

**WELLS G&H OU-2
CURRENT TITLE/DEED
256 SALEM STREET, WOBURN, MA**

TechLaw researched the current deed for 256 Salem Street, Woburn, MA to determine the current owner. The current owner is KEK Realty Trust with Ruth J. Whitney listed as the Trustee.

ASSESSORS ONLINE DATABASE For Woburn, MA

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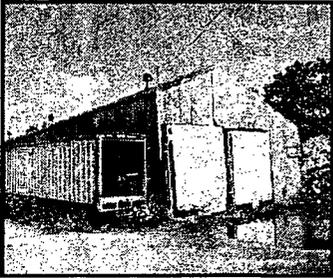
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256 SALEM ST

Building 1 of 2 [Next Building >>](#)



[Click to enlarge](#)

MBLU : 38/ 01/ 04/ / /

Location: 256 SALEM ST

Owner Name: WHITNEY RUTH J. TRUSTEE

Account Number: 166991754335 0

[Search for Similiar
Sale Properties](#)

Parcel Value

Item	Assessed Value
Buildings	156,700
Extra Building Features	0
Outbuildings	0
Land	383,600
Total:	540,300

Owner of Record

WHITNEY RUTH J. TRUSTEE
4 CAMPGROUND ROAD
BOXFORD, MA 01921

Ownership History

Owner Name	Book/Page	Sale Date	Sale Price
WHITNEY RUTH J. TRUSTEE	18934/ 267	1/1/1988	0

Land Use [\(click here for a list of codes and descriptions\)](#)

Land Use Code 4010 **Land Use Description** IND WHSES MDL-96

 **Land Line Valuation**

Size 2.67 AC **Zone** I-P **Assessed Value** 383,600

 **Construction Detail**

Item	Value
STYLE	Warehouse
MODEL	Industrial
Stories:	1
Occupancy	1
Exterior Wall 1	Pre-finish Metl
Roof Structure	Gable/Hip
Roof Cover	Metal/Tin
Interior Wall 1	Minim/Masonry
Interior Floor 1	Minimum/Plywd
Heating Fuel	Gas
Heating Type	Hot Air-no Duc
AC Type	None
Bldg Use	IND WHSES MDL-96
Total Bedrms	00
Total Baths	0
1st Floor Use:	4010
Heat/AC	UNKNOWN
Frame Type	STEEL
Baths/Plumbing	LIGHT
Ceiling/Wall	NONE
Rooms/Prtns	LIGHT
Wall Height	14
% Comn Wall	0

 **Building Valuation**

Item	Value
Living Area	9,519 square feet
Year Built	1964

 **Outbuildings** (click here for a list of codes and descriptions)

Code	Description	Units
No Outbuildings		

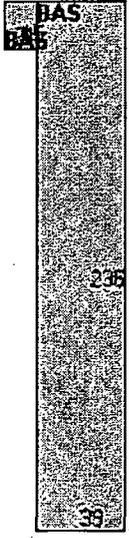


Extra Features (click here for a list of codes and descriptions)

Description	Units
Area Building Features	



Building Sketch (click here for a list of codes and descriptions)



Area Summary (click here for a list of codes and descriptions)

Code	Description	Gross Area	Living Area
BAS	First Floor	9519	9519
	Total	9519	9519

Building 1 of 2 [Next Building >>](#)

Online Database for Woburn, MA Powered by **Vision Appraisal Technology**

MASSACHUSETTS QUITCLAIM DEED SHORT FORM (INDIVIDUAL) 881

I, Ruth J. Whitney

51

of Boxford, Essex

County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of One dollar (\$1.00)

grant to Ruth J. Whitney as Trustee of KEK Realty Trust w/d/t. dated 7-27, 1988 and recorded immediately prior hereto.

of Boxford, Essex County, Massachusetts with quitclaim represents the land in Woburn.

(Description and encumbrances, if any)

Beginning at a point in the north side line of Salem Street at land of C.E. Quinn et al, thence the line runs in a westerly direction on and by said north side of Salem Street a distance of 245.95 feet to a point at land of Van Keuren, thence the line turns and runs in a northerly direction on and by land of said Van Keuren and land formerly on Hugh Quinn a distance of 237.85 feet to a stake at land of Anna and Frank Quinn, thence the line turns and runs in a north-easterly direction on and by land of said Anna and Frank Quinn a distance of 52.30 feet to a stake in an old post, thence the line turns and runs in a northerly direction still by land of Anna and Frank Quinn and over a sewer easement to the City of Woburn and across a brook a distance of 352.20 feet to a stake at land of C.E. Quinn et al, thence turning the line runs in an easterly direction on and by land of C.E. Quinn, et al, a distance of 69.90 feet to a stake, thence the line runs a little more easterly still by land of said Quinn et al a distance of 111.25 feet to a stone bound, of said Quinn et al over a brook across aforesaid sewer easement to the City of Woburn, a distance of 275.86 feet, to a stake at an angle, thence the line runs more southeasterly still by land of Quinn et al a distance of 275.88 feet to a point of beginning. Containing 116,300 square feet more or less.

Said grant subject to an easement to the City of Woburn, as shown on a Plan of Land, Woburn, Massachusetts, surveyed for Daniel J. Quinn by George W. Olsen, Woburn Massachusetts, September 5, 1950.

All shown on Plan of Land, Woburn, Massachusetts, surveyed for Daniel Quinn by George W. Olsen, Woburn, Massachusetts, dated September 5, 1950, recorded in Middlesex South District Deeds, Book 7678, Page 482.

For my title see deed dated July 20, 1978 and recorded in Middlesex South District Deeds, Book 13510, Page 055.

Witness my hand and seal this 24th day of February 1988

Ruth J. Whitney
RUTH J. WHITNEY

The Commonwealth of Massachusetts

Middlesex ss.

Feb 21

1988

Then personally appeared the above named Ruth J. Whitney

and acknowledged the foregoing instrument to be her free act and deed before me

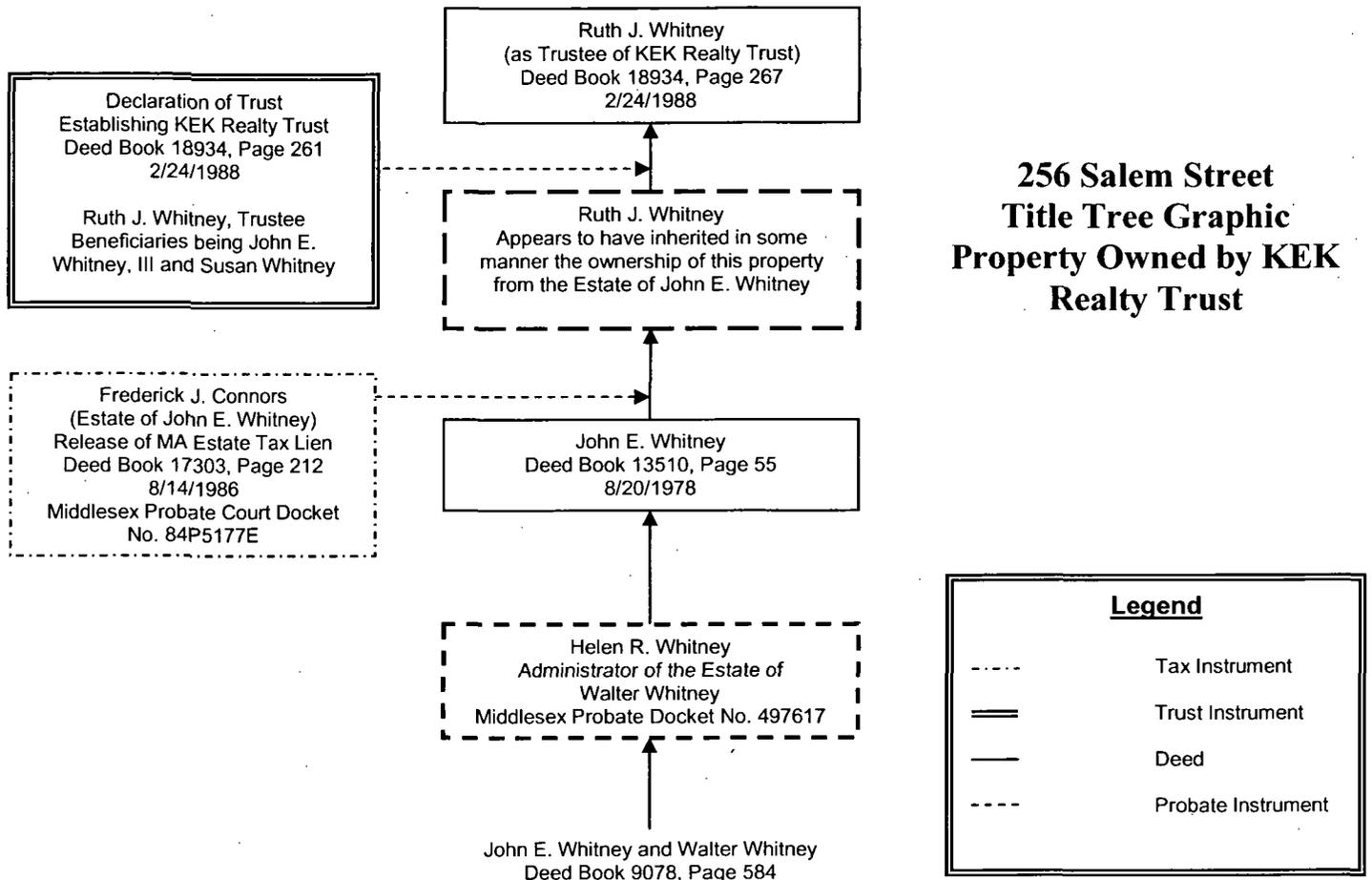
[Signature]
Notary Public - Justice of the Peace

My commission expires 8/5 1988

(* Individual - Joint Tenants - Tenants in Common.)

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantor and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.



Ruth J. Whitney appears to have inherited this property from John E. Whitney, who passed away on August 14, 1984. A Certificate Releasing Massachusetts Estate Tax Lien is addressed to one Frederick J. Connors, however, the ensuing deed after John Whitney's death lists Ruth J. Whitney as the Grantor. In addition, the deed transferring the property to the KEK Realty Trust references Book 13510, Page 55 for Ruth J. Whitney's title to the property. The deed recorded in Book 13510, Page 55 does not reference Ruth J. Whitney as an owner of the property.

The prior title reviews completed by Planners Collaborative, Inc. and Resource Applications, Inc., and William F. Hanscom, Investigator, U.S. Environmental Protection Agency, Office of Site Remediation & Restoration, Search & Cost Recovery Section did not track the ownership of this property back beyond the transfer of the property from John E. Whitney to Ruth J. Whitney.

Title Information- Salem Street Properties (Whitney)

256 Salem Street:

Assessed Owner: Ruth J. Whitney, as Trustee of KEK Realty Trust
Assessed Land Value: \$383,600
Assessed Total Value: \$534,800
Land Size: 2.67 acres

Controlling Instrument(s):

Quitclaim Deed, Book 18934, Page 267

Grantor: Ruth J. Whitney, as an individual

Grantee: Ruth J. Whitney, as Trustee of KEK Realty Trust

Date of Document: February 24, 1988

Date of Recording: illegible

Notes: Ruth J. Whitney appears to have inherited this property from John E. Whitney, who passed away on August 14, 1984. A Certificate Releasing Massachusetts Estate Tax Lien is addressed to one Frederick J. Connors, however, the ensuing deed after John Whitney's death lists Ruth J. Whitney as the Grantor.

Supporting Title Documents:

1978-1988:

Quitclaim Deed, Book 13510, Page 55

Grantor: Helen R. Whitney, as Administrator of the Estate of Walter Whitney

Grantee: John E. Whitney, as an individual

Date of Document: July 20, 1978

Date of Recording: August 8, 1978

Notes: Appears to convey a 50% interest to John E. Whitney, as deed recorded in Book 9078 , Page 584 (deed not collected) conveys the property to John E. Whitney and Walter Whitney. The deed does not indicate who was the Grantor in this prior transaction.

*Also of note, The City of Woburn executed a taking on this property on May 24, 1999 for unpaid taxes for the year 1997-1998. The city executed an additional taking on December 10, 2004 for unpaid taxes for the year 2001-2002.

WELLS G & H OU-2
TITLE SEARCH NARRATIVE
256 SALEM STREET, WOBURN, MA
Prepared by PCI/RAI Joint Venture

August 8, 1978

John F. Whitney, 256 Salem Street, Woburn, Massachusetts, acquired a parcel of property containing 116,300 square feet of land, located at Salem Street, Woburn, Massachusetts, from Helen R. Whitney, Administrator of the Estate of Walter Whitney, Somerville, Massachusetts, for a consideration of \$40,000.00.¹

August 14, 1984

John E. Whitney, 480 Washington Street, Woburn, Massachusetts, died. His Estate included the property located at 256 Salem Street, Woburn, Massachusetts.²

March 22, 1988

A declaration of trust was recorded for the KEK Realty Trust. The following was recorded as the Trustee.

Ruth J. Whitney

4 Campground Road
Boxford, Massachusetts

Beneficiaries : John E. Whitney, III
4 Campground Road
Boxford, Massachusetts

Susan Whitney
4 Campground Road
Boxford, Massachusetts³

¹ Book No. 13510, Pages 55-57, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.

² Book No. 17303, Page 212, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.

³ Book No. 18934, Pages 261-266, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.

WELLS G & H OU-2
TITLE SEARCH NARRATIVE
256 SALEM STREET, WOBURN, MA
Prepared by PCI/RAI Joint Venture

March 22, 1988

Ruth J. Whitney, Trustee of KEK Realty Trust, acquired a parcel of property containing 116,300 square feet of land, located at 256 Salem Street, Woburn, Massachusetts, from Ruth J. Whitney, 4 Campground Road, Boxford, Massachusetts.⁴

⁴ Book No. 18934, Page 267, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.

FROM

GHR Engineering Associates, Inc.'s Site Assessment
Report of The Former Whitney Barrel Company
Site, 256 Salem Street, Woburn, MA

Appendix G

Whitney Barrel Company

Customer List

Compiled by:

John Gushue

Lantz and Associates
New Bedford, Massachusetts

CUSTOMER LISTING FOR WHITNEY BARREL CO., INC.

Compiled by John Gushue

Lantz and Associates, New Bedford, Massachusetts

The following customer listing was compiled from available purchase order and bank deposit records of Whitney Barrel. The identified customers were placed into the five indicated categories by John E. Whitney, III as an initial approach toward identifying customers that may have sent oil or hazardous materials to Whitney Barrel. An asterisk next to a name indicates uncertain spelling.

- A. One-time customers considered not likely to have sent oil or hazardous materials to the facility.
- B. One-time customers who may have sent oil or hazardous materials to the facility.
- C. Regular, repeat customers considered not likely to have sent oil or hazardous materials to the facility.
- D. Regular, repeat customers who may have sent oil or hazardous materials to the facility.
- E. Other customers about which little is known.

Group A - One-time customers considered not likely to have sent oil or hazardous materials to the facility.

Acc Ins. Olds. (car)*
Acton Equip.*
Adams, J.J.
All Seasons Burner Serv.
All Tech Material
American Chain & Cable
American Elect Testing
American Paper Products
American Precast
American Shoe Machine
American Tara
Amicare, J. Co., Inc.
Amstar
Analogic Corp.
Andrew Card
Apple Wipes & Supply Co.
Arlington, Town of
Ash St. Realty Trust
Atlantic Food Mart
Atlantic Lab. Inc.
Atlantic Realty Trust

Auciello Iron Works
B & N Dist. Co.
B.T.S. Leasing
Balzarini*
Bartlett Co.
Barwood Mfg.*
Baylies C.
Bay State York
Bernelli, David
Bio Energy Co.
Bishop Trucking
Blimbey, A.
Blonders, Inc.
Blumberg Co.
Blue Cross
A. Bonfatti & Co., Inc.
Bork of Canada
Boston Freight
Brad Auto
Brid, K.F. Co., Inc.
Brilliant Seafood
Brodie
Brody Int.
Brooks, Winfield Co.
Brown, William H.
Bushnick Co.
C.D.M.
C. J. Shuttle Service
Cabco Eng. Co.*
Caesars Roofing, Inc.
Campbell, Wm. & Sheila
Carr Dee Test Borings
Cannestraro, J.C.
Caskell, Inc.
Cefalo, Frank
Chak, Hal Homes*
Charles River Park
Chemslart*
Clark, H.J. & Sons
Clooney, Pat
Colbath, Richard P.
Comet Trod. Inc.
Comins Prd. Co.*
Combustion Catalyst
Con Color
Continental Ins. Co. (car)
Continental Valve
Conway, G. Inc.
Cooper, Paul J.
Couier-Citizen Co.
Crescent Laundry
Crandell Dry Dock
Crgariac
Crockett, Dace
Cumberland

Cummings Ind. Ctr.
Cursco Processing & Refining
Cutter Brick Co.
D.M.L.S.
Davis Building
Diamond Int.
Dipetro, P.
Dougherty, T.
Duffy, Jim
Duran & Sons
Easton Materials Equip.
Economy Building Inc.
Economy Lub Co.
Electrical Power System
Elemco
Elia, D. & Sons
Elliott, Steven
Emerson Textile
Enos, Clarence
Essey Chem. Co.
Everett Auto
Exeter North Corp.
F.C.C. Packaging Co.
Fabrici, Joan
Fairbanks, Dana
Family Prod. Co.
Farmers Home
Farnsworth, Inc.
Federal Dismantling
Federal Properties
Federal Machine*
Feedwater Chem.
Ferd Corp.*
FiFast Corp.*
Finerthy, Albert
Fisher, Arnold Co.
Fisher, Robert
Fletcher, H.E., Co.
Flett, James
Forber, L. Co.
Forbes, J.D.
Forner, J.
Fraser
G.H.R. Analytical, Inc.
Gaukster, F.*
General Plasma
General Spice
General Telephone & Electronics
Gennon American
Geosystems
Giftware Group
Glennron, T.M. Co.
Gloucester Eng.
Gold, Stephan
Green G.G. Tank

Greene, Robert, Jr.
Greenwood & Sons
H & K Family Trust
Handy Man Home Ctr.
Hanson Porcelian
Hart Eng. Co.
Hatch, Robert
Haverhill Natl. Bank
Healatey Corp.*
Hersey Prod. Inc.
Hewett, L.E., Jr.
Hewlett Packard Corp.
Hitchiner Mfg.*
Hollers Garden Ctr.*
Hollett Bldg. Corp.
Holley
Hub Foundation Co.
Hunter, Bruce W.
Hytrist, The Corp.*
Iafolla Co.
Inst. Lab.*
Int. Underwater
Inter Rental
Interstate Eng.
Ipswich Shellfish
Ircan
Itek Corp.
J.B.I.S. Scientific
Jensen, Peter
Jones, Robert
Kalaora, Eli*
Karchenes*
Kennebec Fish Corp.
Kenney, D.B.
Kingdom, The*
L.P. Brazing Ent.
Lake Regis Dish Co.
Lakon, Inc.
Lamont Labs, Inc.
Lauder Rite
Lawlor, David
Lawrence, A.C. Co.
Leach, Ralph
Lee Prod. Co.
Lewis Nat. Supply Co.
Liberty Mutual Ins.
Lipman Bros.
Lipton Foods
Liquid Carbonic Corp.
Lubix Products
Magnetic Corp. of America
Maher, D.L.
Markham Lumber Co.
Marshall Beef. (meat)
Martin, Stan & Son

Mass. Oxygen
Matkeson Gas*
Mazur, Maureen
Mazza Co.
McEacheson, Peter
McKim, Walter & Sons
McNutt, Harvey
Merrimac Valley Appraiser
Middlesex Leasing
Middlesex Research Mfg. Co.
Milliano
Mills, M.
Minton Bld.
Mirtcy, Karen M.*
Modern Dispense
Mohawk Assoc.
Moods Hale A.I.
Moretto
Morey, Booker
Morten, David Lumber Sales*
Morton, R.A. & Sons
Morton, Stanley
Moses, Donald
Motor, Elec. & Controls*
Mourod Enterprize, Inc.
Muzzadi, Daniel
McGurie, David
National Alumn.
National Gypsum Co.
N.E. Aerosol
N.E. Trans. Service
N.E. Water
New England Business Forms
New England Engineering Co.
New England Industrial Rental
Ninety-three Realty
Norris Incl.
North Central Warehouse
North Eastern Ammonia
North Reading Sawmill
Nottingham, N.H., Town of
O'Neil, Marshall*
Otter Creek Lumber
Palmer, Harold Ins.
Perino Ind.
Perkins, Dana
Pethov. Al
Physical Science
Pollack, Joseph & Co.
Power Tool
Powers M.D.
Pride Mf.
Quinn, K.J.
Quinn, Shanon
R.C.L. Ind.

R.H. Prod. Co.
R.I. Hospital Trust
R.X. Eng. Co.
Racek, E.R. Assoc.
Randolf Floral*
Rapax, Inc.
Reading Rotary Club
Recor Inc.
Richardson Prod. Devel
Ricker, Scott
Riverside Home
Robbins, Kenan
Rounds, Annie M.
Rutelenbig*
Saddle Rawee, Inc.*
Safety Projects
Sands & Taylor & Wood
Sawyer, Clark*
Scandinavian Design
Secomer, Inc.
Seift & Co.
Seigle, Harold J.
Seiler Corp.
Skinner, David
Ski Haus
Silverman Bros., Inc.
Skelton, George
Smith & Miller (fork lift sale)
Smith & Miller Moving
Smith, Arthur R., Jr.
Smithsonian
Sobel, ABC
Soffson Bros., Inc.*
Somerville Electric
Soni-Shield
Sperry
Stanley, Richard
Staples
State Garden Celery*
Sunny Meadow
Sweeney, James
T&R Dist.
Tev's Engine Co.
Tigron Latey *
Tremont Dev. Corp.
Tufts University
U.S. Gov't.
Unaletto, L.*
University Bank
University of Mass.
University of N.H.
Univertical Corp.*
Vanoh, Peter*
Vecchio, Michael
Vietnamis Centr.*

Walters, J.F. Co.
Waltham Hospital
Wapoli Wrecking
Watts Regulator
Webster Printing Co.
Wellesley Freight Lines
Wemcco
Westgate, Wolin, Hamilton Realty
Whil o Will
White, Paul
Whittmore Percite Co.
Winning Home, Inc.*
Wood, W.A.

Group B - One-time customers who may have sent oil or hazardous materials to the facility

Alberto Bros.
Allied Fuel
Almac
American Finish & Chem.
Amicon
Andover Truck
Ans Constr.*
Asa Constr. Co.
Avco Research-Everett
Baker Schools
Baldes Constr.
Bay Colony Real Estate
Belmont, Town of
Belmont Country Club
Benson Gass Fuel*
Beverly, City of
Bilo Const. Co.
Blair Terminal
Bobcat of Boston
Boston & Maine Corp.
Boston College
Boston University
Bradford Corp.
Bridgewater, Town of
Brigham & Womens Hospital
Bruce Realty Trust
Burlington, Town of
Burlington Foundry
Bursaw Oil Co.
Cambridge Electric Light
Cambridge Plating
Cappola Constr.
Center Constr. Co.
Charrette
Chomerics
Clark, Sterling Corp.
Clover Realty
Colella & Sons

Colonial Gardens
Columbia Const.
Connolly Bros.
Crestwood Realty
Croteaus Oil
Cummings Park
Dalton, G.F. & Sons, Inc.
Data Print, Inc.
Deflice Bros. Const.
DeRosa, Inc.
Dixon, F.W. Co.
Dover, Town of
Dyoramih Cont. Co.**
Eastern Microwave
Electro-Spec. Inc.
Elliott Sargent Fuel
Este Corp.
Garage Equip. Distributors
Gibbs Oil Co.
Gibbons Oil
Gordon College
Govoni & Sons
Grimes Oil
Halacorp. Inc.
Hamamatssu Syst.
Harris Construction Co.
Harvard University
Harvey Ind.
Hathaway, C.L. Co.
Haverhill Country Club
Hillside Garden
Hycor
Hytrons
IBM Scientific Corp.
I.T.R. Plastic
Ind Gen. Contracting
Indian Ridge Dev. Co.
Ipswich, Town of
Issacson, Charles & Sons, Inc.
Jones Chemical
Jones, Fabrics
KarKraft System
Kelco Petro
Kencla Const. Co.*
Kenics Corp.*
Kleenco Co.
Kol-Tar Inc.
Kontron
Lexington, Town of
M & V Electroplating
M.S. Metals Co.
Marchese & Sons
Marrin Const.
Market Forge
Masolino Constr. Co.

Mass Bus Co.
McGregor-Smith Mtr. Co. Inc.
Meade, G.L. Foundry
Melrose, City of
Meninno & Sons
Merit Equipment
Merrimac College
Merrimack Valley Constr.
Mesino Leather
Microwave Assoc.
Middleton Car Wash
Milbury Metals
Morse Diesel
Mullin Constr.
Murray Printing
N.A.P.A. N. Eng.
N.E. Casket Co.
N.E. Main & Chemical Co.
Nashua
National Metal Finish Co.
New England Sealcoating Co.
New England Telephone
Noble & Greenough School
North America Chem. Co.
Northern Oil
Parker Hill Assoc.
Parlex Const.
Patten Plumbing
Patterson Plumbing
Petco Oil
Phillips Express
Pickering Petro
Plastic Lace
Precise Alloys
Renica Constr.
Rich Const.
Royal Petroleum
Rust Proofing & Metal Finish Co.
Sacca, N. & Sons
St. Johnsbury Trucking
Salem Suede
Samitan Eng.
Sanborns Express
Saugus, Town of
Schaffer Corp.
Seaside Maint.
Senter Trans
Seppala Aho Constr. Co.
Shawsheen Rubber
Silverio Constr. Co.
Smith Oil Co.
Solar Constr. Co.
Specialty Alloys
Spectrowax Corp
Speen, J.C. Contracting Co.

Star Chemical
Stoneham Tool Co.
Stoneham, Town of
Strong Equip.
Sudbury Lab. Inc.
Sullivan, J.W. Corp.
Suncook Leather
T. Equip. Corp.
Tanco Chemical
Thomas Fuel
Timberlane Trans
Transitron
Tremount
Tri-Plating
Trust Const.
Tyler Const. Co.
USM Corp.
United Chemical
Unitrode
Utec Constr. Inc.
Vac-Hyd Processing*
Vapor Lite Lab.
Village Row Development
Wakefield, Town of
Walsh Chemical Co.
Waltham Chem
Wang Labs
Water Chemical Co.
Web Const. Co.
Wellesley, Town of
Western Electric
Weston, Town of
Winchester, Town of
Wolverine Corp
York Const. Co.

Group C - Regular, repeat customers considered not likely to have sent oil or hazardous materials to the facility.

✓ American Door Co.
✓ American Hoechst*
✓ Anderson Oil
✓ Arrow Automotive, Inc.
Arrow Ind.
Baker, Arnold R.
Baker, M.E.
Beede Waste Oil
Bellofram Const.
Boutwell, Cliff
Card, Andrew J.
Cash Oil Sales
Chapin Reily & Howe
Consolidated Color
Continental Chemicals (ec-div)
County Bank, The (loan)

Covelier, Leo Inc.
Diamond Crystal
Eastern Tool Stamping
Elliott, C&C Bros., Inc.
Farm Bureau Assoc.
Fawcett Fuel Service
Firemans Fund, Inc.
Fish Chemical
Foster Grant Co.
Franki Foundation Co.
Galante Bros.
Gilet Wool Scouring Corp.
Gillette Corp
Globe Mach. & Supply
Granet. Corp.
Hodson, S.M. Inc.
Independent Tallow Co.
Industrial Feed
Inmont Corp
Instant Road Rep.
Int. Harvester
J.G. Machine
Joe App. Co.*
Johnson Bros. Greenhouse
Joseph Catering
Keley, A.C. Drum*
Keystone Battery
Lincoln Foods
Lloyd Lab.
London, D.
Lynn, City of
Maclellan Co.
Mahoneys Rocky Ledge
Malden Mills
Massachusetts, Commonwealth of
Murphy Oil Co.
N.E. Maintenance
N.E. Prolerized
Nemcco
New England Nuclear Corp.
North Woburn Motors
Pappas, C. Co.
Park Electron
Pelrine, W.A., Inc.
Perry Equipt.
Podren, M. Co.
Rabenwitz, Bill
Rainin
Rapid Forms
Ravinus & Sons, Inc.
Reading, Town of (tax)
Roketnetz, Stanley
Ross Barrel Co.
Roy Bros.
Schiavone

Sheen, Lani
Siliboni Prod.
Solomon, J.
Sonnichsen, H.M. (rent)
Spincraft
Sprag Eng. Co.*
Spray Eng.
Strogoff, I*
Sutherland Foundry
Tech Weld Corp.
Tewksbury Auto Parts
Thunderbird Const.
Tomborello, John C.
United Edible Oil Co.
WaterLac Ind.
Westgate, C.B., Inc.
Whiney, E.C. (whiten)
Whipple, The Co.
Woburn Barrel Co.
Woburn Steel Drum
Woburn Truck Parts
Woods Hole
Yesley Co.

Group D - Regular, repeat customers who may have sent oil or hazardous materials to the facility.

✓ B.W. Const. Co.
✓ Baird and McGuire
✓ Boston Edison
Brockton Edison Co.
✓ Brooks Adhesive
Cabot, Samuel Constr.
✓ Chesterton
✓ Compugraphic
✓ Craftsmen Constr. Co.
✓ Eastern Industrial Oil
Empire Adhesive Co. Inc.
Fry Roofing
Gaulston, Geo. A. Co.
General Gelatin
✓ General Tire Co.
✓ Grace W.R.
✓ Great Lakes Container
✓ Hallberg, John D. Inc.
✓ Hampshire Chemical Co.
✓ Henkel Inc. (eastern bil)
✓ High Standard Eng.
✓ High Voltage Eng.
✓ Honeywell
✓ Houghton Chemical Co.
Hulbert Datsun*
✓ Ideal Tape Co.
✓ Kel-Scot Corp.
✓ Kessler Constr. Co.

Kingsland Drum Co.
Kingston Steel Drum
Lamco Chemical
Mann, Geo. Co.
Medford Constr Co.
Mirror Glaze Co. Inc.
Mobil Oil
Mongiello Constr.
Monsanto
Mystic Bituminous
National Polychemicals
Nicetta, N.F.
Nyanza, Inc.
Olin
Omni-Wave
Pollution Control
Polymeric, Inc.
Polyvinyl
Printers Oil Supply Co.
Raytheon Corp.
Reed, Roger
Roche Bros. Barrel Co.
Rust Lick, Inc.
Ryan Barrel
SCI Industries
Semicon, Inc.
Service Station Maint.
Servisco
Sorco Corp.
Sorenson, Wm. R. Co.
Sousa, J.R. & Sons
Southwell Combing
Specialty Polymer
Stahl Finish
Stephan Chemical Co.
Suburban Const. Co.
Superior Chem. Co.
Sylvania
Taverna Bros. Inc.
Thermo Electron
Tillotson Rubber Co.*
Tiram Corp.
Turner Constr. Co.
Varian
Westinghouse Electric
White & Hodges Inc.
Zecco, Inc.

Group E - Other customers about which little is known.

Alpha Chemical Serv
Arden Eng.
M & M
Weber & Smith, Inc.
L/14 CUSTLIST.BAR 12/21/88

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
New England
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

MEMORANDUM

DATE : February 23, 2001

FROM: William F. Hanscom, Investigator
Search & Cost Recovery Section
Office of Site Remediation & Restoration

TO : Wells G & H Site File

SUBJ : Wells G & H Remedial Site (ID No. 0146)
Woburn, Massachusetts

As requested I have conducted research at the Assessor's Office, City of Woburn, Massachusetts and the Middlesex County Registry of Deeds (South), Cambridge, Massachusetts for the following properties.

1. 252R Salem Street, Woburn
2. 256 Salem Street, Woburn
3. 278 Salem Street, Woburn
4. 263 Salem Street, Woburn

The results of my investigation follow.

1. **252 Salem Street, Woburn, Massachusetts**

July 19, 1954

Muriel F. Murphy, wife of William F. Murphy, Woburn, Massachusetts, acquired a parcel of property containing 23,552 square feet of land, located at 250 Salem, Street, Woburn,

Massachusetts, from Cora A. Quinn, Woburn, Massachusetts, for a consideration of \$100.00.¹

September 5, 1962

John F. Murphy and Joan E. Murphy, Woburn, Massachusetts, acquired a parcel of property containing 12,700 square feet of land, located at Wildmere Avenue and Kennere Avenue, Burlington, Massachusetts, from Joan E. Murphy, Woburn, Massachusetts, for a consideration of \$100.00.²

July 7, 1977

John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, acquired a parcel of property located at Salem Street, Woburn, Massachusetts, from Mary E. Quinn, Executrix of the Norman H. Quinn Estate, Woburn, Massachusetts, for a consideration of \$9,000.00.³

July 7, 1977

John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, acquired a parcel of property containing 14,360 square feet of land, located in the Walnut Hill area of Salem Street, Woburn, Massachusetts, from Mary E. Quinn, Executrix of the Estate of Norman H. Quinn, Woburn, Massachusetts, for a consideration of \$25,000.00.⁴

July 7, 1977

John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, acquired a parcel of property located at Salem Street, Woburn, Massachusetts, from Mary E. Quinn, Executrix of the Estate of Norman H. Quinn, Woburn, Massachusetts, for a consideration of \$25,000.00.⁵

July 7, 1977

John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, acquired a parcel of property containing 900 square feet of land, located at Salem Street, Woburn, Massachusetts, from Mary E. Quinn, Executrix of the Estate of Norman H. Quinn, Woburn, Massachusetts, for a consideration of \$1,000.00.⁶

May 8, 1979

Muriel F. Murphy died. William F. Murphy, Sr. was Executor of the Estate which included the property located at 250 Salem Street, Woburn, Massachusetts.⁷

September 30, 1980

A declaration of trust was recorded for the Old Oil Realty Trust. John F. Murphy, 16 Harriett Avenue, Burlington, Massachusetts, was recorded as the subscriber for the trust and holder of 3,000 shares. The following were recorded as the Trustees.

John F. Murphy
Burlington, Massachusetts

Joan E. Murphy
Burlington, Massachusetts.⁸

September 30, 1980

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 15,360 square feet of land, located in the Walnut Hill area of Salem Street, Woburn, Massachusetts, from John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, for a consideration of \$100.00.⁹

(Page 4 of 14)

September 30, 1980

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 900 square feet of land, located at Salem Street, Woburn, Massachusetts, from John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, for a consideration of \$100.00.¹⁰

September 30, 1980

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 12,700 square feet of land, located at Wildmere Avenue and Kenmere Avenue, Burlington, Massachusetts, for a consideration of \$100.00.¹¹

September 30, 1980

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property located at Salem Street, Woburn, Massachusetts, from John F. Murphy and Joan E. Murphy, Burlington, Massachusetts, for a consideration of \$100.00.¹²

September 30, 1980

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriet Avenue,

Burlington, Massachusetts, acquired a parcel of property located at Salem Street, Woburn, Massachusetts, from John F. Murphy and Joan E. Murphy, 16 Harriet Avenue, Burlington, Massachusetts, for a consideration of \$100.00.¹³

(Page 5 of 14)

April 27, 1981

Janet L. Beaucamp, Trustee of the Murphy Realty Trust, acquired a parcel of property containing 23,552 square feet of land, located at 250 Salem Street, Woburn, Massachusetts, from William F. Murphy, Sr., Woburn, Massachusetts.¹⁴

November 3, 1986

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 23,552 square feet of land, located at 250 Salem Street, Woburn, Massachusetts, from John F. Murphy, Woburn, Massachusetts, for a consideration of \$100.00.¹⁵

November 3, 1986

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 23,552 square feet of land, located at 250 Salem Street, Woburn, Massachusetts, for a consideration of \$16,666.66.¹⁶

November 3, 1986

John F. Murphy and Joan E. Murphy, Trustees of the Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, acquired a parcel of property containing 23,552 square feet of land, located at 250 Salem Street, Woburn, Massachusetts, from Janet L. Beaucamp, Trustee of the Murphy Realty Trust, for a consideration of \$16,666.66.¹⁷

(Page 6 of 14)

April 27, 1987

A declaration of trust was recorded for the Murphy Realty Trust. The following were recorded as Trustees.

Massachusetts.

38 Book No. 9753. Pages 337-338. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

39 Book No. 14907. Pages 440-443. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

40 Book No. 25869. Pages 118-119. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

41 Book No. 25017. Pages 525-526. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

42 Book No. 25869. Pages 118-119. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

43 Book No. 25066. Page 159-260. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

44 Book No. 25869. Page 118-119, Middlesex County Registry of Deeds, Cambridge, Massachusetts.

45 Book No. 26052, Pages 22-23. Middlesex County Registry of Deeds, Cambridge, Massachusetts.

Janet L. Beaucamp
Woburn, Massachusetts

William F. Murphy, Sr.
Woburn, Massachusetts

Successor Trustee: John F. Murphy
Burlington, Massachusetts¹⁸

September 23, 1988

A wetlands permit was granted by the Woburn Conservation Commission for a construction project at 252 Salem Street, Woburn, Massachusetts.

Applicant : Murphy's Waste Oil Service
252 Salem Street
Woburn, Massachusetts

Property Owner : Old Oil Realty Trust
16 Harriett Avenue
Burlington, Massachusetts¹⁹

March 20, 1989

The Woburn Conservation Commission, 33 Plympton Street, Woburn, Massachusetts, granted an amendment to the construction permit issued to Murphy's Waste Oil Service, Inc., 252 Salem Street, Woburn, Massachusetts, for work being done at 252 Salem Street.²⁰

(Page 7 of 14)

March 20, 1989

The Board of Appeals for the City of Woburn, Massachusetts, granted Murphy's Waste Oil Service, Inc., 252 Salem Street, Woburn, Massachusetts, a variance "on height of fence from 6 ft. to 8 ft. for security of storage facility located at 252 Salem Street...."

Old Oil Realty Trust, 16 Harriett Avenue, Burlington, Massachusetts, was recorded as the owner of the property at 252 Salem Street.²¹

2. **256 Salem Street, Woburn, Massachusetts**

August 8, 1978

John F. Whitney, 256 Salem Street, Woburn, Massachusetts, acquired a parcel of property containing 116,300 square feet of land, located at Salem Street, Woburn, Massachusetts, from Helen R. Whitney, Administrator of the Estate of Walter Whitney, Somerville, Massachusetts, for a consideration of \$40,000.00.²²

August 14, 1984

John E. Whitney, 480 Washington Street, Woburn, Massachusetts, died. His Estate included the property located at 256 Salem Street, Woburn, Massachusetts.²³

March 22, 1988

A declaration of trust was recorded for the KEK Realty Trust. The following was recorded as the Trustee.

