

April 5, 2018

Mr. George Proakis, AICP
Director of Planning
City of Somerville
93 Highland Avenue
Somerville, MA 02143

RE: Peer Review
RAM Completion Report & Permanent Solution Statement with Conditions (*dated 2/14/18*)
343 – 349, and 351 Summer Street
Somerville, Massachusetts

Mr. Proakis,

This correspondence has been prepared to summarize our peer review comments pertaining to the document entitled “*RAM Completion Report and Permanent Solution Statement with Conditions*”, which was prepared by EnviroTrac Ltd, on behalf of 351 Summer LLC (the Applicant). As you know, the information contained within this submittal was the subject of a presentation provided by Mr. Robert Bird during the Public Information Activity Meeting held on 26 March, 2018. Each of the issues identified below were reviewed with Mr. Bird during the 26 March public meeting.

SUMMARY OF ENVIRONMENTAL ISSUES

- 1) The “Historic Fill” determination as defined under 310 CMR 40.0006 of the Massachusetts Contingency Plan (MCP) within the Permanent Solution with Conditions Report and absence of previously recommended risk reduction measures.
- 2) The implementation of risk reduction measures to address residual contamination within the earthen areas proposed for landscaping and grassy common area.
- 3) Soil/fill mitigation guidelines for any further disturbance of fill areas containing residual contamination following the completion of proposed landscaping areas.
- 4) The operating characteristics of a sump pump, which was described by Mr. Bird as being installed at twenty feet (20’) below surface grade to manage groundwater infiltration.

Following the public meeting of 26 March 2018, which included a discussion of the issues identified above, this office was contacted by Mr. Paul Feldman, counsel for 351 Summer LLC. Mr. Feldman provided additional information that has, in our opinion, adequately addressed the issues raised, as reflected in our comments below, which correspond to items (1) - (4) above.

SUMMARY OF PEER REVIEW COMMENTS

- 1) As documented in our prior peer review comments pertaining to the RAM Completion report filed for RTN 3-34098, while EnviroTrac has asserted that Polynuclear Aromatic Hydrocarbons (PAH's) and metals present within site fill meet the Massachusetts Contingency Plan (MCP) definition of Historic Fill and would therefore not require the consideration of any direct contact barriers in earthen areas or require the placement of any environmental land use restrictions (i.e. Activity and Use Limitations) on the property, it was our recommendation that consideration be given to the incorporation of direct contact barriers in areas of unrestricted access where the public may be present to mitigate any actual risk, regardless of the Historic Fill characterization. While this recommendation was not addressed in the Permanent Solution with Conditions report that was filed on 14 February 2018, further discussion of this recommendation was held during the Public Information Activity meeting on 26 March 2018, and is discussed in further detail below.
- 2) A variety of potential risk reduction measures to address the remaining "Historic Fill" at the subject property were discussed during the public meeting and with Mr. Feldman. Options under consideration included the implementation of land use controls in the form of a limited and voluntary Activity and Use Limitation; excavation and offsite disposal of shallow fill to accommodate the installation of a direct contact barrier; signage; installation of a visual warning barrier beneath proposed landscaping and development of management controls for the Condominium Association to prevent inadvertent contact with contaminants present within the fill layer.

It must be emphasized that the subject property is not **required** to undertake any of the above measures due to the "Historic Fill" determination. However, as referenced previously, we have recommended that controls be in-place to address the unrestricted use of the site, particularly by children. To address our recommendation, the Applicant has agreed to incorporate the following language into the ownership documents for each Condominium Unit and install a visual warning barrier atop the Historic Fill unit in earthen areas prior to final site grading activities. As stated below, the Condominium Management Association will also be required to enforce the restrictions upon any subsurface activity that may disturb areas of Historic Fill beneath future landscaping.

Environmental Condition of Certain Areas within the Common Areas and Facilities

Prior to purchasing the property on which the Condominium has been built, the Declarant performed an environmental investigation of the Land. That investigation revealed that there was historic contamination of the on-site soils at the Premises as a result of the common practice of disposing of ash when coal and wood were used as a source of fuel for heating. This condition is defined as "Historic Fill" within the provisions of the Massachusetts Contingency Plan (MCP). During construction of the Condominium building, Historic Fill that was encountered was properly managed under applicable Massachusetts regulations. A permanent solution with conditions has been achieved for the Land and filed with the Massachusetts Department of Environmental Protection with reference number RTN:3-34098. At this point, the risk associated with these soils, if any, comes from direct contact and ingestion.

Prior to installing landscaping at the Condominium, in the areas shown on the attached Exhibit [], a geotextile fabric will be installed as a visual marker barrier identifying the location of remaining Historic Fill at the Premises. When undertaking any work below the landscape areas of the Premises that will result in direct contact with, or disturbance of, soil under the visual barrier, the Condominium Trust should seek the assistance of a Massachusetts Licensed Site Professional to properly manage any soils that may be disturbed. In addition, the Condominium Trust should maintain the landscape areas so that the above referenced residual soils beneath the marker barrier remain covered.

- 3) The issue of future soil management requirements has been addressed within the language referenced above.
- 4) During the March 26 meeting, there were discussions regarding a groundwater sump and pumping system. Based upon subsequent information provided, it appears that the description and purpose of the sump pump conveyed during the public meeting were inaccurate. Specifically, the Applicant has confirmed that the sump pump is for a tight tank that collects vehicle runoff and snow melt. There are no groundwater control measures in-place at the site.

Based upon the additional information provided by the Applicant, including those measures to address remaining areas of Historic Fill, it is our professional opinion that the issues identified within this correspondence have been adequately addressed.

Very Truly Yours,

Nangle Consulting Associates, Inc.

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