



Consultants | Engineers | Contractors

September 30, 2008

Massachusetts Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347


RE: Phase IV Final Inspection Report and Completion Statement
131 Main Street
Carver, MA
MADEP RTN:4-17582 and 4-17825

To Whom It May Concern:

A Phase IV Final Inspection Report (FIR) and Completion Statement have been submitted for the above-referenced location by uploading the document to e-DEP. Please note that ancillary documentation relating to this report is included within the Phase IV FIR.

If you have any questions or comments regarding this submittal, please do not hesitate to contact the undersigned at (401) 334-3313.

Sincerely,
Corporate Environmental Advisors, Inc.



Robert G. Sernoffsky
Senior Hydrogeologist

ADDRESS 1725 Mendon Road, Suite 201
Cumberland, RI 02864

TEL 401.334.3313

FAX 401.334.3312

WEB www.cea-inc.com

| Massachusetts | Connecticut | Rhode Island | New Hampshire |



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Southeast Regional Office
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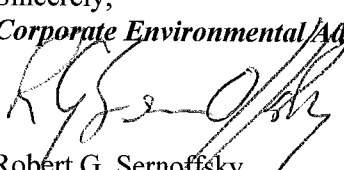
RE: Phase IV Final Inspection Report and Completion Statement
131 Main Street
Carver, MA
MADEP RTN: 4-17582 and 4-17825

To Whom It May Concern:

A Phase IV Final Inspection Report & Completion Statement have been submitted for the above-referenced location by uploading the document to e-DEP. Please note, these documents have been submitted to comply with 310 CMR 40.870 of the Massachusetts Contingency Plan (MCP), Administrative Consent Order with Penalty (ACOP) ACOP-SE-07-3R-003 and associated amendment #1.

If you have any questions or comments regarding this submittal, please do not hesitate to contact the undersigned at (401) 334-3313.

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**PHASE IV FINAL INSPECTION REPORT
AND COMPLETION STATEMENT**

September 30, 2008

Eagle Gas, Inc.

131 Main Street

Carver, Massachusetts

MA DEP RTN: 4-17582 & 4-17825

ACOP-SE-07-3R-003

CEA File # 6461-07

Prepared for:

EAGLE GAS, INC.

Represented by:

Mr. Najib Badaoui, President

131 Main Street

Carver, MA 02330

(508) 866-9098

Prepared by:

Corporate Environmental Advisors

127 Hartwell Street

West Boylston, MA 01583

(508) 835-8822

ADDRESS 1725 Mendon Road, Suite 201
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Appendix A - Permits

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1.0 INTRODUCTION

On behalf of Eagle Gas, Inc., Corporate Environmental Advisors, Inc. (CEA) presents this Phase IV Final Inspection Report (FIR) and Completion Statement for 131 Main Street in Carver, Massachusetts (hereinafter referred to as the "property" or "subject property"). The area impacted by the subject release shall be hereinafter referred to as the "site" or "disposal site," in accordance with the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000). A Site Locus is provided as **Figure 1**.

Response actions at the site are currently being conducted under two Release Tracking Numbers (RTNs) **4-17582** and **4-17825**. On January 21, 2003, **RTN 4-17582** was assigned by the Massachusetts Department of Environmental Protection (MADEP) in response to a measured thickness of Non-Aqueous Phase Liquid (NAPL) greater than 0.5 inches in a monitoring well located on the subject property. On May 16, 2003, **RTN 4-17825** was assigned by the MADEP for a sheen detected on surface water and the associated condition of Substantial Release Migration. The disposal site boundaries for **RTN 4-17825** include the municipal storm drainage line between the subject property (Eagle Gas, Inc.) and the discharge point at South Meadow Brook, the outfall area at South Meadow Brook and the surface water and sediment in the immediate vicinity of South Meadow Brook. The Site is classified as a Tier IA disposal site.

Pursuant to 310 CMR 40.0878 CEA has conducted a final inspection of the Comprehensive Remedial Actions (CRA) presented in the Phase IV Remedy Implementation Plan (RIP). The purpose of this report is to document the final inspection to ensure that:

The CRA has been constructed in accordance with 310 CMR 40.0874(3)(c) and appropriate modifications to such plans; and,

Following initial implementation and operation and any modifications or adjustments necessary to optimize the performance of the remedial system, the CRA is meeting projected design standards.

Supporting documentation for the final inspection findings was submitted to the MADEP in the August 2008 Phase IV Status Report.

2.0 FINAL INSPECTION ACTIVITIES

2.1 Evaluation of HVE System

A High Vacuum Extraction (HVE) system was designed to recover impacted groundwater, soil vapor and NAPL from the Site and prevent the migration of contaminants to the discharge outfall located at South Meadow Brook. This remedial alternative has been designed to achieve a Permanent Solution at the Site. System design and construction are detailed in the Phase IV RIP As-Built Construction Report submitted to MADEP on January 2, 2008. A Process &



Instrumentation Diagram is provided as **Figure 2** and a Site Layout with Groundwater Contours is provided as **Figure 3**.

