

UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
BOSTON REGION

In the Matter of:

PUBLIC HEARING:

RE: PROPOSED CLEAN-UP PLAN FOR OPERABLE UNIT 4 AT THE
IRON HORSE PARK SUPERFUND SITE

Billerica Town Hall
365 Boston Road
Billerica, Massachusetts

Tuesday
November 9, 2010

The above entitled matter came on for hearing,
pursuant to Notice at 7:45 p.m.

BEFORE:

ROBERT CIANCIARULO, Chief
Massachusetts Superfund Section
DON MCELROY, Remedial Project Manager
STACEY GREENDLINGER
EPA, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

I N D E X

SPEAKERS:	PAGE
Richard Karamanian	6
Mark Sampson	6/26
Jack Porell	10
Ed Camplese	11
Caroline Ahdab	13
Taryn Hallweaver	14
Derrick Brown	19
Lynne Santos	19
David Johnson	20
Bob Stanton	22
Rui Vieira	23
John Palermo	24
Jackie Gurney	24
David Johnson	25
Rachel Durocher	27

P R O C E E D I N G S

(7:46 p.m.)

HEARING OFFICER CIANCIARULO: Good evening. My name is Bob Cianciarulo. I am Chief of EPA's Massachusetts Superfund Section of Boston. I will be the hearing officer for tonight's hearing on the clean up plan for Operable Unit 4 at the Iron Horse Park Superfund Site, Billerica, Massachusetts. Operable Unit 4 addresses sediment and groundwater at the site.

The purpose of this hearing is to formally accept oral comments regarding EPA's proposed plan that was released to the public last month. The comment period was set to run until November 24th. Earlier this evening, we did receive a request for an extension to that comment period.

Tonight, we are announcing that we will extend that comment period, which a 30 day extension would have brought us to December 23rd. So, we will extend it until January the 3rd. So, you have until January the 3rd to provide written comments on the plan. And I'll get into that in more detail as we move on.

Today, again is to provide oral comments for the record.

A public information meeting was held here in Billerica on October 27th. At that meeting, information

1 concerning the proposed plan was presented to the public and
2 EPA responded to questions. At that time, EPA also provided
3 the proposed plan and supporting information in the
4 administrative record that was put on file at our record
5 center in Boston and at the Billerica library. That marked
6 the start of the comment period.

7 There was also an informal session here this
8 evening before we started this hearing where the public had
9 an opportunity to ask questions and receive clarifications.

10 For the record, the proposed plan involves
11 excavating approximately 7400 cubic yards of contaminated
12 sediment from B&M Pond, disposing of that sediment either on
13 site or off site and restoring impacted wetlands. It also
14 includes monitored natural recovery of the Unnamed Brook
15 sediments and associated wetlands, and implementing storm
16 water runoff controls to prevent sediment recontamination.

17 The plan also includes monitoring groundwater to
18 ensure that contamination doesn't move off of site boundary.

19 It includes land use and groundwater use
20 restrictions, and periodic five year reviews.

21 In the feasibility study that is included in the
22 administrative record, these are called alternatives GW-2
23 and SD-4.

24 The total estimated cost of the proposed remedy is
25 5.4 million.

1 As most of you noticed, there was copies of the
2 proposed plan at the back of the room.

3 When you came in, we asked people to indicate
4 their desire to make an oral comment. I'm going to read
5 from the names on that list in the order people signed up.
6 Once all of those names are read, we'll sort of open things
7 up for other people that would like to make a comment on the
8 record.

9 Again, there is -- this is just one method of
10 commenting. You can certainly comment in writing. The
11 methods -- the ways you can comment, by e-mail or fax or US
12 mail are shown in the proposed plan.

13 After all the comments are heard, I will close the
14 formal hearing. And then, if you have any other questions
15 at the close of the hearing, you can ask any of the EPA
16 representatives here for more information on how to submit a
17 comment.

