



March 9, 2018

***Sent Via Electronic Mail Only***

Mr. Richard Fisher  
USEPA Project Coordinator  
Environmental Protection Agency – Region 1, New England  
Five Post Office Square, Suite 100  
Boston, MA 02109-3912

**Subject: Monthly Design Progress Report No. 92 – February 2018  
Blackburn & Union Privileges Superfund Site  
Walpole, MA**

Dear Mr. Fisher:

This Monthly Progress Report is submitted to United States Environmental Protection Agency (USEPA) and Massachusetts Department of Environmental Protection (MassDEP) in compliance with reporting requirements (Section XI, paragraph 31) of the Consent Decree, Civil Action No. 1:10-cv-11263 for the Blackburn & Union Privileges Superfund Site located in Walpole, Massachusetts. This Report covers the period from February 1 - 28, 2018, and is submitted on behalf of the Settling Defendants to the Consent Decree.

Please contact one of the designated Project Coordinators (David Kelley 774.284.2207 or Paul Bucens 617.899.0354) should you have any questions concerning this Report.

Sincerely,

Eric E. Hultstrom  
Woodard & Curran – Supervising Contractor

Attachment

CC: Paul Craffey, MassDEP  
Robin Chapell – Town of Walpole  
David Kelley – Covidien (Project Coordinator)  
Paul Bucens – W.R. Grace & Co.- Conn. (Project Coordinator)  
Clayton Smith – de maximis  
Sol Feldman, Esq.

**MONTHLY DESIGN PROGRESS REPORT No. 92  
BLACKBURN & UNION PRIVILEGES SUPERFUND SITE  
For February 2018**

**Report Date: March 9, 2018**

This Monthly Progress Report is submitted to the U.S. Environmental Protection Agency (USEPA) and Massachusetts Department of Environmental Protection (MassDEP) documenting the activities completed during the month of February 2018 at the Blackburn & Union Privileges Superfund Site.

**1. Activities that have been taken toward achieving compliance with the Consent Decree (including work plans, plans and other deliverables completed and submitted to USEPA/MassDEP):**

- a. On February 13, 2018, received from the USEPA, a conditional approval letter associated with the sampling plan for the pre-remediation sampling of Lewis Pond.
- b. On February 28, 2018, submitted to the USEPA, a report from the visual inspection, shape measurements, and minor patch repairs of the culvert in September 2017.
- c. Conducted limited activities West of South Street for the Groundwater and Surface Water remedy to inspect the Site during the winter shutdown. Construction of the groundwater collection trench is on hold pending development of a revised construction plan. See Section 4 of this report for additional information.
- d. Continued preparation of a report to document the focused surface water and groundwater monitoring event at the Site consistent with the October 11, 2017 conditional approval letter received from USEPA.
- e. Continued communications and correspondence with USEPA and property owners at Lewis Pond to seek access for work required as part of the sediment and floodplain soil remedial action, including the West Street parking lot.

**2. Summary of results of sampling, tests and all other data received or generated:**

- a. None this reporting period.

**3. Activities planned for the next month and schedule update:**

- a. Continue periodic inspection activities during temporary suspension of work for the Remedial Action for the Groundwater and Surface Water remedy, West of South Street. Develop a plan for construction of the groundwater collection trench – see Section 4 of this report for additional information.
- b. Continue communications and correspondence with USEPA and property owners at Lewis Pond to seek access for work required as part of the sediment and floodplain soil remedial action.
- c. Continue preparation of a monitoring report from the focused surface water and groundwater monitoring recently conducted at the site.
- d. Begin pre-remediation sampling program of Lewis pond consistent with the sampling plan dated December 8, 2017 and the conditional approval letter of the sampling plan received from USEPA on February 13, 2018.

