



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

May 16, 2017

Ronald J. Marnicio, PhD, PE  
Project Manager  
Tetra Tech, EC, Inc.  
160 Federal Street, 3rd Floor  
Boston, MA, 02110

RE: **HANOVER**  
Release Tracking Number 4-0000090  
Former National Fireworks Facility, King Street  
**Release Abatement Measure (RAM) Plan for  
the Former Test Range Berm Area and the Cold  
Waste Area, Conditional Approval**

Dear Dr. Marnicio:

The Massachusetts Department of Environmental Protection (MassDEP) is currently regulating a release of oil and hazardous materials (OHM) pursuant to M.G.L c 21E and 310 CMR 40.0000, the Massachusetts Contingency Plan (MCP), from the former National Fireworks Facility located off King Street in Hanover, Massachusetts ("Facility" is the property where the Facility was located; and the surrounding area where oil and/or hazardous material from the Facility have come to be located is the "Site"). MassDEP has assigned Release Tracking Number (RTN) 4-0000090 to the Site.

On January 11, 2011, MassDEP issued Notices of Noncompliance (NONs) to several potentially responsible parties (PRPs) for releases at the Site, including National Coating Corporation (NCC) and the Massachusetts Institute of Technology (MIT) (collectively, the Cooperating Parties); and the United States Department of Defense, including the Department of the Army, the Department of the Navy and the Department of the Air Force (collectively, DOD).

On May 4, 2017, MassDEP received a document entitled "**Release Abatement Measure (RAM) Plan for the Former Test Range Berm Area and the Cold Waste Area**" (the RAM Plan) for Release Abatement Measures (RAMs) to be performed at the Site. The RAM Plan, which was prepared by Tetra Tech, Inc. (Tetra Tech) on behalf of the Cooperating Parties, describes the proposed risk reduction activities to be performed at two areas at the Site. The RAMs involve excavating surface and subsurface soil, metal and debris from the former Test Range Area and the Cold Waste Area at the Site with the goal of achieving a condition of No Significant Risk pursuant to the MCP.

**MassDEP hereby approves the Release Abatement Measures (RAM) to be performed at the Former Test Range Area and the Cold Waste Area subject to the following conditions:**

1. Notice shall be provided to MassDEP at least 72 hours prior to mobilizing and demobilizing from the Site to perform the RAM activities described in the RAM Plan.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

Printed on Recycled Paper

2. MassDEP shall be notified via telephone within 2 hours of any finding of a Material Potentially Presenting an Explosive Hazard (MPPEH) at the Site. Notification shall be made to Leonard Pinaud at 508-946-2871.
3. MassDEP shall be sent a copy of any daily/weekly incident reports as they are finalized. Incident reports shall be sent via email to [leonard.pinaud@state.ma.us](mailto:leonard.pinaud@state.ma.us).
4. MassDEP shall be informed of any instance(s) of trespass within the RAM Work Area at the Site as soon as practicable. Notification shall be made to Leonard Pinaud at 508-946-2871 or at [leonard.pinaud@state.ma.us](mailto:leonard.pinaud@state.ma.us).
5. Pursuant to 310 CMR 40.0441(6) General Provisions for Release Abatement Measures and 310 CMR 40.0018 Health and Safety Procedures, air monitoring activities must be instituted, if necessary, to protect the public from exposure to air-borne particulates during the performance of the RAM activities described in the RAM Plan.
6. Remediation waste must be managed in full compliance with 310 CMR 40.0030 Management Procedures for Remediation Waste and in compliance with all applicable federal, state and local laws and regulation.
7. (A) figure(s) depicting the Incremental Sampling Methodology (ISM) Decision Units (DU) for both the Former Test Range Berm Area and the Cold Waste Area shall be appended to the RAM Plan. The figure(s) shall be uploaded to eDEP prior to mobilization to the Site.

Tetra Tech, on behalf of the Cooperating Parties, is authorized to proceed with implementation of the RAM Plan subject to the conditions set forth herein. MassDEP reserves all rights to take any civil, criminal, or administrative enforcement action pursuant to any available legal authority, including the right to seek injunctive relief; the recovery of money expended or to be expended (plus interest); monetary penalties; criminal sanctions; and/or punitive damages regarding any violation of Chapter 21E and the MCP, or any actual or potential threat to human health, safety, public welfare or the environment, or any release of hazardous substances on, at, in, or near the Site. Nothing in this letter shall preclude MassDEP from taking any additional enforcement actions, including the issuance of Orders and/or additional actions, as MassDEP may deem necessary, or from requiring the Cooperating Parties to perform additional activities pursuant to any other applicable law.

Written or verbal communication regarding this Site should be sent to my attention at the letterhead address or at 508-946-2871. Please reference RTN 4-0000090 in any written correspondence regarding the Site.

Sincerely,



Leonard J. Pinaud, Chief  
State & Federal Site Management  
Bureau of Waste Site Cleanup

P/lg

CERTIFIED MAIL # 7016 0750 0000 1748 6345  
RETURN RECEIPT REQUESTED

Ec: Hanover Chief Municipal Officer  
Hanover Board of Health

Hanson Chief Municipal Officer  
Hanson Board of Health

Carol Iancu, AAG,  
Environmental Protection Division

Millie Garcia-Serrano, Regional Director  
Gerard Martin, BWSC-Deputy Regional Director  
Paul Locke, BWSC - Assistant Commissioner  
Robert Brown, Senior Counsel  
Cathy Kiley, BWSC-DTFS

Michele N. O'Brien, Esq., [mobrien@PierceAtwood.com](mailto:mobrien@PierceAtwood.com)  
Dennis Reznick, Esq., [dreznick@daypitney.com](mailto:dreznick@daypitney.com)  
Joseph Farside, Jr., Esq., [joseph.farside@lockelord.com](mailto:joseph.farside@lockelord.com)  
Larry Kahrs, PE, PG, LSP, Tetra Tech, [Larry.Kahrs@tetrattech.com](mailto:Larry.Kahrs@tetrattech.com)