



CONSULTING ENGINEERS & LAND SURVEYORS
WWW.DUCHARMEWHEELER.COM

File: 3775-E

April 9, 2004

Ms. Denise Child
Massachusetts Department of Environmental Protection
627 Main Street
Worcester, MA 01608

RE: Former Esquire Cleaners
211 West Main Street
Ayer, Massachusetts
MA DEP RTN: 2-14537
Transmittal #W045319

Dear Ms. Child:

Ducharme & Wheeler, Inc. (Ducharme & Wheeler), on behalf of Le-Mac Realty Trust (Le-Mac), is submitting a revised Numerical Ranking System (NRS) Scoresheet (BWSC-107A), Tier Classification Transmittal Form (BWSC-107), and compliance history for the above-referenced site, as requested.

The revised Tier Classification is necessary due to the results of indoor air sampling conducted on February 10, 2004. According to the results of the air sampling, concentrations of tetrachloroethylene (PCE) were reported at concentrations that constituted an Imminent Hazard.

A Phase I Initial Site Investigation (ISI) and Tier Classification for RTN 2-14537, dated January 21, 2004 and completed by Ducharme & Wheeler, was submitted to the MA DEP. The site was classified as a Tier IB.

A Notice of Extended Review, dated March 11, 2004, was sent to Le-Mac by the Massachusetts Environmental Protection (MA DEP), requiring that a revised NRS Scoresheet be submitted by April 2, 2004. During a telephone conversation between Ms. Denise Child of the MA DEP and Attorney Robert D. Cox, Jr. of Bowditch & Dewey, LLP, the deadline for the submittal of the revised NRS Scoresheet was extended to April 9, 2004.

Release History

C93-0281

On June 7, 1993, the Emergency Response Branch assigned case number C93-0281 to the disposal of PCE on the ground behind the dry cleaners. According to the information at the MA DEP, the case was closed on August 23, 1993. No other information regarding this release was available at the MA DEP.

NANTUCKET OFFICE
5 WINDY WAY, P.O. BOX 937
NANTUCKET, MA 02554
PHONE: 508-228-0240
FAX: 508-228-9856

MAIN OFFICE
1092 MAIN STREET, P.O. BOX 428
BOLTON, MA 01740
PHONE: 978-779-6091
FAX: 978-779-0260

MARTHA'S VINEYARD OFFICE
P.O. BOX 1912
VINEYARD HAVEN, MA 02568
PHONE: 508-693-0669

RTN 2-14079 and 2-14537

On May 3, 2002, the MA DEP received a downgradient property status submittal (DPS) from Shell Oil Products Company (Shell) for release tracking number (RTN) 2-14079. The DPS stated that PCE and trichloroethylene (TCE) detected in groundwater at the former Shell gasoline station located at 215 West Main Street originated from the former Esquire Cleaners at 211 West Main Street (the site). As a result of the DPS, the MA DEP sent a Notice of Responsibility (NOR), dated November 12, 2002, to Le-Mac assigning RTN 2-14537 to the release. According to the NOR, November 8, 2002 is considered the date of release notification.

RTN 2-15103

On October 13, 2003, a groundwater sample was collected from MW-7 and analyzed for VOC by EPA Method 8260. Naphthalene in the groundwater sample exceeded the applicable Method 1 Reportable Concentration for groundwater category RCGW-1. A Release Notification and Notification Retraction form (BWSC-103) for this reporting condition was submitted to the MA DEP on January 21, 2004. MA DEP assigned RTN 2-15103 to this 120-day reporting condition.

RTN 2-15153

On March 8, 2004, at 2:25 PM, Richard Cushing of Ducharme & Wheeler reported the presence of an Imminent Hazard to Nick Child of the MA DEP. RTN 2-15153 was assigned to this release condition. An Immediate Response Action (IRA) Plan was verbally approved. The IRA Plan included the placement of a barrier composed of sheet plastic within the basement to isolate the basement from the first floor of the building, ventilation of the basement, and expedited indoor air sampling. The Ayer Board of Health, the Ayer Fire Department, and the site tenant were notified of the presence of an Imminent Hazard. On March 9, 2004, at the request of the MA DEP, the site was evacuated and will not be reoccupied until the Imminent Hazard has been abated.

Statement of Compliance History

This section provides a statement of history of compliance of Le-Mac Realty Trust with MA DEP's requirements.

