

**FINAL  
PUBLIC INVOLVEMENT PLAN  
FORMER BIRD MACHINE COMPANY PROPERTY  
100 NEPONSET STREET  
WALPOLE, MASSACHUSETTS**

**Release Tracking Numbers:**

**3-23513, 3-23575, 3-24105, 3-24222,  
3-24883, 3-25233, 3-25327**

Prepared for:

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24 February 2006

W.O. No. 12237.007.002

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## TABLE OF CONTENTS

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Section	Page
<b>1. INTRODUCTION.....</b>	<b>1-1</b>
<b>2. SITE BACKGROUND .....</b>	<b>2-1</b>
2.1 SITE DESCRIPTION AND HISTORY .....	2-1
2.2 ENVIRONMENTAL ASSESSMENT .....	2-2
2.3 PUBLIC INVOLVEMENT HISTORY .....	2-8
<b>3. ADDRESSING PUBLIC CONCERNS.....</b>	<b>3-1</b>
<b>4. PUBLIC INVOLVEMENT ACTIVITIES .....</b>	<b>4-1</b>
4.1 INFORMING THE PUBLIC .....	4-1
4.1.1 Information Repositories .....	4-1
4.1.1.1 Publicly Available Site Files.....	4-1
4.1.1.2 Local Information Repository.....	4-2
4.1.1.3 Town of Walpole Website for Bird Machine Company Property .....	4-2
4.1.2 Site Mailing List .....	4-3
4.1.3 Notification of Local Officials and Residents of Major Milestones and Events.....	4-3
4.1.3.1 Notification List .....	4-4
4.2 SOLICITING PUBLIC INPUT .....	4-4
4.2.1 Public Meetings .....	4-4
4.2.2 Public Comment Periods.....	4-5
4.2.3 Response to Comments.....	4-6
<b>5. SCHEDULE FOR PUBLIC INVOLVEMENT ACTIVITIES.....</b>	<b>5-1</b>
<b>6. RESPONSIBILITY FOR IMPLEMENTING THE PUBLIC INVOLVEMENT     PLAN.....</b>	<b>6-1</b>
<b>7. REVISIONS TO THIS PLAN .....</b>	<b>7-1</b>
<b>APPENDIX A      PUBLIC INVOLVEMENT PLAN MAILING LIST</b>	
<b>APPENDIX B      THE MASSACHUSETTS WASTE SITE CLEANUP                     PROGRAM – THE BASICS FACT SHEET</b>	
<b>APPENDIX C      LIST OF DOCUMENTS SENT TO WALPOLE PUBLIC LIBRARY                     REPOSITORY, DECEMBER 2005</b>	
<b>APPENDIX D      RESPONSE SUMMARY TO THE DRAFT PUBLIC                     INVOLVEMENT PLAN</b>	

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## LIST OF FIGURES

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Figure 1	Site Locus Map
Figure 2	Property Map
Figure 3	MassDEP Priority Resource Map
Figure 4	Natural Resources Inventory Map from Walpole Master Plan
Figure 5	Town of Walpole Aquifer Map
Figure 6	Town of Walpole Zoning District Map

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## EXHIBITS

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Exhibit I	Community Concerns About the Bird Machine Company Sites .....	2-10
Exhibit II	Schedule of Public Involvement Activities.....	5-2

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## LIST OF ACRONYMS

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ACM	asbestos-containing material
CMR	Code of Massachusetts Regulations
EPA	U.S. Environmental Protection Agency
ft	feet
HNA	Head of the Neponset Aquifer”
MassDEP	Massachusetts Department of Environmental Protection
MCP	Massachusetts Contingency Plan
NAPL	Non-aqueous Phase Liquid
NHESP	Natural Heritage and Endangered Species Program
OHM	oil or hazardous materials
PIP	Public Involvement Plan
Property	former Bird Machine Company property
RAO	Response Action Outcome
RTN	Release Tracking Numbers
Site	Disposal Site
WESTON®	Weston Solutions, Inc.



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## **SECTION 1**

### **INTRODUCTION**

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# 1. INTRODUCTION

The former Bird Machine Company property (Property) is located at 100 Neponset Street in South Walpole, Massachusetts. Weston Solutions, Inc. (WESTON®) was retained by Baker Process, Inc., to prepare a Public Involvement Plan (PIP) in accordance with the Massachusetts Contingency Plan (MCP).

The Massachusetts Department of Environmental Protection (MassDEP) has assigned a total of 11 Release Tracking Numbers (RTN) for releases of oil or hazardous materials (OHM) that have occurred at the Property. Each RTN represents a Disposal Site (Site) under the MCP. Four of the Sites have been closed. There are seven Sites currently active at the Property. The total list of Sites includes the following:

- Oil Spill Site, RTN 3-3310 (closed)
- Cart Path Area, RTN 3-2469 (closed)
- Reclamation Area, RTN 3-17485 (closed)
- Outfall 2, RTN 3-22935 (closed)
- Lead Release Area, RTN 3-23513
- Release of Hydrocarbons to the Neponset River, RTN 3-23575
- Demolition Debris Area, RTN 3-24105
- Manufacturing Building, RTN 3-24222
- Non-aqueous Phase Liquid (NAPL) Site, RTN 3-24883
- Western asbestos-containing material (ACM), RTN 3-25233
- Flood Release, RTN 3-25327

On 9 November 2005, Mr. Clayton Curtis of Baker Hughes Incorporated received a petition from 10 Walpole townspeople requesting that all MCP Sites at the Property be designated as a PIP site, under Section 14 (b) of Massachusetts General Laws chapter 21E (M.G.L. c. 21E). On 23 November 2005, Baker Hughes Incorporated officially designated the seven active MCP Sites at the Property, collectively, as a PIP site. The four previously-closed MCP Sites (RTN 3-3310, RTN 3-2469, RTN 3-17485, and RTN 3-22935) do not qualify for inclusion in the PIP process.

This Final Plan has been prepared by WESTON on behalf of Baker Process, Inc. in accordance with the requirements of the MCP regulations, 310 Code of Massachusetts Regulations (CMR) 40.00. Baker Process, Inc. is a wholly-owned subsidiary of Baker Hughes Incorporated and is the Responsible Party for each of the seven active MCP Sites.

Four of the seven sites at the Property have been Tier-Classified in accordance with the MCP, and have been classified as Tier II. The other three sites will be Tier-Classified in 2006, and are also expected to be Tier II sites. Sites that have been classified as a Tier II are not considered priority sites by MassDEP. MassDEP does not oversee response actions at Tier II sites, but does perform audits of actions taken at many Tier II sites. Parties responsible for response actions at Tier II sites are required to retain a licensed site professional to plan, oversee, and document response actions at the Site in accordance with the MCP. Response actions include determining the nature, source and extent of the contamination; risk posed by the Site; whether cleanup actions are necessary and if necessary, determining and implementing the most appropriate actions. In addition, the MCP process provides opportunities for public involvement throughout the process.

Public involvement during the MCP process is undertaken to ensure that the public is both informed of and involved in planning for response actions. For a site at which the public indicates interest in becoming involved in this process, the responsible party designates the Site as a PIP site, and prepares a plan which identifies specific activities that will be undertaken to address public concerns to the extent possible.

This Final Plan has been prepared on behalf of Baker Process, Inc. and will be implemented in conjunction with the development and implementation of response actions for the Sites.

Section 2 contains background information on the Sites, including Property description; site history and summary of response actions performed to date; and public involvement activities performed to date. Section 3 explains how the response action process addresses community concerns which are raised during the development of the Plan, and how this Plan will be modified to address community concerns. Section 4 explains the proposed public involvement activities. Section 5 contains a schedule for public involvement activities. Section 6 outlines the roles and responsibilities of those involved in implementing the Plan. Section 7 describes how the Plan will be revised in the future.

The Draft Plan was presented by Baker Hughes Incorporated and WESTON at a public meeting held on Wednesday, 4 January 2005, at 7 PM, at the Walpole Town Hall, Room 112. Comments on the Draft Plan were submitted by writing to:

Mr. Clayton Curtis, Health Safety and Environment Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177  
(713) 439-8329

Comments submitted by the close of business on Tuesday, 24 January 2005, were considered during preparation of this Final Plan.

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## **SECTION 2**

### **SITE BACKGROUND**

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## 2. SITE BACKGROUND

### 2.1 SITE DESCRIPTION AND HISTORY

The Property is located at 100 Neponset Street, South Walpole, Massachusetts. The Property encompasses approximately 135 acres of developed land, woodland, and wetlands. The Neponset River, Cedar Swamp Brook, and associated wetlands are located on and/or adjacent to the Property. Figure 1 is the Site Locus Map, showing the general location of the Property. Figure 2 is the Property Map which shows pertinent features such as property boundaries, access roads and driveways, buildings, and surface water and drainage features. Figure 2 also shows the approximate boundary of each of the seven active MCP Sites located on the Property.

There are no drinking water Zone II areas, Interim Wellhead Protection Areas, Zone A areas, Potentially Productive Aquifers, or private wells within 500 feet (ft) of the Property. The “Head of the Neponset Aquifer” (HNA) underlies the entire Property (shown on Figure 3, MassDEP Priority Resource Map and Figure 4, Natural Resources Inventory Map from Walpole Master Plan). The U.S. Environmental Protection Agency (EPA) designated the HNA as a Sole Source Aquifer in December 1988, in response to a petitioned request by the Town of Walpole and other municipalities. The HNA covers over 30 square miles, and “encompasses most of Walpole, and portions of Dover, Foxboro, Medfield, Norwood, Sharon, and Westwood”. At the time of the petition to EPA, Walpole had not prepared the Zone II analysis for its water supply wells. The nearest Zone II boundary, as established by Walpole in 1994, is more than 1,000 ft from the Site.

The Property is located within the Aquifer Area 3 primary recharge area, which is an aquifer protection zoning overlay district. This Aquifer Area 3 is shown on Figure 5 (Town of Walpole Aquifer Map). The Walpole Zoning District Map shows the current zoning for the Property, which is “Industrial” (Figure 6).

No Areas of Critical Environmental Concern, local, state, and/or federal protected open space, fish habitats, or threatened or endangered species are known to be located within 500 ft of the Property. A portion of the Property contains an area mapped by the Natural Heritage and Endangered Species Program (NHESP) “*NHESP 2003 Estimated Habitats of Rare Wetlands*

*Wildlife: For Use with the Massachusetts Wetlands Protection Act Regulations (310 CMR 10)*", as shown on Map 3 Natural Resources Inventory of the Walpole Master Plan. The "Estimated Habitat" area covers a portion of the Property, but does not include any of the seven active MCP Sites. The Estimated Habitat is within 500 ft of two of the sites.

The Property was reportedly used for agricultural and residential uses prior to the late 1800s. Bird Machine Company occupied two existing mill buildings and began on-site manufacturing operations in 1920. Bird Machine Company primarily manufactured and repaired industrial machinery, including centrifuges. Bird Machine Company constructed building expansions at the Property over the next 80 years, including significant expansions in 1946, 1964, and 1974. Manufacturing operations at the Site were discontinued in 2004. Currently, the only workers at the Site are security personnel, which are present 24 hours per day. These employees regularly work in the vicinity of the Site and periodically enter the buildings for security checks.

There are presently no inhabited houses on the Property. There are no schools, daycare centers, playgrounds, or parks within 500 ft of any of the seven active MCP Sites located on the Property.

## **2.2 ENVIRONMENTAL ASSESSMENT**

The seven active MCP Sites and supporting reference material are described below. The reference materials that are available at the Walpole Public Library are mentioned specifically in this section. Additional correspondence and information may also be available at the Northeast Regional Office of the MassDEP, located in Wilmington, Massachusetts.

### **Lead Release Area**

MassDEP was notified of the Lead Release Area on 14 January 2004. MassDEP assigned RTN 3-23513 and issued a Notice of Responsibility Letter to Bird Machine Company under the MCP on 10 February 2004. This Site has been classified as Tier II. The Lead Release Area comprises areas on the Property where metallic wastes (containing primarily lead and oil) were used as fill. The time when fill materials were placed is not known; however, it is known that the fill was placed prior to the mid-1970s. A Release Abatement Measure was started at this Site in July 2005. To date, soil and debris, including 55-gallon drums, have been removed and disposed

of off-site. Additional removal actions are on-going, as weather permits. Three reports pertaining to this RTN have been submitted to MassDEP to date. These reports are available for review at the Walpole Town Library and are listed below:

- *Phase I Initial Site Investigation Report, Bird Machine Company, Lead Release Area*, dated 13 January 2005, prepared by WESTON.
- *Release Abatement Measure Plan, Lead Release Area, Removal Action*, dated 23 June 2005, prepared by WESTON.
- *Release Abatement Measure Status Report, RTN 3-23513-Lead Release Area*, dated 19 October 2005, prepared by WESTON.

The following reports regarding this Site will be submitted to MassDEP in the next year:

- Release Abatement Measure Status Reports due in April 2006 and October 2006 [if Release Abatement Measure Completion Report is not submitted prior to these dates].
- Release Abatement Measure Completion Report, due 60 days following completion of Release Abatement Measure activities.
- Phase II Comprehensive Site Assessment Report due in January 2007.
- Phase III Remedial Action Plan due in January 2007.

### **Release of Hydrocarbons to the Neponset River**

MassDEP was notified of a release of hydrocarbons to the Neponset River, as evidenced by a small oil stain on the ice in the Neponset River, on 21 January 2004. MassDEP assigned RTN 3-23575 and issued a Notice of Responsibility letter to Bird Machine Company. This Site has been classified as Tier II. Based on observations made by MassDEP and Bird Machine Company personnel on 23 January 2004, the oil stain appeared to be remote from any potential active releases from the Property, and appeared to be the result of a historical release. The Neponset River Site comprises the area where hydrocarbons were released from the Property to the Neponset River and associated affected bank soils and sediments. A total of nine “outfalls”, or discharge points to the Neponset River, were used at the Property. Eight of these outfalls (numbered 1 through 7 and 9) presently convey stormwater from the Property to the Neponset River. Records indicate that releases of hydrocarbons to the Neponset River occurred



at two of these outfalls (Outfalls 2 and 7) in the past. An Immediate Response Action is presently being performed at this Site, which includes an Environmental Risk Characterization. Three reports pertaining to this Site have been submitted to MassDEP to date. Copies of these reports are available for review at the Walpole Town Library. The reports available for review at the Walpole Town Library are listed below:

- *Immediate Response Action Plan, Release of Hydrocarbons to the Neponset River*, dated 23 April 2004, prepared by URS Corporation.
- *Phase I Initial Site Investigation Report, Release of Hydrocarbons to the Neponset River, Bird Machine Company*, dated 21 January 2005, prepared by WESTON.
- *Immediate Response Action Status Report, Release of Hydrocarbons to the Neponset River*, dated 16 December 2005, prepared by WESTON.

The following reports regarding this RTN will be submitted to MassDEP within the next year:

- Immediate Response Action Status Reports due in June 2006 and December 2006 (if Immediate Response Action Completion Report is not submitted prior to these dates).
- Immediate Response Action Completion Report due 60 days following completion of Immediate Response Actions.
- Phase II Comprehensive Site Assessment due in January 2007.
- Phase III Remedial Action Plan due in January 2007.

## **Demolition Debris Area**

A "Preliminary Assessment Report" regarding the Demolition Debris Area was submitted to Massachusetts Department of Environmental Quality Engineering (the predecessor agency to MassDEP) in 1989. At that time, MCP reportable conditions were not known to exist, and the Demolition Debris Area was described as an area that was inactive, but had been historically filled. MCP-reportable conditions were encountered during an investigation performed in 2004. A Release Notification was submitted to MassDEP in July 2004. MassDEP assigned the Demolition Debris Area RTN 3-24105 and issued a Notice of Responsibility Letter on 23 August 2004. This Site has been classified as Tier II. The Demolition Debris Area comprises

areas on the Property where soil, demolition debris (asphalt, brick, concrete, and wood), metal-containing debris, paper and pulp wastes, and 55-gallon drums were used as fill. A Release Abatement Measure was commenced at this Site in July 2005, and is ongoing. Activities performed to date include removal of soil and wastes, including 55-gallon drums. Three reports pertaining to this Site have been submitted to MassDEP since the Release Notification in July 2004. These reports, and the report prepared in 1989, are available for review at the Walpole Town Library and are listed below:

- *Preliminary Assessment Report, Landfill No. 2, Bird Machine Company*, dated 7 December 1989, prepared by Balsam Environmental Consultants, Inc.
- *Release Abatement Measure Plan, Demolition Debris Area, Removal Action*, dated 15 June 2005, prepared by WESTON.
- *Phase I Initial Site Investigation Report, Bird Machine Company, Demolition Debris Area*, dated 28 July 2005, prepared by WESTON.
- *Release Abatement Measure Plan Status Report, RTN 3-24105-Demolition Debris Area*, dated 1 November 2005, prepared by WESTON.

The following reports for this RTN will be submitted to MassDEP within the next year:

- Release Abatement Measure Status Reports due in May 2006 and November 2006 (if Release Abatement Measure Completion Report is not submitted prior to these dates).
- Release Abatement Measure Completion Report due 60 days following completion of Release Abatement Measure activities.

## **Manufacturing Building**

Oil and metals detected in soil samples, and metals detected in groundwater samples, collected in 2004 from beneath a manufacturing building, exceeded MCP-reportable concentrations. MassDEP was notified of this release in September 2005. MassDEP assigned the Manufacturing Building RTN 3-24222 and issued a Notice of Responsibility Letter under the MCP on 14 September 2004. This Site has been classified as Tier II. The Manufacturing Building Site comprises the area beneath the floor of Building No. 6A where hazardous materials were detected in reportable concentrations in soils and groundwater. One

report pertaining to this Site has been submitted to MassDEP to date. This report is available for review at the Walpole Town Library and is listed below:

- *Phase I Initial Site Investigation Report, Bird Machine Company, Manufacturing Building Area*, dated 14 September 2005, prepared by WESTON.

No reports are due to MassDEP for this RTN within the next year. Baker Process, Inc. is considering the possibility of implementing a Release Abatement Measure at this Site in 2006. If a Release Abatement Measure is to be performed, a Release Abatement Measure Plan will be submitted to MassDEP. Public involvement activities will occur as described in this PIP (e.g., people on the mailing list will be notified in writing, a 10-day public comment period will be observed, comments will be addressed in writing, and verbal notifications will be made prior to commencing field work).

### **Non-Aqueous Phase Liquid Site**

The NAPL Site was assigned RTN 3-24883 by MassDEP on 17 May 2005. The NAPL Site encompasses the area where the NAPL was observed in a test pit on 17 May 2005. The NAPL Site was discovered while performing investigations at the Lead Release Area Site (RTN 3-23513). The NAPL Site is located completely within the boundaries of the Lead Release Area. An "investigation-only" Immediate Response Action was performed at the Site. The NAPL was subsequently removed during implementation of the Release Abatement Measure for the Lead Release Area. One report pertaining to this RTN has been submitted to MassDEP to date. This report is available for review at the Walpole Town Library:

- *Immediate Response Action Completion Statement for Non-Aqueous Phase Liquid site, Former Bird Machine Company*, dated 20 June 2005, prepared by WESTON.

