United States Environmental Protection Agency
Region I
POLLUTION REPORT

Date: Tuesday, January 15, 2008
From: Richard Haworth

Subject: POLREP # 1
Applebee Road Tannery Waste Landfill
Applebee Road, Milton, NH
Latitude: 43.4964000
Longitude: -70.9656000

POLREP No.:	1	**Site #:**	
Reporting Period:		**D.O. #:**	
Start Date:		**Response Authority:**	CERCLA
Mob Date:		**Response Type:**	Time-Critical
Demob Date:		**NPL Status:**	Non NPL
Completion Date:		**Incident Category:**	Removal Action
CERCLIS ID #:	NHN000103222	**Contract #**	
RCRIS ID #:			

Site Description
The Site is located principally on property owned by the Milton Mills Cemetery Association on Applebee Road, and to a lesser degree on adjacent residential property at 524 Applebee Road. Lot numbers 111 and 112 on Map 9 in the Milton Tax Assessor's Office represent their location together with surrounding parcels. The boundaries of the Site are residential property to the north, the Salmon Falls River (the NH/ME state boundary) to the east, residential property to the south, and Applebee Road to the west.

The Site is located in a rural-residential setting, with approximately 186 people in a one-half mile radius. Site property is generally flat and at-grade with Applebee Road, then drops steeply to the Salmon Falls River and flood plain/wetland below. At this time, graves are limited to a small portion of the available land. There is a baseball field between existing graves and the slope leading down to the River. There is one single-family home on the residential parcel at 524 Applebee Road. The eastern portion of this parcel is wooded, and slopes less steeply toward the River. The Salmon Falls River is a Class B water body, suitable for fishing and swimming.

The results of tests performed on samples collected from the site reveal that chromium and lead are present in exposed tannery waste at concentrations as high as 37,500 ppm and 9,850 ppm, respectively, which are significantly higher than the corresponding benchmarks of 1000 ppm and 400 ppm identified in New Hampshire's Risk Characterization and Management Policy (RMCP).

Current Activities
Beginning in the 1990's, EPA investigation of the Site identified high concentrations of chromium and lead in waste piles, in soils at or near the surface, and in sediments next to the Salmon Falls River. Although EPA and NHDES initially agreed that NHDES would oversee cleanup of the Site, none was undertaken in the years following the initial investigation. After the site came to the attention of EPA's pre-remedial program in 2004, the agencies decided that EPA should re-assume the role of lead agency.

After confirming site conditions had not changed, in July 2005, EPA issued a Notice of Potential Responsibility and Invitation to Perform a Removal Action Letter to the Town of Milton. From approximately 1947 to the early 1960's, the Town leased the Site and operated a town dump there. From approximately 1954 to the early 1960's, this dump took in waste from a tannery business, including hides and barrels containing chromium, a hazardous substance.

10 August 2005 – The OSC met with the Town Administrator at the site for a detailed discussion of the proposed work outlined in the Notice Letter, which would enable the town to generate a second, more definitive response to the Notice Letter.

01 September 2005 – In correspondence this date, the Town declined to perform or finance a removal

action, but offered to provide assistance by removing solid waste (junk cars, etc.) and providing soil for site restoration. Based on this and the region's ongoing commitment to support the Hurricane Katrina cleanup, a fund-lead removal action was not initiated in 2005.

27 April 2006 – The OSC, attorney, and Enforcement Coordinator participated in a conference call with town officials to discuss compensation for work performed by the town. By this time, two new selectmen had been elected. Together with their legal representation, the town determined that it was in the town's interest to perform a removal action, because although any credit for contribution would be applied against the cost of a fund-lead removal action, the town would still be subject to a cost recovery action for the balance of EPA's cost to address the site.

21 May 2006 – The Town issued a third response to the Notice Letter, stating it would perform a removal action.

07 June 2006 – The OSC and attorney met with Town officials to review project expectations, and the legal agreement to memorialize project, an Administrative Order on Consent. All available data was provided at this meeting.

26 September 2006 - An Action Memorandum was approved by EPA's regional management. The principal approved activity is the excavation and/or capping contaminated waste, soil and sediment.

23 February 2007 – After two postponements, a meeting was held at EPA's office with a Milton Selectman, the town's legal counsel, and a consulting engineering firm. EPA agreed to negotiate the scope of work and substantively pre-approve deliverables typically due after an order is signed, prior to signing. The benefit of this approach was to raise the confidence about the cost of the project, which would have to be approved by the voters in a special election.

22 May 2007 – The participants on 23 February met again to agree upon final deliverables, including a Soil Cleanup Plan, Sampling & Analysis Plan, Health & Safety Plan, and Community Relations Plan. A tentative schedule was established for the Town to comment on the draft AOC.

10 August 2007 - An Administrative Order on Consent was signed by EPA and the Town of Milton, requiring that a removal action be completed by August 2008.

17 October 2007 - The OSC approved a Soil Cleanup Plan, Sampling and Analysis Plan, Site-Specific Health & Safety Plan, and Community Relations Plan submitted by the Town's approved contractor.

09 November 2007 - The PRP completed surveying a 50-foot square sample grid onto the site. The grid begins in the field at the top of the slope extending 400 feet toward the river, and runs 1450 feet along the slope.

28 November 2007 - The PRP completed a visual observation and documentation of conditions at each grid point, and marked all visible waste. This investigation confirmed that there is a separate, non-tannery waste landfill to the south on the 524 Applebee Road property. This solid waste disposal area will not be addressed by the PRP (or EPA) as part of this site. The New Hampshire DES has agreed it will be the lead regulatory agency for this disposal area.

12 December 2007 - The PRP collected sixty surface soil samples to be analyzed for total chromium and lead.

11 January 2008 - The PRP issued a request for proposal to perform a site cleanup. It included data resulting from the 12 December sample event and past investigations, and other information about the site.

02 Febuary 2008 - A public meeting was held in the Town of Milton. The OSC and representatives of the town and NH DES spoke in support of the project. Milton's voters present at the meeting approved placing the funding referendum on an 11 March 08 ballot.

11 March 2008 - The residents of Milton voted to approve $325,000.00 to perform the cleanup.

Planned Removal Actions

Heavy equipment will be used to excavate tannery waste, soil, and sediment consistent with the relevant RCMP threshold. Excavated material will be transported off site to a secure landfill, and the impacted area restored to the extent practical. Capping and administrative controls may also be employed if, for example, contamination is deeper than three feet, or for other reasons approved by the OSC. Restoration

includes, but is not necessarily limited to, backfilling excavated areas, and establishing a vegetative cover.

Personnel will collect samples of waste, soil, and air to comply with the requirements of the Site's health and safety plan, characterize waste, document the effectiveness of the cleanup, and assure the quality of backfill obtained from off-site vendors.

Next Steps
Oversee the cleanup at the site to begin this spring.

Disposition of Wastes
No waste has been transported off site at this time.

response.epa.gov/Applebee