



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CONTAINS ENFORCEMENT-SENSITIVE INFORMATION

MEMORANDUM

DATE: March 23, 2009

SUBJ: Request for a Removal Action at the Blackburn and Union Privileges Superfund Site, Walpole, Massachusetts - **Action Memorandum**

FROM: Athanasios Hatzopoulos, On-Scene Coordinator (OSC)
Emergency Response and Removal Section II *[Signature]*

THRU: Steven R. Novick, Chief
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Arthur V. Johnson, III, Branch Chief
Emergency Planning & Response Branch (EPRB) *[Signature]*

TO: James T. Owens, III, Director
Office of Site Remediation and Restoration

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the proposed removal action at the Blackburn and Union Privileges Superfund Site, (the Site), which is located at South Street, Walpole, Norfolk County, Massachusetts. Friable asbestos and asbestos-containing material (ACM), in addition to hazardous substances in drums and containers present within the Site, if not addressed by implementing the response actions selected in this Action Memorandum, will continue to pose a threat to human health. There has been no use of the OSC's \$200,000 warrant authority.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# : MAD982191363
SITE ID# : 01B3
CATEGORY : Time Critical

A. Site Description

1. Removal site evaluation

Due to the Site conditions and potential threat of release of the hazardous materials from the Site, on July 15, 2008, the EPA Remedial Program referred the Site to the Emergency Planning and Response Branch (EPRB) for further investigation.

On November 12-13, 2008, EPA OSC, Wing Chau, and the EPA's EPRB Superfund Technical Assessment and Response Team (START), Weston Solutions, Inc., conducted a Preliminary Assessment and Site Investigation (PA/SI) at the parcel within the Site identified on the Walpole Tax Assessor's map as Lot # 33-174, which contains the former mill building, and at the parcel within the Site identified on the Walpole Tax Assessor's map as Lot #33-130, which is a vacant lot.

Within the former mill building, pipe insulation material and heating system related insulation were collected and sampled for asbestos content. In addition, liquid samples were collected from abandoned drums and other containers and were analyzed for volatile and semivolatile organic compounds (VOCs and SVOCs), metals, cyanide, polychlorinated biphenyls (PCBs), flashpoint, and pH. The bulk asbestos analysis revealed that samples contain asbestos with the highest concentration up to 70% chrysotile. Several of the drum and container samples exhibited the characteristics of hazardous wastes (i.e.: pH greater than 12 and flash point < 60°C). The liquid samples collected also revealed elevated levels, above the Massachusetts Department of Environmental Protection's (MassDEP) Standards for the following hazardous materials:

- a) Lead levels ranging to 6,870 milligrams per kilogram (mg/Kg);
- b) SVOCs - methylnaphthalene-2 up to 1,900mg/Kg, naphthalene up to 6,500mg/Kg;
- c) VOCs - M/P xylene to 69,000 mg/Kg, toluene 390 mg/Kg.

On the vacant lot, surface soil and automotive brake pads that were formerly land filled, were collected and analyzed. The bulk asbestos analysis revealed that the brake pads contain chrysotile asbestos up to 25%, and the surface soils contain traces of chrysotile asbestos.

The results of the PA/SI are documented in the report entitled Removal Program Preliminary Assessment/Site Investigation for the Blackburn and Union Privileges Site, Walpole, MA, submitted by Weston Solutions, Inc. Region I Superfund Technical Assessment and Response Team III March 2009.

Based upon Site conditions and the PA/SI sampling results, the Site investigation was concluded and a time critical removal action was recommended in a closure memorandum dated February 26, 2009.

2. Physical location

The Blackburn and Union Privileges Superfund Site is located in an industrial/residential area which includes a former facility where the Neponset River crosses South Street in Walpole, MA. Lot# 33-174 (which contains the former mill building) is bordered by South Street and the former Cosmec complex to the east, residences and Clark Avenue to the west, Common Street and residences to the north and the "Area of Containment" or "AOC" to the south. The Area of Containment is an area of consolidated and covered waste materials that was constructed during a 1992 EPA time-critical removal action at the Site. Lot#33-130 (the vacant lot) is located diagonally across South Street from the AOC and is bordered by the Neponset River to the north and east, South Street to the west, and residential property to the south.

