0 - 5	12	16	20

SECTION III SCORE (A + B + C + D)				
A. <u>40</u>	B. <u>30</u>	C. <u>25</u>	D. <u>12</u>	TOTAL: (3 - 180) <u>107</u>

Check here if Section VI has been used to amend the score for this Section of the NRS.	<input type="checkbox"/>
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310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

40.1511: continued

Table III.A. OHM TOXICITY SCORE							
OHM	CONCENTRATION (soil/sediment $\mu\text{g/g}$, surface/groundwater $\mu\text{g/l}$)						
	≤ 99	100 - 999	1,000 - 9,999	10,000 - 100,000	> 100,000 NAPL < 0.5"	NAPL 0.5" - 12"	NAPL > 12"
Aliphatics C5-C8 C9-C12 C9-C18 C19-C36	5	15	25	35	45	55	65
	1	10	20	30	40	50	60
	1	10	20	30	40	50	60
	1	10	20	30	40	50	60
Arsenic	20	30	40	50	60		
Aromatics C9-C10 C11-C22	5	15	25	35	45	55	65
	5	15	25	35	45	55	65
Benzene	15	25	35	45	55	65	75
Bis(2-ethylhexyl)phthalate	10	20	30	40	50	60	70
Cadmium	20	30	40	50	60		
Carbon Tetrachloride	20	30	40	50	60	70	80
Chlorobenzene	5	15	25	35	45	55	65
Chromium III	1	10	20	30	40		
Chromium VI	10	20	30	40	50		
Coal Tar	10	20	30	40	50	60	70
Cyanide	5	15	25	35	45		
1,1 Dichloroethane	10	20	30	40	50	60	70
1,2 Dichloroethane	10	20	30	40	50	60	70
Ethylbenzene	5	15	25	35	45	55	65
Ethylene Dibromide	20	30	40	50	60	70	80
#2 Fuel Oil (virgin product)	5	15	25	35	45	55	65
Gasoline (virgin product)	10	20	30	40	50	60	70
Lead	20	30	40	50	60		
Mercury	20	30	40	50	60	70	80
Methylene Chloride	10	20	30	40	50	60	70
Methyl Ethyl Ketone	1	10	20	30	40	50	60
Methyl <i>Tert</i> Butyl Ether	5	15	25	35	45	55	65
Nickel	5	15	25	35	45		

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

40.1511: continued

Table III.A. - continued		OHM TOXICITY SCORE					
OHM	CONCENTRATION (soil/sediment $\mu\text{g/g}$; surface/groundwater $\mu\text{g/l}$)						
	≤ 99	100 - 999	1,000 - 9,999	10,000 - 100,000	> 100,000 NAPL < 0.5"	NAPL 0.5" - 12"	NAPL > 12"
Phenol	1	10	20	30	40	50	60
PAHs	10	20	30	40	50	60	70
PCBs	20	30	40	50	60	70	80
Tetrachloroethylene	10	20	30	40	50	60	70
Toluene	1	10	20	30	40	50	60
1,1,1 Trichloroethane	5	15	25	35	45	55	65
Trichloroethylene	15	25	35	45	55	65	75
Vinyl Chloride	15	25	35	45	55	65	75
Xylenes	1	10	20	30	40	50	60
Zinc	1	10	20	30	40		

Use Worksheet III.A.1. to determine the OHM Toxicity Score for OHM not listed in Table III.A.
See 40.1513 for Human Health-Based Toxicity Values for each OHM.

Worksheet III.A.1		OHM TOXICITY SCORE					
HUMAN HEALTH-BASED TOXICITY VALUE	CONCENTRATION						
	Use $\mu\text{g/g}$ for Soil and $\mu\text{g/l}$ for Surface Water and Groundwater						
	≤ 99	100 - 999	1,000 - 9,999	10,000 - 100,000	> 100,000 NAPL < 0.5"	NAPL 0.5" - 12"	NAPL > 12"
< 5	1	10	20	30	40	50	60
5 - 19	5	15	25	35	45	55	65
20 - 29	10	20	30	40	50	60	70
30 - 39	15	25	35	45	55	65	75
40 - 50	20	30	40	50	60	70	80

III.A.1. OHM and Concentrations Used in Section III.A.1.				
OHM	Human Health-Based Toxicity Value	Concentration (Soil - $\mu\text{g/g}$)	Concentration (Water - $\mu\text{g/l}$)	OHM Toxicity Score
1,2,4-Trimethylbenzene (PAHs)		0.045		10
1,3,5-Trimethylbenzene (PAHs)		0.035		10
Acenaphthene	8	7.8		5
Anthracene	4	36		1
Barium	8	552		15
Benzo(a)pyrene	44	44		20
Benzo(b)fluoranthene	28	61		10
Benzo(g,h,i)perylene (PAHs)		69		10
Benzo(k)fluoranthene	28	53		10
Butylbenzylphthalate	20	0.372		10
Carbazole (PAHs)		16		10
Chrysene	28	84		10
Dibenzofuran	25	14		10
Fluoranthene	18	120		15
Fluorene	18	25.8		5
Indeno(1,2,3-cd)pyrene (PAHs)		52		10
Naphthalene	18	5.43		5
Phenanthrene	25	143		20

Pyrene	18	141		15
Selenium	25	0.32		10
Silver	25	20.8		10
Trichlorofluoromethane	4	2.7		1

<i>III.C. OHM and Concentrations Used in Section III.C.</i>			
OHM	CONCENTRATION (Soil - $\mu\text{g/g}$)	OHM TOXICITY SCORE	MOBILITY SCORE
Arsenic	17.9	20	15
Benzo(a)pyrene	72	20	20
C9-C18 Aliphatics	2,400	20	20
C19-C36 Aromatics	23,800	30	20
Cadmium	8.21	20	15
Lead	4,170	40	25
Mercury	712	30	15
PCBs	92	20	20
Phenanthrene	143	20	15
TPH (#2 Fuel Oil)	9,090	25	10

40.1514(1) Users shall use the Mobility and Persistence Scores found in the following pages. If a OHM is not found in 310 CMR 40.1514(2) - Organic Compounds or 310 CMR 40.1514(3) - Metals, develop a Mobility and Persistence Score using 40.1514(4) - OHM Mobility and Persistence Factors.

40.1514(2) Mobility and Persistence Values and Scores: Organic OHMs

MOBILITY AND PERSISTENCE VALUES AND SCORES											
ORGANIC OHM	Solubility (mg/l)		Vapor Pressure (mm Hg)		K _{ow}		Degradation Potential ^A		Specific Gravity (at 20°) ^B		TOTAL SCORE
	Value	ref.	Value	ref.	Value	ref.	Value	ref.	Value	ref.	
	score		score		score		score		score		
Acenaphthene	3.4E+00	3	1.55E-03	10 ^(b)	1.0E+04	3	N-P	8	1.069	16	20
Acetone	1.0E+06	10	2.70E+02	10 ^(b)	5.8E-01	10 ^(b)	N-P	15	.791	16	30
Benzene	1.8E+03	10 ^(b)	9.52E+01	10 ^(b)	1.3E+02	10 ^(b)	N-P	7	.879	16	25
Benzo(a)pyrene	1.2E-03	2	5.60E-09	10 ^(b)	1.2E+06	3	P	8,10	1.35 (25°)	19	30
Benzo(g,h,i)perylene	7.0E-04	2	1.03E-10	10 ^(b)	3.2E+06	2	P	8,10	NA		20
Benzoic Acid	2.7E+03	10	(0)	6	7.4E+01	3	N-P	8	1.316 (28°/4°)	16	25
Bromodichloromethane	4.4E+03	10	1.5E+01		7.6E+01	3	P	7	2.006 (15°/4°)	16	45
Bromoform (Tribromomethane)	3.0E+03	10 ^(b)	5.00E+00	10 ^(b)	2.5E+02	10 ^(b)	P	7	2.903 (15°)	16	45
Carbon Tetrachloride	7.6E+02	10 ^(b)	9.00E+01	10 ^(b)	4.4E+02	10 ^(b)	P	7	1.594	16	40
Chlorobenzene	4.7E+02	10 ^(b)	1.17E+01	10 ^(b)	6.9E+02	10 ^(b)	N-P	7	1.106	16	30
Chloroethane	5.7E+03	2	(34)		3.5E+01	2	N-P	12	.903	16	20
Chloroform (Trichloromethane)	8.2E+03	10 ^(b)	1.51E+02	10 ^(b)	9.3E+01	10 ^(b)	P	7	1.49 (20°)	17	45