Release history for the 211 West Main Street property is provided in the section above. The Phase I/Tier Classification Report was not submitted to the MA DEP with one year of the effective date of notification (November 8, 2002).

No other instances of non-compliance with the MCP and other laws for the protection of health, safety, public welfare and the environment are known to exist.

Change in Contact for Le-Mac Realty Trust

Effective with this submittal, the contact name and address for Le-Mac Realty Trust has been changed to: Jerome Benson, Trustee, 1990 Massachusetts Avenue, Lunenburg, MA 01462.

Current Status

According to the revised NRS Scoresheet, the site has a score of 562, which classifies the site as a Tier IA disposal site. Due to the presence of both an Imminent Hazard and a Zone II, the site also meets the Tier I inclusionary criteria set forth in 310 CMR 40.0520(2).


Once the Tier IA Permit application for RTN 2-14537 has been approved, a Minor Permit Modification will need to be submitted to the MA DEP for the inclusion of RTN 2-14079, 2-15103, and 2-15153.

Should you have any questions, or require additional information, please do not hesitate to contact either of the undersigned at (978) 779-6091.

Very truly yours,

DUCHARME & WHEELER, INC.


Jennifer A. Roberge
Project Engineer


Philip J. Wheeler, P.E.
Principal

cc: Attorney Robert D. Cox, Jr., Bowditch & Dewey, LLP, 311 Main Street, P.O. Box 15156, Worcester, MA 01615-0156

ATTACHMENTS

Figure 1 – Locus Plan
Figure 2 – Site Plan
Figure 3 – MassGIS Plan

Tier Classification Transmittal Form (BWSC-107)
Numerical Ranking System Scoresheet (BWSC-107A)
Public Information Letter
Legal Notice