The HVE system was designed to discharge treated groundwater to an onsite recharge gallery and was activated January 29, 2008. The infiltration gallery was unable to disperse the water effectively in the subsurface and the system shut down due to a high water alarm in the discharge gallery.

On March 25, 2008 CEA submitted a Notice of Intent (NOI) to the US Environmental Protection Agency (EPA) to discharge the treated groundwater to the storm drain located beneath Main Street. In correspondence dated April 17, 2008, the EPA authorized the discharge in accordance with the provisions of Remediation General Permit (RGP) Authorization # MAG910335. The discharge line for the HVE system was connected to catch basin CB-1 on April 7, 2008. This represents the only material modification to the design as outlined in the RIP.

The HVE system was re-started April 25, 2008 with influent and effluent concentrations monitored in accordance with the RGP. HVE operational data were summarized in the August 2008 Phase IV Status Report, indicating that the HVE system has been effectively meeting design standards. Specifically, the Phase IV Status Report indicated that:

- The system has treated approximately 93,000 gallons of groundwater and has recovered approximately 10 gallons of NAPL;
- No volatile organic compounds or total petroleum hydrocarbons have been detected above laboratory reporting limits in the effluent samples collected since system start-up; and,
- An evaluation of pre- and post-system gauging data demonstrates the system has been effectively removing NAPL and is creating a zone of lower hydraulic head (**Figure 3** reveals the affect of the remedial system on the local water table).

Periodic adjustments based on field observations will be required during Phase V operations to optimize system performance. The HVE system shall be operated, maintained and monitored until NAPL is no longer observed in Site monitoring wells, influent liquid and vapor concentrations of the HVE system reach asymptotic levels and soluble phase hydrocarbons in groundwater reach asymptotic levels. Based on field observations, the operation of the HVE system is to be followed by in-situ chemical oxidation and/or monitored natural attenuation as stated in the Phase IV RIP.

2.2 Evaluation of South Meadow Brook Outfall

As stated in the RIP, response actions conducted within the local resource area will be coordinated with the Town of Carver and appropriate Town offices. Though it does not appear that the South Meadow Brook outfall area will require CRAs, limited removal of soil and sediment along with removal of the in-situ containment dike and oil/water separator will be



conducted. A Notice of Intent (NOI) has been submitted to the Town of Carver Conservation Commission for this work. This work is currently pending a Carver Conservation Commission Order of Conditions, and will be conducted and documented during Phase V operation of CRA.

2.3 Operation, Maintenance and/or Monitoring Plan

The monitoring program developed for the Phase IV RIP took into account existing Immediate Response Actions (IRAs) that are no longer necessary. As such, CEA recommends focusing the Phase V Operation, Maintenance and/or Monitoring (OMM) Plan to adequately monitor progress at the site. This section provides the rationale for modifications to the OMM Plan.

Four private drinking water supply wells are currently sampled annually for volatile organic compounds (VOCs) by EPA Method 524.2. The well located at 134 Main Street has not exhibited impact and has been sampled since 1999. The new well installed at 132 Main Street has been sampled since 2004 and has not exhibited impact. The well located at 133 Main Street has not shown impact since 2004. In addition, monitoring wells FF-1 through FF4 have been monitored but do not exhibit impact. It appears there is sufficient evidence to suggest that these wells are outside the disposal site area and no longer require monitoring. Monitoring of the private, drinking water supply wells will be performed periodically during Phase V activities to maintain Remedy Operation Status.

The well located at 131 Main Street (the Site) has exhibited concentrations of OHM in excess of laboratory method detection limits indicative of a complete exposure pathway. However, concentrations of OHM have not been detected in excess of MCP Method 1, GW-1 Groundwater Standards. Based on laboratory analytical results of potable samples collected from the onsite well, there is no substantial hazard and there is no significant risk associated with the well. Although the site is serviced by a private well, currently the private water supply is not used for consumption. The property owner/operator supplies bottled water to the site for consumption. In addition, currently there is no resident occupying the on-site apartment.

CEA will continue to monitor the private drinking water well located at 131 Main Street (the Site). In accordance with the Phase IV RIP, a point of entry treatment (POET) system consisting of (2) 80-pound carbon filter units connected in series is being plumbed to this well. The POET system effluent will be sampled for VOCs using EPA Method 524.2. POET system sampling will be conducted monthly for the first year and annually thereafter.

