



EPA

U.S. Department of Justice

New England U.S. Environmental Protection Agency

SDMS DocID 460114

WMD RECORDS CENTER
REFERENCE COPY
DATE RECEIVED: 11/4/94



For more information call:

- Willis Wang, EPA Regional Counsel, (617) 565-4892
- Kristine Laumeyer, EPA Waste Management, (617) 223-5500
- Kristine McMahon, Attorney General's Office, (617) 727-2200
- Bert Brandenburg, DOJ Public Affairs, (202) 616-0189
- Kristen Fadden, EPA Community Relations, (617) 565-4154

WMD RECORDS CENTER
 SIDE: PSC Resources
 BREAK: 13.3
 OTHER: 460114

For immediate release
October 28, 1994

94-10-14

**OVER 160 PARTIES AGREE TO PAY FOR CLEANUP
AT PSC RESOURCES, INC. SUPERFUND SITE**

Boston - The EPA, the Department of Justice, and the Massachusetts Attorney General's Office announced today that 165 parties have agreed to pay over \$6 million to cover past costs and the cost of cleaning up the PSC Resources, Inc. Superfund Site in Palmer, Mass. This innovative agreement will expedite cleanup of the site and reduce transaction costs.

"This settlement is a fine example of what can happen when we apply common sense to our common problems," said John DeVillars, regional administrator for EPA-New England. "By coming to the table, we've minimized two of the difficulties involved in the cleanup of Superfund sites. First, by speeding up the process, the community will reap the benefits of a clean environment much sooner. And second, we've eliminated pointless transaction costs to small parties. This agreement makes great sense for both the environment and the economy."

Eleven performing settling defendants, along with six Federal agencies, agreed to repay most of EPA's and the Commonwealth's past response costs. In addition, the New Jersey Department of Transportation, and at least 143 de minimis parties have joined the settlement and have agreed to pay their share of the cleanup costs.

This settlement, lodged today in the Federal District Court for the District of Massachusetts, also includes a creative settlement mechanism to maximize the number of small parties involved in this settlement which will limit transaction costs. The new approach saved these small parties costs that otherwise would have been incurred during third party contribution litigation.

"The negotiation of today's settlement shows how government and the private sector can work in partnership to accept responsibility and promptly clean-up hazardous wastes," said Lois J. Schiffer, U.S. Assistant Attorney General for Environment and Natural Resources. "It is also a victory for the Administration's efforts to cut litigation costs for smaller parties to Superfund cases."

"The cleanup of hazardous waste at this site will reduce future risks to the environment in Palmer," said Massachusetts Attorney General Scott Harshbarger. "In this settlement, the defendants have agreed to pay for the costs of the cleanup, at no cost to the taxpayer. The cleanup of the Superfund sites is a top priority for this office."

"We are pleased that all the parties have stepped up to the plate in this matter," said Secretary of MA Environmental Affairs Trudy Coxe, "and we now can move on to the actual cleanup of the site."

The settling parties will pay for the entire cost of the cleanup, estimated to be \$3.4 million in the 1992 Record of Decision. They have also agreed to pay approximately \$3.2 million dollars for past costs. Moreover, the settling parties will repay 100 percent of the first \$500,000 of the governments' oversight costs as well as 50 percent of oversight costs above this amount.

The cleanup plan will prevent the further spread of hazardous wastes into the environment. The plan will include the following: (1) decontamination, demolition and disposal of property structures, (2) treatment and discharge of lagoon surface water, (3) stabilization and solidification of property soils and sediments, (4) construction of a permeable cap, a two-foot layer of sand and gravel overlain by 12 inches of soil, over the stabilized soils and sediments, and (5) ground water monitoring. Design of the cleanup plan has already begun and will take approximately a year and a half.

After filing of the complaint and the Consent Decree, notice will be published in the Federal Register. After a 30-day comment period, the settlement, if approved by the court, will become final. The settling parties are listed on the attached pages.

###

Performing Settling Defendants

American Annuity Group, Inc.
American Optical Corporation
Easco Hand Tools, Inc.
Hasbro, Inc.
Monsanto Company
Parker-Hannifin Corporation
Sears, Roebuck and Co.
Smith & Wesson Corp.
TRW Inc.
The Uniroyal Goodrich Tire Company
Zecco, Inc.