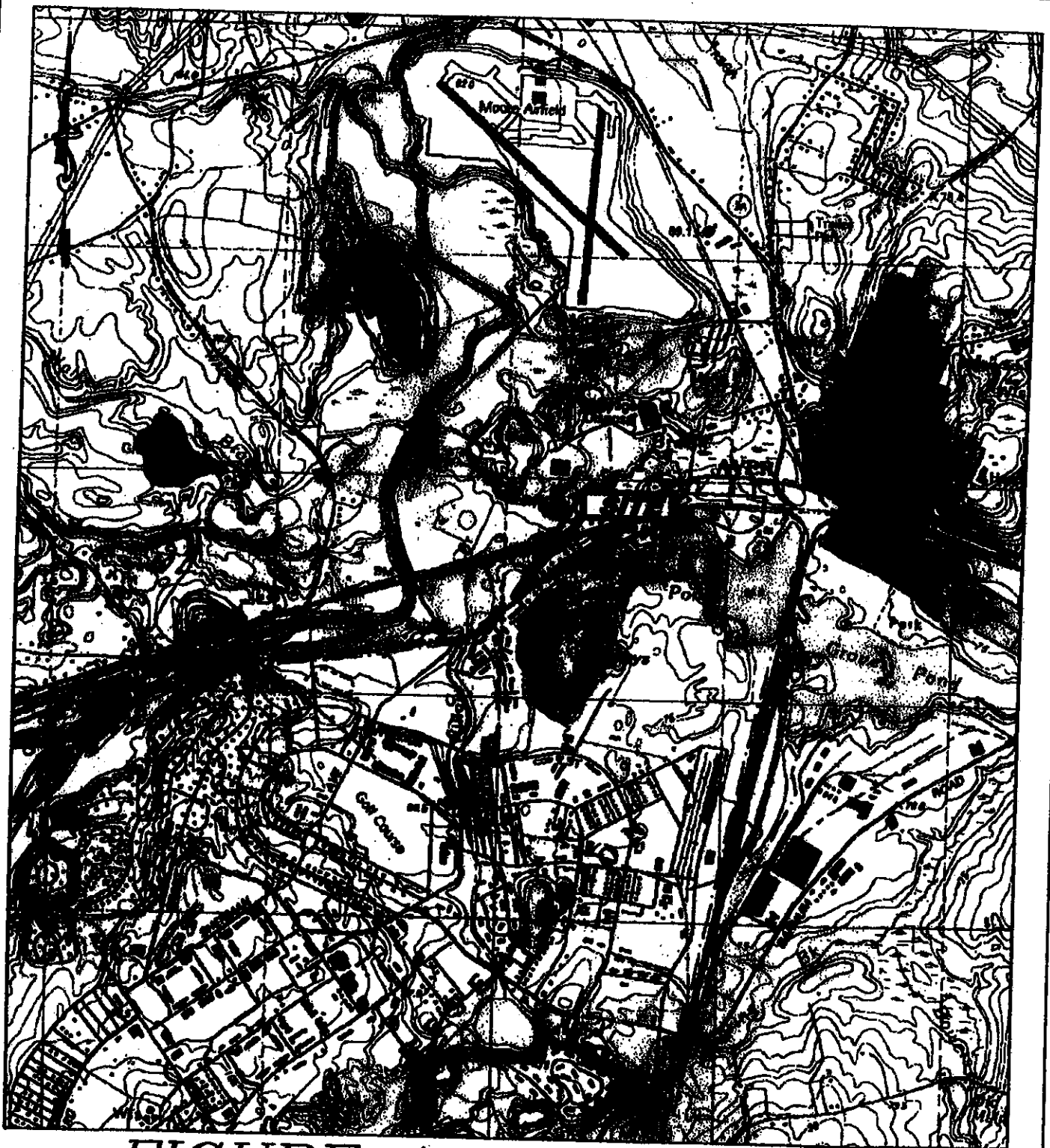


FIGURE 1-LOCUS PLAN

211 MAIN STREET
AYER, MA

SCALE: 1:25 000

CONTOUR INTERVAL: 3 METERS

DATE: MARCH 7, 2003

PREPARED BY: DUCHARME & WHEELER, INC.
1092 MAIN STREET, P.O. BOX 428
BOLTON, MASS. 01740

SOURCE: 1988 USGS Topographic Map
Ayer, Mass. Quadrangle

3775-E



ND:

- 1 MONITORING WELL W/IDENTIFICATION
- UTILITY POLE
- CATCH BASIN
- SIGN POST
- APP WATER GATE
- EXTI
- DISP- WATER LINE
- BOU- GAS LINE
- SEWER LINE
- V- OVERHEAD WIRE
- OIL FILL
- OIL VENT
- SOIL GAS POINT
- WOODS
- CONIFEROUS TREE

MONITORING WELL #	TOP OF PVC EL.
IW-1	98.98
IW-2	98.49
IW-3	98.75
IW-3D	98.90
IW-4	99.09
IW-5	99.62
IW-6	99.18
IW-7 TOP OF STAND PIPE	101.67
IW-203	99.30
IW-301	99.89
IW-302	100.66
IW-303	100.29
IW-304	99.55

S ARE BASED UPON AN ASSUMED DATUM.



DUCHARME & WHEELER, INC.

JRE 2 - SITE PLAN
 AYER, MASSACHUSETTS
 211 WEST MAIN STREET

DESIGN BY: JWF 4/22/03	DRAWN BY: JWF 4/22/03	CHECKED BY: DHB 4/23/03
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PREPARED FOR: LEMACK REALTY TRUST
 211 WEST MAIN STREET
 AYER, MA

MA DEP - Bureau of Waste Site Cleanup

Site Scoring Map: 500 feet & 0.5 Mile Radii

SITE NAME:

