



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

Superfund Records Center
SITE: Aerovox
BREAK: 1.3
OTHER: 461008

DATE: November 27, 2007

SUBJ: Site Investigation Closure Memorandum
Aerovox Site
740 Belleville Avenue
New Bedford, MA

FROM: Wing Chau, On-Scene Coordinator *W-C.*
Emergency Response and Removal Section II, EPRB, OSRR

THRU: Steven Novick, Chief
Emergency Response and Removal Section II, EPRB, OSRR

TO: Aerovox Site File

In accordance with section 300.410 of the National Contingency Plan (NCP), a Removal Site Evaluation, consisting of a Preliminary Assessment and Site Investigation (PA/SI), has been undertaken at the Aerovox Site ("Site") in New Bedford, Massachusetts. The findings of the Removal Site Evaluation have been evaluated under the criteria set forth in section 300.415 of the NCP, section 104(a) and (b) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a) and (b) and Clean Water Act (CWA) § 311(c)(i) as amended by the Oil Pollution Act (OPA) § 4201(a). The Removal Site Evaluation has led to the determination that a Removal Action **is not** appropriate at this time.

The findings of the Removal Site Evaluation are outlined below.

1. Source and nature of the release or threat of release [Include those appropriate to your site]
 - a. The Removal Site Evaluation consisted of the following actions.
 - i. Review of the memorandum from Jacobs Engineering to the U.S. Army Corps of Engineers (Document Control Number: ACE-J23-35BG0501-P1-0001) regarding Collection of Elemental Mercury at the Aerovox Facility, dated July 17, 2007.
 - ii. The Site Investigation conducted on August 2, 2007 and August 15-16, 2007.
 - iii. The findings of the PA/SI are summarized in the *Removal Program Preliminary Assessment/Site Investigation Report for the Aerovox Site*, generated by Weston Solutions, Inc. and dated November 2007.
 - b. Based on the information available at this time, the principal hazardous substances or



pollutants or contaminants that are being released or for which there is threat of release include but are not necessarily limited to the list below.

Hazardous Substances or
Pollutants or Contaminants

Media

Mercury

Electronic equipment and interior building surfaces.

2. Evaluation of the threat to public health, welfare and the environment

a. Federal Agency for Toxic Substances and Disease Registry:

Threat _____ No Threat _____ Evaluation Not Necessary X

b. Endangerment to the ecosystem:

Threat _____ No Threat _____ Evaluation Not Necessary X

3. The Removal Site Evaluation was terminated pursuant to section 300.410(f) of the NCP for the following reason(s).

- There is no release.
- The source is neither a "vessel" nor a "facility" as defined in section 300.5 of the NCP.
- The release involves neither a hazardous substance, nor a pollutant or contaminant that may present an imminent and substantial danger to public health or welfare of the United States.
- It is subject to the limitations on response specified in §300.400(b)(1) through (3). The release is
 - of a naturally occurring substance in its unaltered form, or altered solely through naturally occurring processes or phenomena, from a location where it is naturally found.
 - from products that are part of the structure of, and result in exposure within, residential buildings or businesses or community structures.

- into public or private drinking water supplies due to deterioration of the system through ordinary use.
 - The amount, quantity, or concentration released does not warrant a Federal response.
 - A party responsible for the release, or any other person, is providing appropriate response, and on-scene monitoring by EPA is not required.
 - The Removal Site Evaluation is complete.
4. As reflected in Section 3, above, the Removal Site Evaluation was terminated due to its completion, and not for other reasons.
- a. The factors listed below, found in Section 300.415(b)(2) of the NCP, are applicable to this Site.
 - Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.
 - Actual or potential contamination of drinking water supplies or sensitive ecosystems.
 - Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.
 - High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate.
 - Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.
 - Threat of fire or explosion.
 - The availability of other appropriate Federal or State response mechanisms to respond to the release.
 - Other situations or factors that may pose threats to public health or welfare of the United States or the environment.
 - b. The presence of the conditions specified in Section 4.a., above, indicate that a Removal Action under section 300.415 of the NCP **is not** necessary. Air monitoring conducted during the PA/SI indicates that elevated levels of mercury are present within the building structure. The EPA Remedial Program will utilize the information collected during the PA/SI to work with the potentially responsible party (PRP) on addressing the mercury issue prior to the demolition of the building.

- c. In light of the magnitude of the threat or potential threat to health, welfare, or the environment, the appropriate categorization of a Removal Action at this Site is:

Emergency ____ Time-Critical ____ Non Time-Critical ____

5. As reflected in Section 3, above, the Removal Site Evaluation was terminated due to its completion, and not for other reasons.

- a. As found in section 300.410(e)(1) of the NCP, the OSC shall determine whether a release governed by CWA section 311(c)(1), as amended by OPA section 4201(a), has occurred.

() There is a release, or potential threat of release, as governed by the CWA as amended by OPA.

(X) There is not a release, or potential threat of release, as governed by the CWA as amended by OPA.

- b. The absence of the conditions specified in Section 5.a., above, indicate that an Oil Spill Response under Appendix E to Part 300 of the NCP **is not** necessary.

cc: Steven Novick, Chief, Emergency Response and Removal Section II, OSRR (w/o attachments)
Cheryl O'Halloran, EPRB, OSRR (w/o attachments)
Sharon Fennelly, Enforcement Coordinator, EPRB, OSRR (w/o attachments)
Dave Dickerson, Remedial Project Manager, OSRR