**MONTHLY DESIGN PROGRESS REPORT No. 92  
BLACKBURN & UNION PRIVILEGES SUPERFUND SITE  
For February 2018**

**4. Delays encountered or anticipated that may affect the future schedule for implementation of the work and associated mitigation efforts:**

- a. As reported on August 30<sup>th</sup> to USEPA, MassDEP, and the Town of Walpole by the Settling Defendants, there was a collapse of the groundwater collection trench during excavation. There were no injuries, equipment damage, or releases to the environment. Weston, Viasant (and their sub Inquip) temporarily stabilized the trench and subsequently further stabilized the slopes of the trench for safety and built up the surrounding berm for containment if conditions changed further. By September 1, 2017 the trench had been substantially filled and the team initiated an investigation of the incident and began to develop a plan for corrective actions and an approach and schedule for future work. If the approach to future work is materially different from the USEPA approved approach, review and approval will be requested.

**5. Work plan or schedule modifications proposed to USEPA or approved by USEPA:**

- a. None this reporting period.

**6. Activities undertaken in support of the Community Relations Plan during the previous month and planned for the following month:**

- a. The Settling Defendants will continue to support USEPA in its communications with the local residents and other stakeholders relative to remedy design considerations and remedial action implementation.
- b. On February 26, 2018 letters were sent to property owners at Lewis Pond to notify them of the start of pre-remediation sampling in March 2018.
- c. Access discussions with individual property owners and USEPA will continue to obtain access necessary for implementation of the Lewis Pond remedial action.
- d. Consistent with the January 13, 2015 USEPA conditional approval of the Revised Draft 100% Remedial Design Report – Sediment and Floodplain Soil, progress on securing access for the Lewis Pond remedial action are summarized in a table and figure provided as attachments to this monthly report.

**MONTHLY DESIGN PROGRESS REPORT No. 92  
BLACKBURN & UNION PRIVILEGES SUPERFUND SITE  
For February 2018**

**ATTACHMENTS**

**Table 1 - Property Summary and Access Agreement Status:  
Lewis Pond Remedial Action**

**Figure 1 - Access Agreement Plan: Lewis Pond Remedial Action**

Table 1 - Property Summary and Access Agreement Status: Lewis Pond Remedial Action  
Blackburn Union Privileges Superfund Site  
Walpole, Massachusetts

