



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE – SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

MEMORANDUM

DATE: August 24, 2026

SUBJ: Request for a Ceiling Increase for the continued Removal Action at the Riverside Square PCB Site, Hyde Park, Suffolk County, Massachusetts- **Action Memorandum Amendment**

FROM: Athanasios Hatzopoulos, On-Scene Coordinator ATHANASIOS
Emergency Response and Removal Section II HATZOPOULOS

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THRU: Valerie Jurgens, Manager
Emergency Planning and Response Branch

VALERIE JURGENS

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TO: Dan Wainberg, Deputy Director (for Bryan Olson, Director)
Superfund and Emergency Management Division

**DANIEL
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I. PURPOSE

The purpose of this Action Memorandum Amendment is to request and document approval of a ceiling increase required to complete the ongoing time-critical removal action at the Riverside Square PCB Site. On July 26, 2024, an Action Memorandum with an exemption to the \$2 million and 12-month statutory limitations was approved allowing EPA to conduct the removal action at the site. This amendment, if approved, will allow a ceiling increase from \$4,908,000 to \$8,220,000 and a continuation of the exemption to the \$2 million and 12-month statutory limitations to complete the removal action.

Hazardous substances primarily polychlorinated biphenyls (PCBs) and metals present in site soil, if not addressed by continuing to implement the response actions selected in this Amendment, 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 On-Scene Coordinator's \$200,000 warrant authority.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# : MAN000106137
SITE ID# : 01HG
CATEGORY : Time-Critical

A. Site Description

1. Removal site evaluation

Please refer to the original Action Memorandum, approved on July 26, 2024 for a detailed discussion of the removal site evaluation.

2. Physical location

The approximate 8-acre Riverside Square PCB Site is located along the northern bank of the Neponset River within the Riverside Square area in Hyde Park, Boston, Suffolk County, Massachusetts. The geographical coordinates of the approximate midpoint along the center of Riverside Square are 42° 15' 35.16" north and 71° 06' 51.72" west. The site is located in a primarily residential area, and the land slopes downwards approximately 20 to 45 feet toward the Neponset River.

3. Site characteristics

Please refer to the original Action Memorandum, approved on July 26, 2024 for information about the site characteristics.

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

Please refer to the original Action Memorandum, approved on July 26, 2024 for information regarding initial hazardous substances and contaminant data.

5. NPL status

The Site is not currently on the Superfund National Priorities List, nor has it been proposed. It has not received a Hazardous Ranking System rating and referral to the National Priorities List site assessment program is not anticipated. The Site is next to a portion of the Lower Neponset River Superfund Site, which is on the National Priorities List.

6. Maps, pictures and other graphic information

Please refer to the original Action Memorandum, approved on July 26, 2024.

B. Other Actions to Date

1. Previous actions

Please refer to the original Action Memorandum approved on July 26, 2024.

2. Current Actions

Since mobilizing on October 8, 2024, EPA has worked with the objective of meeting the standards set in Section VI of the July 26, 2024 Action Memorandum by removing PCB- and metal-contaminated soils along with other additional collocated hazardous substances to concentration levels that are relevant to the immediate land use, specifically targeting contaminated soils that are detected above the EPA Removal Management Levels and Massachusetts Department of Environmental Protection S1 standards (residential or unrestricted land uses) for soil cleanup. Thus far, approximately 6,100 tons of soil contaminated with PCBs and metals have been excavated and transported off-site to EPA approved landfills. Activities ongoing since mobilizing include:

- Implementing a Health and Safety Plan;
- Implementing a Community Involvement Plan;
- Updating as necessary work plans providing estimate of materials, time and costs;
- Maintaining security as necessary based on site conditions;
- Mobilizing/demobilizing personnel and equipment as necessary;
- Delineating work zones and decontamination areas;
- Coordinating cleanup activities with Massachusetts Department of Environmental Protection (MassDEP), Massachusetts Department of Conservation and Recreation (DCR), City of Boston, and Massachusetts Water Resources Authority (MWRA);
- Performing air monitoring and implementing dust control and suppression for worker protection and public health, as needed;
- Continuing grubbing and clearing activities as needed;
- Excavating soil contaminated with PCBs and metals;
- Treating and disposing surface/ground water accumulated in excavated areas if necessary;
- Conducting onsite decontamination of larger debris, segregating the material, and stockpiling it for subsequent use or disposal;
- Adhering with the traffic management plan for the transportation and disposal of hazardous wastes and incoming clean soil;
- Transporting and disposing of contaminated soil at EPA-approved disposal facilities; and

- Removing and disposing other hazardous substances discovered during this removal action.