No future reports for this RTN are anticipated. Baker Process, Inc. plans to submit a Notice that future actions associated with this RTN will be conducted as part of the response actions planned for the Lead Release Area Site (RTN 3-23513). This Notice must be filed, using a Tier Classification Transmittal Form, prior to 17 May 2006.

## **Western Asbestos-Containing Material Site**

Baker Process, Inc. notified MassDEP of the discovery of ACM at the Property on 14 September 2005. MassDEP assigned RTN 3-25233 on 14 September 2005. The Western ACM Site comprises the area on the Property where ACM and ACM-contaminated soil were discovered during Release Abatement Measures conducted in the Western Clearing of the Demolition Debris Area. An Immediate Response Action was required for this Site, since the release resulted in a 2-hour reportable condition. Baker Process, Inc. initiated the Immediate Response Action on 14 September 2005. Approximately 600 tons of soil containing ACM has been removed to date, and the remaining ACM is covered by soil and/or plastic sheeting for the winter. The Immediate Response Action will be completed when weather permits. One report pertaining to this RTN has been submitted to MassDEP to date. This report is available for review at the Walpole Town Library and is listed below:

- *Immediate Response Action Plan, Western ACM*, dated 11 November 2005, prepared by WESTON.

The following reports for this RTN will be submitted to MassDEP within the next year:

- Immediate Response Action Status Reports due in January 2006 and July 2006 (if Immediate Response Action Completion Report is not submitted prior to these dates).
- Immediate Response Action Completion Report due 60 days following completion of Immediate Response Actions of Phase I activities.

Upon completion of the Immediate Response Action, and submittal of the above reports, Baker Process, Inc. plans to submit a Notice that future actions associated with this RTN will be conducted as part of the response actions planned for the Demolition Debris Area (RTN 3-24105). This Notice must be filed, using a Tier Classification Transmittal Form, prior to 14 September 2006.

## **Flood Release**

MassDEP assigned the Flood Release RTN 3-25327 on 17 October 2005. MassDEP issued a Notice of Responsibility on 19 October 2005. The Flood Release RTN comprises the area on the

Property where a release of oil occurred onto the pavement adjacent to one of the manufacturing buildings (Building No. 8), into the storm drain system, and then to the Neponset River via Outfall 7. An Immediate Response Action was required for this Site because the release resulted in a 2-hour reportable condition. Baker Process, Inc. initiated the Immediate Response Action on 17 October 2005. The Immediate Response Action consisted of a number of activities including cleaning of the floor of Building No. 8 and the pavement outside the building; installation of a back-up sump pump; cleaning of the catch basins and storm drain; clearing of vegetation and removal of oil at Outfall 7; placement of oil-absorbent booms in the Neponset River; off-site disposal of water and wastes; and sampling of Neponset River water. Remaining Immediate Response Actions include maintenance of the booms, and sampling of sediment. One report pertaining to this RTN was submitted to MassDEP on 16 December 2005. A copy of the report is available for review at the Walpole Town Library.

- *Immediate Response Action Plan, RTN 3-25327- Flood Release*, dated 16 December 2005, prepared by WESTON.

Anticipated future reports for this RTN to be generated and submitted to MassDEP include the following:

- Immediate Response Action Status Reports due in February 2006 and August 2006 (if Immediate Response Action Completion Report not submitted prior to these dates).
- Immediate Response Action Completion Report due 60 days following completion of Immediate Response Action activities.

Upon completion of the Immediate Response Action, and submittal of the above reports, Baker Process, Inc. plans to submit a Notice that future actions associated with this RTN will be conducted as part of the response actions planned for the Demolition Debris Area (RTN 3-24105). This Notice must be filed, using a Tier Classification Transmittal Form, prior to 17 October 2006.

## **2.3 PUBLIC INVOLVEMENT HISTORY**

The general public has been minimally involved with the Site to date. Assessment of community concerns has been based on the following: telephone discussions with the

Walpole Town Administrator, the Walpole Health Agent, the Walpole Conservation Agent, and the key petitioner; review of the petition submitted by the group of concerned citizens; public comments received during a hearing before the Walpole Conservation Commission; review of articles in the Walpole Times; and public comments received on the Draft PIP during and subsequent to the January 2006 public meeting. These concerns are presented in Exhibit I, and where applicable, were addressed in this Final PIP.

## **Exhibit I**

### **Community Concerns for the Bird Machine Company Sites**

- A. Concerns regarding the source and extent of release of oil and hazardous materials and all existing potential Migration Pathways in soil, surface water, groundwater, air, and sediments.
- B. Concerns regarding routes of exposure and neighborhood health issues:
  - Truck traffic through the neighborhood, particularly Neponset Street and Willow Street.
  - Noise, in particular in early morning or at night.
- C. Concerns regarding the site remediation process:
  - Possible exposure to dust or air emissions during performance of Release Abatement Measures.
  - Potential filling or disturbance of wetlands.
  - Potential disturbance of wetland buffers.
  - Restrictions on the future use of the Property that may be required to comply with the MCP.
- D. Concerns regarding opportunities for public involvement during the response action process:
  - The petitioners' desire to learn about the MCP Sites at the Property and the response actions being taken lead to filing the PIP petition.
- E. Concerns regarding NAPL located within 200 ft of the Neponset River.
- F. Concerns regarding impacts to Cedar Swamp Brook and an Estimated Habitat of Rare Wildlife (potential habitat for Hessel's Hairstreak, a butterfly closely associated with cedar swamps and listed as a species of Special Concern in Massachusetts).
- G. Concerns regarding human and environmental receptors:
  - Life-long residents, and wetlands, wildlife, and threatened or endangered species that are known or likely to be located at the Site.
- H. Concerns regarding impacts to Ruckaduck Pond from the Site.

- I. Concerns regarding the future use or development of the Property, including local municipal zoning, planning, and economic development issues.
- J. Concerns regarding the Neponset River:
  - Testing of the Neponset River should extend beyond the borders of the property to identify potential contamination down gradient of the property.
- K. Concerns regarding impacts to the town of Walpole's Aquifer Area 3 primary groundwater recharge area.



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## **SECTION 3**

### **ADDRESSING PUBLIC CONCERNS**

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### 3. ADDRESSING PUBLIC CONCERNS

The process for assessing and cleaning up sites as set forth in the MCP (310 CMR 40) is designed to address the effects of the Site on health, safety, public welfare, and the environment. Once a release of OHM has been confirmed at a site, the MCP process typically proceeds to the following:

- Numerical ranking and Tier Classification (Phase I).
- Comprehensive field investigation of the nature and extent of the contamination and an evaluation of any risks posed to the public and the environment from the Site (Phase II).
- Identification and evaluation of response action alternatives and selection of feasible measures that will achieve a permanent cleanup at the Site (Phase III).
- Implementation of the selected response actions (Phase IV).
- Operation and maintenance of the remedial/treatment system (Phase V).

Under the MCP, a Release Abatement Measure or Immediate Response Action may be implemented to reduce, control, or eliminate sources of contamination and to eliminate significant exposures. These actions may be taken at any time after release notification.

Dependent upon these response actions, a Response Action Outcome (RAO) Statement may be submitted at any time in the MCP process outlined above with or without an Activity and Use Limitation for regulatory closure.

Physical work at the Site includes sampling and other environmental field testing, and the implementation of the selected response actions. It may also include the implementation of measures designed to stabilize conditions at the Site to prevent the continued migration of contaminants or eliminate an imminent threat to public health, safety, welfare, or the environment until planning for response is underway (i.e., Release Abatement Measures or Immediate Response Actions).

At each step of the response action process, plans for work are developed, the work is conducted, and reports describing results, and recommendations for the next step are prepared. The documents which describe each of these steps are the cornerstone of the response action planning

process, since they provide the information necessary to make decisions about how a site should be cleaned up.

Refer to Appendix B for a general overview of the MCP process.

As noted in Exhibit I, the public has raised a number of concerns about the Sites. The response action planning process is designed to address the concerns about the nature and extent of contamination; risks posed by the Sites to health, safety, public welfare, and the environment; and the adequacy of proposed cleanup measures. These concerns will primarily be addressed in Phase II and III of this process. For example, Phase II will include an assessment of the potential impact of each Site on public health and the environment. Phase III will address the adequacy of proposed response actions to provide permanent solutions for the releases that occurred at each site.

The MCP specifies terms and conditions of eligibility for and use of technical assistance grants. MassDEP may provide for limited grants in order to: provide access to expert advice and technical assistance; encourage more effective participation in the response action process by promoting access to and use of information; and allow issues of concern related to the Site to be addressed. Baker Process, Inc. and WESTON are not aware of whether funding is available for the Technical Assistance Grant program. To obtain information regarding the Technical Assistant Grant program, please contact MassDEP at the following addresses:

Massachusetts Department of Environmental Protection

One Winter Street

Boston, MA 02108

(617) 292-5500

or

Massachusetts Department of Environmental Protection, Northeast Regional Office

205B Lowell Street

Wilmington, MA 01887

(978) 694-3200

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## **SECTION 4**

### **PUBLIC INVOLVEMENT ACTIVITIES**

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## **4. PUBLIC INVOLVEMENT ACTIVITIES**

In accordance with the MCP (310 CMR 40.1400), activities undertaken to involve the public in response actions serve two purposes:

- To inform the public about the risks posed by the Site, the status of response actions, and the opportunities for public involvement; and
- To solicit the concerns of the public about the Site and response actions so that, to the extent possible, these concerns can be addressed and incorporated in planning response actions.

To meet each of these objectives, Baker Process, Inc. proposes to undertake specific activities during the response process at the Site. These activities are described below.

### **4.1 INFORMING THE PUBLIC**

Baker Process, Inc. will provide site-specific information to the public by establishing and maintaining an information repository; developing and maintaining a site mailing list to distribute information about the Site; and providing advance notification to local officials and residents about site activities.

#### **4.1.1 Information Repositories**

##### ***4.1.1.1 Publicly Available Site Files***

A file on the Site is maintained at the MassDEP Northeast Regional office. However, as of 1 May 2006, this file will be maintained at the MassDEP Southeast Regional office. The file will contain all documents pertaining to the Site with the exception of any enforcement-sensitive material. Appointments to view the site files can be made by contacting:

Northeast Regional Office  
35 Congress Street (Department of Transitional Assistance Building)  
Shetland Office Park  
Salem, Massachusetts  
File Review Telephone Number: (978) 740-0809  
Hours: Tuesday, Wednesday, and Thursday from 9:00 A.M. to 12:00 P.M.

or

Southeast Regional Office (as of May 1, 2006)  
20 Riverside Drive  
Lakeville, Massachusetts

File Review Telephone Number: 508-946-2718

Hours: Tuesdays and Wednesdays from 9:00 A.M. to 11:30 A.M. and 2:00 P.M. to 4:30 P.M.

#### **4.1.1.2 Local Information Repository**

Baker Process, Inc. will maintain a local information repository to provide Walpole residents with easy access to information about the site cleanup process and results of site investigations. The site information repository will contain complete copies of submittals made to MassDEP. Other information that will be included in the repository will include: *Public Involvement Plan Interim Guidance for Waiver Sites*; press releases; public meeting summaries; summaries of responses to comments received; and copies of public notices about the Site. Information will be sent to the repository as it is developed. The information repository for the Site is located at:

Walpole Public Library  
65 Common Street  
Walpole, Massachusetts  
(508) 660-7341

Mr. Warren Smith, Reference Librarian

Hours: Monday through Thursday 10 A.M. - 8 P.M. Friday and Saturday 10 A.M. - 5 P.M.

#### **4.1.1.3 Town of Walpole Website for Bird Machine Company Property**

Baker Process, Inc. has provided the following documents and information pertaining to the former Bird Machine Company site to the Town of Walpole Computer Systems/Network Administrator for the creation of a website: Draft PIP; Final PIP; the January 2006 public meeting PowerPoint presentation; the January 2006 meeting minutes; inventory of all documents available in the public information repository; and public health toxicity profile reports for compounds of potential concern at the Site. Updates of milestones for the project; public meeting notices; and other pertinent information will be sent to the Computer Systems/Network Administrator for inclusion on the Town of Walpole website as it becomes available. All of the information provided to date has been posted on the Town of Walpole website at the following address link: [www.walpole-ma.gov/BirdMachine.htm](http://www.walpole-ma.gov/BirdMachine.htm).

#### **4.1.2 Site Mailing List**

Baker Process, Inc. has established a mailing list for the Site. The site mailing list will include: petitioners, interested residents, local news media, municipal officials (Chief Municipal Officer and Board of Health), MassDEP, and anyone else indicating an interest in receiving information about the Site. The mailing list will be used to announce upcoming public meetings, distribute fact sheets, notices of public comment periods on and the availability of documents in the information repositories, and any other relevant information about the Site. Baker Process, Inc. will maintain the mailing list and update it as necessary. Baker Process, Inc. will also provide MassDEP with a copy of the mailing list. Please refer to Appendix A for a copy of the mailing list. Anyone wishing to be added to the mailing list can contact:

Mr. Clayton Curtis, Health Safety and Environment Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177  
(713) 439-8329

#### **4.1.3 Notification of Local Officials and Residents of Major Milestones and Events**

The MCP requires community notification of major planning and implementation milestones at disposal sites. Major milestones include: the start of field work related to response actions involving the implementation of Phase IV remedial actions; the use of respirators or protective clothing (Level A, B, or C protection); or the start of any residential sampling.

Notification of any field work described in the previous paragraph will include information on the type of work and its approximate duration. Notification will be made by Baker Process, Inc. to the people on the Notification List in writing at least 3 days before activity is scheduled to begin.

The MCP requires community notification of the availability of phase reports. Notification at the end of an MCP phase will include a summary of the phase report and information on where the report can be reviewed.

Those to be notified include the following:

#### **4.1.3.1 Notification List**

Mr. Michael Boynton, Walpole Town Administrator	135 School Street, Walpole, MA (508) 660-7289
Ms. Robin Chapell, Walpole Health Agent	135 School Street, Walpole, MA (508) 660-7320
Ms. Landis Hershey, Walpole Conservation Agent	135 School Street, Walpole, MA (508) 660-7253
Ms. Deborah Burke, Key Petitioner	3 Beechwood Drive, Walpole, MA (508) 668-8766

In addition, the Walpole Fire and Police Departments will be notified in situations where public safety is a potential concern.

## **4.2 SOLICITING PUBLIC INPUT**

Baker Process, Inc. will provide opportunities for public input regarding site cleanup decisions by holding public comment periods to provide additional opportunities for oral and written input regarding site cleanup decisions and preparing summaries of all comments received during the public comment period and responses to them.

### **4.2.1 Public Meetings**

Baker Process, Inc. will brief the public about the status of the Site during the response action process. If the public wants meetings during the cleanup process, then the deliverables that would warrant meetings are, at a minimum: Draft PIP; Phase II Scope of Work; Phase II Report; Phase III Remedial Action Plan; Phase IV Remedy Implementation Plan; Immediate Response Action or Release Abatement Measure Plans; and RAO Statements (including Activity and Use Limitations).

Meetings will serve two purposes: to provide community officials and the general public with a progress report regarding response actions at the Site; and to provide an opportunity for the public to question and comment on response action plans for the Site.



Baker Process, Inc. will announce public meetings by publishing a public notice in the local newspaper at least 14 days prior to the public meeting. A copy of the public notice will be mailed to all individuals on the site mailing list. Baker Process, Inc. will prepare meeting summaries, submit the summaries to MassDEP, and place a copy of the summaries in the local information repository and on the Town of Walpole website for the former Bird Machine Company site.

#### **4.2.2 Public Comment Periods**

Baker Process, Inc. will provide specific opportunities for the public to submit comments about documents concerning the Sites. When key documents are available in draft form, they will be provided to the information repositories, and a notice of their availability will be sent to the site mailing list. The notice will include the title of the document, where it is available for review, information about how to submit comments to Baker Process, Inc., and the length of the public comment period, which will normally be 20 calendar days, but may be longer if warranted by the complexity of a particular document or if requested by the public. Time critical elements of an Immediate Response Action may be conducted prior to the close of the public comment period if delaying the remedial actions would exacerbate release or site conditions or endanger health, safety, public welfare, or the environment. A comment period is not required for a remedial action inspection and monitoring report or status report, and assessment may proceed during the public comment period.

Baker Process, Inc. will be responsible for providing document copies to the information repositories and to the MassDEP site file, as well as sending out notices of availability of any documents it prepares. Documents to be made available for public review are as follows:

- Draft PIP.
- Immediate Response Action/Release Abatement Measure Plan, if necessary.
- Immediate Response Action Completion Statements and supporting documentation.
- Reports summarizing the findings of Phase I Initial Site Investigations, Phase II Comprehensive Site Assessments, Phase III Remedial Action Plans, or Phase IV Remedial Implementation reports.
- RAO Statements, including Activity and Use Limitations (if necessary) for closure.

All of the above-stated documents may not be required depending on future findings at the sites. A list of documents submitted to the public information repository at the Walpole Public Library is included in Appendix C.

#### **4.2.3 Response to Comments**

Baker Process, Inc. will prepare a summary of all comments received on each document available for public comment, and Baker Process, Inc. responses to these comments within 60 days of the close of the public comment period. A copy of this response summary will be sent to all those who submitted comments and will be placed in the information repository and the MassDEP site file. Baker Process, Inc. will also send a notice of availability of the response summary to the mailing list. The summary will be made available prior to Baker Process, Inc. taking the response action or prior to moving to the next MCP phase.

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**SECTION 5**

**SCHEDULE FOR PUBLIC INVOLVEMENT ACTIVITIES**

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## **5. SCHEDULE FOR PUBLIC INVOLVEMENT ACTIVITIES**

Exhibit II provides a schedule of the public involvement activities listed in Section 4. The schedule specifies the milestones during the response action when public involvement activities will be conducted.