MOBILITY AND PERSISTENCE VALUES AND SCORES												TOTAL SCORE
ORGANIC OHM	Solubility (mg/l)		Vapor Pressure (mm Hg)		K _{ow}		Degradation Potential ^A		Specific Gravity (at 20°) ^B			
	Value	ref.	Value	ref.	Value	ref.	Value	ref.	Value	ref.		
2-Chlorophenol	2.9E+04	3	(0.93)		1.5E+01	3	N-P	7	1.241	16	10	23
p-Dichlorobenzene(1,4)	7.9E+01	2	1.18E+00	10	4.0E+03	3	P	7	1.458	16	10	40
1,1-Dichloroethane	5.5E+03	10	1.82E+02	10	6.2E+01	10	P	7	1.176	16	10	35
1,2-Dichloroethane	8.5E+03	10	6.40E+01	10	3.0E+01	10	P	7	1.253	16	10	45
1,1-Dichloroethylene	2.3E+03	10	6.00E+02	10	6.9E+01	10	P	7	1.250	16	10	45
cis-1,2-Dichloroethylene	3.5E+03	10	2.09E+02	10	5.0E+00	10	P	7	1.27	17	10	50
trans-1,2-Dichloroethylene	6.3E+03	10	3.24E+02	10	3.0E+00	10	P	7	1.27	17	10	50
2,4-Dichlorophenoxyacetic Acid (2,4-D)	6.2E+02	3	4.00E-01	5	6.5E+02	2	N-P	3	1.255	20	10	25
Dimethyl Phthalate	4.3E+03	3	(0)	0	1.3E+02	2	N-P	11	1.189	16	10	25
2,6-Dinitrotoluene	1.3E+03	3	1.80E-02	5	1.0E+02	2	P	11	1.283	16	10	40
1,4-Dioxane	4.3E+05	3	3.99E+01	10	1.0E+00	2	P	14	1.034	16	10	50
Ethylbenzene	1.5E+02	10	7.00E+00	10	1.4E+03	10	N-P	7	.867	16	0	20
bis(2-Ethylhexyl)phthalate (DEHP)	2.9E-01	3	(0)	0	9.5E+03	2	P	11	.9843	16	0	15
Fuel Oil (virgin product)												20

MOBILITY AND PERSISTENCE VALUES AND SCORES											
ORGANIC OHM	Solubility (mg/l)		Vapor Pressure (mm Hg)		K _{ow}		Degradation Potential ^A		Specific Gravity (at 20°) ^B		TOTAL SCORE
	Value	ref.	Value	ref.	Value	ref.	Value	ref.	Value	ref.	
Gasoline (virgin product)											25
Heptachlor	1.8E-01	3	3.00E-04	(6)	2.5E+04	3	P	1	1.57	10	30
Hexachlorobenzene	6.0E-03	(6)	1.09E-05	(6)	1.7E+05	(6)	P	7	2.044	16	20
Hexachloroethane	5.0E+01	3	4.00E-01	(6)	4.0E+04	3	N-P	3	2.090	20	30
2-Hexanone	1.4E+04	3	(1.6)		2.5E+01	5	N-P	11	.815 (18°/4°)	16	15
Isophorone	1.2E+04	3	(0.3)		5.0E+01	3	N-P	11	.921 (25°)	17	18
Methylene Chloride	2.0E+04	(6)	4.31E+03	(6)	1.9E+01	(6)	N-P	7	1.366	18	38
Methyl Ethyl Ketone	2.7E+05	(6)	7.75E+01	(6)	1.8E+00	(6)	N-P	15	.805	16	30
Methyl Naphthalene	2.5E+01	3	(3.2)		1.3E+04	3	N-P	7	1.025 (14°/4°)	16	15
Methyl Tert-Butyl Ether	4.8E+00	3	(196)		NA		NA		.731	16	30
Naphthalene	3.2E+01	3	(20)		2.8E+03	3	N-P	7	1.145	16	25
Nitrobenzene	1.9E+03	3	1.50E-01	(6)	7.1E+01	3	N-P	8	1.203	16	30
Pentachlorophenol	1.4E+01	(6)	1.10E-04	(6)	1.0E+05	(6)	P	7	1.978 (22°)	16	25
Phenol	9.3E+04	(6)	3.41E-01	(6)	2.9E+01	(6)	N-P	7	1.071 (25°/4°)	16	30
PCBs	1.2E-02	3	7.70E-05	(6)	1.1E+06	3	P	8,9	1.5 (25°)	18	20
1,1,2,2-Tetrachloroethane	2.9E+03	3	5.00E+00	(6)	2.5E+02	3	P	8,11	1.600	16	45

MOBILITY AND PERSISTENCE VALUES AND SCORES											
ORGANIC OHM	Solubility (mg/l)		Vapor Pressure (mm Hg)		K _{ow}		Degradation Potential ^A		Specific Gravity (at 20°) ^B		TOTAL SCORE
	Value	ref.	Value	ref.	Value	ref.	Value	ref.	Value	ref.	
Tetrachloroethylene	1.5E+02	10)	1.8E+01	10)	4.0E+02	10)	P	7	1.631	16	40
Tetrahydrofuran	3.0E-01	4	(2)		6.6E+00	6	N-P	13	.888	16	10
Toluene	5.3E+02	10)	2.81E+01	10)	5.4E+02	10)	N-P	7	.866	16	30
1,2,4-Trichlorobenzene	3.0E+01	10)	2.90E-01	10)	2.0E+04	3	P	8	1.446	16	30
1,1,1-Trichloroethane	1.5E+03	10)	1.23E+02	10)	3.2E+02	10)	P	7	1.346	16	45
1,1,2-Trichloroethane	4.5E+03	10)	3.00E+01	10)	3.0E+02	10)	P	7	1.441	16	45
Trichloroethylene (TCE)	1.1E+03	10)	5.79E+01	10)	2.4E+02	10)	P	7	1.466	16	45
2,4,6-Trichlorophenol	8.0E+02	3	1.20E-02	10)	7.4E+03	3	N-P	8	1.490	16	15
Vinyl Chloride	2.7E+0	10)	2.66E+03	10)	2.4E+01	10)	P	7	.908	16	30
Xylenes	2.0E+02	10)	1.00E+01	10)	8.9E+02	10)	N-P	7	.880	16	20

NOTES

- ^A Degradation Potential: N-P = Non-Persistent; P = Persistent. Score for "N-P" = 0; "P" = 10.
- ^B Specific gravity of compound at 20°C referred to water at 4°C (20°/4°) unless otherwise specified.
- ^C Numbers in parentheses are Henry's Law Constant in atm m³ water/m³ air.

REFERENCES

- * Solubility of 1,000,000 mg/l assigned because of reported "infinite solubility" in the literature.
- 1 "Superfund Public Health Evaluation Manual", Office of Emergency and Remedial Response Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency, 1986.
 - a. Environmental Criteria and Assessment Office (ECAO), EPA, Health Effects Assessments for Specific Chemicals, 1985.
 - b. Mabey, W.R., J.H. Smith, R.T. Rodoll, H.L. Johnson, T. Mill, T.W. Chou, J. Gates, I.W. Partridge, H. Jaber, and D. Vanderberg. "Aquatic Fate Process Data for Organic Priority Pollutants," EPA Contract Nos. 68-01-3867 and 68-03-2981 by SRA International for Monitoring and Data Support Division, Office of Water Regulations and Standards, Washington, DC, 1982.
 - c. Dawson, et al., Physical/Chemical Properties of Hazardous Waste Constituents, by Southeast Environmental Research Laboratory for US EPA, 1980.
 - d. Jaber, et al., "Data Acquisition for Environmental Transport and Fate Screening", Office of Health and Environmental Assessment, US EPA, Washington DC, EPA 600/6-84-009, 1984.
 - e. ORD, US EPA, "Treatability Manual, Volume 1", EPA 600/2-82-001a.
 - f. Verchueren K., "Handbook of Environmental Data for Organic Chemicals", Van Nostrand Reinhold Co., New York, 2nd ed., 1983.
 - 2 US EPA, "Basics of Pump-and-Treat Ground-Water Remediation Technology," EPA/600/8-90/1003, Robert S. Kerr Environmental Research Laboratory, March 1990.
 - 3 Manufacturer's data: Texas Petrochemicals Corp., Gasoline Grade Methyl-tert-butyl-ether Shipping Specifications and Technical Data, 1986.
 - 4 CRC Handbook of Chemistry and Physics, 71st Edition, CRC Press, Ohio, 1990.
 - 5 Lyman W.J. et al., "Research and Development of Methods for Estimating Physicochemical Properties of Organic Compounds of Environmental Concern," June 1981.
 - 6 EPA Draft Document, "Hazardous Waste Treatment, Storage and Disposal Facilities (TSDF) Air Emissions Model," April 1989.
 - 7 Citations compiled in E.K. Nyer, "Groundwater Treatment Technology," 2nd edition, in production.
 - 8 Dragun J., "The Soil Chemistry of Hazardous Materials," The Hazardous Materials Control Research Institute, 1988, pp.366-367.
 - 9 Bedard D.L., "Bacterial Transformations of Polychlorinated Biphenyls," In: "Biotechnology and Biodegradation", D. Kanely, A. Chakrabarty, G.S. Omerni (eds.) Advances in Applied Biotechnology Series, Vol. 4, Portfolio Pub. Co., The Woodlands, Texas, 1990.
 - 10 "Characterization and Laboratory Soil Treatability Studies for Creosote and Pentachlorophenol Sludges and Contaminated Soil," EPA: Washington DC, EPA/600/2-88/055, 1988.
 - 11 Pitter P.J., Chudoba J., "Biodegradability of Organic Substances in the Aquatic Environment," CRC Press, 1990.
 - 12 Vogel T.M., McCarty P.L., "Transformations of Halogenated Aliphatic Compounds," Env. Sci. Tech., 21, 722-736, 1987.
 - 13 Volsky V.T., Grady C.P., "Toxicity of Selected RCRA Compounds to Activated Sludge Microorganisms," Journal WPCF, Vol 60, No. 10, 1850, 1988.
 - 14 Klecka G.M., Gonsior S.J., "Removal of 1,4-Dioxane from Wastewater," Journal of Hazardous Materials, 13, 161-168, 1986.
 - 15 Nyer D., Boettcher G., and Morello B., "Using the Properties of Organic Compounds to Help Design a Treatment System," Groundwater Monitoring Review, Fall, 1991, pp. 81-86.
 - 16 Dean, J.A. ed., "Lange's Handbook of Chemistry", 11th edition, McGraw-Hill Book Co., New York, 1973.
 - 17 Weiss, G., "Hazardous Chemicals Data Book", 2nd edition, Noyes Data Corp., New York, 1986.
 - 18 US Public Health Service, Agency for Toxic Substances and Disease Registry, "Draft Toxicological Profile for Selected PCBs," November 1987.
 - 19 US Public Health Service, Agency for Toxic Substances and Disease Registry, "Draft Toxicological Profile for Benzo(a)pyrene," October 1987.
 - 20 Merck Index, 9th edition, Merck and Co. Inc., New Jersey, 1976.