C. State and Local Authorities' Roles

1. State and local actions to date

As stated in the original Action Memorandum, the City of Boston and MassDEP are providing assistance as follows:

City of Boston: Providing area for office and work trailers, police details for traffic control during transportation and disposal and other major soil transportation activities; and use of a portion of its West Street Urban Wild property to facilitate the turn radius needed by the trucks to enter the site.

MassDEP: Providing the relevant applicable ARARs.

2. Potential for continued state/local response

Please refer to the original Action Memorandum, approved on July 26, 2024.

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

For information about threats to public health or welfare and the environment, please refer to the attached copy of the original Action Memorandum, approved on July 26, 2024.

IV. ENDANGERMENT DETERMINATION

In accordance with OSWER Directive 9360.0-34 (August 19, 1993), an endangerment determination is made based on "appropriate Superfund policy or guidance, or on collaboration with a trained risk assessor," which is outlined and discussed in Section III above. "Appropriate sources include, but are not limited to, relevant action level or clean-up standards, Agency for Toxic Substances and Disease Registry documents or personnel, or staff toxicologists."

In this case, EPA relied on the following in making an endangerment determination for this site. During the Preliminary Assessment/Site Investigation, EPA performed extensive sampling data which documented elevated levels of hazardous substances in soils. More specifically, soil sampling data confirmed that high concentrations of PCBs, lead, chromium, and arsenic are above EPA's Removal Management Levels, Toxic Substance Control Act (TSCA) standards, and the MassDEP's Standards for Soil Remediation. In addition to the exceedance of state and

federal standards as described above, the ATSDR ToxFAQs for PCBs, lead, chromium, and arsenic (Section III of the July 26, 2024 Action Memorandum) support EPA's endangerment determination.

Based on EPA's cumulative data, the contaminants of concern for this removal action are mainly PCBs and lead. EPA is therefore using its respective Removal Management Levels to initiate the cleanup and the MassDEP's Massachusetts Contingency Plan Method 1 S-1 standards as the target cleanup. Decisions for the hot spot depth excavations will be made, based on in-situ data and regulatory limits at the time of excavation. As part of this amendment, EPA is performing a data review and risk evaluation to help determine the appropriate volume of soil to be excavated and the levels of contamination that may remain in place.

Hazardous Substances	EPA PA/SI Highest Sample Concentration (mg/kg)	MassDEP Highest Sample Concentration (mg/kg)	EPA RMLs Residential (mg/kg)	MassDEP Standards for S1-Soil Remediation (mg/kg)	MassDEP IH Level (mg/kg)
PCBs	730	98	23	1	10
Lead	1,500	Not sampled	200	200	1,000

V. EXEMPTION FROM STATUTORY LIMITS

To complete the removal action addressing the site PCB and metals contamination, the proposed Action Memorandum Amendment is seeking an increase to the funding ceiling by \$3,312,000 and is demonstrating a continued need for the exemption from the \$2 million and 12-month statutory limit.

CERCLA Section 104(c) states that removal actions can exceed the 12-month and \$2 million statutory limits if conditions meet either the "emergency exemption" criteria or the "consistency exemption" criteria. See the July 26, 2024 Action Memorandum for a discussion regarding the emergency exemption criteria which allowed the initial exceedance of the 12-month and \$2 million statutory limits. For this Amendment, the following conditions demonstrate that the criteria for an emergency exemption for \$2 million and 12-month limits are continuing to be met.

Due to numerous conditions that created significant challenges and delayed completion of work milestones, the continuation of the \$2 million and 12-month exemption from the statutory limit is required to complete the actions identified in the Action Memorandum approved on July 26, 2024. These unanticipated circumstances included:

- Extensive land clearing and grubbing were necessary to remove large quantities of trees and vegetation to provide access to the excavation areas.
- Construction of temporary site access roads was required to allow for incoming trucks to accomplish the contaminated soil transportation and disposal activities. This included coordination and access agreements with adjacent property owners.
- Excavation progressed more slowly than anticipated due to extensive rock and difficult subsurface conditions encountered throughout the site.
- Soils with elevated levels of PCB contamination were discovered requiring more expensive disposal than originally anticipated.
- Periods of severe weather, including heavy rainfall and snow, resulted in standing water within the excavation areas that temporarily limited excavation activities.

In order to complete the removal action, funding requested in this Amendment is needed to a) continue the excavation and disposal of the remaining contaminated soils, b) conduct the final site restoration and c) perform equipment/personnel demobilization activities.

Increasing the funding ceiling will allow the required work to adjust to dynamic situations as they present themselves and to proceed uninterrupted. There are no other entities that are willing or able to mitigate the site risks on a timely basis.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

The proposed actions for the site will continue as outlined in the July 26, 2024 Action Memorandum.