## Exhibit II

### Schedule of Public Involvement Activities

	23513 Lead Release Area			24883 NAPL Site		
	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>
Phase I	Completed	13-Jan-05		Possibly (Note 1)	17-May-06	Yes
Phase II	Yes	13-Jan-07	Yes			
Phase III	Yes	13-Jan-07	Yes			
Phase IV	Possibly	13-Jan-08	Yes			
Response Action Outcome	Yes	13-Jan-10	Yes			
RAM Plan	Completed	23-Jun-05		No		
RAM Status Report 1	Completed	19-Oct-05		No		
RAM Status Report 2	Yes	19-Apr-06	No	No		
RAM Status Report 3	Possibly (Note 1)	19-Oct-06	No	No		
RAM Completion Report	Yes	60 days after completion	Yes	No		
IRA Plan	No			Yes	20-Jun-05	
IRA Status Report 1	No			No		
IRA Status Report 2	No			No		
IRA Completion Statement	No			Yes	20-Jun-05	

## Exhibit II

### Schedule of Public Involvement Activities

	24105 Demolition Debris Area			25233 Western ACM Site			24222 Manufacturing Building		
	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>
Phase I	Completed	28-Jul-05		Possibly (Note 1)	14-Sep-05	Yes	Completed	14-Sep-05	
Phase II	Yes	28-Jul-07	Yes				Yes	14-Sep-07	Yes
Phase III	Yes	28-Jul-07	Yes				Yes	14-Sep-07	Yes
Phase IV	Yes	28-Jul-08	Yes				Possibly (Note 1)	14-Sep-08	Yes
Response Action Outcome	Yes	28-Jul-10	Yes				Yes	14-Sep-10	Yes
RAM Plan	Completed	15-Jun-05		No			Yes (Note 2)	15-Mar-06	Yes
RAM Status Report 1	Completed	1-Nov-05		No			Possibly (Note 3)	15-Jul-06	No
RAM Status Report 2	Yes	1-May-06	No	No					
RAM Status Report 3	Possibly (Note 1)	1-Nov-06	No	No					
RAM Completion Report	Yes	60 days after completion	Yes	No			Yes	60 days after completion	Yes
IRA Plan	No			Completed	11-Nov-05		No		
IRA Status Report 1	No			Completed	17-Jan-06	No	No		
IRA Status Report 2	No			Possibly (Note 2)	12-Jul-06	No	No		
IRA Completion Statement	No			Yes	When complete	Yes	No		

## Exhibit II

### Schedule of Public Involvement Activities

	Release of Hydrocarbons to 23575 Neponset River			Flood-related Release of Oil to 25237 Neponset River		
	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>	<i>Required?</i>	<i>Date</i>	<i>Public Comment</i>
<b>Phase I</b>	Completed	21-Jan-05		Possibly (Note 1)	17-Oct-06	Yes
<b>Phase II</b>	Yes	21-Jan-07	Yes			
<b>Phase III</b>	Yes	21-Jan-07	Yes			
<b>Phase IV</b>	Possibly (Note 1)	21-Jan-08	Yes			
<b>Response Action Outcome</b>	Yes	21-Jan-10	Yes			
<b>RAM Plan</b>	No			No		
<b>RAM Status Report 1</b>	No			No		
<b>RAM Status Report 2</b>	No			No		
<b>RAM Status Report 3</b>	No			No		
<b>RAM Completion Report</b>	No			No		
<b>IRA Plan</b>	Completed	24-Apr-04		Completed	16-Dec-05	
<b>IRA Status Report 1</b>	Completed	16-Dec-05		Completed	10-Feb-06	No
<b>IRA Status Report 2</b>	Possibly (Note 2)	16-Jun-05	No	Possibly (Note 2)	14-Aug-06	No
<b>IRA Completion Statement</b>	Yes	When complete	Yes	Yes	When complete	Yes

## Exhibit II

### Schedule of Public Involvement Activities

#### Notes:

##### Lead Release Area

**Note 1: Ram Status Report** - RAM Status Report 3 will be due if RAM Completion Report is not filed by 19 October 2006.

##### NAPL Site

**Note 1: Phase I Report and Tier Classification** - Phase I Report and Tier Classification only required if Site is not linked with RTN 3-23513 before 17 May 2006.

##### Demolition Debris Area

**Note 1: RAM Status Report** - RAM Status Report 3 will be due if RAM Completion Report is not filed by 1 November 2006.

##### Western ACM Site

**Note 1: Phase I Report and Tier Classification** - Phase I Report and Tier Classification only required if Site is not linked with RTN 3-24105 before 14 September 2006.

**Note 2: IRA Status Report 2** - IRA Status Report 2 will only be due if IRA Completion Statement is not submitted before 16 June 2006.

##### Manufacturing Building

**Note 1: Phase IV** - Phase IV only required if remedial actions are required.

**Note 2: RAM Plan** - RAM Plan will be required only if RAM is to be performed.

**Note 3: RAM Status Report** - RAM Status Report required only if RAM Completion Report is not submitted before 29 May 2006.

##### Release of Hydrocarbons to Neponset

**Note 1: Phase IV** - Phase IV only required if remedial actions are required.

##### Flood-related Release of Oil to Neponset River

**Note 1: Phase I Report and Tier Classification** - Phase I Report and Tier Classification only required if Site is not linked with RTN 3-23575 before 17 October 2006.

**Note 2: IRA Status Report 2** - IRA Status Report 2 will only be due if IRA Completion Statement is not submitted before 14 August 2006.

\* This Exhibit is accurate as of January 4, 2005. Updates of this exhibit will be periodically placed in the Information Repository at the Walpole Public Library, Reference Desk.



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## **SECTION 6**

### **RESPONSIBILITY FOR IMPLEMENTING THE PUBLIC INVOLVEMENT PLAN**

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## **6. RESPONSIBILITY FOR IMPLEMENTING THE PUBLIC INVOLVEMENT PLAN**

Baker Process, Inc. has the responsibility for conducting both response actions and public involvement activities at the Sites. Baker Process, Inc. has developed this PIP and is responsible for carrying out the activities listed in this Plan during the MCP process.

The contact designated by Baker Process, Inc. is:

Mr. Clayton Curtis, Health Safety and Environment Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177  
(713) 439-8329

The Licensed Site Professional for the Sites and the PIP is:

Mr. Arthur J. Cunningham, P.E., Licensed Site Professional  
Weston Solutions, Inc.  
1 Wall Street  
Manchester, NH 03101  
(603)656-5437

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## **SECTION 7**

### **REVISIONS TO THIS PLAN**

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## **7. REVISIONS TO THIS PLAN**

This Plan was revised following the close of the public comment period. This Plan was revised based on comments received during the January 2006 public meeting; and comments received during the public comment period on the Draft PIP.

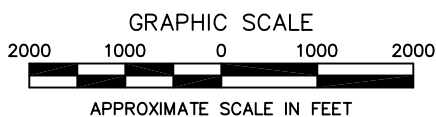
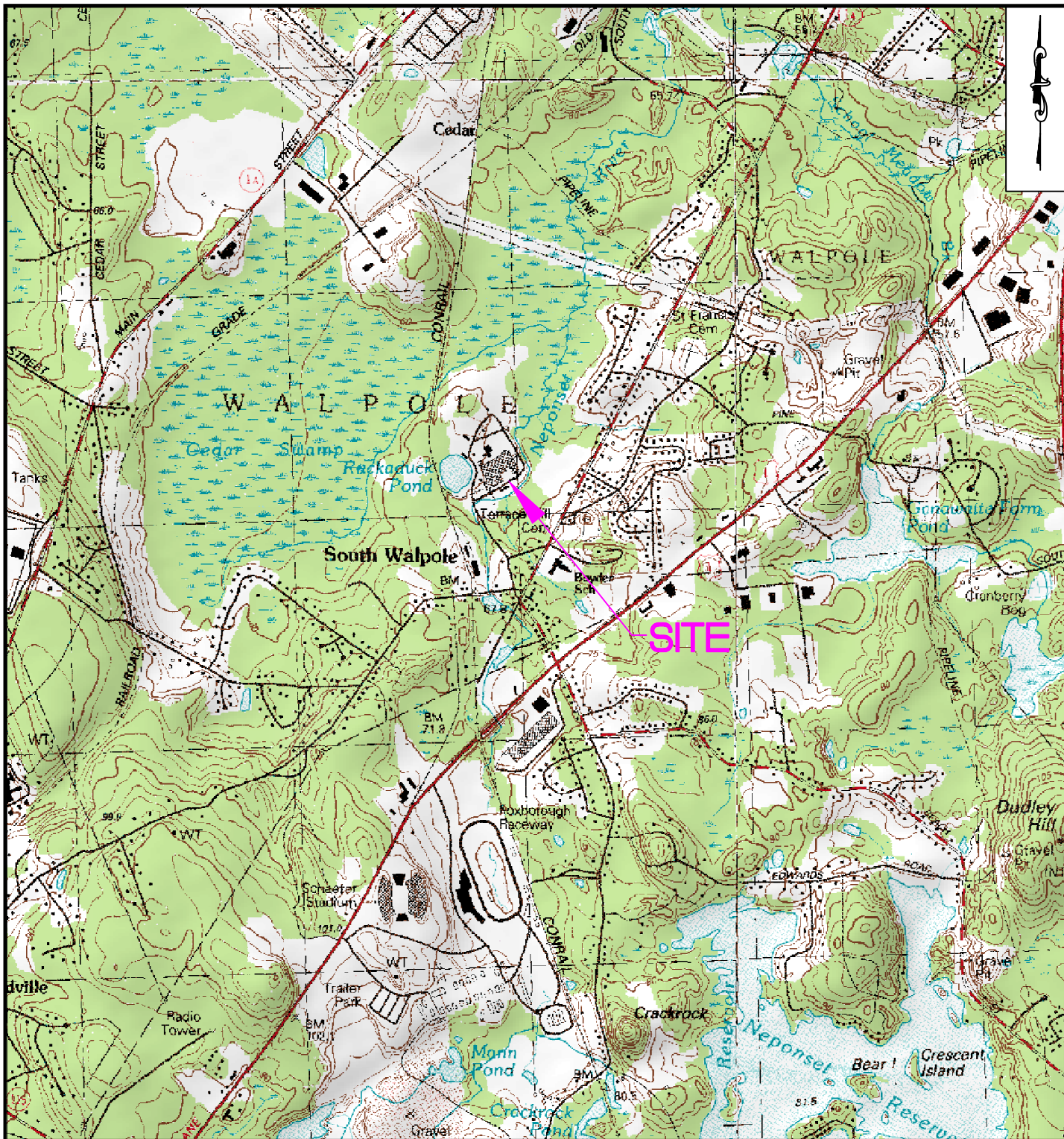
The Plan may be subsequently revised as necessary during the course of the response action process. If revisions are proposed, Baker Process, Inc. will place copies of any proposed changes in the local information repository, and will send a notice of the availability of recommended changes to the mailing list. Baker Process, Inc. will hold a 20-day public comment period on the proposed revised Plan. Baker Process, Inc. will review any comments received and revise the Plan as appropriate. The Final Revised Plan will be placed in the information repository.

MassDEP has proposed revisions to the MCP, including revisions to the Public Involvement process (310 CMR 40.1400). When these revisions become effective (anticipated to occur in April 2006), this Plan will be revised as necessary in order to comply with the revised MCP. Revisions will be proposed using the procedure outlined above.

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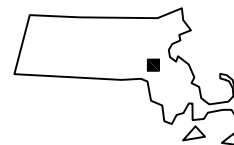
## FIGURES

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**NOTE:**  
 MAP FROM DELORME XMAP 4.0 SOFTWARE –  
 MASSACHUSETTS, CONNECTICUT, AND RHODE  
 ISLAND TOPO QUAD CD.

QUADRANGLE LOCATION

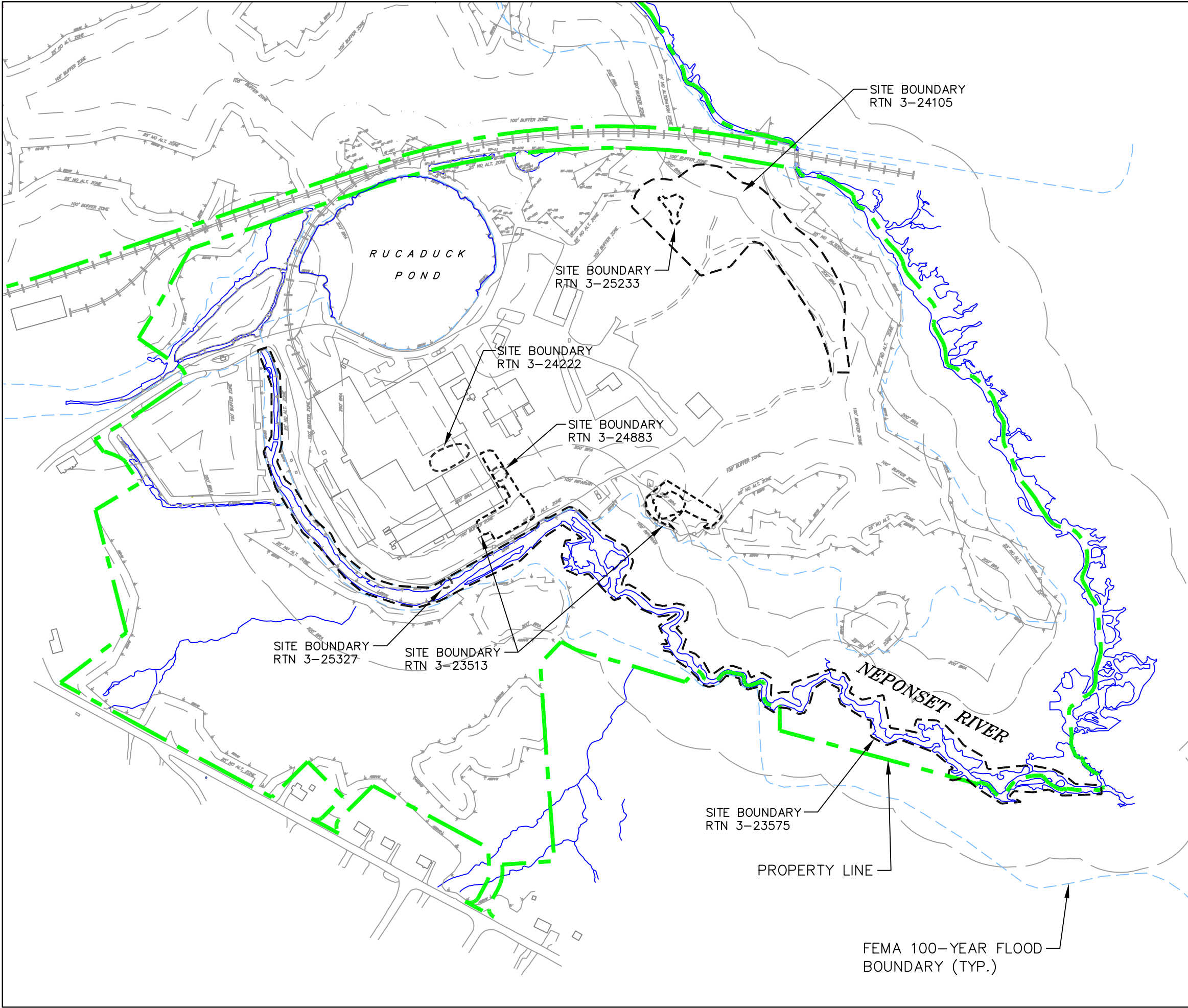


PUBLIC INVOLVEMENT PLAN  
 BIRD MACHINE COMPANY  
 100 NEPONSET STREET  
 SOUTH WALPOLE, MA



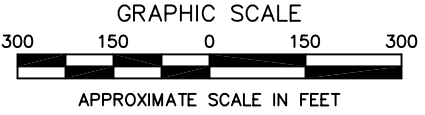
MANCHESTER			NEW HAMPSHIRE		
DRAWN	A.J.M.	DATE	DES. ENG.	DATE	W.O. NO.
CHECKED		JAN 2006			12237.007.002
		DATE	APPROVED	DATE	FIGURE NO.
					1

M:\Design\DWG\BAKER PROCESS\presentation aerals\Public Involvement Plan.dwg, FIG 2, 1/3/2006 3:08:21 PM, GIRARDEB, 1:1



**LEGEND**

- BOUNDARY OF BORDERING VEGETATED WETLAND
- APPROX. BOUNDARY OF BORDERING VEGETATED WETLAND
- WETLAND BUFFER ZONE
- 100' RIPARIAN ZONE
- 200' RIVERFRONT AREA



MANCHESTER NEW HAMPSHIRE

BIRD MACHINE COMPANY  
100 NEPONSET STREET  
WALPOLE, MASSACHUSETTS

**PUBLIC INVOLVEMENT PLAN**

DRAWN	BEG	DATE	JAN 2006	FIGURE NO.
CHECKED		W.O. No.	12237.007.002	2



# MA DEP - Bureau of Waste Site Cleanup

## Site Scoring Map: 500 feet & 0.5 Mile Radii

### SITE NAME:

Former Bird Manufacturing Co.  
100 Neponset Street  
WALPOLE, MA  
4664511n 313016ew

Site Location

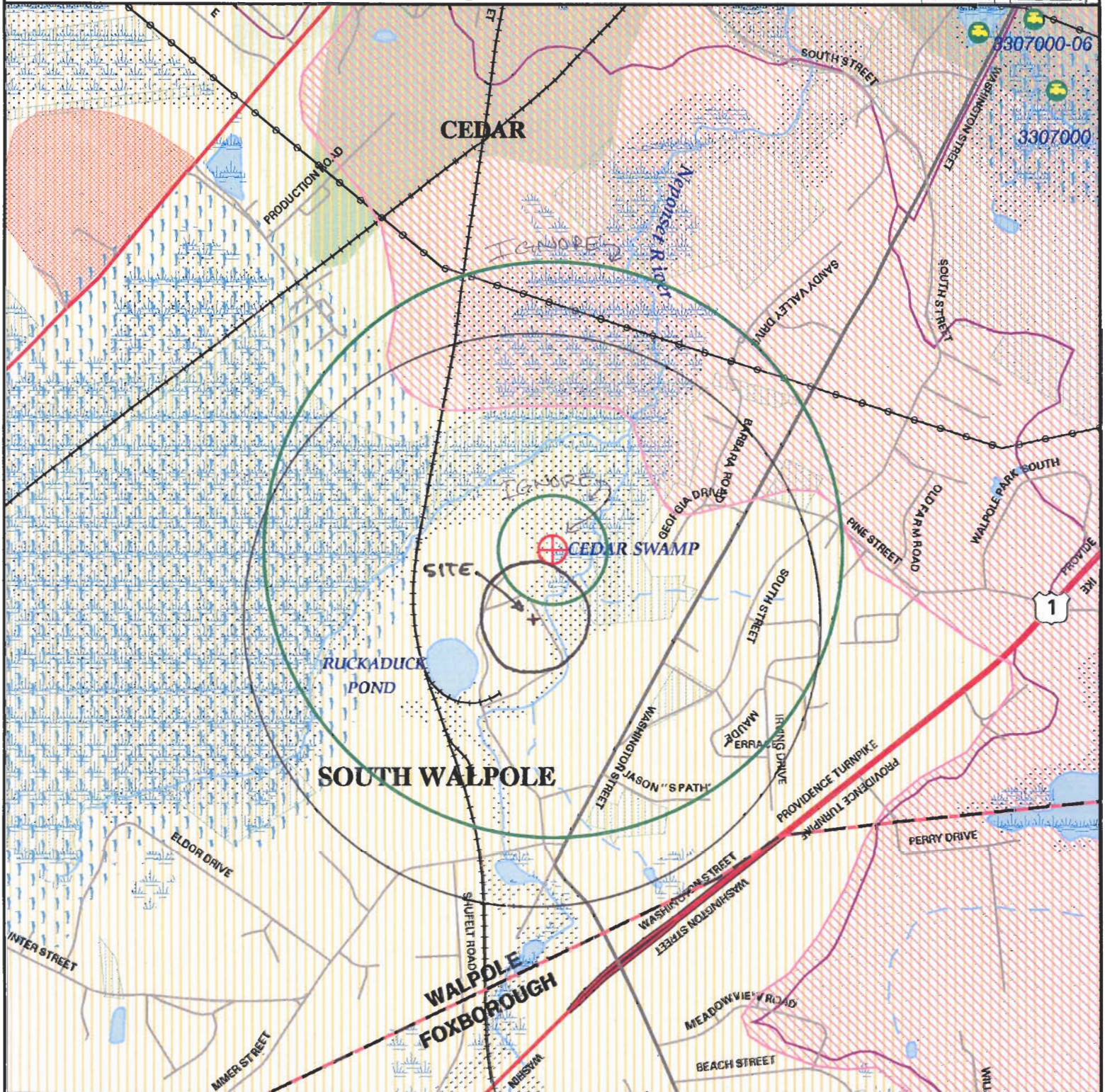
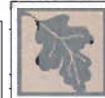


The information shown on this map is the best available at the date of printing. Please refer to the data source descriptions document.