Ruth J. Whitney
4 Campground Road
Boxford, Massachusetts
(Page 8 of 14)

Beneficiaries : John E. Whitney, III
REDACTED - PERSONAL PRIVACY

Susan Whitney
REDACTED - PERSONAL PRIVACY

March 22, 1988

Ruth J. Whitney, Trustee of KEK Realty Trust, acquired a parcel of property containing 116,300 square feet of land, located at 256 Salem Street, Woburn, Massachusetts, from Ruth J. Whitney, 4 Campground Road, Boxford, Massachusetts.²⁵

3. **280 (278) Salem Street, Woburn, Massachusetts**

July 14, 1931

Beryl F. Quinn, Woburn, Massachusetts, acquired a parcel of property containing approximately one (1) acre of land, located at Salem Street, Woburn, Massachusetts, from Daniel J. Quinn, Woburn, Massachusetts.²⁶

July 14, 1931

Bessie E. Quinn, Woburn, Massachusetts, acquired a parcel of property located at Salem Street, Woburn, Massachusetts, from Beryl F. Quinn, Woburn, Massachusetts.²⁷

(Page 9 of 14)

March 27, 1946

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, acquired a parcel of property containing 62,500 square feet of land, located at Salem Street and abutting the Aberjona River in Woburn, Massachusetts, from Bessie E. Quinn, Woburn, Massachusetts.²⁸

March 27, 1946

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, obtained a mortgage for the property located at Salem Street, Woburn, Massachusetts, from the Woburn Co-operative Bank, Woburn, Massachusetts, in the amount of \$7,800.00. The discharge for this mortgage is recorded in Book No. 9243, Page 493.²⁹

February 4, 1959

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, were recorded as the owners of the property located at 280 Salem Street, Woburn, Massachusetts.³⁰

August 11, 1959

The Metropolitan District Commission, Commonwealth of Massachusetts, acquired a permanent easement to the property located at 280 Salem Street, Woburn, Massachusetts, from Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts.³¹

July 21, 1977

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, obtained a mortgage for the property located at 280 Salem Street, Woburn, Massachusetts, from the Woburn Five Cents

(Page 10 of 14)

Savings Bank, Woburn, Massachusetts, in the amount of \$150,000.00.³²

April 14, 1988

The Wildwood Conservation Corporation acquired an "easement across within described and other registered land for purpose of utility poles," to the property located at 280 Salem Street, Woburn, Massachusetts, from Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts.³³

January 13, 1990

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, were recorded as the owners of the property located at 280 Salem Street, Woburn, Massachusetts.³⁴

March 28, 1990

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, obtained a mortgage for the property located at 280 Salem Street, Woburn, Massachusetts, from the Woburn Five Cents Savings Bank, Woburn, Massachusetts, in the amount of \$70,000.00.³⁵

April 10, 1990

The Woburn Five Cents Savings Bank discharged the mortgage to Clifford C. Boutwell and Grace E. Boutwell recorded on Document No. 558563, Middlesex County Land Registration, Cambridge, Massachusetts.³⁶

(Page 11 of 14)

August 23, 1993

Clifford C. Boutwell and Grace E. Boutwell, Woburn, Massachusetts, obtained a mortgage for the property located at 280 Salem Street, Woburn, Massachusetts, from the Sterling Bank, in the amount of \$60,000.00.³⁷

4. **263 Salem Street, Woburn, Massachusetts**

January 31, 1961

Norman H. Quinn and Mary E. Quinn, Woburn, Massachusetts, acquired two (2) parcels of property located at Salem Street, Woburn, Massachusetts, from Muriel F. Murphy, Woburn, Massachusetts, Rita P. Muller, Arlington, Massachusetts, and M. Regina Quinn, Woburn, Massachusetts.³⁸

February 23, 1983

John F. Murphy, individually, 16 Harriett Avenue, Burlington, Massachusetts, acquired two (2) parcels of property located at 263 Salem Street, Woburn, Massachusetts, from Mary E. Quinn, widow, 263 Salem Street, Woburn, Massachusetts.³⁹

October 22, 1990

John F. Murphy made out his last will and testament.⁴⁰

March 18, 1994

John F. Murphy, 16 Harriett Avenue, Burlington, Massachusetts, died. Joan E. Murphy was
(Page 12 of 14)

Executrix of the Estate of John F. Murphy which included the properties located at 263 Salem Street, Woburn, Massachusetts, and 16 Harriett Avenue, Burlington, Massachusetts.⁴¹

October 18, 1994

The Estate of John F. Murphy was probated in the Middlesex County Probate & Family Court, Docket No. 94P4321E, Cambridge, Massachusetts.⁴²

December 19, 1994

A disclaimer was recorded pertaining to the Estate of John F. Murphy.

"WHEREAS, the undersigned Joan E. Murphy, having survived the decedent, is entitled under Article FOURTH of decedent's will to the rest, residue and remainder of the decedent's estate after the payment of debts, funeral expenses, taxes, administrative expenses and all other obligations of the estate; and

WHEREAS, the undersigned Joan E. Murphy desires to disclaim her interest in certain real estate situated at 263 Salem Street, Woburn, Middlesex County, Massachusetts, and more particularly described in a deed to decedent dated February 23, 1983 and recorded with Middlesex South Deeds, Book 14907, Page 440, which real estate is a part of (and may be all of) said residuary estate (which real estate as aforesaid shall hereinafter be called the "Disclaimed Interest").

NOW THEREFORE, the undersigned Joan E. Murphy does hereby irrevocably disclaim, disavow, renounce, and decline to accept the Disclaimed Interest...."⁴³

December 4, 1995

A disclaimer was recorded pertaining to the Estate of John F. Murphy.

"WHEREAS, the undersigned Massachusetts Society for the Prevention of Cruelty to Animals, of Boston, Massachusetts (the "MSPCA") in the event that Joan E. Murphy
(Page 13 of 14)

does not survive the decedent, is entitled upon the death of Donna L. Murphy to outright distribution of ten (10) percent of the remainder of the trust under Article FIFTH of the decedent's will consisting of the residue of the decedent's estate:

WHEREAS, each of Joan E. Murphy and Donna L. Murphy has disclaimed her interest in certain real estate located in Woburn, Massachusetts (hereinafter described) which comprises part of the residue of the decedent's estate; and

WHEREAS, the undersigned MSPCA desires to disclaim all of it's right, title and interest in such real estate, including that portion of it's distributive share of it's remainder interest in the trust under Article FIFTH of the decedent's will that is comprised of such real estate, such real estate being more particularly described in a deed to decedent dated February 23, 1983 by Mary E. Quinn and recorded with Middlesex South Deeds, Book 14907, Page 440 (which real estate shall hereinafter be called the "Disclaimer Interest").

NOW THEREFORE, the undersigned MSPCA does hereby irrevocably disclaim, disavow, renounce, and decline to accept the Disclaimed Interest...."44

February 15, 1996

A disclaimer was recorded pertaining to the Estate of John F. Murphy.

WHEREAS, the decedent's wife, John E. Murphy and the decedent's daughter, Donna L. Murphy, have both disclaimed their interests in certain real estate (hereinafter described) to which they are entitled under decedent's will; and

WHEREAS, the undersigned Learning Center for Deaf Children, Inc., 848 Central Street, Framingham, Massachusetts was given a contingent 10 % interest in certain "Real Estate" situated at 263 Salem Street, Woban, Middlesex County, Massachusetts and more particularly described in a deed to decedent dated February 23, 1983 and recorded with Middlesex South Deeds, Book 14907, Page 440, which Real Estate is a part of (and may be all of) said residuary estate; and

WHEREAS, the Learning Center desires to disclaim its beneficial interest (the "Disclaimer Interest") in the Real Estate.

NOW, THEREFORE, the undersigned Learning Center for Deaf Children, Inc. does hereby irrevocably disclaim, disavow, renounce, and decline to accept the Disclaimed Interest..."⁴⁵

- 1 Book No. 8290, Pages 338-339, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 2 Book No. 10115, Page 363, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 3 Book No. 13231, Page 239, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 4 Book No. 13231, Pages 240-241, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 5 Book No. 13231, Page 242, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 6 Book No. 13231, Page 243, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 7 Book No. 14138, Page 453, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 8 Book No. 14080, Pages 276-303, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 9 Book No. 14080, Pages 304-305, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 10 Book No. 14080, Page 306, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 11 Book No. 14080, Page 307, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 12 Book No. 14080, Page 308, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 13 Book No. 14080, Page 309, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 14 Book No. 14272, Page 393, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 15 Book No. 17547, Page 334, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 16 Book No. 17547, Page 335, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.

- 17 Book No. 17547, Page 336, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 18 Book No. 14272, Page 383, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 19 Book No. 19350, Pages 370-375, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 20 Book No. 19706, Pages 375-378, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 21 Book No. 19706, Pages 379-382, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 22 Book No. 13510, Pages 55-57, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 23 Book No. 17303, Page 212, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 24 Book No. 18934, Pages 261-266, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 25 Book No. 18934, Page 267, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 26 Book No. 5575, Page 200, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 27 Book No. 5575, Pages 200-201, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 28 Book No. 6927, Pages 567-568, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 29 Book No. 6927, Pages 568-571, Middlesex County Registry of Deeds (South), Cambridge, Massachusetts.
- 30 Certificate No. 72809, Book No. 617, Page 12, Middlesex County Land Registration, Cambridge, Massachusetts.
- 31 Document No. 345408, Middlesex County Land Registration, Cambridge, Massachusetts.
- 32 Document No. 558563, Middlesex County Land Registration, Cambridge, Massachusetts.
- 33 Document No. 105201, Middlesex County Land Registration, Cambridge, Massachusetts.
- 34 Certificate No. 187191, Book No. 1066, Page 41, Middlesex County Land Registration, Cambridge, Massachusetts.
- 35 Document No. 819154, Middlesex County Land Registration, Cambridge, Massachusetts.
- 36 Document No. 820035, Middlesex County Land Registration, Cambridge, Massachusetts.
- 37 Document No. 916681, Middlesex County Land Registration, Cambridge,

MA DEP Files

Site Assessment Report
of the

Former Whitney Barrel Company Site
256 Salem Street
Woburn, Massachusetts

Vol. 1

Prepared by:

GHR Engineering Associates, Inc.
1050 Waltham Street
Lexington, Massachusetts 02173

Prepared for:

Ruth J. Whitney
No. 4 Campground Road
Boxford, Massachusetts 01921

SECTION TWO - SITE BACKGROUND

2.0 Introduction

This section discusses Site ownership, location and physical surface conditions at the former Whitney Barrel Co., Inc. property (hereafter referred to as the "Site"), Woburn, Massachusetts. A discussion of the environmental Site setting is also included. Figure 1 depicts the general location of the Site. Figure 2 shows the Site's location relative to surrounding properties and includes the City of Woburn Assessor's office lot designations. Figures 3, 4, and 5 are detailed Site Plans showing all field exploration locations (established during the current Site assessment), Site surface features, utility lines, and other Site-specific information.

2.1 Site Location and Ownership

- o USGS Quadrangles: Lexington and Boston North
(7.5 minute series)

- o UTM Coordinates: 47 06200m N
3 24750m E

- o Latitude/Longitude: 42° 29' 27"N / 71° 07' 57"E

- o County: Middlesex

- o Address: 256 Salem Street
Woburn, Massachusetts 01801

- o Assessor's Maps: The Site comprises Lot 37 on Map 16 (portion of Block 16005) as shown on the City of Woburn Assessor's maps and delineated on Figure 2.

- o Site Ownership: According to records at the Middlesex, South District (S.D.) Registry of Deeds, the current owner of the 256 Salem Street property (the Site) is Mrs. Ruth J. Whitney, who acquired title to the property under the will of her late husband John E. Whitney, Jr. At the time of his death (August 14, 1984), John E. Whitney, Jr. was owner and operator of the Whitney Barrel Co., Inc. and the Site.

2.2 Current Site Use

The Site is currently used by a number of individuals and businesses who lease a portion of the property from Mrs. Ruth Whitney, the current Site owner (Whitney, 1988). The individuals leasing part of the Site include:

- o Robert Jones, American Artesian Well Co. - Rents yard space in the southeast corner of the property for equipment storage and parking of trucks.

- o John Anderson, Anderson Oil Co. - Rents the southern third of the main building as a garage to park trucks. An aboveground storage tank (approximately 20 gallons) is located inside the garage. Tank contents are not known.

- o Edmund Lynch, Wayside Storage Trailers - Rents space in the southwest corner of the property for parking of storage trailers.

- o Robert Herson, Herson Construction Co. - Rents yard space in the west central portion of the property (north of Wayside Storage Trailers) for parking of trucks and storage of construction equipment. Herson Construction uses two on-site aboveground storage tanks. One aboveground storage tank is approximately 50 gallons. Contents of this tank are not known, but believed to be a petroleum product based on oil-like surface soil staining noted by GHR in the area surrounding the tank. The second tank is approximately 500 gallons and contains diesel fuel. In general, most of the surficial soil staining described below in Section 2.3.1 was observed by GHR in the portion of the property currently occupied by Herson Construction Co.

- o Murray Ross, Ross Barrel Company - Rents parking space for trucks that transport barrels.

- o Bruce Marchand of Woburn, Massachusetts - Rents the center third of the main building for a wood working business.

- o Phillip Chimento of Woburn, Massachusetts - Rents a portion of the rear third of the main building for auto repairs and auto body work.

- o Steven Allen, Allen Glass Co. - Rents a portion of the rear third of the main building for auto glass repair.

- o Al Stackpole of Cambridge, Massachusetts - Rents building space for equipment repairs (street sweepers).

- o All Star Towing of Woburn, Massachusetts - Rents yard space for storage of towed vehicles. Vehicles mainly occupy a large section of the northern upland portion of the property.

- o Warren O'Leary of Woburn, Massachusetts - Rents yard space for parking trucks.

2.3 Site Description

The Site is located in a commercial/industrial area in Woburn, Massachusetts. The Site is approximately 2.72 acres in size and is bordered by Murphy's Waste Oil to the west, the J.J. Riley Leather Co./Wildwood Conservation property to the north, the Aberjona Auto Parts, Inc. property and Metropolitan District Commisison (MDC)/City of Woburn Sewer easements to the east, and Salem Street to the south (Figure 2). The following describes Site conditions as observed by representatives of GHR throughout the field investigation conducted between June and November, 1988. Additional information included in this Section was obtained from various city and state offices, as well as from the report entitled "Wells G & H Remedial Investigation Report" October, 1986, and prepared by NUS Corporation, 1986, and from information provided to GHR by John E. Whitney III, the Site owner's son and former employee of the Whitney Barrel Company.

SECTION THREE - SITE HISTORY

3.0 Introduction

This Section summarizes research conducted on the history of the Site. The purpose of the research was to identify current or historical activities on the Site and surrounding properties relating to the use and handling of oil or hazardous materials. Sources of information utilized for compilation of this Section include:

- o USGS topographic maps, Lexington and Boston North quadrangles
- o Municipal water and sewer plans
- o Underground storage tank permits and records
- o DEQE incident, RCRA, and hazardous waste files
- o US EPA CERCLIS, Region I, dated May 6, 1988
- o Utility permit records on file with the City of Woburn and MWRA
- o Fire Department response files
- o Middlesex County Registry of Deeds
- o Wells G & H Site Remedial Investigation Report, Part I, US EPA, October 17, 1986
- o Response to CERCLA/RCRA Information Request re: Whitney Barrel Co., prepared by John E. Whitney III, February 16, 1988.
- o City Planning Office maps
- o DEQE Confirmed Sites List, dated October 15, 1988

- o DEQE Notice of Responsibility pursuant to MGL Chapter 21E, re: Woburn - Whitney Barrel, 256 Salem Street (Case #3-534). December 1, 1986.
- o GHR communication with John E. Whitney III, 1988.

3.1 Site Ownership History and Historical Site Use Exclusive of Whitney Barrel Company Activities

Site ownership was identified back to 1919 when the property was owned by Hugh Quinn of Woburn. In 1938 the deed was transferred from Hugh Quinn to Daniel J. Quinn, also of Woburn. John E. Whitney, Sr. and Helen T. Whitney purchased the property from Daniel J. Quinn in 1950; however, the City of Woburn held the 1950 tax title for the property until 1954. A complete ownership history, as recorded at the Middlesex County Registry of Deeds is summarized in Table 2.

The Site was vacant prior to 1950 and was reportedly used for storage (type unknown) while Daniel Quinn owned the property (from 1938 to 1950) (Middlesex County Registry of Deeds, Book 4284, Page 561). During the 1920's and 1930's the Site was allegedly used by a farmer for poppy farming and illicit opium production (Whitney, 1988, personal communication). The farmer was allegedly apprehended and his crop was eradicated. The validity of this information could not be confirmed by GHR in any records that were reviewed.

The on-Site buildings and associated utility connections were constructed in 1950 by the Whitneys. No records existed in City files that an actual sewer connection was ever made at the Site (personal communication, Woburn DPW Dept. Superintendent, 1988). GHR was able to determine by conducting a dye test in

the sewer line that the floor drain in the main building is, in fact, connected to the City/MWRA sewer system (see Section 2.3.1).

The Site history/Site use relating to Whitney Barrel Co. (1950-1985) is addressed separately below. During the period when the Whitney Barrel Co. operated on-Site, the facility was shared with at least two tenants. It is reported (Whitney, 1988, personal communication) that during the 1960's, Hero Chemical Company leased and occupied a small extension off the boiler room on the northwest side of the main building (Figure 4). This extension, including the floor, was reportedly constructed exclusively of wood. Hero Chemical (now Hero Coating of Everett, Massachusetts) utilized the space for glue manufacturing. It is not known if the company used or generated any hazardous waste on-Site. During the 1970's, this same facility space was leased by two chemists for research in analytical chemistry (Whitney, 1988, personal communication). The chemists occupied the space until a fire in May, 1979 destroyed the entire main building, including this extension. The extension was not reconstructed when the main building was rebuilt in 1980. No other information could be obtained regarding the activities of the two chemists.

3.2 Whitney Barrel Company History

Table 3 presents a chronological summary of Site related activities from 1919 to the present. Whitney Barrel Co. was a family owned and operated barrel reclaiming business established by the late John E. Whitney, Sr. at 256 Salem Street in 1950. The two buildings formerly used by Whitney Barrel Co. still exist on-Site. The larger building housed the barrel cleaning and refinishing operations, and the smaller building was used for office space. There is very little corporate documentation available for Whitney Barrel Co., primarily because a 1979 fire destroyed the main building on-Site. All contents of the building were lost in the fire including most corporate documentation (Whitney, 1988, personal communication). The company history was reconstructed from public records and interviews with John E. Whitney III, whose father, the late John E. Whitney Jr., owned and operated the company from 1972 until his death in late 1984.

From 1950 until early 1985, barrels (predominantly 55 gallon barrels) were brought to the Site by the truckload to be cleaned, refinished and resold. Tanks of all sizes were also cleaned on-Site and then sold for scrap metal. Most barrels cleaned at the Site reportedly came from the food and cosmetic industries (MDC 1978 and 1983), although customer lists indicate that the company did business with many other types of businesses (refer to Appendix G).

In the earlier years of the Whitney Barrel operation some barrels still containing waste residues were received at the Site for cleaning (MDC, 1981). These residues were reportedly drained from the barrels prior to washing and

contained in a drum for off-Site disposal (MDC, 1978). The company later made it general practice to accept only those barrels that were considered empty and it became company policy that barrels containing residue were rejected or sent back to their source (MDC, 1981). It was also reported that most barrels cleaned at the Site in the later years were precleaned at the point of origin before delivery to the Site for refinishing (MDC, 1981).

Prior to cleaning, barrels were stored in the rear section of the main building (Whitney, 1988). This area, called the "raw warehouse" was a wooden structure 100 feet long by 40 feet wide (Whitney, 1988 personal communication). The raw warehouse burned down during a 1977 fire at the facility (Woburn Fire Department Record, 1977). Large pieces of metal and steel tanks were stored, cleaned, and cut for scrap outside of the main building, off the back of the raw warehouse (Whitney, 1988). After the 1977 fire destroyed the warehouse, all barrels and tanks were stored outside of the main building (Whitney, 1988).

Barrels and tanks to be reconditioned were cleaned in a 300 gallon (10 feet x 2 feet x 2 feet) wash tank on a platform inside the main building (MDC 1978; Whitney, 1988). The wash tank used for barrel cleaning no longer exists on-Site. According to John E. Whitney, III and various MDC Inspection Reports, the cleaning process consisted of the following:

1. Barrels were steam cleaned with trisodium phosphate and a flake caustic wash solution. Wash water from this process was skimmed and then discharged manually to the City /MWRA sanitary sewer system via the floor drain located five feet inside the rear entrance of the main building (MDC, 1983, 1981, and 1978). The oil and grease was skimmed

off of the washwater and drummed for off-Site disposal (MDC, 1981).

Any sludge that accumulated in the wash tank was drummed and collected for off-Site disposal (MDC, 1978).

2. Following the initial wash, barrels were steam rinsed. Rinsewater was also contained in the wash tank and discharged manually to the City sewer system via the floor drain (Whitney, 1988).

The Whitney Barrel Co. had an Industrial User Permit (No. 43000288-8) issued in 1981 by the Metropolitan District Commission (MDC) for discharge to the on-Site sanitary sewer. One permit violation, for high pH (11.25) was noted in a sampling report from an April 1983 MDC inspection of the Whitney Barrel facility (MDC, 1983). The elevated pH was attributed to the caustic used in the barrel washing (MDC, 1983). In 1983, the MDC also noted permit violations in regards to the Whitney Barrel Co. not submitting a discharge report or a compliance schedule (Grandin, 1983). Although wash water samples were collected periodically (for metals, oil and grease, and pH analyses) by MDC representatives during routine facility compliance inspections (MDC, 1983), no analytical results were found by GHR in MDC (now MWRA) files. The MDC permit expired on October 31, 1983.

After washing, barrels were dried with a vacuum-type dryer, reshaped and buffed in preparation for painting. Barrels were painted with drum enamel paint thinned with Solvisol No. 5 (Whitney, 1988). Painting was performed in a small

paint booth located in the main building (MDC, 1983). Mr. John E. Whitney, III stated that any waste paint thinner was subsequently mixed with new paint and re-used (MDC, 1983).

A series of fires occurred at the Site while the Whitney Barrel Co. was active. Woburn Fire Department records indicate that the first fire occurred in 1960. Subsequent fires occurred in 1965, 1967, 1972, 1973, 1977, 1979 and 1986. The most destructive fires occurred in 1977 and 1979. The 1977 fire destroyed the "raw warehouse", and the 1979 fire demolished the entire main building and its contents (Whitney, 1988). Records completed by the Woburn Fire Department for the 1977 fire reported that "chemicals and residue from used barrels" were the main flame spread factors (Woburn Fire Department, 1977). The 1977 fire originated in the barrel wash room. During the 1979 fire, John E. Whitney, III, then employed at the facility, reported that many barrels awaiting reconditioning exploded and were blown out of the building (Whitney, 1988, personal communication). According to the Woburn Fire Department records, a large amount of water was necessary to extinguish both fires.

The main building was reconstructed in 1980, using the existing concrete foundation (Whitney, 1988, personal communication). The raw warehouse was never rebuilt. After the fire of May 1979, the volume of barrel/tank reconditioning performed at the Site was reported to be significantly reduced (Whitney, 1988).

In August 1984, John E. Whitney, Jr., the owner and operator of the facility, died, and in early 1985, the company ceased operations.

3.3 Site Regulatory History

The Whitney Barrel Co. (EPA No. MAD 019725324), although no longer active, is listed on the DEQE's RCRA list dated July 27, 1988 as a RCRA generator whose waste is not regulated and as a non-regulated, small quantity handler. Whitney Barrel filed for this RCRA status on April 15, 1981.

The Site is also listed as an "Unclassified Hazardous Waste Site" on DEQE's Confirmed Site List (Site #3-0534) dated October 15, 1988. The listing date for the Site was January 15, 1987, and its status is given as Phase I.

The Site also appears on the CERCLIS, the US EPA Superfund Program Site listing dated May 6, 1988. The Site was first listed in 1980. Ecology and Environment (E&E) conducted a preliminary assessment (PA) and a Site inspection (SI) at the facility in 1980, and concluded that no environmental problems were identified on-Site but reported that wastewater, routinely discharged to the MWRA sewer could possibly exfiltrate from sewer lines (E&E, 1980). No documentation to support this hypothesis was identified by E&E and no intrusive field investigations were performed during the 1980 studies.

In 1979 the Massachusetts DEQE Division of Water Pollution Control filed suit against Whitney Barrel Co. for allegedly allowing Kingston Steel Barrel Co., Inc. of Kingston, New Hampshire to discharge industrial wastewater into the MDC manhole located just beyond the northeast corner of the Site. This discharge of industrial wastewater to the MDC sewer was in violation of MGL Chapter 21 Section 43 and the then MDC sewer regulations issued under MGL Chapter 92, Section 8A. Without admitting the allegations of the complaint, Whitney Barrel

consented to the entry of a Final Judgement on April 25, 1985 and agreed to pay a civil penalty of \$5,000.00. At the time of the alleged discharge, neither Whitney Barrel Co. nor Kingston Steel Barrel Co. had a National Pollution Discharge Elimination System (NPDES) permit. 7

Also in 1979, the Massachusetts DEQE Division of Water Pollution Control (Lord, 1979, MWPC), inspected at the Site and reported that there were areas on-Site "...where oil and various chemicals have either leaked or spilled on the ground from the tanks and barrels..." stored on the property.

In February 1985, the Remedial Investigation contractor for the City of Woburn Wells G & H study, NUS Corporation, attempted to install a monitoring well on the Whitney Barrel Co. property. NUS reported (DEQE - NE, 1986) that at a depth of 3.5 feet, a black sludge-like material was encountered during drilling. Routine air monitoring using an Organic Vapor Analyzer (OVA) conducted by NUS during drilling for health and safety purposes detected a total volatile organic (TVO) compound concentration of approximately 250 ppm over the borehole when the driller reached that depth. The hole was abandoned by NUS and the issue was later referred to the Massachusetts DEQE by the US EPA.

In December 1986, the DEQE issued a Notice of Responsibility (NOR) to Whitney Barrel Co. pursuant to MGL Chapter 21E. The information reported by NUS was cited as evidence in support of the issuance of the NOR. The Whitney Barrel Company was identified as a responsible party and was requested by DEQE to take

actions to define and evaluate on-Site environmental conditions. In October 1987, the E.C. Jordan Company of Wakefield, Massachusetts prepared a Scope of Work and Cost Plan for a Phase I Site Assessment at DEQE's request. After discussion with DEQE, the current Site owner, Ruth Whitney, agreed to contract with GHR to perform the work required by DEQE in the NOR.

Pursuant to an Administrative Consent Order effective July 6, 1988, between Ruth Whitney and DEQE, the Site investigation summarized in this report was initiated. The Scope of Work for the Site investigation was developed by GHR during Consent Order negotiations and was approved by DEQE as sufficient to satisfy requirements for Phase I and II of the response action within the meaning of Section 3A (d) (2&3) of Chapter 21E.

TABLE 2
CHRONOLOGICAL OWNERSHIP HISTORY
WHITNEY BARREL CO. SITE
256 SALEM STREET, WOBURN, MASSACHUSETTS

<u>Year</u>	<u>Site Owner</u>
1919 - 1938	Hugh Quinn
1938 - 1950	Daniel J. Quinn
1950 - 1953	City of Woburn - Held Tax Title for John E. Whitney, Sr. and Helen T. Whitney
1954 - 1964	City released 1950 Tax Title to John E. Whitney Sr. and Helen T. Whitney
1964 - 1972	Helen T. Whitney
1972 - 1976	John E. Whitney, Jr. and Walter W. Whitney
1976 - 1978	John E. Whitney, Jr. and Helen R. Whitney
1978 - 1984	John E. Whitney, Jr.
1984 - Present	Ruth J. Whitney

Notes:

1. Information derived from files at Middlesex County Registry of Deeds and John E. Whitney, III, 1988.

TABLE 3
CHRONOLOGICAL HISTORICAL SUMMARY
1919 - 1988
256 SALEM STREET, WOBURN, MASSACHUSETTS

1919 - 1938	Unknown use (rumored use for opium production in 1920's and 1930's) lot vacant. No buildings.
1938 - 1949	Storage. No buildings.
1950 - 1985	Whitney Barrel Co., use for barrel and tank reconditioning and scrap metal junkyard.
1950 or 1951	Floor drain and on-Site sewer believed installed.
1960's	Hero Chemical. use of building extension for glue manufacturing.
March, 1960	Fire report. barrel ruptured.
1965	Fire on-Site.
1967	Fire report, gas tank fire attributed to careless burning.
1970's	Use of building extension for analytical chemistry research.
1972	Fire report. spontaneous ignition in paint spray booth.
1973	Fire on-Site.
May, 1977	Fire on-Site originating in wash room destroyed "raw warehouse".
June, 1978	MDC Industrial Inspection Report
November, 1978	MDC Industrial Investigation Report - MDC representatives left an MDC User Permit Application and a copy of the applicable regulations. Reported no barrel cleaning, just barrel retail.
December, 1978	Kingston Steel Barrel Co. alleged to have discharged rinsewater into MDC manhole near Whitney property.
April, 1979	Massachusetts Water Pollution Control (MWPC) files suit against Whitney Barrel Co. for disposal of wastewater by Kingston Steel Barrel Co. into MDC storm sewer without a discharge permit.

TABLE 3

CHRONOLOGICAL HISTORICAL SUMMARY (CONT'D)

May, 1979	Fire on-Site destroyed main building and contents Drum reconditioning volume reduced afterwards.
June, 1979	MWPC inspected the Site and reported that oil and hazardous material spilled on the ground from tanks and barrels.
1980	E&E PA and SI concluded there are no apparent environmental problems on-Site.
1980	Reconstruction of main building.
April, 1981	RCRA Inspection Report: 300 drums washed per week; no drums observed to contain more than 1" of residue. Violations: no training plan, no position descriptions, no contingency plan. Inspection for RCRA notification/status.
April 15, 1981	RCRA notification date. Whitney Barrel received RCRA status as a non-regulated small quantity generator and handler.
September, 1981	Industrial Investigation Follow-up Reports. Inspection performed for permit information.
April, 1983	MDC Industrial Investigation and Sampling Reports: Wash 150 barrels per day, 2 days per week. Sampled for oil and grease and metals analysis; no results available. Violation: elevated pH of discharged water.
1985	Whitney Barrel Co. ceased junk and barrel reclaiming operations.
February 3, 1985	NUS attempts to install well on-Site for EPA Wells G & H study. Total Volatile Organic Compound concentration detected at 250 ppm during air monitoring conducted at the borehole during drilling.
January 3, 1986	Rubber Fire
January 13, 1986	Tank fire; 2,000 gallon tank was being cut for scrap when torch ignited residue (petroleum product). Reported that some petroleum product spilled on ground surface. Also fire control liquid was sprayed on ground surface.

TABLE 3

CHRONOLOGICAL HISTORICAL SUMMARY (CONT'D)

December 1, 1986	DEQE issued NOR to Whitney Barrel Co.
January 15, 1987	Whitney Barrel Co. Site first listed by DEQE as a confirmed uncharacterized hazardous waste Site.
October, 1987	DEQE's contractor, E.C. Jordan, proposes Scope of Work for a Phase I investigation of Whitney Site.
January, 1988	GHR Engineering, consultants to Ruth Whitney, submitted to DEQE a revised Site investigation work plan based on the earlier E.C. Jordan plan.
February, 1988	DEQE agrees to enter into an Administrative Consent Order with Ruth Whitney under which GHR would conduct the Site investigation.
July 6, 1988	Administrative Consent Order signed.

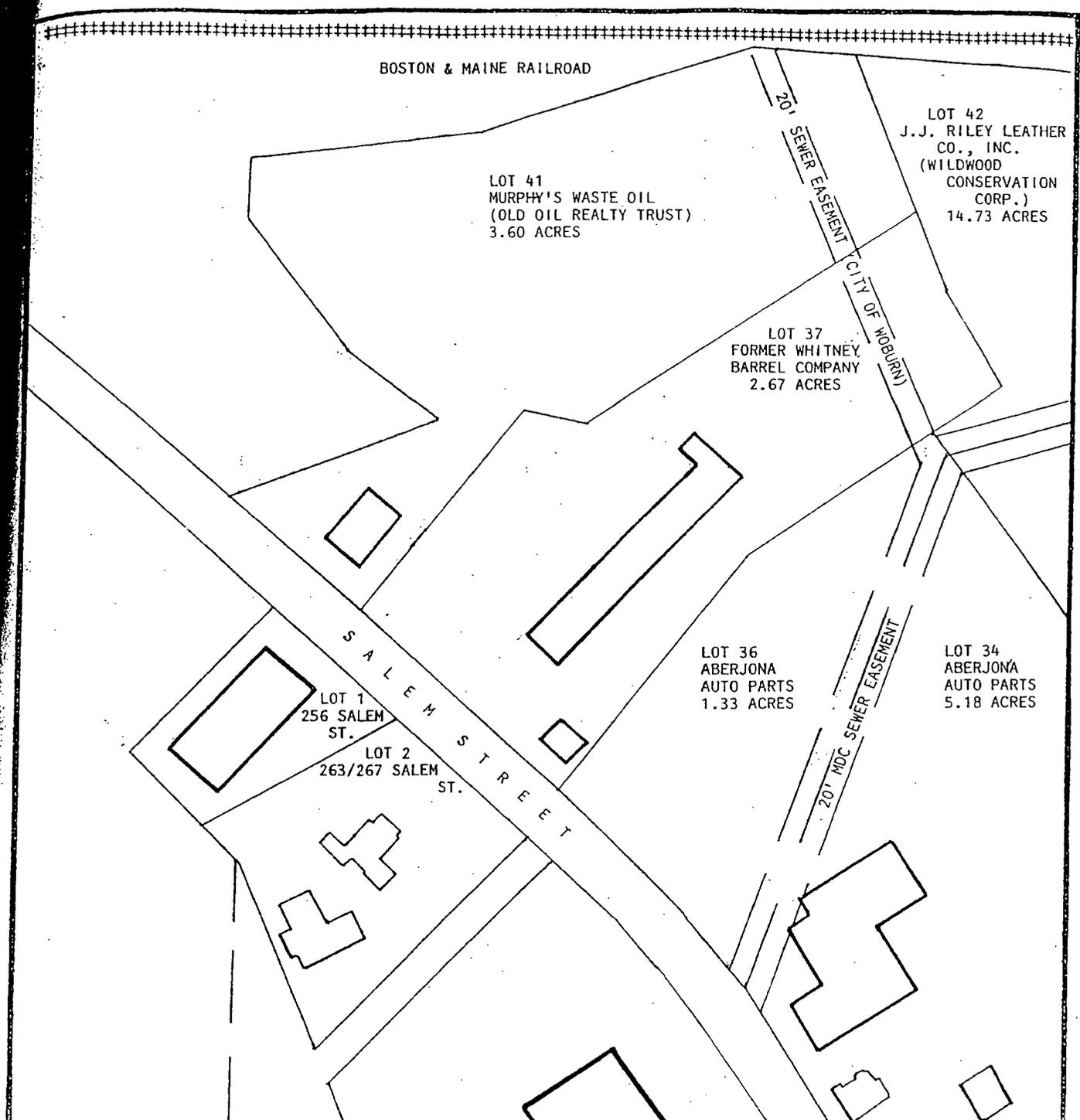
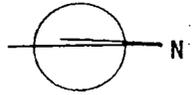


FIGURE DERIVED FROM
WOBURN ASSESSORS
MAP 16



SCALE: 1" = 130'
(approx.)

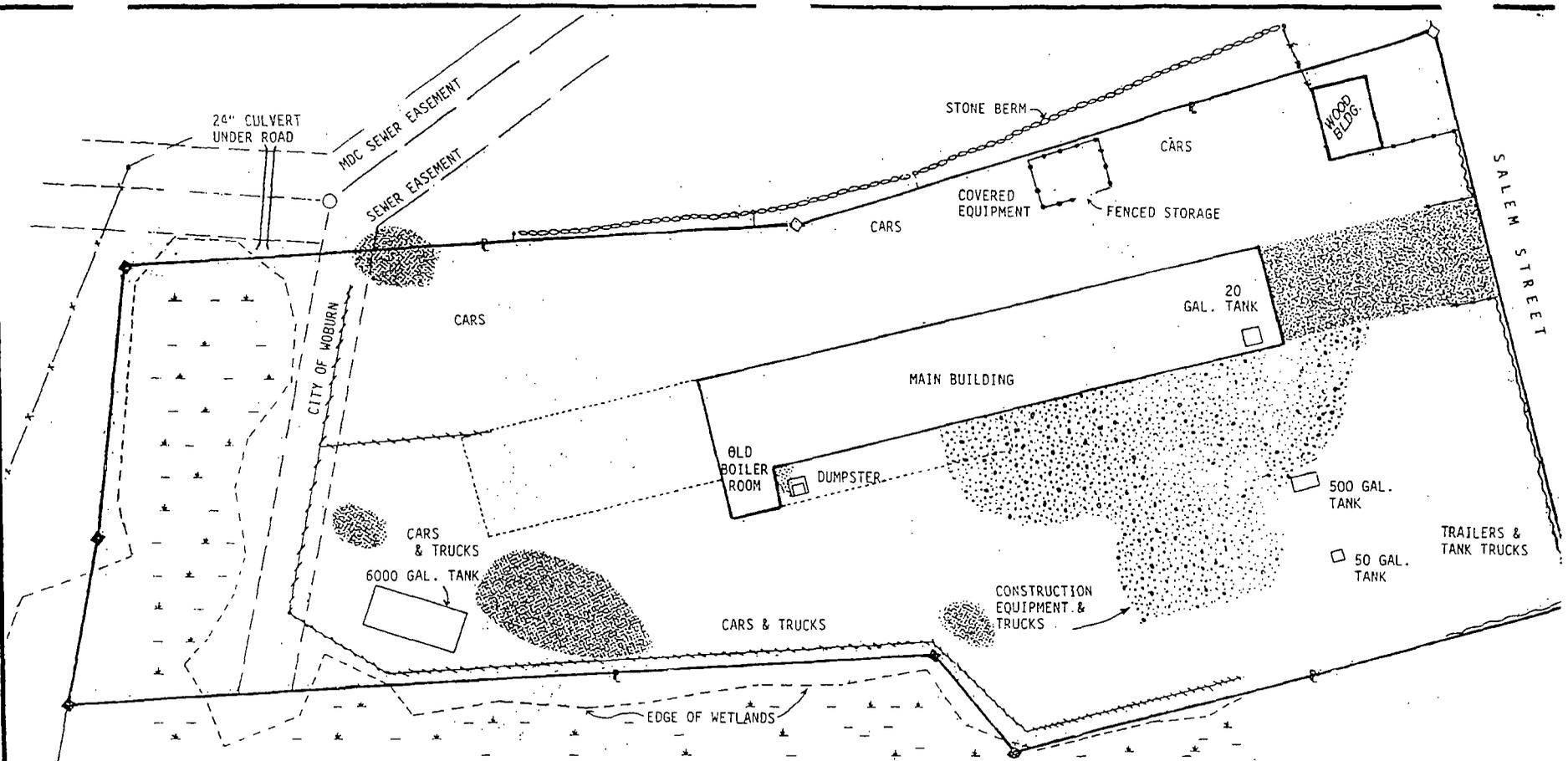
PROJECT: WHITNEY BARREL COMPANY
WOBURN, MA

CLIENT: RUTH J. WHITNEY

TITLE: FIGURE 2
DETAIL OF ASSESSORS MAP

GHR
ENGINEERING ASSOCIATES, INC.
1050 Waltham Street
Lexington, MA 02173

PROJECT NUMBER
3661.002



LEGEND:

- MANHOLE
- STOCKADE FENCE
- - - CHAIN LINK FENCE
- ~ CORRUGATED FENCE
- SNOW FENCE
- DEBRIS PILE
- ▨ RECENT ASPHALT PATCH PAVEMENT
- ▩ BITUMINOUS CONCRETE PAVEMENT
- ⋯ FORMER BUILDING LOCATION
- ▲ WETLANDS
- ⊞ PROPERTY LINE



 ENGINEERING ASSOCIATES, INC. 1050 WALTHAM STREET LEXINGTON, MA 02173	PROJECT	WHITNEY BARREL COMPANY WOBURN, MA
	CLIENT	RUTH J. WHITNEY
DWN. BY: MCR CHK. BY: KAN DSGN. BY: <i>flj</i> APPD. BY: <i>flj</i> SCALE: 1" = 40' DATE: 12/13/88	DWG. TITLE	FIGURE 4 SITE SKETCH

**United States Court of Appeals
for the First Circuit.**

No. 87-1405.