18 We are not going to respond to your comments here
19 at the hearing. This sometimes is a frustrating process for
20 the public. We will sit here and listen to your comments,
21 but our response will be to thank you for your input. And
22 we do appreciate your input and value your opinion on our
23 proposal.

24 Are there any questions on the format of the
25 hearing?

1 Hearing none, I will begin the formal hearing.

2 The first speaker, Richard Karamanian.

3 MR. KARAMANIAN: Richard Karamanian, Ashdale Road.

4 We've gone through various questions that were
5 asked, and at this point, it's open for comments, so I will
6 be making comments then.

7 In comparison to SD-4, SD-6, an analogy if I
8 could. If a cancer patient went under surgery to remove a
9 tumor, one of the biggest fears for that patient would be
10 was all of it removed, was all of the cancer removed, will
11 it return.

12 That's the comparison I am making with SD-4 to
13 SD-6. If you go through the SD-4 plan, the back of our
14 minds, the residents are always going to wonder, if it's
15 clean, if it's still there.

16 If this was the big three auto manufacturers going
17 before the Senate asking for a bail out, which they did get,
18 we've been waiting over 26 years. And now we are asked to
19 wait an additional 20 some odd years. We would like to see
20 our bailout that we did not create.

21 Thank you.

22 HEARING OFFICER CIANCIARULO: Mark Sampson.

23 MR. SAMPSON: Thank you. Thank you for coming
24 this evening to present to us.

25 I have a handful of comments or so. The first is,

1 the differences between SD-4 and SD-6 are really immaterial
2 in the grand scheme of things. The biggest pieces, for
3 certainly me and my young family, are the fact that, there
4 is a 15 year differential between SD-4 and SD-6 per the
5 document that we've all received.

6 In my opinion, and I'm not a tree or an
7 environmental expert, those 15 years are more than enough
8 time to replant vegetation and trees, or whatever needs to
9 be done to rectify the invasive nature of SD-6 versus SD-4.
10 And in the grand scheme of things, the million dollar
11 difference between SD-6 and SD-4 is really, really, really
12 small.

13 According to the EPA website in the 2009 fiscal
14 year summary, the EPA obligated more than \$1.1 billion for
15 various cleanup activities. Our million dollar difference
16 that we're talking about here is less than 1/10 of 1
17 percent.

18 So, I'd really like the EPA to give significant
19 consideration to SD-6 when they review this.

20 Additionally, we'd like the sediment to be moved
21 off site. I understand, from reading the document, that
22 there is a potential to cap the sediment with the OU-3
23 processes that are underway. However, Billerica has had
24 this sediment and various pollutants in Iron Horse Park for
25 27 years, easily pushing 30. We are talking about another

1 10 years, probably, before this is even close to being done.

2 To get the sediment off site would be the ideal
3 situation. And if it doesn't go off site, to make sure that
4 we have a clay base for the sediment to be able to avoid any
5 chemicals going back into the ground.

6 One point of administrative minutia, if you will,
7 there is some inconsistency in the feasibility study between
8 two of the figures. On Table 3.2 that summarizes the
9 sediment alternatives, SD-6 does not mention five year
10 reviews to evaluate remedy as a component.

11 However, Table 4.6 or 4-6 does show it as a
12 disadvantage/cost. So, I wanted to point that out to the
13 EPA.

14 My home is about eight -- seven or eight houses
15 from the boundary line in the northern part of Iron Horse
16 Park. And I want to make sure it is duly noted that there
17 is no fencing. There is no obstruction. I can walk right
18 into the B&M Pond which is one of the areas that are being
19 proposed to be cleaned out.

20 I'm not sure if that is in EPA's plans to go ahead
21 and protect children especially. Adults should know better
22 than to go in. But children, especially, from entering that
23 part of Iron Horse Park. Actually, all of Iron Horse Park
24 that is not currently with a business on it, ought to be
25 fenced.