Massachusetts Executive Office of Environmental Affairs - 2005

Massachusetts Geographic Information System



Roads: Limited Access, Divided, Major Road, Connector, Street, Track, Trail

Boundaries: Town, County, DEP Region, Train, Powerline, Pipeline, Aqueduct

Basins: Major, Sub; Streams: Perennial, Intermittent, Man Made Shore, Dams

Potentially Productive Aquifers: Medium, High Yield

Non-Potential Drinking Water Source Area: Medium, High Yield

EPA Sole Source Aquifer; FEMA 100-year floodplain

Public Water Supplies: Ground, Surface, Non Community

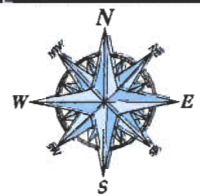
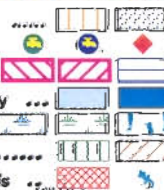
Approved Zone2; IWPA; Surface Water Supply Zone A

Hydrography: Water Features, Public Surface Water Supply

Wetlands: Fresh, Salt, NHESP Wetlands Habitat

Protected Open Space; ACEC

DEP Permitted Solid Waste Facilities; Certified Vernal Pools

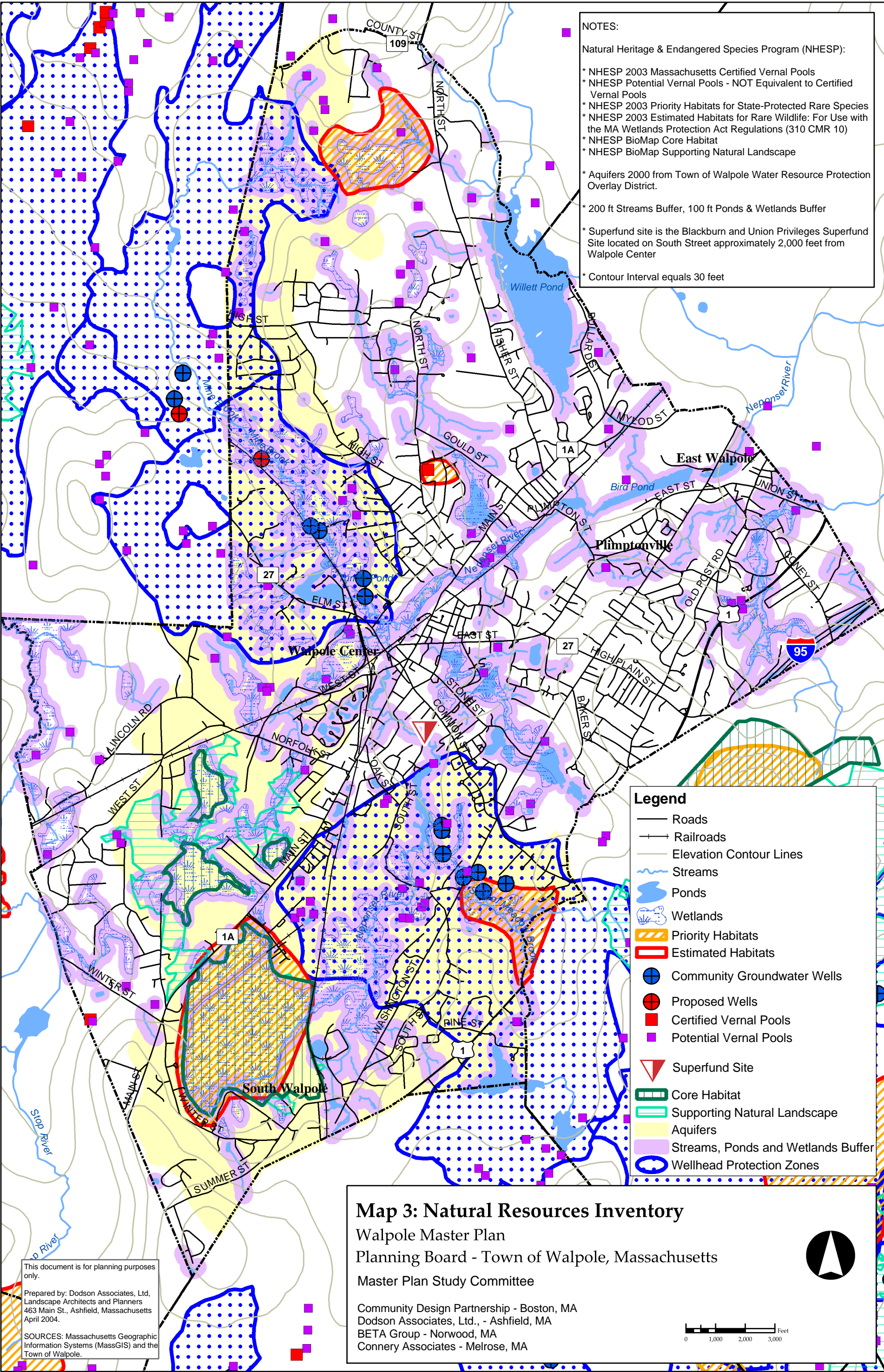


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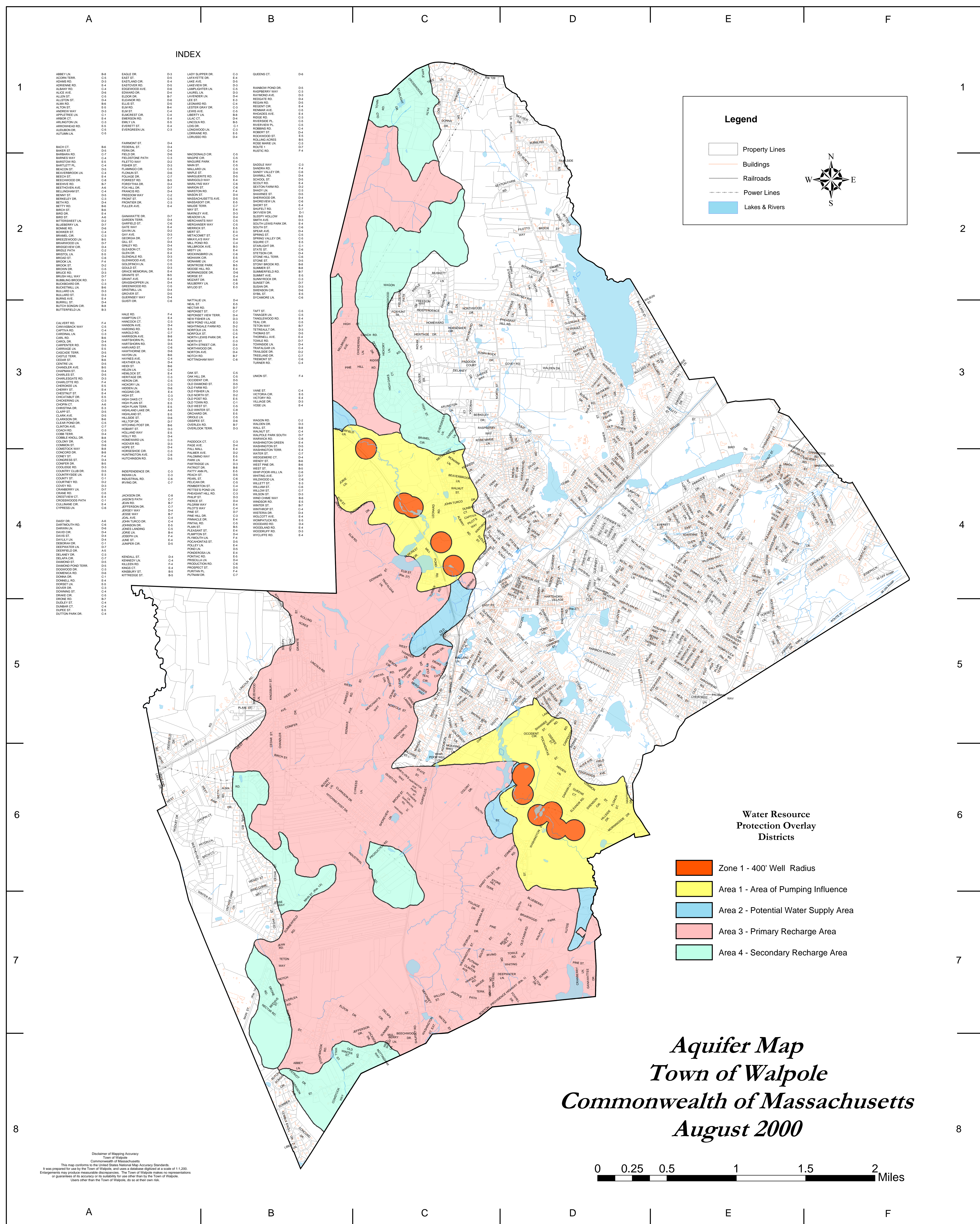
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January 10, 2005

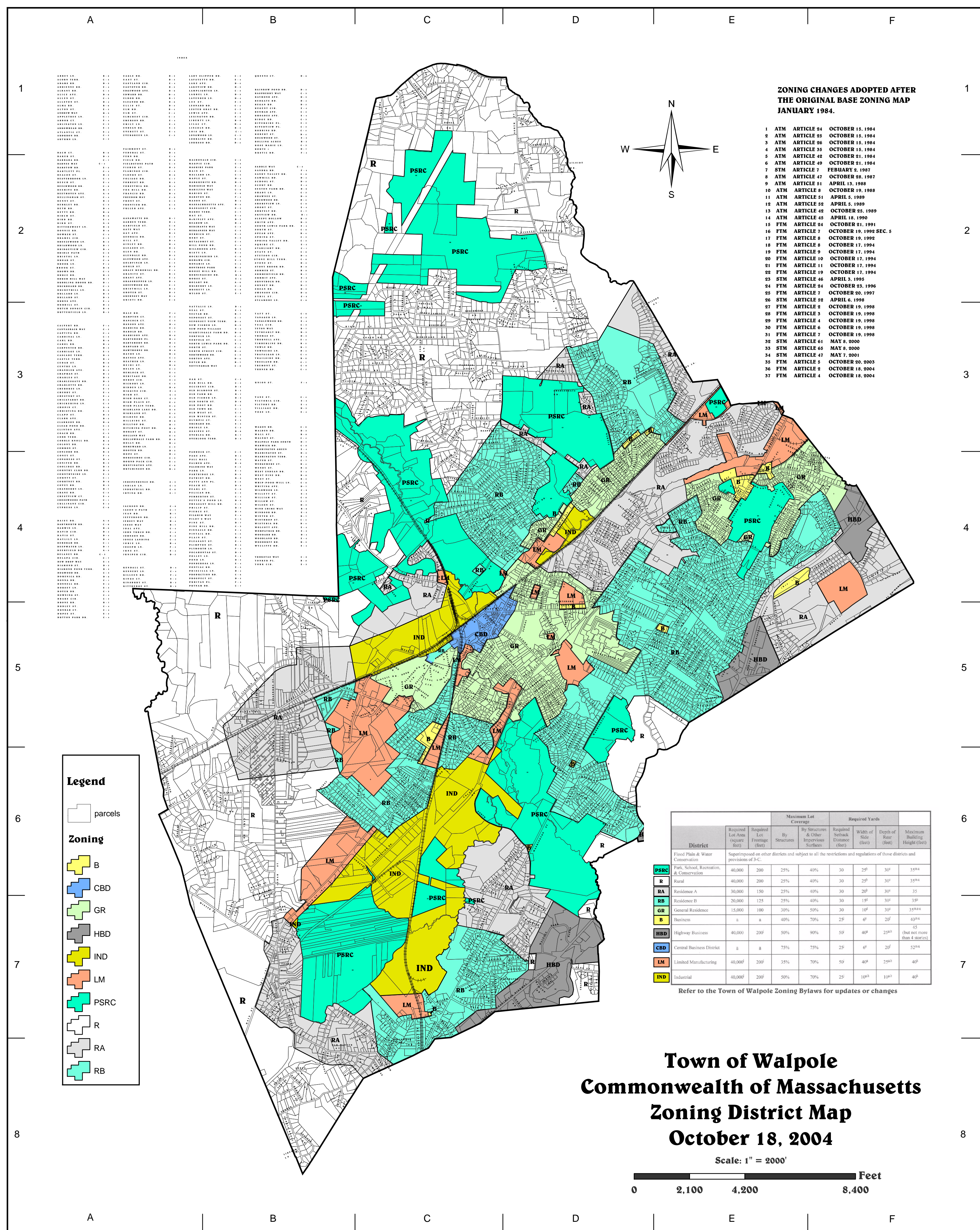














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**APPENDIX A**

**PUBLIC INVOLVEMENT PLAN MAILING LIST**

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**Mailing List for Public Involvement Plan  
Former Bird Machine Company Site  
100 Neponset Street  
South Walpole, Massachusetts**

<u>Name</u>	<u>Address and Telephone Number</u>
MassDEP - Northeast Regional Office Bureau of Waste Site Cleanup	205 Lowell Street, Wilmington, MA 01887-2941 (978) 694-3200
Mr. Michael Boynton Walpole Town Administrator	135 School Street, Walpole, MA 02081 (508) 660-7289
Ms. Robin Chapell Walpole Board of Health	135 School Street, Walpole, MA 02081 (508) 660-7321
Ms. Landis Hershey Walpole Conservation Commission Agent	135 School Street, Walpole, MA 02081 (508) 660-7268
Mr. Michael McCue Economic Development and Grants Officer Town of Walpole	135 School Street, Walpole, MA 02081 (508) 660-7352
Ms. Deborah Burke Key Petitioner	3 Beechwood Drive, PO Box 59 South Walpole, MA 02071-1013 (508) 668-8766
Mr. Patrick Manzo	3 Harrison Avenue South Walpole, MA 02071-1116 (508) 660-2698
Mr. John Zitoli	80 Summer Street South Walpole, MA 02071-1053 (508) 668-8438
Ms. Kathleen Fitzpatrick	3 Shufelt Road, South Walpole, MA 02071-1050 (508) 660-3933
Mr. Richard and Mrs. Beth Mazzocca	50 Shufelt Road, PO Box 239, South Walpole, MA 02071-1000 (508) 668-2863
Ms. Sheila O'Shea	6 Shufelt Road, South Walpole, MA 02071-1051 (508) 668-0601
Mr. Bernard Goba	1871 Washington Street South Walpole, MA 02071-1029 (508) 668-6551

<u>Name</u>	<u>Address and Telephone Number</u>
Ms. Cheryl Ivatts	70 Shufelt Road, South Walpole, MA 02071-1000 (508) 668-4238
Ms. Rachel Meegan	2 Shufelt Road, South Walpole, MA 02071-1051 (508) 668-3609
Ms. Joanne Muti	7 Notch Road, South Walpole, MA 02081-1003 (508) 668-9982
Mr. Geoff Mosher	254 Second Avenue, Needham, MA 02492 No phone number listed
Mr. Gerald E. Pike	340 Lincoln Road, Walpole, MA 02081-1213 (508) 668-3888
Ms. Natalie McComb	569 Winter Street, Walpole, MA 02081-1006 (508) 668-2429
Mr. Michael F. Caron	15 Dover Drive, Walpole, MA 02081 (508) 668-1314
Mr. Louis F. Hoegler	330 High Street, Walpole, MA 02081 (508) 668-3356
Ms. Nancy M. Doyle	29 Eldor Drive, South Walpole, MA 02071 (508) 668-3096
Ms. Doris Foley	29 Eldor Drive, South Walpole, MA 02071 No phone number listed
Ms. Barbara Coztes	82 Winter Street, Walpole, MA 02081 No phone number listed
Mr. Lou and Mrs. Angela Bilski	10 Willow Street South Walpole, MA 02071 (508) 668-0429
Mr. Louis Bilski	40 Eldor Drive, South Walpole, MA 02071
Mr. Jack Wiley	PO Box 139, (1876 Washington Street), South Walpole, MA 02071 (508) 668-2933
Mr. Rick and Mrs. Helen Ollis	PO Box 217, 2 Willow Street, South Walpole, MA 02071 (508) 668-5524
Mr. Paul Millette	2 Foliage Drive, Walpole, MA 02081 (508) 668-2505

**Name****Address and Telephone Number**

Mr. Mark Ober

PO Box 177, South Walpole, MA 02071  
No phone number listed

Mr. Larry Seck

11 Harrison Ave, South Walpole, MA 02071  
(508) 668-2376

Ms. Cyndi Hoag

PO Box 62, (1865 Washington Street), South Walpole, MA 02071  
(508) 668-6699

Mr. Rafael McLaughlin

4 Wall Street, South Walpole, MA 02071  
No phone number listed

Ms. Madeline Reilly-Watson

PO Box 149, South Walpole, MA 02071  
No phone number listed

Mr. Arthur Cleary

3 Shufelt Road, South Walpole, MA 02071  
No phone number listed

Mr. William Maloney

627 West Street, Walpole, MA 02081  
(508) 668-2832

Mr. John Gianino

14 Shufelt Road, South Walpole, MA 02071  
No phone number listed.

Mr. Lee Okurowski, MD

16 Delopa Circle, South Walpole, MA 02071  
No phone number listed

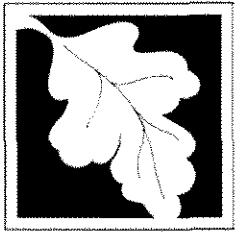
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**APPENDIX B**

**THE MASSACHUSETTS WASTE SITE CLEANUP PROGRAM  
THE BASICS FACT SHEET**

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Massachusetts  
Department  
of  
ENVIRONMENTAL  
PROTECTION

## fact sheet

### **MASSACHUSETTS' APPROACH TO WASTE SITE CLEANUP: CHAPTER 21E AND THE MASSACHUSETTS CONTINGENCY PLAN**

Assessing and cleaning up contamination are important components of Massachusetts' strategy to provide its citizens with a clean and safe environment. The Department of Environmental Protection's (DEP's) Waste Site Cleanup Program was established to ensure that contamination is dealt with appropriately and quickly.