Current Assessor's Map	Lot	Owner	Contact	Street Address	Mailing Address	Book / Page	Description	Accessed lot for RD	RD agreement with current owner? (date)	Date of Last Contact	Type of Last Contact	RA Agreement? (date)	Expiration date of RA agreement
33	21	TMC 100 Elm, LLC	Michael K. Manzo	100 Elm Street	The Manzo Company, LLC 53 State Street Boston, MA 02109  mailing address: <b>200 Wheeler Road, Ste 210 Burlington, MA 01803</b>  cc on all correspondence: Paul S. Samson Riemer & Braunstein LLP Three Center Plaza Boston, MA 02108	LCC 12/8673	Business	Yes	Yes - 6/11/2012	12/7/2017	meeting between Settling Defendants and Manzo	No	
33	359	TMC 100 Elm, LLC	Michael Manzo	100 Elm Street	(See above)	LCH/8673	Parking lot adjacent to north side of L.P.	Yes	Yes - 6/11/2012	12/7/2017	meeting between Settling Defendants and Manzo	No	
33	340	David John Realty LLC	John Orfanides, Work Force	1167 Main Street	1167 Main Street Walpole, MA 02081	14099/ 548	Business	Yes	Yes - 9/29/2011	9/30/2015	Access Agreement signed	9/30/2015	(none)
33	342	Patrick F. & Rose Marie Doherty (Patrick Deceased)	Rose Marie Doherty	1121 Main Street	1121 Main Street Walpole, MA 02081	5473/ 651	Residence	Yes	Yes - 9/14/2011	9/29/2015	Access Agreement signed	9/29/2015	(none)
33	343	Rita M. Kalcos (Rita McDonough)	Rita McDonough	1117 Main Street	1117 Main Street Walpole, MA 02081	24466/ 511	Residence	Yes	Yes - 9/13/2011	11/20/2015	Access Agreement signed	11/18/2015	(none)
33	344	William & Alison Fezzie	William and Alison Fezzie	1109 Main Street	1109 Main Street Walpole, MA 02081	17175/ 559	Residence	Yes	Yes - 10/13/2011	11/1/2015	Access Agreement signed	11/1/2015	(none)
33	345	S Andrew & Kimberly M Kasper	Andrew and Kimberly Kasper	1101 Main Street	1101 Main Street Walpole, MA 02081	15281/ 278	Residence	Yes	Yes - 9/30/2011	11/3/2015	Access Agreement signed	11/3/2015	(none)
33	346	James Maguire and Jennifer Lynn Lightbody	James Maguire and Jennifer Lightbody	1089 Main Street	1089 Main Street Walpole, MA 02081	23070/ 310	Residence	Yes	Yes - 11/4/2011	2/15/2016	Access Agreement signed	2/16/2016	(none)
33	347	James E Cherella	James Cherella	1085 Main Street	1085 Main Street Walpole, MA 02081	8954/ 54	Residence	Yes	Yes - 9/14/2011	9/29/2015	Access Agreement signed	9/29/2015	(none)
33	348.1	Herbert Jacobs	Herbert Jacobs	1083 Main Street	37 Elizabeth Circle Framingham, MA 01702	22252/ 424	Residence / Condo	Yes	No (new owner)	10/14/2015	Access Agreement signed	10/14/2015	(none)
33	348.2	Byblos Investments International, LLC	Charles M. Badaoui	1081 Main Street	549-551 Boylston St., Unit 501 Boston, MA 02116	18925/ 252	Residence / Condo	Yes	No (new owner)	10/7/2015	Access Agreement signed	10/7/2015	(none)
33	349	1075 Main Street, LLC Eric Aquilio	Jacqueline Aquilio	1075 Main Street	1075 Main Street Walpole, MA 02081	25292/ 183	Business	Yes	Yes - 8/30/2012	1/3/2017	mailed check via UPS	12/19/2016	(none)
33	350	Allenwood, LLC	John Jacob	1065 Main Street	John G. Jacob Allenwood, LLC 1065 Main Street Walpole, MA 02081	24603/ 435	Business	Yes	Yes - 9/29/2012	8/8/2016	mailed check via UPS	7/1/2016	(none)
33	351	Sonia L Shaw Trust / Shaw Norfolk Realty Trust	Sonia Shaw	1057 Main Street	57 Grouse Ln Woodbridge, CT 06525	14558/ 73	Apartment building	Yes	Yes - 10/15/2012	1/24/2017	mailed check via UPS	1/17/2017	(none)