A. Proposed Actions

1. Proposed action description

The proposed actions approved in the original Action Memorandum will protect public health, welfare, and the environment by removing the hazardous substances from the site. The goal of this Amendment is to continue the removal activities of the original Action Memorandum, which at a minimum, will remove PCB- and metal-contaminated soils along with other additional collocated hazardous substances to concentration levels that are relevant to the immediate land use.

The specific removal activities will continue as follows:

- Implementing the site-specific health and safety plan;
- Implementing the community involvement plan;
- Updating as necessary site-specific work plans providing estimates of materials, staffing, equipment, time and costs;

- Providing site security as necessary based on conditions;
- Continuing delineation of work zones and decontamination areas;
- Coordinating cleanup activities with the MassDEP, DCR, MWRA, and city;
- Continuing air monitoring and implementing dust control and suppression for worker protection and public health, as needed;
- Excavating and segregating soils, and potentially sediments, contaminated with PCBs and metals;
- Transporting and disposing of contaminated soil/sediments, at EPA approved disposal facilities, by adhering to the current pre-approved traffic management plan;
- Decontaminating larger debris, segregating the material, and stockpiling it for subsequent use or disposal;
- Conducting post excavation sampling of remaining soils to verify concentration levels achieved;
- Backfilling excavated areas to grade with clean fill;
- Repairing response-related damage;
- Demobilizing resources; and
- Referring site to MassDEP for any long-term measures that may be required to address remaining risks, including post-removal site controls.

2. Community relations

The EPA Community Involvement Coordinator will continue to maintain communications with the local community by sharing information through press releases, fact sheets, and public meetings, as needed. EPA will continue to coordinate communication activities with MassDEP, DCR, and the city.

3. Contribution to remedial performance

The cleanup proposed in this Action Memorandum Amendment is designed to mitigate the threats to human health and the environment posed by the site. The actions taken will be consistent with, and not impede, any future responses.

4. Description of innovative technologies and sustainable approaches

The proposed actions for the site will continue as outlined in the Action Memorandum, approved on July 26, 2024.

5. Applicable or relevant and appropriate requirements (ARARs)

The proposed actions for the site will continue as outlined in the Action Memorandum, approved on July 26, 2024.

6. Project schedule

Upon approval of the proposed removal action, EPA expects to continue the time-critical removal action and complete it in the summer of 2027.

B. Estimated Costs

COST CATEGORY	CURRENT CEILING	PROPOSED INCREASE	PROPOSED CEILING
<i>REGIONAL REMOVAL ALLOWANCE COSTS:¹</i>			
ERRS ² Contractor	\$3,390,000	\$2,360,000	\$5,750,000
Interagency Agreement	\$0.00	\$0.00	\$0.00
<i>OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE:</i>			
START Contractor	\$700,000	\$400,000	\$1,100,000
Extramural Subtotal	\$4,090,000	\$2,760,000	\$6,850,000
Extramural Contingency 20%	\$818,000	\$552,000	\$1,370,000
TOTAL, REMOVAL ACTION CEILING	\$4,908,000	\$3,312,000	\$8,220,000

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

A delayed removal action or the absence of a removal action described herein will cause conditions at the site to remain unaddressed and will continue to release or threaten to release

¹This cost will be driven by the selected option(s). Should longer term options need to be implemented, additional funding may be required.

²Emergency Rapid Response Services

hazardous substances into the environment, which pose a threat to human health and the environment.

VIII. OUTSTANDING POLICY ISSUES

There are no precedent-setting policy issues associated with this site.

IX. ENFORCEMENT ... For Internal Distribution Only

See attached Confidential Enforcement Strategy.

The total EPA costs for this removal action that will be eligible for cost recovery are estimated to be \$8,220,000 (extramural costs) + \$600,000 (EPA intramural costs) = \$8,820,000 X 1.3393 (regional indirect rate) = \$11,812,626³.

X. RECOMMENDATION

This decision document represents the selected removal action for the Riverside Square PCB Site, Hyde Park (Boston), Suffolk County, Massachusetts, developed in accordance with CERCLA, as amended, and is 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.

Conditions at the site meet the National Contingency Plan 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)];

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)];

³ Direct Costs include direct extramural costs \$8,220,000 and direct intramural costs \$600,000. Indirect costs are calculated by using regional indirect rate in effect at time cost estimate is prepared and is expressed as a percentage of the 33.93% (effective January 6, 2025) x \$8,820,000 consistent with EPA's full cost accounting methodology. These estimates do not include pre-judgment 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.

Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released [§300.415(b)(2)(v)]; and

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

I recommend that you approve the proposed ceiling increase to complete the removal action. The total extramural removal action project ceiling, if approved, will be \$8,220,000.

APPROVAL: **DANIEL WAINBERG** _____

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