

William J. Massaro
36 Evergreen Way
Medfield, MA 02052

4 September 2011

Page 1 of 5

The Commonwealth of Massachusetts
Division of Capital Asset Management
One Ashburton Place, 15th Floor
Boston, MA 02108

Attention: Mr. Allen Wiggin

Re: Additional Comments on Former Medfield State Hospital C&D Area Draft IRA–RTN 2-3020799 Received July 14, 2011 and on the Draft Phase III C&D Area Remedial Evaluation Received August 16, 2011.

Dear Mr. Wiggin,

As requested by Mr. Mark Baldi of DEP BWSC-CERO, this letter is written to express my comments and concerns regarding: the C&D Area Draft IRA plan received July 14, 2011; new concerns regarding the Draft Phase III C&D Area Remedial Evaluation posted on the DEP website on August 16, 2011; and the absence of sufficient Phase II CSA information needed to evaluate DCAM's proposed C&D Area focused Phase III alternatives and sufficient time for discussion or consideration of additional alternatives. These comments are in addition to those expressed to you in my letter of August 1, 2011.

A. C&D Area Draft IRA–RTN 2-3020799 Received July 14, 2011

As I have stated in comments submitted previously, I do not believe that the reports of oily sheen observed around sediment samples are evidence of a recent release, but were instead caused by sampling activity disturbance. DCAM has stated that the reported oil sheen was only observed in the sample trays, not in surface water, and examination of relevant sampling logs reveals that oil was not found above sediment depths of 11-12 inches. (See Boring Logs CD-SD-122 and CD-SD-122A) It is, therefore, not unreasonable to conclude that oily contamination in the river at the C&D area is decades old and is almost certainly, as reported in eye-witness account, the result of overland runoff into the river at this location from a spill at the Power Plant in 1978.

Also, contrary to some hypotheses, no evidence of any “pockets” of oil were found in the 23 C&D Area Test Pits dug during Phase I (2003-2007) and documented in the DCAM February 1, 2010 EENF submittal. Data released to date also has not shown evidence of oil in the 12 additional Test pits dug during Phase II. Ten of this total of 35 C&D Area Test Pits are as close as 25 feet and no further than 150 feet from CD-SED-122. In the absence of any supporting data there is no active or immediate threatened migration of oil into the river.

Because the Medfield PIP group and Selectmen have challenged the unsupported claim of on-going oil release from the C&D area into the river, it appears that DCAM has now decided to replace oil with PAH's as the new justification for expanding an “urgent” in-river response into an expedient, low cost, inadequate, and permanent partial capping/removal of ACM and other debris on the banks of the river and in rest of the C&D area.

1. Proposal to Temporarily Cap (Aquablok) 800 Square Feet of Sediment

Under the proposed IRA plan DCAM is determined to temporarily cap an 800 square foot area of sediment before the end of this season's low-water period and has committed to subsequently removing the cap and contaminated sediment by hydraulic dredging during the low water season of 2012. At several public meetings DCAM has stated that capping was selected, not because it was the preferred solution or because of any lesser degree of disturbance to the river, but solely for its shorter US Army Corps of Engineers approval process which would allow emplacement during this season's low-water period.

a.) Based on data released in the Interim Phase II CSA Report and on statements by DCAM, contaminated sediment in the river may well extend over a larger area than the IRA's proposed temporary 800 square feet. Estimates as to the relative level of ecological risk reduction from temporarily capping what may be only portion of the contaminated sediment while leaving additional areas uncapped has not been provided. Despite these statements about the need for "additional assessments", DCAM has not proposed any new sample locations, or if new samples have already been taken, have not provided any results. Effort and costs of installing and then removing the Aquablok would be better utilized in determining the extent of sediment contamination.

b.) It is not clear, despite the now-confirmed "Final" nature of the rest of the C&D IRA Plan, whether elevated PAHs in sediment areas which were not addressed in the response plan will be removed or left behind. If elevated PAHs in the area of CD-SD-122 are now driving the need for the proposed IRA plan which encompasses the entire C&D Area, these other sediment areas of elevated PAH's should also be removed.

c.) Justification for the selection of hydraulic dredging has not been provided. Previous public comments have suggested vacuum dredging as more protective of human health and the environment.

d.) In light of evidence that these long present sediment contaminants were only released as a result of sampling disturbances, the costs for 8 months' monitoring/inspection of this temporary cap to ensure its continued integrity and the costs for its removal next year with potential additional river disturbance cannot be offset by any demonstrable benefit.