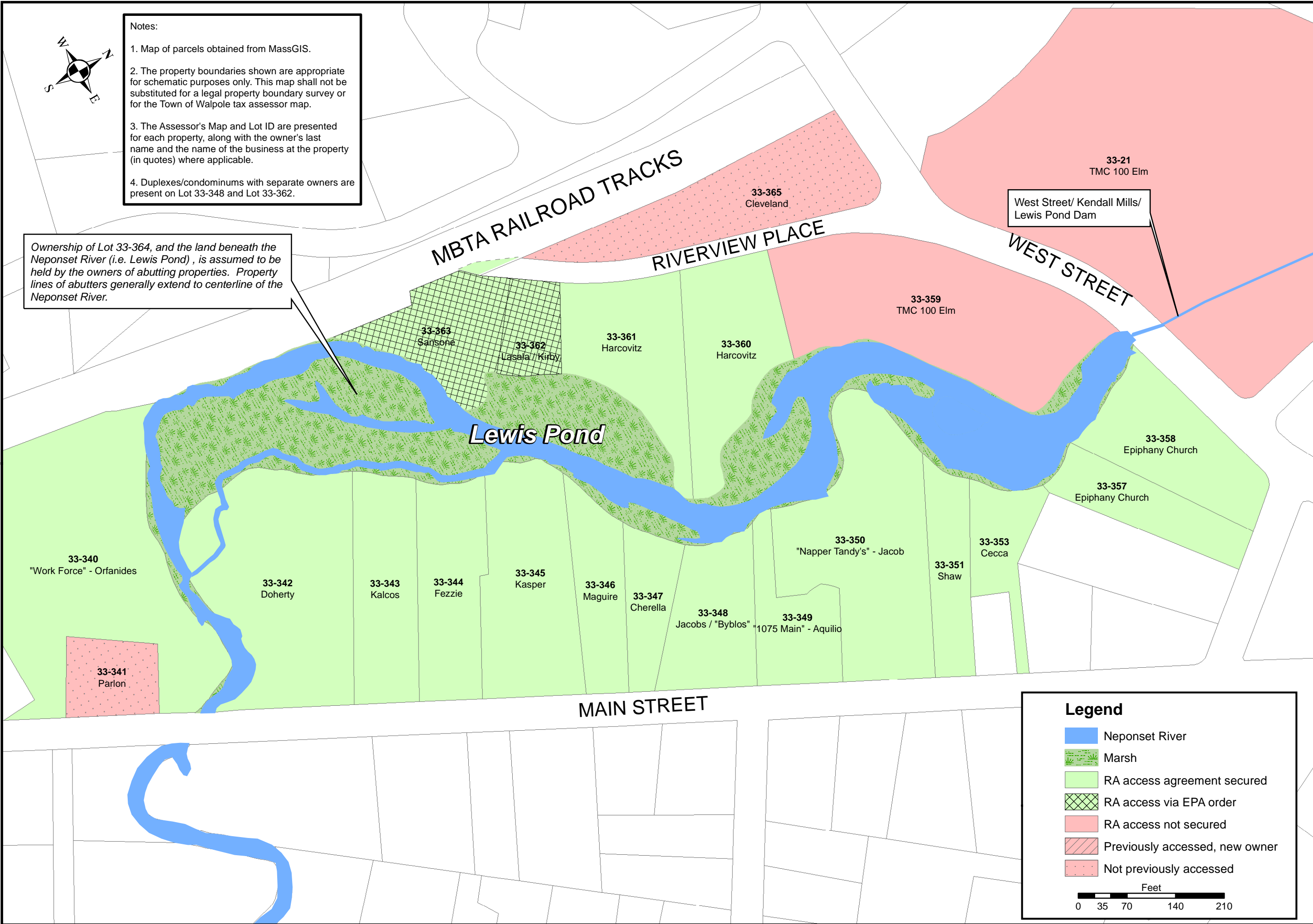
Table 1 - Property Summary and Access Agreement Status: Lewis Pond Remedial Action  
Blackburn Union Privileges Superfund Site  
Walpole, Massachusetts