The RGP establishes sampling frequencies and standards, effluent limitations, and best management practices for discharges from remediation activities associated with disposal sites. Operation and maintenance for the system will not require modifications to the OMM Plan. However, the influent and effluent water samples associated with the HVE system will be monitored in accordance with the provisions established in the RGP as submitted in the Phase IV Status Report. A copy of RGP Authorization # MAG910335 is provided as **Appendix A**. CEA will continue to monitor the HVE system vapor-stream using a photo-ionization detector, and



laboratory analysis if needed, to evaluate off-gas treatment and document compliance with DEP Policy #WSC-94-150 *Off-gas Treatment of Point-Source Remedial Air Emissions*.

CEA will continue the quarterly groundwater gauging and sampling of key monitoring wells. Quarterly groundwater samples will be analyzed for VPH using MADEP Methodology. Select monitoring wells will be field-measured for dissolved oxygen, nitrate, sulfate, iron, oxygen reduction potential, and/or pH on a semi-annual basis for the first year. These parameters will be measured to monitor the progress of biological activity related to the attenuation and degradation of OHM. Results of these field measurements, in addition to VPH analysis, will aid in evaluating the effectiveness of the remedial alternative. Sampling and analysis frequency for these parameters will be modified, if necessary, based on the results.

In addition, the Phase IV RIP OMM Plan included collection and analyses of surface water samples collected from the in-situ containment dike and oil/water separator located at the storm sewer outfall to South Meadow Brook. As this structure is no longer needed and will be removed shortly, there is no longer any need to monitor this surface water. However, periodic inspections of the outfall area will be conducted on a quarterly basis during the Remedy Operation Status (ROS) monitoring period.

To maintain ROS, monitoring results will be reported semi-annually in Phase V Status Reports and Remedial Monitoring Reports.

3.0 PERMITS

Treated groundwater is indirectly discharged from the onsite HVE to South Meadow Brook through the municipal storm drain in accordance with the provisions of the Remediation General Permit Authorization # MAG910335. Authorization for discharge was certified on April 22, 2008 by the Carver Conservation Commission under a WPA Emergency Certification Form, pending a review of the NOI. The NOI submitted to the Carver Conservation Commission also requests authorization for the limited soil and sediment removal during removal of the in-situ containment dike and oil/water separator located at South Meadow Brook (DEP File No. SE 126-440). Copies of discharge permits are provided as **Appendix A**. Also included in **Appendix A** is a draft of Special Conditions (Attachment "A") associated with the Order of Conditions.

4.0 REMEDY OPERATION STATUS SUBMITTAL

In accordance with 310 CMR 40.0893, it has been determined that the Performance Standards for Remedy Operation Status have been achieved at the Disposal Site. A Remedy Operation Status Submittal is being filed concurrently with this report, under separate cover. Information and data on the operation and maintenance and/or monitoring of the remediation system will be summarized and submitted to the MADEP in semi-annual Status and Remedial Monitoring Reports in accordance with 310 CMR 40.0893(e) and 40.0892. The first Phase V Status Report is due April 2009.



5.0 FINAL INSPECTION FINDINGS

The results of final inspection activities indicate the following:

- The Comprehensive Remedial Action (the HVE system) was constructed in accordance with construction plans presented in the July 2007 Phase IV RIP.
- The HVE system is operating in accordance with the Phase IV RIP.
- The performance standards for Remedy Operation Status have been achieved and maintained for the Disposal Site.
- Phase V Operation, Monitoring and Maintenance activities will be conducted to achieve a Permanent Solution. Inspection and Monitoring reports will be submitted on a semi-annual basis.