ANNE ANDERSON, ET AL.,
PLAINTIFFS-APPELLANTS,

v.

BEATRICE FOODS CO.,
DEFENDANT-APPELLEE.

ON APPEAL FROM A JUDGMENT OF THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT
OF MASSACHUSETTS.

Brief for the Plaintiffs-Appellants.

Statement of the Case

I. NATURE OF THE CASE.

The plaintiffs sued W.R. Grace Co. and Beatrice Foods Co. in this diversity tort action, because the defendants contaminated the water supply of East Woburn, Massachusetts with toxic industrial solvents resulting in disease and death to the plaintiff families. The action was based in negligence, nuisance, and strict liability.

C. Evidence That the Beatrice Site had been Contaminated by the Toxic Solvents Prior to the Closing of Wells G and H in May, 1979.

The plaintiffs' evidence showed that the 15 acres had been contaminated by the mid-1960's. Physical evidence gathered on the site between 1980 and 1986 indicated extensive past chemical dumping on the land. The site was examined by engineers for the EPA (A.R.C. 27), Beatrice (under EPA order (A.R.C. 28)), and the plaintiff families (A.R.C. 29). Weston Geophysical Company, on behalf of the families, examined the site in minute detail between August 1985 and January 1986, mapping the ground, cataloguing and testing indicia of disposal activity, sampling surface materials, digging auger holes into the ground to sample and test subsurface soil, and drilling wells into the ground to sample groundwater and monitor the level of the water table (A.R.C. 30). In addition, Weston Geophysical participated with the EPA and the U.S. Geological Survey in tests that determined that Wells G and H pumped water from beneath the 15-acre Beatrice site. This was accomplished by reactivating Wells G and H during the months of November and December, 1985, and January, 1986 (the "pump test") and monitoring the effect of the reactivated wells on the water table in the surrounding area (A.R.C. 31).

Weston Geophysical's examination of the 15 acre site documented widespread toxic solvent disposal and contamination on the site (A.R.C. 32). Current indications of past dumping included: the presence of rusted-out steel 55 gallon drums, decayed corrugated cardboard drums, drum lids, bung caps, pesticide caps, sealing rings, long handled brushes, buckets, gloves, boots and sludges, including tannery waste (A.R.C. 33). The drums, some intact and others corroded, contained residues with high levels of the toxic solvents (A.R.C. 34). Much of the waste debris on the land was in piles (A.R.C. 35), and soil samples taken adjacent to debris piles showed high levels of the toxic solvents, as did groundwater samples taken beneath the piles (A.R.C. 36). The rusted and decayed condition of waste items, particularly the steel and cardboard drums, indicated

that they had been on the site for years (A.R.C. 37). Some of the drums had dates stamped on them showing that they had been used in the sixties (A.R.C. 38). Other items buried in the waste piles along with the chemical waste made the piles datable: a prescription bottle (A.R.C. 39), a newspaper clipping (A.R.C. 40), a political flyer (A.R.C. 41), and beer cans were all dated in the sixties (A.R.C. 42). None of the dumped material showed later dates or appeared to be more recent. A tree growing from the top of one of the debris piles was cut down and its growth rings counted, showing that it was between 17 and 18 years old (A.R.C. 43).

Aerial photos of the site showed graphically when and how the land had been contaminated. Photos taken in 1956, 1966, 1969, 1974, 1978, and 1981 documented and chronicled the open and obvious pollution of the site (A.R.C. 44). The site was contaminated between the late-fifties and the mid-sixties. Between 1956 and 1966, part of the land was cleared and used by Whitney Barrel to store and refurbish second-hand drums and large fuel tanks (A.R.C. 45). The 1966 photo shows a network of circular trails created by axle traffic extending from the barrel and waste oil companies onto the site; the 1966 photo actually shows two vehicles on the trails (A.R.C. 46). The dirt access road into the property was being heavily used in 1966; debris and cleared areas are apparent in the photo on both sides of the road (A.R.C. 46). Soil and water subsurface samples taken recently in the area of these trails and from beside the access road show extremely high levels of the toxic solvents in the ground, with TCE levels among the highest anywhere on the Beatrice site (A.R.C. 47). One of the debris piles (Debris Pile E), which Weston Geophysical examined in 1985 and which was a significant source of the toxic solvents at the site, also clearly appears in the 1966 photo (A.R.C. 48). (See Map, Addendum A.)

By 1969, the truck trails were fading and becoming overgrown, but use of the land for storing barrels and tanks continued (A.R.C. 49). By 1974 most of the tanks and barrels were gone, the trails completely overgrown, and the access road much less used (A.R.C. 50). By 1978 there was little or no apparent use of the land (A.R.C. 51). The photo in 1981 showed no change (A.R.C. 52).

Eye witnesses confirmed the photographic evidence that the land was used in the sixties by the businesses adjacent to it, particularly by Whitney Barrel, for storing, cleaning and dumping. One witness testified that, between 1956 and 1965, he saw residues, sludges, barrels, and other obvious indicia of dumping activity on the land. He described barrels on the land, some new, some old even at that time, leaking liquids and sludgy material onto the ground (A.R.C. 53). He recalled a large pile of barrels and wooden beams at the location currently designated Debris Pile E (A.R.C. 54).

An employee of Whitney Barrel who worked for that company in 1967-68 testified that Whitney obtained used barrels for reconditioning from a chemical company, and that the barrels often contained liquid residues of chemicals (A.R.C. 55). It was part of the witness's job to dump these residues on the 15 acres. Whitney Barrel then used TCE (as a cleaning solvent) and long-handled brushes to clean the barrels. The witness identified photos of long-handled brushes found in debris piles on the 15 acres as of the type which had been used for cleaning the barrels (A.R.C. 56). These brushes were found in sludge piles that tested very high for TCE (A.R.C. 57).

In addition to the physical, circumstantial and testimonial evidence described above, there was expert opinion that the contamination on the Beatrice site dated from the 1960's. John Drobinski, the geologist from Weston Geophysical who supervised the extensive testing of the site and interpreted the aerial photographs, testified that the site was contaminated with the toxic solvents by the mid-1960's (A.R.C. 58). Woodward-Clyde Associates, environmental consultants for Beatrice, reached essentially the same conclusion (A.R.C. 59).⁸ Dr. George Pinder, Professor of Hydrology at Princeton University, who traced the underground flow of the toxic solvents from the Beatrice site to Wells G and H, also testified that the contamination at

⁸ Woodward-Clyde Associates were beyond the territorial subpoena power of the court and plaintiffs were unable to summons a representative to court. Beatrice did not produce any witness from Woodward-Clyde but plaintiffs introduced Woodward-Clyde's Report to the EPA (A.R.C. 6).

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
CIVIL ACTION
NO.

DIVISION OF WATER POLLUTION CONTROL)
of the Commonwealth of Massachusetts)
and)
FRANCIS X. BELLOTTI,)
Attorney General of the)
Commonwealth of Massachusetts)

PLAINTIFFS)

V.)

WHITNEY BARREL CO., INC.,)

DEFENDANT)

SUPERFUND RECORDS CTR	
Site:	Wells G+H
Break:	11.9
Other:	Whitney Barrel

COMPLAINT

INTRODUCTION

1. This is an action against the Whitney Barrel Co., Inc. of Woburn, Massachusetts ("Whitney") for its violation of the Massachusetts Clean Waters Act, G.L. c. 21, §42 and G.L. c. 92, §8A by causing the discharge of toxic chemicals into a Metropolitan District Commission ("MDC") sewer and waters of the Commonwealth on December 13, 1978.

THE PLAINTIFFS

2. The plaintiff Division of Water Pollution Control ("the Division") is an agency of the Commonwealth of Massachusetts established pursuant to the provisions of Chapter 685 of the Acts of 1966 with the powers and duties contained in G.L. c. 21, §§27-58.

3. The plaintiff Francis X. Bellotti is Attorney General of the Commonwealth of Massachusetts. Pursuant to G.L. c. 12,

511D he has the authority to remedy damage to the environment by enforcing any statutes or regulations.

THE DEFENDANT

4. The defendant Whitney Barrel Company, Inc., is a corporation duly organized under the laws of the Commonwealth of Massachusetts with a principle place of business in Woburn, Massachusetts.

FACTUAL ALLEGATIONS

5. Whitney is in the business of processing 50-gallon drums used to store and transport a variety of liquid chemical substances by disposing of the contents and cleaning the drums so that they may be reused. Its recycling facility is located at 256 Salem Street in Woburn, Massachusetts ("the facility").

6. On or about December 13, 1978 Whitney entered into an agreement with the Kingston Steel Barrel Co., Inc. of Kingston, New Hampshire ("Kingston") whereby Kingston agreed to recycle a number of 50-gallon drums which Whitney had received for recycling but which it was unable to process.

7. Under the terms of the agreement, Kingston was to process the drums, store the contents and then return the contents to the facility for disposal.

8. Whitney informed Kingston that the contents of the drums could be disposed of by discharging them into a manhole at the facility.

9. Kingston processed the drums and stored the contents thereof in order to return them to the facility as agreed.

10. On or about December 13, 1978, Kingston directed

Wayne Poole, one of its employees, to transfer the stored contents of the recycled drums into a tractor trailer tank truck.

11. On December 13, 1978, Poole drove the tank truck to the facility.

12. A sanitary sewer controlled by the MDC is located under the facility. Access to the sewer can be obtained from the facility by means of a manhole.

13. The MDC sewer flows from the City of Woburn into the MDC sewer system, which ultimately discharges into Boston Harbor from the Deer Island treatment plant.

14. Boston Harbor is a water of the Commonwealth.

15. After Poole arrived at the facility he discharged a portion of the contents of the tank truck into the MDC sewer through the manhole at the site in accordance with Whitney's agreement with Kingston.

16. The tank contained toxic chemicals consisting in part of toluene, tetrochloroethylene, and tri-chloroethylene. These chemicals are toxic pollutants.

17. The tank contained oil and grease in concentrations in excess of 100 milligrams per liter.

18. The tank contained chemicals with a pH greater than 12.

19. Kingston does not have a permit issued by the Director of the Division of Water Pollution Control pursuant to G.L. c. 21, §43, to discharge pollutants into waters of the Commonwealth.

CLAIM II: VIOLATION OF G.L. C. 92, §8A AND THE
METROPOLITAN DISTRICT COMMISSION'S SEWERAGE REGULATIONS

26. General Laws c. 21, §42 provides:

The [Metropolitan District C]ommission may adopt, modify and repeal regulations for implementing and administering the provisions of sections one A, two, and five to eight, inclusive, and may issue orders to municipal, industrial or other users directing compliance with the terms of any such regulation or provision.

Whoever violates any provision of any regulation, ordinance or order adopted or issued thereunder or under section twelve of chapter seven hundred and five of the acts of nineteen hundred and forty-five, shall be punished by a fine of not less than one thousand nor more than ten thousand dollars for each day such violation continues, or shall be subject to a civil penalty not to exceed ten thousand dollars per day of such violation which may be assessed in an action brought on behalf of the commonwealth or any court of competent jurisdiction.

27. On August 3, 1978 the Metropolitan District Commission ("MDC") promulgated Rules and Regulations Covering Discharge Of Sewage, Drainage, Substances, Or Wastes To Sewerage Works Within The Metropolitan Sewerage District ("the Regulations") under the authority of G.L. c. 92, §8A.

28. Article III, Paragraphs 1 and 2 of the Regulations provide, in part, as follows:

1. No user shall discharge or shall cause or allow to be discharged, any substances, water or wastes that the Commission or the municipality has identified as likely, either singly or by interaction with other substances, (a) to harm either the sewerage system or the wastewater treatment process, (b) to be otherwise incompatible with the treatment process, . . . (d) to adversely effect receiving waters, . . . or (f) to constitute a nuisance.

20. Whitney does not have a permit issued by the Director of the Division of Water Pollution Control pursuant to G.L. c. 21, §43, to discharge pollutants into waters of the Commonwealth.

21. The discharge of toxic chemicals described in this Complaint caused damage to the environment in that toxic chemicals were discharged into Boston Harbor.

CLAIMS FOR RELIEF

CLAIM I: VIOLATION OF THE MASSACHUSETTS CLEAN WATERS ACT

22. General Laws c. 21, §42, the Massachusetts Clean Waters Act, provides in pertinent part:

Any person who, directly or indirectly, throws, drains, runs, discharges or allows the discharge of any pollutant into the waters of the Commonwealth, except in conformity with a permit issued under section forty-three, or who violates any provision of this chapter, any valid regulation, order or permit prescribed or issued by the director thereunder; . . . (b) shall be subject to a civil penalty not to exceed ten thousand dollars per day of such violation, which may be assessed in an action brought in behalf of the Commonwealth in any court of competent jurisdiction.

23. The discharge of the contents of the tank truck into the MDC sanitary sewer constitutes the indirect discharge of pollutants into waters of the Commonwealth without a permit issued by the Director.

24. Whitney authorized or allowed the discharge by Kingston to occur.

25. The discharge of toxic chemicals as described in this complaint constitutes a violation of G.L. c. 21, §42, by Whitney.

2. Specifically prohibited are:

(c) Waters or wastes having a pH lower than 5.5 or higher than 9.5, or having any other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, sewerage systems and personnel.

(f) Waters or wastes containing fats, wax, grease or oils of vegetable or animal origin in excess of one hundred (100) mg/l. . . . Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible floating oils, fats and greases. . . . If the discharge concentration for any fats, oils or greases is in excess of one hundred (100) mg/l after treatment, the Commission may increase the discharge concentration limit on a case-by-case basis, when the user demonstrates to the Commission's satisfaction that his discharge is not contributing to nuisance conditions. . . .

29. Article IV, Paragraph 9 of the Regulations provides as follows:

Any user who violates any provision of these regulations or any user who knowingly makes any false statement, representation, record, report, plan, or other document filed with any municipality or the Commission, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this regulation shall be punished by a fine of not less than one thousand nor more than ten thousand dollars for each day such violation continues, or shall be subject to a civil penalty not to exceed ten thousand dollars per day of such violation, which may be assessed in an action brought on behalf of the Commonwealth in any court of competent jurisdiction.

30. The discharge of the contents of the tank truck into the MDC sanitary sewer constitutes a violation of the Regulations and G.L. c. 92, §8A.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs pray that this Court:

1. Issue a temporary restraining order directing the Whitney Barrel Co., Inc., its officers, agents and employees not to discharge solutions containing alkalines or hazardous wastes into Metropolitan District Commission sewers or into waters of the Commonwealth except in accordance with a permit issued pursuant to G.L. c. 21, §43.

2. Issue a preliminary injunction directing the Whitney Barrel Co., Inc., its officers, agents or employees not to discharge solutions containing alkalines, or other hazardous wastes into Metropolitan District Commission sewers or into waters of the Commonwealth, except in accordance with a permit issued to G.L. c. 21, §43.

3. Issue a permanent injunction after trial directing the Whitney Barrel Co., Inc., its officers, agents or employees not to dispose of solutions containing alkalines or other hazardous wastes into Metropolitan District Commission sewers or into waters of Commonwealth, except in accordance with a permit issued pursuant to G.L. c. 21, §43.

4. After trial assess a civil penalty against the Whitney Barrel Co., Inc., of \$10,000 for each day it has violated G.L. c. 21, §42.

5. After trial assess a civil penalty against the

Whitney Barrel Co., Inc. of \$10,000 for each day it has violated G.L. c. 92, §8A and the Rules and Regulations Covering Discharge Of Sewage, Drainage, Substances, Or Wastes To Sewerage Works Within The Metropolitan Sewerage District.

6. Assess such other relief against the Whitney Barrel Co., Inc. as this Court deems appropriate.

DIVISION OF WATER POLLUTION
CONTROL of the Commonwealth
of Massachusetts, and
FRANCIS X. BELLOTTI,
ATTORNEY GENERAL

By: Stephen M. Leonard
STEPHEN M. LEONARD, Chief
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Environmental Protection Division
Public Protection Bureau
One Ashburton Place - 19th Floor
Boston, MA 02108
(617) 727-2265

FIELD INVESTIGATIONS OF UNCONTROLLED HAZARDOUS WASTE SITES

FIT PROJECT

TDD # F1-8005-01E-06

December 16, 1980

TASK REPORT TO THE ENVIRONMENTAL PROTECTION AGENCY CONTRACT NO. 68-01-6056

*Rec'd
JUNE 1987
Jz*

SITE INSPECTION REPORT
of
WHITNEY BARREL COMPANY, INC.
256 Salem Street
Woburn, Massachusetts

Submitted to:
John Hackler, Chief
Office of Uncontrolled Waste Sites
U.S. EPA, Region I

Submitted by:
David Cook, Project Leader
Ecology and Environment, Inc. (E & E)
FIT Team, Region I

Prepared by:
Richard DiNitto and David K. Cook
Ecology and Environment, Inc.
FIT Team, Region I

ecology and environment, inc.

International Specialists in the Environmental Sciences

SITE INSPECTION REPORT

FOR

WHITNEY BARREL COMPANY, INC.

TDD #: F1-8005-01E-06

Firm Name: Whitney Barrel Company, Inc.

Address: 256 Salem Street
Woburn, MA. 01801

Telephone: 933-4520

Owner: John Whitney

Principal Contact at Site: John Whitney

1. Purpose of Inspection:

To gather information necessary to determine the potential for RCRA and/or 311/104 Clean Water Act actions regarding Whitney Barrel Company, Inc., Salem Street, Woburn, Massachusetts operations.

2. Objective:

To conduct an on-site investigation of Whitney Barrel Company, Inc. property in order to locate evidence of contamination, identify possible contaminants and collect appropriate samples for screening and analysis.

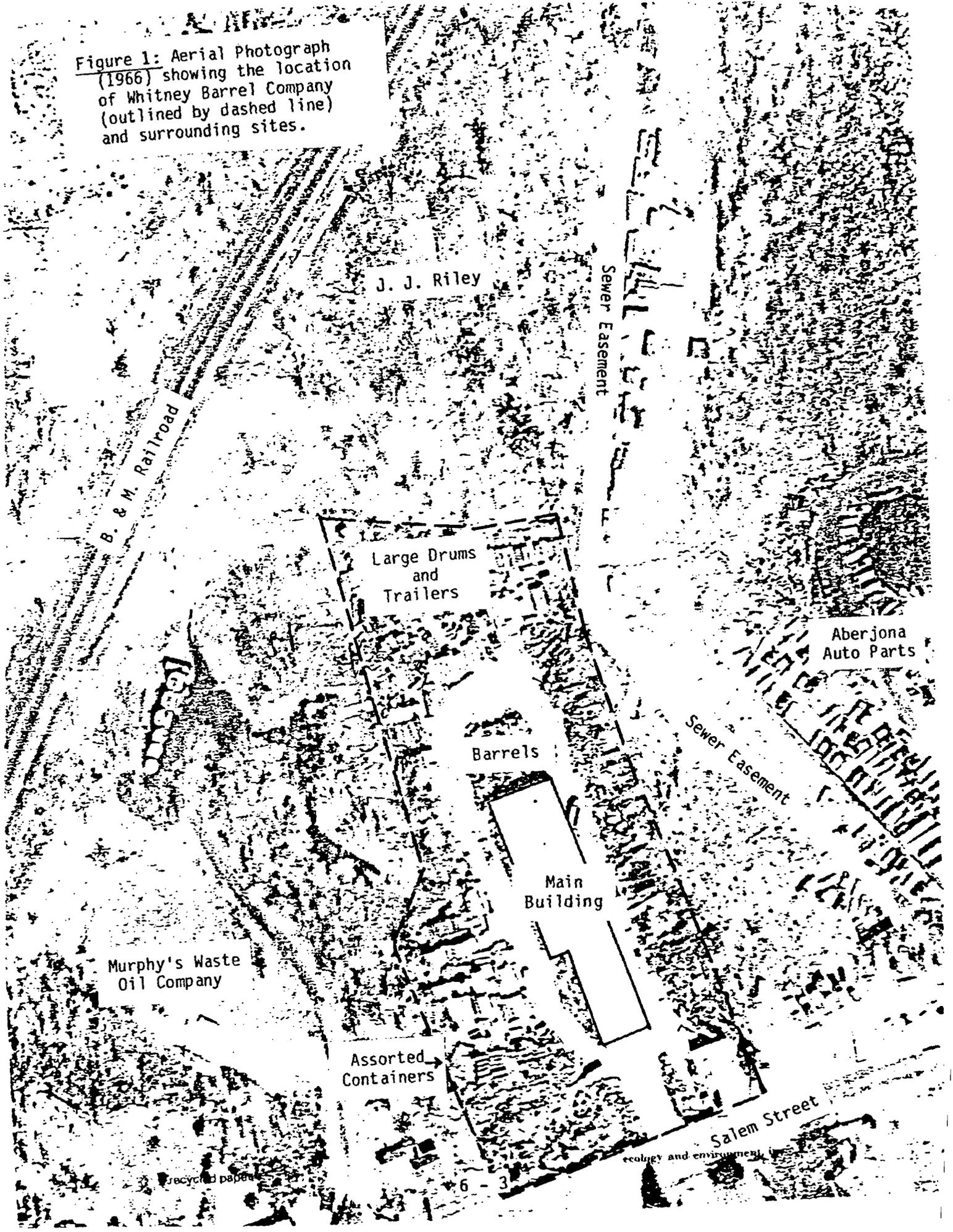
3. Background:

3.1 Description:

Whitney Barrel Company, Inc. is located on the northern side of Salem Street in East Woburn, on lot #37, and comprises 2.67 acres of land. The property is bordered by Murphy's Waste Oil Company to the west, Aberjona Auto Parts, Inc. and the MDC/City of Woburn sewer easements to the east, Salem Street to the south, and property owned by J. J. Riley, Inc. to the north. Figure 1 depicts the site from an aerial photograph taken in 1966. Vegetation bordering the site does not appear to be stressed.

The site is characterized by one large building where reconditioning takes place. The building is surrounded by randomly scattered trailers, drums and tanks up to 5,000 gallon capacity as well as a wide variety of machinery. Housekeeping on site is very poor (See Figures 2 and 3).

Figure 1: Aerial Photograph (1966) showing the location of Whitney Barrel Company (outlined by dashed line) and surrounding sites.



J. J. Riley

B. & M. Railroad

Sewer Easement

Large Drums and Trailers

Aberjona Auto Parts

Barrels

Sewer Easement

Main Building

Murphy's Waste Oil Company

Assorted Containers

Salem Street

recycled paper

6 3

ecology and environment

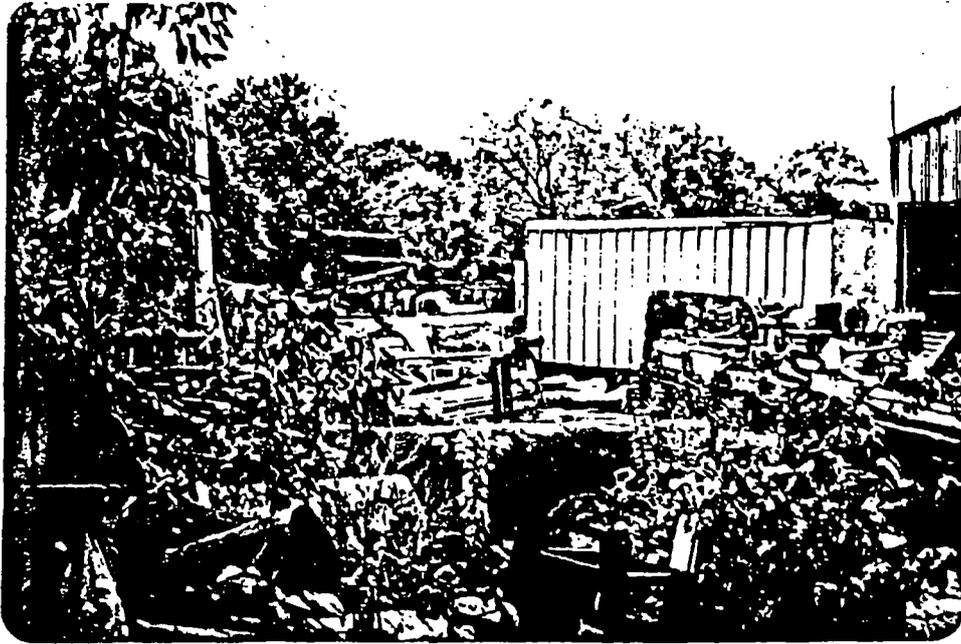


Figure 2: Photograph taken on October 13, 1980 of Whitney Barrel's operation looking north from the west side of the property



Figure 3: Photograph taken on October 13, 1980 of Whitney Barrel's operation looking north from the east side of the property

3. Background - continued

3.2 Primary Site Activity:

A telephone interview between Richard DiNitto of Ecology and Environment, Inc. and John Whitney, the owner of Whitney Barrel Company was conducted to gather information about the site. Mr. Whitney said that he bought the property in 1949 for the purpose of operating a drum, boiler, tank, and machinery reconditioning company. Today, as in the past, the main source of material is the food industry. All barrels, tanks, boilers, etc., are washed out on-site, using boiling water and a scouring agent, trisodium phosphate (TSP). Mr. Whitney stated that his company once used caustic soda in addition to TSP, but could not recall how long ago it had been since it was last used. The TSP is bought in 100-pound bags and stored in 55-gallon steel drums. Mr. Whitney stated that he does not store any containers on his property other than those which undergo reconditioning. Any containers received from sources other than the food industry are cleaned off-site. Food industry related sources send only containers which are empty, according to Mr. Whitney.

Due to a fire in 1979 which nearly destroyed the main building, activity on the site since has been very slow, with very little reconditioning taking place.

3.3 Secondary Site Activity:

Whitney Barrel Company also deals in scrap metal. Any large container or machinery not reconditionable is cut into sections and sold as scrap. This aspect of the company's activities may account for the junkyard-like appearance of the property.

3.4 Hazards Identified or Alleged:

No complaints have been received either by the Woburn Board of Health or by the Department of Environmental Quality Engineering's

3. Background - continued

3.4 Hazards Identified or Alleged:

(DEQE) Division of Enforcement concerning on-site activity. However, the Attorney General's office is currently investigating a case against Whitney Barrel Company for dumping waste water into the Metropolitan District Commission (MDC) sewer manhole located near the northeast corner of their property. They have also been sited for storing various chemicals, and for various chemical and oil spills on site.

During two perimeter surveys carried out by E & E personnel on October 13, 1980, it was noted that the property owned by Whitney Barrel Company takes on the appearance of a junk yard (See Figures 2 through 6). There are many containers on-site that are stacked three to four containers high and are severely rusted. There are also numerous pieces of machinery and trailers in various stages of deterioration. All of the above presented a physical hazard to the site entry team during the inspection.

Aerial photographs taken in 1966 (Figure 1) and 1979 (Figure 7) indicate that storage of large containers has occurred on-site for at least 14 years in contradiction to Mr. Whitney's statement that only drums for reconditioning are stored on site.

The MDC manhole located near the northeast corner of the property, into which waste rinse water is disposed, is not accessible for midnight dumping. Exfiltration from the sewer may be contaminating local groundwater. However, at the time of the site inspection, the manhole was dry and the Century organic vapor analyzer (OVA) did not detect any volatiles in the sewer.

In summary, on-site activities at the time of the inspection do not indicate a significant threat to the environment. However, the following situations may exist at this site:



Figure 4: Solid Waste on
Whitney Barrel Property



Figure 5: Solid Waste on
Whitney Barrel Property

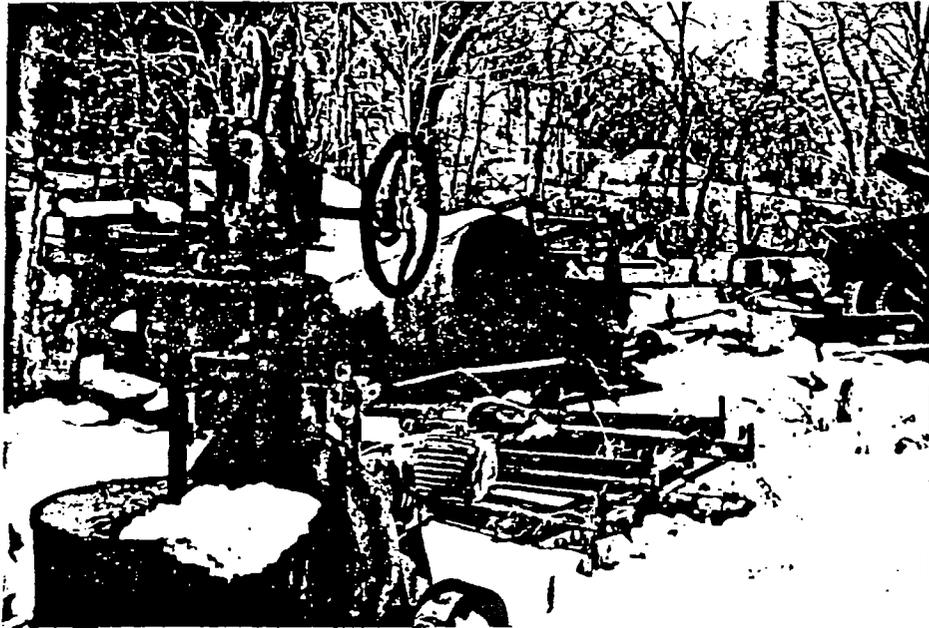


Figure 6: Solid Waste on
Whitney Barrel Property

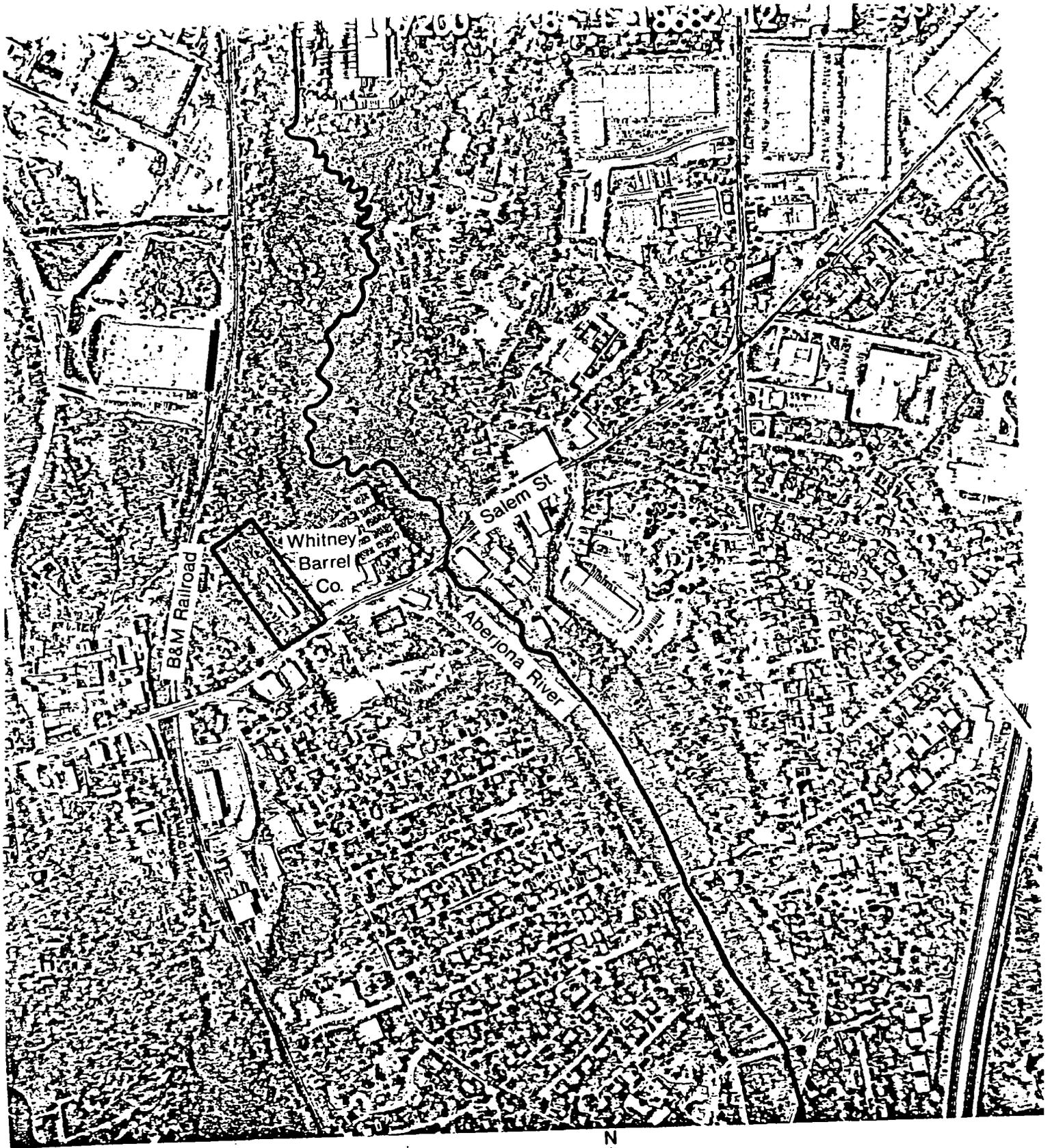


Figure 7: 1979
Aerial Photograph of
Whitney Barrel Company



0 600 1200
Feet

3. Background - continued

3.4 Hazards Identified or Alleged:

1. It is likely that at times, significant quantities of waste water pass into the MDC sewer from Whitney Barrel Company thereby posing a threat to the groundwater through exfiltration from the sewer.
2. During a perimeter survey on October 13, 1980, a strong chemical odor was detected emanating from Whitney Barrel Company property. This suggests possible activities including the reclaiming of solvent drums or the use of solvents to reclaim drums. At the time of the site inspection, empty drums with labels for malathion, acrylic lacquer thinner and methylene chloride were noted (See Figures 8, 9 and 10). When these were brought to Mr. Whitney's attention, he claimed that they were all washed before he received them. He did not reveal where they were washed.
3. Several cardboard drums labelled trichloroisocyanuric acid, including at least one which was full, were discovered on the ground under a trailer near the northeast corner of the site. Potential health hazards associated with this compound are:

Strong oxidizer - Will cause skin burns if brought in contact with moisture.

Toxicity -

- A. Inhalation - not an inhalation hazard at ambient temperatures.
- B. Ingestion - can cause death if ingested in large quantities. Ingestion of small quantities of powder may cause inflammation of the gastrointestinal tract.

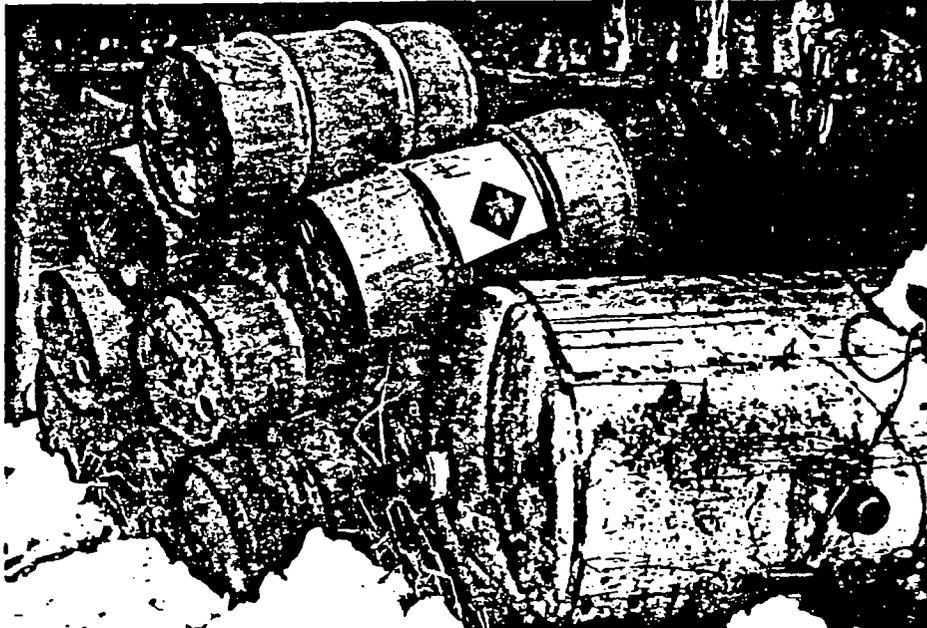


Figure 8:
Laquer thinner drums

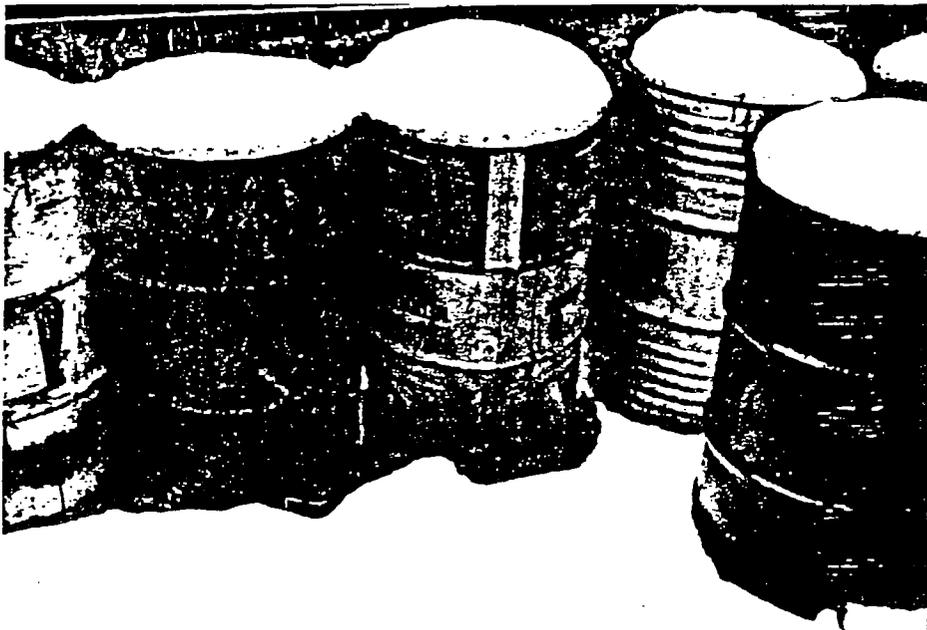


Figure 9:
Methylene Chloride Drums



Figure 10:
Malathion Drum

4. Concept of Operation:

A five-person team entered the site to identify the nature of materials stored on-site, investigate possible sources of contamination and take appropriate samples for analysis. The following instruments were used during the visit to delineate potentially hazardous areas and screen samples:

1. Century OVA (organic vapor analyzer)
2. Explosimeter
3. Oxygen meter

All samples collected were taken to the EPA Regional Laboratory in Lexington, Massachusetts, for further screening and analysis.

- 4.1 The haphazard arrangement of this site made it very difficult to anticipate possible sampling points. The site was approached with the intent of sampling all contents of open drums and tanks and any evident seeps and standing liquids. The only anticipated sampling point was the manhole at the northeast corner of the site. The significant snow which fell two days prior to the site visit may have concealed possible seeps and standing water. However, no sheen was seen on any meltwater on the site. All tanks and drums on site at the time of the site inspection were empty. The only exceptions were the drums of trichloroisocyanuric acid powder mentioned earlier. The two sewers located on site were both dry at the time of the visit.
- 4.2 Entry Procedure - Prior to the actual site investigation, two team members entered the site with MSA 401 units, oxygen meter, explosimeter and OVA to locate and delineate any potential volatile organic hot spots. None were found and, as a result, the originally proposed level of protection (ultratwins with GMC cartridges) was employed.

