



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CONTAINS ENFORCEMENT-SENSITIVE INFORMATION

MEMORANDUM

DATE: May 11, 2005

SUBJ: Request for a Total Project Ceiling Increase and Change in Scope of Response for a Continued Removal Action at the Apco Mossberg Company, Inc. Site, Attleboro, Bristol County, Massachusetts

Action Memorandum Addendum #1

FROM: Melanie Morash, On-Scene Coordinator
Emergency Response and Removal Section II

Melanie Morash

THRU: Steven Novick, Chief
Emergency Response and Removal Section II

Arthur V. Johnson III, Chief
Emergency Planning & Response Branch

TO: Susan Studlien, Director
Office of Site Remediation and Restoration

I. PURPOSE

The purpose of this Action Memorandum Addendum is to request and document approval of a Total Project Ceiling Increase of \$1,380,000 and a Change in Scope of Response at the Apco Mossberg Company, Inc. Site (the Site), which is located at 100-101 Lamb Street in Attleboro, Bristol County, Massachusetts. The total project ceiling, if approved, will be \$1,860,000. The ceiling increase is required to remove and dispose of metal- and PCB-contaminated soils, including an approximately 225 feet by 300 feet area of cadmium-contaminated surface soils in former waste chemical storage lagoons. Consistent with the original Action Memorandum, additional investigation activities in the lagoons were conducted in August 2004 and January 2005; the full horizontal and vertical extent of contamination was determined during subsequent investigations in April and May 2005. The Change in Scope is necessary to remove and dispose of metal wastes in an uncovered waste chemical plating vat and other miscellaneous containers, recently discovered during removal activities in April 2005. Hazardous substances present in soils and containers at the Site, if not addressed by continuing to implement the response actions selected in this Action Memorandum Addendum, will continue to pose a threat to human health and the environment. There are no nationally significant or precedent-setting issues associated with this Site, and there has been no use of the OSC's \$200,000 warrant authority.

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For additional information, see the original Action Memorandum dated November 5, 2004.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# : MAD059731836
SITE ID# : 01BV
CATEGORY : Time Critical

A. Site Description

1. Removal site evaluation

At the request of the Massachusetts Department of Environmental Protection (MADEP), the United States Environmental Protection Agency (EPA) conducted a Removal Program Preliminary Assessment/Site Investigation (PA/SI) on March 29 and 30, 2004, and August 20 and 23 - 25, 2004 and determined that the Site met the criteria for a time-critical removal action. The original Action Memorandum was signed and approved on November 9, 2004 by Richard Cavagnero. Removal actions commenced on January 18, 2005. Additional soil sampling activities were conducted January 19 - 21, 2005 and in April 2005. The proposed ceiling increase will provide funding to remove and dispose of cadmium-contaminated surface soils in former waste chemical storage lagoons, located in undeveloped woods approximately 200 feet north of the former manufacturing building foundation. Funds will also be used to remove and dispose of metal solids in surface soils, and metal wastes in an uncovered waste chemical plating vat and other miscellaneous containers discovered during removal activities in April 2005.

For additional information see the original Action Memorandum.

2. Physical location

The Site is located at 100-101 Lamb Street, in Attleboro, Bristol County, Massachusetts. The geographic coordinates, as measured from the approximate center of the property, are 41° 56' 5.5" north latitude and 71° 17' 14.8" west longitude. The approximately 200 feet by 250 feet area of cadmium-contaminated surface soils is located in undeveloped woods and bordered: to the south by a dirt road; to the east by undeveloped woods; to the west by approximately 200 feet north of the former manufacturing building foundation and railroad tracks; and to the north by the Ten Mile River.

For additional information see the original Action Memorandum.

3. Site characteristics

Removal actions to date have included removal of PCB-contaminated soils and capacitor parts and compressed gas cylinders, screening of debris piles on and around the foundation to segregate contaminated soils from miscellaneous timber, scrap metal, and bricks, and excavation and consolidation of contaminated foundation soils.

For additional information see the original Action Memorandum.

4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant

Based on the information available at this time, the principal hazardous substances or pollutants or contaminants that are being released or for which there is a threat of release include but are not necessarily limited to the list below:

<u>Hazardous Substances or Pollutants or Contaminants</u>	<u>Media</u>
ignitable chemicals	compressed gas cylinders
metals (barium, cadmium, lead)	surface soil, debris piles, containers
polychlorinated biphenyls (PCBs)	surface soil

Sampling results indicate metal and PCB contamination to be present in soils and debris piles at levels which exceed Massachusetts Contingency Plan (MCP) Method 2 S-2 soil standards:¹

<u>Hazardous Substance</u>	<u>Highest Concentration Observed (ppm)²</u>	<u>MCP Method 2 S-2 Soil Standard (ppm)²</u>
barium	7,740	2,500
cadmium	12,000	80
lead	36,800	600
PCBs	160	2

For additional information see the original Action Memorandum.