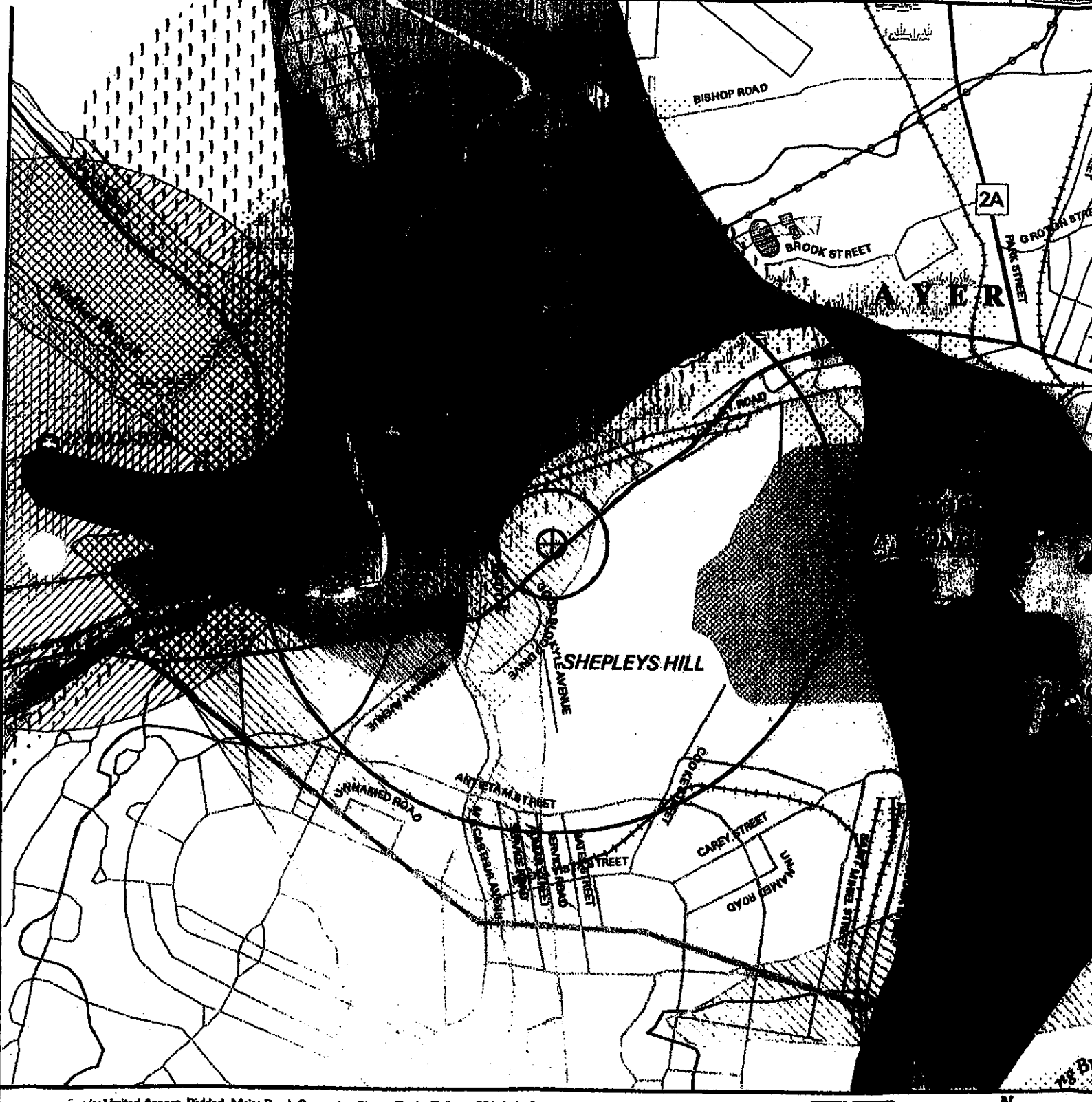
Former Esquire Cleaners
211 West Main Street
AYER, MA
4° 14453n 286042ew



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

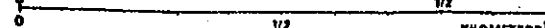


Massachusetts Executive Office of Environmental Affairs - 2003



<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> EPA Sole Source Aquifer; FEMA 100-year floodplain Public Water Supplies: Ground, Surface, Non Community Approved Zone 2; MWPA; 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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SCALE 1:15000



March 07, 2003



TIER CLASSIFICATION TRANSMITTAL FORM
Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

2 - 14537

A. DISPOSAL SITE LOCATION:

1. Disposal Site Name: _____
2. Street Address: 211 West Main Street
3. City/Town: Ayer 4. ZIP Code: 01432-1227

B. THIS FORM IS BEING USED TO: (check all that apply)

- 1. Submit a new Tier Classification Submittal for a Tier I Site, including a Numerical Ranking Scoresheet (BWSC107A) (check one) A Tier I Permit Application must also be submitted.
 - a. Tier IA b. Tier IB c. Tier IC
- 2. Submit a new Tier Classification Submittal for a Tier II Site, including the Numerical Ranking Scoresheet (BWSC107A) and the Tier II Compliance History (BWSC107B)
- 3. Submit a Phase I Completion Statement as per 310 CMR 40.0480
If previously submitted, provide date 01/24/2004 mm/dd/yyyy
- 4. Submit a Phase II Scope of Work as per 310 CMR 40.0834
If previously submitted, provide date 01/24/2004 mm/dd/yyyy
- 5. Submit a Phase II Conceptual Scope of Work supporting a Tier Classification Submittal
- 6. Submit a Tier II Extension Submittal for Response Actions at a Tier II Site including the Tier II Compliance History (BWSC107B)
- 7. Submit a Tier II Transfer Submittal for a change in person(s) undertaking Response Actions at a Tier II Site including the Tier II Compliance History (BWSC107B) and the Tier II Transferor Certification (BWSC107C)

Proposed effective date of transfer : _____
mm/dd/yyyy

- 8. Submit a Revised Tier Classification Submittal, including a Numerical Ranking Scoresheet (BWSC107A)
A Major Permit Modification may also need to be submitted.