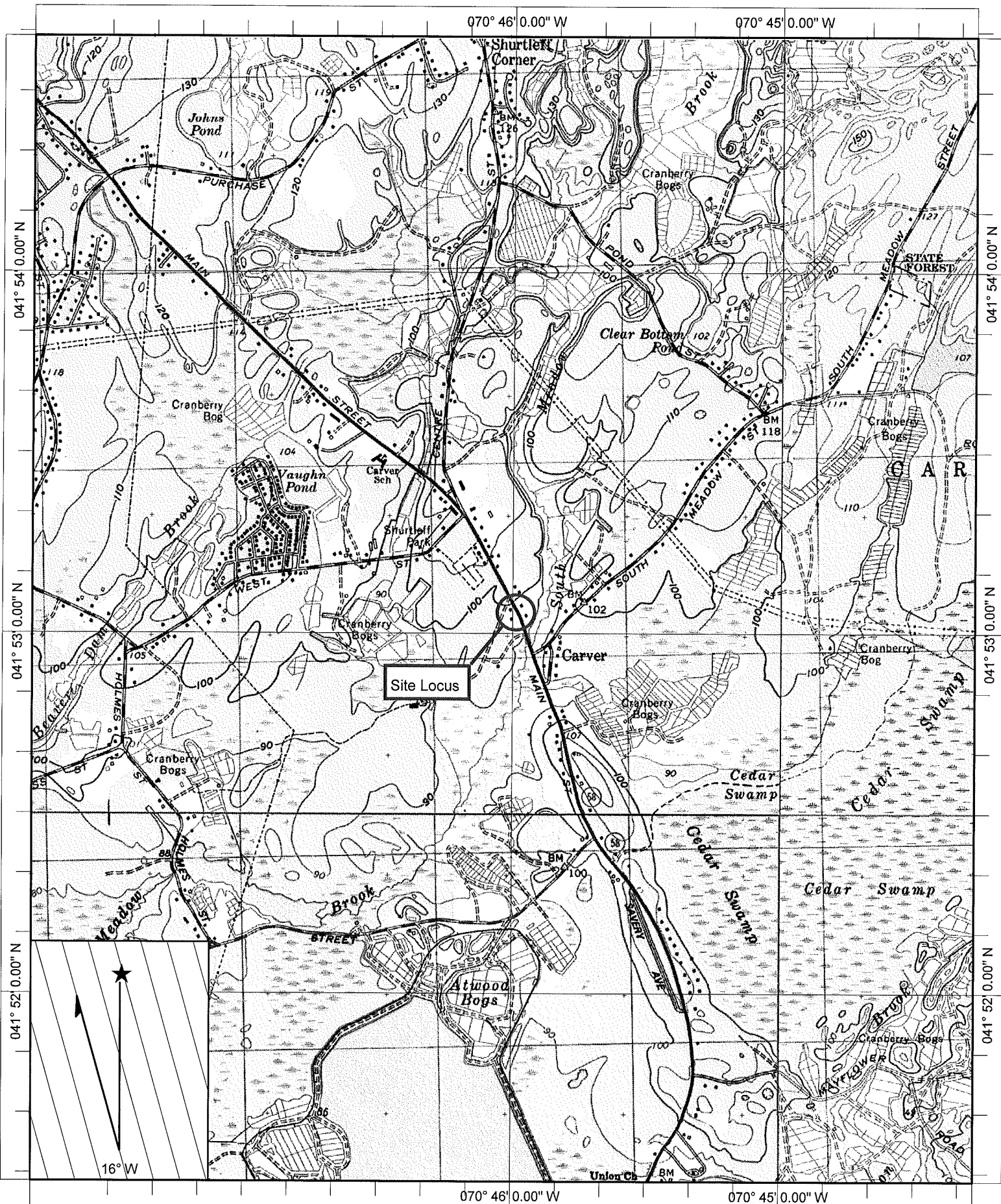
6.0 PUBLIC INVOLVEMENT

Copies of the letters informing the Town of Carver Health Department and Chief Municipal Officer of the availability of the Phase IV Final Inspection Report and Completion Statement are attached as **Appendix B**.



