



**BLACKBURN AND UNION PRIVILEGES SITE**  
(Site Identification Code – 01B3)

**REMOVAL ACTION  
ADMINISTRATIVE RECORD FILE  
AND**

**INDEX**

Prepared For:

U.S. Environmental Protection Agency  
Region I  
Emergency Planning and Response Branch  
One Congress Street, Suite 1100  
Boston, Massachusetts 02114-2023

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## INTRODUCTION

This document is the Index to the Administrative Record File for the Blackburn and Union Privileges Site Removal Action. The Index cites site-specific documents and guidance documents used by U.S. Environmental Protection Agency (EPA) staff in selecting a removal action at the site. At this time, indications are that the Potentially Responsible Party (PRP) will not perform this work. The Fund-lead Removal Action will protect public health, welfare and the environment, and includes the following activities:

- Conducting a Site walk with the Emergency Rapid Response Services contractor (ERRS).
- Securing the Site to prevent unauthorized access. If needed, manned Site security may be provided during non-working hours to ensure adequate Site surveillance until the waste is transported off site.
- Stabilizing the floor areas that are structurally unsafe, to enable contractor personnel to conduct the removal action; and, if necessary, dismantling the unstable sections to permit access to asbestos and asbestos-containing material (ACM)-commingled debris.
- Removing and disposing of asbestos and ACM debris from the vacant building, including provisions for decontaminating larger debris on site, and segregating asbestos-free debris; and documenting and shipping asbestos material off site for disposal at EPA-approved facilities. All wastes will be staged in a secure area on site while awaiting shipment to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)-compliant off-site disposal facilities.
- Conducting additional sampling through test pit excavations on the vacant lot to determine the extent of contamination.
- Excavating and disposing of asbestos-containing brake pads and contaminated surface soils as appropriate.
- Capping in-place contaminated soils (if any) which may remain at depth or which cannot otherwise be safely excavated.
- Backfilling and grading excavated areas.
- Sampling, segregating, and repackaging any incompatible materials from the drums and containers to prevent chemical reactivity.
- Investigating the process piping, floor drains, and other systems for hazardous waste product; and removing any existing waste product as appropriate.
- Shipping these wastes off site for appropriate re-use or disposal at EPA-approved facilities.
- Demobilizing all personnel and equipment upon completion of the removal action.

The Administrative Record File is available for public review, by appointment, at the U.S. EPA Records Center, One Congress Street, Suite 1100, Boston, Massachusetts, 02114-2023; and at the Walpole Public Library, 65 Common Street, Walpole, Massachusetts, 02081. Questions concerning the Administrative Record File should be addressed to Athanasios Hatzopoulos, EPA On-Scene Coordinator.

The Administrative Record File is required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9613 (k), and EPA's implementing regulations, 40 CFR § 300.800.-825.

**PLEASE NOTE: THE FOLLOWING DOCUMENTS COMPILED IN THIS ADMINISTRATIVE RECORD FILE HAVE BEEN MADE FROM THE BEST AVAILABLE COPIES.**

## **SITE-SPECIFIC DOCUMENTS**

### **ADMINISTRATIVE RECORD FILE INDEX for the Blackburn and Union Privileges Site Removal Action**

#### **REMOVAL**

##### **Correspondence (Site File 2.01)**

1. Memorandum from Athanasios Hatzopoulos, On-Scene Coordinator, Emergency Response and Removal Section II, Emergency Planning and Response Branch (EPRB), Office of Site Remediation and Restoration (OSRR), EPA Region I, through Steven Novick, Chief, Emergency Response and Removal Section II, EPRB, OSRR, EPA Region I, to the Blackburn and Union Privileges Site File, regarding the Site Investigation Closure at the Blackburn and Union Privileges Site, South Street, Walpole, MA, 02081, dated 26 February 2009.

##### **Removal Reports (Site File 2.02)**

2. "Removal Program Preliminary Assessment/Site Investigation Report for the Blackburn and Union Privileges Site, Walpole, Norfolk County, Massachusetts, 12 and 13 November 2008" prepared by Weston Solutions, Inc, Superfund Technical Assessment and Response Team III (START), for U.S. Environmental Protection Agency (EPA) Region I, dated March 2009, revised July 2009.

##### **Action Memorandum (Site File 2.09)**

3. Memorandum from Athanasios Hatzopoulos, On-Scene Coordinator, Emergency Response and Removal Section II, EPA Region I, through Steven R. Novick, Chief, Emergency Response and Removal Section II, EPA Region I, and Arthur V. Johnson III, Branch Chief, Emergency Planning & Response Branch, EPA Region I, to James T. Owens III, Director, Office of Site Remediation and Restoration, EPA Region I, regarding a Request for a Removal Action at the Blackburn and Union Privileges Superfund Site, Walpole, Massachusetts, dated 23 March 2009, and signed by James T. Owens, III, on 31 March 2009. (The Enforcement Section of the Memorandum is withheld as being CONFIDENTIAL.)

#### **POTENTIALLY RESPONSIBLE PARTY (PRP)**

##### **PRP-Specific Documents (Site File 11.09)**

4. Letter from (signed by David McIntyre for) Arthur V. Johnson, III, Chief, Emergency Planning and Response Branch, EPA Region I, to B.I.M. Investment Corporation, c/o Solomon M. Feldman, Esq., Attorney At Law, 199 Wells Avenue, Suite 201, Newton, MA 02459, regarding Notice of Potential Liability and Invitation

to Perform or Finance Proposed Cleanup Activities for the Blackburn & Union Privileges Superfund Site, dated 20 March 2009.

5. Letter from (signed by David McIntyre for) Arthur V. Johnson, III, Chief, Emergency Planning and Response Branch, EPA Region I, to Covidien, Inc., c/o Patricia Hitt Duft, Staff Vice President, Legal, 675 McDonnell Boulevard, 675 N.W. 31st Avenue, Hazelwood, Missouri 63042, regarding Notice of Potential Liability and Invitation to Perform or Finance Proposed Cleanup Activities for the Blackburn & Union Privileges Superfund Site, dated 20 March 2009.
6. Letter from (signed by David McIntyre for) Arthur V. Johnson, III, Chief, Emergency Planning and Response Branch, EPA Region I, to Shaffer Realty Nominee Trust, c/o Solomon M. Feldman, Esq., Attorney At Law, 199 Wells Avenue, Suite 201, Newton, MA 02459, regarding Notice of Potential Liability and Invitation to Perform or Finance Proposed Cleanup Activities for the Blackburn & Union Privileges Superfund Site, dated 20 March 2009.

## **COMMUNITY RELATIONS**

### **News Clippings/Press Releases (Site File 13.03)**

7. "Administrative Record File Available for the Blackburn and Union Privileges Site Removal Action," text of the display announcement as it was requested to appear in the *Daily Transcript*.

**Please see the following website for more information regarding this site:**

**<http://epaosc.net/BlackburnandUnionPrivileges> .**

## SELECTED KEY GUIDANCE DOCUMENTS

EPA guidance documents may be reviewed at the EPA Superfund Records Room, 1 Congress Street, Suite 1100, Boston, Massachusetts.

1. Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq.
2. "National Oil and Hazardous Substances Pollution Contingency Plan," Code of Federal Regulations (Title 40, Part 300) 1990.
3. "Action Memorandum Guidance", Superfund Removal Procedures, U.S. EPA, Office of Emergency and Remedial Response, OSWER Directive 9360.3-01, September 1990.
4. Superfund Amendments and Reauthorization Act of 1986.