If this revised submittal is re-classifying the site check the new classification.

- a. Tier IA b. Tier IB c. Tier IC d. Tier II

- 9. Submit a Notice that an additional Release Tracking Number(s) is (are) being linked to this Tier Classified Site (Primary RTN). Future response actions addressing the Release or Threat of Release notification condition associated with additional Release Tracking Numbers (RTNs) will be conducted as part of the Response Actions planned or ongoing at the Primary Site listed above. For a previously Tier Classified Primary Site, if there is a reasonable likelihood that the addition of the new secondary RTN(s) would change the classification of the site, a Revised Tier Classification Submittal must also be made.

Provide Release Tracking Number(s): a. - b. -

All future Response Actions must occur according to the deadlines applicable to the Primary RTN. Use only the Primary RTN when making future submittals for this site unless specifically relating to response actions started before the linking occurred.



TIER CLASSIFICATION TRANSMITTAL FORM
Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number
2 - 14537

C. LSP SIGNATURE AND STAMP:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and 309 CMR 4.03(2), and (iii) the provisions of 309 CMR 4.03(3), to the best of my knowledge, information and belief,

> if Section B of this form indicates that a Tier I or Tier II Classification Submittal including the Numerical Ranking System Scoresheet is being submitted, this Tier Classification Submittal has been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a Phase I Completion Statement is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a Phase II Scope of Work is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a Tier II Extension Submittal or a Tier II Transfer Submittal is being submitted, the response action(s) that is (are) the subject of this submittal (i) is (are) being implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal.

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

1. LSP #: 3063

2. First Name: Richard J. 3. Last Name: Cushing

4. Telephone: (978) 779-6091 5. Ext.: _____ 6. FAX: (978) 779-0260

7. Signature: Richard J. Cushing

8. Date: 04/09/2004
mm/dd/yyyy

9. LSP Stamp:



TIER CLASSIFICATION TRANSMITTAL FORM

Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

2 - 14537

D. PERSON MAKING SUBMITTAL:

1. Check all that apply: a. change in contact name b. change of address c. change in the person undertaking response actions

2. Name of Organization: Le-Mac Realty Trust

3. Contact First Name: Jerome 4. Last Name: Benson

5. Street: 1990 Massachusetts Avenue 6. Title: Trustee

7. City/Town: Lunenburg 8. State: MA 9. ZIP Code: 01462-1836

10. Telephone: (978) 582-4242 11. Ext.: _____ 12. FAX: _____

E. RELATIONSHIP OF PERSON MAKING SUBMITTAL TO DISPOSAL SITE:

1. RP or PRP a. Owner b. Operator c. Generator d. Transporter
 e. Other RP or PRP Specify: _____

2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

4. Any Other Person Making Submittal Specify Relationship: _____

F. REQUIRED ATTACHMENT AND SUBMITTALS:

1. Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.

2. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the submittal of any Phase Reports to DEP.

3. Check here to certify that a Legal Notice of a Tier Classification or Re-classification Submittal has been or will be made according to 310 CMR 40.1403, and a copy of the notice sent to DEP, the Chief Municipal Officer and the Local Board of Health.

4. For a Tier II Extension Submittal, check here to certify that a statement summarizing why a Permanent or Temporary Solution has not been achieved at the Disposal Site is attached.

5. For a Tier II Transfer Submittal, check here to certify that a statement summarizing the reasons for the proposed change in person(s) undertaking the Response Actions is attached. All Response Actions must be completed by the deadline applicable to the person who first filed either a Tier Classification Submittal for the Disposal Site or received a Waiver of Approvals.

6. Check here if any non-updatable information provided on this form is incorrect, e.g. Release Address/Location Aid. Send corrections to the DEP Regional Office.

