



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Governor

RICHARD K. SULLIVAN JR.  
Secretary

DAVID W. CASH  
Commissioner

April 8, 2014

General Chemical Corporation  
c/o Michael Persico, President  
201 South First Street  
Elizabeth, NJ 07206

Hazardous Waste Facility Closure  
General Chemical Corporation  
Hazardous Waste License No. 27B/2006  
US EPA ID No. MAD019371079  
133 Leland Street  
Framingham, MA 01702

Dear Mr. Persico:

The Massachusetts Department of Environmental Protection (MassDEP), Business Compliance Division, has completed its review of the General Chemical Corporation (GCC) Hazardous Waste Management Unit & Facility Closure Certification (Closure Certification) prepared by Prime Engineering, Inc., dated November 13, 2012 and the additional Supplement to that document dated March 14, 2013.

The Closure Certification and Supplement were submitted in accordance with the Massachusetts Hazardous Waste Regulations, at 310 CMR 30.587, which requires that within 60 days of completion of final closure of a hazardous waste facility, the owner or operator shall certify that the facility has been closed in compliance with the requirements of the Massachusetts Hazardous Waste Regulations at 310 CMR 30.000, *et seq.*, and in accordance with an approved closure plan.

On March 1, 2012, GCC notified MassDEP of its intent to close its licensed hazardous waste storage facility in accordance with the Massachusetts hazardous waste regulations and the approved closure plan (Plan) included in GCC's hazardous waste license. GCC subsequently informed MassDEP of its intent to surrender its License for the facility after closure.

On May 25, 2012, GCC submitted supplemental information providing additional detail regarding planned closure activities in a document titled "General Chemical Corporation, Facility Closure Plan, Hazardous Waste Management Facility, MA License No. 27B/2006" (Plan Supplement). This document was revised several times since that date.

MassDEP reviewed the Plan, Plan Supplement, other information provided by GCC in meetings, comments from the Town of Framingham Board of Health, Fire Department, School Department, and from other town officials, as well as comments received from interested citizens in evaluating the proposed cleaning, decontamination, and air monitoring activities as part of the closure process.

On June 21, 2012, MassDEP authorized GCC, subject to conditions, to proceed with a pilot of cleaning and air monitoring activities on June 26, 2012. The purpose of the pilot was for GCC to conduct a variety of cleaning techniques while conducting air monitoring to determine if such activities resulted in emissions that might exceed levels of potential concern to public health. MassDEP's mobile laboratory was present during the pilot to ensure adequate monitoring of cleaning work, to conduct sampling and to observe GCC's cleaning and air monitoring system. Both MassDEP's and GCC's testing did not reveal air emissions at levels of health concern during the pilot cleaning.

As a result of the pilot testing and on-going discussions about the closure work, GCC then submitted to MassDEP further revisions (Revisions) to the Plan Supplement addressing the following:

1. Revisions to Decontamination Acceptance Criteria, dated July 23, 2012;
2. Revisions to Air Monitoring During Full Scale Closure;
3. Revisions to GCC Decontamination Timeline, Attachment 11; and
4. Revisions to the PCB Decontamination and Acceptance Criteria in Attachment 6 and Exhibits 1 and 2, dated July 23, 2012.

A timeline addressing the closure of the facility was also provided.

On July 24, 2012 MassDEP authorized GCC to proceed with the cleaning and air monitoring activities described in the Plan, Plan Supplement and the Revisions listed in

1. through 4. above, in compliance with the requirements of the hazardous waste closure regulations, GCC's hazardous waste facility license, and the conditions and requirements in the July 24, 2012 letter.

MassDEP oversaw the closure activities and work, provided public access to daily records, and documented all closure activities, including GCC's air monitoring program conducted during closure.