3. Site characteristics

The entire Site is located in a mixed residential/industrial zoned area, and includes multiple parcels of land. This removal action will focus on the vacant-two story former mill building which exists on Lot #33-174 and the vacant lot located across the street at Lot#33-130.

Vacant Two Story Former Mill Building on Lot 33-174-Various industries have operated at the Site building since the early 1800's. In approximately 1915, the Multiple Triple Woven Hose and Rubber Company, later known as Multibestos Company, began manufacturing brake linings, containing asbestos. In the mid-1930's, Multibestos closed the facility due to a class action suit brought by employees suffering from respiratory ailments. Since then, the Site had been operated by the Walpole Factories, Industrial Properties, and the Kendall Corporation. In 1985, B.I.M Investment Corporation acquired this parcel, which is believed to have remained inactive since then.

The building's foot print is approximately 32,000 square feet (ft²). The building is a two story wood/concrete/metal structure, and has a partial basement. The greater portion of the floors is made of wood. The others are concrete. There are openings on the 1st and 2nd floors which expose the floor areas directly underneath. These openings are a result of the former machinery being removed by the previous owners. The floor openings on the second floor have gotten larger through the years because the roof directly over this area is in disrepair. This allowed many years of precipitation to enter the building, damaging the floors, and rendering them structurally unsafe. Most of the windows are boarded up with wood. However, there are still some in their original glass-pane form which are missing or have broken glass panes due to vandalism activities. These openings (roof areas and windows) allow wind and precipitation to enter the building, causing friable asbestos to become airborne and migrate to the surrounding community.

Currently there is a fence around the building and some of the many entrances to the building are locked. However, there is evidence of trespass in that there is a hole in the fence and graffiti on

the building. In addition, trespassers may gain access to the building through those entrances to the building that remain unlocked.

Vacant Lot # 33-130- This lot is approximately ¼ of an acre, it is unfenced, and currently used by the abutting property owner as a tree nursery. During the November 12-13, 2008, PA/SI, automotive brake pads that were visible on the soil surface were collected and analyzed for asbestos content. The analysis revealed chrysotile asbestos up to 25%. The lot is currently owned by the Shaffer Realty Nominee Trust.

According to the 2000 Census, 5,410 people live within 1 mile. There are four schools within a one mile radius of the Site, the Walpole High School, Johnson Middle School, Plimpton Elementary and Blessed Sacrament Grammar Schools. Also within the one mile radius there are three churches, United, Epiphany Episcopal, and Blessed Sacrament, which run some type of daycare or after school programs for children. There are a number of other private daycare or childcare facilities in the same area.

According to the EPA Region 1 Environmental Justice Mapping Tool, the Site is not in an environmental justice area.

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

Contaminants and hazardous substances inside the former mill building include but are not limited to, friable asbestos, ACM, and drums and containers containing lead, VOCs, SVOCs, ignitable, and corrosive wastes. These are a health threat to anyone walking on, traveling by or living near the Site. In the event of a fire, the above mentioned materials will become airborne and migrate to the surrounding areas. Portions of the roof and most of the windows are in disrepair, the threat of release of the friable asbestos to adjacent areas and other receptors exists, particularly during adverse weather conditions. In addition, the building is abandoned and lacks a functioning fire suppression system.

Contaminants on the vacant lot include friable asbestos in the surface soils and asbestos containing brake pads in the soil. Exposure to cycles of wetting and drying of the soil and the brake pads on the vacant lot, will hasten degradation, and thereby the potential of asbestos to become airborne exists. As indicated, wind can cause friable asbestos to migrate to the surrounding community. This is also a health threat to the abutting resident who tends to his nursery currently planted on the lot.