7. Check here to certify that the LSP Opinion containing the material facts, data, and other information is attached.



TIER CLASSIFICATION TRANSMITTAL FORM

Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

2 - 14537

G. CERTIFICATION OF PERSON MAKING SUBMITTAL:

1. I, Jerome Benson, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

If submitting a Tier II Classification, Extension or Transfer, I also attest under the pains and penalties of perjury that (i) I/the person(s) or entity(ies) on whose behalf this submittal is made has/have personally examined and am/is familiar with the requirements of M.G.L. c. 21E and 310 CMR 40.0000; (ii) based upon my inquiry of the/those Licensed Site Professional(s) employed or engaged to render Professional Services for the disposal site which is the subject of this Transmittal Form and of the person(s) or entity(ies) on whose behalf this submittal is made, and my/those person's(s) or entity's(ies) understanding as to the estimated costs of necessary response actions, that/those person(s) or entity(ies) has/have the technical, financial and legal ability to proceed with response actions for such site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements; and (iii) that I am fully authorized to make this attestation on behalf of the person(s) or entity(ies) legally responsible for this submittal. I/the person(s) or entity(ies) on whose behalf this submittal is made is aware of the requirements in 310 CMR 40.0172 for notifying the Department in the event that I/the person(s) or entity(ies) on whose behalf this submittal is made learn(s) that it/they is/are unable to proceed with the necessary response actions.

2. By: Jerome Benson as trustee 3. Title: Trustee
Signature

4. For: Le-Mac Realty Trust 5. Date: 04/08/2004
(Name of person or entity recorded in Section D) mm/dd/yyyy

6. Check here if the address of the person providing certification is different from address recorded in Section D.

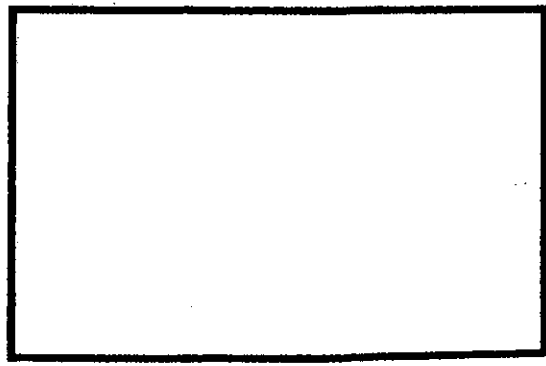
7. Street: _____

8. City/Town: _____ 9. State: _____ 10. ZIP Code: _____

11. Telephone: _____ 12. Ext.: _____ 13. FAX: _____

YOU ARE SUBJECT TO AN ANNUAL COMPLIANCE ASSURANCE FEE OF UP TO \$10,000 PER BILLABLE YEAR FOR THIS DISPOSAL SITE. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY):





NUMERICAL RANKING SYSTEM (NRS) SCORESHEET

Pursuant to 310 CMR 40.1511 (Subpart O)

Release Tracking Number

2 - 14537

A. NRS SCORESHEET SUMMARY SECTION:

1. Classification Submittal: (check one) a. Initial NRS Score b. Revised NRS Score

2. Disposal Site Score:

II	III	IV	V	VI	Total
340	92	85	45	0	562

3. Disposal Site Classification: (check one)

a. Tier IA b. Tier IB c. Tier IC d. Tier II

B. DISPOSAL SITE INFORMATION (NRS SECTION I):

1. UTM Coordinates: a. UTM N: 4714453 b. UTM E: 286042

2. Check which, if any, of the Tier I inclusionary criteria are met by the Disposal Site, pursuant to 310 CMR 40.0520(2):

a. Groundwater is located within an Interim Wellhead Protection Area or a Zone II, and there is evidence of groundwater contamination by an Oil or Hazardous Material at the time of Tier Classification at concentrations equal to or exceeding the applicable RCGW-1 Reportable Concentration set forth in 310 CMR 40.0360.

b. An Imminent Hazard is present at the time of Tier Classification.

C. EXPOSURE PATHWAYS (NRS SECTION II):

1. Exposure Pathways, and Oil and Hazardous Material (OHM) Sources:

For A.-D., score according to 310 CMR 40.1512 - Exposure Pathway Designation Criteria and NRS Table II.
For E., score using NRS Table II.E.

