DECLARATION FOR THE EXPLANATION OF
SIGNIFICANT DIFFERENCES

SITE NAME AND LOCATION
Pinette's Salvage Yard Superfund Site
Washburn, Maine

STATEMENT OF PURPOSE
This decision document sets forth the basis for the determination to issue the attached Explanation of Significant Differences (ESD) for the Pinette's Salvage Yard Superfund Site in Washburn, Maine.

STATUTORY BASIS FOR ISSUANCE OF ESD
Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires that, if any remedial or enforcement action is taken under Section 106 of CERCLA after adoption of a final remedial action plan, and if such action differs in any significant respects from the final plan (i.e., scope, performance or cost), the United States Environmental Protection Agency (EPA) shall publish an explanation of the significant differences and the reasons such changes were made. Current EPA guidance (OSWER Directive 9355.3-02) further provides that issuance of an ESD is appropriate where the Agency determines the need for changes to the ROD which are significant but which do not fundamentally alter the overall remedy. In the present case, because the required adjustments to the ROD do not fundamentally alter the selected remedy for the Site, this ESD is being issued properly.

In accordance with Section 117(d) of CERCLA, this ESD will become part of the Administrative Record which is available for public review at both the EPA Region I Record Center in Boston, Massachusetts and the Washburn Town Hall in Washburn, Maine.

DECLARATION
For the foregoing reasons, by my signature below, I approve the issuance of an Explanation of Significant Differences for the Pinette's Salvage Yard Superfund Site in Washburn, Maine and the changes stated therein.

Date

Linda M. Murphy, Director
Office of Site Remediation and Restoration
I. INTRODUCTION

A. Site Name and Location

Site Name: Pinette's Salvage Yard Superfund Site
Site Location: Washburn, Maine

B. Lead and Support Agencies

Lead Agency: United States Environmental Protection Agency
Support Agency: Maine Department of Environmental Protection

C. Legal Authority

Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires that, if any remedial or enforcement action is taken under Section 106 of CERCLA after adoption of a final remedial action plan, and if such action differs in any significant respects from the final plan, the United States Environmental Protection Agency (EPA) shall publish an Explanation of the Significant Differences and the reasons such changes were made.

D. Summary of Circumstances

On May 30, 1989 EPA issued a Record of Decision (ROD) for the Pinette's Salvage Yard Superfund Site. The ROD included requirements for source control and management of migration. On June 2, 1993, the EPA amended the Source Control component of the 1989 ROD by changing the remedy for contaminated soil from on-site treatment and off-site incineration to off-site land disposal and off-site incineration. The ROD required active treatment of groundwater as a component of the Management of Migration (groundwater).

Since the issuance of the ROD and completion of the Source Control remedy, the EPA has evaluated the new information obtained during the remedial pre-design process, has re-evaluated the administrative record information supporting
the 1989 ROD, and has determined that active groundwater
treatment is no longer necessary. Accordingly, EPA is
issuing this Explanation of Significant Differences (ESD).

E. Administrative Record

In accordance with Section 117(d) of CERCLA, this ESD and
the new information obtained will become part of the
Administrative Record which is available for public review
at both the EPA Region I Record Center in Boston,
Massachusetts and the Washburn Town Hall in Washburn, Maine.

II. SUMMARY OF SITE HISTORY, CONTAMINATION PROBLEMS AND SELECTED REMEDY

A. Site History

Pinette's Salvage Yard Site is situated on less than one
acre in the town of Washburn in Aroostook County, Maine.
Currently, the site is fenced and used as an automobile and
scrap metal salvage yard. About 15 persons live within a ½
mile radius of the site. These persons rely on private
wells for drinking water.

In June 1979, three electrical transformers were reportedly
brought on-site where they ruptured and released about 900
to 1,000 gallons of dielectric fluid containing
polychlorinated biphenyls (PCBs) and volatile organic
compounds (VOCs) directly onto the ground.

From October 4, 1983 to November 4, 1983, under emergency
removal authority, the EPA removed about 1,000 tons of
contaminated soil and debris. The excavated soils were
transported to a hazardous waste landfill in New York. In
1994, under remedial authority, the EPA completed the Source
Control Remedial Action during which approximately 1,000
tons of contaminated soil were excavated and incinerated at
an off-site incinerator and approximately 5,000 tons of
contaminated soil were excavated and disposed of at an off-
site hazardous waste landfill.