5. NPL status

The Site is currently on the National Priorities List. The Site was proposed for listing on the NPL on February 7, 1992, and was listed on the NPL on May 31, 1994.

B. Other Actions to Date

i. EPA Region 1 Emergency Planning And Response Branch Actions

EPA has not conducted previous removal actions at the former mill building. However, on December 15, 1988, EPA issued an Administrative Order for Removal Action to the B.I.M. Investment Nominee Trust and the Shaffer Realty Nominee Trust to conduct a comprehensive site assessment. On January 31, 1992, EPA issued a Second Administrative Order for Removal Action to W.R. Grace, B.I.M Investment Nominee Trust and Shaffer Realty Nominee Trust to perform a response action which included construction of a 400 ft. long aluminum arch culvert, excavation of asbestos containing materials and containment of such materials in the area above the culvert with cover material (i.e., now known as the Area of Containment). The EPA Removal Program oversaw the Potentially Responsible Parties' (PRP) performance of these two removal actions.

ii. Remedial Branch Actions

As indicated above, EPA listed the Site on the NPL on May 31, 1994. Pursuant to an Administrative Order on Consent, the Kendall Company, or its successor, completed the Remedial Investigation/Feasibility Study for the Site, in 2008. EPA issued a Proposed Plan for the Site on June 9, 2008, and a Record of Decision for the Site on September 30, 2008. In comments submitted during the public comment period for the Proposed Plan, commenters posed environmental concerns about both the former mill building and brake pads observed on the vacant lot. As a result, EPA remedial program asked EPRB to perform a PA/SI of both Lot No. 33-174 and 33-130.

With respect to EPA's Record of Decision for the Site, the entire Site has been divided into four management units: the area East of South Street (SO area), the Area of Containment west of South Street (AOC area), site-wide groundwater and surface water in the Former Mill Tailrace and Neponset River (SW area), and contaminated sediments and flood plain soils in the Former Mill Tailrace, Neponset River, and Lewis Pond (SSW area). The remedial measures will prevent exposures to soils, sediments, and groundwater above cleanup levels, minimize the discharge of groundwater to the Former Mill Tailrace, and allow for the restoration of the Site to beneficial uses.

The major components of this remedy are:

1. Excavation and dredging with off-site disposal of contaminated soil and sediment West of South Street, East of South Street, in the Former Mill Tailrace, along the Neponset River, and within Lewis Pond;

2. Extraction and treatment of groundwater posing a risk to surface waters and discharge of treated groundwater to the Former Mill Tailrace;
3. Institutional controls; and
4. Long term monitoring of all areas where waste will be left in place, as well as monitoring of groundwater to ensure that there are no exceedances of the performance standards for groundwater beyond the groundwater compliance boundary for the waste management areas east and west of South Street.

The total estimated cost of the selected remedy is approximately \$13 million.

On February 18, 2009, EPA issued special notice letters to potentially responsible parties for the Site to commence negotiations for the financing and performance of the remedial design/remedial action set forth in EPA's Record of Decision.

As indicated earlier, this removal action will focus on the vacant-two story building which exists on Lot #33-174 and the vacant lot located across the street at Lot#33-130.

C. State and Local Authorities' Roles

1. State and local actions to date

MassDEP has been involved with the Site since the 1980's when it was referred to EPA for a removal action.

2. Potential for continued State/local response

MassDEP will continue to be involved with the Site by providing technical input on the approved removal action and will generate a list of regulations as applicable or relevant and appropriate. Neither state or local authorities have the resources to remove the hazardous wastes from the Site.