1 I'd also like to note the fact, I know of abutters
2 that live very close to Iron Horse Park that have well
3 water. And I'd like to understand the consideration that
4 the EPA will give to them, concerns -- you know, concerning
5 the well water that they are drinking.

6 A couple of final points. At the last public
7 meeting, the one that was prior to the comment period,
8 someone had commented to the fact that we are almost there,
9 because we are on OU-4. I just want to make note that OU-4
10 wasn't even thought of until the 2008 five year review. And
11 by 2008, it was already 24 years into this cleanup. There's
12 really nothing to say, that EPA won't add OU-5, 6, 12, at
13 some point in the future.

14 It goes back to my initial point which is, we're
15 keen to get this done in five years, rather than 20, in case
16 it's going to be another five year plan that has to happen
17 after that.

18 Two final points, if I could. I'm not a
19 scientist. And I think, this goes back to one of the
20 questions that was asked just before this, but I can't
21 understand how monitored natural resources for recovery can
22 handle, what I assume, are metals that are actually in the
23 sediment. The package actually mentions things that I
24 believe are metal, because I did have a little bit of
25 science in school, copper, lead, and that other things like

1 chromium and vanadium and zinc.

2 So, I don't understand how natural monitored --
3 monitored natural recovery will address those things.

4 And then, finally, I do appreciate the extension
5 of time for the comment period. However, I'd like to go on
6 the record and ask for a little bit further consideration in
7 terms of the fact that there are major holidays between now
8 and January 3rd that take people away from families and away
9 from the area. So, it takes their mind off of the task at
10 hand, which is a big one still, for residents to make more
11 informed comments to this proposed action.

12 Thank you.

13 HEARING OFFICER CIANCIARULO: The next speaker is
14 Jack Porell.

15 MR. PORELL: Good evening. Jack Porell, 4 High
16 Street.

17 Based on the comments that were made at the prior
18 meeting earlier of this meeting, I too am in favor of SD-6.
19 I think we have all been through this long enough. I think
20 it's time we made a finite plan to remedy the situation as
21 best we can, given the resources. And I also am in favor, I
22 want on the record, of off site disposal of these sediments.
23 I think, in terms of us living with this long enough and
24 deciding to truck it off.

25 And I hope, moving forward, as we arrange a plan,

1 that the EPA will be willing to work with neighboring
2 residents to the area in terms of the impact the clean up
3 has as it goes on.

4 I made a comment last time in terms of traffic in
5 the neighborhood. And I hope that all avenues will be
6 considered in terms of truck traffic and things like that
7 that are involved in the project.

8 Thank you.

9 HEARING OFFICER CIANCIARULO: Thank you.

10 The next speaker is Ed Camplese.

11 MR. CAMPLESE: I would like to present a few
12 concerns.

13 HEARING OFFICER CIANCIARULO: Could you just give
14 us your name and address for the record?

15 MR. CAMPLESE: Oh, Ed Camplese, 22 New Foster Ave,
16 Billerica.

17 I'd like to express a few concerns relating to the
18 extent that the clean up should be to the Iron Horse Park
19 area.

20 This year alone, we had extreme flooding in the
21 Billerica area. And there were extreme driving issues.

22 My concern addresses a lot of the compounds listed
23 by the EPA and especially with regard to the Unnamed Brook
24 when talking about SD-6. In terms of -- my concerns are
25 regarding (inaudible) which would carry those contaminants

1 to the areas of concern.

2 When I was reviewing some of the reports, one of
3 them was a draft final feasibility study. I think it was in
4 Section 3, this is around page 3-9, speaks about
5 (inaudible). And it makes a suggestion in there,
6 (inaudible) suggests there is a slip that appears to flow
7 towards the site on High Street, towards the Concord River
8 and towards the culvert that is now on the site.

9 The terminology being suggests regional waterway
10 divide does not accurately define the dividers and where
11 we've had the pollutants we've discussed in that area. So
12 that's one my concerns on that.

