

March 28, 2017

Mr. Hans Jensen
City of Somerville
Strategic Planning and Community Development
93 Highland Avenue
Somerville, Massachusetts 02143

RE: Massachusetts Contingency Plan Compliance
343 Summer Street (Release Tracking Number 3-33735)
351 Summer Street (Release Tracking Number 3-34098)
Somerville, Massachusetts 02144

Dear Mr. Jensen;

This correspondence has been prepared to confirm that outstanding regulatory compliance requirements for the above referenced parcels, as mandated pursuant to the provisions of the Massachusetts Contingency Plan (MCP), have been met by the Applicant (351 Summer LLC). As you know, our review of the Massachusetts Department of Environmental Protection (MDEP) online database indicated that the project site appeared to be in non-compliance with respect to Release Tracking Number (RTN) 3-3375, which was issued to enable the completion of the Immediate Response Actions (IRA) for the underground storage tank (UST) that was damaged during its removal. In addition, the applicant only submitted a 120 Day Release Notification Form (RNF) for the exceedance of lead, but not for the slight exceedance of the Reportable Condition (RC) standard for benzo(a)pyrene. Each of these issues were originally characterized by representatives of the Applicant as follows;

Condition # 1 – RTN 3-33735

- One of the tanks (Tank #1) was damaged during the test pitting activities, resulting in approximately 20-30 gallons of oily liquid being released to the soil in the vicinity of the tank. MassDEP-approved Immediate Response Actions (IRA) were completed on August 12, 2016, under Release Tracking Number 3-33735, including the removal of approximately 13 cubic yards of oil-impacted soil;
- Based on the UST removal, impacted soil excavation and post-excavation soil data collected to date, the release of oil from the UST has been remediated to meet the MCP requirements for closure of the release with a Permanent Solution that should be submitted on or before **October 7, 2016** to meet MCP regulatory deadlines.

Condition # 2 – RTN 3-34098

- Soil samples collected from the soil borings were analyzed for EPH with target analytes and the MCP 14 metals. Only lead in the composite soil sample collected from B-102 at a depth of 0-10 feet, and benzo(a)pyrene in the 0-10 feet composite sample B-104 exceeded applicable MCP S-1 Reportable Concentrations;
- The owner of the Subject Property has a regulatory obligation to notify MassDEP of the two reportable conditions, i.e. lead in soil at 431 mg/kg at B-104 **and benzo(a)pyrene at 2.7 mg/kg at B-102, within 120 days of receipt of knowledge of such; and,**

Clarification on the status of these outstanding compliance issues was requested on your behalf via our correspondence to 351 Summer LLC dated March 8, 2017. This office then received correspondence from Mr. Mathew Maggiore, dated March 16, 2017, which stated that the following actions had recently been undertaken by the development team to address the issues identified above.

Condition # 1 – RTN 3-33735

- 351 Summer LLC became the owner of record of the 343 Summer Street parcel on February 6, 2017. Due to the presence of pyrogenic PAH at concentrations exceeding MCP Method 1, soil category S-1 standards, submittal of a Permanent Solution for this release was not feasible. Therefore, an IRA Plan/Completion Statement has been prepared and was submitted to MassDEP on March 16, 2017. Additional response actions will be conducted concurrent with site development to achieve a Permanent Solution.

Condition # 2 – RTN 3-34098

- A Revised RNF was submitted to MassDEP on March 16, 2017 incorporating benzo(a)pyrene as a release compound.

Through the above actions, it is our professional opinion that the Summer Street properties are now in compliance with the current requirements of the MCP. Moving forward, it is expected that the project proponent will file a Release Abatement Measure (RAM) Plan to enable the commencement of site construction activities on an accelerated basis within the framework of the MCP. Furthermore, it is anticipated that this regulatory pathway will eventually lead to the achievement of a Permeant Solution (PS), for each of the release conditions described within this correspondence. The project specific RAM Plan should outline necessary worker health and safety protocols, provisions for handling, stockpiling, and disposal of excess material, and general guidance to ensure protection of the general public. Of particular importance is the nature of the dust control measures to be maintained and monitored during site work to protect nearby pedestrians and residential properties.

RAM Status reports will also likely be required to be filed with MDEP during the construction phase of the project. The first of these submittals is due after 120 days from the date of the RAM Plan submission, with subsequent reports due every six (6) months thereafter until the RAM is completed. Following this, closure documentation supporting the achievement of a PS will be required in accordance with the timelines outlined in the MCP. At a minimum, it is recommended that all regulatory filings be provided to the City in draft for review, prior to any submissions to MDEP, to ensure that community concerns are being adequately addressed. Further, upon receipt of the draft

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RAM Plan, the City may wish to meet with the Applicant to review construction schedules and develop a communication program to identify and address any concerns that may arise during future site work.

We trust this project update is suitable for your present needs. Upon your review, should you have any questions or requires further information, please feel free to contact me at your convenience.

Very truly yours,

NANGLE CONSULTING ASSOCIATES, INC.

Jeffrey A. Nangle, P.E., L.S.P.

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