40.1514(3) Metals

METAL	Mobility	Score
Arsenic - H_2AsO_4	Slowly mobile	15
Asbestos - > 2 μ	Immobile	5
Asbestos - < 2 μ	Slowly mobile	15
Beryllium - Be^{2+}	Moderately mobile	25
Cadmium - Cd^{2+}	Slowly mobile	15
Chromium - Cr^{3+} or Cr^{6+}	Slowly mobile	15
Copper - Cu^{2+}	Moderately mobile	25
Cyanide - CN^-	Relatively mobile	35
Lead - Pb^{2+}	Moderately mobile	25
Mercury - Hg^{2+}	Slowly mobile	15
Selenium - $HSeO_4^-$ & SeO_3^{2-}	Relatively mobile	35
Zinc - Zn^{2+}	Moderately mobile	25

¹ Fuller, "Movement of Selected Metals, Asbestos, and Cyanide in Soils: Application to Waste Disposal Problems," EPA-600/2-77-020, April 1977.

40.1514(4) OHM Mobility and Persistence Factors for Other Organic Compounds

OHM MOBILITY AND PERSISTENCE FACTORS			
Organic Compounds			
FACTOR	RANGE and VALUE		
	LOW (Value)	MEDIUM (Value)	HIGH (Value)
Solubility (mg/L)	< 1 (0)	1 - 1,000 (5)	> 1,000 (10)
Vapor Pressure (mm Hg)	< 0.01 (0)	0.01 - 1 (5)	> 1 (10)
K _{ow}	> 10,000 (0)	10 - 10,000 (5)	< 10 (10)
Degradation Potential	Non-Persistent (NP) (0)		Persistent (P) (10)
Specific Gravity (20° C)	< 1 (0)	> 1 (10)	
Radionuclides			
Radionuclides present in quantities greater than their federal Reportable Quantity (40 CFR Part 302.4, Appendix B) where the quantity is known or in concentrations greater than background where the quantity is not known shall be assigned a Mobility and Persistence Score equal to 40.			

40.1515 Soil Permeability Criteria

SOIL PERMEABILITY	
VALUES	CRITERIA
LOW	Permeability: < 10E-7 cm/s Soil or Bedrock Type: clay; shale; compact till; unfractured metamorphic and igneous rocks.
MEDIUM	Permeability: 10E-7 to < 10E-3 cm/s Soil or Bedrock Type: silt, fine sand and silty sand; loess; silty clays; clay loams, silty loams, sandy loams, and loamy sands; less to moderately permeable limestones, dolomites, and sandstone; moderately permeable to coarse till; moderately fractured igneous and metamorphic rocks. Fill is considered moderately permeable unless disposal site-specific condition indicate otherwise.
HIGH	Permeability: ≥ 10E-3 cm/s Soil or Bedrock Type: gravel, sand; highly fractured igneous and metamorphic rocks; permeable basalt and lavas; karst limestone and dolomite.

IV. HUMAN POPULATION AND LAND USES

IV.A. HUMAN POPULATION				
Residential Population Within ½ Mile	None 0	1 - 99 5	100 - 999 10	≥ 1,000 15
Institutions Within 500 feet	None 0		One or More 10	
On-Site Workers	None 0	1 - 99 5	100 - 999 10	≥ 1,000 15

IV.B. AQUIFERS		
Sole Source Aquifer Name: _____	No 0	Yes 25
Potentially Productive Aquifer	No 0	Medium or High 15

IV.C. WATER USE						
Proximity of Disposal Site to Public Drinking Water Supply Source	Not Applicable (NA) 0			Zone A 20	Zone II, IWPA, or SW Intake ≤ 400' 50	
Persons Served by Public Drinking Water Supply	NA 0	25 - 999 5	1,000 - 4,999 10	5,000 - 49,999 20	≥ 50,000 25	
Private Water Supplies Within 500 Feet	None 0		Commercial Industrial 10	Agriculture Residential (Not Ingested) 15	Drinking Food Processing 25	
Alternative Public Water Supply Available (Viable Public Water Supply in Disposal Site Community and Public Water Connection ≤ 500 Feet from Site)	Yes 0			No 25		

SECTION IV SCORE (A + B + C)			
A. 20	B. 0	C. 0	TOTAL: (0 - 205) 20

Check here if Section VI has been used to amend the score for this Section of the NRS.	<input type="checkbox"/>
--	--------------------------

V. ECOLOGICAL POPULATION

V.A. ENVIRONMENTAL RESOURCE AREAS			
RESOURCE	LOCATION		
Area of Critical Environmental Concern	> 500' from Site 0	≤ 500' from Site 20	On-Site 30
Species of Special Concern, Threatened or Endangered Species Habitat	> 500' from Site 0	On-Site or ≤ 500' from Habitat 30	
Wetlands, Certified Vernal Pool, or Outstanding Resource Water	> 100' from Site 0	≤ 100' from Site 20	On-Site 30
Fish Habitat	> 500' from Site 0	≤ 500' from Site 20	On-Site 30
Protected Open Space (Local/State/Federal/Trustee)	> 500' from Site 0	≤ 500' from Site 20	On-Site 30

SCORE SECTION V.B. ONLY IF SECTION V.A. SCORE IS ≥ 30.

V.B. ENVIRONMENTAL TOXICITY SCORE	
<i>Highest Environmental Toxicity Score From Table V.B. or Worksheet V.B.1. on Following Pages.</i>	
OHM Scored: _____ Concentration and Media: _____	Toxicity Score (1 - 35) 0

SECTION V. SCORE (A. + B.)		
A. 20	B. 0	TOTAL: (0 - 185) 20

Check here if Section VI has been used to amend the score for this Section of the NRS.	<input type="checkbox"/>
--	--------------------------

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

40.1511 (Continued)

Table V.B. ENVIRONMENTAL TOXICITY SCORE					
OHM	CONCENTRATION (soil/sediment: $\mu\text{g/g}$; surface/groundwater $\mu\text{g/l}$)				
	< 1	1 - 99	100 - 999	1,000 - 9,999	$\geq 10,000$
Arsenic	5	10	15	20	25
Benzene	0	1	5	10	15
Bis(2-ethylhexyl)phthalate *	5	10	15	20	25
Cadmium	10	15	20	25	30
Carbon Tetrachloride	0	1	5	10	15
Chlorobenzene *	5	10	15	20	25
Chromium III	1	5	10	15	20
Chromium VI	5	10	15	20	25
Coal Tar *	5	10	15	20	25
Cyanide	5	10	15	20	25
1,1 Dichloroethane *	5	10	15	20	25
1,2 Dichloroethane	0	1	5	10	15
Ethylbenzene	0	1	5	10	15
Ethylene Dibromide *	5	10	15	20	25
#2 Fuel Oil (virgin product) *	1	5	10	15	20
Gasoline (virgin product) *	5	10	15	20	25
Lead	5	10	15	20	25
Mercury	15	20	25	30	35
Methylene Chloride *	5	10	15	20	25
Methyl Ethyl Ketone *	5	10	15	20	25
Methyl Tert Butyl Ether *	1	5	10	15	20
Nickel	1	5	10	15	20
Phenol	0	1	5	10	15
PAHs *	5	10	15	20	25
PCBs	15	20	25	30	35
Tetrachloroethylene	0	1	5	10	15
Toluene	0	1	5	10	15
1,1,1 Trichloroethane	0	1	5	10	15
Trichloroethylene	0	1	5	10	15

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

Table V.B. ENVIRONMENTAL TOXICITY SCORE					
OHM	CONCENTRATION (soil/sediment: $\mu\text{g/g}$; surface/groundwater $\mu\text{g/l}$)				
	< 1	1 - 99	100 - 999	1,000 - 9,999	> 10,000
Vinyl Chloride *	5	10	15	20	25
Xylenes *	5	10	15	20	25
Zinc	1	5	10	15	20

* Scores derived by default methods 40.1516(2).

Haley & Aldrich, Inc.
465 Medford Street
Suite 2200
Boston, MA 02129-1400
Tel: 617.886.7400
Fax: 617.886.7600
www.HaleyAldrich.com



6 April 2000
File No. 12671-040

City of Lawrence
Mayor' Office
200 Common Street
Lawrence, Massachusetts 01840-1517


Attention: Ms. Patricia A. Dowling

Subject: Legal Notice
Pursuant to MCP 40.1403(6)(b)
207 Marston Street
Lawrence, Massachusetts
RTN: 3-18126

Dear Ms. Dowling:

Pursuant to the Massachusetts Contingency Plan (MCP) 40.1403(6)(b), Haley & Aldrich, Inc. is submitting the attached legal notice to the City of Lawrence Mayor's Office on behalf of American Recycling, Inc.. The notice will be published in the *Boston Globe* on 12 April 2000. If there are any questions or comments, please do not hesitate to call or write.

