

Atlas Tack

May 2006



Atlas Tack Corp. Superfund Site Activity Update

Cleanup Progress

Phase I : Commercial Area

By November 2005, the three-story manufacturing building, power plant, and concrete slabs beneath these buildings were demolished (were in red area of map).

Contaminated soil and plating sludge was excavated and shipped off-site to licensed facilities. Confirmatory soil sampling completed in March 2006 indicates that a small area still does not meet soil cleanup standards and will need further excavation this spring. The area will then be backfilled and properly graded.

The building bricks and concrete slabs were crushed on-site and the current stockpiles may be reused either on-site or for road-bedding elsewhere. Throughout all Phase I activities, air monitoring showed either zero detection or extremely low levels.



Soil Sampling

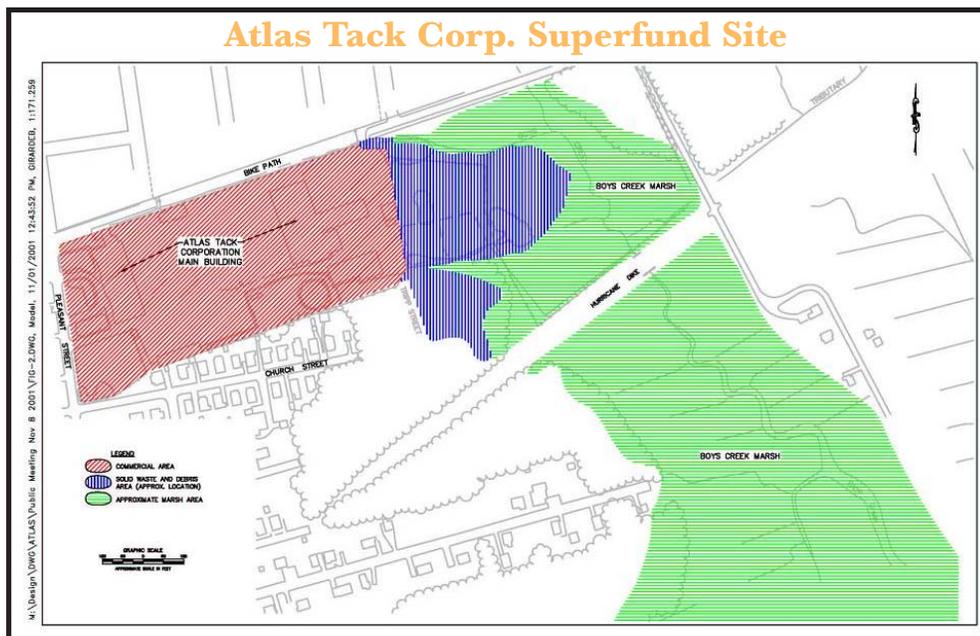
Phase II: Solid Waste & Debris Area

Phase II cleanup activities will start this June and will consist of the excavation and disposal of an estimated 38,000 cubic yards of contaminated soil and debris from

the nine acre Solid Waste and Debris Area (blue area on map). Current estimates place the cost of this nine month cleanup effort at \$14 million. EPA presently has \$6 million for phase II

efforts. This funding will cover site preparation and the beginning of excavation, activities which will last throughout the summer and fall.

Before excavation begins, access and haul roads will be constructed as well as a barrier along the east and south excavation limits. This barrier will prevent the movement of surface water and contamination from the tidal marsh into the excavation area. Additionally, certain parts of the Commercial Area will be prepared to support Phase II activities, such as soil processing and storage and holding and discharge of surface and



As in the past, weekly air monitoring results will be posted in Fairhaven Town Hall and on-line at www.epa.gov/region1/superfund/sites/atlas



groundwater pumped out of excavated areas. Air monitoring also will be conducted to establish a baseline reading before excavation work starts. Continuous air monitoring will be in place during all excavation and soil handling operations.

Enforcement Success

A cost recovery action against Atlas Tack Corp. and M. Leonard Lewis was filed in August 2003 and a Consent Decree was entered in the court on April 4, 2006. The settlement includes:

- M. Leonard Lewis and Atlas Tack Corp. will pay \$2,335,000 in installments over a 2 year period;
- Atlas Tack Corp. will sell the property and pay the U.S. 95% of the net proceeds from the sale;
- Alternatively, Atlas Tack Corp. can retain ownership and pay the U.S. 95% of its fair market value;
- The Town of Fairhaven will pay the U.S. unpaid real estate taxes it collects with respect to the property that are in excess of \$80,000;
- US Army Corps of Engineers will pay \$50,000 to Superfund.

All payments will go into a special account designated for the site's cleanup.

Truck Information

While school is in session, trucks will not operate during the start and end of the Rogers Elementary School day: specifically between 7:45 am and 8:45 am and then between 2:30 pm and 3:15 pm. Otherwise, site operations are between 7 am and 5 pm Monday through Friday. Because of the potential for a high volume of trucks, EPA is considering creating an additional access road at the bottom of Adams Street. The hauling trucks will enter and exit the site out the back gate, cross the bike path to either Tripp Street or Adams Street, proceed to Washington Street, and then to Route 6 East, before connecting to Route 240. The trucks will be hosed down to make sure they are clean before being allowed to leave the site. The water used to clean the trucks will be captured and put into a tank. It then will be tested and if clean, used again. Local roads will be inspected daily to ensure that they remain free from any debris from the site and will be cleaned as needed. Each time a truck crosses over the bike path, personnel will be on hand to stop trucks while pedestrian and bike traffic passes. They also will ensure the truck crossings stay clean.

For More Information:

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Founded in about 1901, Atlas Tack Corp. manufactured tacks, nails, shoe eyelets and similar items at this site in Fairhaven, MA until the facility closed in about 1985. Process wastes were disposed of on the ground and in adjacent wetlands, and were discharged into an on-site lagoon. High levels of heavy metals, cyanide, PCBs, pesticides, and other contaminants have impacted area groundwater and surface waters, in addition to the site soil, sediment and portions of the buildings. Site location: residential area, 200 feet from an elementary school, around 7,200 people live within one mile, and 15,150 live within three miles.

- 1985 MA DEP completes an emergency action to cleanup lagoon.
- 1990 EPA adds site to Superfund's National Priorities List (hazardous waste sites).
- '90-'95 EPA conducts Remedial Investigation, a study to determine nature & extent of contamination & risks to human health & environment.
- 1992 EPA orders Atlas Tack Corporation to fence site.
- '96-'98 EPA conducts Feasibility Study to determine cleanup options.
- 1998 EPA issues Proposed Cleanup Plan.
- '99-'00 Atlas Tack fails to comply with Administrative Order after which EPA removes asbestos from power plant and three-story building.
- 2000 EPA issues Record of Decision (cleanup plan) & a special notice of responsibility & potential liability to Atlas Tack Corporation.
- 2001 EPA conducts a bioavailability study to refine marsh excavation & restoration plans.
- '02-'04 EPA conducts Remedial Design for each cleanup phase.
- 2004 EPA reaches settlement with Hathaway-Braleay Wharf Company
- 2005 EPA begins Phase I of cleanup.
- 2006 EPA reaches settlement with Atlas Tack Corp. and M. Leonard Lewis.