	Score
A. Soil (includes sediment)	15
B. Groundwater	100
C. Surface Water (includes wetlands)	0
D. Air	200
E. Number of OHM Sources	25
Total NRS Section II Score (15 - 700)	340

2. Was Section G (NRS Section VI) used to amend the score for this Section of the NRS? a. Yes b. No



NUMERICAL RANKING SYSTEM (NRS) SCORESHEET

Pursuant to 310 CMR 40.1511 (Subpart O)

Release Tracking Number

2 - 14537

3. Summary Rationale for Exposure Pathway Values, A. -D., and Phase I Report References:

Blank area for providing summary rationale for exposure pathway values, A. -D., and Phase I report references.

D. DISPOSAL SITE CHARACTERISTICS (NRS SECTION III):

1. Oil and Hazardous Material (OHM) Toxicity Score (NRS Section III.A.):

a. Use the Highest OHM Toxicity Score from either NRS Table III.A. or Worksheet III.A.1.:

OHM Scored	Concentration and Media	Toxicity Score (1 - 80)
Tetrachloroethylene	17,500 ug/L in groundwater	40

b. Score using NRS Worksheet III.A.1. to determine the OHM Toxicity Score for OHM not listed in NRS Table III.A.:

OHM	Human Health-based Toxicity Value	Concentration (Soil - ug/g)	Concentration (Water - ug/l)	Toxicity Score
Tetrachloroethylene	25	1.19	17,500	40
Naphthalene	25	0.0060	39	10



NUMERICAL RANKING SYSTEM (NRS) SCORESHEET

Pursuant to 310 CMR 40.1511 (Subpart O)

Release Tracking Number

2 - 14537

2. Multiple OHMs (NRS Section III.B.):

Was the Toxicity Score of more than one OHM greater than or equal to 30? a. Yes (30) b. No (0)

3. OHM Mobility and Persistence (NRS Section III.C.):

Score according to 310 CMR 40.1514 - OHM Mobility and Persistence

a. OHM Scored	b. Score (0 - 50)
Tetrachloroethylene	40

4. Disposal Site Hydrogeology (NRS Section III.D.):

Score according to 310 CMR 40.1515 - Soil Permeability, and NRS Table III.D.

Site Hydrogeology Score
12

5. Total NRS Section III Score:

A.	B.	C.	D.	Total for Section III (3 - 180)
40	0	40	12	92

6. Was Section G (NRS Section VI) used to amend the score for this Section of the NRS? a. Yes b. No

E. HUMAN POPULATION AND LAND USES (NRS SECTION IV):

1. Human Population (NRS Section IV.A.):

Score using NRS Table IV.A.

Residential Population within 1/2 Mile	Institutions within 500 Feet	On-site Workers	Population Score (0 - 40)
10	0	5	15

2. Aquifers (NRS Section IV.B.):

a. Sole Source Aquifer: i. Yes (25) ii. Name: _____ iii. No (0)

b. Potentially Productive Aquifer: i. Medium or High (15) ii. No (0)

3. Water Use (NRS Section IV.C.):

Score using NRS Table IV.C.

Proximity to Public Drinking Water Source	Persons Served by Public Drinking Water Supply	Private Water Supplies within 500 Feet	Alternate Public Water Supply Available	Water Use Score (0 - 125)
50	20	0	0	70

4. Total NRS Section IV Score:

A.	B.	C.	Total for Section IV (0 - 205)
15	0	70	85

5. Was Section G (NRS Section VI) used to amend the score for this Section of the NRS? a. Yes b. No



NUMERICAL RANKING SYSTEM (NRS) SCORESHEET

Pursuant to 310 CMR 40.1511 (Subpart O)

Release Tracking Number

2 - 14537

F. ECOLOGICAL POPULATION (NRS SECTION V):

1. Environmental Resource Areas (NRS Section V.A.): Score using NRS Table V.A.

Area of Critical Environmental Concern	Species of Special Concern, Threatened or Endangered Species Habitat	Wetlands, Certified Vernal Pool, or Outstanding Resource Water	Fish Habitat	Protected Open Space	Environmental Resource Area Score (0 - 150)
0	30	0	0	0	30

2. Environmental Toxicity Score (NRS Section V.B.):

Score only if Environmental Resource Area Score is greater than or equal to 30.

a. Use the Highest Environmental Toxicity Score from either NRS Table V.B. or from Worksheet V.B.1.:

OHM Scored	Concentration and Media	Toxicity Score (0 - 35)
Tetrachloroethylene	17,500 ug/L in groundwater	15

b. Score using NRS Worksheet V.B.1. to determine the Environmental Toxicity Score for OHM not listed in NRS Table V.B. See 310 CMR 40.1516 for Environmental Toxicity Values for each OHM.