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

A. Threats to Public Health or Welfare

Based on Site conditions and information available on the hazardous substances present, the Site poses the following threats to public health, welfare, or the environment:

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)] Drums and containers with hazardous wastes such as but not limited to lead, VOCs, SVOCs, ignitables, and corrosives are present throughout the former mill building. The asbestos exists throughout the building. It is on the floors, wrapped or hanging around the former heating system, and is part of the non-structural heat containment enclosures in former production rooms. The asbestos on the floors is commingled with floor debris. The asbestos in the vacant lot is in the surface soils and the brake pads that are currently visible on the soil surface.

People are walking by the Site's vacant mill building and vacant lot on a daily basis. In addition, people work and live adjacent to both lots. There is also evidence of trespassing such as an opening on the metal fence and the graffiti on the walls of the building. The vacant lot is unfenced and it is currently used by the abutting neighbor as a tree nursery. The above mentioned contaminants and hazardous substances pose a direct contact threat to local residents and those who may enter the vacant building or the vacant lot of the Site.

Actual or potential contamination of drinking water supplies or sensitive ecosystems [§300.415(b)(2)(ii)] The Site is located about 25 feet away from the Neponset River. In addition, within a one mile radius of the Site there are surface water bodies including School Meadow Brook, Spring Brook, Turner pond, Diamond pond, Clarks pond, Rainbow pond, and Memorial pond. There are also numerous wetlands within this area.

The Neponset River bisects the Site. The hazardous substances present at the Site pose a threat of release that could potentially migrate into the Neponset River.

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)] Approximately 50 drums and containers currently identified are located in the abandoned building. The wastes are subject to temperature extremes, which increase the likelihood of their release. Individuals who enter the building may be exposed to the hazardous substances by direct contact. Ignitable materials pose a threat of fire. In the event of a fire, the potential for release of hazardous substances would be increased.

Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released [§300.415(b)(2)(v)] Since the building lacks functioning fire suppression equipment, the drums and containers are subject to temperature extremes which increase the likelihood of their release.

Exposure to cycles of wetting and drying of the asbestos within the building and on the vacant lot, will hasten degradation, and thereby the potential of asbestos to become airborne exists. As indicated, wind can cause friable asbestos to migrate to the surrounding community.

Threat of fire or explosion [§300.415(b)(2)(vi)] The building is abandoned and lacks a functioning fire suppression system. The ignitable materials in the drums and containers pose a

threat of fire. In the event of a fire or explosion, the potential for release of hazardous substances would be increased. In case of a fire, the drummed substances may get released and the friable asbestos will become airborne and migrate to the surrounding areas.

The availability of other appropriate Federal or State response mechanisms to respond to the release [§300.415(b)(2)(vii)] MassDEP has indicated that due to other program priorities and staffing limitations, they do not have the resources currently available to address the Site.

IV. ENDANGERMENT DETERMINATION

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

ASBESTOS- Exposure to high levels of asbestos has caused workers who breathed in asbestos to develop a slow buildup of scar-like tissue in the lungs and in the membrane that surrounds the lungs. This scar-like tissue does not expand and contract like normal tissue and so breathing becomes difficult. Blood flow to the lungs may also be decreased and this causes the heart to enlarge. Studies in humans and animals indicate that inhalation of asbestos fibers may lead to fibrotic lung disease (asbestosis), pleural plaques and thickening, and cancer of the lung, the pleura, and the peritoneum. Several government offices and regulatory agencies have considered all of the evidence regarding the carcinogenicity of asbestos. The Department of Health and Human Services (DHHS) has determined that asbestos is known to be a human carcinogen. The EPA has determined that asbestos is a human carcinogen. The International Agency for Research on Cancer (IARC) has determined that asbestos is carcinogenic to humans.¹

LEAD- Exposure to lead through either ingestion or inhalation can damage the nervous systems, kidneys, and immune systems. Unborn children can be exposed to lead through their mothers. Harmful effects to children include premature births, smaller babies, decreased mental ability, learning difficulties, and reduced growth in young children. In adults, lead may decrease reaction time, cause weakness in fingers, wrists, or ankles, and possibly affect the memory. Lead may cause anemia, a disorder of the blood. Certain forms of lead have been determined to cause cancer in laboratory animals.²

TOLUENE- Toluene may affect the nervous system. Low to moderate levels can cause tiredness, confusion, weakness, memory loss, nausea, loss of appetite, and hearing and color vision loss. These symptoms usually disappear when exposure is stopped. Inhaling high levels

¹ Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Toxicological Profile for Asbestos*, September 2001.

² Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Toxicological Profile for Lead*, 1993.

of toluene can cause light-headedness, dizziness, or sleepiness. At very high levels, it can also cause unconsciousness and death. High levels of toluene may also adversely affect the kidneys.³

XYLENE- High levels of exposure for short or long periods can cause headaches, lack of muscle coordination, dizziness, confusion, and changes in one's sense of balance. Exposure of people to high levels of xylene for short periods can also cause irritation of the skin, eyes, nose, and throat; difficulty in breathing; problems with the lungs; delayed reaction time; memory difficulties; stomach discomfort; and possibly changes in the liver and kidneys. It can cause unconsciousness and even death at very high levels.⁴

NAPHTHALENE and 2-METHYLNAPHTHALENE- Exposure to large amounts of naphthalene may cause hemolytic anemia. Some symptoms of hemolytic anemia are fatigue, lack of appetite, restlessness, and pale skin. Exposure to large amounts of naphthalene may also cause nausea, vomiting, diarrhea, blood in the urine, and a yellow color to the skin. Animals sometimes develop cloudiness in their eyes after swallowing high amounts of naphthalene. It is not clear whether this also develops in people. Rats and mice that breathed naphthalene vapors daily for a lifetime developed irritation and inflammation of their nose and lungs.⁵

TETRACHLOROETHYLENE-

High concentrations of tetrachloroethylene (particularly in closed, poorly ventilated areas) can cause dizziness, headache, sleepiness, confusion, nausea, difficulty in speaking and walking, unconsciousness, and death.

Irritation may result from repeated or extended skin contact with it. These symptoms occur almost entirely in work (or hobby) environments when people have been accidentally exposed to high concentrations or have intentionally used tetrachloroethylene to get a "high."

The Department of Health and Human Services (DHHS) has determined that tetrachloroethylene may reasonably be anticipated to be a carcinogen.⁶

CAUSTIC, CORROSIVE, and IGNITABLE AGENTS-

Ingestion of caustic or corrosive agents can cause direct injury to tissue upon exposure, which might lead to the following signs and symptoms: oral pain, ulcerations, drooling, dysphagia, vomiting, and abdominal pain. Dermal and ocular exposure might result in local irritation or burn injury. Inhalation of corrosive gases might result in upper and lower respiratory irritation,

³ Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Tox FAQs Fact Sheet for Toluene*, February 2001.

⁴ Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Tox FAQs Fact Sheet for Xylene*, August 2007.

⁵ Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Tox FAQs Fact Sheet for Naphthalene*, August 2005.

⁶ Agency for Toxic Substances and Disease Registry (ATSDR), U.S. Department of Health and Human Services, Public Health Service, *Tox FAQs Fact Sheet for Tetrachlorethylene*, September 1997.

leading to stridor, dyspnea, wheezing, and pulmonary edema.⁷ Ignitable substances are capable of bursting into flames pose a fire hazard.⁸

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The actions required to mitigate the threats outlined herein, are given below. At this time, indications are that the PRP will not perform this work. The proposed actions will protect public health, welfare and the environment.