FIGURE 1

Site Locus

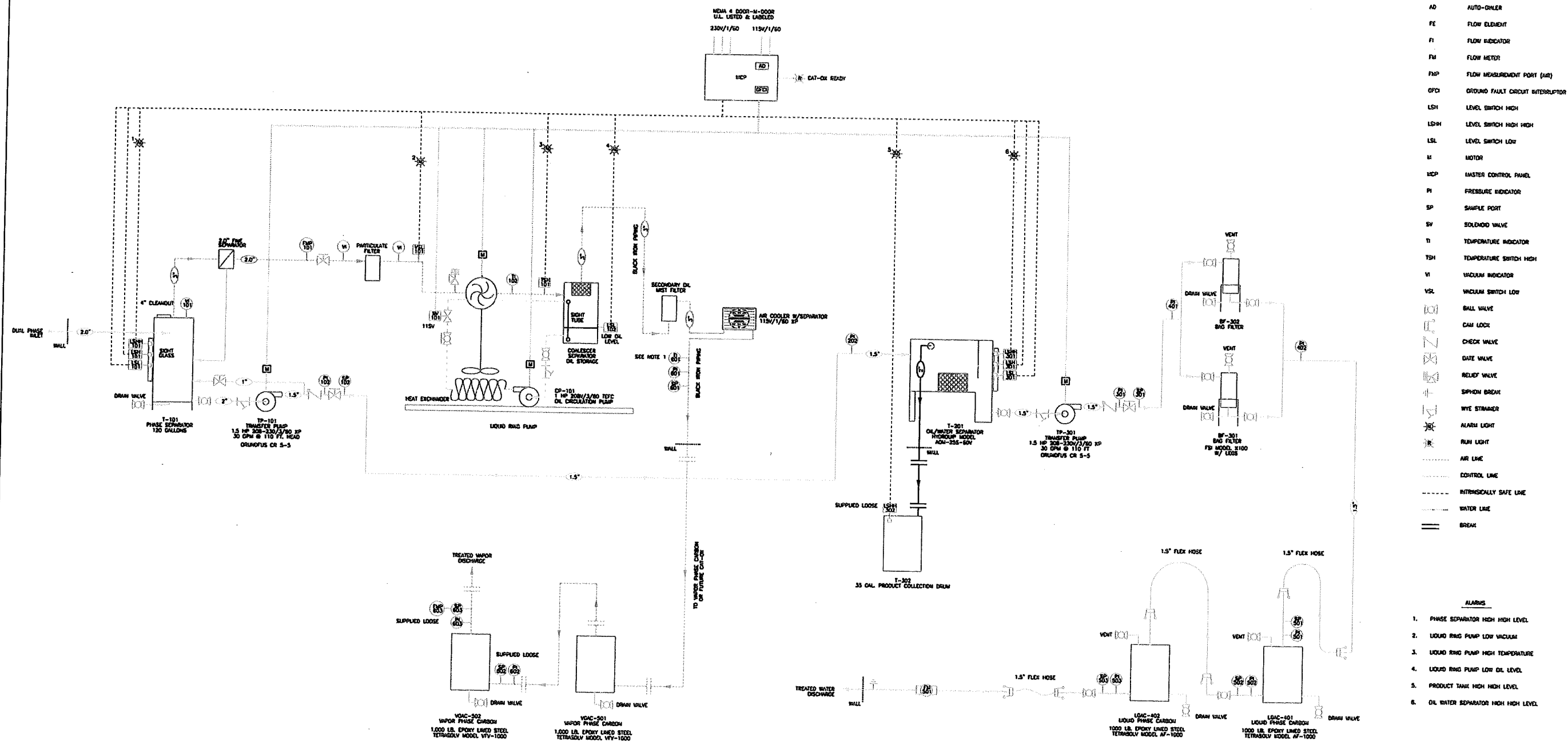


Name: PLYMPTON
 Date: 6/13/2007
 Scale: 1 inch equals 2000 feet

Location: 041° 53' 03.9" N 070° 46' 01.9" W
 Caption: Figure 1
 Site Locus
 131 Main Street

FIGURE 2

Process & Instrumentation Diagram



INTERLOCK SCHEDULE	
DESIGNATOR	FUNCTION
LSH-101	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE OFF
LSH-101	TP-101 ON
LSL-101	TP-101 OFF
VSL-101	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE OFF
TSH-101	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE OFF
LSL-102	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE OFF
LSHM-301	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE OFF, TP-101 OFF
LSH-301	TP-301 ON
LSL-301	TP-301 OFF
LSHM-302	LSP-101 OFF, CP-101 OFF, SV-101 CLOSE, TP-101 OFF
NOTES	
VSL-101 WILL HAVE A 10 SEC. TIME DELAY	
LSL-102 WILL HAVE A 5 SEC. TIME DELAY	
SYSTEM IS EQUIPPED WITH AN OFF GAS SELECTOR SWITCH FOR LSP-101. IN THE CARBON POSITION, LSP-101 RUNS ALL OF THE TIME UNLESS IT IS STOPPED DUE TO A FAULT LISTED ABOVE. IN THE OFF GAS POSITION, A CARBON READY SIGNAL MUST BE PRESENT TO RUN LSP-101.	
WHEN LSP-101 IS STOPPED UNDER NORMAL CONDITIONS, CP-101 WILL TURN OFF IMMEDIATELY AND SV-101 WILL CLOSE IMMEDIATELY. LSP-101 WILL CONTINUE RUNNING FOR 30 SECONDS BEFORE SHUTTING DOWN.	
WHEN LSP-101 IS STOPPED DUE TO AN ALARM CONDITION, CP-101 WILL TURN OFF IMMEDIATELY AND SV-101 WILL CLOSE IMMEDIATELY.	

NOTE:
1. VAPOR DISCHARGE TEMPERATURE TO BE LESS THAN 120 ° F AT DESIGN CONDITIONS WHEN READING TI-102.

C-EA CORPORATE ENVIRONMENTAL
ADVISORS, INC.

Groundwater - Geotechnical and Environmental Services
177 HARRISON ST., WOBURN, MA 01801

SCALE: NOT TO SCALE

DR. BY: K. HAZEL

DATE: 6/26/07

APP. BY: CG

JOB NO.: 6461-07

HIGH VACUUM EXTRACTION (HVE) SYSTEM DIAGRAM
PROCESS & INSTRUMENTATION

EAGLE GAS

FIGURE- 2

131 MAIN STREET CARVER, MA.

FIGURE 3

Site Layout with Groundwater Contours

APPENDIX A

Permits



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 17, 2008

Christopher E. Gill, R.I. Regional Manager
Corporate Environmental Advisors, Inc.
1725 Mendon Road, Suite 201
Cumberland, RI 02864

Re: Authorization to discharge under the Remediation General Permit (RGP) – MAG910000.
Eagle Gas, Inc., site at 131 Main Street, Carver, MA 02330-1374; Authorization #MAG910335.