OHM	Environmental Toxicity Value	Concentration (Soil - ug/g)	Concentration (Water - ug/l)	Environmental Toxicity Score

3. Total NRS Section V Score:

A.	B.	Total for Section V (0 - 185)
30	15	45

4. Was Section G (NRS Section VI) used to amend the score for this Section of the NRS? a. Yes b. No



CONSULTING ENGINEERS & LAND SURVEYORS
WWW.DUCHARMEWHEELER.COM

File: 3775-E

April 7, 2004

Jane Witherow - Chairman
Board of Selectmen
Ayer Town Hall
1 Main Street
Ayer, MA 01432

**RE: Former Esquire Cleaners
211 West Main Street
Ayer, Massachusetts
MA DEP RTN: 2-14537**

Dear Mr. Lawton:

In accordance with the requirements of 310 CMR 40.1403(6), Ducharme & Wheeler, Inc., on behalf of Le-Mac Realty Trust, is notifying your office that a revised Tier Classification Submittal has been submitted to the Massachusetts Department of Environmental Protection (MA DEP) for the above-referenced location. The property has been listed by the MA DEP as Release Tracking Numbers 2-14537. A copy of the revised Tier Classification Submittal may be viewed at the MA DEP Central Regional Office in Worcester, Massachusetts. In accordance with 310 CMR 40.1403(6) and 40.0703(8)(g), the attached legal notice will be published in the local newspaper on April 7, 2004.

Should you have any questions regarding this notification, please feel free to contact me at (978) 779-6091.

Very Truly Yours,

DUCHARME & WHEELER, INC.


Jennifer A. Roberge
Project Engineer

cc: Ayer Board of Health, 1 Main Street, Ayer, MA 01432

DEP Central Regional Office, Bureau of Waste Site Cleanup, 627 Main Street,
Worcester, MA 01608

Attachment: Copy of Legal Notice

NANTUCKET OFFICE
5 WINDY WAY, P.O. BOX 937
NANTUCKET, MA 02554
PHONE: 508-228-0240
FAX: 508-228-9856

MAIN OFFICE
1092 MAIN STREET, P.O. BOX 428
BOLTON, MA 01740
PHONE: 978-779-6091
FAX: 978-779-0260

MARTHA'S VINEYARD OFFICE
P.O. BOX 1912
VINEYARD HAVEN, MA 02568
PHONE: 508-693-0669

**NOTICE OF INITIAL SITE INVESTIGATION AND
WASTE SITE CLEANUP PERMIT APPLICATION**

**211 WEST MAIN STREET
AYER, MASSACHUSETTS
RELEASE TRACKING NUMBER: 2-14537**

Pursuant to the Massachusetts Contingency Plan (310 CMR 40.0480), an Initial Site Investigation has been performed at the above referenced location. A release of oil and/or hazardous materials has occurred at this location which is a disposal site (as defined by M.G.L. c. 21E, Section 2). This site has been classified as Tier IA (310 CMR 40.0500), and an Initial Tier IA Permit application is being submitted on April 2, 2004 to the Department of Environmental Protection (DEP) pursuant to 310 CMR 40.0703. A permit is required to proceed with a Comprehensive Remedial Responses at all Tier I sites.

Anyone interested in reviewing the permit application should notify DEP by writing to DEP, Bureau of Waste Site Cleanup, Permit Section at 627 Main Street, Worcester, MA 01608 by April 22, 2004. If anyone notifies DEP of his or her interest in reviewing or submitting comment on the Tier I permit application, DEP will conduct a public comment review period of twenty (20) days which shall run concurrently with DEP's Initial Technical Review of the application. Anyone who fails to notify DEP in writing of his/her interest in commenting on the application by the above date may be deemed to have waived his/her rights, if any, to appeal DEP's permit decision or to intervene in an adjudicatory proceeding with respect to this application, pursuant to 310 CMR 40.0770(2).

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of and involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2) Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact Jennifer A. Roberge, Project Manager, DUCHARME & WHEELER, INC., P.O. BOX 428, 1092 MAIN STREET, BOLTON, MASSACHUSETTS 01740 at (978) 779-6091.