Federal Agencies

United States General Services Administration
United States Air Force
United States Army
United States Coast Guard
United States Navy
United States Postal Service

PSC RESOURCES DE MINIMIS SETTLING DEFENDANTS

AMF Reece, Inc.
A.R. Sandri, Inc.
American Airlines
American Saw & Manufacturing Company
Town of Amherst
Amherst-Pelham Regional School District
Avery Dennison Corp.
Balise Motor Sales Company
Bancroft Motors, Inc.
Bedard Bros. Auto Sales
Berkshire Industries, Inc.
Boch Oldsmobile, Inc.
Boch Toyota, Inc.
Boston Edison
Bridgestone/Firestone, Inc.
Butler Automatic Inc.
Central Chevrolet, Inc.
Central Motors, Inc.
Chevron U.S. A., Inc.
Clark & White, Inc.
Coca-Cola Bottling Co. of New York
Community Service Stations, Inc.
Connecticut Valley Artesian Well Co., Inc.
Coombs Motor Company
Cooper Industries
Cummins North Atlantic, Inc.
Town of Dalton
Dave Russell Ford
Dedham Nissan, Inc.

Dedham Super Service, Inc.
DePalma AMC Jeep Co.
Desjardin Auto
Drake Petroleum Company, Inc.
The duMont Corp. —
Edward H. Spencer, Inc.
Energy Retailers, Inc.
Exxon Corporation
Falls Machine Screw Co., Inc.
Foundry Street Garage
Friendly Ice Cream Corp.
GKN North America for Presmet Corp.
City of Gardner
General Dynamics
General Electric Company
The Goodyear Tire & Rubber Company
Town of Greenfield
H.P. Hood Inc.
Hertz Corp.
Holmain Investments Ltd.
College of Holy Cross
Houser Buick, Inc.
Housing Associates of Worcester
IMO Industries Inc.
Ingersoll-Rand Company
Jarvis Caster Group
John Glass Ford, Inc.
Johnson Ford-Lincoln-Mercury-Nissan, Inc.
Kimberly-Clark Corp.
Kraft General Foods, Inc.
Laidlaw Transit, Inc.
Lechmere, Inc.
Leicester Die & Tool, Inc.
City of Leominster
Lily Transportation Corp.
Lindberg Heat Treating Co.
Massachusetts Air National Guard
Massachusetts Army National Guard
Massachusetts Bay Transportation Authority
Massachusetts Department of Highways
Massachusetts Department of Mental
Retardation for Belchertown School
Massachusetts Department of State Police
Massachusetts Port Authority
Massachusetts Turnpike Authority
Massachusetts Water Resources Authority
University of Massachusetts
Marane Oil Corp.
Town of Medfield
Metropolitan District Commission
Milbury Motor Company, Inc.
Morgan Construction Co.
New England Door Closer, Inc.
New England Power Company

New England Telephone
Norton Company
Orr Cadillac-Pontiac, Inc.
Package Machine Company
Parts Fours, Inc.
Pathfinder Regional Vocational Technical High School District
Pepsi-Cola Metropolitan Bottling Co., Inc.
Pete's Chrysler Plymouth-Subaru, Inc.
Pioneer Valley Sales & Services, Inc.
Plastican, Inc.
Plymouth Rock Transportation Corp.
Premark International, Inc.
Proctor & Gamble Manufacturing Co.
Protano's Service Station
Quamco, Inc.
RHI Holdings, Inc.
Ragsdale Chevrolet, Inc.
Raytheon Company
The Republican Company
Roadway Express, Inc.
Roy Bros., Inc.
Ryder Truck Rental
S.J. McNeilly Oldsmobile, Inc.

Salamone Toyota
Sarat Ford Sales, Inc.
Schultz Lubricants, Inc.
Schmidt Equipment, Inc.
Seneca Foods
Sherman Oil Company
Signature Flight Support Corporation
Spartan Saw Works, Inc.
Sunnyside Motor Company
TNT Red Star Express, Inc.
Texaco, Inc.
Textron Inc.
Tom Connelly Pontiac, Inc.
Transportation Leasing Co.
Tyler Equip., Corp.
U.S. Tsubaki, Inc.
Unisorb
United Parcel Services, Inc.
United Technologies Corporation
United Technologies Automotive, Inc.
Van Brode Group, Inc.
Varney's Garage, Inc.
Walden Industrial Supply Co., Inc.
Walter C. Cranston & Son, Inc.
Warner & Swasey Company
Waste Management of Massachusetts, Inc.
Town of West Springfield
City of Westfield
Westfield Coatings Corp.
Westinghouse Electric Corp.

Town of Weston
Witco Corp
Woolworth Corporation
City of Worcester
Worcester Polytechnic Institute
Wyman-Gordan Company
Zero Corporation

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203

Forwarding and address correction requested

Region I
Office of External Programs (REA)
John F. Kennedy Federal Building
Boston, Massachusetts 02203

Official Business
Penalty for Private Use
\$300

First Class Mail Postage and Fees Paid EPA Permit no. G-35
