



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

DATE: 11 May 2009

SUBJ: Site Investigation Closure Memorandum
Peabody Street Asbestos Site
15 Peabody Street
Salem, Massachusetts 01970

FROM: Richard A. Haworth, On-Scene Coordinator
Emergency Response and Removal Section II, EPRB, OSRR

THRU: Steven R. Novick, Chief
Emergency Response and Removal Section II, EPRB, OSRR

TO: Peabody Street Asbestos Street Site File

In accordance with section 300.410 of the National Contingency Plan (NCP), a Removal Site Evaluation, consisting of a Preliminary Assessment and Site Investigation (PA/SI), has been undertaken at the Peabody Street Asbestos Site ("Site") in Salem, Massachusetts. The findings of the Removal Site Evaluation have been evaluated under the criteria set forth in section 300.415 of the NCP, section 104(a) and (b) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a) and (b) and Clean Water Act (CWA) § 311(c)(i) as amended by the Oil Pollution Act (OPA) § 4201(a). The Removal Site Evaluation has led to the determination that a Removal Action is appropriate at this time.

The findings of the Removal Site Evaluation are outlined below.

1. Source and nature of the release or threat of release [Include those appropriate to your site]
 - a. The Removal Site Evaluation consisted of the following actions.
 - i. Review of site conditions and analytical results generated by City of Salem

- contained in "Immediate Response Action Plan, 15 Peabody Street, Salem, Massachusetts, Release Tracking Number 3-28431."
- ii. Review of site conditions and analytical results generated by City of Salem contained in "Modified Immediate Response Action Plan, 15 Peabody Street, Salem, Massachusetts, Release Tracking Number 3-28431."
 - iii. Interviews with Joanne Fagan, Section Chief with the Massachusetts Department of Environmental Protection's Brownfields/Permits program; Matthew Robbins, Licensed Site Professional representing the City of Salem; and, Kerri Duques, Conservation Agent for the City of Salem.
 - iv. Meeting with representatives of the City of Salem, DEP, and EPA's OSC, removal program management, legal counsel, enforcement coordinator, and regional administrator's office.
 - v. The Site Investigation on 17 May 2009.
- b. 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 threat of release include but are not necessarily limited to the list below.

<u>Hazardous Substances or Pollutants or Contaminants</u>	<u>Media</u>
Asbestos [chrysotile, amosite]	soil

2. Evaluation of the threat to public health, welfare and the environment

- a. Federal Agency for Toxic Substances and Disease Registry:

Threat _____ No Threat _____ Evaluation Not Necessary X

- b. Endangerment to the ecosystem:

Threat _____ No Threat _____ Evaluation Not Necessary X

3. The Removal Site Evaluation was terminated pursuant to section 300.410(f) of the NCP for the following reason(s).

- ☐ There is no release.
- ☐ The source is neither a "vessel" nor a "facility" as defined in section 300.5 of the NCP.
- ☐ The release involves neither a hazardous substance, nor a pollutant or contaminant that may present an imminent and substantial danger to public health or welfare of the United States.
- ☐ It is subject to the limitations on response specified in §300.400(b)(1) through (3). The release is
 - ☐ of a naturally occurring substance in its unaltered form, or altered solely through naturally occurring processes or phenomena, from a location where it is naturally found.
 - ☐ from products that are part of the structure of, and result in exposure within, residential buildings or businesses or community structures.
 - ☐ into public or private drinking water supplies due to deterioration of the system through ordinary use.
- ☐ The amount, quantity, or concentration released does not warrant a Federal response.
- ☐ A party responsible for the release, or any other person, is providing appropriate response, and on-scene monitoring by EPA is not required.
- ☒ The Removal Site Evaluation is complete.

4. As reflected in Section 3, above, the Removal Site Evaluation was terminated due to its completion, and not for other reasons.

a. The factors listed below, found in Section 300.415(b)(2) of the NCP, are applicable

to this Site.

- (X) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.
- () Actual or potential contamination of drinking water supplies or sensitive ecosystems.
- () Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.
- (X) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate.
- (X) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.
- () Threat of fire or explosion.
- (X) The availability of other appropriate Federal or State response mechanisms to respond to the release.
- () Other situations or factors that may pose threats to public health or welfare of the United States or the environment.

- b. The existence of the conditions specified in Section 4.a., above, indicate that a Removal Action under section 300.415 of the NCP is necessary. In light of the magnitude of the threat or potential threat to health, welfare, or the environment, the appropriate categorization of a Removal Action at this Site is:

Emergency____ Time-Critical____ Non Time-Critical X

5. As reflected in Section 3, above, the Removal Site Evaluation was terminated due to its completion, and not for other reasons.

- a. As found in section 300.410(e)(1) of the NCP, the OSC shall determine whether a release governed by CWA section 311(c)(1), as amended by OPA section 4201(a), has occurred.

- () There is a release, or potential threat of release, as governed by the CWA as amended by OPA.
- (X) There is not a release, or potential threat of release, as governed by the CWA as amended by OPA.

b. The absence of the conditions specified in Section 5.a., above, indicate that an Oil Spill Response under Appendix E to Part 300 of the NCP **is not** necessary. No sheen is present on the adjacent South River Canal.

cc: each without attachments

Steven Novick, Chief, Emergency Response and Removal Section II, OSRR

Meghan Cassidy, Chief, Technical Support & Site Assessment Section, OSRR

Brenda Haslett, EPA CERCLIS Coordinator

Joanne Fagan, DEP Brownfields/Permits Section Chief, joanne.fagan@state.ma.us

Kerri Duques, Salem Conservation Agent, CDuques@Salem.com

Attachments: Immediate Response Action Plan, RTN 3-28431

Modified Immediate Response Action Plan, RTN 3-28431