B. Remedial Investigation/Feasibility Study (RI/FS)

An investigation into the nature and extent of contamination
at the Site was conducted from 1987 to 1989. The Remedial
Investigation was performed to characterize the geology,
hydrogeology, and distribution of contaminants in soil,
groundwater, surface water, and sediments at the Site. The
Remedial Investigation and Feasibility Study dated March
1989 are included in the Administrative Record.
Based on the Feasibility Study, EPA proposed a remedy called the "preferred alternative" for the Site in a Proposed Plan dated March 1989.

C. Summary of the 1989 Selected Remedy

On May 30, 1989, the EPA signed a Record of Decision (ROD) for the Pinette's Salvage Yard Superfund Site. The selected cleanup approach for the Site includes two primary components: Source Control and Management of Migration. Only the Management of Migration component is affected by this ESD and is summarized below. The Source Control component (as amended in June 1993) has been completed. The Source Control component of the 1989 ROD originally called for on-site solvent extraction treatment and off-site incineration of contaminated soils, but was amended in 1993 for off-site land disposal and off-site incineration. Refer to the 1989 Record of Decision and the 1993 ROD Amendment for a complete description of the Source Control and Management of Migration components.

The Management of Migration component of the 1989 ROD required that contaminated groundwater containing concentrations above the following target cleanup goals be extracted from the ground and treated on site using filtration and carbon adsorption.

The 1989 Target Cleanup Goals in groundwater were as follows:

- Polychlorinated biphenyls (PCBs): 0.5 ppb
- Benzene: 5 ppb
- 1,4-Dichlorobenzene: 27 ppb
- Chlorobenzene: 47 ppb
- 1,2,4 Trichlorobenzene: 680 ppb
- Chloromethane: 10 ppb
- Lead: 5 ppb

The target cleanup goal for lead was based on a proposed maximum contaminate level (proposed MCL) for drinking water which was never adopted by the EPA. This ESD adjusts the site target cleanup goal for lead to the current nationally accepted MCL of 15 ppb.

The objectives of the Management of Migration component of the 1989 ROD were 1) to reduce the potential for off-site migration of PCBs by reducing the concentration of associated VOCs that facilitate the transport of PCBs, 2) to prevent persons from ingesting contaminated water from the site, and 3) conduct five year reviews. The 1989 ROD did
not require restoration of the groundwater to drinking water quality, but rather explicitly recognized the technical impracticability of reducing the PCB contamination to drinking water quality. In recognizing this treatment limitation, the 1989 ROD waived the legal requirement of achieving the State of Maine Maximum Exposure Guideline (ME MEG) of 0.5 ppb for PCBs in groundwater beneath the site.

The 1989 ROD determined that treatment of groundwater was, however, warranted to reduce the mobility of the PCBs by reducing the concentrations of certain volatile organic compounds. Volatile organic compounds, including trichlorobenzene, were typically used in transformers to decrease the viscosity of PCBs which are naturally waxy and not very mobile. While VOCs were never found in residential wells at levels that would pose the need for remedial action, it was believed that by reducing the concentration of these carrier VOCs in groundwater, the potential for off-site migration of PCBs would be sufficiently prevented.

D. Source Control Remedial Action

In May 1991, EPA initiated source control remedial activities at the site. These activities included removing junk cars, erecting a fence around the perimeter of the site, excavating, dewatering, installing concrete pads on large portions of the site, and removing soils contaminated with PCBs. In 1993, after unsuccessful attempts to use the selected on-site solvent extraction treatment technology, the EPA issued an amendment to the source control remedy to dispose of contaminated soil at off-site facilities. Depending on the concentrations of PCBs, the contaminated soils were disposed of at either a TSCA landfill or TSCA incinerator. The source control remedial action work was completed in 1993, and grading and revegetation of the site were completed in 1994.

E. Management of Migration Pre-design Studies

In August 1990 and December 1991, EPA conducted further groundwater sampling at the site. Analytical results of this sampling in comparison to earlier rounds of sampling conducted in 1987 and 1988 indicated that VOC contamination of the groundwater was decreasing over time. To understand the impact the Source Control remedial activities were having on groundwater contamination, EPA conducted further sampling of monitoring wells in March 1993, July 1993, January 1994, April 1994, October 1994, April 1995, July 1995, and October 1995.
Residential wells were sampled yearly: November 1987, June 1988, August 1990, August/December 1991, March 1993, April 1994, and April 1995. The two residential wells farthest from the site were removed from the sampling program after the August 1991 sampling round because EPA determined that the chemicals detected from these wells during previous sampling rounds indicated that they were not at levels of health concern and these residential wells were located a great distance away from the Site and would not be impacted by the site. Groundwater flow direction is to the southeast. All of the Residential wells are located to the northeast and southwest of the site.