5. Logistics and Site Set-up:

Because of the possibility that hazardous materials might be on-site and because only one entrance to the site exists, specialized logistical requirements were necessary for entry into this site.

The only entrance to Whitney Barrel Company is from the south on Salem Street. On the day of entry the prevailing wind was from the southwest allowing the site-entry to take place as planned.

Since the location of the command post and entry to the site were along a heavily travelled road near residential and light industrial areas, caution was taken to minimize unwanted attention to the site-entry team's activities. The personnel decontamination station (PDS) was set-up north of the command post to conceal it from the road. The site-entry team moved swiftly to and from the command post. Boots were washed on-site and gloves were disposed of. All decon solutions and disposable materials were placed in a 55-gallon drum labelled "E & E decon" and left on site. Arrangements are being made with a local carrier for the pick-up and disposal of the drum and its contents.

6. Team Organization and Task Assignments:

6.1 Site Entry Team:

The site entry team consisted of the following five people:

David Cook	-	Site Entry Team Leader
Richard DiNitto	-	Assistant Leader/Work Party
Paul Clay	-	Work Party/Sampling
Glenn Smart	-	Work Party/Equipment
Lori Fucarile	-	Documentation/Safety

6. Team Organization and Task Assignments:

6.2 Schedule of Events:

The site entry team was briefed on November 20, 1980 (the day before the site entry). The briefing included review of appropriate data obtained during the preliminary site assessment, for the purpose of making the team aware of any potential hazards. The briefing focused the team's attention on questions raised by the preliminary site assessment. Following the briefing, there was an equipment check-out. See Figure 11 for approximate itineraries of the initial hazard check-out and site inspection teams.

The following was the schedule of events for the site entry on November 21, 1980:

- 0930 - Arrive at site and establish wind direction, set-up command post and decon, perform final equipment checkout.
- 0945 - Site entry team leader conducts interview with John Whitney, site owner, who declines duplicate samples and photographs.
- 1000 - Work party (P. Clay and R. DiNitto) enter site with SCBA's, OVA, oxygen meter and explosimeter to screen site for any possible hot spots.
- 1015 - Work party returns from site. No readings were discovered. Safety Officer (L. Fucarile) reduces safety level to the original plan (ultra-twin respirators).
- 1025 - Site entry team breaks up into two groups:

Sampling group (P. Clay and G. Smart) investigates manholes at the north end of property.

Exploratory group (D. Cook and R. DiNitto) investigates materials currently stored on site for potential sampling points.

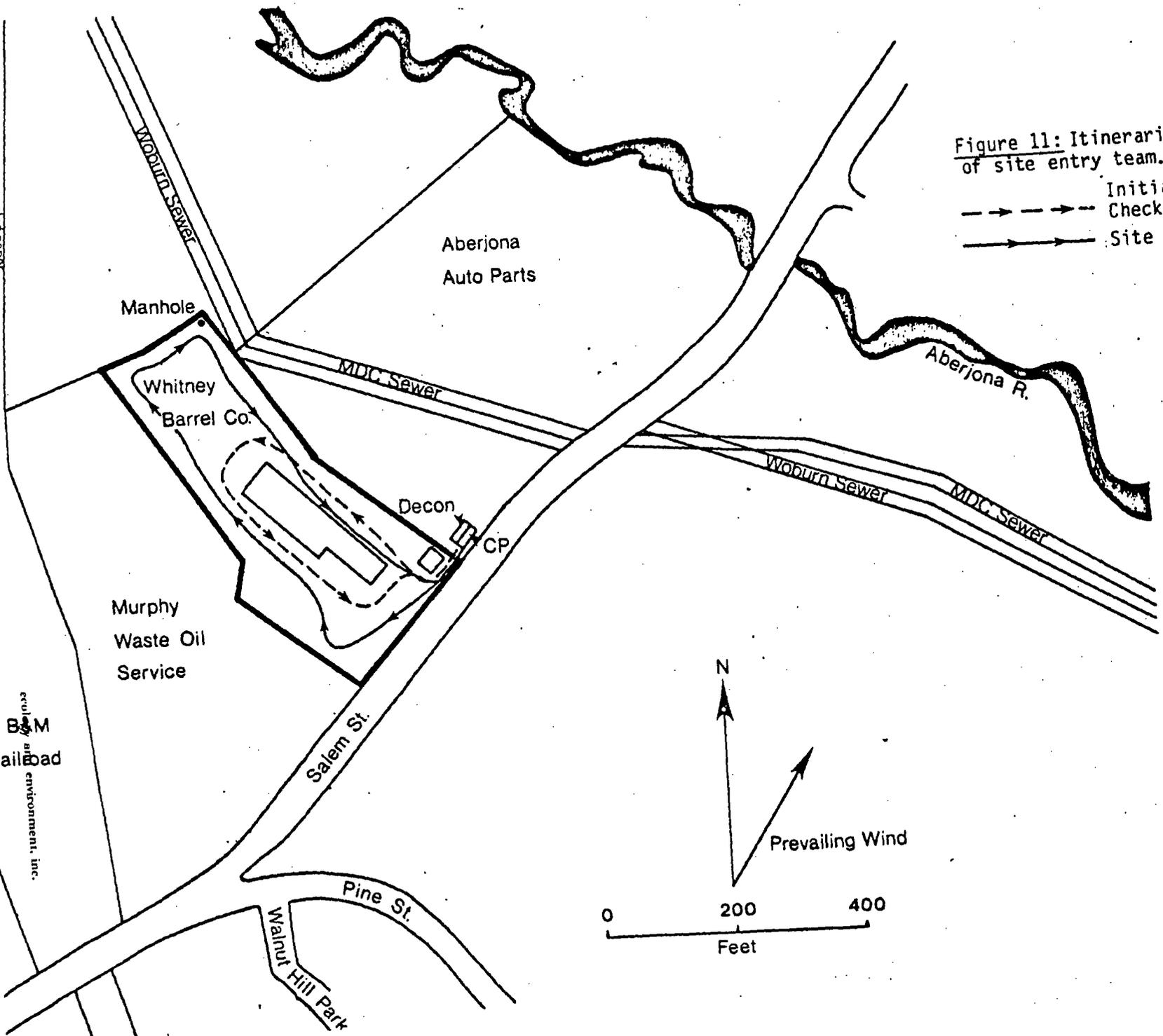
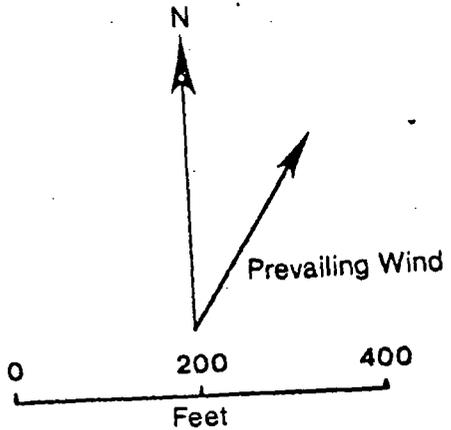


Figure 11: Itineraries of site entry team.

- > Initial Hazard Check-out Team
- > Site Inspection Team



6. Team Organization and Task Assignments:

6.2 Schedule of Events - continued

1100 - Both groups meet along east side of building and discuss findings. Team decides that there are no appropriate sampling points, and that there is no need for further on-site investigation. Team leaves site.

1115 - Equipment decontamination and breakdown of hot line completed.

1120 - Site inspection completed, team begins preparation for site entry at Aberjona Auto Parts.

7. Results of Investigation

7.1 Site Representative Interview:

An interview was conducted with John Whitney, owner of Whitney Barrel Company, during which he outlined the activities at his plant. No plant tour was requested by E & E. Mr. Riley described the barrel reclaim operation as follows:

1. All barrels are washed with hot water and trisodium phosphate (TSP).
2. The wash water passes through a drain in the floor into a settling basin.
3. The waste water passes into the MDC sewer.
4. The sludge in the settling basin is transferred to a dumpster and subsequently taken to the Woburn landfill.

Mr. Whitney stressed that only food industry drums are washed on site and all other drums are washed prior to arrival on site. He discussed the fire of last year and its negative effect on the amount of reclaiming being performed at this time. See Sections 3.2 and 4 for additional data.

7. Results of Investigation

7.2 Sampling Procedures and Screening Results:

Not applicable as no samples were taken.

7.3 Site Survey Data

The site consists of the main reclaiming building surrounded by all types of scrap metal and drums in various stages of decomposition. Figures 2-6 and 8-10 were taken of the various tanks, drums and waste located on-site. As noted earlier in the report, all containers were empty at the time of the visit.

8. Recommendations:

The results of this investigation indicate that the only potential hazard to the environment posed by this site is the dumping of contaminants into the MDC sewer. There were no indications at the time of the visit that such activities were taking place, but the possibility does exist. This reinforces earlier recommendations from E & E that the integrity of the MDC sewer be determined as exfiltration of contaminants from this site, as well as others previously investigated by E & E, may be taking place.

It is recommended that the drums of trichloroisocyanuric acid powder be removed. No further investigation of this site is necessary at this time.

9. Conclusions:

There is a manhole on site which could easily be used for the disposal of hazardous wastes.

The site is not accessible for midnight dumping.

No immediate hazards are presented by present activities at this site.

No hazardous materials were present on site at the time of the visit.

A Completed Potential hazardous Waste Site - Site Inspection Report is included in Appendix B.

ecology and environment, inc.

APPENDIX A

SITE SAFETY PLAN
and
Report

ECOLOGY AND ENVIRONMENT, INC.

FIELD INVESTIGATION TEAM - REGION I

WORK PLAN INSTRUCTIONS

I. PERIMETER ESTABLISHMENT: Map/Sketch Attached x ^C Site Control
Public Perimeter Identified x Zone(s) of Contamination Identified
NOTES:

^C areas of special safety concern identified

II. PERSONAL CLOTHING:

Level of Protection: A B C X D
Modifications: Use SCBA's inside building.

Surveillance Equipment and Materials: TLD badges

III. DECONTAMINATION PROCEDURES:

Hot Line Location (initial): At public entrance to site
Command Post Location (initial): At public entrance to site
PDS Stations: 1. Hypo chlorite solution 2. Alconox Wash
3. Rinse water 4. Spray can rinse 5.
Equipment and Materials/Special Facilities: Bag all equipment in plastic

IV. SITE ENTRY PROCEDURES:

Team Size: E & E 5 State Other
Entry Briefing (date) 11/20/80
Station Designation (name/responsibility): 1. Dave Cook, Project leader
2. Richard DiNitto, Documentation, Work Party 3. Paul Clay, Sampling, Work Party
4. Lori Fucarile, Safety, Documentation 5. Glenn Smart, Equipment, Work Party
6. 7.
Work Schedule/Limitations: Entrance to site by pre-arrangement with Whitney Barrel Spore
Company

Notes: No climbing onto or into containers

ECOLOGY AND ENVIRONMENT, INC.
FIELD INVESTIGATION TEAM - REGION I

WORK PLAN INSTRUCTIONS - continued

V. EMERGENCY PRECAUTIONS:

ACUTE EXPOSURE SYMPTOMS

FIRST AID

Acute hydrocarbon vapor exposure:

Get to fresh air. Give art.
ventillation if necessary.
medical help.

Nausea, Lightheadedness, etc.

HOSPITALS/POISON CONTROL CENTERS (address, telephone number)

See Resources List

EMERGENCY TRANSPORTATION SYSTEMS (Fire, police, ambulance)

See Resources List

VI. EMERGENCY ROUTES From site, turn right on Salem Street about 2-3 miles to Woburn Ce

Turn left at lights and proceed through two street lights past Woburn Common. At third
set of lights, turn left onto Warren Avenue. Choate Hospital at top of hill.

EQUIPMENT CHECKOUT

SCBA	<u> x </u>	Cylinders	<u> x </u>
Ultratwin	<u> x </u>	Cartridges	<u> x </u>
Explosimeter			<u> x </u>
O ₂ Indicator			<u> x </u>
Draeger Pump	<u> x </u>	Tubes	<u> x </u>
Radiation Survey Meter			<u> </u>

Eye Wash Unit
First Aid Kit
Drinking Water Supply
Personal Clothing
Decontamination Mat'ls

ECOLOGY AND ENVIRONMENT, INC.
FIELD INVESTIGATION TEAM - REGION 1

SITE SAFETY PLAN SUMMARY

NAME OF SITE: Whitney Barrel Company, Inc. DATE: 11/3/80

TDD #: F-1-8005-01E-06

Location of site: 256 Salem Street, Woburn, MA 01801

Directions to site: Left onto Washinton St., bear right at lights onto Salem St. About 1/4 of mile, Whitney Barrel Co. on right

Project Leader/Site Entry Leader: David Cook

Safety Person: Lori Fucarile

Equipment Person: Glenn Smart

Work Party: Paul Clay, Glenn Smart, Richard DiNitto

Reason for Site Entry: To determine potential for RCRA and/or 311/104 Clean Water Act actions

Special Hazards: poor housekeeping

Hazard Assessment: (H, M, L, Unk.) Poor housekeeping is the main hazard High level hydrocarbon vapors may be present inside of reconditioning building

Level of Protection: Level C, Level B inside building

Required Protective Equipment:

- | | |
|-------------------------------|------------------------------------|
| 1. <u>Have SCBA available</u> | 2. <u>Ultra Twins/Robert Shawa</u> |
| 3. <u>Butyl rubber Aprons</u> | 4. <u>Rubber Boots</u> |
| 5. <u>Hard hats</u> | 6. <u>Field clothing</u> |
| 7. <u>Rubber gloves</u> | 8. <u>TLD badges</u> |
| 9. <u>Tyvek coveralls</u> | 10. <u></u> |

SITE: Whitney Barrel Company, Inc.

TDD #: 1-800-5-01E-06

DATE: 11/3/80

RESOURCES
(locate resources on area map)

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	<u>NAME</u>	<u>TOWN</u>	<u>PHONE</u>	<u>NOTIFIED YES/NO</u>
FIRE	Woburn	Woburn	911	no
POLICE	Woburn	Woburn	911	no
AMBULANCE	Woburn	Woburn	911	no
HOSPITAL ER	Choate Hospital	21 Warren Avenue, Woburn, MA	933-6700	no
WATER SUPPLY	on van			
TELEPHONE	Whitney Barrel Co., Inc.	256 Salem St., Woburn, MA	933-4520	yes
RADIO COMMUNICATIONS	NA			
AIRPORT	NA			
HELIPORT AREA	NA			
EXPLOSIVES UNIT	State Police	S. Lynnfield, MA	593-1122	no
EPA CONTACT	Rick Leighton	Lexington, MA NERL	861-6700	yes

LIST OTHER RESOURCES:

EMERGENCY NUMBERS

ecology and environment, inc.

E & E, Inc., Woburn	(617) 935-0228	(0238) (4008)
E & E, Inc. Arlington, VA	(703) 522-6065	24 hr. number - call forwarding
Dr. Harbison - Vanderbilt	(615) 322-4754	
Dr. Harbison - home	(615) 747-6353	24 hr. number - 9 second message
Robert Young - home	(617) 545-4905	
Anne Marie Desmarais - home	(617) 897-5306	
Peter Bent Brigham, Occup. Ind. Health Clinic:		
Dr. Speizer, Dr. Shenker, Kay Jordan	(617) 732-5983	
24 hour number - ask for bellboy 904	(617) 732-6000	

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ECOLOGY AND ENVIRONMENT, INC.
FIELD INVESTIGATION TEAM - REGION I

SITE SAFETY REPORT

NAME OF SITE: Whitney Barrel DATE OF ENTRY: 12/2/80
TDD #: F-1-8005-01E-06

Reason for Site Entry: To gather information necessary to determine the potential for RCRA and/or 311/104 Clean Water Act acti

Personnel on Site:

Site Entry Leader: David Cook

Safety Person: Lori Fucarile

Equipment Person: Paul Clay

Work Party: Paul Clay, Glenn Smart, Richard DiNitto

Other E & E Personnel: _____

Other Personnel on Site: _____

Explain Any <u>YES</u> Answer on an Attached Sheet:	<u>YES</u>	<u>NO</u>
1. Was the Safety Plan followed as presented? Explain any and all deviations in full.	<u>x</u>	_____
2. Did any team member report chemical exposure?	_____	<u>x</u>
3. Did any team member report illness, discomfort, or unusual symptoms?	_____	<u>x</u>
4. Did any team member report environmental problems? (heat, cold, etc.)	_____	<u>x</u>
5. Did any team member report injury?	_____	<u>x</u>
6. Did the site entry have to be curtailed for <u>any</u> reason? (rain, lack of air, etc.)	_____	<u>x</u>
7. Were any emergency services or resources utilized?	_____	<u>x</u>
8. Were there any unusual occurrences?	_____	<u>x</u>
9. Was the Safety Plan adequate?	<u>x</u>	_____
10. What changes would you recommend? <u>None</u>	_____	_____

APPENDIX B

Potential Hazardous Waste Site
Site Inspection Report



POTENTIAL HAZARDOUS WASTE SITE
SITE INSPECTION REPORT

REGION I
SITE NUMBER (to be assigned by HQ)

GENERAL INSTRUCTIONS: Complete Sections I and III through XV of this form as completely as possible. Then use the information on this form to develop a Tentative Disposition (Section II). File this form in its entirety in the regional Hazardous Waste Log File. Be sure to include all appropriate Supplemental Reports in the file. Submit a copy of the forms to: U.S. Environmental Protection Agency; Site Tracking System; Hazardous Waste Enforcement Task Force (EN-335); 401 M St., SW; Washington, DC 20460.

I. SITE IDENTIFICATION

A. SITE NAME Whitney Barrel Company		B. STREET (or other identifier) 256 Salem Street			
C. CITY Woburn		D. STATE MA	E. ZIP CODE 01801	F. COUNTY NAME Middlesex	
G. SITE OPERATOR INFORMATION					
1. NAME John Whitney, owner			2. TELEPHONE NUMBER 933-4520		
3. STREET 256 Salem Street		4. CITY Woburn		5. STATE MA	6. ZIP CODE 01801
H. REALTY OWNER INFORMATION (if different from operator of site)					
1. NAME N/A			2. TELEPHONE NUMBER		
3. CITY		4. STATE		5. ZIP CODE	
I. SITE DESCRIPTION					
J. TYPE OF OWNERSHIP					
<input type="checkbox"/> 1. FEDERAL <input type="checkbox"/> 2. STATE <input type="checkbox"/> 3. COUNTY <input type="checkbox"/> 4. MUNICIPAL <input checked="" type="checkbox"/> 5. PRIVATE					

II. TENTATIVE DISPOSITION (complete this section last)

A. ESTIMATE DATE OF TENTATIVE DISPOSITION (mo., day, & yr.)	B. APPARENT SERIOUSNESS OF PROBLEM			
	<input type="checkbox"/> 1. HIGH <input type="checkbox"/> 2. MEDIUM <input type="checkbox"/> 3. LOW <input checked="" type="checkbox"/> 4. NONE			
C. PREPARER INFORMATION				
1. NAME David K. Cook		2. TELEPHONE NUMBER 935-4008		3. DATE (mo., day, & yr.) 12/9/80

III. INSPECTION INFORMATION

A. PRINCIPAL INSPECTOR INFORMATION			
1. NAME David K. Cook		2. TITLE Sr. Geological Engineer	
3. ORGANIZATION Ecology and Environment, Inc.			4. TELEPHONE NO. (area code & no.) (617) 935-4008
B. INSPECTION PARTICIPANTS			
1. NAME	2. ORGANIZATION		3. TELEPHONE NO.
David Cook	Ecology and Environment, Inc.		935-4008
Richard DiNitto	Ecology and Environment, Inc.		935-4008
Paul Clay	Ecology and Environment, Inc.		935-4008
Lori Fucarile	Ecology and Environment, Inc.		935-4008
Glenn Smart	Ecology and Environment, Inc.		935-4008

C. SITE REPRESENTATIVES INTERVIEWED (corporate officials, workers, residents)		
1. NAME	2. TITLE & TELEPHONE NO.	3. ADDRESS
John Whitney	Owner 935-4250	256 Salem Street, Woburn, MA

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ecology and environment, inc.

III. INSPECTION INFORMATION (continued)

D. GENERATOR INFORMATION (sources of waste)

1. NAME	2. TELEPHONE NO.	3. ADDRESS	4. WASTE TYPE GENERATED
Whitney Barrel	933-4520	256 Salem Street, Woburn, MA	Barrel Reclaim Residues

E. TRANSPORTER/HAULER INFORMATION

1. NAME	2. TELEPHONE NO.	3. ADDRESS	4. WASTE TYPE TRANSPORTED

F. IF WASTE IS PROCESSED ON SITE AND ALSO SHIPPED TO OTHER SITES, IDENTIFY OFF-SITE FACILITIES USED FOR DISPOSAL.

1. NAME	2. TELEPHONE NO.	3. ADDRESS

G. DATE OF INSPECTION (mo., day & yrs.) **H. TIME OF INSPECTION** **I. ACCESS GAINED BY:** (credentials must be shown in all cases)

11/21/80 0930 1. PERMISSION 2. WARRANT

J. WEATHER (describe)

Clear following snow two days earlier

IV. SAMPLING INFORMATION

A. Mark 'X' for the types of samples taken and indicate where they have been sent e.g., regional lab, other EPA lab, contractor, etc. and estimate when the results will be available. NONE

1. SAMPLE TYPE	2. SAMPLE TAKEN (mark 'X')	3. SAMPLE SENT TO:	4. DATE RESULTS AVAILABLE
a. GROUNDWATER			
b. SURFACE WATER			
c. WASTE			
d. AIR			
e. RUNOFF			
f. SPILL			
g. SOIL			
h. VEGETATION			
i. OTHER (specify)			

B. FIELD MEASUREMENTS TAKEN (e.g., radioactivity, explosivity, PH, etc.)

1. TYPE	2. LOCATION OF MEASUREMENTS	3. RESULTS
OVA	Various	0 ppm volatiles
Explosimeter	Various	0
O ₂ Meter	Various	21%
recycled paper		ecology and environment, inc.

IV. SAMPLING INFORMATION (continued)

C. PHOTOS
 1. TYPE OF PHOTOS
 a. GROUND b. AERIAL
 2. PHOTOS IN CUSTODY OF:
 Ecology and Environment, Inc.

D. SITE MAPPED?
 YES. SPECIFY LOCATION OF MAPS:
 Ecology and Environment, Inc.

E. COORDINATES
 1. LATITUDE (deg.-min.-sec.)
 2. LONGITUDE (deg.-min.-sec.)

V. SITE INFORMATION

A. SITE STATUS
 1. ACTIVE (Those industrial or municipal sites which are being used for waste treatment, storage, or disposal on a continuing basis, even if infrequently.)
 2. INACTIVE (Those sites which no longer receive wastes.)
 3. OTHER (specify):
 (Those sites that include such incidents like "midnight dumping" where no regular or continuing use of the site for waste disposal has occurred.)

B. IS GENERATOR ON SITE?
 1. NO 2. YES (specify generator's four-digit SIC Code):

C. AREA OF SITE (in acres)
 2.67

D. ARE THERE BUILDINGS ON THE SITE?
 1. NO 2. YES (specify):
 1 Processing Building

VI. CHARACTERIZATION OF SITE ACTIVITY

Indicate the major site activity(ies) and details relating to each activity by marking 'X' in the appropriate boxes.

<input checked="" type="checkbox"/>	A. TRANSPORTER	<input type="checkbox"/>	B. STORER	<input type="checkbox"/>	C. TREATER	<input type="checkbox"/>	D. DISPOSER
	1. RAIL		1. PILE		1. FILTRATION		1. LANDFILL
	2. SHIP		2. SURFACE IMPOUNDMENT		2. INCINERATION		2. LANDFARM
	3. BARGE		3. DRUMS		3. VOLUME REDUCTION		3. OPEN DUMP
	4. TRUCK		4. TANK, ABOVE GROUND		4. RECYCLING/RECOVERY		4. SURFACE IMPOUNDMENT
	5. PIPELINE		5. TANK, BELOW GROUND		5. CHEM./PHYS./TREATMENT		5. MIDNIGHT DUMPING
	6. OTHER (specify):		6. OTHER (specify):		6. BIOLOGICAL TREATMENT		6. INCINERATION
					7. WASTE OIL REPROCESSING		7. UNDERGROUND INJECTION
					8. SOLVENT RECOVERY		8. OTHER (specify):
				<input checked="" type="checkbox"/>	9. OTHER (specify): Drum Reconditioning		

E. SUPPLEMENTAL REPORTS: If the site falls within any of the categories listed below, Supplemental Reports must be completed. Indicate which Supplemental Reports you have filled out and attached to this form.

1. STORAGE 2. INCINERATION 3. LANDFILL 4. SURFACE IMPOUNDMENT 5. DEEP WELL
 6. CHEM/BIO/PHYS TREATMENT 7. LANDFARM 8. OPEN DUMP 9. TRANSPORTER 10. RECYCLOR/RECLAIMER

VII. WASTE RELATED INFORMATION

A. WASTE TYPE
 1. LIQUID 2. SOLID 3. SLUDGE 4. GAS

B. WASTE CHARACTERISTICS
 1. CORROSIVE 2. IGNITABLE 3. RADIOACTIVE 4. HIGHLY VOLATILE
 5. TOXIC 6. REACTIVE 7. INERT 8. FLAMMABLE
 9. OTHER (specify):

C. WASTE CATEGORIES
 1. Are records of wastes available? Specify items such as manifests, inventories, etc. below.

None except that all cleaned barrels are from the food industry

VII. WASTE RELATED INFORMATION (continued)

2. Estimate the amount (specify unit of measure) of waste by category; mark 'X' to indicate which wastes are present.

a. SLUDGE		b. OIL		c. SOLVENTS		d. CHEMICALS		e. SOLIDS		f. OTHER	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	
				Possible		UNK					
UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE	
<input checked="" type="checkbox"/>	(1) PAINT, PIGMENTS	<input checked="" type="checkbox"/>	(1) OILY WASTES	<input checked="" type="checkbox"/>	(1) HALOGENATED SOLVENTS	<input checked="" type="checkbox"/>	(1) ACIDS	<input checked="" type="checkbox"/>	(1) FLYASH	<input checked="" type="checkbox"/>	(1) LABORATORY, PHARMACEUT.
	(2) METALS SLUDGES	(2) OTHER(specify):		<input checked="" type="checkbox"/>	(2) NON-HALOGENATED SOLVENTS		(2) PICKLING LIQUORS		(2) ASBESTOS		(2) HOSPITAL
	(3) POTW				(3) OTHER(specify): Empty drums on site	<input checked="" type="checkbox"/>	(3) CAUSTICS		(3) MILLING/MINE TAILINGS		(3) RADIOACTIVE
	(4) ALUMINUM SLUDGE						(4) PESTICIDES		(4) FERROUS SMELTING WASTES		(4) MUNICIPAL
	(5) OTHER(specify):						(5) DYES/INKS		(5) NON-FERROUS SMELTING WASTES		(5) OTHER(specify):
							(6) CYANIDE		(6) OTHER(specify):		
					(7) PHENOLS						
					(8) HALOGENS						
					(9) PCB						
					(10) METALS						
					(11) OTHER(specify):						

D. LIST SUBSTANCES OF GREATEST CONCERN WHICH ARE ON THE SITE (place in descending order of hazard)

1. SUBSTANCE	2. FORM (mark 'X')			3. TOXICITY (mark 'X')				4. CAS NUMBER	5. AMOUNT	6. UNIT
	a. SOLID	b. LIQ.	c. VA-POR	a. HIGH	b. MED.	c. LOW	d. NONE			
Trichloroisocyanuric acid	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			200 lb. drum	

VIII. HAZARD DESCRIPTION

FIELD EVALUATION HAZARD DESCRIPTION: Place an 'X' in the box to indicate that the listed hazard exists. Describe the hazard in the space provided.

A. HUMAN HEALTH HAZARDS

Only if trichloroisocyanuric acid powder is ingested.

VIII. HAZARD DESCRIPTION (continued)

B. NON-WORKER INJURY/EXPOSURE

C. WORKER INJURY/EXPOSURE

D. CONTAMINATION OF WATER SUPPLY

Only if contaminants exfiltrate from sewer

E. CONTAMINATION OF FOOD CHAIN

F. CONTAMINATION OF GROUND WATER

See D.

G. CONTAMINATION OF SURFACE WATER

VIII. HAZARD DESCRIPTION (continued)

H. DAMAGE TO FLORA/FAUNA

I. FISH KILL

J. CONTAMINATION OF AIR

K. NOTICEABLE ODORS
Volatiles detected during perimeter survey

L. CONTAMINATION OF SOIL

See D.

M. PROPERTY DAMAGE

VIII. HAZARD DESCRIPTION (continued)

N. FIRE OR EXPLOSION

O. SPILLS/LEAKING CONTAINERS/RUNOFF/STANDING LIQUID

P. SEWER, STORM DRAIN PROBLEMS

See D.

Q. EROSION PROBLEMS

R. INADEQUATE SECURITY

S. INCOMPATIBLE WASTES

VIII. HAZARD DESCRIPTION (continued)

T. MIDNIGHT DUMPING

U. OTHER (specify):

IX. POPULATION DIRECTLY AFFECTED BY SITE NONE

A. LOCATION OF POPULATION	B. APPROX. NO. OF PEOPLE AFFECTED	C. APPROX. NO. OF PEOPLE AFFECTED WITHIN UNIT AREA	D. APPROX. NO. OF BUILDINGS AFFECTED	E. DISTANCE TO SITE (specify units)
1. IN RESIDENTIAL AREAS				
2. IN COMMERCIAL OR INDUSTRIAL AREAS				
3. IN PUBLICLY TRAVELLED AREAS				
4. PUBLIC USE AREAS (parks, schools, etc.)				

X. WATER AND HYDROLOGICAL DATA

A. DEPTH TO GROUNDWATER (specify unit) 10 ft.	B. DIRECTION OF FLOW S	C. GROUNDWATER USE IN VICINITY industrial
D. POTENTIAL YIELD OF AQUIFER > 3 MGD	E. DISTANCE TO DRINKING WATER SUPPLY (specify unit of measure) 2 mi.	F. DIRECTION TO DRINKING WATER SUPPLY SW

G. TYPE OF DRINKING WATER SUPPLY

1. NON-COMMUNITY < 15 CONNECTIONS*
 2. COMMUNITY (specify town): Woburn > 15 CONNECTIONS
 3. SURFACE WATER
 4. WELL

X. WATER AND HYDROLOGICAL DATA (continued)				
H. LIST ALL DRINKING WATER WELLS WITHIN A 1/4 MILE RADIUS OF SITE NONE				
1. WELL	2. DEPTH (specify unit)	3. LOCATION (proximity to population/buildings)	4. NON-COMMUNITY (mark 'X')	5. COMMUNITY (mark 'X')
I. RECEIVING WATER				
1. NAME		<input checked="" type="checkbox"/> 2. SEWERS	<input type="checkbox"/> 3. STREAMS/RIVERS	
		<input type="checkbox"/> 4. LAKES/RESERVOIRS	<input type="checkbox"/> 5. OTHER (specify):	
6. SPECIFY USE AND CLASSIFICATION OF RECEIVING WATERS				
None				
XI. SOIL AND VEGETATION DATA				
LOCATION OF SITE IS IN:				
<input type="checkbox"/> A. KNOWN FAULT ZONE		<input type="checkbox"/> B. KARST ZONE		<input checked="" type="checkbox"/> C. 100 YEAR FLOOD PLAIN
<input type="checkbox"/> D. WETLAND				
<input type="checkbox"/> E. A REGULATED FLOODWAY		<input type="checkbox"/> F. CRITICAL HABITAT		<input type="checkbox"/> G. RECHARGE ZONE OR SOLE SOURCE AQUIFER
XII. TYPE OF GEOLOGICAL MATERIAL OBSERVED				
Mark 'X' to indicate the type(s) of geological material observed and specify where necessary, the component parts.				
'X'	A. OVERBURDEN	'X'	B. BEDROCK (specify below)	'X'
X	1. SAND			
X	2. CLAY			
X	3. GRAVEL			
XIII. SOIL PERMEABILITY				
<input checked="" type="checkbox"/> A. UNKNOWN		<input type="checkbox"/> B. VERY HIGH (100,000 to 1000 cm/sec.)		<input type="checkbox"/> C. HIGH (1000 to 10 cm/sec.)
<input type="checkbox"/> D. MODERATE (10 to .1 cm/sec.)		<input type="checkbox"/> E. LOW (.1 to .001 cm/sec.)		<input type="checkbox"/> F. VERY LOW (.001 to .00001 cm/sec.)
G. RECHARGE AREA				
<input type="checkbox"/> 1. YES		<input type="checkbox"/> 2. NO		3. COMMENTS:
H. DISCHARGE AREA				
<input type="checkbox"/> 1. YES		<input type="checkbox"/> 2. NO		3. COMMENTS:
I. SLOPE				
1. ESTIMATE % OF SLOPE		2. SPECIFY DIRECTION OF SLOPE, CONDITION OF SLOPE, ETC.		
J. OTHER GEOLOGICAL DATA				

Continued From Front

XIV. PERMIT INFORMATION

List all applicable permits held by the site and provide the related information.

A. PERMIT TYPE (e.g., RCRA, State, NPDES, etc.)	B. ISSUING AGENCY	C. PERMIT NUMBER	D. DATE ISSUED (mo., day, & yr.)	E. EXPIRATION DATE (mo., day, & yr.)	F. IN COMPLIANCE (mark 'X')		
					1. YES	2. NO	3. UNKNOWN
None							

XV. PAST REGULATORY OR ENFORCEMENT ACTIONS

NONE YES (summarize in this space)

NOTE: Based on the information in Sections III through XV, fill out the Tentative Disposition (Section II) information on the first page of this form.



POTENTIAL HAZARDOUS WASTE SITE
INSPECTION REPORT

ed by HQ
I MA 10032

GENERAL INSTRUCTIONS: Complete Sections I and III through XV of this form as completely as possible. Then use the information on this form to develop a Tentative Disposition (Section II). File this form in its entirety in the regional Hazardous Waste Log File. Be sure to include all appropriate Supplemental Reports in the file. Submit a copy of the forms to: U.S. Environmental Protection Agency; Site Tracking System; Hazardous Waste Enforcement Task Force (EN-335); 401 M St., SW; Washington, DC 20460

I. SITE IDENTIFICATION

A. SITE NAME Whitney Barrel Company		B. STREET (or other Identifier) 256 Salem Street			
C. CITY Woburn	D. STATE MA	E. ZIP CODE 01801	F. COUNTY NAME Middlesex		
G. SITE OPERATOR INFORMATION					
1. NAME John Whitney, owner			2. TELEPHONE NUMBER 933-4520		
3. STREET 256 Salem Street		4. CITY Woburn		5. STATE MA	6. ZIP CODE 01801
H. REALTY OWNER INFORMATION (if different from operator of site)					
1. NAME N/A			2. TELEPHONE NUMBER		
3. CITY		4. STATE		5. ZIP CODE	
I. SITE DESCRIPTION					
J. TYPE OF OWNERSHIP					
<input type="checkbox"/> 1. FEDERAL <input type="checkbox"/> 2. STATE <input type="checkbox"/> 3. COUNTY <input type="checkbox"/> 4. MUNICIPAL <input checked="" type="checkbox"/> 5. PRIVATE					

II. TENTATIVE DISPOSITION (complete this section last)

A. ESTIMATE DATE OF TENTATIVE DISPOSITION (mo., day, & yr.)	B. APPARENT SERIOUSNESS OF PROBLEM
	<input type="checkbox"/> 1. HIGH <input type="checkbox"/> 2. MEDIUM <input type="checkbox"/> 3. LOW <input checked="" type="checkbox"/> 4. NONE

C. PREPARER INFORMATION		
1. NAME David K. Cook	2. TELEPHONE NUMBER 935-4008	3. DATE (mo., day, & yr.) 12/5/80

III. INSPECTION INFORMATION

A. PRINCIPAL INSPECTOR INFORMATION			
1. NAME David K. Cook		2. TITLE Sr. Geological Engineer	
3. ORGANIZATION Ecology and Environment, Inc.		4. TELEPHONE NO. (area code & no.) (617) 935-4008	

B. INSPECTION PARTICIPANTS		
1. NAME	2. ORGANIZATION	3. TELEPHONE NO.
David Cook	Ecology and Environment, Inc.	935-4008
Richard DiNitto	Ecology and Environment, Inc.	935-4008
Paul Clay	Ecology and Environment, Inc.	935-4008
Lori Fucarile	Ecology and Environment, Inc.	935-4008
Glenn Smart	Ecology and Environment, Inc.	935-4008

C. SITE REPRESENTATIVES INTERVIEWED (corporate officials, workers, residents)		
1. NAME	2. TITLE & TELEPHONE NO.	3. ADDRESS
John Whitney	Owner 935-4250	256 Salem Street, Woburn, MA

III. INSPECTION INFORMATION (continued)

D. GENERATOR INFORMATION (sources of waste)

1. NAME	2. TELEPHONE NO.	3. ADDRESS	4. WASTE TYPE GENERATED
Whitney Barrel	933-4520	256 Salem Street, Woburn, MA	Barrel Reclaim Residues

E. TRANSPORTER/HAULER INFORMATION

1. NAME	2. TELEPHONE NO.	3. ADDRESS	4. WASTE TYPE TRANSPORTED

F. IF WASTE IS PROCESSED ON SITE AND ALSO SHIPPED TO OTHER SITES, IDENTIFY OFF-SITE FACILITIES USED FOR DISPOSAL.

1. NAME	2. TELEPHONE NO.	3. ADDRESS

G. DATE OF INSPECTION (mo., day, & yr.) **H. TIME OF INSPECTION** **I. ACCESS GAINED BY:** (credentials must be shown in all cases)

11/21/80 0930 1. PERMISSION 2. WARRANT

J. WEATHER (describe)

Clear following snow two days earlier

IV. SAMPLING INFORMATION

A. Mark 'X' for the types of samples taken and indicate where they have been sent e.g., regional lab, other EPA lab, contractor, etc. and estimate when the results will be available. NONE

1. SAMPLE TYPE	2. SAMPLE TAKEN (mark 'X')	3. SAMPLE SENT TO:	4. DATE RESULTS AVAILABLE
a. GROUNDWATER			
b. SURFACE WATER			
c. WASTE			
d. AIR			
e. RUNOFF			
f. SPILL			
g. SOIL			
h. VEGETATION			
i. OTHER (specify)			

B. FIELD MEASUREMENTS TAKEN (e.g., radioactivity, explosivity, PH, etc.)

1. TYPE	2. LOCATION OF MEASUREMENTS	3. RESULTS
OVA	Various	0 ppm volatiles
Explosimeter	Various	0
O ₂ Meter	Various	21%
recycled paper		ecology and environment, inc.

IV. SAMPLING INFORMATION (continued)

C. PHOTOS

1. TYPE OF PHOTOS

a. GROUND b. AERIAL

2. PHOTOS IN CUSTODY OF:

Ecology and Environment, Inc.

D. SITE MAPPED?

YES. SPECIFY LOCATION OF MAPS:

Ecology and Environment, Inc.

E. COORDINATES

1. LATITUDE (deg.-min.-sec.)

2. LONGITUDE (deg.-min.-sec.)

V. SITE INFORMATION

A. SITE STATUS

1. ACTIVE (Those industrial or municipal sites which are being used for waste treatment, storage, or disposal on a continuing basis, even if infrequently.)