Although MassDEP has advised that removal of the cap will be a condition of any approval of sampling disturbances, rather than implement this hasty and imprudent temporary response, in-river activity should be delayed until completion of the final, comprehensive identification of the nature and extent of sediment contamination and until Phase III alternatives for a permanent solution can be provided for public review and comment.

2. Proposal for Partial Removal of ACM/Soil, Riverbank Riprapping, FML Installation, and Partial Capping of the C&D Area

As stated above, contamination in the C&D riverside and adjacent areas is decades old and, I believe, has not been shown in any currently released data as actively migrating into the river. (Excluding the reported CVOC plume originating in the upper campus laundry area and possibly from a second source in the Power Plant Area, the extent of which will supposedly be

addressed in the Final Phase II CSA Report; and the remediation of which, DEP has advised, shall not be impeded by any C&D area efforts.)

The recently acknowledged *permanent* intent of DCAM's plan of only partial removal of ACM, installation of riprap and lining, and capping of the C & D Area, therefore, clearly does not seem to have been designed to address an imminent hazard or contaminant migration threat to the river, but appears, instead, a means to expeditiously implement a unilaterally developed, non-negotiable solution. DCAM has provided the public neither sufficient current data nor adequate time, because of the unsubstantiated release threat and low-water deadline, for anything but a cursory review.

a.) Despite observations that a "substantial" amount of contaminated soil/debris will be removed, the total volume of contaminated fill had been defined as early as 2003 as "a minimum of 2.2 acres" and "approximately 27,800 cubic yards." (TRC 11/25/2003). DCAM is currently defining the C&D area at 3.2 acres. No estimate of additional fill above the previous estimate as a result of this 1 additional acre has been forthcoming from DCAM. The planned removal of only 7,000 cubic yards is hardly substantial. It is more appropriate to say that DCAM has proposed leaving behind the majority of contaminated material in the so-called "donut hole" (see attached Fig 5 C&D Area Cover Grading Plan). This is not acceptable.

b.) Objections to the proposed 200+ feet of riprap installation along the riverbank have been previously submitted by several parties. The need for riprap over this extended area is required only as means to hold a flexible membrane liner in place. This flexible membrane liner is required only because contaminated material will be left in close proximity to the river. DCAM has defended leaving this material/debris in place because of reported refusal by Algonquin/Spectra to discuss removal of contaminated material within their gas-line easement. Partial removal is supposedly acceptable because "there would be no reduction in risk level due to the under-easement material having to remain".

Since the majority of the gas-line easement is 150 to 240 feet from the river, sufficient additional contaminated fill could be removed within this area to require riprap and liner, at most, only along a significantly reduced riverbank area where the gas line is closest to the river bank. This approach is clearly less impactful to the riverfront area and could avoid much of the proposed plan's permanent obliteration of important riverbank habitat.

c. The Stormwater section of the proposed plan states that there are no storm drains in the C&D area, and focuses on describing how material disturbed in the proposed remediation will be kept out the river. Impact on groundwater in the uncapped, "donut hole" area of the proposed IRA plan for the C&D area has not been fully evaluated.

Concerns have been previously raised about the presence of contaminated material below groundwater and the potential risk to Medfield's principal water supply, Town Well #6. Based on cross section data provided in the Interim Phase II report, it would appear this risk could be substantially reduced by removal of some increased quantity of additional fill. In any fiscal advocacy of the minimal removal plan, DCAM should not ignore the cost/risk to Medfield taxpayers of replacing Town Well #6 if sufficient contaminated material below groundwater is not removed.

d.) The proposed permanent C&D response plan effectively severs the C&D area from the remaining Special Project Designated area. In addition to the CVOC plume mentioned above, the C&D Area and the Power Plant Area share at least one of the many very large areas of fill consisting of coal ash and incineration waste generated by boilers in the former Power Plant area before their conversion from coal to fuel oil. This material was deposited over decades in the Power Plant area and in the C&D area and constituents of these deposits are the same. (In spite of statements by the former acting Hospital superintendent that wastes, including medical dressings, were routinely incinerated at the power plant, and test pit reports confirming significant amounts of "white ash", testing for dioxins and furans have yet to be performed.) As part of the permanent comprehensive solution promised by DCAM under the SPD, the C&D Area remediation should not be separated from the Power Plant Area.