III. DESCRIPTION OF SIGNIFICANT DIFFERENCES

A. Additional Extraction and Treatment of Groundwater not Warranted

Groundwater sampling data collected during the Management of Migration Pre-design studies following the completion of the source control remedy indicates that the concentrations of VOCs have decreased to below or near the target cleanup goals established in the 1989 ROD. Decrease in VOC levels are attributable to the natural attenuation/degradation of contaminants, to the extraction and treatment of over one million gallons of contaminated groundwater during source control remedial activities, and to improved groundwater sampling techniques.

Unfiltered groundwater samples were analyzed for VOCs, semi-volatile organics, pesticides, PCBs, metals and total dissolved solids. Filtered groundwater samples were analyzed for PCBs and metals. Beginning with the April 1995 round, EPA began using low flow sampling procedures. Low flow sampling is considered by EPA Region I as the optimal groundwater sampling method for evaluating mobility of contaminants in groundwater and is also considered most representative of human exposure through ingestion of groundwater.

In monitoring wells, the maximum concentration of lead detected in unfiltered samples since EPA began using low flow sampling in 1995 has been 14.5 ppb, below the target cleanup goal (as amended by this ESD) of 15 ppb. The maximum concentration of PCBs in unfiltered monitoring well samples detected since the low flow sampling began is 8.5 ppb, which is still above the target cleanup goal of 0.5 ppb. VOCs for which there are target cleanup goals established for the site have not been detected in
unfiltered samples above MCLs since low flow sampling began.

In residential wells, the maximum level of lead detected in unfiltered groundwater sample was at 7.1 in April 1995. There is no reason to believe that this lead can be attributed to the transformer spill at the site. None of the residential wells are downgradient of the site. PCBs have never been detected in residential wells. VOCs for which target cleanup goals have been established for the site have not been detected in unfiltered samples above MCLs in residential wells.

The results and evaluation of the data are presented in "Management of Migration, Summary of Environmental Data and Evaluation Report, June 1996." This report is included in the Administrative Record.

The monitoring results demonstrate that the primary objective of the Management of Migration component of the ROD has been achieved--PCB migration has been sufficiently reduced. The 1989 ROD required active groundwater treatment to reduce the concentration of VOCs to their cleanup goals as a means of reducing the migration of PCBs. The concentrations of VOCs are already below their cleanup goals. Furthermore, the migration of PCBs has been sufficiently reduced; downgradient wells have not shown any contamination. Consequently, there is no need to actively treat the groundwater.

B. Adjusted Target Cleanup Goals

In the 1989 ROD, the EPA established a cleanup goal for lead based on a proposed maximum contaminate level (proposed MCL) for drinking water which was never adopted by the EPA. This ESD adjusts the site target cleanup goal for lead to the current nationally accepted MCL of 15 ppb. None of the on-site monitoring wells or off-site residential wells have lead levels above the 15 ppb level established for drinking water.

IV. SUMMARY OF FUTURE RESPONSE ACTIONS

A. Institutional Controls

As foreseen by the 1989 ROD and based on an evaluation of the 1995 low flow sampling data, the groundwater is still contaminated with concentrations of contaminants which would pose an unacceptable risk if ingested. Exceedances of MCLs
for PCBs, bis(2-ethylhexyl)phthalate, antimony, and chromium have been detected in unfiltered groundwater samples from on-site monitoring wells. Additionally, the following VOCs were detected, although below MCLs, in unfiltered samples from on-site monitoring wells: chlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 1,2-dichlorobenzene, 1,2,4-trichlorobenzene, 1,2,3-trichlorobenzene, benzene, and xylene.

To prevent the ingestion and use of contaminated groundwater, institutional controls (e.g., deed restrictions) will be established to prevent the installation of domestic wells on the site.

**B. Five Year Reviews**

Five year reviews of the site will be conducted to ensure that the remedy remains protective. At a minimum, groundwater samples will be collected from the monitoring well network during these reviews. These five year reviews will determine whether the institutional controls are being effective and enforced, whether residential wells should be sampled, whether site conditions have changed with respect to potential migration which would warrant a different remedial approach, or whether the institutional controls can be removed.

EPA requested the Agency for Toxic Substances and Disease Registry (ATSDR) for a recommendation regarding future residential well sampling. The ATSDR has reviewed the environmental data and has concluded that contaminants detected in groundwater samples from residential wells are not at levels of public health concern. This is consistent with earlier groundwater sampling of residential wells which concluded that contaminants would not pose a health hazard to those persons who use it on a daily basis. Furthermore, site related contaminated groundwater does not flow in the direction of the domestic wells.