2. INACTIVE (Those sites which no longer receive wastes.)

3. OTHER (specify):
(Those sites that include such incidents like "midnight dumping" where no regular or continuing use of the site for waste disposal has occurred.)

B. IS GENERATOR ON SITE?

1. NO 2. YES (specify generator's four-digit SIC Code): _____

C. AREA OF SITE (in acres)

2.67

D. ARE THERE BUILDINGS ON THE SITE?

1. NO 2. YES (specify):
1 Processing Building

VI. CHARACTERIZATION OF SITE ACTIVITY

Indicate the major site activity(ies) and details relating to each activity by marking 'X' in the appropriate boxes.

<input checked="" type="checkbox"/> A. TRANSPORTER	<input type="checkbox"/> B. STORER	<input type="checkbox"/> C. TREATER	<input type="checkbox"/> D. DISPOSER
1. RAIL	1. PILE	1. FILTRATION	1. LANDFILL
2. SHIP	2. SURFACE IMPOUNDMENT	2. INCINERATION	2. LANDFARM
3. BARGE	3. DRUMS	3. VOLUME REDUCTION	3. OPEN DUMP
4. TRUCK	4. TANK, ABOVE GROUND	4. RECYCLING/RECOVERY	4. SURFACE IMPOUNDMENT
5. PIPELINE	5. TANK, BELOW GROUND	5. CHEM./PHYS./TREATMENT	5. MIDNIGHT DUMPING
6. OTHER (specify):	6. OTHER (specify):	6. BIOLOGICAL TREATMENT	6. INCINERATION
		7. WASTE OIL REPROCESSING	7. UNDERGROUND INJECTION
		8. SOLVENT RECOVERY	8. OTHER (specify):
		<input checked="" type="checkbox"/> 9. OTHER (specify): Drum Reconditioning	

E. SUPPLEMENTAL REPORTS: If the site falls within any of the categories listed below, Supplemental Reports must be completed. Indicate which Supplemental Reports you have filled out and attached to this for..

1. STORAGE 2. INCINERATION 3. LANDFILL 4. SURFACE IMPOUNDMENT 5. DEEP WELL
 6. CHEM/BIO/PHYS TREATMENT 7. LANDFARM 8. OPEN DUMP 9. TRANSPORTER 10. RECYCLOR/RECLAIMER

VII. WASTE RELATED INFORMATION

A. WASTE TYPE

1. LIQUID 2. SOLID 3. SLUDGE 4. GAS

B. WASTE CHARACTERISTICS

1. CORROSIVE 2. IGNITABLE 3. RADIOACTIVE 4. HIGHLY VOLATILE
 5. TOXIC 6. REACTIVE 7. INERT 8. FLAMMABLE

9. OTHER (specify):

C. WASTE CATEGORIES

1. Are records of wastes available? Specify items such as manifests, inventories, etc. below.

None except that all cleaned barrels are from the food industry

VII. WASTE RELATED INFORMATION (continued)

2. Estimate the amount (specify unit of measure) of waste by category; mark 'X' to indicate which wastes are present.

a. SLUDGE		b. OIL		c. SOLVENTS		d. CHEMICALS		e. SOLIDS		f. OTHER	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	
				Possible		UNK					
UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE		UNIT OF MEASURE	
<input checked="" type="checkbox"/>	(1) PAINT, PIGMENTS	<input checked="" type="checkbox"/>	(1) OILY WASTES	<input checked="" type="checkbox"/>	(1) HALOGENATED SOLVENTS	<input checked="" type="checkbox"/>	(1) ACIDS	<input checked="" type="checkbox"/>	(1) FLYASH	<input checked="" type="checkbox"/>	(1) LABORATORY, PHARMACEUT.
	(2) METALS SLUDGES		(2) OTHER(specify):		(2) NON-HALOGNTD. SOLVENTS		(2) PICKLING LIQUORS		(2) ASBESTOS		(2) HOSPITAL
	(3) POTW				(3) OTHER(specify): Empty drums on site		(3) CAUSTICS		(3) MILLING/MINE TAILINGS		(3) RADIOACTIVE
	(4) ALUMINUM SLUDGE						(4) PESTICIDES		(4) FERROUS SMELTING WASTES		(4) MUNICIPAL
	(5) OTHER(specify):						(5) DYES/INKS		(5) NON-FERROUS SMLTC. WASTES		(5) OTHER(specify):
							(6) CYANIDE		(6) OTHER(specify):		
					(7) PHENOLS						
					(8) HALOGENS						
					(9) PCB						
					(10) METALS						
					(11) OTHER(specify)						

LIST SUBSTANCES OF GREATEST CONCERN WHICH ARE ON THE SITE (place in descending order of hazard)

1. SUBSTANCE	2. FORM (mark 'X')			3. TOXICITY (mark 'X')				4. CAS NUMBER	5. AMOUNT	6. UNIT
	a. SOLID	b. LIQ.	c. VAPOR	a. HIGH	b. MED.	c. LOW	d. NONE			
Trichloroisocyanuric acid	X					X			200 lb. drum	

VIII. HAZARD DESCRIPTION

FIELD EVALUATION HAZARD DESCRIPTION: Place an 'X' in the box to indicate that the listed hazard exists. Describe the hazard in the space provided.

A. HUMAN HEALTH HAZARDS

Only if trichloroisocyanuric acid powder is ingested.

VII. HAZARD DESCRIPTION (continued)

B. NON-WORKER INJURY/EXPOSURE

C. WORKER INJURY/EXPOSURE

D. CONTAMINATION OF WATER SUPPLY

Only if contaminants exfiltrate from sewer

E. CONTAMINATION OF FOOD CHAIN

F. CONTAMINATION OF GROUND WATER

See D.

G. CONTAMINATION OF SURFACE WATER

VIII. HAZARD DESCRIPTION (continued)

H. DAMAGE TO FLORA/FAUNA

I. FISH KILL

J. CONTAMINATION OF AIR

K. NOTICEABLE ODORS
Volatiles detected during perimeter survey

L. CONTAMINATION OF SOIL

See D.

M. PROPERTY DAMAGE

VIII. HAZARD DESCRIPTION (continue)

N. FIRE OR EXPLOSION

O. SPILLS/LEAKING CONTAINERS/RUNOFF/STANDING LIQUID

P. SEWER, STORM DRAIN PROBLEMS

See D.

Q. EROSION PROBLEMS

R. INADEQUATE SECURITY

S. INCOMPATIBLE WASTES

X. WATER AND HYDROLOGICAL DATA (continued)

H. LIST ALL DRINKING WATER WELLS WITHIN A 1/4 MILE RADIUS OF SITE NONE

1. WELL	2. DEPTH (specify unit)	3. LOCATION (proximity to population/buildings)	4. NON-COM- MUNITY (mark 'X')	5. COMMUN- ITY (mark 'X')

I. RECEIVING WATER

1. NAME _____
2. SEWERS 3. STREAMS/RIVERS
4. LAKES/RESERVOIRS 5. OTHER (specify): _____

6. SPECIFY USE AND CLASSIFICATION OF RECEIVING WATERS

None

XI. SOIL AND VEGETATION DATA

LOCATION OF SITE IS IN:

- A. KNOWN FAULT ZONE B. KARST ZONE C. 100 YEAR FLOOD PLAIN D. WETLAND
- E. A REGULATED FLOODWAY F. CRITICAL HABITAT G. RECHARGE ZONE OR SOLE SOURCE AQUIFER

XII. TYPE OF GEOLOGICAL MATERIAL OBSERVED

Mark 'X' to indicate the type(s) of geological material observed and specify where necessary, the component parts.

<input checked="" type="checkbox"/>	A. OVERBURDEN	<input checked="" type="checkbox"/>	B. BEDROCK (specify below)	<input checked="" type="checkbox"/>	C. OTHER (specify below)
<input checked="" type="checkbox"/>	1. SAND				
<input checked="" type="checkbox"/>	2. CLAY				
<input checked="" type="checkbox"/>	3. GRAVEL				

XIII. SOIL PERMEABILITY

- A. UNKNOWN B. VERY HIGH (100,000 to 1000 cm/sec.) C. HIGH (1000 to 10 cm/sec.)
- D. MODERATE (10 to .1 cm/sec.) E. LOW (.1 to .001 cm/sec.) F. VERY LOW (.001 to .00001 cm/sec.)

G. RECHARGE AREA

1. YES 2. NO 3. COMMENTS: _____

H. DISCHARGE AREA

1. YES 2. NO 3. COMMENTS: _____

I. SLOPE

1. ESTIMATE % OF SLOPE _____ 2. SPECIFY DIRECTION OF SLOPE, CONDITION OF SLOPE, ETC. _____

J. OTHER GEOLOGICAL DATA

XIV. PERMIT INFORMATION

List all applicable permits held by the site and provide the related information.

A. PERMIT TYPE (e.g., RCRA, State, NPDES, etc.)	B. ISSUING AGENCY	C. PERMIT NUMBER	D. DATE ISSUED (mo., day, & yr.)	E. EXPIRATION DATE (mo., day, & yr.)	F. IN COMPLIANCE (mark 'X')		
					1. YES	2. NO	3. UNKNOWN
None							

XV. PAST REGULATORY OR ENFORCEMENT ACTIONS

NONE YES (summarize in this space)

Large empty space for summarizing past regulatory or enforcement actions.

NOTE: Based on the information in Sections III through XV, fill out the Tentative Disposition (Section II) information on the first page of this form.

Law Offices Of
Raymond C. Lantz, Jr.
And Associates

Raymond C. Lantz, Jr.

32 William St.
New Bedford, MA 02740
TEL. (617) 996-8211
FAX (617) 990-8675

Sara B. O'Leary
Christopher J. Carey
John J. Gushue

Wells 6+H
11.9

June 10, 1988

Ms. Barbara Newman
U.S. EPA-Region I
JFK Federal Building
Boston, MA 02203

Re: Whitney Barrel Co. Inc., Woburn

Dear Ms. Newman:

Enclosed please find a copy of the Whitney Barrel insurance records (consisting of a single page) I received yesterday with a letter from Paul Nutile of the Rangnar Fridolin Insurance Agency. Also, enclosed is a copy of my letter to Mr. Nutile in response.

I am in the process of contacting Continental, as suggested by Mr. Nutile, to try to obtain more complete information on insurance policies purchased by Whitney Barrel. For now, you have everything that I have relative to insurance.

Yours truly,

LANTZ AND ASSOCIATES



John J. Gushue

JJG/la

Enclosures

RANGNAR FRIDOLIN AGENCY

INSURANCE

623 MAIN STREET, WOBURN, MASSACHUSETTS 01801

Telephone: 933-0830

6/7/88

Attorney John Gushue
32 William Street
New Bedford, Massachusetts 02140

Dear Sir:

Re: Whitney Barrel Co.

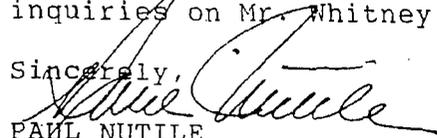
We are enclosing a copy of an old liability audit, for the above captioned. Unfortunately, this is the only piece of policy proof we could find in our files.

I would suggest that you contact the CONTinental Companies, with address of 98 Spit Brook Road, Nashua, New Hampshire 03060. They may be better able to supply you with the actual policy, and coverages which were in force at that time.

I apologize for the time in getting this to you, but we had to search years of files, and the time involved was simply overwhelming.

Please let me know if you are successful in contacting the Continental, and we will be happy to make any necessary calls, or inquiries on Mr. Whitney's behalf.

Sincerely,


PAUL NUTILE

PN/nn

encl.

This endorsement modifies such Insurance as is afforded by the provisions of the policy relating to the following:

**COMPREHENSIVE GENERAL LIABILITY INSURANCE
MANUFACTURERS' AND CONTRACTORS' LIABILITY INSURANCE
OWNERS', LANDLORDS' AND TENANTS' LIABILITY INSURANCE**

This endorsement forms a part of the designated policy and applies, unless otherwise stated herein, as of the effective time and date of such policy.

Issued By Continental Insurance Company 11

Policy No. L3 53 86 82

Producer's Name and Address Edward P. Gilgun
379 Main Street
Woburn, Mass. Producer's Code
20 935 029

Effective 12/22/1975 12:01
Hour and Minute

Named Insured and Address (Number and Street, Town or City, County and State) John E. Whitney Jr. and Walter W. Whitney
256 Salem Street
Woburn, Mass.

to 12/22/76

Description of Hazards	Code No.	Premium Bases	Rates		Advance Premium	
			Bodily Injury Liability	Property Damage Liability	Bodily Injury Liability	Property Damage Liability
(a) Premises—Operations		(a) Area (sq. ft.) (b) Frontage (c) Remuneration	(a) Per 100 sq. ft. of Area (b) Per linear ft. (c) Per \$100 of Remuneration			
Delete: Barrel Mfg. or assembling	24402	c) 35,000	.204	.0448	213.	43.
Add: Steel barrel or drum mfg. and reconditioning	34904	c) 33,000	.070	.0224	129.17	42. M

Additional Premium \$

Return Premium \$ 90. BI 84.
PD 6.

If the policy period is more than one year and premium is payable in installments, the policy declarations are amended as follows:

Premium is payable: \$ 1st year; \$ 2nd year; \$ 3rd year.

This endorsement shall not be binding upon the company unless countersigned by a duly authorized representative of the company.

Countersigned by _____

Law Offices Of
Raymond C. Lantz, Jr.
And Associates

Raymond C. Lantz, Jr.

32 William St.
New Bedford, MA 02740
TEL. (617) 996-8211
FAX (617) 990-8675

Sara B. O'Leary
Christopher J. Carey
John J. Gushue

June 10, 1988

Mr. Paul Nutile
Rangnar Fridolin Agency
623 Main Street
Woburn, MA 01801

Re: Whitney Barrel, 256 Salem Street, Woburn

Dear Mr. Nutile:

I received your letter of June 7, 1988 with an attached one-page liability audit from 1975 relative to Whitney Barrel. While I appreciate your sending this to me along with a referral to Continental, frankly, I find it difficult to accept that your agency files do not contain substantially more documentation concerning insurance policies purchased by Whitney Barrel.

When I first spoke with you about this matter on January 26, 1988, you indicated to me that Whitney had purchased insurance through Fridolin since 1975 and that the policies were occurrence-type, not claims made and that they had pollution exclusion clauses. You also said that you would initiate contacts with insurers on a discovery basis, asking for copies of old policies and other documents relating to Whitney Barrel, and that you would delay the filing of any claims until you discussed the matter further with me.

It is unclear to me from our various communications whether you have actually exhaustively searched your files and found no other evidence at all of coverage (be it primary or secondary evidence), or whether you have not yet been able to exhaustively search your records for some reason. Please let me know by telephone.

Yours truly,

LANTZ AND ASSOCIATES

John J. Gushue

JJG/la

cc: Jack Whitney
Barbara Newman, U.S. EPA

1/12 Nutile 1/12 6/10/88



Woburn
0540
H. J. Wells
2-5-85

The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

Department of Environmental Quality Engineering

5 Commonwealth Avenue, Woburn, MA 01801

S. RUSSELL SYLVA

Commissioner

935-2160

MEMORANDUM

TO: James Coleman, Director, Office of Incident Response.

THRU: Richard Chalpin, Acting Regional Environmental Engineer, NERO

FROM: Tony Guarciariello, Principal Sanitary Engineer, Incident Responses

DATE: February 8, 1985

SUBJECT: Woburn - PCB oil spill - Boston Edison

On February 7, 1985 at 3:45 p.m., the writer was notified by a Boston Edison dispatcher of the release of between 25 - 50 gallons of P.C.B. oil (500 ppm) from a faulty transformer at Northern Research and Engineering Corporation on Olympia Avenue.

The writer spoke with Ed O'Callahan and Richard F. McNeil, both foremen from the Woburn Service Center, at the scene. They admitted that the report of the power outage actually came in at 10 a.m. but that it had been a busy day and they were unable to respond until about 2:30 p.m.

The transformer was situated on a cement pad in the parking lot in front of the building. Oil had leaked out onto the pad and the snow was discolored. Brian Andrews, from N.R.E.C., stated that his employees had been working around the transformer after the outage. They had shoveled the oily snow in a mound and had set down some speedy-dri.

The Boston Edison crew were working on the transformer without wearing any protective gear. Upon checking with Kathy Stone Finnegan, a Boston Edison Environmental Engineer, she stated that their employees are given the option whether or not to don protective gear when the P.C.B. content of the oil is 500 ppm or less. The foreman especially, exhibited a total disdain for their personal safety.

Although the Chlor-n-oil field test kit showed a PCB content of greater than 500 ppm, the laboratory report which was called in on a Boston Edison mobile phone at 4:00 p.m., confirmed a 249 ppm content.

Clean Harbors arrived at 5:20 p.m. to begin the clean up and a flatbed truck which Boston Edison had hired from Shaughnessy Trucking of Boston began lifting the faulty transformer off the pad. The Boston Edison crew had plugged the hole with duct seal and they were convinced that no further leakage of oil would occur during the transport to their Watertown facility.

008003 B

Memo
Boston Edison Co.
Page 2

Clean Harbors began shoveling the contaminated snow and speedy-dri into drums. Boston Edison Superintendent, Reardon, told me that his crew would take these drums back to their facility in Woburn and later transport them to the Watertown facility. I asked him if he would make out a manifest just as was out lined in their clean up procedures manual. He told me that it was his understanding that it was not necessary when the material was being eventually taken to their materials center in Watertown.

Kathy Finnegan confirmed that regardless of what was stated in the clean up procedures, an agreement had been struck with the Boston and the Woburn offices of DEQE that a manifest was not necessary even when a clean up contractor was called in.

Please advise.

AG/ae

WELLS G.S.H
Break: 10-4
Other: _____

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UNITED STATES DISTRICT COURT

For the District of Massachusetts

: ANNE ANDERSON, ET AL., :
: Plaintiffs :
: VS. : Civil Action
: No. 82-1672-S :
: CRYOVAC, INC., ET AL., :
: Defendants :
: -----

Deposition of ANTHONY CARCHIDE, a witness called on behalf of the Plaintiffs, pursuant to the provisions of the Massachusetts Rules of Civil Procedure, before Lisa McDonald, a Certified Shorthand Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the Law Office of Schlichtmann, Conway & Crowley, 171 Milk Street, Boston, Massachusetts, on Wednesday, January 22, 1986, commencing at 10 a.m.

Lisa McDonald
Certified Shorthand Reporter
162 Lebanon Street
Malden, MA 02148
(617) 321-6348

ERRATA SHEET

1 Name: _____ Date: _____
2 Case Name: _____ Case No.: _____
3 Day/Date of Deposition: _____
4

5 PAGE LINE CORRECTION

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1 APPEARANCES:

2 ROYOVIN, HUGE & LENZNER
3 By David Geronemus, Esquire
4 1730 Rhode Island Ave., N.W.
5 Washington, D.C. 20036
6 Attorney for Plaintiff

7 HALE & DORR
8 By Jerome P. Facher, Esquire
9 and Deborah Fawcett, Attorney
10 60 State Street
11 Boston, Massachusetts 02109
12 Attorneys for Beatrice Foods

13 FOLEY, HOAG & ELIOT
14 By William Welch, Esquire
15 One Post Office Square
16 Boston, Massachusetts 02109
17 Attorney for W.R. Grace
18
19
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I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
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ANTHONY CARCHIDE

By Mr. Geronemus	4		70	
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By Mr. Facher		57		72
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E X H I B I T S

<u>No.</u>	<u>Description</u>	<u>Page</u>
1	Plastic overlay	15
2	Photograph	15
3	Sheet of terms	19
4	Acetate overlay to photograph	37
5	Aerial Photograph	37

PROCEEDINGS:

1
2 MR. GERONEMUS: Let me put our stipulations
3 on the record. See if I get them right. We are
4 reserving all objections except as to form until the
5 time of trial and that includes motions to strike. We
6 are going to waive the notarization requirement and
7 the witness will sign under penalty of perjury which
8 is what I explained to you a moment ago is signing
9 under oath.

10
11 ANTHONY CARCHIDE

12 A witness called for examination, having been duly
13 sworn, testified as follows:

14
15 DIRECT EXAMINATION

16 BY MR. GERONEMUS:

17 Q Could you state and spell your full name, please?

18 A Anthony. You want me to spell the first name or --

19 Q Just the second name.

20 A C-a-r-c-h-i-d-e.

21 Q And your current address?

22 A 480 Washington Street in Woburn.

23 Q And your current employment?

24 A I'm a janitor at Digital, Incorporation in Woburn.

1 Q Mr. Carchide --

2 MR. FACHER: Is that Digital Equipment?

3 THE WITNESS: Yes.

4 Q Mr. Carchide, have you ever worked at the Whitney
5 Barrel Company?

6 A Yes.

7 Q And for what period of time did you work for them?

8 A About 25 years.

9 Q And that was from what years to what years?

10 A That I can't remember, the date.

11 Q Approximately.

12 A Well, I got out of there in about '75, I believe it
13 was. Well, 25 years from that.

14 Q So from approximately 1950 to approximately 1975?

15 A Somewhere around there.

16 Q And did you work there full time during that period of
17 time?

18 A No. I worked there whenever I could or whenever I
19 felt like it or -- it wasn't that I -- like the job I
20 got now, I gotta be there and if I don't go in that's
21 it. But at the time I was working -- sometimes I'd
22 lose two, three days a week. I wouldn't work the full
23 week.

24 Q And was that consistent over that 25-year period that

1 you would work some weeks five days a week, some days
2 four, some days three?

3 A Some days six. Who knows. Whatever.

4 Q In that 25-year period were there any gaps of more
5 than two or three days between the times you worked?

6 A Well, if I went on vacation or something there'd be,
7 or if I was sick I'd be out; and I don't remember none
8 of the dates, no.

9 Q And --

10 A If there's any way you can check the records you can
11 check them. It don't bother me.

12 Q I'm just trying to get an idea from your own
13 recollection. Other than vacations or illness,
14 though, were there any other periods that you didn't
15 work there for longer than a couple days?

16 A Unless there was a storm and we didn't go in that
17 would be it.

18 Q If what?

19 A If there was a snow storm we wouldn't make it.

20 Q On the days you went in did you work full days? Did
21 you work full days?

22 A Sometimes half days. Sometimes full days.

23 Q And what was the nature of your job at Whitney Barrel?

24 A Washing and painting drums and driving a truck.

1 Q And would that have been a stake truck that you drove,
2 a truck with high sides?

3 A Yes. Rack body. It was all closed in, the last one I
4 had, but they had two or three trucks. They had all
5 kinds of trucks, even trailers; but I never drove
6 them.

7 Q You drove the high side?

8 A Straight job.

9 MR. FACHER: I think probably the witness
10 ought to just describe what he did rather than you
11 trying to identify it for him.

12 MR. GERONEMUS: Okay.

13 MR. FACHER: I don't know what a stake is
14 and I've driven a few trucks in my life.

15 THE WITNESS: Before they used to have them
16 that the sides were open and they'd have like stakes
17 going up and drums. Now they have them all closed.

18 Q And when you drove were they the kind with the open
19 sides and the stakes?

20 A Sometimes. They had two or three trucks. Whichever
21 one you had to take you'd take.

22 Q And one of those had the stakes on the sides?

23 A Well, they had pieces going across. They weren't just
24 stakes to come up and -- it was made to carry the

1 drums.

2 Q And during approximately what period was that when you
3 drove the truck with stakes going up and the --

4 A I told you, all different times.

5 Q Throughout the time you worked there?

6 A It wasn't one day, one year you do this and the next
7 year -- whatever he told you to do you'd do and that's
8 the truck he told you to take.

9 Q And that truck was there throughout the time you
10 worked?

11 A It wasn't there all the time, no.

12 Q Do you remember approximately when it was there
13 and --

14 A No.

15 Q When you drove was your job to pick up and deliver
16 barrels?

17 A That's right.

18 Q And do you remember who you picked up barrels from,
19 what companies?

20 A I remember a few of them.

21 Q Go ahead.

22 A Catania Spania (phonetic) in Somerville.

23 Q Could you --

24 A I couldn't spell it. Catania Spania. It's an oil

1 company, salad oils and stuff like that. And the
2 paint company in Chelsea there, Cabot Paint. We even
3 had Baird McGuire.

4 MR. FACHER: In Cambridge?

5 THE WITNESS: Holbrook. The place they got
6 fenced off now. At the time it wasn't fenced off. I
7 didn't know what was going on or who --

8 Q Do you remember any other companies?

9 A Foster Grant in New Hampshire. And there was a
10 leather shop up in Penacook. I don't remember --

11 MR. FACHER: New Hampshire?

12 THE WITNESS: Yes. I don't remember the
13 name of that one.

14 A Then there was a bleachery in New Hampshire, too; but
15 I don't remember the towns.

16 MR. FACHER: Where was the leather shop, did
17 you say, Pembroke?

18 THE WITNESS: Pembroke. Something like
19 that. Penacook. That's what it was. That's what it
20 was, not Pembroke.

21 Q You've mentioned a salad oil company, a paint company,
22 I think, a bleachery, a leather company. Were there
23 any other types of businesses that you picked up
24 barrels from?

1 A There was Pappas in Boston here we picked up at, and
2 California Oil; and we done business with Edison Light
3 Company who has drums. They lost so many of them I
4 don't even remember who they were now.

5 Q I'm also interested in -- what I was trying to get at
6 was the kind of business that the places that you
7 picked up drums from were in. You mentioned that one
8 was a salad oil company, one was a paint company?

9 A Pappas was salad oil, too.

10 Q And Edison Light Company, what is the --

11 A They had transformer oil and stuff like that.

12 Q And California -- you mentioned another oil company?

13 A California Oil, yes. Those were salad oil drums.

14 Q And the leather shop, what were you picking up from
15 the leather shop?

16 A Drums. Open ones, closed ones, all kinds.

17 Q And do you recall what was in the drums?

18 A No, I don't know.

19 Q And Foster Grant?

20 A We used to -- well, we'd pick up drums sometimes and
21 then we'd bring them paper barrels. We used to bring
22 up a load of paper barrels and pick up whatever lead
23 ones they had. I don't remember what they had in
24 there.

1 Q Baird McGuire, do you remember what business they were
2 in?

3 A They used to make waxes and stuff. And speaking of
4 waxes there was a place in Chelsea we used to do,
5 Lamco Wax Company. We used to do business with them.

6 Q And do you remember what was in the barrels that you
7 picked up from Lamco Wax Company?

8 A I don't remember.

9 Q And I think Cabot Paints was the --

10 A Yes.

11 Q I gather they were in the paint manufacture business?

12 A Right. We used to deliver and pick up in there.

13 Q And again, do you remember what --

14 A We would be selling them most of the time, but we
15 would pick up sometimes.

16 Q And do you remember what was in the barrels?

17 A No.

18 Q You've mentioned that you picked up barrels that had
19 contained salad oil and transformer oil at one time.
20 Do you remember picking up barrels --

21 A Transformer oil was Edison.

22 Q Right. Do you remember what any of the other barrels
23 that you picked up --

24 A No, the only things they used them for was kerosene

1 oil at Edison.

2 Q That was at Edison. When you picked up the drums were
3 they always empty?

4 A They had to be empty. I wouldn't pick them up.

5 Q Did you have instructions not to pick them up?

6 A I just wouldn't pick them up myself. I couldn't pick
7 them up. The truck was too high to do that.

8 Q Was there a small amount of residue left in the drums?

9 A There might have been some. I don't know. I don't
10 know just how much there was.

11 Q Do you remember ever picking up any barrels that had
12 any kinds of warning labels on them?

13 A Well, for fire and stuff like that they had the red
14 label on them. That's all. I don't go reading the
15 labels before I pick them up. They say take them and
16 I put them on the truck and that's it. What they do
17 with them --

18 Q Other than fire labels any other kind of labels?

19 A No.

20 Q Could you describe to me what you did with the barrels
21 after you picked them up and loaded them on the truck?

22 A Well, most of the time I'd come in and it would be
23 after hours and I'd just park the truck, or just ready
24 to go home and I'd just leave it there and that would

1 be it. I would come in, we'd put them -- back into
2 the platform and put them on it or they'd put it out
3 in the yard. They had a yard up in Wilmington they
4 used to put them at. If we had the time we'd unload
5 it. If we didn't it would be the next day or somebody
6 else would do it.

7 Q So you'd unload the barrels?

8 A I wasn't the only driver, you know what I mean? If
9 somebody else had to get the truck for something the
10 truck was gone when I got there or something and that
11 would be it.

12 Q On those occasions when there was time to unload the
13 barrels do you recall what happened to the barrels
14 after they were unloaded?

15 A Well, if we didn't have room for them inside we'd pile
16 them out in the yard, and then later on we'd put them
17 in the building and then they'd process them or cut
18 them open or whatever they had to do with them. If
19 they could be washed they'd be washed. If they
20 couldn't they'd cut them open and make them open heads
21 and burn them. They used to send them down to a
22 different company to burn them, though.

23 Q Why were some barrels not able to be washed?

24 A The paint. If there was paint in them or something

1 like that you can't wash out then they would send them
2 down to Woburn Barrel and they'd burn them and line
3 them and send them back like new drums.

4 Q I see. They burned them to get rid of the materials
5 in it?

6 A Yes.

7 Q When you cut the barrel did you cut the top off, is
8 that what you're doing?

9 A Yes.

10 Q And what did they do with the tops?

11 A Made a cover of them.

12 Q So you'd --

13 A It was like a can opener. You tip the drum upside
14 down on its side and you'd cut it open, and then you
15 take that top part off and it goes back on after you
16 burn it. They role the edge and then you leave it
17 all together. So that's what they do with them.

18 Q So they hold -- the part that you cut off as well as
19 the other part were -- as well as the main part of the
20 barrel were all --

21 A The only part you cut off is the top lip. The top
22 cover would come off, then you'd role the drum itself
23 and put the cover back on it and take it down to burn.

24 Q Let me have have these marked as famous Exhibits 1 and

1 2. We'll mark the top cover Exhibit 1, the bottom
2 Exhibit 2.

3 (Plastic overlay marked Exhibit No. 1 for
4 identification and photograph marked Exhibit
5 No. 2 for identification.)

6 Q I'm going to represent to you that this is a chart
7 Oil, John J. Riley Tannery and the property behind the
8 Whitney Barrel Company that we've been calling the 15
9 acres, I think; and I think I need a marker for this.

10 A Well, Whitney had 14 acres, I believe. At least
11 that's --

12 Q I didn't hear you.

13 A I said Whitney had 14 acres, I believe. I don't know.
14 That's what they told me.

15 Q And do you know where that was located?

16 A Well, it's where the barrel company was right there.
17 Then they had another 14 acres of land up in
18 Wilmington that they had sold now.

19 Q Could you show me approximately where the barrels
20 would go when they were unloaded?

21 A Well, if the building is here --

22 Q Why don't you draw in the building approximately.

23 A The building is here (drawing) and they'd put them
24 from this side all the way down in the back, and

1 sometimes they could be on that side over there. Most
2 of the time they'd be in here so you could put them on
3 the platform here. Then they would go in here to be
4 processed.

5 Q Why don't you mark a P for where the platform would
6 be.

7 (Witness complies.)

8 A Then the washroom would be back there.

9 Q Why don't you put a W where the washroom is.

10 (Witness complies.)

11 A They had another tank here. They'd first rinse them
12 in here, then they'd wash them. Then they go down
13 here with the painting and then they'd go out to
14 another big platform. There was a platform here.
15 That's where the truck used to back in and load them.

16 Q That would be the paint room?

17 A The paint room would be here.

18 Q Why don't you just write paint there, PA there.

19 (Witness complies.)

20 Q And is this the platform or --

21 A Yes, that's the front platform.

22 Q So there were two unloading platforms?

23 A One in the back and one in the front.

24 Q Put B where the barrels were stored.

1 A They were on the platform here.

2 Q And when the platform was too full?

3 A It would be down in the back, being here (indicating).

4 MR. FACHER: Put a B here.

5 THE WITNESS: A "B" where?

6 MR. FACHER: Where they were in the back and
7 on the side of the road there or the side near the
8 road. The B is where the barrels were?

9 THE WITNESS: Yes, they were all like this
10 (indicating).

11 Q Did you ever work in cleaning the barrels or washing
12 the barrels?

13 A Yes.

14 Q And could you describe to me how you clean a barrel?

15 A We'd open them up in the back here, push them on the
16 roller all the way into the washroom, and on this side
17 here they had one to clean the inside. Then they
18 would clean them over again in this other tank on the
19 left.

20 Q Yes.

21 A And they'd turn in the hot solution and then they'd
22 take them out and rinse them off, and then they'd
23 steam dry them. That would be done over on this side
24 here.

1 MR. FACHER: Sounds like doing the dishes.

2 A Yes, then they'd go out the escalator right out to
3 the --

4 (Brief recess taken.)

5 Q Did you use any kind of brushes in washing out the
6 barrels?

7 A Yes, we used hand brushes.

8 Q Any long-handled brush? Any brush with handles on
9 them?

10 A Just so long (indicating).

11 Q Approximately how long?

12 A So you don't have to put your hand in hot water. Just
13 long enough so you don't have to put your hand in hot
14 water.

15 Q So about a foot or two foot long, is that it?

16 A Might have been that long (indicating).

17 MR. FACHER: About two, two and a half feet?

18 THE WITNESS: Yes, some of them. Some were
19 shorter.

20 MR. FACHER: To reach in the barrel, is that
21 the idea?

22 THE WITNESS: No, that was to take the paint
23 off the outside and go over it with the solution and
24 the water.

1 Q Do you recall what kinds of materials you used to
2 clean the barrels, what the solutions were composed
3 of?

4 A What they called them was caustic and dry sodium.
5 That's all I know. Caustic and dry sodium, whatever
6 it is.

7 MR. GERONEMUS: Why don't we have this
8 marked as Exhibit 3.

9 (Sheet of terms marked Exhibit No. 3 for
10 identification.)

11 Q Could you look at the famous list of chemicals and see
12 if you recognize any of those names as chemicals you
13 might have used?

14 A I never used them, no, not that I know of, not to my
15 knowledge. If any of those were -- whether any of
16 those were the drums that we did -- some I don't
17 recognize. Some, the Malathion I recognize.

18 Q And from where do you recognize that?

19 A Baird.

20 Q You cleaned drums for Baird that contained Malathion?

21 A Yes.

22 Q Are there any other names that you recognize?

23 A Not from any customers that I know of.

24 Q Do you recognize the names from somewhere else?

1 A I maybe seen a drum someplace. I don't know.

2 Q But not from working with them?

3 A They've got nothing to do with this place. I'm just
4 saying, nothing's familiar here but Malathion. May be
5 DDT, what do I know. I never used none of this stuff,
6 no.

7 Q Do you remember approximately when you cleaned the
8 Malathion drums for Baird?

9 A Before we changed the tank. Before we changed the
10 tank to, you know, put the clean stuff in it you'd do
11 them and send them back to Baird.

12 Q Do you remember approximately what year that would
13 have been?

14 A Oh, Geez, that was all during the Vietnam War, I
15 guess. I don't know. I really don't know the dates.

16 Q I gather there was a lot of liquid that you used in
17 cleaning the drums?

18 A Water.

19 Q Water, and you said caustic, I think?

20 A Well, that's the solution you put in to do the job.

21 MR. FACHER: Caustic and dry sodium.

22 MR. GERONEMUS: Thank you.

23 Q And what did you do with that solution when you were
24 finished with it?

1 A Just open the tank and let it go down the sewer.

2 Q There was a drain in the middle of the room?

3 A Yes, and it all drained right in the sewer.

4 Q Did that sewer ever back up?

5 A I guess in 25 years that I'd been there it's backed up
6 a couple times. The whole thing was backed up around
7 there. The place got flooded a couple times that I
8 know of, that I remember.

9 Q What did you do with the wash water when the sewer got
10 backed up?

11 A We wouldn't -- you couldn't wash. What are you going
12 to do, stand in the middle of a river and wash drums?
13 The thing backed up, it backed up. It ain't gonna go
14 out of the building, it ain't gonna go no place.

15 Q Do you know what caused the sewer to back up?

16 A Main line was blocked up somewhere someplace, I don't
17 know.

18 Q Now, once the barrels were reconditioned where were
19 they stored?

20 A Out in the front platform.

21 Q The front platform.

22 A If they didn't go on the truck they went on the
23 platform and most of the time they had to go right on
24 the truck and go out.

1 Q Was the back yard ever too crowded to store anymore
2 barrels in it?

3 A Well, like I say, if -- he bought drums from other
4 barrel outfits and they used to put them up in North
5 Woburn. They'd put them in our yard. Wherever we had
6 the room they put them.

7 Q Did you ever have to store the barrels further north
8 than the ordinary storage area?

9 A You don't store them down there, no.

10 Q Uh-huh.

11 A You just store them right there in the yard where you
12 can get at them.

13 Q When you worked in the washroom do you ever remember
14 any of the barrels containing residue of any kind, any
15 liquid of any kind?

16 A Unless it was rust and stuff.

17 Q Anything other than rust in the barrels?

18 A Well, that's what I say, the ones that had anything in
19 them would be cut open for open headers. See, once
20 they had something in them like that that wouldn't
21 come out they'd put them in a different place. They'd
22 cut them open and burn them.

23 Q If they had any kind of liquid at all in them?

24 A Not liquid. You're talking about residue. Now you're

1 talking about liquid.

2 Q Sorry if I misled you.

3 A That's what I think you're trying to do.

4 Q No, I'm not. Mr. Facher would never let me anyway.

5 A I'm telling what I did for 25 years. I got out of
6 there as much as I could. I didn't work because I got
7 a hundred percent disability from the government and I
8 don't work everyday if I can help it.

9 Q Let me rephrase it so it's clear, and believe me, I'm
10 not trying to mislead you. I'm trying to find out
11 what happened and what you know.

12 Were there ever any barrels when you
13 worked in the washroom that contained any liquid?

14 A If there was there wouldn't be that much in them. And
15 then we'd have to pick them up about 3 foot off the
16 ground. We'd put them on top of another tank upside
17 down. So if they was half full you couldn't pick that
18 drum up.

19 Q Were there times when they had small quantities of
20 liquid in them?

21 A They might have. I don't know.

22 Q And what would you do with that?

23 A I didn't check them.

24 They'd put them in the pump and wash them in

1 with the solution.

2 Q And that would --

3 A That would go in turn down the drain.

4 Q And when I use the word residue I mean something left
5 in the barrel. You took it to mean something like
6 residue --

7 A Well, residue I think you mean something like this
8 chair in the barrel that won't come out. If you open
9 it you can get the liquid out but not residue out.

10 Q So residue would be some kind of solid?

11 A If it's solid it's solid. It ain't gonna wash that
12 drum.

13 Q Did you ever hear of a company called the Kingston
14 Steel Barrel Company?

15 A Yes.

16 Q And in what context did you hear about them?

17 A We used to buy drums from them, sell them drums,
18 burners.

19 Q And were they in the same business as Whitney?

20 A Right, yes.

21 Q And do you know why you bought and sold drums from
22 them?

23 A Well, when we needed drums we'd get them from him.

24 You can't just go out and pick them off trees so you

1 buy them from whichever company has them and vice
2 versa. They want one kind and you want another.