e.) Excessive costs have been put forth as additional justification for leaving significant amounts of contaminated material in the C&D area. I am concerned and disappointed that DCAM has evidenced willingness to expend more than \$3.0 million for removal of Salvage Yard ACM and Clay Containment Area oil-contaminated soil and debris on the parcel of land designated for development sale, where these cleanup costs will likely be recouped, but not in the riverfront C&D area which residents of the future development and generations of other state residents will use under the stewardship of Mass DCR.

The proposed IRA remediation will not comply with the statements that DCAM made in their February 2010 EENF submittal that "Due to this [disposal area being near to the redevelopment parcel--may become play area for children from the new housing areas], Conceptual Site Models for the Power Plant Area and the C&D Area will recognize potential uses that may be more intrusive than passive recreation". The expedient solution proposed will leave contaminants in the area and put recreational users at an unacceptable level of exposure risk.

3. Alternatives to the Proposed C&D Plan

As stated above DCAM has presented the proposed C&D plan as the only possible solution given the purported administrative necessity to complete all wetland effort before the end of 2011's low-water season. All attempts to discuss the actual need to immediately cap anything and the unlikely benefits of temporarily capping an incompletely defined sediment area for undefinitized contaminants have been dismissed in the face of this requirement to act immediately.

The proposed premature, incomplete remediation in the C&D area has been driven by this questionable temporary capping, and has been presented as a permanent and only possible solution given the prohibitive length of bidding any scope change effort, and urgency to complete wetland effort before the end of low-water. As long as these supposed administrative and schedule constraints are in place, discussion of alternatives to riprap and lining, and the removal of additional material with possible on-site storage as opposed to off-site disposal are obviously moot.

In summary, because I believe that insufficient evidence has been presented to justify the need or benefit to be gained from immediate implementation of this flawed, incomplete, schedule-driven C&D IRA plan, I believe that the appropriate course of action is to delay any temporary in-river capping and to instead remove sediment from the river by the least disruptive means only after the extent of the toxic sediments has been adequately determined. If this effort cannot be accomplished this low-water season it should be scheduled for next year.

I believe that a premature and inadequate, inappropriate permanent remediation is being expeditiously pursued via the proposed IRA plan despite DCAM's statement in Section 2 of their 1 February 2010 EENF application to MEPA that "Prior to evaluating remedial alternatives and selection of an applicable and appropriate alternative for the proposed end use, a Phase II Comprehensive Site Assessment(CSA) as defined under the MCP will be completed to evaluate the extent of impacts and the level of risk posed by the site..."

I request that no permanent remediation measures should be initiated in the C&D riverbank and adjacent areas until this Final Phase II Comprehensive Site Assessment Report and the Phase III Alternatives for the entire SPD Site, including the C&D Area, Power Plant Area, and CVOC Migration Plume have been released with sufficient time for public review and comment. If this effort cannot be accomplished this low-water season it should be scheduled for next year.

Thank you for this additional opportunity to present my comments and concerns on this important issue.

Yours truly,



William J. Massaro
36 Evergreen Way
Medfield, MA 02052
508-359-4474
wmassaro@comcast.net

CC: Ms. Mary Gardner, Mass DEP CRO-BWSC
Mr. Mark Baldi, Mass DEP CRO-BWSC
Ms. Carole Cornelison, Mass Division of Capital Asset Management
Mr. John O'Donnell, Mass Division of Capital Asset Management
Mr. Frank Ricciardi, Weston & Sampson
Ms. Margaret Van Deusen, Charles River Watershed Association
Medfield Town Administration (M. Sullivan, K. Trierweiler)
Medfield Town Selectmen (O. Peterson, A. Thompson, M. Fisher)
Medfield State Hospital Environmental Review Committee
Medfield Town Administration (M. Sullivan, K. Trierweiler)
Medfield Town Selectmen (O. Peterson, A. Thompson, M. Fisher)
Medfield State Hospital Environmental Review Committee
Senator James E. Timilty
Representative. Denise C. Garlick
Representative Daniel B. Winslow