ATSDR does not see the need for further residential well sampling but recommends that EPA continue to sample the on-site monitoring wells. If conditions change at the Site, ATSDR recommends that EPA reevaluate the need for sampling residential wells.

**V. SUPPORT AGENCY COMMENTS**

The Maine DEP acknowledges that the Maine DEP has had an opportunity for review and comment and concurs with this ESD
VI. STATUTORY DETERMINATIONS

Considering the adjustment to the selected remedy set forth in the 1989 ROD and as described in this ESD, the EPA believes that the remedy remains protective of human health and the environment, complies with all Federal and State requirements that are applicable or relevant and appropriate to this remedial action and is cost effective.

VI. PUBLIC PARTICIPATION

In accordance with Section 117(d) of CERCLA, this ESD will become part of the Administrative Record which is available for public review at both the EPA Region I Record Center in Boston, Massachusetts and the Washburn Town Hall in Washburn, Maine.

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FIGURE 1 - SITE LOCATION MAP

FIGURE 2 - SITE FEATURES MAP

ATTACHMENT 1 - STATE CONCURRENCE LETTER
FIGURE 1
SITE LOCATION MAP
REFERENCE:
U.S.G.S. 7.5 Minute Topographic Quadrangle Map
Washburn, Maine, 1984. SCALE 1:24,000

USEPA ARCS I PROGRAM
CONTRACT NO. 68-W9-0034

PINETTE'S SALVAGE YARD SITE
SITE LOCATION MAP

FIGURE 1
FIGURE 2
SITE FEATURES MAP
ATTACHMENT 1

STATE OF MAINE CONCURRENCE LETTER
June 10, 1996

John DeVillars 
Regional Administrator 
U.S. Environmental Protection Agency 
JFK Building (HBT) 
Boston MA 02203-2211 

Subject: State Concurrence of ESD for Pinette's Salvage Yard Superfund Site

Dear Mr. DeVillars:

The Maine Department of Environmental Protection (MDEP) has reviewed the May 30, 1996 Draft Explanation of Significant Differences (ESD) with regard to the Management of Migration for Pinette's Salvage Yard Superfund Site in Washburn, Maine.

Groundwater samples were collected and analyzed during the Management of Migration following the completion of the Source Control remedial activities. The groundwater sampling data document a decrease in the concentration levels of Volatile Organic Compounds (VOC's) that facilitate the transport of PCB's to within target cleanup goals established in the 1989 Record of Decision (ROD). Decrease in the VOC levels are attributable to the natural attenuation/degradation of contaminants, to the extraction and treatment by carbon adsorption of over one million gallons of water during Source Control remedial activities, and to improved groundwater sampling techniques. It was not the objective of the Management of Migration component of the 1989 ROD to restore groundwater to drinking water quality because it was technically impracticable to remove the PCBs. The concentration of PCBs in groundwater have decreased following Source Control remedial activities but still remain above the Maine Maximum Exposure Guideline (MEG) of 0.5 ppb.

Since EPA began using low flow sampling techniques in 1995, the maximum concentration of lead detected in monitoring wells was 14.5 ppb which is below the federal Maximum Contaminant Level (MCL) and the Maine Maximum Exposure Guideline (MEG) of 20 ppb for lead.

The Department concurs with the following changes to The Management of Migration components of the 1989 Record of Decision (ROD).

Serving Maine People & Protecting Their Environment
A. Removing the requirement for further extraction and treatment of contaminated groundwater. Further treatment is not warranted to reduce the potential of PCB migration.

B. Adjusting the site cleanup goal for lead in groundwater from 5 ppb to 15 ppb. The 1989 ROD selected 5 ppb based on an EPA proposal to change the MCL for lead from 15 ppb to 5 ppb. The proposal was never adopted and 15 ppb remains the current MCL.

Maine DEP accepts 15 ppb as the cleanup level for lead in that it is more restrictive than the MEG of 20 ppb for lead.

Furthermore, it is the understanding of the Department, that EPA will conduct a review every five years following the remedial action to ensure that the remedy continues to provide adequate protection of human health and the environment.

The Department shall receive the analytical results reports from the EPA contractor and will be awarded reasonable opportunity to review monitoring plans and participate in any meetings regarding this site.

Institutional controls such as deed restrictions will be implemented to prevent ingestion and use of PCB contaminated water from the installation of drinking water wells on the site.

The State will not be responsible for any future Operation and Maintenance at Pinette's Salvage Yard Superfund Site.

The Department in partnership with EPA is pleased to have cleaned up this Superfund site.