13 The other one comes down to the -- again, back to
14 the chemical compounds. And I was reviewing the various
15 chemical compounds listed, further investigating the risks
16 of long and short term exposure to these chemicals. These
17 chemicals were listed as significant risk contributors in
18 your documentation. I will go further and submit more
19 detailed written comments and ask that you take into
20 consideration in seeing what channel to take on them.

21 The other one goes back to, again, I think, we've
22 established that the metals and the PCB's don't react
23 similarly down the materials which oxidize and degrade on
24 their own. So, I'm requesting the SD-6 instead of the SD-4,
25 especially now with the Unnamed Brook.

1 I feel it's not unreasonable at all to request the
2 SD-6. The additional expense for restoration of the
3 wetlands in order to perform (inaudible), as the other
4 gentleman has referenced, outweighs prolonging the risks to
5 the health and environment of the area.

6 And one other comment, basically, as far as
7 extending the comment period, we appreciate it. The other
8 consideration should be the holidays, if it would be
9 possible to give an additional two weeks onto the January
10 3rd dead line. That would help the EPA to get more
11 additional records, before you file comments. Probably have
12 a case for both -- both of us.

13 Thank you.

14 HEARING OFFICER CIANCIARULO: Okay. The next
15 speaker, Caroline Ahdab.

16 MS. AHDAB: Caroline Ahdab, I am a long time
17 resident of Billerica. And I am here because it's my home
18 town. I love it. And I'd really like to see this site
19 cleaned up.

20 I want to express my preference to option SD-6,
21 the excavation of the B&M Pond, the removal of sediment on
22 Unnamed Brook and the wetlands.

23 As I was reviewing some of the documents on line,
24 I noticed the initial remedial investigation document,
25 Section 3. The culvert was still in, and that was what

1 created Unnamed Brook.

2 And my concern is that, if we don't remove the
3 sediment and the surrounding materials for the wetland, that
4 we'll end up with issues along the road, just simply
5 monitoring them. And I believe that removal of the wetlands
6 in that area, the sediments along that Unnamed Brook is the
7 best option.

8 I'd also like to make a request to have -- to
9 include additional groundwater monitoring for an additional
10 five or 10 years past the option SD-6. And the reason I am
11 requesting this additional groundwater monitoring is, we now
12 know of things that are of public health concern, certain
13 chemicals, certain levels of exposure. And to have this
14 groundwater monitoring say five or 10 years past the
15 proposed clean up, will then give the public the assurance
16 and confidence that the site has been cleaned up and there
17 is nothing flowing to the Merrimack River, which does affect
18 other populations and I believe, Tewksbury also drinks from
19 the Merrimack River.

20 So, I do -- again, I would like to request that
21 monitoring of the groundwater or, you know, the best -- for
22 the best of the public health and the environment.

23 Thank you.

24 HEARING OFFICER CIANCIARULO: Thank you.

25 All right. The next speaker, Taryn Hallweaver.

1 MS. HALLWEAVER: Hi, everybody. My name is Taryn
2 Hallweaver. And I'm a community organizer with Toxics
3 Action Center.

4 Toxics Action Center is a public health and
5 environmental nonprofit. And we work side by side with
6 residents to clean up and correct pollution.

7 Thank you for the chance to comment tonight. And
8 I'm going to keep my comments relatively generalized,
9 because we will be submitting more thorough written comments
10 before the comment period is up.

11 So, just a little bit of background and history on
12 our involvement. We got our start after the dramatic
13 incident in Woburn, when, in the late '70s, more than a
14 dozen children and teenagers died of leukemia after their
15 pregnant mothers had drunken contaminated public water when
16 W.R. Grace Company had buried barrels of TCE and other
17 chemicals right into the ground.

18 Since then, since 1987, we have worked with over
19 650 groups across New England to clean up and prevent
20 pollution. And unfortunately, even though a lot of people,
21 maybe not folks in this room, but a lot of other people
22 think that incidents like Woburn are stories of the past,
23 the fact is that, we still have a very long way to go to
24 clean up hazardous waste sites.