#### ***Who regulates the cleanup of contaminated properties?***

Massachusetts General Law Chapter 21E tasks DEP with ensuring the permanent cleanup of contamination. DEP implements this law through a set of regulations known as the Massachusetts Contingency Plan (MCP). The MCP lays out the state's rules for cleaning up contaminated properties.

#### ***Who is responsible for the cleanup?***

Chapter 21E describes the legal obligations of property owners and other potentially responsible parties (PRPs) when contamination is found. These responsibilities include notifying DEP of the contamination and then ensuring that the contamination is assessed and cleaned up. In addition to current and past property owners, PRPs may include those who generate or transport contaminated materials, and anyone else who may have caused or contributed to the problem. The law also creates an "end to liability" for eligible PRPs once a cleanup is complete. To be eligible, the PRP must be an "innocent owner or operator" (which means that he or she did not own or operate the property when the contamination came to be located there). Once the contamination on the property is cleaned up, an eligible person will not be subject to state claims for reimbursement for cleanup costs and natural resource damages, or to third party claims for costs and property damage. This liability protection extends to future property owners who maintain the property's clean status or any on-going cleanup remedy.

If the PRP does not qualify for the "end to liability" status, he or she may still qualify for liability relief under a "Brownfields Covenant Not To Sue." This is an agreement between the PRP and the state that the PRP will have liability relief from state and third party claims. To be eligible, the project must contribute to the economic or physical revitalization of the community in which the property is located.

Massachusetts Department of  
Environmental Protection  
One Winter Street  
Boston, MA 02108-4746

Commonwealth of Massachusetts  
Mitt Romney, Governor  
Kerry Healey, Lt. Governor

Executive Office of  
Environmental Affairs  
Ellen Roy Herzfelder, Secretary

Department of  
Environmental Protection  
Robert W. Gollidge, Jr.,  
Commissioner

Produced by the  
Bureau of Waste Site Cleanup,  
April 2001/rev. May 2004.  
Printed on recycled paper

This information is available in  
alternate format by calling our ADA  
Coordinator at  
(617) 292-5565.



### ***Who performs the cleanup?***

DEP relies on Licensed Site Professionals (LSPs) to oversee the cleanup of most contaminated properties. An LSP is an environmental scientist or engineer experienced in cleaning up oil and hazardous material contamination. LSPs are licensed by the state Board of Registration of Hazardous Waste Site Cleanup Professionals (usually referred to as the LSP Board), based on education, experience, and passing an examination on applicable regulations and technical issues. To remain licensed, LSPs must meet professional standards established by the LSP Board. The LSP Board disciplines LSPs whose work does not meet the appropriate standards of care.

LSPs are hired by property owners and other PRPs to oversee assessment and cleanup of contamination, and to ensure that these actions are performed in compliance with the MCP. An LSP gathers and evaluates information about the contamination. He or she then recommends a course of action for meeting state cleanup requirements. These recommendations are presented in the form of written Opinions, and are signed by both the PRP and the LSP before they are sent to DEP. Opinions usually do not require DEP approval, so work can begin promptly. Once the cleanup is complete, the LSP submits a final Opinion to DEP stating that the property has been cleaned up to DEP standards. Since LSPs oversee most of the state's contaminated properties, DEP can focus its limited resources where they are needed most: responding to emergencies; overseeing key stages of assessment and cleanup at specific sites, as conditions warrant; and ensuring compliance through audit activities.

### ***What does the MCP require once contamination is found?***

First, it must be determined whether DEP must be notified. The MCP clearly identifies specific thresholds and time frames for **notification** for sudden spills, historical releases, imminent hazards, and threats of release. If one of these thresholds is exceeded, then DEP must be informed of the contamination.

Next, the MCP encourages, and in some situations requires, that **early risk reduction measures** be performed. These actions may involve a complete, accelerated cleanup of a small release, or a cleanup of a portion of a larger contaminated area where a longer-term cleanup is required. Risk reduction measures are intended to reduce risks, and to lower clean-up costs.

There are three types of early risk reduction measures. **Immediate Response Actions** are *required* when certain time-critical conditions are present, such as a sudden spill or an imminent hazard. **Release Abatement Measures** are optional and may be performed only if the

contamination is not time-critical. Releases Abatement Measures may be performed at any time during the cleanup. **Limited Removal Actions** are similar to Release Abatement Measures in that they are optional, and may not be performed if a release is time critical. However, Limited Removal Actions are performed *before* DEP is notified. Further, if the Limited Removal Action eliminates all of the contamination, DEP may not need to be notified at all.

If early risk reduction measures do not result in a complete cleanup of the contamination within one year of the date of notification, the contaminated property must be ranked and classified. An evaluation is performed using the **Numerical Ranking System (NRS)**. A score will be assigned to the site based on the risks that it poses to public health and environmental resources. The NRS score determines whether the contaminated property is classified as Tier I or Tier II. If classified as Tier I, a permit must be obtained from DEP before proceeding with a cleanup. *Tier I* sites are further classified as Tier IA, Tier IB, or Tier IC, depending on the complexity of the site conditions and the compliance history of the PRP. Cleanups at *Tier II* sites may proceed without a permit.

Cleanups follow a phased process. Reports are submitted to DEP at each phase to document the cleanup activities. During *Phase I*, a determination is made on whether notification and early risk reduction measures are required based on preliminary assessment data. A more comprehensive assessment is performed during *Phase II*, which defines the source, nature, extent, and potential impacts of the contamination, and characterizes the potential harm to health, safety, public welfare, and the environment. There are three options for characterizing risk. **Method 1** uses predetermined numeric standards for more than 100 common chemicals in soil and groundwater; **Method 2** allows for some adjustments in these standards to reflect some site-specific conditions; and **Method 3** defines the cleanup standards based on a site-specific risk assessment. If the results of Phase II indicate that cleanup is required, *Phase III* evaluates and selects the cleanup process. The determinations made during the Phase III result in a Remedial Action Plan (the site cleanup plan), which is implemented during *Phase IV*. Finally, *Phase V* is implemented when there is on-going operation of a treatment system, and maintenance or monitoring of the remedy.

### ***How do I know when my property is cleaned up?***

The standard used for deciding when a cleanup is complete is when a condition of **No Significant Risk** of harm to health, safety, public welfare, or the environment is achieved or demonstrated. When possible, the property should be restored to the conditions that would have existed if the property had never been contaminated. When a cleanup is complete, a **Response Action Outcome Statement** must be prepared and signed by both the LSP and PRP, and submitted to DEP.

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Ellen Roy Herzfelder, Secretary

Department of  
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Robert W. Gollodge, Jr.,  
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The Response Action Outcome Statement must be submitted to DEP within five years of the date of the tier classification. The MCP provides several options for meeting this standard.

First, a **Permanent Solution** is achieved when a condition of No Significant Risk exists for all pollutants and for any foreseeable time and for all foreseeable activities.

Second, **Activity and Use Limitations** take into account current and future uses of the property. Activity and Use Limitations are deed restrictions or deed notices that may be implemented where a level of No Significant Risk may be maintained only if the property is limited to certain uses and activities. Activity and Use Limitations inform current and future owners (and other interest holders) which activities and uses are allowed, and which activities and uses will pose a risk unless additional cleanup actions are conducted.

Third, the MCP allows for **Temporary Solutions** when risks have been reduced, but financial or technical limitations prevent reaching a condition of No Significant Risk.

Finally, if a Permanent Solution is not possible, but a treatment system has been installed, a **Remedy Operation Status** may be obtained. This status can be maintained for as long as the treatment system is working to cleanup the site.

### ***What else do I need to know about the 21E program?***

Additional features of the 21E program are described below:

**RAPS** - In addition to specific performance standards for each element of the program, the MCP sets forth a general performance standard for conducting cleanups, which allows room for the LSP's professional judgment. This general performance standard is the Response Action Performance Standard (RAPS). It is the level of diligence necessary to ensure all cleanup actions are adequate to protect public health and the environment, apply current commonly accepted professional engineering and scientific standards and practices, and comply with the MCP.

**Downgradient Property Status** – In situations where a property is affected by contamination migrating from another property, meeting the requirements of the MCP may not be possible. Downgradient Property Status may be asserted by the PRP of the affected property in these circumstances. While a Downgradient Property Status is in effect, certain MCP deadlines and the assessment of annual compliance fees are suspended for the downgradient property owner.

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**Ensuring Compliance** - To ensure that the state cleanup standards are being met, each year DEP is required to audit cleanup actions at a minimum of 20% of all sites that pay fees, and any site where an Activity and Use Limitation has been implemented. DEP may perform either random or targeted audits. In general, a random audit may be conducted by DEP at any time until two years after a Response Action Outcome is submitted, and a targeted audit until five years after an Response Action Outcome is submitted. However, DEP may perform an audit at any time of sites with Activity and Use Limitations or of sites that DEP believes significant problems may be present.

DEP may take enforcement actions for violations at any point during the audit process. If the audit goes beyond a document review, such as requesting information or conducting an inspection, DEP will provide reasonable **Notice of Audit**. In these cases, DEP will also issue a **Notice of Audit Findings** at the conclusion of the audit.

**Public Information and Involvement** – To be successful, cleanups must address the concerns of the communities in which they are located. Local officials, residents, businesses, environmental groups, and others need to be satisfied with a cleanup, since they will live and work with the results. The MCP encourages citizens to participate in the process of investigating and cleaning up contaminated properties, and requires the person performing the cleanup to provide specific opportunities to participate.

The MCP also requires that local officials be notified and notices be published in local newspapers to provide information about the status of the cleanup and opportunities for additional public involvement.

**Fees** - To ensure that the 21E program works as intended, DEP must have sufficient resources to review permit applications, to make timely determinations, and to perform audits. The MCP provides for specific permit and annual compliance fees to generate the funds for these activities.

### ***FOR MORE INFORMATION***

#### **General information on 21E and the MCP**

<http://mass.gov/dep/cleanup/>

#### **Information on the LSP Program**

LSP Board - (617) 574-6870

<http://www.mass.gov/lsp>

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**APPENDIX C**

**LIST OF DOCUMENTS SENT TO  
WALPOLE PUBLIC LIBRARY REPOSITORY**

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## **Updated List of Documents Sent to Walpole Library Repository** **February 2006**

### **Active RTN Sites**

#### **Lead Release Area (RTN 3-23513)**

- *Phase I Initial Site Investigation Report, Lead Release Area*, prepared by Weston Solutions, Inc., 13 January 2005.
- *Release Abatement Measure Plan, Lead Release Area*, prepared by Weston Solutions, Inc., 21 June 2005.
- *Release Abatement Measure Status Report, Lead Release Area*, prepared by Weston Solutions, Inc., 19 October 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### **Demolition Debris Area (RTN 3-24105)**

- *Preliminary Assessment Report, Landfill No. 2*, prepared by Balsam Environmental Consultants, Inc., 7 December 1989.
- *Assessment Report, Demolition Debris Area*, prepared by Balsam Environmental Consultants, Inc., 4 December 1990.
- *Phase I Initial Site Investigation, Demolition Debris Area*, prepared by Weston Solutions, Inc., 28 July 2005.
- *Release Abatement Measure Plan, Demolition Debris Area*, prepared by Weston Solutions, Inc., 14 June 2005.
- *Release Abatement Measure Status Report, Demolition Debris Area*, prepared by Weston Solutions, Inc., 1 November 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### **Western ACM Site (RTN 3-25233)**

- *Immediate Response Action Plan, Western ACM Site*, prepared by Weston Solutions, Inc., 11 November 2005.

- *Immediate Response Action Status Report, Western ACM Site*, prepared by Weston Solutions, Inc., 17 January 2006.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### NAPL Site (RTN 3-24883)

- *Immediate Response Action Completion Statement for Non-Aqueous Phase Liquid Site, Former Bird Machine Company*, prepared by Weston Solutions, Inc., 20 June 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### Manufacturing Building (RTN 3-24222)

- *Phase I Initial Site Investigation, Manufacturing Building Area*, prepared by Weston Solutions, Inc., 14 September 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### Neponset River (RTN 3-23575)

- *Phase I Initial Site Investigation Report, Release of Hydrocarbons to the Neponset River*, prepared by Weston Solutions, Inc., January 2005.
- *Immediate Response Action Plan, Release of Hydrocarbons to the Neponset River*, prepared by URS, 23 April 2004.
- *IRA Status Report, Release of Hydrocarbons to the Neponset River*, prepared by Weston Solutions, Inc., 16 December 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.



### Flood Release (RTN 3-25327)

- *Immediate Response Action Plan, Flood Release*, prepared by Weston Solutions, Inc., 13 December 2005.
- Massachusetts Department of Environmental Protection Forms and Correspondence.
- *Immediate Response Action Status Report, Flood Release*, prepared by Weston Solutions, Inc., 10 February 2006.

### **Closed RTN Sites**

#### Cart Path Area (RTN 3-02469)

- *Preliminary Assessment, Cart Path Area*, prepared by Balsam Environmental Consultants, Inc., 20 December 1989.
- *Supplemental Site Investigation, Landfill No. 1*, prepared by Balsam Environmental Consultants, Inc., 31 August 1990.
- *Supplemental Site Investigation, Cart Path Area*, prepared by Balsam Environmental Consultants, Inc., 21 December 1991.
- *MCP Waiver Application, Cart Path Area*, prepared by Balsam Environmental Consultants, Inc., 19 April 1991.
- *Comprehensive Site Assessment, Cart Path Area, Volume I of II*, prepared by Balsam Environmental Consultants, Inc., 5 May 1993.
- *Phase II Risk Assessment, Cart Path Area, Volume II of II*, prepared by Balsam Environmental Consultants, Inc., 5 May 1993.
- Appendix B (Soil and Waste Data), Appendix C (Soil Boring and Rock Coring Logs), Appendix D (Monitoring Well Completion Logs), Appendix E (Hydraulic Conductivity Test Results), and Appendix F (Laboratory Analytical Results) for Phase II Risk Assessment, Volume I, prepared by Balsam Environmental Consultants, Inc., 1991 and 1992.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### Oil Spill Site (RTN 3-03310)

- Waiver Application Form, prepared by Balsam Environmental Consultants, Inc., 21 December 1989.
- *Phase I Limited Site Investigation*, prepared by Balsam Environmental Consultants, Inc., 27 February 1990.
- *Phase II Comprehensive Site Assessment, No. 6 Fuel Oil Spill, Volume I of II*, prepared by Balsam Environmental Consultants, Inc., 26 June 1991.
- *Phase II Comprehensive Site Assessment, No. 6 Fuel Oil Spill, Volume II of II*, prepared by Balsam Environmental Consultants, Inc., 26 June 1991.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### Reclamation Area (RTN 3-17485)

- *Immediate Response Action Plan, Reclamation Area*, prepared by Paragon, 22 December 1998.
- *Immediate Response Action Status Report, Reclamation Area*, prepared by Paragon, 25 August 1999.
- *Phase I Initial Site Investigation, Reclamation Area*, prepared by Paragon, 2 November 1999.
- *Immediate Response Action Status Report, Reclamation Area*, prepared by URS, August 2001.
- *Immediate Response Action Completion Report and Response Action Outcome Statement, Reclamation Area*, prepared by URS, 22 February 2002.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### Outfall 2 (RTN 3-22935)

- *Immediate Response Action Plan, Outfall 2*, prepared by URS, 14 August 2003.
- *Immediate Response Action Status Report, Outfall 2*, prepared by URS, 16 October 2003.

- *Immediate Response Action Completion Report and Response Action Outcome Statement, Outfall 2*, prepared by URS, 7 April 2004.
- Massachusetts Department of Environmental Protection Forms and Correspondence.

#### General Reports

- *Site Assessment Report, Bird Machine Company*, prepared by Goldberg-Zoino & Associates, Inc., May 1985.
- *Site Assessment of Bird Manufacturing Plant*, prepared by ENSR Consulting and Engineering, May 1989.

#### Other Documents

- *Public Involvement Plan Interim Guidance for Waiver Sites*, prepared by Massachusetts Department of Environmental Protection, January 1991.
- *Draft Public Involvement Plan, Former Bird Machine Company Property*, prepared by Weston Solutions, Inc., 4 January 2006.
- *Boston Harbor 1999 Water Quality Assessment Report*, prepared by Commonwealth of Massachusetts Executive Office of Environmental Affairs, Massachusetts Department of Environmental Protection, Bureau of Resource Protection, and Division of Watershed Management, 1999.
- *Final Public Involvement Plan, Former Bird Machine Company Property*, prepared by Weston Solutions, Inc., 24 February 2006.
- Former Bird Machine Company Property Groundwater Monitoring Well Location Map.
- Ruckaduck Pond Analytical Data.

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**APPENDIX D**

**RESPONSE SUMMARY TO THE DRAFT  
PUBLIC INVOLVEMENT PLAN**

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**Response Summary to Public Involvement Plan  
Former Bird Machine Company MCP Sites  
100 Neponset Street  
South Walpole, Massachusetts**

The former Bird Machine Company property is owned by Baker Hughes Process Systems, Inc., a wholly-owned subsidiary of Baker Hughes Incorporated. All comments specifically related to ownership and disposition of the property will be addressed by Baker Hughes Process Systems, Inc.

Baker Process, Inc., a wholly-owned subsidiary of Baker Hughes Incorporated, is the Responsible Party for the seven Massachusetts Contingency Plan (MCP) sites located on the property, therefore all comments related to MCP compliance will be addressed by Baker Process, Inc.

**Comments Received from the Walpole Health Director, Robin Chapell**

***Comment 1:***

Create a website for the public to view information pertaining to the former Bird Machine Company Site, including but not limited to: the draft and final Public Involvement Plan (PIP); the January 2006 public meeting PowerPoint presentation; inventory of all documents available in the public information repository; update of milestones for the project; public meeting notices; and public health statements for compounds of potential concern.

***Response to Comment 1:***

Baker Process, Inc. has provided all requested documents to the Town of Walpole Computer Systems/Network Administrator for the creation of a website for the former Bird Machine Company property. All of the information provided has been posted on the website at the following address link: [www.walpole-ma.gov/BirdMachine.htm](http://www.walpole-ma.gov/BirdMachine.htm). As additional information becomes available, it will be sent to the Network Administrator for inclusion on the Town of Walpole website.

