

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION
RCRA CORRECTIVE ACTION PROGRAM

**STATEMENT OF BASIS
FOR A
CORRECTIVE ACTION COMPLETION DETERMINATION**

FOR

SAFETY-KLEEN SYSTEMS, INC.
128 ELM STREET, BRIDGEWATER, MASSACHUSETTS
EPA ID No. MAD000846006

AUGUST 10, 2009

Based upon investigation activities conducted at the Safety-Kleen Systems, Inc. facility, located at 128 Elm Street in Bridgewater, Massachusetts, MassDEP is announcing its Completion Determination remedy proposal that Corrective Action obligations under the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act are “Complete without Controls.”

INTRODUCTION

The Massachusetts Department of Environmental Protection (hereinafter, “MassDEP”) is announcing its Completion Determination remedy proposal under the Massachusetts Hazardous Waste Regulations 310 CMR 30.000 and the Resource Conservation and Recovery Act (RCRA). This proposal states that Corrective Action obligations at the Safety-Kleen System, Inc. facility, located at 128 Elm Street in Bridgewater, Massachusetts (hereafter, “Facility” or “Site”) are “Complete without Controls”. Investigation activities conducted at the Facility demonstrate that releases of hazardous wastes or hazardous constituents do not pose a threat to human health or the environment for the proposed risk exposure and current and future land use assumptions. MassDEP’s proposed Completion Determination is based on the results of investigation and reporting activities conducted by the Facility using the standards contained in the Massachusetts Contingency Plan, 310 CMR 40.0000 *et seq.* (hereafter, “MCP”) under direct MassDEP oversight.

This document summarizes the regulatory status of the Facility, the results of various investigation and remediation activities performed at the Facility and the reasons for proposing that a Completion without Controls determination is appropriate. MassDEP is publishing this document to provide opportunity for public review and comment on this proposal. MassDEP will consider public comments as part of its decision making process.

This Statement of Basis is intended to:

- Explain the opportunities for **public participation**, including how the public may comment on this proposed Completion Determination and where the public can find more detailed information;
- Provide a brief **description and history of the Facility**;

- Present the principal **findings of investigations and activities** performed to date; and,
- Present **MassDEP's rationale** for proposing that Corrective Action obligations under the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act are Complete without Controls for the proposed current and future land use of the Site.

THE PUBLIC'S ROLE IN EVALUATING THIS CORRECTIVE ACTION PROPOSAL / RECOMMENDATION

All interested persons are invited to express their views on this proposal. Public comment on all potential Corrective Action proposals or measures, and supporting information, is an important contribution to MassDEP's decision making/remedy selection process.

Public Comment Period

Written comments on this proposal will be accepted throughout a 30-day public comment period.

The public comment period will last thirty (30) days from August 12, 2009 thru September 11, 2009 in order to provide an opportunity for public comment and involvement during the evaluation of this proposal. During this public comment period, the public is invited to review this Statement of Basis and supporting information, and to offer comments to MassDEP.

A final decision regarding this proposed Completion Determination will not be made until the public comment period has closed and all comments received by MassDEP have been evaluated and addressed. Based on any new information or comments from the public, MassDEP may modify its proposal.

Written Comments

If, after reviewing the information on the Facility, you would like to comment in writing on this proposal, or on any other issues related to this proposal, you should mail your written comments (postmarked no later than September 11, **2009**) to:

Massachusetts Department of Environmental Protection
Business Compliance Division
One Winter Street
Boston, MA 02108
Attention: Jeffrey Chormann

Please be sure to clearly indicate that you are commenting on this proposal. Questions may be directed to Jeffrey Chormann at (617) 292-5888, Jeffrey.Chormann@state.ma.us.

Public Hearing

The MassDEP may hold a Public Hearing, upon written request, to accept oral comments on the MassDEP proposal. MassDEP may also hold a Public Hearing if, on its own, MassDEP determines that there is significant public interest in this decision. The hearing would provide the opportunity for the public to comment after reviewing all State documents including this Statement of Basis and all other supporting documents. Comments will be summarized and a response to comments will be prepared and distributed to all who commented and any other interested party per MassDEP procedures. MassDEP will not provide responses to questions during the hearing.

You may request a public hearing by contacting Jeffrey Chormann, in writing, by *, 2009 at:

Massachusetts Department of Environmental Protection
Business Compliance Division
One Winter Street
Boston, MA 02108
Attention: Jeffrey Chormann

or contact Jeff Chormann at 617-292-5888.

MassDEP Review of Public Comments; MassDEP's Decision Making Process

MassDEP will review comments received from the public as part of the process of reaching a final decision regarding the most appropriate action at the Facility.