Sincerely yours,
HALEY & ALDRICH, INC.



Stewart A. Wiley
Senior Engineer

Enclosure

F:\12671\040\CITYNOT.DOC

OFFICES

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New Hampshire

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Portland
Maine

Rochester
New York

San Diego
California

San Francisco
California

Washington
District of Columbia

**NOTICE OF AN INITIAL SITE INVESTIGATION AND
TIER II CLASSIFICATION**

**207 MARSTON STREET
RELEASE TRACKING NUMBER 3-18126**

Pursuant to the Massachusetts Contingency Plan (310 CMR 40.0480), an Initial Site Investigation has been performed at the above referenced location. A release of oil and/or hazardous materials had occurred at this location which is a disposal site (defined by M.G.L. c. 21E, Section 2). This site has been classified as **Tier II**, pursuant to 310 CMR 40.0500. Response actions at this site will be conducted by **AMERICAN RECYCLING, INC.** who has employed **ELLIOT I. STEINBERG** to manage response actions in accordance with the Massachusetts Contingency Plan (310 CMR 40.0000).

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of and involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the disposal site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2) Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact **MR. PETER PRINZ, VICE PRESIDENT, AMERICAN RECYCLING, INC., 207 MARSTON STREET, LAWRENCE, MASSACHUSETTS 01841** at **978-682-5226**.

**UNDERGROUND
ENGINEERING &
ENVIRONMENTAL
SOLUTIONS**

Haley & Aldrich, Inc.
465 Medford Street
Suite 2200
Boston, MA 02129-1400
Tel: 617.886.7400
Fax: 617.886.7600
www.HaleyAldrich.com



6 April 2000
File No. 12671-040

City of Lawrence
Inspection Services
Health and Food Division
200 Common Street
Lawrence, Massachusetts 01840-1517

Attention: Health Agent

Subject: Legal Notice
Pursuant to MCP 40.1403(6)(b)
207 Marston Street
Lawrence, Massachusetts
RTN: 3-18126

Pursuant to the Massachusetts Contingency Plan (MCP) 40.1403(6)(b), Haley & Aldrich, Inc. is submitting the attached legal notice to the City of Lawrence Health and Food Division on behalf of American Recycling, Inc.. The notice will be published in the *Boston Globe* on 12 April 2000. If there are any questions or comments, please do not hesitate to call or write.

OFFICES

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West Virginia
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Ohio
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California
- Manchester
New Hampshire
- Newark
New Jersey
- Portland
Maine
- Rochester
New York
- San Diego
California
- San Francisco
California
- Washington
District of Columbia

Sincerely yours,
HALEY & ALDRICH, INC.

Stewart A. Wiley
Senior Engineer

Enclosure

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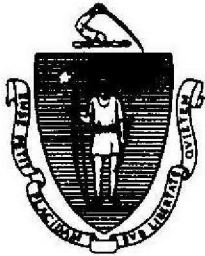
**NOTICE OF AN INITIAL SITE INVESTIGATION AND
TIER II CLASSIFICATION**

**207 MARSTON STREET
RELEASE TRACKING NUMBER 3-18126**

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To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact **MR. PETER PRINZ, VICE PRESIDENT, AMERICAN RECYCLING, INC., 207 MARSTON STREET, LAWRENCE, MASSACHUSETTS 01841** at **978-682-5226**.



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Northeast Regional Office, 205A Lowell Street, Wilmington, MA 01887

ARGEO PAUL CELLUCCI
Governor

JANE SWIFT
Lieutenant Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

AMERICAN RECYCLING INC
PO BOX 76161
HIGHLAND HEIGHTS
NEWPORT, KY 41076-0000

Attn: MICHAEL PRICE

February 24, 2000

RTN: 3-0018126
LAWRENCE
207 MARSTON ST

RE: 310 CMR 40.0000, Notice of Due
Date for Tier Classification Submittal.

Dear MICHAEL PRICE,

On 03/31/1999 the Department of Environmental Protection (DEP) was notified of a release or threat of release of Oil and Hazardous Material at 207 MARSTON ST, LAWRENCE. This release constitutes a TWO HR release condition pursuant to 310 CMR 40.0000, the Massachusetts Contingency Plan (MCP), and Chapter 21E of the Massachusetts General Laws.

The purpose of this letter is to remind you that the one year period, following the date of notification, for you to submit either a Response Action Outcome (RAO) Statement, a Downgradient Property Status Submittal or a Tier Classification Submittal is about to expire. This letter describes the significance of this deadline so that you can take appropriate action to minimize your cleanup costs, maintain compliance with the MCP, and avoid possible DEP enforcement action for failing to submit an RAO Statement, a Downgradient Property Status Submittal or a Tier Classification Submittal to DEP.

PLEASE BE ADVISED that, as of the date of this letter, DEP has not received either a RAO Statement, a Downgradient Property Status Submittal or a Tier Classification Submittal for the above listed site. The one year period for submitting one of these documents will expire on 03/31/2000.

The MCP requires, among other provisions, that a location affected by a release (i. e., the site) meet one of the following milestones within one year of notification:

February 24, 2000

Page 2

- Conditions at the site meet the requirements of a Response Action Outcome, and an RAO Statement and supporting documentation are submitted to the appropriate regional office. If you submit an RAO Statement more than 120 days after the date of notification and prior to Tier Classification, you must also pay DEP an RAO Compliance Fee of \$750.00; or
- A Downgradient Property Status is established for the site, and a Downgradient Property Status Transmittal Form and supporting documentation are submitted to the appropriate regional office. You must also pay DEP a Downgradient Property Status Compliance Fee of \$1000.00; or
- The site is Tier Classified as either a Tier I or Tier II site, and a Tier Classification Transmittal Form and supporting documentation are submitted to the appropriate regional office. For Tier I sites, you must also include a Tier I Initial Permit Application and pay a Permit Application Fee of \$3,550; Tier II sites do not require a Permit and do not pay a Permit Application Fee. If a site is Tier Classified within one year of notification, the DEP will not assess an Annual Compliance Fee for the first year. After Tier Classification, Comprehensive Response Actions must then be undertaken to assess and clean up that site.

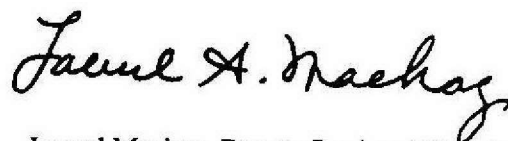
Please note that if you fail to submit either an RAO Statement, a Downgradient Property Status Submittal or a Tier Classification Submittal to DEP by 03/31/2000, the above referenced site will be categorically classified as a Tier IB Disposal Site and, if not otherwise exempt, you will be assessed a Tier IB Annual Compliance Fee for the first year, for response actions which you carried out.

Licensed Site Professional (LSP):

In order to clean up and/or address a release or threat of release, the services of a Licensed Site Professional (LSP) are required. LSPs are professionals licensed by the Commonwealth of Massachusetts to issue Waste Site Cleanup Activity Opinions in connection with response actions at sites. The MCP requires the preparation of one or more Waste Site Cleanup Activity Opinions for every release reported to DEP. For a list of LSP names please contact the Board of Registration at (617) 556-1145.

You and your Licensed Site Professional (LSP) may obtain copies of all DEP forms and applications by contacting your regional service center at (978) 661-7677 or 7678. You may direct other questions concerning this letter to Lauren Bell at (978) 661-7704.

Very truly yours,



Laurel Mackay, Deputy Regional Director
Northeast Regional Office
Bureau of Waste Site Cleanup

COPY

C O V E R
S H E E T

FAX

To: Peter Prinz
Fax #: 978 686-6484
Subject: DRAFT Immediate Response Action Status Report
207 Marston Street, Lawrence, Mass.
Date: July 27, 1999
Pages: 4, including this cover sheet.

COMMENTS:

Peter, here's a draft of the Status Letter that I mentioned to you. I've also added a reference to the water supply well information obtained by Baumgartner. The attached letter does not include attachments.

Please review and call with any edits/comments. I'll stop in tomorrow to have you sign on the state-required transmittal form for this status letter.

THANKS,

- Jon

From the desk of...

Jonathan B. Higgins, C.P.G., L.S.P.
Principal Hydrogeologist
Higgins Environmental Associates, Inc.
18 Elizabeth Street
Amesbury, Massachusetts 01813

978-634-9000
Fax: 978-634-9886

IMMEDIATE RESPONSE ACTION STATUS REPORT**RTN 3-18126****JOHN C. TOMBARELLO & SONS, INC
207 MARSTON STREET
LAWRENCE, MA 01841**

This July 23, 1999 Immediate Response Action (IRA) Status Report serves as status update of the June 1, 1999 Modified IRA Plan for the above-referenced Release Tracking Number (RTN). The June 1, 1999 Modified IRA Plan modified a previous April 21, 1999 IRA Plan for RTN 3-18126 by including: (1) additional assessment activities for assessing whether an Imminent Hazard condition actually exists relative to surficial soil, and, (2) by including recommended actions to abate a potential Imminent Hazard condition. The status of IRA activities to date is summarized in the following sections.