***Comment 2:***

Identify the clean up standards that will be used at the former Bird Machine Company site in the PIP. Discuss what standards are mandatory and what the Town of Walpole can expect. The Town of Walpole is currently discussing certain options for future use/development of the property. If Baker Hughes Process Systems, Inc. has already decided that they will only be cleaning up the site to industrial standards, they need to convince the Town of Walpole that they cannot clean it up to more protective standards. The MCP states that "the standard used for deciding when a cleanup is complete is when a condition of No Significant Risk of harm to health, safety, public welfare, or the environment is achieved or demonstrated. When possible, the property should be restored to the conditions that would have existed if the property had never been contaminated." It was premature of Baker Hughes Process Systems, Inc. to state

during the January 2006 public meeting that the site will only be cleaned up to industrial standards before the extent of the contamination is complete, clean up options have been examined, and costs have been estimated.

***Response to Comment 2:***

The quote from the MCP summary is accurate; however, this text was prepared by the Massachusetts Department of Environmental Protection (MassDEP) in an attempt to simplify the text of the law and the regulations. The applicable law, Massachusetts General Laws Chapter 21E, Section 3A(g) states: “Where feasible, a permanent solution shall include a measure or measures designed to reduce to the extent possible the level of oil or hazardous materials in the environment to the level that would exist in the absence of the site of concern.” The key phrase missing from the MCP guide is “where feasible”. There is extensive additional text in the law and in the MCP regulations to help determine whether it is “feasible” to achieve “a level that would exist in the absence of the site of concern”. The law and the regulations will be followed carefully in performance of response actions at each MCP site.

The commenter is correct that Baker Process, Inc. cannot determine the level of cleanup prior to the completion of Phase III. In the January 4, 2006 PIP public meeting, Baker Hughes Incorporated and WESTON provided frank and open opinions, based on professional experience and judgment, regarding the likely feasibility of achieving goals that would allow unrestricted use of the MCP sites. The position of Baker Hughes Process Systems, Inc. was also presented regarding the appropriate future uses of the entire eastern parcel, including portions that are not subject to the MCP or included in the PIP process. The opinions were presented in order to inform the public of our present thinking and to invite comment, not to preempt comment or involvement in the decision-making process.

The timeline for completion of Phase III for each site is included in the PIP. At the completion of Phase III all of the necessary information will be available for selection of the appropriate remedial action alternative.

At this time, Baker Process, Inc. expects to be able to implement a Permanent Solution which will achieve a condition of “No Significant Risk” at each of the sites; however, the remedial action alternatives for the sites have not been developed or evaluated, and formal evaluation has not been completed at this time. If an alternative is identified that does not achieve or approach background, it will need to be compared to an alternative that does achieve or approach background. If it is determined that it is feasible to achieve or approach background at one or more of the sites, this will be proposed in accordance with the MCP.

***Comment 3:***

In regards to RTN 3-23575, please address in the final PIP what additional testing of the Neponset River will occur to make sure that the contamination is not migrating off site. Please also discuss how Baker Hughes Process Systems, Inc. chose the “comparative river” to identify what the natural conditions should have been in that area of the Neponset River had there been no release from the site.

***Response to Comment 3:***

No additional testing of the Neponset River has been proposed. The sampling described in the Immediate Response Action Plan has been performed and the results are being reviewed. The next Immediate Response Action Status Report, scheduled for release in May 2006, will present the results of the sampling. It is possible additional testing will be proposed at that time.

We interpret the term “comparative river” to be equivalent to “reference locations” under the MCP program. The purpose of reference locations is to allow comparison of conditions in an area unaffected by a release to conditions in an area that was affected by a release. Selection of reference locations is a challenge since there are so many factors that can vary from location to location along a river. The reference locations were selected upstream of all outfalls (points where water is discharged), from the manufacturing area of the Bird Machine property. Two reference locations were chosen in the Neponset River in order to evaluate two different riverbed conditions: one from a fast-flowing area in the river channel, with coarse-grained sediments; and one from a slow-moving “depositional area”, with fine-grained sediments. Two reference locations were selected in Cedar Swamp Brook as “far-field references”, in locations that were less likely to be affected by urban runoff but were likely to be similarly affected by factors such as atmospheric deposition of contaminants. The two reference locations selected in Cedar Swamp Brook were also chosen to evaluate the two different riverbed conditions described above.

***Comment 4:***

It would be useful to post the notification of any field work related to response actions involving the implementation of Phase IV remedial actions, the use of respirators or protective clothing, or the start of any residential sampling on the Town of Walpole website.

***Response to Comment 4:***

In the event that field work or residential sampling is planned that requires notification of the Town under 310 Code of Massachusetts Regulations (CMR) 40.1400 (including but not limited to the examples provided in the comment), notification will be sent to the Town of Walpole webmaster for posting on the Town website. The notification will be sent to the Town at least 3 days prior to initiating the field work, except in circumstance specified in the MCP where more immediate response is required.

***Comment 5:***

How will the public’s concerns of noise and truck traffic through the neighborhood be addressed during the remedial process?

***Response to Comment 5:***

We plan to comply with the noise ordinance of the Town of Walpole in particular with respect to hours of operation of heavy equipment and machinery. We may periodically request temporary

exemptions for short periods of time if we believe it is necessary to fulfill the requirements of the MCP or of off-site facilities that are supporting the remediation.

**Comments Received from the Walpole Conservation Commission, Landis Hershey**

***Comment 6:***

What environmental site assessments have been conducted on the Cofesky property since it is also part of the future design for the use of the property and the land was part of the Order of Resource Area Delineation issued by the Conservation Commission?

***Response to Comment 6:***

There is some confusion regarding the relationship of the Cofesky property to the MCP process. This property is outside of the boundaries of the MCP sites and is not part of the PIP. In the *Phase I Initial Site Investigation Reports* completed by WESTON in 2005, we mistakenly referred to the total area of the Baker Hughes Process Systems, Inc. property as 165 acres; however, this area includes both the Baker Hughes Process Systems, Inc. and the Cofesky properties. This will be corrected in future reports.

Baker Hughes Process Systems, Inc. has no knowledge of releases or investigations of releases on the Cofesky property. Baker Hughes Process Systems, Inc. does not propose to perform any sampling on the Cofesky property at this time.

***Comment 7:***

Has there been any site investigation in the area to the north of Ruckaduck Pond, before the railroad tracks?

***Response to Comment 7:***

Our understanding is this question refers to an area shown as Release Tracking Number (RTN) 3-02469 on the Site Plan contained in the *Phase I Initial Site Investigation Report* for RTN 3-23575, dated January 2005. The area was known as the Cart Path Area. Response actions at this area included sampling in 1990 through 1992, a soil and drum removal in 1991, and a *Phase II Report*, including a Risk Characterization, in 1992. MassDEP considers this site a "No Further Action" site under the MCP. Several reports prepared regarding this work have been included in the information repository at the Walpole Public Library.

**Comments Received from PIP Petitioner, Joanne Muti**

***Comment 8:***

Exhibit I of the draft PIP identifies several community concerns which should be supplemented to include concerns about the source and extent of release of oil and hazardous materials and all existing potential Migration Pathways in soil, surface water, groundwater, air, and sediments.



RTN 3-24883 is an area of concern because it appears from the map identified as Figure No. 2 that a non-aqueous phase liquid (NAPL) at the site is present within 200 feet of a surface water body.

***Response to Comment 8:***

The community concern related to the source and extent of release of oil and hazardous materials and all existing potential Migration Pathways in soil, surface water, groundwater, air, and sediments will be included in Exhibit I of the final PIP.

We share your concern regarding NAPL located within 200 feet of the Neponset River. This concern will be added to Exhibit I of the final PIP. When NAPL was encountered in May 2005, it was reported to MassDEP. Immediate Response Actions were taken and the *IRA Completion Statement*, filed in June 2005, concluded that there was no pathway for migration of NAPL to surface water. As noted during the PIP meeting on 4 January 2006, RTN 3-24883 is located within the boundary of the Lead Release Area (RTN 3-23513), specifically Excavation Area 1. As reported in the *Lead Release Area Status Report*, dated October 2005, upon excavation of the area, we observed that the NAPL had been confined above a silt layer. The NAPL was removed when soils were removed from Excavation Area 1.

***Comment 9:***

The RTNs which identify contaminants in the soil and groundwater are also of great concern. RTN 3-23513, the Lead Release Area, has concentrations of nickel in the groundwater and lead in the soil. RTN 3-24105, the Demolition Debris Area, has concentrations of lead, nickel, and zinc in the groundwater. RTN 3-24222, the Manufacturing Building, has concentrations of nickel and lead in the groundwater, and oil, nickel, and lead in the soil.

The entire site lies over the town of Walpole's Sole Source Aquifer. The draft Public Involvement Plan did not identify that the site lies within the town of Walpole's Aquifer Area 3 primary recharge area. The recharge area is defined as an area that collects precipitation or surface water and directly transmits it to areas of pumping influence. The School Meadow Brook wells are located down gradient of the site. The surficial geology of the majority of the site consists of sand and gravel, which enhances the transmission of contaminants. Groundwater impacts need to be addressed.

***Response to Comment 9:***

This concern will be added to Exhibit I of the final PIP. The final PIP will be modified to reference the location of the Aquifer Area 3 primary recharge area. Groundwater impacts will be addressed in the Phase II Comprehensive Site Assessment Reports for each of these 3 RTNs, in accordance with the MCP. Groundwater would also be addressed in reports beyond Phase II for one or more of the sites, if required by the MCP. For example, if the concentration of one or more chemicals does not achieve or approach background at one of the sites, the Phase III Report will include an evaluation of the feasibility of achieving or approaching background.

Reportable concentrations of metals have been detected in shallow groundwater at the three RTNs. WESTON's conceptual model of groundwater flow predicts that these metals will be attenuated in the soil and ultimately discharge to surface water at lower concentrations than presently observed in the monitoring wells. These metals will not travel through groundwater from these 3 sites to the Wellhead Protection Zones established for the Walpole public water supply wells. A model of this transport process will be included in the Phase II reports for each of these RTNs.

***Comment 10:***

RTN 3-24105 appears to lie within 500 feet of an area designated by the Massachusetts Natural Heritage & Endangered Species Program as Estimated Habitats of Rare Wildlife. The area may be the habitat for Hessel's Hairstreak, a butterfly closely associated with cedar swamps and listed as a species of Special Concern in Massachusetts. This RTN also lies within the 200 foot Riverfront Area of Cedar Swamp Brook, which is considered a river under the Massachusetts Rivers Protection Act. Approximately 1.4 acres of land within the Riverfront Area is degraded due to historic dumping. Impacts to Cedar Swamp Brook and the Endangered Species Habitat need to be addressed.

***Response to Comment 10:***

This concern will be added to Exhibit I of the final PIP. The proximity of the Demolition Debris Area (RTN 3-24105) to these resources was pointed out during the PIP presentation, and was discussed in the *Phase I Initial Site Investigation Report*. Maps showing the location of these areas are included in the *Phase I Initial Site Investigation Report*, and will be added to the final PIP. Potential impacts of the Demolition Debris Area on the environment, including but not limited to, the Estimated Habitat and Cedar Swamp Brook, will be further evaluated and the results presented in the Phase II Report, in accordance with the MCP.

There is no information available that would indicate that there has been a release to the Estimated Habitat or to Cedar Swamp Brook. WESTON collected surface water and sediment samples from Cedar Swamp Brook in November 2004. This data was presented in the Neponset River *Phase I Initial Site Investigation* in January 2005.

The Order of Resource Area Definition identifies "previously degraded" Riverfront Areas at the Property, including approximately 1 acre at the Demolition Debris Area. This designation has significance regarding future disturbances of the Riverfront Area. The designation will have limited effect on the remedy selection process under the MCP.

***Comment 11:***

Another concern is human and environmental receptors; for example, lifelong residents, and wetlands, wildlife, and threatened or endangered species that are known or likely to be located at the site. The EPA 2000 Toxics Release Inventory for Massachusetts ranked Bird Machine as number six in the Top Ten facilities for total on-site releases for Persistent, Bioaccumulative,

and Toxic (PBT) chemicals with respect to air emissions. Earlier TRI reports indicate the release of chromium and nickel.

***Response to Comment 11:***

This concern will be listed in Exhibit I of the final PIP. Under the MCP, the term “site” has specific meaning. There are seven active sites that are being addressed in the final PIP. There are wetlands located adjacent to some of these seven sites, and potential impact of the sites on wetlands will be addressed in the Phase II Reports, in accordance with the MCP. The potential impacts of each remedy on wetlands will be addressed in the Phase III Reports, in accordance with the MCP.

There is wildlife located at each of the sites; however, the habitat value varies from site to site. The potential impacts of each site on wildlife will be evaluated in each Phase II Report, and the potential impacts of each remedy on wildlife will be evaluated in each Phase III Report, in accordance with the MCP.

There are no threatened and endangered species at any of the seven active sites. The distance from each site to the boundary of the Estimated Habitat is included in each of the *Phase I Initial Site Investigation Reports*. The potential for impact to Estimated Habitat will be addressed in the Phase II and Phase III Reports for the Demolition Debris Area (RTN 3-24105).

The comment regarding lifelong residents could be interpreted as either a retrospective or prospective comment. In general, the MCP does not address retrospective aspects of exposures that may have occurred prior to an MCP-reportable release. In the time since the releases that are the subject of this PIP were reported, there has not been residential use of any of the sites. Access to the sites, and exposure of people to the releases, has been controlled by site security measures and by proper training of the people performing site investigations and response actions. If the comment is interpreted as a prospective comment, the MCP process does address this concern. The MCP requires a “baseline” risk characterization, which will be included in each Phase II report. In each Phase III report, each remedial action alternative will be evaluated based on whether a condition of “No Significant Risk” would be achieved by implementing the remedy. One of the exposure scenarios evaluated in Phase II and Phase III is residential exposure assuming a person lives at the property throughout childhood and for a total period of 70 years.

The comment regarding the Toxic Release Inventory (TRI) is not directly relevant to the MCP process, and does not appear to be correct regarding air emissions. The TRI report filed by Bird Machine Company in 2000 did not identify any air emissions of Persistent, Bioaccumulative, or Toxic (PBT) chemicals, which is not consistent with the comment. The TRI reports do indicate that significant quantities of steel and metal alloys containing chromium and nickel (which are not PBT chemicals) were recycled at an off-site facility. Recycling is reported as a “release” in the TRI. The report also includes estimated air emissions from grinding and sandblasting operations, including calculations of estimated air emissions of chromium and nickel, but no PBT chemicals.

While the TRI program and concepts are distinct and separate from the MCP, the information contained in TRI reports do provide information of interest to a Licensed Site Professional (LSP) to the extent that it may relate to the property history and the types of wastes that may have been generated at the property in the past. As indicated in the *Phase I Initial Site Investigation Reports*, some of this type of metal waste was disposed at the property many years ago. Baker Hughes Process Systems, Inc. and Baker Process, Inc. share the concern that this type of disposal did occur at the property in the past, prior to Baker Hughes Incorporated's purchase of Bird Machine Company. The known disposal areas are now active MCP sites.

***Comment 12:***

Residents expressed concerns about Ruckaduck Pond at the public meeting held in January 2006. Any and all impacts to this man-made pond need to be assessed.

***Response to Comment 12:***

This concern will be listed in Exhibit I of the final PIP. This issue was discussed at the January 2006 public meeting. There is no record of any MCP-reportable releases of Oil or Hazardous Materials (OHM) to Ruckaduck Pond; therefore, the pond is not an MCP site. The investigations of the seven active MCP sites indicate that Ruckaduck Pond is hydrogeologically upgradient of all of the sites, and does not receive surface runoff from any of the sites. For this reason, the Phase II Comprehensive Site Assessments will not include sampling of Ruckaduck Pond. The PIP is specifically focused on MCP-related actions at the active MCP sites on the property, and therefore will not address Ruckaduck Pond.

Surface water and sediment samples were collected from Ruckaduck Pond and analyzed in 1990. A description of this sampling program and the analytical results has been placed in the information repository at the Walpole Public Library under a cover memo titled "Ruckaduck Pond". Sampling of the Ruckaduck Pond was performed as part of the site investigation performed at a closed MCP site known as the "Cart Path Area" (RTN 3-2469), which was located hydrogeologically upgradient of the pond. Since this RTN 3-2469 is now closed it is not included in the PIP process; however, documents regarding this investigation are available in the information repository at the Walpole Public Library.

***Comment 13:***

RTN 3-23575 specifies a release of hydrocarbons to the Neponset River at outfall nos. 2 and 7. Testing of the river should extend beyond the borders of the property to identify potential contamination down gradient of the property.

***Response to Comment 13:***

This concern will be included in Exhibit I of the final PIP. The MCP requires presentation of the "nature and extent of contamination" associated with a release. The boundaries of the "nature and extent of contamination" are difficult to determine at any MCP site, but especially when evaluating a historic release to an urban river. There is no question that oil and hazardous

materials regulated by the MCP are measurable in surface water and sediments upstream and downstream of the site boundary. One reference, *Boston Harbor 1999 Water Quality Assessment Report*, has been published by MassDEP, and a copy of this report has been added to the information repository at the Town of Walpole Public Library. The MCP guidance prepared by MassDEP uses terminology such as "local conditions" and "urban background" to help the LSP determine the nature and extent of contamination from a specific release into surface water, sediment, or soil that may have been impacted by sources other than the reported release. The Stage II Environmental Risk Characterization is presently being performed under the Immediate Response Action Plan for RTN 3-23575. This report will be included in the next Immediate Response Action Status Report for RTN 3-23575. As presented in the January 2006 public meeting, laboratory results from surface water sampling indicate that surface water quality standards have not been exceeded in any of the samples collected from the Neponset River during two sample rounds. The Risk Characterization is presently focused on potential sediment impacts, including comparison of potential hypothetical risks from exposure to sediment in upstream reference areas to potential hypothetical environmental risks from exposure to sediment in areas located downstream of the Bird Machine Company outfalls. The scope of this study will be extended beyond the property boundary if this is required under the MCP, based on the results of the Environmental Risk Characterization.

***Comment 14:***

The Massachusetts Contingency Plan also indicates at 310 CMR 40.1401 (1) (a): "Public Involvement Activities shall inform the public about the risk posed by the disposal site, the status of response actions, and the availability of Technical Assistance Grants." The Public Involvement Plan did not mention the availability of grants so it was not clear if they are still available through the Department of Environmental Protection. The final Public Involvement Plan should include this information.

***Response to Comment 14:***

The final PIP will include a sentence informing the public about the Technical Assistance Grant program. We are not aware of whether funding is available for the Technical Assistance Grant program; however, the MassDEP contact information will be provided.