¹310 CMR 40.0985(6). Massachusetts Contingency Plan. *Table 5 - MCP Method 2: Direct Contact Exposure-Based Soil Concentrations Applicable to the Specified Soil Category*. Effective May 30, 1997.

²ppm = parts per million

5. NPL status

The Site is not currently on the National Priorities List and has not received a Hazardous Ranking System rating.

B. Other Actions to Date

1. Previous actions

No previous removal actions have occurred at the Site.

2. Current actions

Removal activities at the Site commenced on January 18, 2005.

C. State and Local Authorities' Roles

1. State and local actions to date

On April 14, 2005, EPA conducted a site walk with a MADEP representative to evaluate the condition of two underground oil storage tanks located on the northwest corner of the former manufacturing building foundation. MADEP has indicated its willingness to conduct investigations and cleanup activities related to these subsurface oil tanks, as appropriate.

In a letter to EPA dated December 21, 2004, MADEP provided a list of regulations for consideration as applicable or relevant and appropriate for the removal action.

For additional information see the original Action Memorandum.

2. Potential for continued State/local response

The Massachusetts Highway Department (MHD) has indicated their willingness to undertake cleanup activities on the portion of the Site currently owned by the Commonwealth of Massachusetts.

For additional information see the original Action Memorandum.

**III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT,
AND STATUTORY AND REGULATORY AUTHORITIES**

A. Threats to Public Health or Welfare

Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants; [§300.415(b)(2)(i)];

In addition to the threats described in the original Action Memorandum, cadmium-contaminated surface soils in former waste chemical storage lagoons, metal solids in surface soils, and metals wastes in an uncovered waste chemical plating vat and other miscellaneous containers are exposed to the environment and may serve as a source of contamination to individuals who access the Site. The full horizontal and vertical extent of contamination was determined during site investigations in April and May 2005.

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release [§300.415(b)(2)(iii)];

Metal wastes in an uncovered waste chemical plating vat and other miscellaneous containers have been discovered during recent removal activities in April 2005. The contents of these storage containers are exposed to the environment and unsecured, and may pose a threat of release.

High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate; [§300.415(b)(2)(iv)];

Sampling results indicate hazardous substances to be present in surface soils and debris piles at levels which exceed Massachusetts Contingency Plan (MCP) Method 2 S-2 soil standards. In addition to the threats described in the original Action Memorandum, recent investigations show the horizontal extent and on-site surface soil concentrations of cadmium to be greater than previously detected.

Surface soil cadmium contamination in the undeveloped woods area extends to the bank of the Ten Mile River, which flows south/southeast through the northern portion of the property. Surface water runoff flowing north across the property may mobilize cadmium-contaminated liquids to the river and ultimately to Dodgeville Pond, located approximately 200 feet southeast of the Site. The highest concentration of cadmium observed (12,000 ppm) was detected in soils located approximately 20 feet southwest of the Ten Mile River.

Threat of fire or explosion; [§300.415(b)(2)(vi)];

As removal activities have progressed, additional containers of potentially ignitable chemicals (including, but not limited to, paint cans and compressed gas cylinders) have been uncovered. These miscellaneous containers are exposed to the environment and unsecured, and may pose a threat of fire or explosion.

The availability of other appropriate Federal or State response mechanisms to respond to the release; [§300.415(b)(2)(vii)];

Neither state nor local authorities have the resources to remove the contaminants present at the Site at this time.

For additional information see the original Action Memorandum.

B. Threats to the Environment

Actual or potential contamination of drinking water supplies or sensitive ecosystems; [§300.415(b)(2)(ii)];

In addition to the threats described in the original Action Memorandum, recent investigations show the horizontal extent and on-site surface soil concentrations of cadmium to be greater than previously detected. Cadmium-contaminated surface soils may be transported via surface water runoff to catch basins bordering the Site to the east (along Lamb Street). Fluid flow through these basins may direct contaminated stormwater to Dodgeville Pond, located approximately 200 feet southeast of the Site. Surface water runoff may also contaminate the Ten Mile River, which flows south/southeast through the northern portion of the property. The highest concentration of cadmium observed (12,000 ppm) was detected in soils located approximately 20 feet southwest of the Ten Mile River.

For additional information see the original Action Memorandum.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this Site, if not addressed by continuing to implement the response action selected in the original Action Memorandum and this Action Memorandum Addendum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.³

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

In addition to actions in the original Action Memorandum, proposed removal actions include excavation and disposal of contaminated surface soils and debris piles, including an approximately 225 feet by 300 feet area of cadmium-contaminated surface soils in former waste chemical storage lagoons, located in undeveloped woods approximately 200 feet

³In accordance with OSWER Directive 9360.0-34, an endangerment determination is made based on "relevant action level or clean-up standards" promulgated by the federal government or the applicable state.

north of the former manufacturing building foundation; excavation and disposal of metal solids in surface soils; and disposal of metal wastes in waste chemical storage vats and other miscellaneous containers. Erosion control and dust suppression activities will continue, and may include implementation of the following activities, as appropriate: continued control of nuisance dusts via water suppression activities, construction of a rock-filled entrance and rock filter outlet at the main entrance to the Site, continued maintenance of straw bale barriers and filter fabric fencing, appropriate management of stockpiled soils, appropriate management of riverbank and woods soils to prevent erosion impacts to the Ten Mile River and Dodgeville Pond, and revegetation of disturbed areas, as necessary, to control erosion.