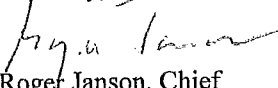
Dear Mr. Gill:

Based on the review of your notice of intent (NOI) for the site referenced above, the US Environmental Protection Agency (EPA) hereby authorizes you to discharge in accordance with the provisions of the RGP at that site. Your authorization number is listed above.

The enclosed checklist designates the monitoring parameters applicable to your discharge. Please note that because the treated effluent will be discharge to a brook with limited dilution the effluent concentration is subject to the 0- 5 Dilution Rate Concentration. Note also, that the checklist does not represent the complete requirements of the RGP. Operators must comply with all of the applicable requirements of this permit, including influent and effluent monitoring, narrative water quality standards, record keeping, and reporting requirements, found in Parts I and II, and Appendices I – VIII of the RGP. See EPA's website for the complete RGP and other information at:
<http://www.epa.gov/region1/npdes/mass.html#dgp> . This general permit and authorization to discharge expire on September 9, 2010. This project reportedly will terminate April 1, 2011. Please be aware of the need to reapply 60 days prior to the expiration date. If the project terminates before the permit expiration date, EPA requests that a Notice of Termination (NOT) is submitted to the attention of the contact person indicated below within 30 days of project completion.

Thank you in advance for your cooperation in this matter. Please contact Victor Alvarez at (617) 918-1572 or Alvarez.Victor@epa.gov, if you have any questions.

Sincerely,


Roger Janson, Chief
Municipal Permits Branch

Enclosure

cc: Paul Hogan, Mass DEP

SUMMARY OF MONITORING PARAMETERS¹ UNDER THE REMEDIATION GENERAL PERMIT (RGP)

Facility/Site Name: EAGLE GAS, INC.

Facility/Site Address: 131 MAIN STREET, CARVER, MA 02330-1374

Sub-category - Gasoline Only (Vacuum extration) - Estimated date of completion April 1, 2011

Permit # MAG910355

Permit Issued: April 17, 2008

Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)	Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)
✓	1. Total Suspended Solids (TSS)		27. Trichloroethylene (TCE)
✓	2. Total Residual Chlorine (TRC)	✓	28. Vinyl Chloride (Chloroethene)
✓	3. Total Petroleum Hydrocarbons (TPH)	✓	29. Acetone
	4. Cyanide (CN) ²		30. 1,4 Dioxane
✓	5. Benzene (B)		31. Total Phenols
✓	6. Toluene (T)		32. Pentachlorophenol (PCP)
✓	7. Ethylbenzene (E)		33. Total Phthalates
✓	8. (m,p,o) Xylenes (X)		34. Bis (2-Ethylhexyl) Phthalate
✓	9. Total BTEX ³		35. Total Group I Poly. Aromatic Hyd.
	10. Ethylene Dibromide (EDB)		a. Benzo(a) Anthracene
✓	11. Methyl-tert-Butyl Ether (MtBE)		b. Benzo(a) Pyrene
✓	12. tert-Butyl Alcohol (TBA)		c. Benzo(b)Fluoranthene
✓	13. tert-Amyl Methyl Ether (TAME)		d. Benzo(k)Fluoranthene
✓	14. Naphthalene		e. Chrysene
✓	15. Carbon Tetrachloride		f. Dibenzo(a,h)anthracene
	16. 1,4 Dichlorobenzene (p-DCB)		g. Indeno(1,2,3-cd) Pyrene
	17. 1,2 Dichlorobenzene (o-DCB)		36. Total Group II Polycyclic Aromatic Hydrocarbons
	18. 1,3 Dichlorobenzene (m-DCB)	✓	h. Acenaphthene
	18.a. Total dichlorobenzene		i. Acenaphthylene
✓	19. 1,1 Dichloroethane (DCA)		j. Anthracene
✓	20. 1,2 Dichloroethane (DCA)		k. Benzo(ghi) Perylene
	21. 1,1 Dichloroethylene (DCE)		l. Fluoranthene
	22. cis-1,2 Dichloro-ethylene (DCE)	✓	m. Fluorene
	23. Dichloromethane (Methylene Chloride)		n. Naphthalene
	24. Tetrachloroethylene (PCE)		o. Phenanthrene
	25. 1,1,1 Trichloro-ethane (TCA)		p. Pyrene
✓	26. 1,1,2 Trichloro-ethane (TCA)		37. Total Polychlorinated Biphenyls (PCBs)

Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)	Monitor checked parameters	Parameter to be monitored (see Parts I.C. and I.D. and Appendix III of the RGP for specific limits and requirements)
	38. Antimony	✓	52. Total Flow
	39. Arsenic	✓	53. pH Range for Class A & Class B Waters in MA
✓	40. Cadmium		54. pH Range for Class SA & Class SB Waters in MA
✓	41. Chromium III (trivalent)		55. pH Range for Class B Waters in NH
	42. Chromium VI (hexavalent)		56. Daily maximum temperature - Warm water fisheries
✓	43. Copper		57. Daily maximum temperature - Cold water fisheries
✓	44. Lead		58. Maximum Change in Temperature in MA - Any Class A water body
	45. Mercury		59. Maximum Change in Temperature in MA - Warm Water
✓	46. Nickel		60. Maximum Change in Temperature in MA - Cold Water and Lakes/Ponds
✓	47. Selenium		61. Maximum Change in Temperature in MA -Coastal
	48. Silver		62. Maximum Change in Temperature in MA - July to September
✓	49. Zinc		63. Maximum Change in Temperature in MA - October to June
✓	50. Iron		
✓	51. Instantaneous Flow		

Footnotes:

1. This checklist does not represent the complete requirements of the RGP. Operators must comply with all of the applicable requirements of the remediation general permit (RGP), including influent monitoring, narrative water quality standards, etc. Operators must follow the RGP, including Parts I, II, and Appendices I - VIII in order to comply with the specific applicable requirements.

2. Limits for cyanide are based on EPA's water quality criteria expressed as micrograms (ug) of free cyanide per liter. There is currently no EPA approved test method for free cyanide. Therefore, total cyanide must be reported.

3. BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.



Cranberry Land USA
Carver Conservation Commission

Town Hall, 108 Main Street
Carver, Massachusetts 02330

To: Rob Sernoffsky, CEA

FAX: 401-334-3312

From: Sarah Hewins, Agent *SH*

Date: 4/22/-08

Telephone: 508-866-3482

Fax: 508-866-3430

RE: Eagle Gas, Inc., 131 Main St., Carver, MA. Expedited LNAPL/Impacted groundwater removal under Immediate Response Action While NOI is being prepared.

Rob,

I have heard back from Victor Alvarez at EPA and my understanding is that he is satisfied that the South Meadow Brook would be safe taking the effluent from the water treatment system in place at Eagle Gas—as EPA understands the situation.

I have faxed an Emergency Certification Form since this is a case of an Immediate Response Action approved by the DEP. Please note the 2 conditions of this Certification:
1) Please file a NOI by 5/21/08 with the Carver Conservation Commission. 2) Please also make sure that no other discharge or alteration to the Brook occurs without further authorization from the Commission.

If approved, the Commission will ratify the Emergency Certificate at their 7 May 2008 meeting.

Thank you. -Sarah



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Emergency Information

Important:
When filling out
forms on the
computer, use
only the tab
key to move
your cursor -
do not use the
return key.



- Issuance From:** Carver Conservation Commission
Issuing Authority: Eagle Gas, Inc., 131 Main Street, Carver, MA
1. **Site Location:** Eagle Gas, Inc., 131 Main Street, Carver, MA
2. **Reason for Emergency:**
Expedited LNAPL/Impacted groundwater removal under Immediate Response Action while Notice Of Intent is prepared
3. **Applicant to perform work:** Eagle Gas, Inc.
4. **Public agency to perform work or public agency ordering the work to be performed:**
Requested by Carver Conservation Commission while NOI is prepared
5. **Date of Site Visit:** 4/18/08 **Start Date:** 4/21/08 **End Date*:** 6/20/08
* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.
6. **Work to be allowed*:**
Allow discharge from remedial system under RGP to South Meadow Brook via existing stormwater conveyance and periodic maintenance of outlet dike. Remedial system is part of an Immediate Response Action detailed in Phase IV Remedy Implementation Plan (RTN: 4-17825 and 4-17582).

* May not include work beyond that necessary to abate the emergency.

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Signatures:

Chairman (or designee)

Date

4/22/08
Sandra G. Harris, Agent

A copy of this form must be provided to the appropriate DEP Regional Office.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Emergency Certification Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.

D. Special Conditions

This work is required by the Massachusetts Department of Environmental Protection and is being conducted in accordance with the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000).

1. No other discharge to stream other than EPA-approved treated water.
2. File NOI with Lower Con Comm before 5/21/08.

E. Appeals

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.



DRAFT



Cranberry Land USA
Carver Conservation Commission

Town Hall, 108 Main Street
Carver, Massachusetts 02330

Telephone 508-866-3482
Fax 508-866-3430

ATTACHMENT "A":

Special Conditions for DEP file #SE 126-440:

Applicant: Najib Badaoui/Eagle Gas, Inc.;

**Project Location: South Meadow Brook @ South Meadow Road and Main Street;
originates at 131 Main Street, Carver, Map 74, Lot 17;**

Property recorded at Plymouth County Registry of Deeds, Book 25258, Page 112.