The April 21, 1999 IRA Plan discussed the following plans for this RTN:

1. Removal of approximately 100 cubic yards of stockpiled soil.
2. Collection and laboratory analysis of surficial soil samples; and,
3. Collection of ground water samples from four existing monitoring wells.

The June 1, 1999 Modified IRA Plan amended the April 21, 1999 IRA Plan by including the following actions:

1. Placement of a fence along the top of an earthen berm and connecting this fence to existing property fencing;
2. Replacement of three of the existing monitoring wells prior to ground water sampling and laboratory analysis of ground water
3. Collection and laboratory analysis of additional surficial soil samples

Status of Assessment and/or Remedial Actions**1. Removal of Stockpiled Soil:**

A total of 106.87 tons of stockpiled soil was removed on May 27, 1999. Bill of lading documentation for these soils were provided to the Massachusetts Department of Environmental Protection on July 12, 1999.

2. Collection and Laboratory Analysis of Surficial Soil (top six inches):

This task has been completed. HEA did not include laboratory analysis for polynuclear aromatic hydrocarbons by U.S. EPA Method 8270C as these parameters were evaluated as part of extractable petroleum hydrocarbon (EPH) analysis of soil. HEA has also completed additional surficial soil

sampling as outlined in the June 1, 1999 Modified IRA Plan. Summary tables of laboratory results are attached for reference. A site plan indicating the location of sampling points is not currently available for submittal with this IRA Status Report.

3. Ground Water Sampling of Existing Monitoring Wells

On June 2, 1999, an additional three monitoring wells (MW5, MW6, and MW7) were advanced on the property. Soil boring logs are attached for reference. These wells were developed on June 3, 1999 and sampled on June 10, 1999. As discussed in the June 1, 1999 Modified IRA Plan, three of the existing wells (MW2, MW3, and MW4) could not be located. MW1 was located and developed on May 23, 1999. Ground water sampling on June 10, 1999 from each of three newly installed wells and existing well MW1 was completed utilizing low flow sampling methodologies. Ground water samples were preserved upon collection. Samples for total RCRA 8-list metals were not filtered prior to preservation and laboratory analysis. Laboratory results are summarized on the attached table. A site plan indicating the locations of newly installed wells is not currently available for submittal with this IRA Status Report.

4. Completion of Fencing

Fencing along the top of the previously unfenced portion of the earthen berm has been completed. This fencing was inspected by MA DEP on July 21, 1999. MA DEP indicated that fencing was adequate.

5. Collection and laboratory analysis of additional soil samples

On June 2, 1999, HEA collected an additional five surficial soil samples at, and proximate to, the previous surficial soil sample location 03014-SB6-SS1. One sample was collected at the same point as 03014-SB6-SS1 and designated as 03014-SB6-SS2. An additional four soil samples were collected at a distance of ten feet to the north, south, east, and west of 03014-SB6-SS1. These additional soil samples were designated as 03014-SB6-N1 (for north), 03014-SB6-S1 (for south), 03014-SB6-E1 (for east), and 03014-SB6-W1 (for west). Laboratory results are summarized on the attached table. A site plan indicating the locations of soil samples is currently not complete.

IRA Status Report Summary

HEA has collected surficial soil and ground water samples, and overseen the advancement of three additional monitoring wells. The elevation of additional monitoring wells and existing well MW1 have been surveyed. Based on depth to ground water measurement collected on June 10, 1999, ground water flow on the property is primarily to the east. Ground water impacts by volatile organic compounds were noted at one location (MW6) at concentrations exceeding MCP GW-1 Method 1 standards. *Please note, it has recently been ascertained that the water supply wells associated with an Interim Wellhead Protection Area which included a portion of the property are being abandoned (reference: DEP PWS-ID: 321000G, Transmittal # 203277).* The furthest downgradient well (MW5) had no observed MCP GW-1 exceedences for VOCs or remaining parameters. Completion of property fencing on the earthen berm and connection of this fence with existing perimeter fencing, combined with motion detectors and security video cameras has effectively removed an Imminent Hazard Potential in accordance with 310 CMR 40.0261(2)(b). In accordance with 310 CMR 40.0426 and 310

CMR 40.0950, completion of fencing has removed the potential Imminent Hazard Condition posed by impacts to surficial soil on the property. HEA has advised our client of further MCP options for addressing risks posed by property conditions. Once a course of action has been selected by our client, HEA will prepare MCP-required documentation for pursuing further assessment and/or response actions relative to observed property conditions.

LSP Opinion Regarding this IRA

It is the opinion of Mr. Jonathon B. Higgins, LSP No. 3605 that IRA activities have been completed in accordance with the April 21, 1999 IRA Plan and the June 1, 1999 modified IRA Plan. The MA DEP has not established any IRA conditions for approval of these IRA Plans.

JUL-27-99 01:02 PM HIGGINS ENVIRONMENTAL

9783349366

P.05

ATTACHMENTS

**COMPOUNDS EXCEEDING REPORTABLE CONCENTRATIONS,
FIGURES, LABORATORY SUMMARY TABLES, SOIL BORING LOGS,
AND TRANSMITTAL FORMS**

TABLE
ANALYTICAL SUMMARY TABLE - SOIL SAMPLES
LAWRANCE, MASSACHUSETTS

PCB Analysis	03014-SB5		03014-SB5		03014-SB5		03014-F2		03014-SS8		03014-SS8		03014-SS8		03014-SS8	
	NORTH	SOUTH	EAST	WEST	BDL	6,100	BDL	BDL	BDL	BDL	3,000	BDL	BDL	BDL	BDL	BDL
AROCLOR 1016/1242	BDL	BDL	BDL	BDL	BDL	6,100	BDL	BDL	BDL	BDL	3,000	BDL	BDL	BDL	BDL	BDL
AROCLOR 1254	2,100	BDL	2,000	2,300	BDL	BDL	BDL	950	BDL	BDL	BDL	BDL	BDL	BDL	2,700	2,300
AROCLOR 1260	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
VOC Analysis																
Trichlorofluoromethane	1,000	200	690	720	2,600	BDL	BDL	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,1,1-Trichloroethane	BDL	BDL	BDL	BDL	BDL	BDL	79	NA	NA	NA	NA	NA	NA	NA	NA	NA
Tetrachloroethane	220	BDL	BDL	79	BDL	BDL	BDL	NA	NA	NA	NA	NA	NA	NA	NA	NA

PCB Analysis	03014-SS7		03014-SS7		03014-SS7		03014-SS7		03014-F7		03014-SB2		03014-SB6		03014-ALL	
	NORTH	SOUTH	EAST	WEST	NORTH	SOUTH	EAST	WEST	SS1	SS1	SS1	SS1	SS1	SS1	SS1	SS1
AROCLOR 1016/1242	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	2,000	BDL	BDL	BDL	BDL	BDL
AROCLOR 1254	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	3,000	BDL	BDL	BDL	BDL	BDL	BDL	BDL
AROCLOR 1260	3,200	2,600	3,200	3,500	2,900	2,900	2,900	2,900	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
VOC Analysis																
Trichlorofluoromethane	NA	NA	NA	BDL	NA	NA	BDL	NA	2,700	NA	NA	470	110	BDL	BDL	BDL
1,1,1-Trichloroethane	NA	NA	NA	BDL	NA	NA	BDL	NA	BDL	NA	NA	250	BDL	BDL	BDL	BDL
Tetrachloroethane	NA	NA	NA	79	NA	NA	79	NA	BDL	NA	NA	BDL	BDL	BDL	BDL	BDL

- Notes: 1. All values expressed in micrograms per kilogram (ug/kg) or parts per billion (ppb).
 2. BDL indicates that the analyte was not detected above laboratory detection limits.
 3. NA = Not Analyzed.
 4. Samples were collected on April 23, 1999.
 5. PCB analysis performed by EPA Method 8082.
 6. VOC Analysis performed by EPA Method 8015B via EPA Method 8240B.
 7. VOC = Volatile Organic Compounds.



Higgins Environmental Associates, Inc.

99006 c

19 Elizabeth Street
Amesbury, Massachusetts 01913

Via Hand Delivery
(April 21, 1999)

April 21, 1999

Mr. Allen Wyman
Massachusetts Department of Environmental Protection
Northeast Regional Office
205A Lowell Street
Wilmington, MA 01887

Re: 207 Marston Street, Lawrence, MA
RTN 3-18126
HEA Project Number 03014-99

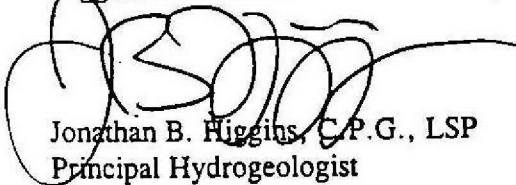
Dear Mr. Wyman:

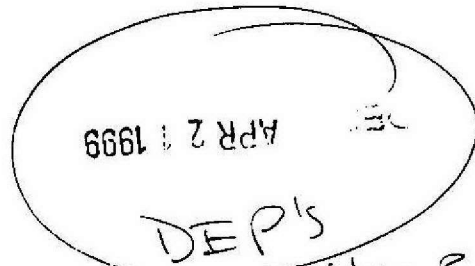
On behalf of American Recycling, Inc. and John C. Tombarello & Sons, Inc., Higgins Environmental Associates, Inc. (HEA) is providing the attached Immediate Response Action (IRA) Plan and Release Notification & Notification Retraction Form (RNF) pursuant to the Massachusetts Contingency Plan's notification requirements and in accordance with a March 31, 1999 Notice of Responsibility & Interim Deadlines letter from your office.