3 Q Do you recall a fellow at the Kingston Steel Barrel
4 Company named Roy Boudreau?

5 A Yes.

6 Q And who was Mr. Boudreau?

7 A Well, he was managing the place.

8 Q And did you ever meet Mr. Boudreau?

9 A Yes.

10 Q And where did you meet him?

11 A I knew him from Malden, when he was in Malden Barrel
12 Company.

13 Q Did you ever see or speak to him while he was at the
14 Kingston Company?

15 A Yes.

16 Q For what reason?

17 A To get the drums I wanted, and whatever drums he
18 wanted I'd bring to him.

19 Q This would involve picking up and delivering?

20 A Yes, picking up and delivering.

21 Q Do you recall approximately when you had dealings with
22 Kingston Barrel?

23 A I never thought it would come to this that I would
24 have to remember dates when I brought barrels here and

1 there.

2 Q Just if you remember.

3 A I want to see this thing cleared up because I don't
4 want to be bothered no more.

5 Q I can appreciate that. Do you ever remember a fellow
6 named Wayne Poole at the Kingston Barrel Company?

7 A Who?

8 Q Wayne Poole.

9 A Where was he?

10 Q At the Kingston Company.

11 A I don't think so. I don't know. I maybe knew him if
12 I seen him but I don't know his name.

13 Q Were there ever occasions on which you would sell
14 drums to Kingston for it to recondition?

15 A No. We'd swap them drums. Like if they wanted open
16 ones we'd give them the open ones and vice versa.

17 Q And would those drums have already been cleaned when
18 you'd swap them?

19 A Yes.

20 Q Did you ever sell them drums that were not cleaned or
21 give them drums that were not cleaned and have them
22 return them to you when they were cleaned?

23 A No. They were mostly burning them up there.

24 Q Do you recall any incidents in which anyone from the

1 Kingston Company emptied the contents of any barrels
2 into the sewer?

3 A Okay. Now, that's what we're getting to now. That's
4 only hearsay and what was in the paper that I know
5 about that. I wasn't working there, I don't believe
6 at the time.

7 Q I see.

8 A But they went to court over that and they both got
9 fined for it, whoever it was, and it was in the papers
10 and now they can't find out -- there's no record of it
11 so -- I know you've checked it out so I don't have
12 to --

13 Q Well, I'm only asking for your knowledge. If your
14 knowledge is just --

15 A I only can tell you what I know. What I don't know,
16 that's it.

17 MR. FACHER: In this case it's only what you
18 read in the papers.

19 THE WITNESS: You can get just as much
20 information out of me as you can in the paper.

21 Q Do you recall having any conversations with anyone who
22 was employed at Whitney Barrel about the Kingston --
23 the incident we've been describing about dumping into
24 the sewer?

1 A I don't remember who even told me about it, and they
2 got caught at it so I don't know. And I just bought a
3 house in Woburn after all this pollution and stuff
4 right down the street from the place.

5 MR. FACHER: From --

6 THE WITNESS: 480 Washington Street, yes.
7 I raised six kids in Woburn.

8 MR. FACHER: Where did you live before that?

9 THE WITNESS: North Woburn. Always in North
10 Woburn and one year in Lowell and that was it, right
11 back to Woburn again.

12 Q Were you aware of any occasions on which the barrels
13 that you were storing at Whitney's were leaking?

14 A Leaking?

15 Q Yes.

16 A What do you mean by leaking? We get drums back
17 sometimes that leak, yes, but they cut them out and
18 have them for trash drums or -- what do you mean,
19 coming in with stuff and leaking all over the place?

20 MR. FACHER: That's what he means.

21 Q That's what I mean.

22 A No.

23 Q Do you recall any other incidents other than the one
24 that you read about in the paper involving any legal

1 actions against Whitney Barrel?

2 A Not legal action, no.

3 Q Any actions by any regulatory agencies?

4 A No.

5 Q Do you recall any inspections of Whitney's property by
6 any local authorities?

7 A The only one I know is the Board of Health come down
8 and told them to get the drums off of down at the end
9 and we did that. I went down and helped them to do
10 that, the ones we could pick up. They had to be done
11 with a dump truck. They couldn't have been put on the
12 truck and then wheeled off.

13 Q And where was that approximately where the drums were?

14 A Down the end there.

15 Q Do you want to mark on the map where?

16 A I don't even know where this is now.

17 Q This brown line I think is, to help you, is the access
18 road.

19 A Yes, I know that. What's this piece of property here?

20 MR. FACHER: That's the marshland. The
21 river's over there in blue. That whole white area is
22 the undeveloped, you know, wooded area behind the
23 plant.

24 THE WITNESS: What's this?

1 MR. FACHER: Those might be little trails.
2 I'm not positive of that.

3 MR. GERONEMUS: That's what it is.

4 MR. FACHER: In the woods.

5 A We had to go down here someplace. To look at this
6 thing here it don't look wide enough to put a barrel
7 on it so I don't know.

8 Q Was it somewhere down the access road?

9 A Down the access road we had to go pick up the drums.
10 Now, who put them there I couldn't tell you.

11 Q And approximately when was that?

12 A Oh, Geez, I can't remember.

13 Q That's okay.

14 Do you remember whether there was any
15 article in the newspaper about that at the time or --

16 A I don't remember if there was or not on that. But I
17 know we went down and we were supposed to clean it up,
18 and there was some they couldn't pick up and that's
19 why they stayed there.

20 Q About how many drums were there?

21 A I don't know. I didn't count them. We just took out
22 what we could and that was that.

23 Q And were they near this --

24 A I don't even know what they did with them after they

1 took them. After he took them I don't even know what
2 they did with them.

3 Q And I didn't quite get your answer about how many
4 drums there were.

5 A I told you I didn't know.

6 MR. FACHER: He didn't know. He said he
7 took what he could.

8 A What we could pick up we picked up.

9 Q So there were some drums you couldn't pick up?

10 A I believe, yes.

11 Q And were they too heavy or --

12 A Too heavy to pick up.

13 Q And were they near this access road that's indicated
14 by the brown line?

15 A Yes.

16 Q And was it at a point where the access road was near
17 the railroad tracks? Do you recall that?

18 A Well, it wasn't too far away from it, no.

19 Q And from the back of Whitney's property --

20 A There's a bridge down on -- down at that end -- it's
21 not on that map.

22 MR. FACHER: That's further north.

23 THE WITNESS: It ain't. There's two of
24 them. There's Olympia Avenue.

1 MR. FACHER: That's what I thought you
2 meant.

3 Q Was it near the bridge?

4 MR. FACHER: I think --

5 A There's a roll bridge that goes over and that's why I
6 don't even know.

7 MR. FACHER: Is Olympia Avenue on this
8 chart?

9 THE WITNESS: No, they haven't got nothing
10 on there. They have the -- they don't even know where
11 to put the wells.

12 A Can I look at that map?

13 Q Yes.

14 (Witness looks at map)

15 A What's this supposed to be here, a swamp?

16 Q I think that's the swamp.

17 MR. FACHER: Here you've got our Salem
18 Street. This is Salem Street.

19 THE WITNESS: That's Salem Street and that's
20 Whitney Barrel.

21 MR. FACHER: That's Aberjona.

22 MR. GERONEMUS: Murphy?

23 A These are all tanks in here. They're mostly tanks.

24 MR. FACHER: You're talking about the

1 Whitney property?

2 THE WITNESS: Whitney's property now.
3 Trucks and drums are on this side. They got these
4 trailers all lined up in there now with drums in them.
5 That's what they had at that time. They ain't even
6 got the -- I don't even see the bridge there either.

7 MR. FACHER: He doesn't see the bridge on
8 the photograph which is the colored photograph.

9 A That used to go down the trucking outfit, right.
10 That's where it stops at the bridge.

11 Q And were these barrels near the bridge that you're
12 talking about?

13 A It would be before the bridge. Yes.

14 Q Well, if you don't see it on this map perhaps we can
15 find another map a little later and see if we can find
16 it.

17 MR. FACHER: Were they on Olympia Avenue or
18 were they up farther?

19 THE WITNESS: No, on Whitney side. You
20 couldn't get a truck down there anyway.

21 MR. FACHER: Do you remember those two
22 concrete poles or abutments that are in the ground as
23 you go up the property? Did you ever see those?

24 THE WITNESS: Near --

1 MR. FACHER: Right by the Lechmere
2 warehouse. Is it that far up or less far?

3 THE WITNESS: Lechmere is across the track.

4 Q And do you recall who told you to take the drums out
5 of the --

6 A The Board of Health come down and my boss says to get
7 them out of there. That's all I know.

8 Q And who was your boss at the time?

9 A Jack Whitney.

10 Q Senior or junior?

11 A Senior. He's dead now.

12 Q And do you know who came down from the Board of
13 Health?

14 A He's dead, too, App. App was his name.

15 Q Is that E.M. App?

16 A A-p-p. Eddie, yes, he worked for the Board of Health.

17 Q I think there was also a Joe App?

18 A No, Joe was his older brother. Yes. I know the whole
19 family.

20 Q Do you know Mr. Riley, John Riley?

21 A I know him but I don't think he'd remember me.

22 Q Do you know whether he was told about the presence of
23 the barrels?

24 A Whether he was told about them, I don't know.

1 He never told me what was going on down
2 there. If anything was going on down there it was
3 always their doings, I don't know.

4 Q Did anybody ever tell you whose property the barrels
5 were on?

6 A No.

7 Q Did you have any knowledge of what those barrels
8 contained?

9 A No.

10 Q Did anybody tell you to be careful with the barrels in
11 any way?

12 A No.

13 Q Did anybody tell you they might be hazardous?

14 A No, they just told us, "pick them up" and that was it.

15 Q Were you aware of any other inspections by any other
16 state or local agencies?

17 A Like I say, if anybody went up to talk to him he'd be
18 up the front office. We wouldn't even know what was
19 going on. I never seen no one going through the
20 building.

21 Q And I gather your answer would be the same for state
22 or federal?

23 A I don't -- I never seen anybody that I know, no.

24 Q When you worked at Whitney's did they ever store large

1 underground or large gas tanks?

2 A That's what I just showed you in this picture, gas
3 tanks. They stored them around the building mostly on
4 this side here and down the back.

5 Q That would be on the east side of the building?

6 A Towards Murphy's.

7 MS. FAWCETT: West side.

8 MR. FACHER: That's the west side.

9 THE WITNESS: Yes, the west side.

10 Q And did they ever store them, the underground tanks,
11 to the north of the Whitney buildings?

12 A If I ain't mistaken they had some up on that dirt
13 road.

14 Q And could you mark on that about where?

15 A Right about in back of this one here, around that, to
16 the right of the road.

17 Q Want to just mark with a T where those tanks were?

18 A I don't know what all these things are here. That's
19 why I don't know (indicating). But they'd have them
20 all -- where there was open field they'd put the tanks
21 in there.

22 Q Did they ever bulldoze an area to do that?

23 A No, not that I know of.

24 Q Could you locate it better on -- why don't you put a T

1 on that.

2 (Witness complies)

3 Q Could you locate the tanks on this?

4 A Over in there (indicating).

5 MR. GERONEMUS: Why don't we have this and
6 the underlying picture marked as an exhibit, as two
7 exhibits.

8 Q If you'll just mark with a T on there where that would
9 have been.

10 (Witness complies)

11 Q And do you know about how many gallons these tanks --

12 A They were all different sizes. I don't know.
13 Couldn't tell you. You look at one and it might be a
14 2000 and you'd think it was a 5. I don't know.

15 MR. GERONEMUS: Mark those as exhibits.

16 (Acetate overlay to photograph marked
17 Exhibit No. 4 for identification and
18 Photograph marked Exhibit No. 5 for
19 identification.)

19 MR. GERONEMUS: Let the record reflect that
20 we've marked as Exhibit 4 the acetate overlay for
21 Exhibit 3 (sic) which is a color aerial photograph
22 taken in April, 1974.

23 MR. FACHER: Not identified by the witness
24 as 1974.

1 MR. GERONEMUS: Which I am representing was
2 taken in 1974.

3 THE WITNESS: I just looked at that to see if
4 that house was there or the garage. That's what I was
5 worrying about, if they took pictures afterwards. I'm
6 trying to --

7 Q And approximately how many of these storage tanks were
8 in the area marked with a T?

9 A I don't know. As many as he could get in there.
10 Sometimes if he didn't have the room for them that's
11 where they went.

12 Q Would you say more than ten?

13 A Yes.

14 Q More than 20?

15 MR. FACHER: One at a time or over the
16 years?

17 MR. GERONEMUS: I'm sorry I should be more
18 clear.

19 Q At any one time would you say there were ever more
20 than ten?

21 A I really don't know.

22 Q And do you have any idea whether those tanks contained
23 any liquid of any kind?

24 A No, because you couldn't pick them up and move them.

1 They would store them down there, then they would take
2 them up to the factory and steam them, if they had a
3 hole in them or clean them out or whatever they'd do
4 to them, paint them, that's what they had to do;
5 scrape the outsides and paint them. That's what they
6 did with them.

7 Q And did you ever take any of the storage tanks up to
8 that area or not?

9 A No, I never did. They come in on trailer trucks and
10 trailers and so forth but I never --

11 Q Did you ever see anybody drive up the access road with
12 the tanks on the truck?

13 A No, but I know they were there, that's all.

14 Q Do you know whether Mr. Whitney permitted the trucks
15 to drive up that road?

16 MR. FACHER: Well, that's not a fair
17 question.

18 A That ain't got nothing to do with me. I don't know.
19 Like I told you, if he could squash that court record
20 in Boston and Woburn -- you're asking me foolish
21 questions now. That's getting foolish.

22 Q I'll try to ask better questions.

23 A Gee, I don't know.

24 Q I'll try to ask better questions.

1 A You're trying to put words in my mouth. That's what
2 you're trying to do.

3 Q I apologize if it seems that way. I really am not
4 trying to do that. I apologize.

5 Were you ever aware of any involvement
6 between Whitney Barrel and the local police
7 department?

8 A No.

9 Q Do you know whether Mr. Riley was aware of the trucks
10 driving up that access road?

11 MR. FACHER: I object to that. That's also
12 not a fair question.

13 A He didn't know they were going up there. How's he
14 supposed to look from where his office in his building
15 is to where the road was.

16 MR. GERONEMUS: For all I know, Mr. Facher,
17 he was down visiting Mr. Whitney.

18 MR. FACHER: That might be for all you know
19 but you're asking the witness to --

20 MR. GERONEMUS: I'm asking to his knowledge.

21 MR. FACHER: No, you're not. You're saying:
22 Do you know if Riley was aware.

23 MR. GERONEMUS: I'll rephrase it.

24 Q To your knowledge was Mr. Riley --

1 A I don't even know what Whitney was doing never mind
2 Riley.

3 Q Did you ever see any vehicles of any kind drive up the
4 access road that we've been talking about?

5 A No.

6 Q Did you ever see anyone on that property, on that
7 access road to the north of the Whitney Company?

8 A Well, sometimes right at the end of Riley's land they
9 had steel gurders and stuff and we'd have to go up
10 there and get them out of there, take them out. Or
11 there'd be city workers checking the sewer or
12 something, but that ain't got nothing to do with me.

13 Q Could you mark for me about where the steel gurders
14 were, just approximately?

15 A What do you have two pictures here or one?

16 Q We have an acetate overlay.

17 MR. WELCH: I think this list was marked as
18 Exhibit 3.

19 (Discussion off the record)

20 A What are these here, Murphy's tanks down there?

21 Q I couldn't tell you.

22 A Yes, must be.

23 MR. FACHER: What's the question?

24 A Well, here's where Whitney Steel was, right aside of

1 Riley's land.

2 Q Before we mark that, is that T still in the right
3 place, where those barrels were since we've moved the
4 overlay?

5 A What, right here?

6 Q The T that you marked as indicating where the tanks
7 were, is that still in about the right place?

8 A I can't even find it.

9 Q Here's the T.

10 A Somewhere around in there, yes.

11 Q Why don't we clip this so we have that proper.

12 A It's over to the right of the road. That's right in
13 the middle of the road.

14 Q So you want to move it down. Is that better?

15 A That's right. Well, too far, no. No, that's it right
16 there, yes.

17 Q And could you mark --

18 A The steel was right along in here.

19 Q Why don't you mark an S where the steel was.

20 (Witness complies.)

21 A That there's Riley's land there, I believe.

22 Q And what did you use the steel for?

23 A He used to buy and sell it.

24 Q This was "he" being?

1 A Jack Whitney. He was in the steel business, tanks,
2 drums, junk, anything.

3 Q Do you know of anybody else going up the access road
4 for any other reasons?

5 A I don't -- like I told you, when I get back there I
6 get out and if I'm inside working I can't be watching
7 the road.

8 Q Were there ever occasions when you walked on the
9 access road?

10 A I'd just walk around in through here to the tracks
11 (indicating) and then down.

12 Q So --

13 A Right through Riley's land. Right in here. I'd go in
14 through here and down around.

15 Q So you'd walk -- why don't you trace your approximate
16 route on the map that you'd walk.

17 A I'd walk this through here along the tracks and come
18 down here (indicating).

19 Q Could you just remark that S that's gotten a little
20 blurred there where you've indicated the steel drums?

21 A Oh, I just went over it.

22 MR. FACHER: Not drums.

23 MR. GERONEMUS: I'm sorry, steel gurders.

24 Q And what was the purpose of these walks that you would

1 go on?

2 A Like at noon time if I had a few minutes I'd just take
3 a walk out and go back in, get some fresh air or
4 something. No reason for it, just to get out of the
5 building.

6 Q And on those walks did you ever see any barrels or
7 other debris?

8 A Well, I think there was some wood dumped in Riley's
9 land. Some wood or something was dumped. That was it
10 because I just circled around and come back.

11 Q Did you see any drums?

12 A I don't remember if there was any on Riley's land
13 right there or not.

14 Q Other than the tanks and the steel that you've
15 described did you ever see any other debris in the
16 wood in the area north of Whitney's property?

17 A Well, like I had to go down and get the drums out of
18 there and then there was -- he had a trailer down
19 there with some chairs and stuff that got burned right
20 down by that T in the back there someplace.

21 Q Where you've marked the T on the --

22 A Somewhere around in on that side there. But that's
23 all. There was tanks in the trailer and the trailer
24 got burned down there so I don't --

1 Q And do you recall any other debris on that property?

2 A There was some like air ducts and stuff.

3 Q And approximately where was that?

4 A Right in the same part right in here.

5 Q Where you marked the T?

6 A Yes, on the other side of the T maybe. I don't know.

7 Q And do you recall: Did you see that other debris when
8 you were -- on the walks that you've described to get
9 fresh air?

10 A I'd see whatever -- I don't know what's there now or
11 what they put -- if they put anything else on there
12 after I left. I don't know. It's been about 11 years
13 now.

14 Q I was just trying to get --

15 A Yes, when I got up there. Might be there's more stuff
16 there now than there was when I was there.

17 Q But did you see those when you went on your walks for
18 fresh air?

19 A I seen them when I told you I seen them and then when
20 I was sent there to pick up the drums. That was it.

21 Q Other than your walks for fresh air and the time you
22 were sent up to collect the barrels that you've
23 described were there any other occasions when you were
24 on the property that's generalized north of the

1 Whitney Company?

2 A (No response).

3 Q Were you aware of any time --

4 MS. FAWCETT: I didn't hear your answer.

5 MR. FACHER: Did you say yes or no to that?

6 THE WITNESS: I forgot what the question
7 was. Could I hear the question?

8 (Question repeated by Mr. Facher.)

9 A No. And for a year of that time I was living in
10 Lowell so I didn't hang around Woburn to find out if
11 anybody went up there.

12 Q Were you present when the truck that you described or
13 trailer caught on fire?

14 A I don't even know who brought it there or how it got
15 there but I know it was there and it was burned.
16 That's all I know.

17 Q Were you ever aware of anybody depositing any
18 materials of any kind on that property that was north
19 of Whitney Barrel?

20 A No. I've gone up there and pulled tanks out of there.
21 When he'd want a tank out of there we'd go and get it.
22 Whoever was there would have to go and do whatever he
23 tells you to do.

24 Q Were those the tanks that you described and marked T?

1 A Yes, whatever was there. He'd mark it and we'd have
2 to go and get it for him.

3 Q Do you remember how many times you did that about?
4 Your answer would be no?

5 A No.

6 Q Were you ever instructed to dispose of the contents of
7 any barrel on the property to the north of Whitney?

8 A No.

9 Q Other than the complaint by the -- by Mr. App to Mr.
10 Whitney were you aware of any complaints, any other
11 complaints to Mr. Whitney, regarding storing of
12 material, barrels anywhere?

13 A He's the only one I seen. He's the only one that -- I
14 know him, so if somebody else went in the building and
15 I didn't know him I don't know what he's there for and
16 they don't tell me what he's there for so --

17 Q I'm just asking for what you know.

18 A Yes, I know. Yes.

19 Q Have you ever heard of a company called the Roy
20 Brothers?

21 A Yes.

22 Q And what business were they in?

23 A Trucking.

24 Q Did you hear of them in connection with your work at

1 Whitney?

2 A Sometimes they'd carry stuff to the -- we done some
3 moving for a bubble gum machine company and we crated
4 the machines and they took them to the dock for us on
5 the truck. That was it. I know they're in -- they've
6 got tanks and they got all kinds of trailers.

7 Q Do you recall if they ever dumped any materials into
8 the sewer behind Whitney's?

9 A I never seen them. I never seen them.

10 Q Did anyone associated with Whitney Barrel ever tell
11 you that they had done so?

12 A I don't remember if they did or not. I don't remember
13 -- I don't even remember hearing about it.

14 Q Did you ever see Mr. Riley go up the access road?

15 A No.

16 Q Or anywhere else on the property that's north of
17 Whitney Barrel?

18 A I don't know, if he came down to talk to Jack one
19 time. I don't know.

20 Q But you don't remember?

21 A I don't know what it was for or what. I don't know.
22 He might have gone down and talked to him but I
23 couldn't tell you.

24 Q Are you familiar with a company called the Stahl

1 Chemical Company?

2 A What?

3 Q The Stahl Chemical, S-t-a-h-l?

4 A From where?

5 MR. GERONEMUS: Do you know where they are?
6 Peabody?

7 MR. FACHER: I don't know whether it's
8 Peabody.

9 Q Your answer is no?

10 MR. FACHER: It's on the north shore
11 somewhere.

12 A I never heard of it.

13 MR. FACHER: Maybe Peabody is right. I'm
14 not sure.

15 THE WITNESS: Where?

16 MR. FACHER: Maybe Peabody, I'm not sure.

17 Q Did you ever hear of a company called Capital
18 Equipment?

19 A Yes, that's Whitney Barrel.

20 Q What business was Capital Equipment in?

21 A Scrap salvage. That's what I'm telling, the tanks.
22 He was in all the businesses.

23 Q Were you also working for Capital Equipment?

24 A You'd go in there and if they wanted you to do this

1 you go and do that. There was no set job you had. He
2 wanted you on the tanks or going out and picking up
3 rubbish, this is scrap steel I'm talking about, and
4 that would be it.

5 Q And did Mr. Whitney run both Capital Equipment and
6 Whitney Barrel?

7 A Right.

8 Q But there was no separation between the work you did
9 for Capital and the work you did for Whitney?

10 A No, we got the same pay for the same job.

11 Q And nobody said to you, "you're going to be working
12 for Capital this morning"?

13 A No, you didn't get one check for Capital and one from
14 Whitney. It's all the same.

15 Q All right. Did you clean those tanks in any way that
16 you've --

17 A Scrape them outside and paint them. And we've done
18 that, too.

19 Q And where would the scraping and painting occur?

20 A Out in the yard.

21 Q In Whitney's yard?

22 A On the left side of the building, yes.

23 Q And did you use any kind of liquid to clean them?

24 A No, just muscle. Scrapers, muscle and paint with

1 rollers. That's all you'd use.

2 Q Do you remember using something called TSP or
3 trisodiumphosphate to clean barrels?

4 A The only thing I told you is caustic and I'd get it
5 from George Mann and that's it. Caustic and dry
6 sodium. Now, what the right name is I don't know.
7 That might be what it is, I don't know.

8 Q And do you remember what kind of containers the
9 caustic came in?

10 A Fiber barrel, paper barrel or a tin barrel. A tin
11 barrel, I believe it was.

12 Q And when they were empty what did do you with them?

13 A You'd just put them in the tank and wash them and
14 paint them and ship them out.

15 Q And --

16 A They used them for tar, putting tar -- like Cabot used
17 to buy them and they'd full them full of tar, roofing
18 tar and stuff like that.

19 Q And what did the dry sodium come in?

20 A Bags, paper bags.

21 Q Do you remember where that was bought?

22 A George Mann, Stoneham. Paper bags. I don't know.
23 Might have been fiber barrels. Could be either one
24 because they're --

1 Q Do you remember there ever being a fire at Whitney's?

2 A Yes. That last fire I wasn't even working there.

3 Q Were there fires before the last fire?

4 A There was one inside but it wasn't that bad.

5 Q Do you know what caused that?

6 A No. Because you got a nice new building down there
7 that they didn't have. When I worked there was block,
8 cinder block.

9 Q Were you aware of any incident in which cars were --
10 involving the burying of cars in the Aberjona river
11 area?

12 A What?

13 Q Burying of cars.

14 A Burying cars in the Aberjona? No.

15 Q Were you aware of any dumping of waste by Murphy's
16 Waste Oil into the sewer, into the manhole?

17 A That -- I don't know nothing about what he does.

18 Q Do you remember the names of any of the individuals
19 who worked at Whitney Barrel Company when you worked
20 there?

21 A That's what I was trying to think of. All this time
22 I've been trying to think. There was a foreman named
23 John DeLeo when I was first hired. He worked there I
24 forget how many years.

1 Q Could you spell that?

2 A No.

3 Q John DeLeo?

4 A D-e-L-e-o? And there was a Bill Flaherty.

5 Q Do you know where he --

6 A He was from Somerville at the time. I don't know
7 where he is now, whether he's living or not.

8 Q That's Mr. Flaherty?

9 A Yes.

10 Q Do you know where Mr. DeLeo was from?

11 A He was from Woburn. Where he is now I don't know.

12 Q Do you remember anyone else who you worked with?

13 A Yes, about three or four of them. They're all dead.
14 They had some kids come in but they worked one day and
15 they're gone the next. They get a couple of bucks and
16 they take off.

17 Q Do you remember a fellow named Richard Sousa or John
18 Sousa?

19 A Yes, Richard.

20 Q Or Tom Sousa?

21 A Richard and Tom, they both worked there driving a
22 trailer, and Tom Clark who is dead. Bill Leidman is
23 dead. They're almost all dead, the ones that I knew.
24 Then they had some kids. I don't even know their

1 names.

2 Q Do you know where --

3 A Capallo was there. There was a Capallo, and --

4 Q Is that Joey Capallo? Is that --

5 A I think Joey worked -- yes, Joey. Someone was telling
6 me his brother worked there but I don't -- unless he
7 did after I did. I don't know.

8 Q What was his brother's name?

9 A They call him Pudgy. I don't know what his name is,
10 what his right name is.

11 Q Do you remember where Richard Sousa lived when you
12 knew him?

13 A He lived in Woburn at the time but he ain't in Woburn
14 now.

15 Q Do you know where he is now?

16 A He's up in Burlington.

17 Q And how about Tom Sousa?

18 A He's in Stoneham.

19 Q Stoneham?

20 A Yes.

21 Q Is that Stoneham, Mass. or --

22 A Yes, Mass.

23 Q Did you know an individual named Ronny Knight?

24 A Yes, and I believe he's dead. Yes.

1 Q Did he work at --

2 A He worked at Whitney, yes.

3 Q And --

4 A I was thinking of him this morning but I heard he died
5 and I don't know. He's from North Reading.

6 Q North Reading?

7 A Yes. He was anyway.

8 Q And --

9 A There's a Herb. I can't think of his last name. I
10 don't know whether he's still working there or not.
11 He worked for Aberjona Auto Parts before he came
12 there. I can't think of his last name.

13 Q And what about Alan Brown, does that name ring a bell?

14 A Yes, he worked there but where he is God knows.

15 Q Do you know where he was the last time he worked
16 there?

17 A Woburn. Someplace in Woburn but I don't know where he
18 is now. I haven't seen him. I used to see him on the
19 street.

20 Q Do you remember there being any kind of a bad smell at
21 Whitney's?

22 A At Whitney's?

23 Q Yes.

24 A Malathion. That's about the only one that really --

1 Q What about when you walked on the property north of
2 Whitney's?

3 A You got it all over East Woburn at different times.
4 How can you tie it in to the road?

5 Q Were you ever aware of Mr. Riley telling Mr. Whitney
6 about a -- talking to Mr. Whitney about a fence?

7 A Nope.

8 MR. GERONEMUS: Why don't we take a break
9 for about five minutes. I want to look through my
10 notes and see if we have a better map.

11 (Brief recess taken.)

12 Q I think I have one more question. When you
13 reconditioned the barrels did you place any kind of
14 markings on them?

15 A No. If we marked them we'd mark them with chalk,
16 nothing that would come off, you know. I mean, chalk
17 will wipe off but -- that's how we used to keep the
18 different ones separate from who they belonged to.

19 Q And the time period when you saw the tanks and worked
20 with the tanks, that was while, obviously, while you
21 were working at the Whitney Company?

22 A Yes, in the 25-year period.

23 Q But you couldn't date it more --

24 A They may be gone. They may be back there tomorrow.

1 Q You couldn't date it more specifically?

2 A No.

3 MR. GERONEMUS: I have nothing further.

4

5 CROSS-EXAMINATION

6 BY MR. FACHER:

7 Q I won't be very long, sir. First I want you to tell
8 the record when you were first contacted by any lawyer
9 and how many times you were talked to and what you did
10 or said about it.

11 A Well, I was contacted two or three times by a fellow,
12 I don't even remember his name. I didn't bring his
13 card in.

14 Q An investigator?

15 A Investigator, yes.

16 Q And what did he want to know and what did you tell
17 him?

18 A The same questions he asked me.

19 Q You gave him the same kinds of answers?

20 A Same answers. I can't tell him nothing I don't know.

21 Q How many different times did he call you or did he
22 come and see you?

23 A I think three or four times. He came once.

24 Q At work or your house?

1 A No, at my house.

2 Q Now --

3 A And then he called up.

4 Q How many different times did lawyers for the
5 plaintiffs call you, if you remember, after the
6 investigator?

7 A The plaintiff, which one would that be?

8 Q That's Mr. Geronemus.

9 A He called me what, two or three times.

10 Q And was he asking questions or just making
11 arrangements for this deposition?

12 A Same thing and making arrangements for the deposition.

13 Q In substance did you tell these gentlemen what you've
14 said here today?

15 A The same thing.

16 Q Same kinds of things?

17 A About the same thing, yes.

18 Q Did you indicate you couldn't add very much to the
19 information?

20 A No.

21 Q Well, did you get out of the service in the fifties
22 sometime? You're talking about World War II?

23 A '45.

24 Q You're talking about World War II?

1 A Yes.

2 Q And you lived in -- you presently have your -- you're
3 at 480 Washington?

4 A Right.

5 Q How long have you been there, sir?

6 A About 18 to 20 years.

7 Q And before that?

8 A I lived a year in Lowell and North Woburn after that,
9 and I was born in North Woburn, and I think I spent --
10 I went up to Wilmington another year. Yes, I had a
11 house in Wilmington. I was gone out of Woburn about
12 two years. Most of the time I was right back in
13 Woburn.

14 Q Do you have any family members or relatives that live
15 in Woburn apart from --

16 A My mother and father were always in Woburn. I got a
17 brother that still lives in Woburn and we got five
18 kids but they're gone to Stoneham, and there's only
19 one in Woburn out of the five. There's two living
20 with me.

21 Q Now, you were shown this exhibit with this long list
22 of chemicals on it and I think you said the only one
23 you recognized was Malathion?

24 A Yes.

1 Q Was that picked up from any customer, do you remember?

2 A Yes, Baird McGuire.

3 Q And the rest of these names on here you don't
4 recognize?

5 A I don't know if we had them, but there's some that I
6 never even seen but --

7 Q Did you ever see any labels on barrels bearing any of
8 those names?

9 A I don't remember.

10 Q You said that --

11 A I don't remember.

12 Q Did you see any papers labels --

13 A I don't go reading them.

14 Q Were there any labels --

15 A Danger labels. No, I never seen none.

16 Q Any labels affixed, paper labels stuck on these
17 barrels that you were picking up?

18 A Most of the barrels got something stuck on them but I
19 don't remember what they were.

20 Q Did you see anything that even looks like these
21 chemical names on Exhibit 3?

22 A No. I don't remember.

23 Q You marked -- you said something about fire. That
24 would be something that might have said inflammable or

1 something like that? Would any markings like that
2 have been -- did you see any markings like that that
3 may have said flammable?

4 A Well, they were on the barrels, some of them, yes.

5 Q Some of them?

6 A But what they were I don't know. I don't remember.

7 Q Now, you were picking up basically empty barrels that
8 already had been used by whatever customer?

9 A Right, used barrels.

10 Q And did you personally ever unload or put any barrels
11 on anybody else's property other than on Whitney's
12 property?

13 A Not that I know of.

14 Q You said you'd pile them in the yard and --

15 A Yes, put them in there or on the platform and back the
16 truck in and they'd go right inside.

17 Q And in your observations or the time you were at
18 Whitney did you ever see any barrels that were leaking
19 chemicals onto the ground?

20 A I never seen them.

21 Q And did you ever smell anything that smelled to you
22 like some kind of a chemical?

23 A Malathion is the only one that really stinks that I
24 know of.

1 Q Did you ever smell anything on anybody else's property
2 that smelled like paint stripper or nail polish
3 remover, that kind of a smell?

4 A No. They might have had some in there but I don't
5 remember.

6 Q You didn't smell it?

7 A They had --

8 Q Where are you talking about?

9 A No, I'm saying I don't remember what they had but they
10 had --

11 Q At Whitney?

12 A They had some alcohol drums and stuff like that.

13 Q In Whitney?

14 A Yes.

15 Q I'm talking about on this property in white on the
16 chart.

17 A In the yard?

18 Q In the property above the yard.

19 A No.

20 Q In white, did you ever --

21 A No.

22 Q -- see any chemicals leaking or smell anything --

23 A No.

24 Q -- that smelled like a chemical?

1 A No.

2 Q On that property did you ever see any barrels or drums
3 that bore labels with these names on them of Exhibit
4 3?

5 A No. Like I say, they might have been put there after
6 I worked down there. I don't know.

7 Q No, we're talking about the time you were there during
8 your employment. That's all I'm asking about.

9 A I don't remember seeing those on any barrels.

10 Q Did you start to work at Whitney after you got out of
11 the service?

12 A Way after.

13 Q Way after. Would it be what, mid --

14 A Well, I got out in '45.

15 Q Be about '55 then?

16 A Somewhere around '50 or -- well, in '75 I was there
17 about 25 years.

18 Q So it would be about '50?

19 A Yes.

20 Q And you did both driving, picking up barrels and
21 working in the plant?

22 A Yes, washing and painting drums.

23 Q So you were a "jack of all trades," so-to-speak?

24 A Well, they tell you to do it you do it.

1 Q Now, what did Whitney have in North Woburn?

2 A Just property.

3 Q Just empty property?

4 A Yes.

5 Q And they kept barrels up there?

6 A Yes, sir. That place was covered with barrels.

7 Q And did you deliver barrels up there, too?

8 A Sometimes. That's where I broke my ankle. I went up
9 there to pick something up and after I broke my ankle
10 and I wasn't back working no more.

11 Q So Whitney had an auxiliary storage area up there?

12 A Yes.

13 Q Now, you said you saw, if you look at the picture, you
14 said you saw barrels at some point -- strike that --
15 did you see barrels at some point that were not on the
16 Whitney property?

17 A Well, like I went up and got them up there when we
18 were told to take them off.

19 Q On that occasion, okay. That was the only time?

20 A Yes.

21 Q Did you put those barrels up there?

22 A No.

23 Q And you don't know how they got there?

24 A No.

- 1 Q And you don't know how long --
- 2 A I guess if Whitney sent us up there he must have knew
3 about it.
- 4 Q But you didn't know about it?
- 5 A No.
- 6 Q Now, the tanks that you described, did you put those
7 on the property?
- 8 A No.
- 9 Q Now, those were there awaiting to be cleaned and
10 reconditioned?
- 11 A Be scraped and painted, yes.
- 12 Q So would it be fair to say they'd be there a short
13 period of time and then somebody would come out and
14 get them and return them?
- 15 A Yes.
- 16 Q These tanks in other words belonged to customers?
- 17 A No, they belonged to Whitney.
- 18 Q So Whitney bought them and then he was going to resell
19 them?
- 20 A Yes.
- 21 Q And do you have any idea when it was that you saw
22 those tanks?
- 23 A All different times.
- 24 Q They would be -- were they being cleaned in the same

1 way you described or is there a different way of
2 cleaning bigger tanks?

3 A They took them out to the right side -- west side of
4 the building and scrape them and paint them, and they
5 were sold for secondhand steel drums -- steel tanks,
6 rather.

7 Q Now, you said you saw some wood on Riley's land?

8 A I believe that's where it was. Unless Riley don't own
9 the land. I don't know.

10 Q And did you see any barrels that contained any kind of
11 liquid on Riley's land?

12 A The only thing I seen on Riley's land was the steel in
13 the front of his land. I don't even know if it was on
14 the road or the property and chain link fence right at
15 the -- where the well is, the road that goes into the
16 well.

17 Q And that's true for the whole time that you worked
18 there?

19 A Yes. He must have dumped afterwards, I don't know.

20 Q After you left, right. So you don't know what
21 happened after you left?

22 A No. I've been out of there over -- it's going on 11
23 years or so now so --

24 Q But in the 50s and 60s is when you were making these

1 observations?

2 A Well, between the time I was there. But like I told
3 him, I don't remember the dates. It could have been
4 just before I left there for all I know.

5 Q And did you -- how far away is Murphy from --

6 A He borders Whitney's land.

7 Q Were you able to observe operations on Murphy's
8 property?

9 A I'd just see a truck in there once in a while putting
10 the oil in the tanks down the back.

11 Q When you were driving a truck did you bring in trucks
12 carrying barrels on Sundays?

13 A Sundays?

14 Q Yes.

15 A No.

16 Q Or weekends?

17 A No. Like I'd go up to New Hampshire on a Saturday
18 maybe and pick up a load and bring it back and just
19 leave it in the yard, yes. I never worked on Sundays.

20 Q Just leave the truck in the yard?

21 A The truck loaded and everything. Just get in my car
22 and --

23 Q You wouldn't unload it afterward?

24 A No, go home.

1 Q Now, if you look at that photograph behind Murphy's
2 Waste Oil and along Salem Street there appear to be
3 houses.

4 A Right here. That's right on Salem Street.

5 Q Right on Salem Street?

6 A Yes.

7 Q Those houses, are -- people in those houses, are they
8 able to observe operations in Murphy's?

9 A No.

10 Q Or Whitney's?

11 A Well, one is related to Murphy. He can look out his
12 back window and see Murphy's tanks and stuff.

13 Q But as far as Whitney's operations?

14 A He can't see nothing of Whitney's.

15 THE WITNESS: See, these are the houses
16 there. That's his in-laws there. There's a big
17 garage here now. But these other houses I don't even
18 know who lived there.

19 Q Did you ever see any of these names on any packages,
20 barrels, or anything else on the Whitney property,
21 these names on Exhibit 3?

22 A I told you the only one I remember is Malathion.

23 Q Right.

24 A I remember that boy. I remember that.

1 Q Because it has a distinctive odor?

2 A You believe it.

3 Q And you don't remember any other distinctive odors of
4 any kind?

5 A Outside of the whole --

6 Q The general air in East Woburn?

7 A The town. Yes, and my house is almost in the middle
8 of it now.

9 Q And that's been a situation that's existed for a long
10 time in Woburn?

11 A Well, that started when they started digging up and
12 putting the buildings down the back for Stahl
13 Chemical.

14 Q Which is what, 20 years ago?

15 A No, lately, since they got after them.

16 Q Oh, so that's just lately?

17 A Yes, they got a pit that was down there, whatever it
18 is.

19 Q Were you ever present when any neighbors in Woburn
20 ever complained to Whitney about anything that Whitney
21 was doing?