If MassDEP receives comments, then a brief decision making document (Decision Document) will be prepared by MassDEP in order to address all significant comments received during the public comment period. If the comments result in significant changes to this proposal, MassDEP will seek additional public comments on a revised proposal.

If no comments are received that result in significant changes to this proposal, MassDEP's final decision will be issued in a brief letter to the Facility and interested parties of record.

Additional Public Information

This Statement of Basis provides only a summary description of the investigation and activities performed at the Facility. Therefore, the public is encouraged to consult the **Administrative Record**. As explained in more detail below, the Administrative Record is that collection of information (including data, reports, etc.) that MassDEP relied upon for its proposed remedy

decision. In this case, the Administrative Record contains this Statement of Basis; A Response Action Outcome Statement Equivalent describing the Facility's release and operation history, the results of site investigations, and the remediation activities conducted under State regulation; the draft Fact Sheet prepared by the MassDEP; and the MassDEP public notice.

The Administrative Record is available for review at the following locations:

The Bridgewater Public Library, 15 South Street, Bridgewater, MA 02324
(508) 697-3331

and

The MassDEP Boston office, 1 Winter Street, Boston, MA, contact Jeff Chormann
(617) 292-5888

BACKGROUND

The following information has been used as the basis for this Completion Without Controls remedy proposal and may be found in the Administrative Record at the locations provided above:

1. *Final Closure Report, Safety-Kleen, 128 Elm Street, Bridgewater, Massachusetts*, (hereafter, “**Closure Report**”), dated April 26, 1999.
2. *Risk Evaluation, Safety-Kleen, 128 Elm Street, Bridgewater, Massachusetts*, (“**Risk Evaluation**”), dated August 3, 2009.

Facility History

The Safety-Kleen, Bridgewater Facility (hereafter, “**SK-BW**”) located at 128 Elm Street in Bridgewater, Massachusetts (EPA ID No. MAD MAD000846006) is currently operating as an active Resource Conservation and Recovery Act (hereafter, “RCRA”) hazardous waste storage facility under a license (often referred to as a “Part B” license) issued by the Commonwealth of Massachusetts Department of Environmental Protection (hereafter, “**MassDEP**” or “**State**”).

The facility was operational between 1976 and May 7, 2008 as a MassDEP licensed hazardous waste storage facility. The facility has been licensed for the storage of various hazardous wastes including solvents and parts cleaning solutions. In addition to the storage and distribution of solvents, past activities at the site included the storage of diesel fuel for use in fueling Safety-Kleen trucks. Diesel fuel was stored in a 1000-gallon above ground steel tank that was located in the main storage area. The tank was reportedly installed in March 1988 and removed in November 1989.

The facility is approximately 50,000 square feet in an industrial zoned area. Abutting land use is mixed residential, commercial and industrial. Adjacent to the site to the northeast is Elm Street, to the northwest and southeast by developed residential parcels and to the west and southwest is undeveloped land.

The main structures at the site consist of an office building with an attached warehouse space and an enclosed loading dock area. The facility building is located along the southeastern side of the property. A storage shed is located at the rear of the building at the southwestern corner of the property. The facility parking lot is paved with asphalt and is accessible through one concrete-paved driveway entrance off Elm Street. A portion of the property to the northwest and west of the parking lot was surveyed in 1988 by Rizzo Associates as a wetland area. The on-site wetland area extends into nearby properties to the west and northwest. A catch basin at the northern corner of the property drains into an approximately 200-foot long culvert pipe that crosses Elm Street (approximately 2 feet below grade) in an easterly direction and discharges into a drainage swale on the opposite side of Elm Street. This system acts as an easement for runoff water from Elm Street.

Two 10,000 gallon and one 1,000 gallon steel underground storage tanks (USTs) were formerly located to the north of the building beneath a concrete pad. These tanks were reportedly installed in November 1976 and were removed in April 1992.

Corrective Action obligations at the site have been regulated, since the late 1990's under direct oversight by MassDEP, Bureau of Waste Prevention using the Massachusetts 21E Program and its implementing regulations, the Massachusetts Contingency Plan, 310 CMR 40.0000 as guidelines for clean-up standards.

Release History

Between 1976 and 2008, Safety-Kleen conducted solvent storage service at this facility. Safety-Kleen collected and transported various hazardous wastes including waste immersion cleaners and carburetor and parts cleaning solutions.