If you have any questions regarding this letter or relative to our efforts with RTN 3-18126, please give us a call.

Sincerely,

Higgins Environmental Associates, Inc.


Jonathan B. Higgins, C.P.G., LSP
Principal Hydrogeologist


DEP'S
Date Stamp for Receipt

cc: Mr. Michael Price, American Recycling, Inc.
Mr. George Tombarello, John C. Tombarello & Sons, Inc.
Mr. J. Claiborne Thornton, W. Z. Baumgartner & Associates, Inc. w/out figure 2

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IMMEDIATE RESPONSE ACTION PLAN

RTN 3-18126

**JOHN C. TOMBARELLO & SONS, INC
207 MARSTON STREET
LAWRENCE, MA 01841**

Concentrations of oil and hazardous materials (OHMs) exceeding Massachusetts Contingency Plan (MCP) Reportable Conditions have been documented in two environmental assessment reports prepared for the above-referenced property (the "Site"). These documents were dated July 20, 1998 - Response Action Outcome Statement for RTN 3-16817, and August 1998 - Environmental Site Assessment. Both of these documents are currently on file with the Massachusetts Department of Environmental Protection's (MA DEP's) Northeast Regional Office in Wilmington, Massachusetts. On March 31, 1999 the MA DEP issued a Notice of Responsibility & Interim Deadline(s) letter to the former Site operator, care of Tombarello Recycling, Inc., and the current Site owner, American Recycling, Inc.

This Immediate Response Action (IRA) Plan has been prepared at the request of the MA DEP and to assess Reportable Conditions noted in the two previously referenced documents. In MA DEP's March 31, 1999 letter, they specifically requested that the IRA Plan include an Imminent Hazard Evaluation in accordance with 310 CMR 40.0426. This IRA Plan has been prepared to address requirements made by MA DEP and to assess property conditions relative to previously identified Reportable Conditions.

A completed IRA Transmittal Form and Release Notification & Notification Retraction Form (RNF) are attached to this document.

I. PERSON ASSUMING RESPONSIBILITY FOR THIS IMMEDIATE RESPONSE ACTION (Dual Party)

Name:	Mr. Michael Price	Mr. George R. Tombarello
Address:	American Recycling, Inc. P.O. Box 76488 Highland Heights, KY 41076	John C. Tombarello & Sons, Inc. 12 Agnes Terrace Methuen, MA 01844
Telephone:	(606) 572-0199	(603) 474-8821
Relationship:	Current owner of record	Former operator

I.A. Licensed Site Professional of Record

Name:	Mr. Jonathan B. Higgins, LSP No. 3605
Address:	Higgins Environmental Associates, Inc. 19 Elizabeth Street Amesbury, Massachusetts 01913
Telephone:	(978) 834-9000
Relationship:	Consultant to American Recycling, Inc. and John C. Tombarello & Sons, Inc.

II. RELEASE DESCRIPTION, SITE DESCRIPTION, AND SURROUNDING RECEPTORS

II.A. Release Description

As part of IRA activities (RTN 3-16817) for a sudden release of approximately 30 gallons of heat transfer oil, OHMs not attributed to heat transfer oil were detected in surficial soil and stockpiled soil on the Site. Stockpiled soils were generated and disposed of during response actions for RTN 3-16817. A subsequent and unrelated Environmental Assessment of the Site also discovered OHMs in soil and ground water at the Site. A Response Action Outcome (RAO) report and statement for RTN 3-16817 (heat transfer oil release) was filed with MA DEP on July 20, 1998. OHMs remaining on the Site in soil and ground water and exceeding Reportable Conditions for S-1 category soil and GW-1 category ground water are summarized on **Attachment A** of this IRA Plan.

No soil samples have currently been collected solely within the top six (6) inches of exposed surficial soil at the Site. As such, whether Site conditions and observed OHMs could represent an actual Imminent Hazard is currently unknown. The Site is secured by fencing, a locking gate, security cameras and an approximately twenty foot high earthen berm. Portions of the Site are paved, occupied by buildings, or are unpaved.

On April 1, 1999, Higgins Environmental Associates, Inc. (HEA) met with representatives of American Recycling, Inc. and John C. Tombarello & Sons, Inc. at the Site. At that time, HEA explained the function of a Licensed Site Professional and conducted a visual reconnaissance of the Site. On April 1, 1999, HEA also conducted a review of MA DEP's files for RTNs 3-18126 and 3-16817.

II.B. Property Description

The Site is located at 207 Marston Street in Lawrence, Massachusetts and consists of approximately 15 acres of land zoned for residential (northern portion of Site) and limited industrial use (remainder of Site). **Figure 1 - Site Location** depicts the approximate location of the Site in Lawrence, Massachusetts. **Figure 2 - Facility Map** depicts the approximate Site boundaries, physical Site features, and sampling points from the August 1998 Environmental Assessment of the Site.

The Site is bounded to the north by residentially-developed properties, to the east by Route 495, to the south by a Sons of Italy Lodge and their soccer field, to the southwest by a portion of the Site leased by Essex Waste Paper Company, Inc., and to the north by Marston Street and across Marston Street by land zoned open space/recreation. The Merrimack River is located within a few hundred feet to the east of Route 495 from the Site.

The Site is serviced by underground natural gas, municipal water and sewer, and above-grade electric and telephone service. The Site also utilized several 275-gallon above ground fuel oil storage tanks for heating purposes. An approximately four acre section of the southwestern portion of the Site is currently leased to Essex Waste Paper Company, Inc.

II.C. Surrounding Receptors

Potential human receptors on the Site are currently limited to adults, and possibly infrequent visits by children to the house and main office building, on the northern portion of the Site. No children currently reside on the Site. Potential human receptors surrounding the Site would include children and adults, as land abutting the Site is used for residential purposes. Access to the Site from residential properties to the north is restricted by fencing, an earthen berm, security cameras and a motion detector.

Use of the Site by adults is considered passive, as adult employees typically work solely within buildings or operate heavy machinery used for processing metal. Children are not provided access to the Site, and are restricted from active portions of the Site by fencing, the earthen berm, security cameras, a motion detector, and company policy. Approximately 22 adult employees currently work at the Site.

The eastern half of the Site is located within an Interim Wellhead Protection Area (IWPA) for a municipal well in North Andover. This municipal well is located on the opposite side of the Merrimack River from the Site. HEA will compile additional information regarding potential human and environmental receptors as part of this IRA.

III. SOIL AND GROUND WATER CLASSIFICATIONS

III.A. Reportable Condition Categories

The applicable soil and ground water Reportable Condition categories for the subject property were assessed based upon the requirements of the MCP. The observed areas of soil impact are located within an IWPA based on information available at the MA DEP's Northeast Regional Office, and therefore, is categorized as an RCGW-1 area. Due to the presence of residences within 500 feet of the area of observed soil impacts, soil can be categorized as an RCS-1.

III.B. Applicable Ground Water Categories for Method 1 Risk Characterization

As the Site is located within an IWPA, ground water is located less than 15 feet below grade and within 30 feet of an occupied building, and ground water will eventually discharge to a surface water body, ground water at the Site can be classified as categories GW-1, GW-2, and GW-3 for risk characterization purposes.

HEA currently has not assessed the presence/absence of private drinking water wells proximate to the Site. This will be completed as part of IRA activities.

III.C. Applicable Soil Categories for Method 1 Risk Characterization

Based on an assessment of the frequency of use, intensity of use, and accessibility to OHM-impacted soil at the Site by children and adults, Site soils meet the risk-based criteria for S-2 category soils. OHM-impacted soil is located within two feet of grade of an unpaved portion of the Site, as such, the MCP would categorize the impacted soil as accessible. For adults, HEA has assumed a high frequency of use (site employees and the currently adult-only residents in the on-Site house), and a low intensity of use (primarily walking or driving over the areas of observed OHM impact). No children currently reside on the Site. For children, frequency of use is considered low (as infrequent visitors or trespassers), and intensity of use is considered low (limited to potentially walking through the area).

IV. NEED FOR THIS IMMEDIATE RESPONSE ACTION

This IRA is necessary to address a potential Imminent Hazard and has been required by the MA DEP in their March 31, 1999 Notice of Responsibility letter to American Recycling, Inc. and Tombarello Recycling, Inc. (contact for John C. Tombarello & Sons, Inc.).

V. OBJECTIVES OF THIS IMMEDIATE RESPONSE ACTION

The objectives of this IRA Plan are to assess potential risks posed by this observed OHM-impacts to soil and ground water, including whether an Imminent Hazard exists relative to surficial soil impacts.

VI. SPECIFIC PLANS FOR THIS IMMEDIATE RESPONSE ACTION

This IRA Plan currently consists of the removal of existing stockpiled soil and assessment-only activities. Proposed IRA activities consist of the following:

1. Removal of Stockpiled Soil:

Approximately 100 cubic yards of soil were generated during additional soil removal activities in October 1998 in the area of a former release of heat transfer oil (RTN 3-16817). These soils are currently stockpiled within steel containers which in turn are covered by steel plates. These soils will be removed from the Site following either MCP Bill of Lading Procedures or Hazardous Waste Manifest procedures, as appropriate.