25 There are over 10,000 hazardous waste sites across

1 New England. And here in Massachusetts, more than a third
2 of towns that are home to these sites have lost part or all
3 of their drinking water supply to toxic contamination. And
4 across the board, these sites are the result of
5 irresponsible, illegal handling of toxic chemicals, more
6 than a century long history of this.

7 Now, just thinking about time, the longer the
8 hazardous waste, such as voltaic (phonetic) compounds or
9 PCBs remain in the ground, the further it is going to
10 spread. And these chemicals persist in our environment for
11 decades, if not much longer, and both environment
12 degradation and the cost of cleanup rise dramatically as the
13 clean up is completed.

14 Hazardous waste sites pollute rivers, bodies of
15 water, drinking supplies and threaten the health and safety
16 of nearby neighbors. And as, unfortunately, some folks can
17 testify to here in Billerica, the experience of living in a
18 home or in a neighborhood that has been contaminated, not
19 only disrupts one's life, you know, as we know it, but it
20 can also have serious psychological and physical problems as
21 well.

22 Now, thinking about costs, the cost for cleaning
23 up hazardous waste sites, especially one as large and
24 complex as the Iron Horse site can be great. And in our
25 experience, polluters will go to great lengths to avoid

1 responsibility for their messes. Polluters will try to get
2 out of the responsibility of paying for the clean up or
3 convince citizens they should go after State money. And at
4 the Federal level, polluters have successfully rolled back
5 the tax on toxic chemicals, effectively, drying up the
6 Superfund.

7 And then, in the particular case of the Iron Horse
8 Park clean up plan, one red flag when it comes to cost and
9 time really stands out. And that red flag is the fact that
10 EPA's preferred plan costs just over \$1 million, plus the
11 plan takes 20 years to complete, 15 years longer.

12 Cleanups are expensive. And it seems to me that,
13 \$1 million doesn't make a measurable difference in when you
14 consider the time difference. Residents of Billerica have
15 waited long enough. The Iron Horse Park Superfund site has
16 been listed by the Federal Government as a hazardous waste
17 site since 1984. As Mark mentioned, the current upgrading
18 needed under discussion, groundwater and sediment wasn't
19 even in the playing field until 2008.

20 Now, in addition to the time and cost
21 discrepancies, a couple of other notes. One is that, as
22 somebody mentioned while organic materials will degrade over
23 time, metals and PCBs will not. I notice in the plan that
24 there is a plan to reduce PCB levels, but not entirely
25 remove them. So, I'm wondering what that plan is.

1 And then, the second is a note on the Wetland
2 Conservation Act, (inaudible) EPA's preferred plan. It
3 seems to me, that the major difference is, in an effort to
4 minimally disturb the wetlands, allow for natural
5 degradation of chemicals. You know, I love good wetlands as
6 much as anybody else. I come from an environmental
7 background. But, we are not talking about a pristine park.
8 We are talking about a Superfund site.

9 And the safety of people's health, their drinking
10 water, for the folks who live in Billerica is a trump card
11 over the wetlands in any case.

12 So, that is all for now. Thank you for the chance
13 to comment. We will be submitting written comments as well.

14 HEARING OFFICER CIANCIARULO: Thank you.

15 That is the end of the list of people I had who
16 had signed up initially.

17 So, I guess, we will just sort of take people as
18 they come.

19 I think that gentleman all the way in the back was
20 the first to raise his hand.

21 And we will stay as long as we need to to make
22 sure everyone gets heard.

23 MR. BROWN: Good evening. Derrick Brown, 81
24 Rogers Street. And I am also in support of the SD-6 cleanup
25 program for pretty much every reason that has been given

1 here tonight. We are all here and listening every day, all
2 of the media and agreeing. Not one person in this room has
3 mentioned what's happened to the pond life as a result of
4 this. And a five year cleanup plan, versus an additional 15
5 years. And I know migratory birds land on that pond. I
6 know there is amphibians in that pond. And I'd rather have
7 a five-year program and get that the heck out of here than
8 wait another 15 years and not measure where that wildlife
9 goes that impacts way beyond Billerica.