22 A No.

23 MR. FACHER: I don't have anything else.

24 MR. GERONEMUS: I have one or two

1 clarifications of your clarifications.

2

3

REDIRECT EXAMINATION

4

BY MR. GERONEMUS:

5

Q About what percentage of the time during the day would
6 you be out on the road when you worked?

7

A It could be anytime. I could go out early in the
8 morning, come back at noon time or not come back until
9 after dinner.

10

Q Were you frequently out on the road for all or most of
11 a day?

12

A Beginning was most of the time.

13

Q So you were frequently out on the road for the entire
14 day when you worked at Whitney's?

15

MR. FACHER: Object to the form.

16

A Because the other guys used to stay in.

17

MR. FACHER: You're not trying to suggest
18 that he didn't have the time to make these
19 observations after calling him as your witness.

20

MR. GERONEMUS: I'm trying to establish that
21 he spent a fair amount of time on the road.

22

MR. FACHER: Well, I'm objecting to the form
23 of the question.

24

A Even if they come down to talk to Jack where I am I

1 can't see who it is or what they're doing or know what
2 they're talking about. It's all Greek to me.

3 Q Other than Malathion do you remember what was on any
4 of the labels on the barrels that you've testified to?

5 MR. FACHER: I object. He didn't say there
6 were any labels on any of them.

7 MR. GERONEMUS: Yes he did say there were.

8 A There were paper labels on the barrels but I don't
9 remember what they were.

10 Q You don't remember what was on the barrels?

11 A No.

12 Q Other than the occasion when you went up to take the
13 barrels off the access road --

14 A Yes.

15 Q -- did you ever go beyond the area where you've marked
16 the T on the access road?

17 A Yes. Well, it's up to the other end of that.

18 Q Other than that occasion did you ever go beyond the T?

19 A No, just around this end here.

20 Q So your answer is no?

21 A No.

22 Q And do you know approximately how many occasions you
23 took the tanks off the area of the access road?

24 A No.

1 Q Have you ever been in any of the houses along Salem
2 Street that you discussed with Mr. Facher?

3 A No.

4 MR. GERONEMUS: I don't have anything else.

5

6

RECROSS-EXAMINATION

7

BY MR. FACHER:

8 Q You were working with these barrels, picking them up,
9 delivering them and also involved in washing and
10 cleaning them for over a period of roughly 25 years?

11 A Yes.

12 Q Correct?

13 A Yes.

14 Q And so you had hands on contact with these barrels in
15 your work, correct?

16 A Yes.

17 Q And do you remember except for Malathion any of
18 these --

19 MR. GERONEMUS: I think that's been asked
20 and answered.

21 MR. FACHER: Well, in view of what you
22 suggested to the witness --

23 Q Do you remember any of these names being on labels, on
24 Exhibit 3?

1 A No.

2 MR. FACHER: I have nothing further.

3 MR. GERONEMUS: And you'll be quite glad to
4 hear that I have nothing further either.

5
6 (Whereupon the deposition concluded at 11:40 a.m.)
7
8
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24

CERTIFICATE

I, _____ ANTHONY CARCHIDE _____, do hereby
certify that I have read the foregoing transcript of
my testimony, and further certify that said transcript
is a true and accurate record of said testimony.

Dated at _____, this _____ day of
_____, 19____ and signed under the pains and
penalties of perjury.

(Deponent)

1 COMMONWEALTH OF MASSACHUSETTS
2 MIDDLESEX, SS.

3 I, Lisa McDonald, a Notary Public duly
4 commissioned and qualified in and for the Commonwealth
5 of Massachusetts, do hereby certify that there came
6 before me on the 22nd day of January, 1986 the person
7 hereinbefore named, who was by me duly sworn to testify
8 to the truth of his knowledge concerning the matters in
9 controversy in this cause; that he was thereupon
10 carefully examined upon his oath and his examination
11 reduced to typewriting under my direction; and that the
12 deposition is a true and accurate record of the
13 testimony given by the witness.

14 I further certify that I am not interested
15 in the cause of this action.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and affixed my notarial seal this 28th day of
18 January, 1986.

19
20
21 

22 LISA McDONALD, CSR

23
24 My Commission expires:
 August 3, 1990

RICHARD SOUSA

Telephone Interviews
Conducted by Arthur Jankowski, TechLaw, Inc.
on 8/10/87 and 3/22/88
Phone: (617) 272-9279

NOTE: Mr. Sousa was previously interviewed by investigators for Attorney Jan Schlichtmann. These additional interviews covered topics not discussed in the previous investigation and consisted of questions approved by Barbara Newman, EPA Region I. For further information, see Schlichtmann's private investigator reports.

Mr. Sousa provided information as follows:

Mr. Sousa worked for Whitney Barrel Company (Whitney Barrel) in Woburn, Massachusetts, as a laborer from approximately 1970 to 1975.

Whitney Barrel collected used barrels for refurbishing from the following companies:

- Gillette: provided barrels from plants in Andover and Boston, Massachusetts; the barrels contained "harmless" substances such as peanut oil and perfume.
- George Mann: Mr. Sousa did not know what substances were contained in barrels from this company.
- Baird and McGuire: provided barrels from plant in Holbrook, Massachusetts; these barrels contained residues of malathion and other chemicals.
- A leather tannery: barrels were provided from a tannery in "Somersworth." NOTE: Mr. Sousa believed that Somersworth is in Massachusetts; further research indicated that there is no Somersworth in Massachusetts, but there is one in New Hampshire.

Usually, Whitney Barrel trucks were used by Whitney Barrel employees to pick up barrels to be reconditioned from other companies. Sometimes these other companies would deliver the barrels themselves, although Mr. Sousa could not recall which companies would do so.

Occasionally, a "middleman" or intermediate barrel company would be involved in the transfer of barrels. Other barrel companies would trade containers with Whitney Barrel, depending on the needs of the different barrel companies. Some of the barrel companies involved were:

- Roach Brothers, Lowell, MA;
- Woburn Barrel Company, New Boston Street, North Woburn, MA;
- E.C. Whitney, Wilmington, MA;
- Kingston Steel, Plaistow, MA.

Mr. Sousa did not know which companies supplied these barrel companies with containers.

Mr. Sousa suggested we try to contact Ronnie Knight, although he did not know where Mr. Knight can be located. Most of his other co-workers died at an early age, such as Bobby Dekow, Tommy Clark, and Mr. Letham (phonetic). Mr. Sousa did not know of anyone else to contact.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND
1 CONGRESS STREET, SUITE 1100,
BOSTON, MA. 02114-2023

DATE: November 04, 2003 (Memo to File)

FROM: James E. Israel, Investigator
Search & Cost Recovery Section

TO: File

SUBJ.: John E. Whitney, III (Interview) SSID #
(Wells G & H)

MEMORANDUM

Person Interviewed: John E. Whitney, III
REDACTED - PERSONAL PRIVACY

On Monday, November 03, 2003, I traveled to Woburn, Massachusetts to visit the site of the former Whitney Barrel Company's location. Upon arrival, I observed and spoke to an individual that introduced himself as the caretaker of the site. He identified himself as Hans Christenson.

While talking to Mr. Christenson, a male individual drove up in a 1964 Pontiac Grand Prix. As we turned to face the oncoming vehicle, Mr. Christenson advised me that the operator of the vehicle was Mr. John E. Whitney, III., the owner of the location.

I identified myself to this individual and in turn he introduced himself to me. I further advised him of the reason for my being there to which he replied that he would be more than happy to assist in anyway that he could.

During our conversation, Mr. Whitney advised me of the following: The business

was a barrel reconditioning / recycling business. The barrels would be brought in, cleaned, reconditioned, repainted, and sold again to customers. He further stated that John E. Whitney, Jr., his father owned the Whitney Barrel Company until his death in 1984. After this, his mother, Ruth Whitney owned the company but decided shortly after the death of her husband to close down the business. Ruth Whitney died in July 2002.

John E. Whitney, III was a truck driver for the company from 1968 until its closing in 1984. He, along with other drivers drove 1 of 2 types of trucks. The smaller truck had a barrel capacity of approximately 100 barrels and the larger truck had a barrel capacity of approximately 150 barrels. On each truck the barrels could be stacked as many as three (3) high. Barrels were picked up from the following businesses / locations on John's route.

Catania Spagna, of Somerville, MA - producer of olive oils, vegetable oils, and other edible oils. There was a weekly barrel pickup at this location of approximately 100 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

Lincoln Foods, on Canal Street, Lawrence, MA - producers fo different extracts, apricot flavors apple juice, etc. There was a weekly pickup at this location of approximately 100 to 150 barrels. Some of these were plastic barrels. The company may have since moved to Chicopee, MA. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

The Whipple Company, of Natick, MA - producers of molasses and candies. There was a monthly pickup of approximately 50 barrels. This was a small account. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

Samuel Cabot Company, on Marginal Street, Chelsea, MA - producers of paints and stains. There was a weekly pickup of approximately 100 to 150 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

The Rust Lick Corporation, in Forge Village, Westford, MA - producers of waxes and rust inhibitors. There was a weekly pickup of approximately 100 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

Baird McGuire Company, of Holbrook, MA - producers of cleaning agents, PineSols, etc.,. Supposedly, this company had quite a few government contracts. There was a weekly pickup of approximately 150 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

Coca-Coal Bottling Company, of Needham, MA - producers of syrups. During the one year contract with Coca Cola, there was a pickup of approximately 150 barrels, once every two months. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

The Tri-Ram Corporation, of Framingham, MA - asphalt and street repair materials. This company for the most part, bought barrels from Whitney Barrel Company. They bought approximately 100 barrels each month.

Frank J. Rounds (Rando), of Needham, MA - some type of oil business. There was oil residue on the sides of the barrels. This was a monthly pickup of approximately 50 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

Thomas Sousa of Stoneham, MA, **Anthony Carchide** (pronounced car cha di) of Woburn, MA, and **Ronald Knight** of Burlington are three of the drivers that he recalls that drove for the company. Anthony Carchide also worked inside in the processing of the barrels. Other names of former employees that Mr. Whitney recalled are **Edward Newton** and **Daniel Paige**. Edward Newton might be deceased. There were quite a few transient drivers over the years, he will inform me if any of the names resurface. Mr. Whitney further states that the Whitney Barrel Company was a “small outfit” that processed approximately 400 to 500 barrels daily.

The recycling / reconditioning process was described as follows: The barrels would be brought to the site by trucks. They would be off-loaded into what was known as the “raw warehouse”, the building that was located in the back of the site. There the barrels would be externally washed, basically like a car wash. The cleaning solution was a mixture of boiling hot water and trisodium- phosphate (TSP). This was referred to as a stronger version of the Tide product.

The barrels are then moved to the “internal wash cycle.” The barrels are turned upside down and placed in a tank where water jets come up from the tanks and the boiling hot water spray and steam would clean the inside of the barrels. The residual water in the barrels would then be syphoned out. Any residue and water used in the cleaning process flowed out to the MDC sewer.

The barrels are now prepared for the external painting. After being painted, the barrels are moved to the finishing warehouse. This is the final step in the reconditioning / recycling process, before delivering them to the customer.

Mr. Whitney stated that, absolutely, no barrels were picked up that had any residue in them. Some of the companies washed their barrels out before we picked them up. All barrels were virtually empty. There was slight residue on the sides of some of the barrels.

Burning or blasting of the barrels was not a part of their process.



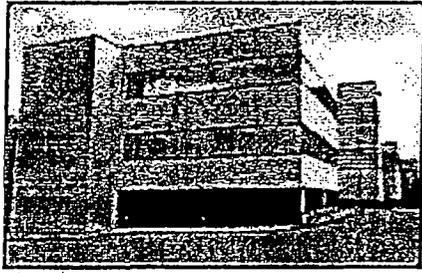
- COMPANY INFO
- COMPANY NEWS
- GLOBAL REPS
- PRODUCTS
- SERVICES
- HOME PAGE

Recognized worldwide as THE LEADER IN FIBER LUBRICANT TECHNOLOGY, Goulston Technologies, Inc. has assembled a group of professionals with expertise in lubrication, surface and polymer chemistry, fiber production and downstream textile processing. This broad knowledge base enables us to develop formulated products that allow our customers to achieve the highest levels of performance, economy, efficiency and throughput. Our goal is to always provide enhanced value to our customers.

Welcome to our web site. Click on "IMMEDIATE ASSISTANCE" below for answers to any questions that you may have regarding your fiber lubricant needs.

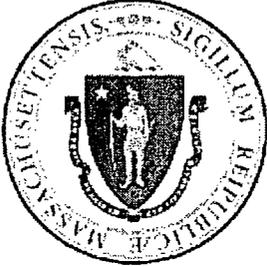
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Roger Crossfield
President



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704-289-6464
PO Box 5025 Monroe, NC 28111-5025
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GTI@Goulston.com



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

GREAT LAKES CONTAINER CORPORATION Summary Screen

Help wit

[Request a Certificate](#)

The exact name of the Foreign Corporation: GREAT LAKES CONTAINER CORPORATION

Entity Type: Foreign Corporation

Identification Number: 480776746

Date of Registration in Massachusetts: 08/12/1973

Date of Involuntary Revocation: 11/14/1994

The is organized under the laws of: State: DE Country: USA on: 11/26/1952

Current Fiscal Month / Day: 06 / 30

Previous Fiscal Month / D:

The location of its principal office:

No. and Street: 10401 LYNDON

City or Town: DETROIT

State: MI

Zip: 48238

Country: US,

The location of its Massachusetts office, if any:

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name:

No. and Street:

City or Town:

State:

Zip:

Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex c
-------	--	---	---------

Prior to August 27, 2001, Records can be obtained on Microfilm

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	

No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm

Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

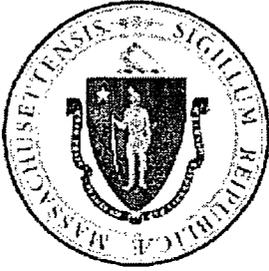
Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

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Comments



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

MALLINCKRODT, INC. Summary Screen

Help with

[Request a Certificate](#)

The exact name of the Foreign Corporation: MALLINCKRODT, INC.

Entity Type: Foreign Corporation

Identification Number: 431386811

Date of Registration in Massachusetts: 12/21/1988

Date of Withdrawal: 12/15/1997

The is organized under the laws of: State: DE Country: USA on: 11/15/1985

Current Fiscal Month / Day: 06 / 30

Previous Fiscal Month / Day:

The location of its principal office:

No. and Street: 675 MCDONNELL BLVD.

City or Town: ST. LOUIS

State: MS

Zip: 63134

Country:

The location of its Massachusetts office, if any:

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name: C T CORPORATION SYSTEM

No. and Street: 101 FEDERAL STREET

City or Town: BOSTON

State: MA

Zip: 02110

Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	CARL R. HOLMAN	7733 FORSYTH BLVD.,ST. LOUIS, MO 63105 USA 7733 FORSYTH BLVD.,ST. LOUIS, MO 63105 USA	
TREASURER	MICHAEL A. ROCCA	7733 FORSYTHE BLVD., ST. LOUIS, MO 63105 USA	

7733 FORSYTHE BLVD., ST.
LOUIS, MO 63105 USA

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	

No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm

- Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

Comments

DF

431386811

Filing Fee: \$125.00
Late Fee: \$25.00

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

50095126
OCT 27 PM 2:25
SECRETARY OF STATE
RECEIVED

FORM MUST BE TYPED

Annual Report for Domestic
and Foreign Corporations

(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

- (1) Exact name of the corporation: Mallinckrodt, Inc.
- (2) Jurisdiction of incorporation: Delaware
- (3) Street address of the corporation's registered office in the commonwealth:
101 Federal Street, Boston, MA 02110
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: CT Corporation System
- (5) Street address of the corporation's principal office:
675 McDonnell Blvd. St. Louis, MO 63042
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

	NAME	ADDRESS
President:	<u>Richard J. Meelia</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>
Treasurer:	<u>Martina Hund-Mejean</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>
Secretary:	<u>John H. Masterson</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>
Chief Executive Officer:		
Chief Financial Officer:		
Directors:	<u>John S. Jenkins, Jr.</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>
	<u>M. Brian Moroze</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>
	<u>Richard J. Meelia</u>	<u>675 McDonnell Blvd. St. Louis, MO 63042</u>

(7) Briefly describe the business of the corporation:
Healthcare

(8-9) Capital stock of each class and series:

CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	10,000	200
PREFERRED		

(10) Check if the stock of the corporation is publicly traded.

(11) Report is filed for fiscal year ending: September / 30 / 2005
(month) (day) (year)

Signed by: Amy Meelia, POA

Chairman of the board of directors President Other officer Court-appointed fiduciary
on this 25th day of October, 2005

DF

The Commonwealth of Massachusetts

Filing Fee: \$125.00
Late Fee: \$25.00

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

050010210

FORM MUST BE TYPED

Annual Report for Domestic and Foreign Corporations

FORM MUST BE TYPED

(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

- (1) Exact name of the corporation: Mallinckrodt, Inc.
(2) Jurisdiction of incorporation: Delaware
(3) Street address of the corporation's registered office in the commonwealth: 101 Federal Street, Boston, MA 02110
(4) Name of the registered agent at the registered office: CT Corporation System
(5) Street address of the corporation's principal office: 675 McDonnell Boulevard, St. Louis, MO 63042
(6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

431479062

Table with 2 columns: NAME, ADDRESS. Rows include President: Richard J. Meelia, Treasurer: Martina Hund-Mejean, Secretary: John H. Masterson, and Directors: Richard J. Meelia.

(7) Briefly describe the business of the corporation: Healthcare

(8-9) Capital stock of each class and series:

Table with 3 columns: CLASS OF STOCK, TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS, TOTAL ISSUED AND OUTSTANDING. Rows for COMMON and PREFERRED stock.

(10) Check if the stock of the corporation is publicly traded. []

(11) Report is filed for fiscal year ending: September / 30 / 2004

Signed by: [Signature] James A. Borronaro Vice Pres./Asst. Tres.

[] Chairman of the board of directors [] President [X] Other officer [] Court-appointed fiduciary on this 28th day of February 2005

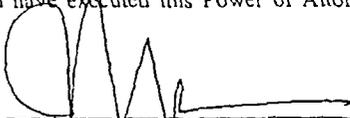
POWER OF ATTORNEY

NOTICE IS HEREBY GIVEN THAT Tyco International (US) Inc. ("Corporation"), a corporation incorporated under the laws of Nevada does hereby appoint Heather Lydic and James Bordonaro as attorney-in-fact for the Corporation to act for the Corporation and subsidiaries of the Corporation attached hereto as Exhibit A (The "Subsidiaries") in the Corporation's and Subsidiaries' names for the limited purposes authorized herein. Eric Resch and J. William McArthur also authorize James Bordonaro and Heather Lydic to sign on their behalf personally for the reasons set forth in the next paragraph.

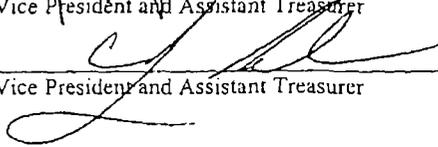
The Corporation and Subsidiaries, J. William McArthur and Eric Resch personally, having taken all necessary steps to authorize the changes, hereby grants its attorney-in-fact the power to execute the documents necessary to file annual reports, annual registrations and forms of similar import on behalf of the Corporation's and Subsidiaries' in any state.

This Power of Attorney expires when revoked by the Corporation or Subsidiaries.

IN WITNESS WHEREOF the undersigned have executed this Power of Attorney on this 15th day of October, 2003.

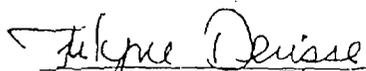


Vice President and Assistant Treasurer



Vice President and Assistant Treasurer

Sworn to and subscribed before me,
this 15th day of December, 2003



Notary Public, State of Florida
Commission Expires: _____



Juhne Dertise
My Commission CC979799
Expires November 05, 2004

ADT Property Holdings, Inc.
ADT Security Services, Inc.,
A&E Products Group, Inc.
A-G Holding, Inc. I
AFC Cable Systems, Inc.
ALLIANCE INTEGRATED SYSTEMS, INC.
APS Group Holding, Inc.
ATC Sales Company
Central Sprinkler Company
Crosby GP Holding, Inc.
Crosby Holding, Inc. I
Crosby Valve Sales and Service Corporation
Earth Tech (Infrastructure) Inc.
Earth Tech Environment & Infrastructure Inc.
Earth Tech Northeast, Inc.
Earth Tech, Inc.
Electro Signal Lab, Inc.
Elo Touchsystems, Inc.
FISK ELECTRIC COMPANY
Fire Products GP Holding, Inc.
GC Holding, Inc. I
General Surgical Innovations, Inc.
Graphic Controls Corporation
Grinnell Corporation
IMB, A Simplex Company, LLC
Innerdyne, Inc.
J. Muller International (USA)
Ludlow Corporation
Ludlow Jute Company
M/A-Com, Inc.
MALLINCKRODT INC.
Master Protection Corporation
Municipal Emergency Services, Inc.
National Tape Corporation
Polyken Technologies Europe, Inc.
Puritan-Bennett Corp.
STR Grinnell GP Holding, Inc.
SWD Holding, Inc. I
Scott Technologies, Inc
Sensormatic Electronics Corporation
Sherwood Medical Company
Sherwood Mecial Company I
Sigma Circuits, Inc.
Sigma GP Holding, Inc.
Simplex Time Recorder Co.
Star Holding, Inc.
Star Sprinkler, Inc.
Sunbelt Holding, Inc. I
Sunbelt Manufacturing, Inc.
TA, Inc.
TKN, Inc.
TAMS Architects & Engineers, Inc.
TAMS Consultants, Inc.
TKC Holding Corp.
TME Management Corp.
TV&C GP Holding, Inc.

Tyco Adhesives GP Holding, Inc.
Tyco Adhesives, Inc.
Tyco Electronics Corporation
Tyco Integrated Cable Systems, Inc.
Tyco International (US) Inc.
Tyco Electronics Installation Services, Inc.
Tyco Electronics Power Systems, inc.
Tyco Fire (NV) Inc.
Tyco Thermal Controls, LLC
Unistrut Corporation
United States Surgical Corporation
Valleylab Holding Corporation



The Commonwealth of Massachusetts
William Francis Galvin

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

LAMCO CHEMICAL CO, INC. Summary Screen

Help wit

[Request a Certificate](#)

The exact name of the Domestic Profit Corporation: LAMCO CHEMICAL CO, INC.

Entity Type: Domestic Profit Corporation

Identification Number: 042073376

Date of Organization in Massachusetts: 07/21/1949

Date of Revival:

Date of Involuntary Dissolution: 08/31/1998

Current Fiscal Month / Day: 10 / 31

Previous Fiscal Month / D.

The location of its principal office in Massachusetts:

No. and Street: 212 ARLINGTON ST

City or Town: CHELSEA

State: MA

Zip: 02150

Country: U

If the business entity is organized wholly to do business outside Massachusetts, the location of that off

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name: JAMES LAMM

No. and Street: 80 BURRELL STREET

City or Town: MELROSE

State: MA

Zip: 02176

Country: U

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex c
PRESIDENT	JAMES G. LAMM	212 ARLINGTON ST., CHELSEA, MA USA 212 ARLINGTON ST., CHELSEA, MA USA	
TREASURER	JAMES G. LAMM	212 ARLINGTON ST., CHELSEA, MA USA 212 ARLINGTON ST., CHELSEA, MA USA	
SECRETARY	JAMES G. LAMM		

212 ARLINGTON ST.,
CHELSEA, MA USA
212 ARLINGTON ST.,
CHELSEA, MA USA

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	

No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm

- Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Administrative Dissolution
- Annual Report
- Application for Reinstatement
- Application For Revival

Comments

F

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Filing Fee: \$125.00
Late Fee: \$25.00

Annual Report for Domestic
and Foreign Corporations

(General Laws Chapter 156D Section 16.22; 950 CMR 113.57)

070029470

FORM MUST BE TYPED

042073376

- 1 Exact name of the corporation: LAMCO CHEMICAL CO., INC.
2 Jurisdiction of incorporation: MASSACHUSETTS
3 Street address of the corporation's registered office in the commonwealth: 212 ARLINGTON STREET CHELSEA, MA 02150
4 Name of the registered agent at the registered office:
5 Street address of the corporation's principal office: 212 ARLINGTON STREET CHELSEA, MA 02150
6 Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Table with columns NAME and ADDRESS. Rows include President: JAMES LAMM, Treasurer: JAMES LAMM, Secretary: JAMES LAMM, and Directors: JAMES LAMM, all with address 80 BURRELL ST, MELROSE, MA.

7 Briefly describe the business of the corporation: Manufacturing of waxes & cleaners

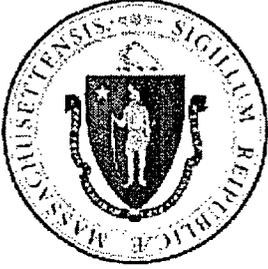
8-9 Capital stock of each class and series:

Table with 3 columns: CLASS OF STOCK, TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS (Number of Shares), and TOTAL ISSUED AND OUTSTANDING (Number of Shares). Rows for COMMON and PREFERRED stock.

- 10 Check if the stock of the corporation is publicly traded.
11 Report is filed for fiscal year ending: October 31, 2006 (month, day, year)

Signed by: [Signature]

Chairman of the board of directors, President, Other officer, Court-appointed fiduciary
on this 8th day of March, 2007



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

OLIN CORPORATION Summary Screen

Help with

[Request a Certificate](#)

The exact name of the Foreign Corporation: OLIN CORPORATION

Entity Type: Foreign Corporation

Identification Number: 131872319

Date of Registration in Massachusetts: 09/30/1952

The is organized under the laws of: State: VA Country: USA on: 08/13/1892

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / D:

The location of its principal office:

No. and Street: 501 MERRITT 7

City or Town: NORFWALK State: CT Zip: 06856 Country: US

The location of its Massachusetts office, if any:

No. and Street:

City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name: C T CORPORATION SYSTEM

No. and Street: 155 FEDERAL STREET

STE 700

City or Town: BOSTON State: MA Zip: 02110 Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	DONALD W. GRIFFIN	92 OLD BOSTON ROAD, WILTON, CT USA 92 OLD BOSTON ROAD, WILTON, CT USA	
TREASURER	JANET M. PIERPONT	57 MIDDLESEX RD., DARIEN, CT 06820 USA 57 MIDDLESEX RD., DARIEN, CT 06820 USA	

business entity stock is publicly traded: X

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	

No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm

Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

[View Filings](#)

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Comments

F

Filing Fee: \$125.00

Late Fee: \$25.00

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

070023105

FORM MUST BE TYPED

**Annual Report for Domestic
and Foreign Corporations**

(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

- (1) Exact name of the corporation: OLIN CORPORATION
- (2) Jurisdiction of incorporation: VIRGINIA
- (3) Street address of the corporation's registered office in the commonwealth:
101 FEDERAL STREET, BOSTON, MA 02110
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: CT CORPORATION SYSTEM
- (5) Street address of the corporation's principal office:
190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

NAME	ADDRESS
President: <u>JOSEPH D. RUPP / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
Treasurer: <u>STEPHEN C. CURLEY / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
Secretary: <u>GEORGE H. PAIN / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
Chief Executive Officer: _____	
Chief Financial Officer: <u>JOHN E. FISCHER / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
Directors: <u>RANDALL W. LARRIMORE / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
<u>DONALD W. GRIFFIN / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	
<u>RICHARD M. ROMPALA / 190 CARONDELET PLAZA, SUITE 1530, CLAYTON, MO 63105</u>	

- (7) Briefly describe the business of the corporation:
CHEMICALS - DIVERSIFIED

(8-9) Capital stock of each class and series:

CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	120,000,000	73,322,590
PREFERRED	10,000,000	

- (10) Check if the stock of the corporation is publicly traded.
-

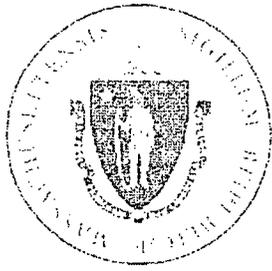
(11) Report is filed for fiscal year ending: DECEMBER / 31 / 2006
*(month) (day) (year)*Signed by: Theodore [Signature]

Chairman of the board of directors
on this 8th day of March, 2007

President

Other officer

Court-appointed fiduciary



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512
Telephone: (617) 727-9640

SAMUEL CABOT INCORPORATED Summary Screen



Help with this form

Request a Certificate

The exact name of the Domestic Profit Corporation: SAMUEL CABOT INCORPORATED

Merged into VALSPAR CORPORATION, THE on 10/28/2006

Merged with : VALSPAR ACQUISITION CORP. on 6/14/2005

Entity Type: Domestic Profit Corporation

Identification Number: 041141380

Date of Organization in Massachusetts: 05/14/1907

Date of Merger: 10/28/2006

Current Fiscal Month / Day: 09 / 30

Previous Fiscal Month / Day: 09 / 30

The location of its principal office in Massachusetts:

No. and Street: 100 HALE ST.
City or Town: NEWBURYPORT State: MA Zip: 01950 Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:
City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name: CHRISTOPHER CABOT
No. and Street: C/O SAMUEL CABOT INCORPORATED
100 HALE STREET
City or Town: NEWBURYPORT State: MA Zip: 01950 Country: USA

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	JOHN E. SCHUTZ	180 JOHNNY CAKE ST N. ANDOVER, MA 01845 USA	untill successor are elected
TREASURER	WILLIAM F. MCGONIGLE JR.	1 JOHNSON LANE, BYFIELD, MA 01922 USA	

SECRETARY	CHRISTOPHER CABOT	6 HART ST., BEVERLY FARMS, MA USA	
DIRECTOR	FREDERICK WEBSTER	6236 N VENTANA VIEW PLACE TUCSON, AZ 08750 USA	Until successors are elected
DIRECTOR	DAVID WEENER	230 GRAND POINTE DRIVE PALM BEACH GARDEN, FL 33418 USA	
DIRECTOR	SAMUEL CABOT III	103 HART STREET BEVERLY FARMS, MA 01915 USA	
DIRECTOR	RIDGELY HARRISON	33 STEPHENS MILL RD HACKETTSTOWN, NJ 07840 USA	until successors are elected
DIRECTOR	EMILY HERTZOG	264 6TH AVE APT 3K BROOKLYN, NY 11215 USA	

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CWP	\$1.00000	275,000	\$275,000.00	183,920

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Administrative Dissolution
- Annual Report
- Application for Reinstatement
- Application For Revival

Comments

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DF

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

Filing Fee: \$125.00

Late Fee: \$25.00

050082816

FORM MUST BE TYPED

Annual Report for Domestic

FORM MUST BE TYPED

and Foreign Corporations

(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

011141380

- (1) Exact name of the corporation: Samuel Cabot Incorporated
- (2) Jurisdiction of incorporation: Massachusetts
- (3) Street address of the corporation's registered office in the commonwealth:
100 Hale Street, Newburyport, MA 01950
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: Christopher Cabot
- (5) Street address of the corporation's principal office:
1101 South Third Street, Minneapolis, MN 55415
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

	NAME	ADDRESS
President:	Ken Arthur	1191 S. Wheeling Road, Wheeling, IL 60090
Treasurer:	Paul C. Reyells	1101 South Third Street, Minneapolis, MN 55415
Secretary:	Rolf Engh	1101 South Third Street, Minneapolis, MN 55415
Chief Executive Officer:		
Chief Financial Officer:		
Directors:	Steven D. Person 1101 South Third Street, Minneapolis, MN 55415, Paul C. Reyells 1101 South Third Street, Minneapolis, MN 55415, Ralph Engh 1101 South Third Street, Minneapolis, MN 55415	

(7) Briefly describe the business of the corporation:
manufactures and sells paints and coatings

(8-9) Capital stock of each class and series:

CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	275,000	1,000
PREFERRED		

(10) Check if the stock of the corporation is publicly traded.

(11) Report is filed for fiscal year ending: September / 30 / 2006
(month) (day) (year)

Signed by: [Signature]

Chairman of the board of directors Incorporator Other officer Court-appointed fiduciary
on this 25th day of October 2006

[Handwritten mark]

D
PC

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

081

FORM MUST BE TYPED

FORM MUST BE TYPED

Articles of Merger
Involving Domestic Entities
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.36)

(1) Exact name of each domestic corporation or other entity involved in the merger:

<u>Valspar Acquisition Corp.</u>	<u>(m)</u>	<u>000894696</u>	<u>4/29/05</u>
<u>Samuel Cabot Incorporated</u>	<u>(S)</u>	<u>041141380</u>	<u>5/14/1907</u>

(2) Exact name of the surviving entity: Samuel Cabot Incorporated

(3) The merger shall be effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date and time of filing is specified: _____

(check appropriate box)

(4) The plan of merger was duly approved by the shareholders, and where required, by each separate voting group as provided by G.L. Chapter 156D and the articles of organization.

OR

The plan of merger did not require the approval of the shareholders.

(5) Participation of each other entity was duly authorized by the law under which the other entity is organized or by which it is governed and by its articles of organization or other organizational documents.

(6) Attach any amendment to articles of organization of the surviving entity, where the survivor is a domestic business corporation.

Not Applicable

(7) Attach the articles of organization of the surviving entity where the survivor is a NEW domestic business corporation, including all the supplemental information required by 950 CMR 113.16.

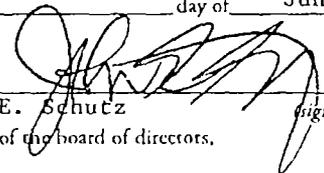
Not Applicable

3
P.C.

Signed by: 
Rolf Engh (signature of authorized individual)

- Chairman of the board of directors,
- President,
- Other officer,
- Court-appointed fiduciary,

on this 14th day of June, 2005

Signed by: 
John E. Schutz (signature of authorized individual)

- Chairman of the board of directors,
- President,
- Other officer,
- Court-appointed fiduciary,

on this 14th day of June, 2005

929089

133377

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Articles of Merger
Involving Domestic Entities
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.36)

I hereby certify that upon examination of these articles of merger, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$250 having been paid, said articles are deemed to have been filed with me this 14th day of JUNE 2005 at 9:00 a.m. p.m. time

Effective date: _____
(must be within 90 days of date submitted)

William Francis Galvin

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

Filing fee: Minimum \$250

E.G.
Examiner *na*

Name approval

C

#A.R.

TO BE FILLED IN BY CORPORATION
Contact Information:

David E. Surprenant
Mirick, O'Connell, DeMallie & Lougee, LLP

100 Front Street

Worcester, MA 01608

Telephone: (508) 791-8500

Email: _____

Upon filing, a copy of this filing will be available at www.sec.state.ma.us/cor.
If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

RECEIVED
SECRETARY OF STATE
JUN 14 9:00 AM '05
CORPORATION DIVISION

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Restated Articles of Organization (General Laws Chapter 156D; Section 10.07; 950 CMR 113.34)

04/14/380
031
020
024
029
030

- (1) Exact name of corporation: Samuel Cabot Incorporated
- (2) Registered office address: 100 Hale Street, Newburyport, Massachusetts 01950
(number, street, city or town, zip code)
- (3) Dated restated articles of organization adopted: August 2, 2004
- (4) Please check appropriate box:
- The restated articles were adopted by the directors without shareholder approval and shareholder approval was not required;
OR
 The restated articles were approved by the board of directors and the shareholders in the manner required by General Laws, Chapter 156D and the articles of organization.
- (5) The following is all the information required to be in the original articles of organization except that the supplemental information provided for in Article VIII of the articles of organization is not required. Any change to Article VIII must be made by filing a Statement of Change of Supplemental Information.

ARTICLE I

The exact name of the corporation is:

Samuel Cabot Incorporated

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. If you wish to specify more limited purposes, state them below.*

*G.L. c. 156A applies to professional corporations, must specify professional activities of the corporation.

5
PC

5/14/1907

ARTICLE III

State the total number of shares and par value, ** if any, of each class of stock that the corporation is authorized to issue. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
		Common Stock	275,000	\$1.00

ARTICLE IV

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

None.

ARTICLE V

The restrictions, if any, imposed by the articles of organization upon the transfer of shares of any class or series of stock are:

None.

ARTICLE VI

Other Lawful Provisions ***

See Continuation Sheet VI-1

**G.L. c. 156D eliminates the concept of par value. See Section 6.21 and the comments relative thereto

*** If there are no provisions state "none".

Note: The preceding six (6) articles are considered to be permanent and may ONLY be changed by filing appropriate articles of amendment

Continuation Sheet for Article VI of the Restated Articles of Organization
of
Samuel Cabot Incorporated

The following additional provisions are hereby established for the management, conduct and regulation of the business and affairs of the Corporation, and for creating, limiting, defining and regulating the powers of the Corporation and of its Board of Directors and shareholders:

1. Authority of Directors to Create New Classes and Series of Shares. The Board of Directors, acting without the shareholders, may reclassify any unissued shares of any authorized class or series into one or more existing or new classes or series, or create one or more new classes or series of shares, specifying the number of shares to be included therein, the distinguishing designation thereof and the preferences, limitations and relative rights in respect thereof; provided, however, that the Board of Directors may not approve an aggregate number of authorized shares of all classes and series which exceeds the total number of authorized shares specified in the Articles of Organization (as in effect from time to time) as approved by the shareholders.
2. Minimum Number of Directors. The Board of Directors may consist of one or more individuals, irrespective of the number of shareholders.
3. Personal Liability of Directors to the Corporation. No director shall have personal liability to the Corporation for monetary damages for breach of his or her fiduciary duty as a director notwithstanding any provision of law imposing such liability, provided, however, that this provision shall not eliminate or limit the liability of a director (a) for any breach of the director's duty of loyalty to the Corporation or its shareholders, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (c) for improper distributions under Section 6.40 of Chapter 156D of the General Laws of Massachusetts, or (d) for any transaction from which the director derived an improper personal benefit.
4. Vote Required to Approve Matters Acted on by Shareholders. The affirmative vote of a majority of all the shares in a voting group eligible to vote on any action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken by such voting group shall be sufficient for the approval of such action by such voting group.
5. Shareholder Action Without a Meeting by Less than Unanimous Consent. Action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken at a shareholders' meeting may be taken without a meeting by shareholders having not less than the minimum number of votes necessary to take the action at a meeting at which all shareholders entitled to vote on the action are present and voting.
6. Authorization of Directors to Make, Amend or Repeal the Bylaws. The Board of Directors may make, amend or repeal the bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, the Articles of Organization or the bylaws requires action by the shareholders.

ARTICLE VII

Unless otherwise provided in the articles of organization, the effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing:

Not applicable.

