



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

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February 20, 2019

Ms. Carol Tucker
U.S. Environmental Protection Agency
Emergency Response & Removal Section
5 Post Office Square, Suite 100
Boston, Massachusetts 02109

RE: **FALL RIVER- BWSC**
Release Tracking Number: **4-0027582**
Former Healy School
726 Hicks Street
**REQUEST FOR EPA ASSISTANCE/REMOVAL
ACTION**

Dear Ms. Tucker:

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP) requests the assistance of the U.S. Environmental Protection Agency (EPA) to conduct a removal action at 126 Hicks Street, Fall River, Massachusetts (the Site).

On June 1, 2018, MassDEP received a complaint that a developer razed the former Healy Elementary School as part of a residential redevelopment project and that an excessive amount of dust was generated during the demolition. On June 5, 2018, MassDEP conducted an inspection of the site and observed demolition debris with material suspected of containing asbestos throughout the property and on adjacent residential properties as well as public roadways and sidewalks. During that inspection, samples of material suspected of containing asbestos were submitted for laboratory analysis which confirmed that the debris was asbestos-containing waste material (ACWM).

On June 12, 2018, MassDEP issued a Unilateral Administrative Order to the property owner (Spindle City Homes, Inc.) and to the demolition contractor (Richard Miranda Construction Company, Inc.) requiring that they secure and stabilize the Site. Although the owner of the property made some efforts to stabilize the Site (covering of portions of the site with poly sheeting), not enough progress has been made to mitigate the release or prevent migration of asbestos onto adjacent properties. Currently the poly sheeting is torn and has not been maintained in some time.

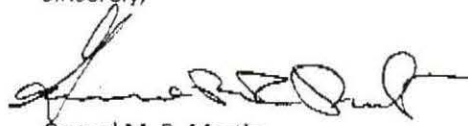
Neither Spindle City Homes, Inc. nor Richard Miranda Construction Company, Inc. has been able or willing to conduct the necessary response actions at the Site. MassDEP is mobilizing a state-funded emergency response contractor to consolidate the ACWM into manageable pile, cover the debris and ACWM with

reinforced poly sheeting and maintain the piles until the material can be properly disposed of. Given the presence of a large quantity of ACWM in close proximity of residential properties, and the temporary nature of covering the ACWM in-place, the imminent and substantial danger to human health will not be abated until the ACWM is removed from the Site.

MassDEP is requesting that EPA perform a removal action that consists of additional assessment of the extent of ACWM on the residential properties and proper disposal of the ACWM to eliminate imminent and substantial danger to human health.

Thank you in advance for your consideration of this EPA removal request. MassDEP looks forward to the continued partnership with your office in addressing real and potential releases of hazardous materials to the environment. If you have any questions please feel free to contact Jaime Goncalves at the letterhead address or at (508) 946-2773.

Sincerely,



Gerard M. R. Martin
Deputy Regional Director
Bureau of Waste Site Cleanup

GM/jg

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EC: Chief Municipal Officer
Board of Health

Spindle City Homes, Inc.
Attn: Mr. Eric J. Resendes, President

Richard Miranda Construction Company, Inc.
Attn: Richard Miranda, Sr., President

U.S. EPA
Marcus Holmes, MassDEP Liaison

DEP – Boston
Paul Locke, BWSC Assistant Commissioner
George Gardner, Director, Cost Recovery

DEP – SERO
Daniel Crafton, Section Chief – Emergency Response and Notification
Cynthia Baran, Section Chief – BAW Asbestos
John Handrahan, Data Entry
Lisa Ramos, REO