- Conduct Site walk with Emergency Rapid Response contractor (ERRS);
- Secure the Site to prevent unauthorized access. If needed manned Site security may be provided during non-working hours to ensure adequate Site surveillance until the waste is transported off site;
- Stabilize the floor areas that are structurally unsafe to enable contractor personnel to conduct the removal action. If the need arises, dismantle the unstable sections to permit access to asbestos, and ACM commingled debris;
- Conduct the removal and disposal of asbestos and ACM debris from the vacant building. The process shall include provisions for on-site decontamination of larger debris, and segregation of asbestos-free debris. Asbestos material will be documented, and shipped off site for disposal at EPA-approved facilities. All wastes will be staged in a secure area on-site while awaiting shipment to CERCLA compliant off-site disposal facilities;
- Conduct additional sampling through test pit excavations on the vacant lot to determine the extent of contamination;
- Excavate and dispose of asbestos containing brake pads and contaminated surface soils as appropriate;
Cap in-place contaminated soils (if any) which may remain at depth or which cannot otherwise be safely excavated;
- Backfill and grade excavated areas;
- Sample, segregate and repackage any incompatible materials from the drums and containers to prevent chemical reactivity;
- Investigate the process piping, floor drains, and other systems for hazardous waste product. If any exist, then remove waste product as appropriate;
- Ship these wastes off-site for appropriate re-use or disposal at EPA-approved facilities;.
- Demobilize all personnel and equipment upon completion of the removal action.

⁷Department of Health and Human Services, Centers for Disease Control and Prevention, March 16, 2005.

⁸Centers for Disease Control and Prevention, NIOSH October 2006.

2. Community relations

As noted previously, the Site is located in Walpole, MA and is surrounded by numerous residential homes. Upon approval of the Action Memorandum, the OSC will coordinate with the EPA Community Involvement Office and the Remedial Project Manager to disseminate information regarding the project to the impacted residents. An EPA OSC web site will be initiated and maintained throughout the progress of the Removal Action. EPA will continue to work closely with the City, and state officials as the project progresses.

3. Contribution to remedial performance

The cleanup proposed in this Action Memorandum is designed to mitigate the threats to human health and the environment posed by the Site. The actions taken at the Site will be consistent with the Record of Decision and will not impede performance of the remedial action. The cleanup level for asbestos for this action is consistent with the cleanup level selected for the remedial action.

4. Description of alternative technologies

The use of alternative technologies with regard to disposal options will be further examined as the site work progresses. On-site field screening and analytical techniques may be utilized during the removal action.

5. Applicable or relevant and appropriate requirements (ARARs)

Federal ARARs will be met to the extent practicable considering the exigencies of the situation. The OSC will coordinate with State officials to identify State ARARs, if any, and will meet, to the extent practicable, each ARAR identified in a timely manner.

6. Project schedule

Duration of the removal action activities shall be 12 months from the day of its commencement.

B. Estimated Costs

COST CATEGORY		CEILING
<i>REGIONAL REMOVAL ALLOWANCE COSTS:</i>		
ERRS Contractor		\$700,000.00
<i>OTHER EXTRAMURAL COSTS NOT FUNDED FROM THE REGIONAL ALLOWANCE</i>		
START Contractor		\$ 75,000.00
Extramural Subtotal		\$775,000.00
Extramural Contingency	20%	\$ 155,000.00
TOTAL, REMOVAL ACTION CEILING		\$930,000.00

VI. 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 the presence of hazardous substances will continue to pose a threat to human health and the environment.

VII. OUTSTANDING POLICY ISSUES

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

VIII. ENFORCEMENT ... For Internal Distribution Only

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 \$930,000 (extramural costs) + \$75,000 (EPA intramural costs) = \$1,005,000 X 1.3151 (regional indirect rate) = \$1,321,675⁹.

⁹Direct Costs include direct extramural costs \$930,000 and direct intramural costs \$75,000. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific costs [31.51% x \$1,005,000], consistent with the full accounting methodology effective October 2, 2000. 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.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Blackburn and Union Privileges Superfund Site in Walpole, MA, 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.

Conditions as the Site 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)];

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

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)].

I recommend that you approve the proposed removal action. The total removal action project ceiling if approved will be \$930,000. Of this total, no more than \$855,000 comes from the Regional removal allowance.

APPROVAL: _____

DATE: _____

DISAPPROVAL: _____

DATE: _____

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