1. Removal of Containment Dike and Soil Excavation at the outfall to the South Meadow Brook at South Meadow Road and Main Street shall be conducted according to these Special Conditions and as outlined in Attachment "C," a letter entitled "Notice of Intent Addendum," to the Conservation Agent, dated September 11, 2008, from CEA consultants. Any Special Conditions listed in Attachment "A" that are more stringent than those found in Attachment "C" shall supersede those in Attachment "C."
2. The property owner shall provide to the Conservation Commission and their Agent a copy of the Risk Assessment Report for the sediment samples that were taken from the South Meadow Brook in December 2007 upon completion of the Report.
3. The property owner shall also provide to the Commission and their Agent a copy of his Licensed Site Professional's opinion as to the need for remediation at this Brook.
4. The property owner shall forward all comments from the Department of Environmental Protection and from the DEP's Office of Research and Standards in Risk Analysis regarding this site and regarding the Risk Assessment Report to the Commission and its Agent.
5. Access to the work area shall be from Main Street to the outfall along the former Main Street road bed.
6. Minimum pruning of trees and shrubs along the Main Street road bed and in the area of the sand bag structure shall be performed. Pruning debris shall be disposed of

properly off-site. The pruning shall be limited in scope to prevent deleterious impact to surrounding vegetation.

7. The perimeter of the work area shall be lined with hay bales and silt fencing as shown on Attachment "B" and on the plan entitled, "Sediment Sample Locations," dated 9/1/1/08, by CEA, and attached here as Attachment "D." Agent shall be contacted for inspection of the site after siltation barriers are installed.
8. Sediment build-up in the separator shall be removed for proper off-site disposal.
9. The sand bags that comprise the sidewalls, interim walls, and bottom of the containment structure shall be removed for proper off-site disposal. The sand bag wall closest to the Brook shall be left in place until completion of the project.
10. Approximately 12 inches of soil located beneath the structure shall be excavated and removed for proper off-site disposal.
11. Approximately three post-excavation soil samples shall be collected from the native soil in the area after removal of the structure. The samples shall be submitted for laboratory analysis of EPH and VPH.
12. The bottom of the excavation area shall be lined with siltation fabric and the remainder shall be back-filled with energy-dissipating rip-rap.
13. After construction of the energy-dissipating rip-rap, the outer wall of the sand bags shall be removed and transported off-site for proper disposal.
14. All disturbances to the wetlands area shall be minimized and the area shall be returned to as close to its previous condition as feasible.
15. Agent shall be contacted for inspection of the area after construction of the energy-dissipating rip-rap.
16. The outfall of the existing 24-inch RCP storm sewer shall be improved with an energy-dissipater created by an apron of 4- to 8-pound rip-rap or angular aggregate as shown on Figures 1 and 2 (see Attachment "E," entitled "Outfall Rip-Rap Construction Detail."
17. A minimum of 6 inches of rip-rap stone shall be placed on the filter fabric.
18. These improvements are designed to minimize the impact of construction within the wetland and riverfront resource areas, to dissipate surge associated with storm water flow into the Brook, and to reduce potential future erosion.
19. No further construction or alteration of topography shall occur within 100 feet of the wetland resource area or within 200 feet of the South Meadow Brook without filing for a new permit from the Carver Conservation Commission.
- 20.
21. A Certificate of Compliance shall be requested by the applicant within three years of the issuance of this Order of Conditions.
22. Special Conditions # _____ shall not expire with this Order of Conditions.

APPENDIX B

Public Notification Letters



Consultants | Engineers | Contractors

September 30, 2008

Mr. Richard J. LaFond, Town Administrator
TOWN OF CARVER
108 Main Street
Carver, Massachusetts 02330

**RE: Notice of Availability of a Phase IV Final Inspection Report
And Completion Statement**
131 Main Street
Carver, Massachusetts 02330
DEP Release Tracking Numbers 4-17582 & 4-17825
CEA File Number 6461-07

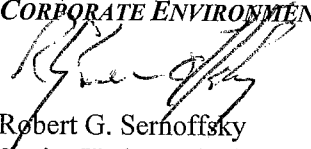
Dear Mr. LaFond:

As promulgated within 310 CMR 40.1403(3)(e) of the Massachusetts Contingency Plan (MCP), this letter serves as official notification that a Phase IV Final Inspection Report and Completion Statement for the above-referenced location have been filed with the Massachusetts Department of Environmental Protection (MADEP) Southeast Regional Office.

The documents are available for review at the MADEP office located at 20 Riverside Drive in Lakeville, Massachusetts (508-792-7683). If you have any questions regarding this submittal please contact either of the undersigned at (401) 334-3313.

Sincerely,

CORPORATE ENVIRONMENTAL ADVISORS, INC.


Robert G. Sernoffsky
Senior Hydrogeologist



Christopher E. Gill
Regional Manager

cc: MADEP, Southeast Regional Office



September 30, 2008

Mr. Robert Tinkham, Jr.
CARVER BOARD OF HEALTH
108 Main Street
Carver, Massachusetts 02330


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And Completion Statement**
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