***Comment 15:***

The next area of significant community concern is the standard used to cleanup the property. Included in the draft Public Involvement Plan, the DEP fact sheet, Massachusetts' Approach to Waste Site Cleanup: Chapter 21E and the Massachusetts Contingency Plan, page 3 states: "The standard used for deciding when a cleanup is complete is when a condition of **No Significant Risk** of harm to health, safety, public welfare, or the environment is achieved or demonstrated. When possible, the property should be restored to the conditions that would have existed if the property had never been contaminated."

The Massachusetts Contingency Plan at 310 CMR 40.1020 (1) clearly states: *"At any disposal site or portion of a disposal site where one or more remedial actions are undertaken to achieve*

*a Permanent Solution, those remedial actions shall include, where feasible, one or more measures designed to reduce to the extent possible the concentrations of oil and hazardous materials to levels that would exist in the absence of the disposal site of concern. Such measures shall, to the extent feasible, achieve or approach background levels of oil and hazardous material in the environment as defined under 310 CMR 40.0006."*

Given the important location of the property as part of the greater Neponset Watershed area, the most responsible course of action for Baker Hughes is to perform cleanup whereby remedial actions have been taken to achieve a level of No Significant Risk so that ultimately the site poses No Significant Risk, and all substantial hazards posed by the disposal site have been eliminated no matter what the ultimate use of the property may be.

Furthermore, with respect to this issue, an announcement at the first Public Involvement Plan meeting on January 4, 2006 that Baker Hughes would only clean up the site to a commercial/industrial standard seemingly contradicts the Massachusetts Contingency Plan regulations and appears to be a rush to judgment. This announcement in Phase I of the process flies in the face of the regulations and the public involvement process since it created the public perception that the outcome has been already determined prior to the submission of public comments.

***Response to Comment 15:***

This comment is very similar to Comment 2, above. The commenter is correct that Baker Process, Inc. cannot determine the level of cleanup prior to the completion of Phase III. In the January 4, 2006 PIP public meeting, Baker Hughes Incorporated and WESTON provided frank and open opinions, based on professional experience and judgment, regarding the likely feasibility of achieving goals that would allow unrestricted use of the MCP sites. The present position of Baker Hughes Process Systems, Inc. regarding the appropriate uses of the entire eastern parcel, including portions that are not subject to the MCP, was also presented. Baker Hughes Process Systems, Inc.'s risk management approach for portions of the property that are not subject to the MCP, while a concern to the Town, is not subject to the PIP process. The opinions were presented in order to inform the public of our present thinking and to invite comment, not to preempt comment or involvement in the MCP process. The timeline for completion of Phase III was presented for each site. At the completion of Phase III all of the necessary information will be available for selection of the appropriate remedial action alternative.

At this time, Baker Process, Inc. expects to be able to implement a Permanent Solution which will achieve a condition of "No Significant Risk" at each of the sites; however, the remedial action alternatives for the sites have not been developed or evaluated, and formal evaluation has not been completed at this time. If an alternative is identified that does not achieve or approach background, it will need to be compared to an alternative that does achieve or approach background. If it is determined that it is feasible to achieve or approach background at one or more of the sites, this will be proposed in accordance with the MCP.

Baker Hughes Process Systems, Inc. recently committed to participate in public discussions regarding the future use of the eastern parcel. Since there is overlap between these discussions and the PIP, Baker Hughes Process Systems, Inc. and Baker Process, Inc. are considering holding dual-purpose meetings, however the scope of the PIP will remain distinct from the broader discussion regarding future use.

***Comment 16:***

Once a release of oil and hazardous materials has been confirmed, the Massachusetts Contingency Plan triggers a five phase process. Numerical ranking and Tier Classification is identified as Phase I, the current phase. The site is currently categorized as a Tier II site. Phase II is a comprehensive field investigation of the nature and the extent of the contamination and evaluation of any risks posed to the public and environment. As described at 310 CMR 40.0530, "a disposal site shall be rescored using the Numerical Ranking System specified in 310 CMR 40.0500 when the Phase II Comprehensive Site Assessment discloses new or additional information which may affect the disposal site's Tier Classification or permit category." Currently an LSP is overseeing the cleanup without a requirement to obtain permits or oversight by a DEP engineer. This could change if the site were to be categorized as a Tier I site meaning that it poses an imminent risk.

***Response to Comment 16:***

We agree with the comment that a site can be recategorized as a Tier I site if the Phase II Comprehensive Site Assessment "discloses new or additional information which may affect the site's Tier Classification or permit category". This requirement applies to each of the four active MCP sites that have been Tier Classified.

***Comment 17:***

Moreover, identification and evaluation of response action alternatives and selection of feasible measures that will achieve a permanent cleanup of the site are made during Phase III. The Massachusetts Contingency Plan at 310 CMR 40.0853 (1)(a) specifies that a Phase III evaluation shall result in, "the identification and evaluation of remedial action alternatives which are reasonably likely to achieve a level of No Significant Risk considering the oil and hazardous material present, media contaminated, and site characteristics,". Subsection (b) specifies that: "a Permanent solution includes measures that reduce, to the extent feasible, the concentrations of oil and hazardous material in the environment to the levels that achieve or approach background."

The Massachusetts Contingency Plan also specifies criteria for a detailed evaluation of remedial action alternatives. At 310 CMR 40.0858 (6) (a-d) the regulations indicate that the comparative benefits of the alternatives include the benefit of restoring natural resources, providing for productive reuse of the site, the avoided costs of relocating people, businesses, or providing alternative water supplies, and the avoided lost value of the site.

***Response to Comment 17:***

We generally concur with the description of Phase III presented in this comment, and the excerpts appear to be correct. One caveat is that we will be performing *all* actions required by Phase III not only those mentioned in the comment.

The remedial response alternatives presented in the Phase III Report will be compared using the criteria in 310 CMR 40.0858. With regard to the subset of evaluation criteria presented in the comment, the Phase III Report has not been prepared but our present assessment is summarized here:

- The benefit of restoring natural resources will be unique to each site, e.g. the comparative potential impacts of a remedial action in the Demolition Debris Area on the nearby Estimated Habitat.
- The benefit of productive reuse of the site would be relevant when comparing closure as a landfill to the benefits of a productive reuse such as commercial or residential reuse. Note that industrial or commercial reuse are “productive reuse” under the MCP.
- Relocation of people, businesses or providing alternative water supplies are not expected to be an issue for any of the sites.
- Lost value of the site is only expected to be a factor for an alternative that includes closure of a site as a landfill, since this results in lost value. Value is not lost when the remedial alternative allows continuation of the historic use of the site (i.e., industrial use).

***Comment 18:***

Nowhere do the regulations specify that the standard for cleanup should be based on current zoning or on the least expensive option for the property owner.

***Response to Comment 18:***

We concur with the comment regarding cleanup standards not being based on current zoning or on the least expensive option for the property owner.

The MCP requires characterization of risk (in Phase II) that considers all “foreseeable uses”. MassDEP guidance interprets a change in zoning as “foreseeable”; therefore, risk characterization cannot make presumptions regarding future zoning. In Phase III, remedial alternatives are developed and evaluated which will achieve “No Significant Risk”. Activity and Use Limitations (AULs) can be applied to manage risk (e.g. by minimizing or eliminating exposures in order to achieve “No Significant Risk”); however, the MCP does not allow use of “current zoning” to manage risk.

Selection of a remedial alternative is based on several factors outlined in the MCP, which include the cost of remedy; however, the MCP does not specify that the “least expensive option” shall be



selected. The least expensive option for the three land-based sites would be capping contaminated soil and debris in-place and restricting future use of the land. Baker Process, Inc. has already aggressively pursued removal actions in the Lead Release Area (RTN 3-23513) and the Demolition Debris Area (RTN 3-24105) in order to avoid this option. A range of remedial action alternatives will be evaluated in each Phase III Report, as required by the MCP. At least one alternative would be included that achieved "No Significant Risk" and also achieved or approached background concentrations. At least one alternative would be included that would achieve "No Significant Risk" by limiting the frequency and intensity of exposures to OHM. This would most likely be accomplished by an AUL that would limit uses of the site to industrial or commercial use, similar to the historic land use at the site. One of the alternatives evaluated in each Phase III Report will be proposed to the public when the report is issued. The proposed remedial alternative must meet a condition of No Significant Risk. If the proposed alternative does not "achieve or approach background concentrations" of OHM, then the proposal must be accompanied by a Feasibility Evaluation. The Feasibility Evaluation, if required, will be done in accordance with the MassDEP policy document "*Conducting Feasibility Evaluations under the MCP*", Policy WSC-04-160. One of the criteria evaluated is whether the cost to achieve or approach background is "substantial and disproportionate" to the incremental benefit [310 CMR 40.0860(7)(a)]. According to the policy document, "it shall be considered feasible to conduct remedial actions to approach background conditions if the additional costs to remediate beyond "No Significant Risk" are equal to or less than 20% of the cost to remediate to "No Significant Risk." If an alternative that "achieves or approaches background concentrations" cannot meet this cost test, it will most likely not be the proposed alternative.

#### ***Comment 19***

Additionally, the Massachusetts Contingency Plan at 310 CMR 40.0933 (8) states: "Whenever and wherever reasonable doubts exist over the selection of the appropriate soil category, the soil category associated with the highest exposure potential (among the soil categories being considered) shall be selected."

At this stage of the cleanup process reasonable doubt has to exist because the site's future reuse options are still unknown. However, a decision has already been made to meet a soil standard categorized as S-3 meaning that both a child's and adult's frequency or intensity of use is low pursuant to 310 CMR 40.0933 (4)(b-c). The use of the S-3 standard would automatically prohibit such uses as gardening, digging, or playing recreational sports. For the reasons stated above, this decision is premature.

The same regulation at 310 CMR 40.0933 (4) (a) specifies that an adult's frequency of use shall be characterized as high when they reside at the disposal site or when they work at the disposal site on a continuing basis [i.e., full days or shifts of eight or more hours per day on a continuing basis]. These criteria would require a higher standard of cleanup because residentially or commercially, adults are at either location for more than eight hours a day.

***Response to Comment 19:***

In response to the comment regarding the selection of “soil category” S-3 and that a premature decision was already made to meet a soil standard categorized as S-3, this decision has not been made. The “S-3” category is a category that would be selected during a “Method 1” human health risk characterization, which is one of the options that could be used for risk characterization during Phase II. Baker Process, Inc. has decided to perform “Method 3” risk characterization for each of the active MCP sites, and therefore the S-3 category will not be used as described in the comment.

The misunderstanding expressed in this comment may be due to the fact that Method 1 “look-up standards” were used during Release Abatement Measures. The Method 1 standards have been used to date to guide decision-making during performance of Release Abatement Measures. For example, soil which met the S-2 standard in the Lead Release Area was not excavated for off-site disposal. While the Method 1 standards were (and are being) used as a guide during Release Abatement Measures, they will not be used during Phase II Risk Characterization or during Phase III remedial alternative evaluation.

***Comment 20:***

A site that is cleaned to a higher standard benefits the community environmentally and economically. A cleaner site gives the town the flexibility to consider a range of reuse options rather than a sole commercial/industrial use which has the potential to reintroduce more contaminants to an environmentally sensitive area.

***Response to Comment 20:***

We agree that the community is benefiting environmentally and economically from the response actions being performed by Baker Process, Inc. and will benefit further when the final MCP remedies are implemented. Baker Process, Inc. has removed a substantial quantity of impacted soil and debris from the sites even though these materials could have remained on-site, in full compliance with the MCP, pending completion of Phase II and III activities. It is also conceivable that some of the soil removed during the Release Abatement Measures could have remained on-site as part of the permanent remedy; however, Baker Process, Inc. chose to be pro-active and remove the soil and debris.

To the extent that this comment addresses potential future contamination or future releases resulting from future uses of the property, and unrelated to the releases that are the subject of this PIP, the scope of this comment is beyond the scope of this PIP.

***Comment 21:***

During your presentation, you identified Baker Hughes as a responsible corporate citizen committed to protect community health, safety, and the environment. We expect that you will exercise that responsibility by complying with the Massachusetts Contingency Plan regulations

and when possible restoring the site to the conditions that would have existed if the property had never been contaminated.

***Response to Comment 21:***

Baker Process, Inc. is committed to complying with the MCP. This includes achieving a condition of “No Significant Risk”, and performing response actions that reduce, to the extent feasible, concentrations to levels that achieve or approach background. The use of the word “possible” in the context of the comment is beyond the requirements and the intent of the MCP law and regulations.

**Comments received during the January 2006 public meeting**

***Comment 22:***

This site is a Tier II classified site. What constitutes a priority during classification of a site?

***Response to Comment 22:***

A brief overview of the Tier Classification process was presented at the January 4, 2006 PIP meeting, in answer to the question. Examples of “priority” (Tier I) sites are those which result in direct exposures, such as gasoline vapor leaking into an occupied building or a release that directly threatens a drinking water supply. The reader is also referred to 310 CMR 40.1400 “Numerical Ranking System and Scoring Instructions” for further information regarding the types of risks that result in classification of a site as a Tier I site.

***Comment 23:***

The site is located in a Primary Recharge Area. Why didn’t this result in the site being a priority (Tier I) site? Does water from the site get to nearby drinking water supply wells?

***Response to Comment 23:***

The scoring process in 310 CMR 40.1500 does not assign a score for sites located in a Primary Recharge Area; therefore, this would not result in classification of a site as Tier I. The score would be higher if the site was “located within a Zone II or upgradient of a public well within an Interim Wellhead Protection Area” (310 CMR 40.1512). Note that for scoring the sites at the Bird Machine Company property, the Town of Walpole has established the Zone II for South Meadow public water supply wells and none of the sites are within the Zone II. Since the Zone II has been established, the location of the site relative to an Interim Wellhead Protection Area is not evaluated in the scoring process.

While the concern regarding the Primary Recharge Area does not affect site scoring or Tier Classification, potential effects of the releases on the Primary Recharge Area will be addressed in the Phase II reports for each site. See related response to Comment 9.

***Comment 24:***

Are there any known health issues related to people who lived in the neighborhood near the site prior to 1975?

***Response to Comment 24:***

The MCP does not look retrospectively at exposures; however, site history is used to guide investigations of MCP sites. See related response to Comment 11 regarding historical releases at the property.

***Comment 25:***

Have there been investigations of the Neponset River downstream of the property boundary?

***Response to Comment 25:***

Baker Process, Inc. has not performed any investigations of the Neponset River downstream of the property boundary; however, studies have been performed by others. See response to Comment 13.

***Comment 26:***

What standards are used to compare soils prior and subsequent to removal?

***Response to Comment 26:***

During the performance of Release Abatement Measures at the Lead Release Area and the Demolition Debris Area, MCP "Method 1" standards were used to compare soils prior and subsequent to removal, with the exception of asbestos. In areas where Asbestos-Containing Material was removed, a standard of "no asbestos fibers" was used. Soils were sampled subsequent to the removal and evaluated using Polarized Light Microscopy. If asbestos fibers were present, additional removal was performed and the area was re-sampled. This process continued until sample results indicated no asbestos fibers were present in the samples.

In Phase II, baseline risk characterization will be performed. Depending on the results of risk characterization, it is possible that risk-based cleanup goals will be developed for chemicals of concern identified during the risk characterization.

***Comment 27:***

Are there maps available showing locations of groundwater monitoring wells on site?

***Response to Comment 27:***

There are figures showing the location of groundwater monitoring wells in many of the reports in the information repository at the Walpole Public Library; however, there is no comprehensive map of groundwater monitoring wells. A map is being developed that will show the location of groundwater monitoring wells. This will be added to the information repository at the Walpole Public Library.

***Comment 28:***

How were samples obtained from the site (how collected)?

***Response to Comment 28:***

General sampling procedures were described at the January 2006 PIP meeting in response to this question. Each report includes a description of the sampling procedures used for the particular report.

***Comment 29:***

How did dioxin come about in the Demolition Debris Area?

***Response to Comment 29:***

The origin of the dioxin at the Demolition Debris Area is believed to be bleached pulp and paper. Bleaching of pulp and paper results in the formation of dioxin, due to a reaction between the bleach and certain components of the wood fiber. As a result, dioxin is present in paper made from bleached pulp including, for example, white coffee filters.

Pulp and paper was not bleached at the property; however, pulp and paper wastewater samples were received by Bird Machine Company from its customers for wastewater treatment evaluation studies. These samples would have contained traces of dioxin from pulp bleaching performed by the customer at its location. Bird Machine Company would test the performance of its equipment using samples from customers. Solid wastes from this testing process were disposed of in the Demolition Debris Area prior to Baker Hughes Incorporated's purchase of Bird Machine Company. It is important to note that pulp and paper wastes of the type disposed of in the Demolition Debris Area are not regulated as hazardous waste by the Commonwealth of Massachusetts or the U.S. Environmental Protection Agency.

***Comment 30:***

Are there any groundwater monitoring wells located within the Demolition Debris Area?

***Response to Comment 30:***

There were five groundwater monitoring wells located within the Demolition Debris Area. All of the wells were installed through waste materials and have been destroyed during the Release Abatement Measure. Additional groundwater monitoring wells will be installed during the Phase II investigation.

***Comment 31:***

Have any samples been collected from Ruckaduck Pond?

***Response to Comment 31:***

At the time of the January 2006 public meeting, we were not aware of any samples collected from Ruckaduck Pond. Since the meeting, some data has been located. See also the response to related Comment 12.

***Comment 32:***

When will Ruckaduck Pond be sampled (water and/or sediment)?

***Response to Comment 32:***

No sampling of Ruckaduck Pond is proposed at this time. See also the response to related Comment 12.

***Comment 33:***

Is the asbestos in the western clearing of the Demolition Debris Area covered?

***Response to Comment 33:***

The asbestos in the western clearing of the Demolition Debris Area is covered with either soil or plastic sheeting, pending additional removal actions scheduled for spring of 2006.

***Comment 34:***

Have all the assets for Bird Machine Company been sold to Baker Hughes (is Bird Machine Company and/or Andritz liable for contamination/clean up)?

***Response to Comment 34:***

Bird Machine Company no longer exists. Our understanding is that Andritz, the company that purchased certain Bird Machine Company assets in 2004, is not liable for contaminants at the property.

***Comment 35:***

Has the manufacturing building been cleaned out (removed all oily residue)?

***Response to Comment 35:***

The Manufacturing Building has been substantially cleaned out. Some miscellaneous office equipment and scrap remains, pending off-site recycling or disposal. Floor sweeping/cleaning is on-going.

***Comment 36:***

Does Baker Hughes (or Town of Walpole) have water rights to Ruckaduck Pond (property deed)?

***Response to Comment 36:***

Baker Hughes Process Systems, Inc. not yet determined whether there are water rights associated with the property.

***Comment 37:***

The Neponset River ecological study ended at the property boundary. Does the water quality get better downstream of the property boundary?

***Response to Comment 37:***

Based on the results of laboratory analyses of samples we have obtained from the Neponset River, the water quality meets the applicable Massachusetts standards. See related response to Comment 13.