Specify the number of articles being amended: Articles II, III, V and VI

Signed by: 
(signature of authorized individual)

(Please check appropriate box)

- Chairman of the Board of Directors
- President
- Other Officer
- Court-appointed fiduciary

Signed on this 9th day of August of 2004

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

09927771
0926992

SECRETARY OF STATE
RECEIVED
AUG 13 PM 2:49
CORPORATION DIVISION

Restated Articles of Organization
(General Laws, Chapter 156D, Section 10.07)

I hereby certify that upon examination of these Restated Articles of Organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 1000 — having been paid, said articles are deemed to have been filed with me this 10 day of Aug 20 04 at 2:49 a.m./p.m. time

894012

Effective date: _____
(must be within 90 days of date submitted)

KK
Examiner
MA
Name approval

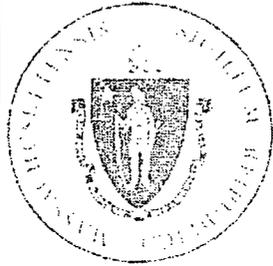
William Francis Galvin
WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

C _____
M _____

TO BE FILLED IN BY CORPORATION
Contact Information:

Joanne H. McKenna
Sullivan & Worcester LLP
One Post Office Square, Boston, MA 02109
Telephone: 617-338-2424
Email: jmckenna@saudw.com

A copy of this filing will be available on-line at www.sec.state.ma.us/cor once the document is filed



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512
Telephone: (617) 727-9640

VALSPAR ACQUISITION CORP, Summary Screen



Help with this form

Request a Certificate

The exact name of the Domestic Profit Corporation: VALSPAR ACQUISITION CORP.

Merged into SAMUEL CABOT INCORPORATED on 6/14/2005

Entity Type: Domestic Profit Corporation

Identification Number: 000894696

Date of Organization in Massachusetts: 04/29/2005

Date of Merger: 06/14/2005

Current Fiscal Month / Day: 10 / 31

The location of its principal office in Massachusetts:

No. and Street: 1101 SOUTH THIRD STREET
City or Town: MINNEAPOLIS State: MN Zip: 55415 Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:
City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name: DAVID E. SURPRENANT
No. and Street: 100 FRONT STREET
City or Town: WORCESTER State: MA Zip: 01608 Country: USA

The officers and all of the directors of the corporation:

Title	Individual Name <small>First, Middle, Last, Suffix</small>	Address (no PO Box) <small>Address, City or Town, State, Zip Code</small>	Expiration of Term
PRESIDENT	WILLIAM L. MANSFIELD	100 FRONT STREET WORCESTER, MA 01608 USA	
TREASURER	PAUL C. REYELTS	100 FRONT STREET WORCESTER, MA 01608 USA	
SECRETARY	ROLF ENGH	100 FRONT STREET	

		WORCESTER, MA 01608 USA	
DIRECTOR	PAUL C. REYELTS	100 FRONT STREET WORCESTER, MA 01608 USA	
DIRECTOR	WILLIAM L. MANSFIELD	100 FRONT STREET WORCESTER, MA 01608 USA	
DIRECTOR	ROLF ENGH	100 FRONT STREET WORCESTER, MA 01608 USA	

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	275,000	\$0.00	0

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Administrative Dissolution
- Annual Report
- Application for Reinstatement
- Application For Revival

Comments

VALSPAR ACQUISITION CORP.

Articles of Organization
(Massachusetts General Laws Chapter 156D)

ARTICLE I. The exact name of the corporation is Valspar Acquisition Corp.

ARTICLE II. The corporation may engage in any lawful business.

ARTICLE III. The total number of shares of each class of stock that the corporation is authorized to issue is 275,000 shares, which will consist entirely of common stock.

ARTICLE IV. If more than one class or series of shares is authorized, the preferences, limitations, and relative rights of each class or series are as follows: None.

ARTICLE V. The restrictions imposed by the Articles of Organization upon the transfer of shares of any class or series of stock are as follows: None.

ARTICLE VI. Other lawful provisions:

a. Personal liability of directors to corporation. No director will have personal liability to the corporation for monetary damages for breach of his or her fiduciary duty as a director notwithstanding any provision of law imposing such liability, provided that this provision will not eliminate or limit the liability of a director (i) for any breach of the director's duty of loyalty to the corporation or its shareholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) for improper distributions under Section 6.40 of Chapter 156D of the General Laws of Massachusetts, or (iv) for any transaction from which the director derived an improper personal benefit.

b. Authorization of directors to make, amend, or repeal bylaws. The board of directors may make, amend or repeal the bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, these Articles of Organization or the bylaws requires action by the shareholders.

c. Minimum number of directors. The board of directors may consist of one or more individuals, notwithstanding the number of shareholders.

d. Authority of directors to create new classes and series of shares. The board of directors, acting without the shareholders, may (i) reclassify any unissued shares of any authorized class or series into one or more existing or new classes or series, and (ii) create one or more new classes or series of shares, specifying the number of shares to be included therein, the distinguishing designation thereof and the preferences, limitations and relative rights applicable thereto, provided that the board of directors may not approve an aggregate number of authorized shares of all classes and series which exceeds the total number of authorized shares specified in the Articles of Organization approved by the shareholders.

ARTICLE VII. The effective date of organization of the corporation is the date and time the Articles of Organization were received for filing.

ARTICLE VIII. The information contained in this article is not a permanent part of the Articles of Organization.

a. The street address of the initial registered office of the corporation in the commonwealth is 100 Front Street, Worcester, Massachusetts 01608.

b. The name of its initial registered agent at its registered office is David E. Surprenant.

c. The names of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (whose addresses are in each case the principal office of the corporation) are:

President: William L. Mansfield

Treasurer: Paul C. Reyelts

Secretary: Rolf Engh

Directors: Rolf Engh
Paul C. Reyelts
Steven D. Person

d. The fiscal year of the corporation ends on the last Friday of October.

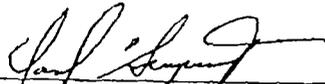
e. The corporation intends to engage in the business of acquiring other businesses.

f. The street address of the principal office of the corporation is 1101 South Third Street, Minneapolis, MN 55415.

g. The records of the corporation required to be kept in the commonwealth will be kept at its registered office.

Signed on April 28, 2005 by the incorporator.

Signature: _____


David E. Surprenant
100 Front Street
Worcester, MA 01608

SECRETARY OF STATE
RECEIVED
33487

05 APR 29 PM 1:57

COMMONWEALTH DIVISION

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

132552

Articles of Organization
(General Laws, Chapter 156D)

I hereby certify that upon examination of these Articles of Organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 275 having been paid, said articles are deemed to have been filed with me this

29 day of Apr 2005 at 1:57 a.m./p.m.

RECEIVED

APR 29 2005

SECRETARY OF THE COMMONWEALTH
CORPORATIONS DIVISION

Effective date: _____
(must be within 90 days of date submitted)

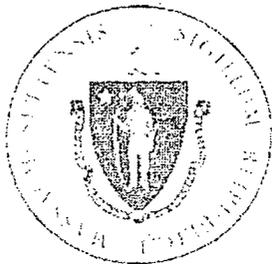
William Francis Galvin

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

Filing Fee: \$275.00 for up to 275,000 shares plus \$100 for each additional 100,000 shares or any fraction thereof.

Contact Information to be filled in by corporation:

Wendy L. Henriques, Paralegal
Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street
Worcester, MA 01608-1477
Telephone: (508) 791-8500
E-mail: wwhenriques@modl.com



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512
Telephone: (617) 727-9640



VALSPAR CORPORATION, THE Summary Screen

Help with this form

Request a Certificate

The exact name of the Foreign Corporation: VALSPAR CORPORATION, THE

Merged with : SAMUEL CABOT INCORPORATED on 10/28/2006

Entity Type: Foreign Corporation

Identification Number: 000922103

Date of Registration in Massachusetts: 04/19/2006

The is organized under the laws of: State: DE Country: USA on: 12/03/1934

Current Fiscal Month / Day: 10 / 31

The location of its principal office:

No. and Street: 1101 SOUTH THIRD ST.
City or Town: MINNEAPOLIS,MN State: MA Zip: 55415 Country: USA

The location of its Massachusetts office, if any:

No. and Street:
City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name: CT CORPORATION SYSTEM
No. and Street: 101 FEDERAL ST.
City or Town: BOSTON State: MA Zip: 02110 Country: USA

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	WILLIAM L MANSFIELD	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	
TREASURER	LORIA WALKER	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	
SECRETARY	ROLF ENGH	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	

DIRECTOR	JEFFREY H. CURLER	2200 BADGER AVE. OSHKOSH, WI 54904 USA	
DIRECTOR	JOHN S. BODE	1101 SOUTH THIRD ST MINNEAPOLIS, MN 55415 USA	
DIRECTOR	SUSAN S. BOREN	601 - 2ND AVENUE SOUTH, SUITE 4141 MINNEAPOLIS, MN 55402 USA	

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding
		<i>Num of Shares</i>	<i>Total Par Value</i>	<i>Num of Shares</i>
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm.				

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Select a type of filing from below to view this business entity filings:

- ALL FILINGS 
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement 

Comments

DF
PC

The Commonwealth of Massachusetts
William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

081

FORM NO. 100 (REV. 11/03)

Articles of Merger

FORM MUST BE TYPED

Involving Domestic Corporations,
Foreign Corporations or Foreign Other Entities
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.37)

Exact name, jurisdiction and date of organization of each party to the merger:

04-05 AIR
(01)

(1) EXACT NAME	(2) JURISDICTION	DATE OF ORGANIZATION
Samuel Cabot Incorporated	MA 041141380	5/14/1907
The Valspar Corporation	DE 000922103	12/03/1934 (4/19/06)

(3) The foreign corporation or other entity is / is not* authorized to conduct business in the Commonwealth.

(4) Exact name of the surviving entity: The Valspar Corporation

(5) Jurisdiction under the laws of which the surviving entity will be organized: Delaware

(6) The merger shall be effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date and time of filing is specified: October 28, 2006

(7-8) For each domestic corporation that is a party to the merger:**

(check appropriate box)

The plan of merger was duly approved by the shareholders, and where required, by each separate voting group as provided by G.L. Chapter 156D and the articles of organization.

OR

The plan of merger did not require the approval of the shareholders.

(9) Participation of each other domestic entity, foreign corporation, or foreign other entity was duly authorized by the law under which the other entity or foreign corporation is organized and by its organizational documents.

* Check appropriate box

** Provide this information for each domestic corporation separately

10
P.C.

(10) Attach any amendment to articles of organization of the surviving entity, where the survivor is a domestic business corporation.

(11) Attach the articles of organization of the surviving entity, where the survivor is a NEW domestic business corporation, including all the supplemental information required by 950 CMR 113.16.

(12) State the executive office address of the surviving foreign other entity if such information is not on the public record in the foreign jurisdiction: 1101 South Third Street, Minneapolis, MN 55415
(number, street, city or town, state, zip code)

Samuel Cabot Incorporated

Signed by:



Secretary

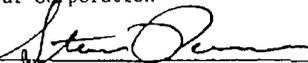
(signature of authorized individual)

- Chairman of the board of directors.
- President.
- Other officer.
- Court-appointed fiduciary.

on this 25th day of October, 2006

The Valspar Corporation

Signed by:



Vice President

(signature of authorized individual)

- Chairman of the board of directors.
- President.
- Other officer.
- Court-appointed fiduciary.

on this 25th day of October, 2006

CERTIFICATE OF OWNERSHIP

MERGING

SAMUEL CABOT INCORPORATED
(a Massachusetts corporation)

INTO

THE VALSPAR CORPORATION
(a Delaware corporation)

(Subsidiary into parent pursuant to Section 253 of the General Corporation Law of
Delaware)

* * * * *

The Valspar Corporation, a corporation incorporated on the 3rd day of December, 1934,
pursuant to the provisions of the General Corporation Law of the State of Delaware (this
"corporation");

DOES HEREBY CERTIFY:

FIRST: That this corporation owns 100% of the capital stock of Samuel Cabot
Incorporated, a corporation incorporated on the 14th day of May, 1907, pursuant to the
provisions of the General Laws of the Commonwealth of Massachusetts and that this
corporation, by a resolution of its Board of Directors dated the 18th day of October, 2006,
determined to merge Samuel Cabot Incorporated into itself, which resolution is in the
following words to wit:

WHEREAS this corporation lawfully owns 100% of the outstanding stock of
Samuel Cabot Incorporated, a corporation organized and existing under the laws of the
Commonwealth of Massachusetts, and

WHEREAS this corporation desires to merge said Samuel Cabot Incorporated
into itself, and to be possessed of all the estate, property, rights, privileges and franchises
of said corporation,

NOW, THEREFORE, BE IT RESOLVED, that this corporation merge said
Samuel Cabot Incorporated into itself and assumes all of its obligations, and

FURTHER RESOLVED, that an authorized officer of this corporation be and he
or she is hereby directed to make and execute a certificate of ownership setting forth a
copy of the resolution to merge said Samuel Cabot Incorporated and assume its liabilities
and obligations, and the date of adoption thereof, and to file the same in the office of the
Secretary of State of Delaware; and

FURTHER RESOLVED, that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the State of Delaware; which may be in any way necessary or proper to effect said merger.

FURTHER RESOLVED, that the merger shall become effective on October 28, 2006;

SECOND: That anything herein or elsewhere to the contrary notwithstanding, this merger may be amended or terminated and abandoned by the Board of Directors of The Valspar Corporation at any time prior to the time that this merger filed with the Secretary of State becomes effective.

IN WITNESS WHEREOF, said parent corporation has caused its corporate seal to be affixed and this Certificate to be signed by an authorized officer this 25th day of October, 2006.

THE VALSPAR CORPORATION

By: Steve Perera
(Authorized Officer)

Name: Steven Perera

Title: Vice President

0510172455

COMMONWEALTH OF MASSACHUSETTS

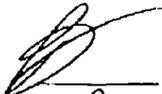
William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Articles of Merger Involving Domestic Corporations,
Foreign Corporations or Foreign Other Entities
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.37)

0997464

I hereby certify that upon examination of these articles of merger, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$250 having been paid, said articles are deemed to have been filed with me this day of October, 2006 at 1:32 a.m. 26th

Effective date: OCTOBER 28, 2006
(must be within 90 days of date submitted)

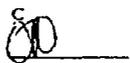


Name approval


WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

Filing fee: Minimum \$250

TO BE FILLED IN BY CORPORATION
Contact Information:



#A.R.

Jonas D. L. McCray, Esquire
Mirick, O'Connell, DeMelle & Lougee, LLP, 100 Front Street
Worcester, MA 01608-1477
Telephone: (508) 791 - 8500
Email: jdmccray@modl.com

Upon filing, a copy of this filing will be available at www.scc.state.ma.us/cor. If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

SECRETARY OF THE
COMMONWEALTH OF MASSACHUSETTS
OCT 26 PM 1:32
CORPORATION DIVISION

**F
FPC**

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

**Foreign Corporation
Certificate of Registration**
(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

(1) Exact name of the corporation, including any words or abbreviations indicating incorporation:

The Valspar Corporation

(2) Name under which the corporation will transact business in the commonwealth that satisfies the requirements of G.L. Chapter 156D, Section 15.06:

Same as above

If applicable, please attach:

- an agreement to refrain from use of the unavailable name in the commonwealth; and
- a copy of the doing business certificate filed in the city or town where it maintains its registered office; and
- a copy of the resolution of the corporation's board of directors, certified by its secretary, the name under which the corporation will transact business in the commonwealth pursuant to 950 CMR 113.50(4).

(3) Jurisdiction of incorporation: Delaware

Date of incorporation: 12/03/1934 Duration if not perpetual: _____
(month, day, year)

(4) Street address of principal office: 1101 South Third Street, Minneapolis, MN 55415
(number, street, city or town, state, zip code)

(5) Street address of registered office in the commonwealth: 101 Federal Street, Boston, MA 02110
(number, street, city or town, state, zip code)

Name of registered agent in the commonwealth at the above address: CT Corporation System

I, Michele Miller **Michele Miller**
Assistant Secretary of CT Corporation System
registered agent of the above corporation consent to my appointment as registered agent pursuant to G. L. Chapter 156D, Section 5.02.*

* Or attach registered agent's consent hereto.

CP
P.C.

(6) Fiscal year end: October 27

(month, day)

(7) Brief description of the corporation's activities to be conducted in the commonwealth:

Sales of PAINS

(8) Names and business addresses of its current officers and directors:

	NAME	BUSINESS ADDRESS
President:	William L. Mansfield	1101 South Third Street, Minneapolis, MN 55415
Vice-president:	Paul C. Reyelts	1101 South Third Street, Minneapolis, MN 55415
Treasurer:	Lori A. Walker	1101 South Third Street, Minneapolis, MN 55415
Secretary:	Rolf Engh	1101 South Third Street, Minneapolis, MN 55415
Assistant secretary:		
Director(s):	See attached	

Attach certificate of legal existence or a certificate of good standing issued by an officer or agency properly authorized in the jurisdiction of organization. If the certificate is in a foreign language, a translation thereof under oath of the translator shall be attached.

This certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date of filing is specified: _____

**THE VALSPAR CORPORATION
DIRECTORS OF THE CORPORATION**

NAME/TITLE	BUSINESS ADDRESS
John S. Bode 08/05	1101 S. Third Street Minneapolis, MN 55415
Susan S. Boren 02/91	Spencer Stuart 601 - 2 nd Avenue South, Suite 4141 Minneapolis, MN 55402
Jeffrey H. Curler 06/97	Bemis Company, Inc. 2200 Badger Avenue Oshkosh, WI 54904
Charles W. Gaillard 06/99	3415 Rum Row Naples, FL 34102
Dr. Mae Jemison 01/02	The Jemison Group, Inc. 700 Gemini, Suite 210 Houston, TX 77058
William L. Mansfield 03/05	The Valspar Corporation 1101 South Third Street Minneapolis, MN 55415
Thomas R. McBurney 02/87	McBurney Management Advisors 4900 IDS Center 80 South Eighth Street Minneapolis, MN 55402
Gregory R. Palen 02/92	Spectro Alloys Corporation 13220 Doyle Path East Rosemount, MN 55068
Lawrence Perlman 02/92	119 North Fourth Street, Suite 503 Minneapolis, MN 55401
Richard L. White 04/00	1201 Appleridge Court Gibsonia, PA 15044

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "THE VALSPAR CORPORATION" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-EIGHTH DAY OF MARCH, A.D. 2006.



0337726 8300

060251239

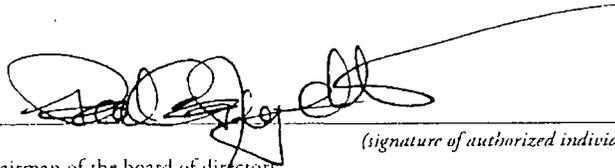
Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4626728

DATE: 03-28-06

Signed by:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

(signature of authorized individual)

- Chairman of the board of directors,
- President,
- Other officer,
- Court-appointed fiduciary,

on this

12th

day of

April

2004

60001810

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Foreign Corporation
Certificate of Registration

(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

977408

I hereby certify that upon examination of this foreign corporation certificate, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said certificate; and the filing fee in the amount of \$400 having been paid, said certificate is deemed to have been filed with me this 19th day of April, 2006, at 3:05 p.m. time

Effective date: ~~04/27/2006~~

(must be within 90 days of date submitted)

William Francis Galvin

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

Filing fee: \$400

[Signature]
Examiner
[Signature]
Name approval

TO BE FILLED IN BY CORPORATION

Contact Information:

The Valspar Corporation

Attn: Tammy Jarman

1101 South Third Street, Minneapolis, MN 55415

Telephone: (612) 332-7371

Email:

Upon filing, a copy of this filing will be available at www.sec.state.ma.us/cor.
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About Cabot

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50

Overview

Businesses

[Carbon Black](#), [Fumed Metal Oxides](#), [Inkjet Colorants](#), [Nanogel](#), [Cabot Specialty Fluids](#), [Cabot Superior MicroPowders](#) and [Cabot Supermetals](#).

Revenues

\$1.9 billion (2004).

Operations

21 countries: 36 manufacturing facilities, 8 research and development facilities, 12 technical service centers and 59 sales offices.

Employees

4,400. Some 55% work outside North America.

Strategy

Create value by (1) Optimizing our chemical businesses, by controlling costs and managing capacity, and (2) Developing new products and businesses. Cash generated by the first is invested in the second.

Competencies

Expertise in (1) Making and handling fine particles, such as carbons, mixed oxides, refractory metals and aerosols; (2) Modifying the surfaces of very fine particles, such as silicas, color pigments and catalysts; and (3) Designing particle-media composites for specific properties, such as color, dispersion stability, charge generation, electrochemical behavior and insulation.

Capital Expenditures

\$119 million (2004).

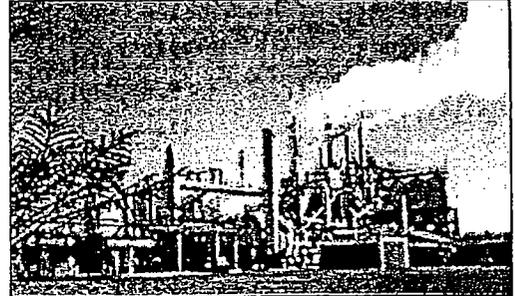
Stock

Cabot common stock is listed on the New York, Boston and Pacific stock exchanges and the Chicago Board Options Exchange under the symbol CBT. Fiscal 2004 EPS \$1.82 versus \$1.14 in fiscal 2003.

Who We Aren't

While we bear the same New England name, we aren't related to:

- [Cabot Stains](#)
- [Cabot Cheese](#)
- [Cabot, Cabot & Forbes](#).



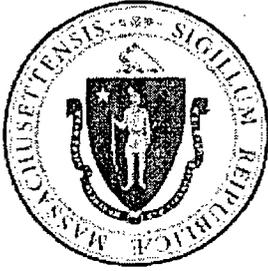
Cabot - The First Name in Wood Care

Since inventing the very first wood-preserving shingle stain in 1877, Cabot has been the leading innovator and manufacturer of premium paints, stains and finishes. Today, you can find 127 years of heritage, pride and commitment in every can of Cabot.

Samuel Cabot



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**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

STEPAN CHEMICAL COMPANY Summary Screen

Help wit

[Request a Certificate](#)

The exact name of the Foreign Corporation: STEPAN CHEMICAL COMPANY

Entity Type: Foreign Corporation

Identification Number: 361823834

Date of Registration in Massachusetts: 12/18/1972

Date of Withdrawal: 12/21/1993

The is organized under the laws of: State: DE Country: USA on: 06/30/1971

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / D.

The location of its principal office:

No. and Street: RDS
City or Town: NORTHFIELD State: IL Zip: 60093 Country: USA

The location of its Massachusetts office, if any:

No. and Street:
City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name:
No. and Street:
City or Town: State: Zip: Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	F. Q. STEPAN	200 LINDEN AVE., WINNETKA, IL 60093 USA 200 LINDEN AVE., WINNETKA, IL 60093 USA	
TREASURER	UNKNOWN	U NKNOWN,	

		U NKNOWN,
SECRETARY	UNKNOWN	U NKNOWN, U NKNOWN,

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of S
		Num of Shares	Total Par Value	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm				

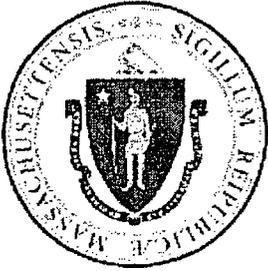
Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

Comments



The Commonwealth of Massachusetts
William Francis Galvin

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Public Browse and Search - Filing Results



Help with this form

Entity Name: STEPAN CHEMICAL COMPANY

Request a Certified Copy Select All <input type="checkbox"/>	Type of Filing	Year Filed	Filed Date	FilingNum	File(s)
<input type="checkbox"/>	<u>Annual Report</u>	1991	12/29/1993	020502095306	Index Number = 93128834 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1987	12/29/1993	020502095311	Index Number = 93128838 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1993	12/29/1993	020502095303	Index Number = 93128832 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1989	12/29/1993	020502095309	Index Number = 93128836 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1990	12/29/1993	020502095308	Index Number = 93128835 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1986	12/29/1993	020502095312	Index Number = 93128839 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1985	12/29/1993	020502095313	Index Number = 93128840 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1984	12/29/1993	020502095314	Index Number = 93128841 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1992	12/29/1993	020502095305	Index Number = 93128833 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1988	12/29/1993	020502095310	Index Number = 93128837 (1 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1983	12/29/1993	020502095315	Index Number = 93128842 (1 pages)
<input type="checkbox"/>	<u>Certificate of Withdrawal</u>		12/21/1993	020502091191	Index Number = 93366059 (4 pages)
<input type="checkbox"/>	<u>Annual Report</u>	1980	6/30/1981	020501764599	Index Number = 81018510 (1 pages)
<input type="checkbox"/>	<u>Foreign Corporation Certificate</u>			000361823834	Index Number = None (0 pages)

Request

Annual Reports and No Fee changes have a retention period of ten years; therefore these documents are no longer available prior to December 31, 1993.

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Department of State: Division of Corporations

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Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number: **0533511** Incorporation Date / **02/19/1959**
Formation Date: (mm/dd/yyyy)

Entity Name: **STEPAN COMPANY**

Entity Kind: **CORPORATION** Entity Type: **GENERAL**

Residency: **DOMESTIC** State: **DE**

REGISTERED AGENT INFORMATION

Name: **THE CORPORATION TRUST COMPANY**

Address: **CORPORATION TRUST CENTER 1209 ORANGE STREET**

City: **WILMINGTON** County: **NEW CASTLE**

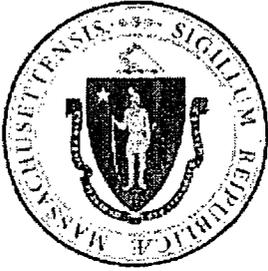
State: **DE** Postal Code: **19801**

Phone: **(302)658-7581**

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like Status Status, Tax & History Information

To contact a Delaware Online Agent [click here](#).



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

W. R. GRACE & CO.- CONN. Summary Screen

Help wit

[Request a Certificate](#)

The exact name of the Foreign Corporation: W. R. GRACE & CO.- CONN.

The name was changed from: W. R. GRACE & CO. on 6/20/1988

Merged with : AMICON CORPORATION on 9/30/1985

Merged with : DEARBORN CHEMICAL COMPANY on 1/30/1986

Entity Type: Foreign Corporation

Identification Number: 135114230

Date of Registration in Massachusetts: 10/29/1954

The is organized under the laws of: State: CT Country: USA on: 06/20/1899

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / D:

The location of its principal office:

No. and Street: 7500 GRACE DRIVE

City or Town: COLUMBIA

State: MD

Zip: 21044

Country: U

The location of its Massachusetts office, if any:

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name: PRENTICE-HALL CORPORATION SYSTEM, INC., THE

No. and Street: 84 STATE ST.,

City or Town: BOSTON

State: MA Zip: 02109 Cou

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	PAUL J. NORRIS	7500 GRACE DRIVE, COLUMBIA, MD 21044 USA 7500 GRACE DRIVE,	

TREASURER	ROBERT M. TAROLA	COLUMBIA, MD 21044 USA 7500 GRACE DRIVE, COLUMBIA, MD 21044 USA 7500 GRACE DRIVE, COLUMBIA, MD 21044 USA
-----------	------------------	--

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Number of Shares
		Num of Shares	Total Par Value	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm				

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

Comments

DF

The Commonwealth of Massachusetts

William Francis Galvin
 Secretary of the Commonwealth
 One Ashburton Place, Boston, Massachusetts 02108-1512

Filing Fee: \$125.00
 Late Fee: \$25.00

FORM MUST BE TYPED Annual Report for Domestic FORM MUST BE TYPED

and Foreign Corporations
 (General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

- (1) Exact name of the corporation: W. R. GRACE & CO.-CONN.
- (2) Jurisdiction of incorporation: Connecticut
- (3) Street address of the corporation's registered office in the commonwealth:
62 Whittemore Avenue, Cambridge, Massachusetts 02140
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: Corporation Service Company
- (5) Street address of the corporation's principal office:
84 State Street, Boston, Massachusetts 02109
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

	NAME	ADDRESS
President:	Alfred E. Festa	7500 Grace Drive, Columbia, Maryland 21044
Treasurer:	Robert M. Tarola	7500 Grace Drive, Columbia, Maryland 21044
Secretary:	Mark A. Shelnitz	7500 Grace Drive, Columbia, Maryland 21044
Chief Executive Officer:	Alfred E. Festa	7500 Grace Drive, Columbia, Maryland 21044
Chief Financial Officer:	Robert M. Tarola	7500 Grace Drive, Columbia, Maryland 21044
Directors:	Alfred E. Festa	7500 Grace Drive, Columbia, Maryland 21044
	Robert M. Tarola	7500 Grace Drive, Columbia, Maryland 21044
	Mark A. Shelnitz	7500 Grace Drive, Columbia, Maryland 21044

(7) Briefly describe the business of the corporation:
Specialty Chemicals

(8-9) Capital stock of each class and series:

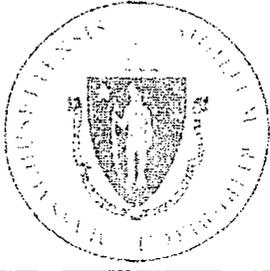
CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	300,000,000	84,500,000
PREFERRED	N/A	N/A

(10) Check if the stock of the corporation is publicly traded.

(11) Report is filed for fiscal year ending: December / 31 / 2005
(month) (day) (year)

Signed by: *Mark A. Shelnitz*

Chairman of the board of directors President Other officer Court-appointed fiduciary
 on this 13th day of September, 2006



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512
Telephone: (617) 727-9640



GRACE AMICON MERGER CORPORATION Summary Screen

Flag with this form.

Request a Certificate

The exact name of the Domestic Profit Corporation: GRACE AMICON MERGER CORPORATION

Mergered into AMICON CORPORATION on 3/10/1983

Entity Type: Domestic Profit Corporation

Identification Number: 000190367

Date of Organization in Massachusetts: 02/02/1983

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / Day: 00 / 00

The location of its principal office in Massachusetts:

No. and Street: 62 WHITTEMORE AVE.

City or Town: CAMBRIDGE State: MA Zip: 02140 Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:

City or Town: State: Zip: Country:

Name and address of the Registered Agent:

Name: O. MARIO FAVORITO

No. and Street: 61 BROOK TRL. RD.,

City or Town: CONCORD State: MA Zip: Country: USA

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	JACK RIMMER	552 EASTBROOK RD., RIDGEWOOD, MA USA 552 EASTBROOK RD., RIDGEWOOD, MA USA	
TREASURER	RICHARD L. BOWDITCH	1120 FIFTH AVE., NY, NY USA 1120 FIFTH AVE., NY, NY USA	

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm.				

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS 
- Administrative Dissolution
- Annual Report
- Application for Reinstatement
- Application For Revival 

Comments



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

AMICON CORPORATION Summary Screen

Help with

[Request a Certificate](#)

The exact name of the Domestic Profit Corporation: AMICON CORPORATION

Mergered into W. R. GRACE & CO. - CONN. on 9/30/1985

Mergered with : GRACE AMICON MERGER CORPORATIO on 3/10/1983

Entity Type: Domestic Profit Corporation

Identification Number: 042300301

Date of Organization in Massachusetts: 03/29/1962

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / Day:

The location of its principal office in Massachusetts:

No. and Street: 25 HARTWELL AV

City or Town: LEXINGTON

State: MA

Zip: 02173

Country: U

If the business entity is organized wholly to do business outside Massachusetts, the location of that off

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name:

No. and Street:

City or Town:

State:

Zip:

Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	NORMAN A. JACOBS	141 WOTHEND RD., LEXINGTON, MA USA 141 WOTHEND RD., LEXINGTON, MA USA	
TREASURER	F. J. BRENNAN	26 HOLMEHILL LN., ROSELAND, NJ USA 26 HOLMEHILL LN.,	

SECRETARY	C T CORPORATION SYSTEM	ROSELAND, NJ USA 101 FEDERAL STREET, BOSTON, MA 02110 USA 101 FEDERAL STREET, BOSTON, MA 02110 USA
-----------	------------------------	--

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm				

Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

- ALL FILINGS**
- Administrative Dissolution
- Annual Report
- Application for Reinstatement
- Application For Revival

[View Filings](#)

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Comments



**The Commonwealth of Massachusetts
William Francis Galvin**

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

GILLETTE COMPANY, THE Summary Screen

Help wit

[Request a Certificate](#)

The exact name of the Foreign Corporation: GILLETTE COMPANY, THE

Merged with : GILLETTE COMPANY (USA), INC., THE on 12/31/1998

Entity Type: Foreign Corporation

Identification Number: 041366970

Old Federal Employer Identification Number (Old FEIN):

Date of Registration in Massachusetts: Oct 22 1917

The is organized under the laws of: State: DE Country: USA on: Sep 10 1917

Current Fiscal Month / Day: 6 / 30

Previous Fiscal Month / D:

The location of its principal office:

No. and Street: PRUDENTIAL TWR BLDG

City or Town: BOSTON

State: MA

Zip: 02199

Country:

The location of its Massachusetts office, if any:

No. and Street:

City or Town:

State:

Zip:

Country:

Name and address of the Registered Agent:

Name: C T CORPORATION SYSTEM

No. and Street: 155 FEDERAL STREET

STE 700

City or Town: BOSTON

State: MA

Zip: 02110

Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Ex o
PRESIDENT	EDWARD F. DEGRAAN	4800 PRUDENTIAL TOWER BLDG., BOSTON, MA 02199 USA	

TREASURER	GAIL SULLIVAN	4800 PRUDENTIAL TOWER BLDG., BOSTON, MA 02199 USA
SECRETARY	WILLIAM J. MOSTYN	4800 PRUDENTIAL TOWER BLDG., BOSTON, MA 02199 USA
DIRECTOR	UNKNOWN UNKNOWN	SAME SAME, MA 02199 USA

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm				

Consent
 Manufacturer
 Confidential Data
 Does Not Require Annual Report
 Partnership
 Resident Agent
 For Profit
 Merger Allowed

Select a type of filing from below to view this business entity filings:

- ALL FILINGS
- Amended Foreign Corporations Certificate
- Annual Report
- Annual Report - Professional
- Application for Reinstatement

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Comments

DF

The Commonwealth of Massachusetts

Filing Fee: \$125.00
Late Fee: \$25.00

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-15120 60053612

FORM MUST BE TYPED

Annual Report for Domestic and Foreign Corporations

(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

041366970

- (1) Exact name of the corporation: The Gillette Company
- (2) Jurisdiction of incorporation: Delaware
- (3) Street address of the corporation's registered office in the commonwealth:
101 Federal Street Boston, MA 02110
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: C T Corporation System
- (5) Street address of the corporation's principal office:
Prudential Tower Building Boston, MA 02199
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

	NAME	ADDRESS
President:	SEE ATTACHED LIST	
Treasurer:		
Secretary:		
Chief Executive Officer:		
Chief Financial Officer:		
Directors:		

- (7) Briefly describe the business of the corporation:
Consumer Products Company

(8-9) Capital stock of each class and series:

CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	1000	1000
PREFERRED		

- (10) Check if the stock of the corporation is publicly traded.

(11) Report is filed for fiscal year ending: December / 31 / 2005
(month) (day) (year)

Signed by: *J. E. Kerner*

Chairman of the board of directors President Other officer Court-appointed fiduciary
on this 15th day of March, 2006

THE GILLETTE COMPANY
OFFICERS

PRESIDENT	J. M. Kilts	4800 Prudential Tower Bldg.	Boston, MA 02199
VICE CHAIRMAN	E. F. DeGraan	4800 Prudential Tower Bldg.	Boston, MA 02199
SR. V. P., CIO	K.S. Lane	4800 Prudential Tower Bldg.	Boston, MA 02199
SR VICE PRESIDENT, TREASURER	J. P. Goodwin	One Procter & Gamble Plaza	Cincinnati, OH 45202
SR VICE PRESIDENTS	C. C. Daley, Jr.	One Procter & Gamble Plaza	Cincinnati, OH 45202
	V. L. Sheppard	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. L. Antoine	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. A. McDonald	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. K. Clark	One Procter & Gamble Plaza	Cincinnati, OH 45202
	J. J. Johnson	One Procter & Gamble Plaza	Cincinnati, OH 45202
	C. V. Bergh	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. K. Harrison	One Procter & Gamble Plaza	Cincinnati, OH 45202
	M. Martin	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. A. Hughes	One Procter & Gamble Plaza	Cincinnati, OH 45202
	J. R. Stengel	One Procter & Gamble Plaza	Cincinnati, OH 45202
	F. Passerini	One Procter & Gamble Plaza	Cincinnati, OH 45202
	M.T. Cowhig	4800 Prudential Tower Bldg	Boston, MA 02199
	E.E. Guillet	4800 Prudential Tower Bldg	Boston, MA 02199
	E. D. Shirley	4800 Prudential Tower Bldg	Boston, MA 02199
SR VP & ASS'T SECRY	S. W. Jemison	One Procter & Gamble Plaza	Cincinnati, OH 45202
VP & ASS'T SECRYS	T. M. McDonald	One Procter & Gamble Plaza	Cincinnati, OH 45202
	R. J. Miller	One Procter & Gamble Plaza	Cincinnati, OH 45202
	S. W. Miller	One Procter & Gamble Plaza	Cincinnati, OH 45202
VICE PRESIDENTS	C.J. Chizauskas	4800 Prudential Tower Bldg	Boston, MA 02199
	A.B. Clevery	4800 Prudential Tower Bldg	Boston, MA 02199
	J. F. Dooley	4800 Prudential Tower Bldg	Boston, MA 02199
	P.K. Hoffman	4800 Prudential Tower Bldg	Boston, MA 02199
	S.A. Hoffman	4800 Prudential Tower Bldg	Boston, MA 02199
	E. A. Kraus	4800 Prudential Tower Bldg	Boston, MA 02199
	M.M. Leckie	4800 Prudential Tower Bldg	Boston, MA 02199
	M.A. Pesce	4800 Prudential Tower Bldg	Boston, MA 02199
	C. Slife	4800 Prudential Tower Bldg	Boston, MA 02199
	D.B. Tobin	4800 Prudential Tower Bldg	Boston, MA 02199
VP, CONTROLLER, PAO	J.J. Schena	4800 Prudential Tower Bldg	Boston, MA 02199
TRADEMARK COUNSEL, ASS'T SECRETARY	R. J. DeVellis	4800 Prudential Tower Bldg	Boston, MA 02199
DEPUTY GENERAL COUNSEL, SEC., CGO	P.M. Green	4800 Prudential Tower Bldg	Boston, MA 02199

<i>DEPUTY GENERAL COUNSEL, ASS'T SECY</i>	K. Loftus	4800 Prudential Tower Bldg	Boston, MA 02199
	P.G. V. Mee	4800 Prudential Tower Bldg	Boston, MA 02199
	C.M. Williams	4800 Prudential Tower Bldg	Boston, MA 02199
<i>DEPUTY GENERAL COUNSEL</i>	D. Marson	4800 Prudential Tower Bldg	Boston, MA 02199
<i>ASST SECRETARIES</i>	J. A. Stegbauer	One Procter & Gamble Plaza	Cincinnati, OH 45202
	S. S. Felder	One Procter & Gamble Plaza	Cincinnati, OH 45202
	J. F. Prevost	One Procter & Gamble Plaza	Cincinnati, OH 45202
	A. Newton	One Procter & Gamble Plaza	Cincinnati, OH 45202
	M. McDade	4800 Prudential Tower Bldg	Boston, MA 02199
	J.J. Reynolds	4800 Prudential Tower Bldg	Boston, MA 02199
	D.K. Snellgrove	One Procter & Gamble Plaza	Cincinnati, OH 45202
T.E. Kemen	One Procter & Gamble Plaza	Cincinnati, OH 45202	
<i>ASSISTANT TREASURERS</i>	S. D. Kiracofe	One Procter & Gamble Plaza	Cincinnati, OH 45202
	J. D. Gerstle	One Procter & Gamble Plaza	Cincinnati, OH 45202
<i>DIRECTORS</i>	J.P. Goodwin	One Procter & Gamble Plaza	Cincinnati, OH 45202
	S.W. Jemison	One Procter & Gamble Plaza	Cincinnati, OH 45202

Expiration of Term of Office

October 10, 2006