2. Collection and Laboratory Analysis of Surficial Soil (top six inches):

To assist with an Imminent Hazard Evaluation pursuant to 310 CMR 40.0426, this IRA proposes to collect soil samples from the top six inches of exposed surficial soil on the Site. Due to the lack of a defined source area(s) for observed soil impacts, sampling will be conducted on a grid pattern beginning in previously detected areas of near surface soil impacts and extending outwards through unpaved portions of the Site. Grid spacing will initially be tight proximate to known areas of soil impacts, HEA proposes ten foot grid spacing, followed by grid spacing of a minimum of fifty feet throughout the remainder of the Site. Surficial soil samples may in part be screened for the indicator parameters: lead; polychlorinated biphenyls (PCBs); petroleum hydrocarbons; and, volatile organic

compounds (VOCs). If screening techniques are utilized, approximately ten to twenty percent of all screened samples will be submitted for confirmatory laboratory analysis.

Based upon information generated by others regarding OHM impacts to soils, HEA proposes laboratory analysis of soil for the following parameters:

- PCBs by U.S. EPA Method 8082;
- Polynuclear aromatic hydrocarbons by U.S. EPA Method 8270C;
- Cadmium and lead by U.S. EPA Method 6010A;
- VOCs by U.S. EPA Methods 5035 and 8021B (halogenated); and
- Volatile and extractable petroleum hydrocarbons (VPHs/EPHs) by MA DEP-specified methods.

The exact number of soil sampling points will be limited by physical Site features such as areas of pavement, buildings, and stockpile areas of metal. At this time, HEA anticipates that approximately forty eight samples will be collected for screening and in part laboratory analysis. Selection of laboratory parameters at each location will vary depending upon proximity and type of known surficial soil impacts. Headspace screening of soil with an 11.7 electron volt photoionization detector (PID) and visual classification of soil will also be utilized to refine the selection of laboratory parameters at each location. To facilitate our understanding of Site conditions, several (assume total of five) soil samples at distance from areas of known soil impacts will be analyzed for the full set of laboratory parameters specified above.

Depending upon laboratory results and potential limitations on sample collection, additional soil samples may be collected and submitted for laboratory analysis to assist in characterizing Site conditions.

3. Ground Water Sampling of Existing Monitoring Wells

Based on previous laboratory results of ground water sampling, as documented in the August 1998 Environmental Assessment report, four ground water monitoring wells (MW-1, MW-2, MW-3, and MW-4) will be resampled. Prior to sampling the depth to water within each well will be measured. Wells will be sampled following modified low-flow sampling techniques and after a minimum of three well volumes of water have been purged, or until the well goes dry. Samples from each of the four wells will be submitted for laboratory analysis of the following:

- VOCs by U.S. EPA Method 8260B;
- The metals: arsenic; chromium(total); and lead by U.S. EPA Method 6010A; and,
- One sample from MW-1 and MW-4 for VPHs (carbon fraction only) and EPHs by MA DEP-specified methods.

VII. PROPOSED SCHEDULE

It is anticipated that proposed IRA field activities will be completed prior to the end of May 1999. An Imminent Hazard Evaluation will be completed within two weeks following receipt of laboratory results of surficial soils. Documentation of findings from proposed IRA activities will occur prior to the end of June 1999.

VIII. MANAGEMENT OF REMEDIATION WASTE

Approximately 100 cubic yards of OHM-impacted soil are currently stockpiled on the Site. These soils will be transported off-Site for disposal following MCP Bill of Lading or Hazardous Waste Manifest procedures. A receiving facility has not, as of this IRA Plan, been selected to accept this soil.

Purge water generated during ground water sampling will be placed into DOT-approved 55-gallon drums and disposed of at a licensed treatment facility under manifest procedures.

All final Bill of Lading documentation or manifests for transportation and recycling of stockpiled soil and ground water will be provided to the MA DEP.

IX. ENVIRONMENTAL MONITORING PLAN

IRA assessment activities will utilize an 11.7 electron volt PID for soil screening and health and safety purposes. No other environmental monitoring activities are anticipated at this time.

X. PERMITS REQUIRED

No permits are anticipated for this IRA Plan. Bill of Lading documentation will be generated in accordance with 40.0034 for the Management of Remediation Waste (removal of impacted soil).

XI. PUBLIC INFORMATION REQUIREMENTS

Notification of an IRA Completion Statement or a Response Action Outcome Statement, as applicable, will be made in the form of a letter to the Lawrence Chief Municipal Officer and the Board of Health in accordance with the MCP.

ATTACHMENTS

**COMPOUNDS EXCEEDING REPORTABLE CONCENTRATIONS,
FIGURES AND TRANSMITTAL FORMS**

**LIST OF COMPOUNDS
EXCEEDING REPORTABLE CONCENTRATIONS
FOR S-1 CATEGORY SOIL AND GW-1 CATEGORY GROUND WATER**

SOILS (in mg/kg)

<u>Compound/Analyte</u>	<u>Maximum Concentration</u>	<u>RCS-1 Concentration</u>
PCBs	59.7	2
Lead	4,170	300
Total Petroleum Hydrocarbons	9,090	200
Benzo(a)anthracene	24.6	0.7
Benzo(a)pyrene	15.3	0.7
Benzo(b)fluoranthene	19.3	0.7
Chrysene	25	7
Indeno(1,2,3-cd)pyrene	4.39	0.7
Naphthalene	5.43	4

GROUND WATER (in mg/l)

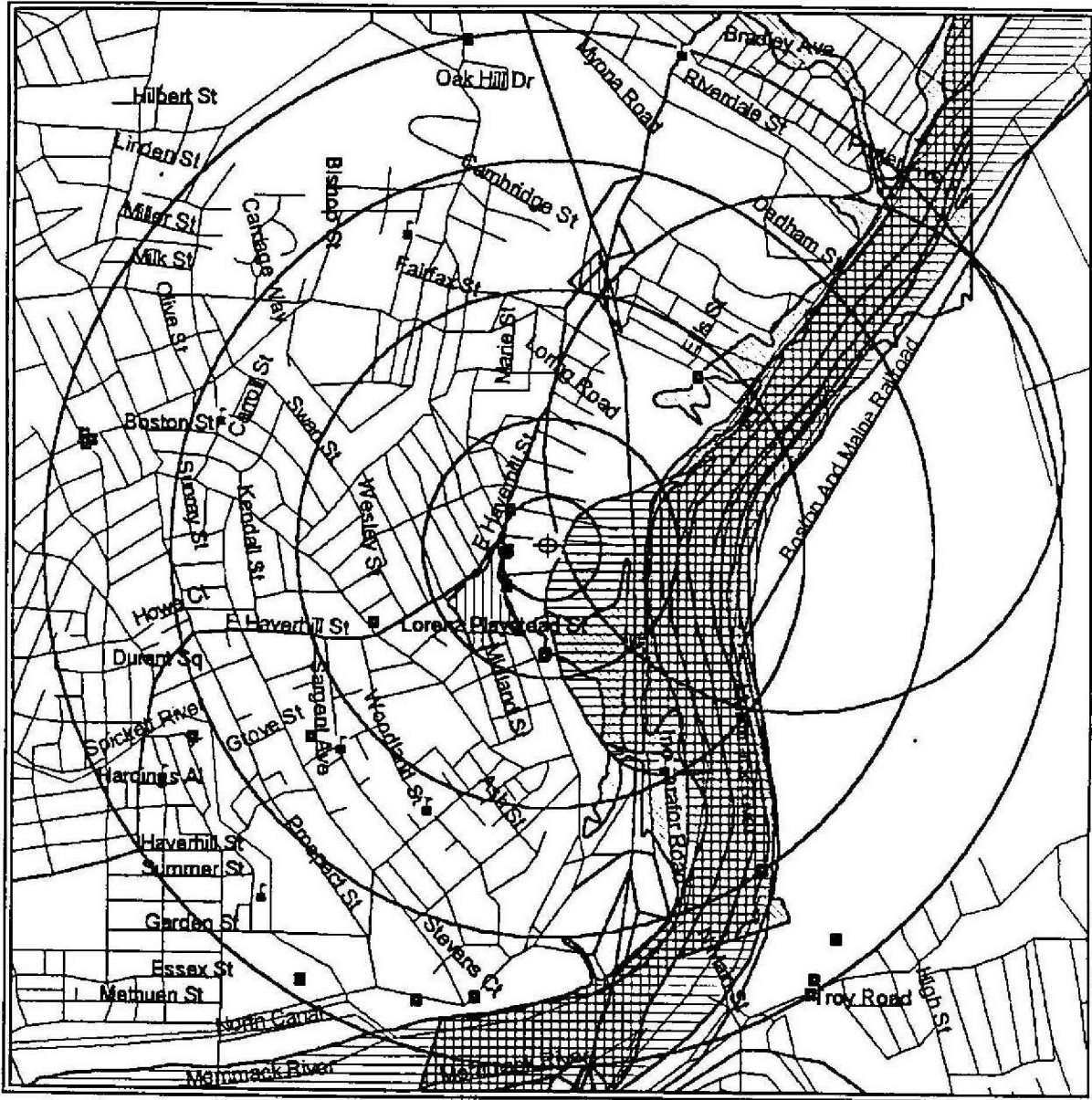
<u>Compound/Analyte</u>	<u>Maximum Concentration</u>	<u>RCGW-1 Concentration</u>
Benzene	0.0136	0.005
Tetrachloroethene	0.0071	0.005
1,1-Dichloroethane	0.1138	0.07
Arsenic	0.143	0.05
Chromium(total)	0.477	0.1
Lead	1.56	0.015