***Comment 38:***

Walpole residents received a notification letter from the Town indicating that increased lead levels have been detected in the drinking water. Is this related to the Bird Machine Company site?

***Response to Comment 38:***

There is no connection between lead measured in monitoring wells at the Bird Machine Company property and the recent public service announcement from the Walpole Water Department regarding lead. According to the *2004 Water Quality Report* (posted on the Town website by the Walpole Water Department), lead was sampled at the taps in 30 homes, and was found in 4 of the homes. According to the public service announcement on the Town website the most likely source of lead is household plumbing.

***Comment 39:***

Who has the authority to say that the site is clean?

***Response to Comment 39:***

The MCP "Response Action Outcome" (the final statement that a response action has been completed in accordance with the MCP) is prepared, stamped, and filed by the LSP. For Tier II sites, such as the sites at the Bird Machine Company property, the Response Action Outcome is prepared, stamped, and filed without review by the MassDEP. The Response Action Outcome is subject to audit by the MassDEP. By law, all Response Action Outcomes that rely on a deed-recorded Activity and Use Limitation must be audited by MassDEP.

***Comment 40:***

Why is industrial/commercial standards used instead of residential standards? Can residential standards be used?

***Response to Comment 40:***

See related responses to comments 15 through 21.

***Comment 41:***

How much more time would it take/how much more involved would it be to clean up the site to residential standards?

***Response to Comment 41:***

Formal estimates of the additional time and cost have not been prepared. These will be included in the Phase III Report.

***Comment 42:***

Is clean fill being brought to the site for use as fill in the excavated areas on the site?

***Response to Comment 42:***

Yes.

***Comment 43:***

Is asbestos difficult to clean up?



***Response to Comment 43:***

Asbestos cleanups are slow-paced and expensive due to the actions that are taken to control air emissions. The process is not difficult compared to, for example, groundwater remediation.

***Comment 44:***

How many groundwater monitoring wells are located outside of the building area, on the perimeter of the property?

***Response to Comment 44:***

Approximately 40 monitoring wells have been installed at the site. Approximately 10 were installed near either a property boundary or a surface water body (the Neponset River, Cedar Swamp Brook, or Ruckaduck Pond).

***Comment 45:***

How does Baker Hughes rate this site versus other sites in regards to the extent of contamination?

***Response to Comment 45:***

Baker Process, Inc. considers this site a challenge due to the number of years the site was in operation. Baker Process, Inc. is pleased that groundwater contamination at the site is minimal compared to other sites.

***Comment 46:***

Will Baker Hughes have their real estate representatives present at the next public meeting to discuss the future use of the property?

***Response to Comment 46:***

Baker Hughes Incorporated representatives relayed this concern to the real estate group. Mr. Ralph Crabtree and Mr. George Bernhardt of the real estate group participated in a public meeting regarding site redevelopment on February 16, 2006. At that meeting, Mr. Crabtree made a commitment that Mr. Bernhardt would continue to participate in meetings regarding reuse of the property. Baker Hughes Process Systems, Inc. and Baker Process, Inc. are considering combining some of the reuse-related meetings with future PIP meetings.

***Comment 47:***

Will all the manufacturing buildings on the property be demolished? Will newer buildings be built?

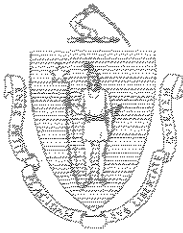
***Response to Comment 47:***

Baker Hughes Process Systems, Inc. does not plan to demolish the buildings; however, a future owner may take this action.

Note: Please refer to Attachment 1 of this Response Summary for copies of the actual public comments received by Baker Hughes Process Systems, Inc. on the Draft Public Involvement Plan.

**Attachment 1**

**Public Comments on the Draft Public Involvement Plan for the  
Former Bird Machine Company MCP Sites**



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1064

**RICHARD J. ROSS**  
REPRESENTATIVE  
9TH NORFOLK DISTRICT

Committees  
Consumer Protection & Professional Licensure  
Education  
Mental Health & Substance Abuse  
Personnel & Administration  
Revenue  
.....  
ROOM 237, STATE HOUSE  
TEL (617) 722-2905  
FAX (617) 722-2598

January 24, 2006

Mr. Clayton Curtis  
Health Safety and Environmental Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177

Dear Mr. Curtis:

As the State Representative of the 5<sup>th</sup> precinct in the town of Walpole, Massachusetts, I write to you today in support of my constituents, who recently submitted comments regarding the Public Improvement Plan for the former Bird Machine Company property (100 Neponset Street). I respectfully request that you take into full consideration the comments submitted and that the clean-up of this site is adequate to meet the needs and the desires of the Walpole community.

Thank you in advance for your consideration and if I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,

**RICHARD J. ROSS**  
State Representative

RJR/am

cc:

Walpole Board of Selectmen  
Michael Boynton, Walpole Town Administrator  
Joanne Muti, Bird Reuse Subcommittee

January 23, 2006

Mr. Clayton Curtis  
Health Safety and Environmental Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177

Re: Bird Machine Company site, Walpole, MA

Dear Mr. Curtis:

Thank you for the opportunity to provide comments on the Public Involvement Plan (PIP) for the former Bird Machine Company property located at 100 Neponset Street in South Walpole, MA and also for posting information on the Town's Economic Development & Grants website. I am one of the PIP petitioners and also a member of a subcommittee of the Town of Walpole Economic Development Commission known as the Bird Reuse Subcommittee.

The Massachusetts Contingency Plan at 310 CMR 40.1405 (6) (a) specifies: "A Public Involvement Plan shall ensure without limitation that: local concerns and sources of information are identified so that the Public Involvement Plan reflects the nature and level of public interest." Within the past five months, there has been a great deal of interest in the Bird Machine site. Exhibit I on page 2-11 of the draft Public Involvement Plan identifies several community concerns which should be supplemented to include concerns about the source and extent of release of oil and hazardous materials and all existing potential Migration Pathways in soil, surface water, groundwater, air and sediments.

RTN 3-24883 is an area of concern because it appears from the map identified as Figure No. 2 that a nonaqueous phase liquid (NAPL) at the site is present within 200 feet of a surface water body.

The RTNs which identify contaminants in the soil and groundwater are also of great concern. RTN 3-23513, the Lead Release Area, has concentrations of nickel in the groundwater and lead in the soil. RTN 3-24105, the Demolition Debris Area, has concentrations of lead, nickel, and zinc in the groundwater. RTN 3-24222, the Manufacturing Building, has concentrations of nickel and lead in the groundwater, and oil, nickel, and lead in the soil.

The entire site lies over our Sole Source Aquifer. The draft Public Involvement Plan did not identify that the site lies within our Aquifer Area 3 primary recharge area. Our primary recharge areas are defined as areas that collect precipitation or surface water and directly transmit it to areas of pumping influence. The School Meadow Brook wells lie down gradient of the property. The surficial geology of the majority of the site consists of sand and gravel which enhances transmission of contaminants. Groundwater impacts need to be assessed.

RTN 3-24105 appears to lie within 500 feet of an area designated by the Massachusetts Natural Heritage & Endangered Species Program as Estimated Habitats of Rare Wildlife. The area may be the habitat for Hessel's Hairstreak, a butterfly closely associated with Cedar Swamps and listed as a species of Special Concern in Massachusetts. This RTN also lies within the 200 foot Riverfront Area of Cedar Swamp Brook which is considered a river under the Massachusetts Rivers Protection Act. Approximately 1.4 acres of land within the Riverfront Area is degraded due to historic dumping. Impacts to Cedar Swamp Brook and the Endangered Species Habitat need to be assessed.

Another concern is human and environmental receptors; for example, lifelong residents, and wetlands, wildlife, and threatened or endangered species that are known or likely to be located at the site. The EPA 2000 Toxics Release Inventory for Massachusetts ranked Bird Machine as number six in the Top Ten facilities for total on-site releases for Persistent, Bioaccumulative, and Toxic (PBT) chemicals with respect to air emissions. Earlier TRI reports indicate the release of chromium and nickel.

Residents expressed concerns about Ruckaduck Pond at the meeting. Any and all impacts to this man made pond need to be assessed as well.

RTN 3-23575 specifies a release of hydrocarbons to the Neponset Rive at outfalls numbers 2 and 7. Testing of the river should extend beyond the borders of the property to identify potential contamination down gradient from the property.

All these concerns should be addressed by Baker Hughes in the final Public Involvement Plan.

The Massachusetts Contingency Plan also indicates at 310 CMR 40.1401 (1) (a): "Public Involvement Activities shall inform the public about the risk posed by the disposal site, the status of response actions, and the availability of Technical Assistance Grants." The Public Involvement Plan did not mention the availability of grants so it was not clear if they are still available through the Department of Environmental Protection. The final Public Involvement Plan should include this information.

The next area of significant community concern is the standard used to cleanup the property. Included in the draft Public Involvement Plan, the DEP fact sheet, Massachusetts' Approach to Waste Site Cleanup: Chapter 21E and the Massachusetts Contingency Plan, page 3 states: "The standard used for deciding when a cleanup is

complete is when a condition of **No Significant Risk** of harm to health, safety, public welfare, or the environment is achieved or demonstrated. When possible, the property should be restored to the conditions that would have existed if the property had never been contaminated.”

The Massachusetts Contingency Plan at 310 CMR 40.1020 (1) clearly states: *“At any disposal site or portion of a disposal site where one or more remedial actions are undertaken to achieve a Permanent Solution, those remedial actions shall include, where feasible, one or more measures designed to reduce to the extent possible the concentrations of oil and hazardous materials to levels that would exist in the absence of the disposal site of concern. Such measures shall, to the extent feasible, achieve or approach background levels of oil and hazardous material in the environment as defined under 310 CMR 40.0006.”*

Given the important location of the property as part of the greater Neponset Watershed area, the most responsible course of action for Baker Hughes is to perform cleanup whereby remedial actions have been taken to achieve a level of No Significant Risk so that ultimately the site poses No Significant Risk, and all substantial hazards posed by the disposal site have been eliminated no matter what the ultimate use of the property may be.

Furthermore, with respect to this issue, an announcement at the first Public Involvement Plan meeting on January 4, 2006 that Baker Hughes would only clean up the site to a commercial/industrial standard seemingly contradicts the Massachusetts Contingency Plan regulations and appears to be a rush to judgment. This announcement in Phase I of the process flies in the face of the regulations and the public involvement process since it created the public perception that the outcome has been already determined prior to the submission of public comments.

Once a release of oil and hazardous materials has been confirmed, the Massachusetts Contingency Plan triggers a five phase process. Numerical ranking and Tier Classification is identified as Phase I, the current phase. The site is currently categorized as a Tier II site. Phase II is a comprehensive field investigation of the nature and the extent of the contamination and evaluation of any risks posed to the public and environment. As described at 310 CMR 40.0530, “a disposal site shall be rescored using the Numerical Ranking System specified in 310 CMR 40.0500 when the Phase II Comprehensive Site Assessment discloses new or additional information which may affect the disposal site’s Tier Classification or permit category.” Currently an LSP is overseeing the cleanup without a requirement to obtain permits or oversight by a DEP engineer. This could change if the site were to be categorized as a Tier I site meaning that it poses an imminent risk.

Moreover, identification and evaluation of response action alternatives and selection of feasible measures that will achieve a permanent cleanup of the site are made during Phase III. The Massachusetts Contingency Plan at 310 CMR 40.0853 (1)(a) specifies that a Phase III evaluation shall result in, “the identification and evaluation of remedial action

alternatives which are reasonably likely to achieve a level of No Significant Risk considering the oil and hazardous material present, media contaminated, and site characteristics.” Subsection (b) specifies that: “a Permanent solution includes measures that reduce, to the extent feasible, the concentrations of oil and hazardous material in the environment to the levels that achieve or approach background.”

The Massachusetts Contingency Plan also specifies criteria for a detailed evaluation of remedial action alternatives. At 310 CMR 40.0858 (6) (a-d) the regulations indicate that the comparative benefits of the alternatives include the benefit of restoring natural resources, providing for productive reuse of the site, the avoided costs of relocating people, businesses, or providing alternative water supplies, and the avoided lost value of the site. Nowhere do the regulations specify that the standard for cleanup should be based on current zoning or on the least expensive option for the property owner.

Additionally, the Massachusetts Contingency Plan at 310 CMR 40.0933 (8) states: “Whenever and wherever reasonable doubts exist over the selection of the appropriate soil category, the soil category associated with the highest exposure potential (among the soil categories being considered) shall be selected.”

At this stage of the cleanup process reasonable doubt has to exist because the site’s future reuse options are still unknown. However, a decision has already been made to meet a soil standard categorized as S-3 meaning that both a child’s and adult’s frequency or intensity of use is low pursuant to 310 CMR 40.0933 (4)(b-c) The use of the S-3 standard would automatically prohibit such uses as gardening, digging, or playing recreational sports. For the reasons stated above, this decision is premature.

The same regulation at 310 CMR 40.0933 (4) (a) specifies that an adult’s frequency of use shall be characterized as high when they reside at the disposal site or when they work at the disposal site on a continuing basis [i.e., full days or shifts of eight or more hours per day on a continuing basis]. These criteria would require a higher standard of cleanup because residentially or commercially, adults are at either location for more than eight hours a day.

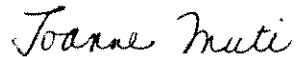
A site that is cleaned to a higher standard benefits the community environmentally and economically. A cleaner site gives the town the flexibility to consider a range of reuse options rather than a sole commercial/industrial use which has the potential to reintroduce more contaminants to an environmentally sensitive area.

During your presentation, you identified Baker Hughes as a responsible corporate citizen committed to protect community health, safety, and the environment. We expect that you will exercise that responsibility by complying with the Massachusetts Contingency Plan regulations and when possible restoring the site to the conditions that would have existed if the property had never been contaminated.



We look forward to ongoing participation in the Public Involvement Plan.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Muti".

Joanne Muti

cc: PIP petitioners

Michael Boynton, Walpole Town Administrator

Landis Hershey, Walpole Conservation Agent

Robin Chapell, Walpole Board of Health

Judy Barber, MassDEP – Northeast Regional Office

Senator James Timilty

Representative Richard Ross

James Gordon, Office of Congressman Stephen Lynch

**CONSERVATION  
COMMISSION**



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**Town of Walpole**  
Commonwealth of Massachusetts

January 26, 2006

Mr. Clayton Curtis, Health and safety and Environmental Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, Texas 77027-5177

RE: 100 Neponset Street, Walpole

Dear Mr. Curtis:

The Walpole Conservation Commission has the following questions regarding the Environmental site assessment at the Bird Property site:

1. What environmental site assessments have been conducted on the Cofesky property since it is also part of the future design for the use of the property and the land was part of the Order of Resource Area delineation issued by the Conservation Commission.
2. As there been any site investigation in the area shown as Site Boundary RTN 3-02469 on the site plan RTN 23575, date Jan. 2005. The area is right north of Rucaduck Pond before the rail road tracks.

Thank you for attention to these issues. If we already sent you these comments I apologize for the duplicate. If you have questions please call 508 660-7253 or email [Lhershey@th.walpole.ma.us](mailto:Lhershey@th.walpole.ma.us).

  
Landis Hershey  
Conservation Agent

Cc: Weston Solutions, Arthur Cunningham

**Board of Health**

William Morris, Chairman  
Mary Dolan-Ciapiak, Clerk  
Richard Bringhurst, MD  
Claire Wolfram  
Carol Johnson



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**Town of Walpole**  
Commonwealth of Massachusetts

January 19, 2005

Mr. Clayton Curtis  
Health, Safety, and Environmental Manager  
Baker Hughes Incorporated  
3900 Essex Lane  
Houston, TX 77027-5177

Re: Draft PIP; Former Bird machine Company Property, 100 Neponset Street,  
Walpole, MA 02081

Dear Mr. Curtis,

Thank you for giving me the opportunity to comment on the draft PIP for the above site. The Walpole Board of Health's mission is to promote good public health, prevent disease and protect the environment. We expect the site to be cleaned up to the best that it can be cleaned up and at the very least to a condition where it poses No Significant Risk to the residents of Walpole. That being said these are my comments on the Draft Public Involvement Plan.

**Informing the Public:** As you and I have discussed, it would be advantageous to have certain materials posted on the Town's website. I have asked you to contact Pat Krusko, Computer Systems/Network Administrator, at 508-660-7272 to coordinate this effort. She is aware that you will be calling her. At a minimum, we can post your PowerPoint presentation from the January 4, 2006 public meeting, an inventory of all the documents that are in the repository, an outline when milestones are supposed to get done and if they were completed, meeting notices, the Public Information Plan and the Public Health Statements for Compounds of Potential Concern.

**Clean-up Standards:** It is important that you address in the Public Involvement Plan what clean-up standards you will be using. It is important to discuss what standards are mandatory and what the Town can expect. One of the purposes of the Town's involvement is for you "to solicit the concerns of the public about the Site and response actions so that, to the extent possible, these concerns can be addressed and incorporated in planning response actions." *The clean up standards must consider all potential future development options.* Right now the Town is discussing certain options and there is not yet a consensus on what the future

development of the site might be. If Baker Hughes has already decided that they will only be cleaning it up to industrial standards, they need to convince the Town that they cannot clean it up to more protective standards. As stated in the fact sheet from DEP on *Massachusetts' Approach to Waste Site Cleanup: Chapter 21E and the Massachusetts Contingency Plan* that was enclosed in the draft report, "the standard used for deciding when a cleanup is complete is when a condition of **No Significant Risk** of harm to health, safety, public welfare, or the environment is achieved or demonstrated. When possible, the property should be restored to the conditions that would have existed if the property had never been contaminated." I also think it is too premature to state at public meetings that it will only be cleaned up to industrial standards before the extent of the contamination is complete, clean up options have been examined and costs have been estimated.

**Nature and Extent of Contamination:** For site RTN 3-23575, the release of hydrocarbons to the Neponset River, I am still somewhat concerned that the testing of the contamination stopped at the border of the Baker Hughes property. Please address in the final PIP report, what additional testing you will do, if necessary, to make sure that the contamination is not migrating off site. Also it would be helpful if you discussed how you chose your "comparative river" to identify what the natural conditions should have been in that area of the Neponset River had there been no release from Bird Machine Company.

**Notification of major milestones and events:** It would be useful if the notification of any field work related to response actions involving the implementation of Phase IV remedial actions, the use of respirators or protective clothing or the start of any residential sampling also be posted on the Web.

**List of Community Concerns:** You correctly listed truck traffic through the neighborhood and noise as community concerns in Exhibit 1 in the draft report. How will these concerns be addressed during the remedial process?

I look forward to working with you, Baker Hughes, and Weston Solutions, Inc for a successful completion of the MCP process.

Sincerely,



Robin L. Chapell, R.S.  
Walpole Health Director