10 That's all I have to say.

11 THE REPORTER: And one more time, could you repeat
12 your name please?

13 MR. BROWN: Derrick Brown, 81 Rogers Street, North
14 Billerica.

15 So, it is much further reaching than Billerica.

16 MS. SANTOS: Lynne Santos, 29 Seven Oaks Road.

17 I think that everyone has already made the same
18 comments that I planned to make. I would like EPA to choose
19 SD-6 option. I think it would be better to remove all the
20 contaminated sediments. I'm skeptical that metals and PCBs
21 can be treated with natural recovery, because, from what I
22 understand, it won't be oxidized or changed. They would
23 just stay there and be buried. And I would prefer to see
24 them moved off site.

25 And I think that would be more protective of the

1 groundwater, because, you will be taking away a source of
2 possible contamination to the groundwater.

3 And Caroline mentioned having the groundwater
4 monitored longer. And I think that's a great idea.

5 Also, because, levels that we consider safe are
6 always changing. And so, what we consider safe now might
7 not be safe in 10 years. So, that the agency should monitor
8 longer.

9 And I also wanted to add to that that I would like
10 to see some plans for testing for vapor intrusion for
11 volatile organics in the houses immediately next to the
12 Superfund. I think that would be important and it would
13 make the residents feel safer to know that the chemicals are
14 not seeping into their basements and allowing them to
15 breathe in the cancer causing chemicals.

16 And I think that's it for me.

17 MR. JOHNSON: David Johnson. I'm at 113 Gray
18 Street, Billerica.

19 I have written this out, because I can't give it
20 so easily. The final phase of the Iron Horse Park Superfund
21 Site cleanup activities presents the last opportunity to
22 ensure that the neighbors of the site are provided adequate
23 safeguards from off site migration of polluting the
24 groundwater.

25 The EPA's hydraulic evaluation of the site,

1 describes an over burden that is very conducive to quickly
2 expanding movements of the groundwater. The groundwater
3 moving very quick, it's sand and gravel. It has been shown
4 that surface water discharges raise the natural level of the
5 groundwater for the overburdened aquifer creating mounding
6 effects. And in doing so, when there is a mounding effect
7 of water in the aquifer, it's difficult to determine which
8 way that water is going to go. It's not with the normal
9 flow that the groundwater normally goes in.

10 So, it's difficult to predict that and detect it.
11 Thus, the harm to -- thus, the mounding creates groundwater
12 movements in all directions, not necessarily predictable
13 ones.

14 The groundwater movement, of course, transports
15 the contaminants that are there. Harmful contaminants have
16 been measured in the overburdened aquifer for groundwater
17 and in the surface water being discharged into the aquifer.

18 Therefore, removing the sediment from the wetland
19 area addressed in this plan opens the direct unfiltered
20 pathway for contaminated surface water to interact with the
21 contaminated groundwater, resulting in contaminated
22 groundwater migration to unintended off site sediment.

23 As part of the cleanup, I believe it would be
24 prudent to identify all private wells that are surrounding
25 the overburdened aquifer and associated bedrock aquifers, to

1 alert the owners of these wells, of the potential hazards
2 and risks associated with the use of these wells, and
3 provide Town water hookups at no expense to those who want
4 them.

5 Additionally, when reconstructing the wetlands
6 area, line the entire area with an impervious layer, with
7 adequate ports to control surface water discharge to the
8 groundwater and thus, nipping the offsite transport of the
9 harmful contaminants.

10 That's about it. And SD-6 does the chore of an
11 SD-4, except the issue of Town hookup of water to those who
12 are using wells.