On November 19, 2012, GCC and its consultant, Prime Engineering, submitted to MassDEP a Closure Certification stating that the GCC facility was closed in compliance with the requirements of 310 CMR 30.000 and of the approved Closure Plan (Attachment VI of GCC's License 27B/2006) and Plan Supplements. Additionally, GCC also certified that the hazardous waste management units, as well as other areas required by MassDEP to be included in the GCC facility closure, have been closed in accordance with all applicable written requirements provided to GCC by MassDEP, that the survey plat required by 310 CMR 30.586 has been recorded in the Middlesex County Registry of Deeds, and that copies of the survey plat have been submitted to MassDEP and the Framingham Board of Health.

The Closure Certification contains the closure implementation chronology, the decontamination steps, and air monitoring and sampling to demonstrate decontamination of the areas at the facility where licensed hazardous waste management activities were conducted. The closure work included removal of all hazardous waste in tanks and containers and decontamination of all equipment and containment structures associated with hazardous waste management. MassDEP and the Town of Framingham commented on the Closure Certification.

On February 15, 2013, MassDEP sent to GCC a request for information associated with the above Closure Certification document. The request also required GCC to respond to comments received from the Framingham Board of Health. GCC responded in a supplement to the Closure Certification dated March 14, 2013.

Based on the review of the information provided in the Closure Certification and the Certification Supplement, and MassDEP's closure inspection on November 6, 2013, GCC has met the applicable closure requirements of 310 CMR 30.000, *et seq.* and the requirements specified in the Plan, Plan Supplement, Revisions to the Plan Supplement, and MassDEP's authorization to proceed with closure work dated July 24, 2012.

Therefore, MassDEP accepts GCC's certification of closure for the GCC hazardous waste facility and, pursuant to 310 CMR 30.904(8), hereby notifies GCC that it is no

Michael Persico  
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longer required to maintain financial assurance for closure of the GCC facility. (The closure portion of GCC's financial assurance is in the amount of \$140,000.00).

This letter addresses only the closure of the hazardous waste management units at the facility and the hazardous waste facility operations. This acceptance of the Closure Certification does not relieve GCC of its continuing obligations for corrective action and post closure care requirements under MassDEP Hazardous Waste Regulations, 310 CMR 30.000, *et seq.*, including financial assurance for corrective action and post-closure care. Nor does such acceptance relieve GCC of its obligations under the Massachusetts Contingency Plan regulations at 310 CMR 40.0000, or under any other applicable federal, state or local law or regulation.

All applicable 310 CMR 30.000 groundwater monitoring, unsaturated zone monitoring, corrective action and post-closure care requirements will be addressed in an Administrative Consent Order, issued pursuant to 310 CMR 30.602(10). (Administrative Consent Order entered into by and between MassDEP, GCC and Trinity General Corporation and dated March 26, 2014 ("ACO")). The ACO shall serve as the mechanism for MassDEP to ensure compliance with both the requirements of M.G.L. c. 21C and 310 CMR 30.000, *et seq.*; and M.G.L. c. 21E and 310 CMR 40.0000, *et seq.* MassDEP's acceptance of the Closure Certification and release of the financial assurance for closure is conditioned upon the execution of the ACO and the increase of the existing financial assurance mechanism for Corrective Action as required in the ACO. The ACO was executed on March 26, 2014, and the financial assurance mechanism for Corrective Action was increased to the amount required by the ACO on April 4, 2014.

Additionally, MassDEP's acceptance of the Closure Certification is conditioned upon the surrender by GCC of its Hazardous Waste Facility License No. 27B/2006 to MassDEP in a form acceptable to MassDEP, which occurred on March 26, 2014.

If you have any questions, you may contact Al Nardone at 617 292-5580.

Sincerely,



James Doucett, Deputy Director  
Business Compliance Division  
Bureau of Waste Prevention

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Ecc: Leigh Gilligan, Esq., McCarter & English, LLP  
Steven Ganley, GCC  
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Robert Halpin, Framingham Town Manager  
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Beverly Hugo, Chair, Framingham School Committee  
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