

March 8, 2017

Mr. Matthew P. Maggiore  
351 Summer LLC  
c/o The Maggiore Companies  
13 Wheeling Avenue  
Woburn, MA 01801

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. Maggiore,

This correspondence has been prepared at the direction of our client, the City of Somerville, to request some clarification on the current Massachusetts Department of Environmental Protection (MDEP) regulatory status for the above referenced release conditions. In the way of review, two (2) environmental conditions were identified during the assessment of soil and groundwater quality by the firm of EnviroTrac Ltd. (EnviroTrac) over the period of August 8 -17, 2016. The following excerpts from the 8 September 2016 draft report prepared by EnviroTrac provides a description of each of the release conditions that were identified during assessment activities at the 343-351 Summer Street properties and the corresponding recommendations provided by at that time.

***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;

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- 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,

With regard to Condition #1, The Dakota Partners LLC (former property owner) was issued a Notice of Reasonability (NOR) on August 24, 2016. As referenced in the EnviroTrac recommendation above, a Permanent Solution (PS) should have been filed with MDEP on or before October 7, 2017 to maintain regulatory compliance. As 351 Summer LLC is the current owner of the 343 Summer Street property, we would appreciate your clarification on the status of the required submittals necessary to comply with the requirements of the MCP for the underground storage release condition.

With respect to Condition #2, we note that notification was made by 351 Summer LLC as an "Operator" for the detection of lead in site soils, for which both 351 LLC and the current owner (George Dilboy Post 529 Inc.) have been issued NOR's by MDEP. However, MDEP was not notified of the Reportable Concentration exceedance for benzo(a)pyrene as recommended by EnviroTrac in the excerpt from their draft report cited above. Accordingly, could you please also provide clarification on why the benzo(a)pyrene exceedance identified by EnviroTrac was not reported to MDEP.

Upon your review, if you should have any questions or require any additional 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.

File No. 746.02