13 Thank you.

14 MR. STANTON: Bob Stanton, White Gate Road.

15 Again, I too would like to see the SD-6 option. I
16 think that it needs to be cleaned up and cleaned up quickly.

17 I also would like the EPA to seriously try to
18 reduce the amount of truck loads it would take to remove
19 this material. In the pamphlet, you do talk about possibly
20 using railroad to remove this material.

21 The reason for the, hopefully reducing the
22 truckloads is because, whether they go out and take a left
23 or a right, they are all going through residential
24 neighborhoods. And any reduction in this type of traffic, I
25 think, is a safer way to do it, especially if you can use

1 the railroad. So, I would hope that that can be used.

2 Thank you.

3 HEARING OFFICER CIANCIARULO: Thank you.

4 Others wishing to make a comment for the record?
5 Sir?

6 MR. VIEIRA: Rui Vieira from 11 Roberts Road.

7 Thank you for coming. I'm really surprised,
8 you're the first one that I ever heard that a 20 year plan
9 is less expensive than a five year plan. This must be an
10 EPA financial -- I don't understand that at all.

11 But, the primary issue that I have is, I'm new to
12 this. But, I've learned that you have not done a survey of
13 how many people use this water. And that was one of the
14 issues that you mentioned to be critical. I would think
15 that that would be an essential, because those people could
16 be contaminated right now every time they take a sip.

17 So, it just really seems to me that, in essence,
18 SD-4, I believe, you call it, 20 years, I'll be an old man,
19 probably broke from putting kids through college. And who
20 is going to monitor this for 20 years. How will I know this
21 information.

22 Are you going to publish for 75 years, or have the
23 report sent to the library, will we have more hearings about
24 the report. This is just, quite frankly, very
25 disappointing. You can do better. We are paying for this.

1 MR. PALERMO: John Palermo, Billerica.

2 We have an artesian well.

3 Would you take into consideration that the EPA
4 could run a test on that well?

5 HEARING OFFICER CIANCIARULO: Could you state your
6 address, sir, for -- your address?

7 MR. PALERMO: Number 3 Ashdale Road, North
8 Billerica.

9 HEARING OFFICER CIANCIARULO: Okay. We'll talk to
10 you afterwards about that.

11 MR. PALERMO: Thank you.

12 HEARING OFFICER CIANCIARULO: Thank you.

13 MS. GURNEY: Hi. My name is Jackie Gurney. And I
14 was on the original Superfund committee. And I'm standing
15 here tonight, 20 years later. And I'm a little shocked that
16 you're talking about another 20 years to finish this
17 Superfund site.

18 HEARING OFFICER CIANCIARULO: That's your comment
19 here?

20 MS. GURNEY: I mean, the subject of hazardous
21 waste from Iron Horse Park, the asbestos, and you know it
22 was one of those dumps that used to be here. I'm surprised
23 that this is going to drag on for another 20 years.

24 I think, we should go with the five years.

25 HEARING OFFICER CIANCIARULO: Others wishing to

1 make a comment? The second time around?

2 Fair enough.

3 MR. JOHNSON: Missed the opportunity the first
4 time.

5 Since the --

6 HEARING OFFICER CIANCIARULO: Could you give your
7 name again, sir, name and address?

8 MR. JOHNSON: David Johnson, 113 Gray Street,
9 Billerica.

10 Since the -- what do they call that -- average
11 hydraulic conductivity of these wells is roughly 131 feet
12 per day, because the soil make up, there needs to be
13 extensive -- extended testing of these wells, to go beyond
14 the time period specified. The simple reason is that they
15 need to control off site migration should it be heading
16 toward the -- there are two aquifers. One of them is the
17 Shawsheen River Watershed, which is the one which most --
18 this particular wetlands is in. And then, there is the
19 Concord River Watershed, which the westerly side of the site
20 is in.