Environmental FirstSearch

1 Mile Radius

All FEDERAL All STATE All LOCAL Sites

207 MARSTON ST, LAWRENCE MA 01843

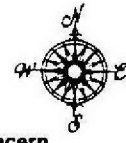


Source: 1994 U.S. Census TIGER Files

- Target Site
- Identified Site
- Multiple Sites
- Receptor
- NPL, SWL or Haz. Waste
- Target ZIP Boundary
- Adjacent ZIP Boundary
- Railroad
- Black Rings Represent 1/4 Mile Radil
- Red Ring Represents 500 ft. Radius

- Water Bodies
- Public Water Supply
- Dep Zone II Boundaries
- High Yield Aquifers:
 - Potentially Productive
 - Not Potential Drinking Source
- Medium Yield Aquifers:
 - Potentially Productive
 - Not Potential Drinking Source

- Other Aquifers:
 - EPA Sole Source
- ACEC's:
 - Area of Critical Environmental Concern
 - Protected Open Spaces
 - Estimated Habitats of Rare Wetlands Wildlife
 - Vernal Pool
- Floodplains:
 - 100 Year
 - 500 Year
- Other:
 - Wetlands





IMMEDIATE RESPONSE ACTION (IRA)
TRANSMITTAL FORM

Release Tracking
Number

Pursuant to 310 CMR 40.0424 - 40.0427 (Subpart

3-18126

A. RELEASE OR THREAT OF RELEASE LOCATION:

Release Name: _____
(optional)
Street: 207 Marston Street Location Aid: Hofman Avenue
City/Town: Lawrence ZIP Code: 01841

- Check here if a Tier Classification Submittal has been provided to DEP for this Release Tracking Number.
- Check here if this location is Adequately Regulated, pursuant to 310 CMR 40.0110-0114.
- Specify Program: CERCLA HSWA Corrective Action Solid Waste Management RCRA State Program (21C Facilities)

Related Release Tracking Numbers That This IRA Addresses: _____

B. THIS FORM IS BEING USED TO: (check all that apply)

- Submit an IRA Plan (complete Sections A, B, C, D, E, H, I, J and K).
 Check here if this IRA Plan is an update or modification of a previously approved written IRA Plan. Date Submitted: _____
- Submit an Imminent Hazard Evaluation (complete Sections A, B, C, F, H, I, J and K).
- Submit an IRA Status Report (complete Sections A, B, C, E, H, I, J and K).
- Submit a Request to Terminate an Active Remedial System and/or Terminate a Continuing Response Action(s) Taken to Address an Imminent Hazard (complete Sections A, B, C, D, E, H, I, J and K).
- Submit an IRA Completion Statement (complete Sections A, B, C, D, E, G, H, I, J and K).

You must attach all supporting documentation required for each use of form indicated, including copies of any Legal Notices and Notices to Public Officials required by 310 CMR 40.1400.

C. RELEASE OR THREAT OF RELEASE CONDITIONS THAT WARRANT

Identify Media and Receptors Affected: (check all that apply)
 Air Groundwater Surface Water Sediments Soil
 Wetland Storm Drain Paved Surface Private Well Public Water Supply Zone 2 Residence
 School Unknown Other Specify Interim Well Head Protection Area (IWPA)

Identify Conditions That Require IRA, Pursuant to 310 CMR 40.0412: (check all that apply)
 72 Hour Reporting Condition(s) Substantial Release Migration 2 Hour Reporting Condition(s)
 Other Condition(s)
Describe Required by 3/31/99 NOR; Soil Impacts Could Pose an Imminent Hazard; Release to IWPA

Identify Oils and Hazardous Materials Released: (check all that apply)
 Others Specify: PCBs (in soils only) Oils Chlorinated Solvents Heavy Metals

D. DESCRIPTION OF RESPONSE ACTIONS: (check all that apply)

- Assessment and/or Monitoring Only
- Excavation of Contaminated Soils (Disposal method to be determined)
- Re-use, Recycling or Treatment
 - On Site Off Site Est. Vol.: 100 cubic yards
 - Describe _____
 - Store On Site Off Site Est. Vol.: _____ cubic yards
 - Landfill Cover Disposal Est. Vol.: 400 cubic yards
- Removal of Drums, Tanks or Containers
Describe _____
- Deployment of Absorbent or Containment Materials
- Temporary Covers or Caps
- Bioremediation
- Soil Vapor Extraction
- Structure Venting System
- Product or NAPL Recovery
- Groundwater Treatment Systems
- Air Sparging
- Temporary Water Supplies

SECTION D IS CONTINUED ON THE NEXT PAGE.



**IMMEDIATE RESPONSE ACTION (IRA)
TRANSMITTAL FORM**

Release Tracking
Number

3-18126

Pursuant to 310 CMR 40.0424 - 40.0427 (Subpart D)

D. DESCRIPTION OF RESPONSE ACTIONS (continued):

- Removal of Other Contaminated Media
- Temporary Evacuation or Relocation of Residents
- Fencing and Sign Posting
- Specify Type and Volume: _____
- Other Response Actions Describe: _____
- Check here if this IRA involves the use of Innovative Technologies (DEP is Interested in using this information to aid in creating an Innovative Technologies Clearinghouse).
- Describe Technologies: _____

E. TRANSPORT OF REMEDIATION WASTE: (If Remediation Waste has been sent to an off-site facility, answer the following questions)

Name of Facility: _____
 Town and State: _____
 Quantity of Remediation Waste Transported to Date: _____

F. IMMEDIATE HAZARD EVALUATION SUMMARY: (check one of the following)

- Based upon an evaluation, an Imminent Hazard exists in connection with this Release or Threat of Release.
- Based upon an evaluation, an Imminent Hazard does not exist in connection with this Release or Threat of Release.
- Based upon an evaluation, it is unknown whether an Imminent Hazard exists in connection with this Release or Threat of Release, and further assessment activities will be undertaken.
- Based upon an evaluation, it is unknown whether an Imminent Hazard exists in connection with this Release or Threat of Release. However, response actions will address those conditions that could pose an Imminent Hazard.

G. IRA COMPLETION STATEMENT:

Check here if future response actions addressing this Release or Threat of Release will be conducted as part of the Response Actions planned for a Site that has already been Tier Classified under a different Release Tracking Number, or a Site that is identified on the Transition List as described in 310 CMR 40.0600 (i. e., a Transition Site, which includes Sites with approved Waivers). These additional response actions must occur according to the deadlines applicable to the earlier Release Tracking Number (i. e., Site ID Number).

State Release Tracking Number (i. e., Site ID Number) of Tier Classified Site or Transition Site: _____

If any Remediation Waste will be stored, treated, managed, recycled or reused at the site following submission of the IRA Completion Statement, you must submit either a Release Abatement Measure (RAM) Plan or a Phase IV Remedy Implementation Plan, along with the appropriate transmittal form, as an attachment to the IRA Completion Statement.

H. LSP OPINION:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and (iii) the provisions of 309 CMR 4.03(5), to the best of my knowledge, information and belief,

> if Section B of this form indicates that an Immediate Response Action Plan is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that an Imminent Hazard Evaluation is being submitted, this Imminent Hazard Evaluation was developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and the assessment activity(ies) undertaken to support this Imminent Hazard Evaluation complies(y) with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000;

> if Section B of this form indicates that an Immediate Response Status Report is being submitted, the response action(s) that is (are) the subject of this submittal (i) is (are) being implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that an Immediate Response Action Completion Statement or a Request to Terminate an Active Remedial System and/or Terminate a Continuing Response Action(s) Taken to Address an Imminent Hazard is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal.

SECTION H IS CONTINUED ON THE NEXT PAGE.



**IMMEDIATE RESPONSE ACTION (IRA)
TRANSMITTAL FORM**

Release Tracking
Number

Pursuant to 310 CMR 40.0424 - 40.0427 (Subpart D)

3-18126

H. LSP Opinion (continued):

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.

LSP Name: Jonathan B. Higgins LSP #: 3605 Stamp:
Telephone: 978 834-9000 Ext.: _____
FAX: 978 834-9966
(optional)
Signature: [Signature]
Date: 4/21/99



I. PERSON UNDERTAKING IRA:

Name of Organization: American Recycling, Inc.
Name of Contact: Peter F. Prinz Title: Vice President, COO
Street: P.O. Box 76488
City/Town: Highland Heights State: KY ZIP Code: 41076
Telephone: 606 572 0199 Ext.: _____ FAX: _____
(optional)
 Check here if there has been a change in the person undertaking the IRA.

J. RELATIONSHIP TO RELEASE OR THREAT OF RELEASE OF PERSON UNDERTAKING IRA:

(check one)

RP or PRP Specify Owner Operator Generator Transporter Other RP or PRP: _____
 Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)
 Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

Any Other Person Undertaking IRA Specify Relationship: former operator John C. Tombarello & Sons, Inc.

K. CERTIFICATION OF PERSON UNDERTAKING IRA:

I, Peter F. Prinz, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

By: [Signature] Title: Vice President, COO
(signature)
For: American Recycling, Inc. Date: 4/21/99
(print name of person or entity recorded in Section I)

Enter address of the person providing certification, if different from address recorded in Section I:
Street: _____

City/Town: _____ State: _____ ZIP Code: _____
Telephone: _____ Ext.: _____ FAX: _____
(optional)

YOU MUST COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.