Since 1990, remedial response actions have been conducted to address releases from the USTs, surface releases, or other waste handling activities. Groundwater samples have been collected from the site on a periodic basis since 1993. On May 29, 1990 a release of approximately 50 gallons of waste mineral spirits was reported to the MassDEP. On March 19, 1991 approximately 30 gallons of perchloroethylene (PCE) was spilled onto the asphalt and adjacent soil near monitoring well GT-8. In 1992 during removal of two 10,000 gallon USTs and a 1,000 gallon UST potential soil and groundwater impacts were observed.

According to the current MassDEP Priority Resource Map, the subject property is not located within Zone II of a public drinking water supply, within an interim wellhead protection area, within Zone A of a Class A surface water body, or over a medium- or high-yield potentially productive aquifer. A medium yield potentially productive aquifer is located immediately northeast of the site. Wetland areas are also located immediately northeast and southwest of the site and the site is located within an area classified as an area of critical environmental concern (ACEC). Groundwater in the area is classified as GW-2 and GW-3. Businesses and residencies in the area receive piped municipal drinking water.

Results of Remediation Conducted at the Facility

Approximately 5 cubic yards of impacted soil was excavated and removed from the site in 1991 and approximately 9 cubic yards was excavated and removed in 1995 in response to a spill of PCE adjacent to well GT-8.

Between 1993 and 1995 Safety-Kleen operated an air sparge and soil vapor extraction system in both the former UST area and the area adjacent to well GT-8 where the PCE spill occurred.

A Final Stabilization Measure Plan dated July 9, 1997 proposed limited excavation to address impacts to soil identified above regulatory standards. This plan was submitted to the MassDEP and for public comment in 1997. A public comment period of 20 days was allocated for public comments on the Final Stabilization Measure Plan and none were

received. Approximately 490 cubic yards of soil was excavated in 1997 in the former UST area to remove soil impacted above MCP Method 1 standards. The excavation extended to a maximum depth of approximately 13 feet below ground surface. Soil samples were collected after soils were excavated and the results were reported in the Closure Report.

MassDEP Review and Proposed Decision

The Closure Report utilized the Massachusetts Contingency Plan (MCP) Method 1/3 Risk Characterization as a basis for its opinion that it has achieved a Class A-2 Permanent Solution at the site, by virtue of achieving a level of *No Significant Risk* for current and future human health, public welfare and the environment. The Closure Report concluded that the site did not pose a risk to human health and the environment as defined by the MCP. The Closure Report was submitted to the MassDEP in 1999 and was approved by the MassDEP in 2002 with modifications.

Groundwater samples have been collected two to three times a year since 2002 to ensure that the Class A-2 RAO was maintained.

The Risk Evaluation was performed to assess whether the Class A-2 RAO is maintained for current and foreseeable conditions. The Risk Evaluation concluded that the Class A-2 RAO has been maintained. Safety Kleen believes it has met the MCP standards for clean-up at the facility and that no further corrective action activities are required to protect public health or the environment. Based on its review, MassDEP proposes that the facility has met, and continues to meet, the criteria for a Class A-2 permanent solution.

MassDEP'S RATIONALE FOR DISCONTINUATION OF THE FACILITY'S CURRENT CORRECTIVE ACTION OBLIGATIONS

As briefly described above, MassDEP believes a Corrective Action "Complete without Controls" Decision is appropriate for the following reasons:

1. A full set of corrective measures has been defined and completed.

As a result of a sequence of investigation and remediation activities conducted under the purview of the MassDEP, Bureau of Waste Prevention and utilizing the MCP standards culminating with attainment of Method 1/3 standards as explained in the Closure Report. The Risk Evaluation concluded that the Class A-2 conditions have been maintained.

2. The facility has completed construction and installation of all required remedial actions.

Remediation of the former UST area was completed in 1997 and soil and groundwater monitoring helped to confirm that the facility was successful in reaching and maintaining a level of *No Significant Risk* to human health, safety, public health and the environment for current and future use using the MCP guidelines. The Risk Evaluation concluded that the Class A-2 conditions have been maintained.

3. Site-specific media cleanup objectives have been met.

Following remediation, the applicable MCP standards were met for groundwater and soils. According to the Closure Report, these media do not pose a risk to human health, public safety, welfare or the environment under current or future use. These media concentrations are commensurate with media protection standards and the Response Action Outcomes established by the State in its MCP. The Risk Evaluation concluded that the condition of No Significant Risk has been maintained for the property.

It is important to note again that this is an unrestricted use or walk-away decision.

In summary, MassDEP, using all available information, is announcing its proposed Corrective Action “Completion without Controls” Decision. Since investigations performed at the Facility demonstrate that releases of hazardous wastes have been remediated and maintained to applicable standards promulgated by the Commonwealth of Massachusetts and do not pose a threat to human health or the environment under current and future site uses, a Completion without Controls Decision is reasonable and appropriate.