21 So, water flowing in either watershed affects the
22 water supplies. In fact, the Content Brook is considered a
23 navigable waterway of the United States, for the simple
24 reason that that water flows into the Shawsheen which flows
25 into the Merrimack, which is used to water crops that are

1 used in interstate commerce and those are -- the waters
2 taken out in Haverhill, Mass. So, that essentially makes
3 it, you can't put toothpaste in that water.

4 The -- it is necessary to make sure that these
5 other sites are not contaminated. So, you need to continue
6 the monitoring of the wells to make sure off site migration
7 of pollutants doesn't occur.

8 Thank you.

9 MR. SAMPSON: Mark Sampson, 4 Carnel Drive.

10 I just wanted to follow up on a comment that
11 Jackie had made a few minutes ago and ask the EPA to give us
12 more clarification in regards to the dependency of OU-4 on
13 OU-3.

14 Just to make sure I have the history correct, OU-3
15 was started in terms of testing, to figure out what to do,
16 in 1993. It took 11 years and that is in 2004, for the EPA
17 to finally decide on a plan to implement.

18 Since 2004, only one of the seven actions has been
19 even put under way. We haven't even completed one of those
20 seven.

21 So if I'm reading this correctly, I understand
22 that there is a dependency for OU-3 to be much further along
23 in order to even start OU-4. So this five-year plan, even
24 if we are successful in getting EPA to change to SD-6 as the
25 proposed plan, doesn't start -- the clock doesn't even start

1 ticking until OU-3 is much further along.

2 I'd like to understand from the EPA, in a formal
3 response, when OU-3 will be done, so that we can then gauge
4 how much longer after that it will take us to get OU-4
5 completed.

6 Thank you.

7 HEARING OFFICER CIANCIARULO: Thank you.

8 Others wishing to make a comment before I close
9 the hearing?

10 MS. DUROCHER: Hi. My name is Rachel Durocher and
11 I live at 137 Pollard.

12 I am not sure that I'm the last commenter or
13 someone else is coming up. But, just to put things in
14 perspective, I just thought it would be fair to mention
15 that, I was born in the '80s. And I just purchased a house
16 and wasn't told that it was within this contamination or
17 near it. And my property runs to the Concord River and I
18 live at the intersection of Pollard and High Street.

19 And I just would like to leave you with that kind
20 of thought of -- in terms of making some decisions so that
21 it's not another 20 years before someone is coming up here
22 to make a comment.

23 HEARING OFFICER CIANCIARULO: I don't see any
24 other hands of people wishing to make a comment.

25 So, I'm going to go ahead and officially close the

1 hearing.

2 The comments you made this evening, as well as
3 comments we receive in writing will be responded to in what
4 we call a responsiveness summary that will accompany our --
5 what's called a record of decision, our decision on the
6 cleanup plan.

7 I have extended the comment period tonight to
8 January 3rd. I understand, we have a request for additional
9 extensions that have been placed on the record here tonight.

10 I can't grant a further extension here tonight,
11 but, I will -- we will bring that back to our superiors and
12 take that under consideration.

13 So, with that, I'm going to officially close the
14 hearing. And we will stay behind to informally answer
15 questions one on one if you have any.

16 I appreciate your attendance, appreciate your
17 input. Thank you.

18 (Whereupon, at 8:29 p.m., the hearing was
19 concluded.)

CERTIFICATE OF REPORTER AND TRANSCRIBER

This is to certify that the attached proceedings
in the Matter of:

RE: PROPOSED CLEAN-UP PLAN FOR OPERABLE UNIT 4 AT THE
IRON HORSE PARK SUPERFUND SITE

Place: Billerica, Massachusetts

Date: November 9, 2010

were held as herein appears, and that this is the true,
accurate and complete transcript prepared from the notes
and/or recordings taken of the above entitled proceeding.

Maryann Rossi 11/09/10
Reporter Date

Maryann Rossi 12/14/10
Transcriber

Date