



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I

**DATE:** April 17, 2009

**SUBJ:** Site Investigation Closure Memorandum  
Former Tombarello & Sons Property Site  
207 Martson St  
Lawrence, MA 01841

**FROM:** Mike Barry, On-Scene Coordinator  
Emergency Response and Removal Section I, EPRB, OSRR

**THRU:** David McIntyre, Chief  
Emergency Response and Removal Section I, EPRB, OSRR

**TO:** Former Tombarello & Sons Property Site File

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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 Tombarello Site ("Site") in Lawrence, MA by the Massachusetts Department of Environmental Protection (MassDEP). 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. Scrap metals and recycling operations at the Tombarello and Sons property resulted in the release of polychlorinated biphenyls (PCBs) and Resource, Conservation and Recovery Act (RCRA) metals on the Site proper and in the adjacent residential properties.
  - a. The Removal Site Evaluation consisted of the following actions.
    - i. Review of MassDEP Northeastern Regional Office Site Investigation Letter Report, prepared by Shaw E & I, dated November 12, 2007; sample laboratory analysis results performed by TestAmerica Labs, Westfield, MA.

- ii. Review of photographs taken by OSC Mike Barry, April 29, 2008.
  - iii. Review of other documents: None.
  - iv. Interviews with property lien holder, Ed Huminick and MassDEP site contact, Valerie Thompson.
  - v. The Site Investigation on April 29, 2008.
  - vi. Completing PA and SI forms dated [April 17, 2009]. [Note: These forms must be completed and attached if a contractor PA/SI report was not generated.]
- 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<br/>Pollutants or Contaminants</u> | <u>Media</u> [delete any not applicable] |
|---|--|
| Metals [lead, arsenic, barium]                                | soil                                     |
| PCBs [Arochlor 1260?, 1254]                                   | 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  X  Evaluation Not Necessary \_\_\_\_\_
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. [Check all that apply. Do NOT delete the rest.]

- 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.

- (X) 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.
  - ( ) 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.
- c. 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 X Non Time-Critical\_\_\_\_

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 [existence/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. This is a CERCLA Removal Action only, no response under OPA

authority.

cc: [David McIntyre], Chief, Emergency Response and Removal Section [I/], OSRR (w/o attachments)  
Meghan Cassidy, Chief, Technical Support & Site Assessment Section, OSRR (w/o attachments)  
Patty Ludwig, OSRR (w/o attachments)  
Valerie Thompson, MassDEP  
Ed Huminck; Lien Holder

Encl: PA & SI Forms