Current Assessor's Map	Lot	Owner	Contact	Street Address	Mailing Address	Book / Page	Description	Accessed lot for RD	RD agreement with current owner? (date)	Date of Last Contact	Type of Last Contact	RA Agreement? (date)	Expiration date of RA agreement
33	353	Brian D Cecca	Brian Cecca	1051 Main Street	21928 Masters Circle Estero, FL 33928  <b>(NOT CURRENT ADDRESS)</b> 1096 Main Street, Walpole, Massachusetts 02081	12491/406	Residence	Yes	Yes - 1/23/2012	12/17/2015	Access Agreement signed	12/17/2015	(none)
33	357	Epiphany Episcopal Church	Pamela J. Cormier Senior Warden	62 Front Street	Epiphany Parish of Walpole c/o Pamela J. Cormier 62 Front Street Walpole, MA 02081  <b>email Peter DiPasca with all corresp.</b>	4674/18-9	Church	Yes	Yes - 11/16/2011	12/13/2015	Access Agreement signed	12/13/2015, extended on 10/29/2017	12/31/2019
33	358	Epiphany Episcopal Church	Pamela J. Cormier Senior Warden	62 Front Street	Epiphany Parish of Walpole c/o Pamela J. Cormier 62 Front Street Walpole, MA 02081  <b>email Peter DiPasca with all corresp.</b>	4674/18-9	Church	Yes	Yes - 11/16/2011	12/13/2015	Access Agreement signed	12/13/2015, extended on 10/29/2017	12/31/2019
33	362.1	Elizabeth Lasala	Elizabeth Lasala	44 Riverview Place	44 Riverview Place, Unit 2 Walpole, MA 02081  official correspondence to: Riverview Place Condo Trust c/o Elizabeth Lasala/Jason Kirby 42 and 44 Riverview Place	20282/500	Residence / Condo	Yes	Yes - 4/10/2012	6/9/2017	EPA access order	6/9/2017 (effective date of access order, as reported to Settling Defendants by EPA counsel)	n/a (EPA order)
33	362.2	Jason Kirby	Jason Kirby	42 Riverview Place	42 Riverview Place Walpole, MA 02081	21601/194	Residence / Condo	Yes	<b>No (new owner)</b>	6/9/2017	EPA access order	6/9/2017 (effective date of access order, as reported to Settling Defendants by EPA counsel)	n/a (EPA order)
33	360	Harcovitz, Charles A.	Harcovitz, Charles A.	26-28 Riverview Place	26-28 Riverview Place Walpole, MA 02081	LCC/4136	Residence	Yes	Yes - 8/23/2011	11/15/2017	Access agreement check hand delivered	11/14/2017	10 months from mobilization to complete work. Provision for monthly extension thereafter.
33	361	Harcovitz, Charles A.	Harcovitz, Charles A.	30-32 Riverview Place	28 Riverview Place Walpole, MA 02081	LCC141363	Residence	Yes	Yes - 8/23/2011	11/15/2017	Access agreement check hand delivered	11/14/2017	10 months from mobilization to complete work. Provision for monthly extension thereafter.
33	363	Sansone, Richard	Richard Sansone	46 Riverview Place	46 Riverview Place Walpole, MA 02081	32206/191	Residence	Yes	<b>No (new owner)</b>	7/21/2017	EPA access order	7/21/2017 (effective date of access order, as reported to Settling Defendants by EPA counsel)	n/a (EPA order)
-	-	MBTA	Tom Cox Patricia Barrett	(MBTA easement - Riverview)	-	-	Rail easement	No - but sampling on another lot	<b>No</b>	3/21/2017	Access Agreement signed	<b>dated 1/27/2017 (fully executed on 3/21/2017)</b>	1/26/2019 - provision for monthly extension thereafter



- Notes:
1. Map of parcels obtained from MassGIS.
  2. The property boundaries shown are appropriate for schematic purposes only. This map shall not be substituted for a legal property boundary survey or for the Town of Walpole tax assessor map.
  3. The Assessor's Map and Lot ID are presented for each property, along with the owner's last name and the name of the business at the property (in quotes) where applicable.
  4. Duplexes/condominiums with separate owners are present on Lot 33-348 and Lot 33-362.

Ownership of Lot 33-364, and the land beneath the Neponset River (i.e. Lewis Pond), is assumed to be held by the owners of abutting properties. Property lines of abutters generally extend to centerline of the Neponset River.



### Legend

- Neponset River
- Marsh
- RA access agreement secured
- RA access via EPA order
- RA access not secured
- Previously accessed, new owner
- Not previously accessed

Feet  
0 35 70 140 210

ACCESS AGREEMENT PLAN:  
LEWIS POND REMEDIAL ACTION  
**DRAFT - FOR DISCUSSION  
PURPOSES ONLY**

BLACKBURN & UNION PRIVILEGES  
SUPERFUND SITE  
WALPOLE, MA

JOB NO.: 223203

DRAWN BY: RDS

DATE: March 6, 2018

**FIGURE 1**



980 WASHINGTON ST. | SUITE 325  
DEDHAM, MA 02026  
781.251.0200 | www.woodardcurran.com

COMMITMENT & INTEGRITY DRIVE RESULTS