2. Community relations

EPA continues to coordinate with the City of Attleboro and MADEP to implement a community involvement plan for removal actions at the Site. A town meeting sponsored by EPA and the City of Attleboro was held on March 31, 2005 to discuss the ongoing cleanup and respond to residents' concerns. EPA continues to periodically leaflet the neighborhood with fact sheets on cleanup activities, as well as issue press releases to the local newspaper.

3. Contribution to remedial performance

The cleanup proposed in the original Action Memorandum and in this Action Memorandum Addendum is designed to mitigate the threats to human health and the environment posed by the Site. The actions taken at the Site would be consistent with and will not impede any future responses.

4. Applicable or relevant and appropriate requirements (ARARs)

Federal ARARs:

Please see the original Action Memorandum.

State ARARs:

EPA has coordinated with State officials to identify additional State ARARs. In accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and EPA Guidance Documents, EPA will determine the applicability and practicability of complying with each ARAR which is identified in a timely manner.

5. Project schedule

Removal activities at the Site commenced on January 18, 2005.

The duration of on-site activities is not expected to exceed nine months from the time they begin, weather permitting.

B. Estimated Costs

COST CATEGORY	CURRENT CEILING	REQUESTED INCREASE	PROPOSED CEILING
<i>REGIONAL REMOVAL ALLOWANCE COSTS:⁴</i>			
ERRS ⁵ Contractor	\$300,000.00	\$1,150,000.00	\$1,450,000.00
<i>OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE:</i>			
START ⁶ Contractor	\$100,000.00	\$0.00	\$100,000.00
Extramural Subtotal	\$400,000.00	\$1,150,000.00	\$1,550,000.00
Extramural Contingency (20% contingency)	\$80,000.00	\$230,000.00	\$310,000.00
TOTAL, REMOVAL ACTION CEILING	\$480,000.00	\$1,380,000.00	\$1,860,000.00

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action will increase risks to human health and/or the environment from hazardous substances present at the Site. Conditions at the Site may be expected to remain unaddressed, and risks associated with the presence of hazardous substances will continue to pose a threat of release if the actions detailed in the original Action Memorandum and this Action Memorandum Addendum are not implemented.

VII. OUTSTANDING POLICY ISSUES

There are no precedent setting policy issues associated with this Site.

VIII. ENFORCEMENT ... For Internal Distribution Only

⁴ This cost will be driven by the selected option(s). Should longer term options need to be implemented, additional funding may be required.

⁵ Emergency Rapid Response Services

⁶ Superfund Technical Assistance and Response Team

See attached Enforcement Strategy.

The total EPA costs for this removal action based on full-time accounting practices that will be eligible for cost recovery are estimated to be \$1,860,000 (extramural costs) + \$100,000.00 (EPA intramural costs) = \$1,960,000 X 1.279 (regional indirect rate) = \$2,506,840.⁷

IX. RECOMMENDATION

This decision document represents an addendum to the selected removal action for the Apco Mossberg Company, Inc. Site in Attleboro, Massachusetts developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. The basis for this decision will be documented in the administrative record to be established for the Site.

Site conditions continue to meet the NCP Section 300.415 (b) (2) criteria for a removal action due to the following:

Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants [§300.415(b)(2)(i)];

Actual or potential contamination of drinking water supplies or sensitive ecosystems [§300.415(b)(2)(ii)];

Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release [§300.415(b)(2)(iii)];

High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate; [§300.415(b)(2)(iv)];

Threat of fire or explosion; [§300.415(b)(2)(vi)];

The availability of other appropriate Federal or State response mechanisms to respond to the release; [§300.415(b)(2)(vii)].

⁷ Direct Costs include direct extramural costs [\$1,860,000] and direct intramural costs [\$100,000]. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific costs [27.9% x \$1,960,000], consistent with the full accounting methodology effective October 2, 2000. These estimates do not include pre-judgement interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

Action Memorandum Addendum #1 for the Apco Mossberg Company, Inc. Superfund Site
May 11, 2005

I recommend your approval of the proposed ceiling increase of \$1,380,000 and change in scope of response. Of the proposed ceiling increase, no more than \$1,380,000 comes from the Regional removal allowance. Of the total proposed project ceiling, no more than \$1,760,000 comes from the Regional removal allowance. The total removal action project ceiling, if approved, will be \$1,860,000.

APPROVAL:  DATE: 5-11-05

DISAPPROVAL: _____ DATE: _____