Sincerely,

[Signature]
Edward O. Sullivan

cc: Mark Hyland
    Denise Messier
MEMORANDUM

DATE: June 18, 1996

SUBJ: Pinette's Salvage Yard Superfund Site
Explanation of Significant Differences

FROM: Ross L. Gilleland, RPM
THRU: Mary Jane O'Donnell, Section Chief
THRU: Paula Fitzsimmons, Branch Chief
TO: Linda Murphy, Director
Office of Site Remediation and Restoration

Summary of Action

Attached for your review and signature is the Explanation of Significant Differences for the Pinette's Salvage Yard Superfund Site (the "Site") in Washburn, Maine. This document sets forth changes in Management of Migration remedial actions established in the 1989 Record of Decision (ROD); it will remove the requirement for active groundwater treatment. The ESD also explains the reasons and statutory basis for the changes. After it is fully executed and recorded, this ESD will become part of the Administrative Record.

Major Issues

The 1989 ROD for the Pinette's site requires that the selected remedy include both a source control and groundwater component. The objective of the Management of Migration component was to reduce the mobility of PCBs by reducing the concentration of associated VOCs that facilitate the transport of PCBs. It was believed that five VOCs in groundwater were facilitating the migration of PCBs. It was further believed that if levels of these VOCs were reduced to below their respective MCLs, off-site migration would stop. Thus, MCLs for each of the five VOCs were chosen as the target cleanup goals for this site.

It was not the objective of the Management of Migration component of the 1989 ROD to restore groundwater to drinking water quality. Pursuant to Section 121(d)(4)(C) of CERCLA and Section 300.430(f)(1)(ii)(C)(3) of the NCP, the 1989 ROD included a waiver of the Maine Maximum Exposure Guidelines (ME MEG) for PCBs because it is technically impracticable to remove the PCBs.
The Source Control (SC) remedial action was completed in 1994 when all contaminated soils (6,000 tons) were taken off site for incineration (1,000 tons) and landfiling (5,000 tons). During the SC remediation activities, over one million gallons of contaminated groundwater were treated by carbon adsorption. Following the SC remediation, the EPA conducted further groundwater sampling and has concluded that the objectives of the ROD, to control the source of PCB contamination and to stop the migration of PCBs, have been achieved.

By this document, EPA is making the following changes to Management of Migration components of the 1989 ROD:

1. Removing the requirement for further extraction and active treatment of contaminated groundwater. Further treatment is not warranted to reduce the potential of PCB migration.

2. Adjusting the site target cleanup goal for lead from 5 ppb to 15 ppb. The 1989 ROD selected 5 ppb based on an EPA proposal to change the MCL for lead from 15 ppb to 5 ppb. The proposal was never adopted and 15 ppb remains the current MCL.

The potential for PCB migration has been sufficiently reduced to eliminate the need for extraction and active treatment of contaminated groundwater. However, this ESD acknowledges that the groundwater remains contaminated and may pose an unacceptable risk if ingested. Since the objective of the Management of Migration component of the 1989 ROD was not to restore groundwater to drinking water quality, the EPA, in order to be protective of human health, will require implementation of institutional controls to prohibit the installation of domestic wells. EPA will conduct five year reviews to ensure that this remedial approach remains protective or is still warranted.

Public Participation

During the 1993 ROD amendment process, there was only one comment received during the public hearing. The comment was from the Town of Washburn supporting EPA's decisions. There will be no public comment period for this ESD.

Media/Congressional Involvement

There has been no media or Congressional interest in the site since 1994 when EPA issued a press release announcing completion of the source control remedial activities.
State Coordination

EPA has worked closely with the State of Maine Department of Environmental Protection in developing the ESD. The State has concurred with the ESD.

Recommendation

The ESD will allow EPA to close out the remedial action for the site once the institutional controls are established. The remedy remains protective of human health and the environment and meets the intent of the original ROD. We recommend you sign the ESD.
DECLARATION FOR THE EXPLANATION OF
SIGNIFICANT DIFFERENCES

SITE NAME AND LOCATION
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Washburn, Maine

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In accordance with Section 117(d) of CERCLA, this ESD will become part of the Administrative Record which is available for public review at both the EPA Region I Record Center in Boston, Massachusetts and the Washburn Town Hall in Washburn, Maine.

DECLARATION
For the foregoing reasons, by my signature below, I approve the issuance of an Explanation of Significant Differences for the Pinette's Salvage Yard Superfund Site in Washburn, Maine and the changes stated therein.

Linda M. Murphy, Director
Office of Site Remediation & Restoration

Date 1/6/2019

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