

# CMG ENVIRONMENTAL, INC.

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August 19, 2004

Mr. Edwin P. Madera  
Raytheon Integrated Defense Systems  
528 Boston Post Road  
Mail Stop 1880  
Sudbury, MA 01776

**Re: Public Commentary on July 20, 2004  
Draft Immediate Response Action (IRA) Completion Report  
Former Raytheon Facility, 430 Boston Post Road, Wayland MA  
DEP RTNs 3-13302 & 3-19482; CMG ID 2002-003**

Dear Mr. Madera:

The following are my public comments on the July 20, 2004 Draft IRA Completion Report for the former Raytheon facility in Wayland, Massachusetts (the Site) prepared by Environmental Resources Management (ERM). For the record, the Wayland Board of Selectmen has retained me to provide technical review of document submittals and other activities at the Site on behalf of the Town of Wayland, especially those that pertain to satisfying requirements of the Massachusetts Department of Environmental Protection (DEP) and the Massachusetts Contingency Plan ("MCP," 310 CMR 40.0000).

## **I) VERIFICATION OF NO EXISTING IMMINENT HAZARD CONDITION**

Wayland has only one significant concern regarding completion of the ongoing IRA: we have not yet seen any documentation from Raytheon or ERM to confirm no Imminent Hazard (IH) condition currently exists at the former contaminated sediment stockpile area of the Site due to the presence of arsenic, chromium, or polychlorinated biphenyls (PCBs) in surficial soils. Section 310 CMR 40.0321(2)(b) of the MCP defines conditions that would constitute an IH, including:

- Contamination in surficial soil (within upper 12 inches) by arsenic greater than 40 mg/Kg, total chromium greater than 200 mg/Kg, or PCBs greater than 10 mg/Kg;
- Contaminated soil is located within 500 feet of a residence, school, playground, recreation area, or park; and
- There is no physical barrier to access contaminated soil such as fencing or paving.

The second and third conditions (location within 500 feet of recreation area and no physical barrier present) are certainly true at this portion of the Site now that ERM has removed the stockpile area pavement. The Town requests that Raytheon provide documentation in your final IRA Completion Report that you have conducted an IH evaluation in accordance with 310 CMR 40.0421(2) and 40.0950, and definitively state whether or not an IH condition currently exists at the Site.

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The rest of my comments on the draft IRA Completion Report are far less urgent.

## **II) CONCERN REGARDING APPROPRIATENESS OF IRA**

There is a fundamental dilemma with the IRA conducted for release tracking number (RTN) 3-13302. The trigger for conducting this IRA was the need to ‘abate, prevent, or eliminate an Imminent Hazard to the environment’ per 310 CMR 40.0411(1)(a). However, as documented in ERM’s June 26, 2000 written IRA Plan, subsequent IRA Status Reports, and now the draft IRA Completion Report, the only IRA activity specifically conducted for RTN 3-13302 was assessment.

By now all interested parties should be well aware that between October 2003 and February 2004 Raytheon conducted extensive remediation via excavation of contaminated sediment from approximately 1.8 acres of wetland at the Site. These activities occurred under the overlapping jurisdictions of the U.S. EPA (per the September 10, 2003 “Application for Risk-Based Disposal Approval”); DEP (per the December 30, 2002 “Phase IV Remedy Implementation Plan”); and the Wayland Conservation Commission (per Order of Conditions 322-553, issued September 26, 2003). Remediation in the Site wetlands appears to have successfully eliminated the observed IH condition of stunted vegetation through its removal, along with associated contaminated wetland soils and sediment.

Therefore, the IRA condition that prompted two-hour notification (which DEP initially identified as RTN 3-19482, and Raytheon subsequently linked to the primary RTN 3-13302) is no longer present at the Site, as a result of ‘Comprehensive Response Actions’ (to use MCP terminology), while the only documented IRA activity was assessment. Thus some confusion remains regarding which MCP terminology is more appropriate to label the remediation activities Raytheon and ERM recently completed. Nevertheless, Wayland is relieved that Raytheon has finally addressed and corrected this long-standing environmental problem.

## **III) REMEDIATION WASTE**

Pursuant to 310 CMR 40.0427(6), DEP does not consider an IRA complete “until all stockpiled/ stored Remediation Waste generated as a result of the [IRA] is removed from the site” (with certain exceptions). The Town is concerned that there is no documentation of remediation waste disposal in the draft IRA Completion Report. ERM does state on page 5 that “documentation for [remediation waste] disposal activities will be provided under the Phase IV completion report.” Wayland requests that in your final IRA Completion Report, Raytheon provide at least a summary of the total amount of remediation waste generated, the dates of generation, the disposal location(s), and dates of off-Site transport.

## **IV) CONCERN REGARDING DATE OF IRA COMPLETION**

The Town is concerned that Raytheon not close out the Site IRA prematurely. According to the most recent (July 30, 2004) ERM “Inspection Report” for the wetlands remediation, there is still a small amount of follow-up excavation yet to complete to address residual polynuclear aromatic hydrocarbons present above their RCS-1 reportable concentrations. ERM had not conducted this follow-up excavation as of August 12, 2004. Wayland believes that Raytheon should not submit the final IRA Completion Report to DEP until you have received laboratory results documenting that no significant contamination remains at the Site in any way attributable to the IH condition of stunted wetlands vegetation.

As always, I thank you in advance for your timely response to this commentary on behalf of the Town of Wayland.

Sincerely,  
CMG ENVIRONMENTAL, INC.



Benson R., Gould, LSP, LEP  
Principal

cc: Environmental Resources Management (John C. Drobinski, P.G., LSP)  
Mr. Devins Hamlen, Wayland  
Mr. J. Andrew Irwin, Wayland  
Ms. Anette Lewis, Wayland  
Massachusetts DEP (Pat Donahue, Larry Immerman, Karen Stromberg)  
National Parks Service (% Jamie Fosberg)  
Mr. Lewis Russell, Wayland  
Mr. Harvey and Ms. Linda Segal, Wayland  
Ms. Kimberly Tisa, U.S. EPA Region I  
Wayland Board of Health PIP Repository (% Steve Calichman, Health Director)  
Wayland Board of Selectmen (% Executive Secretary Jeff Ritter)  
Wayland Business Center, LLC (% Paula Phillips, Congress Group Ventures)  
Wayland Conservation Commission (% Brian Monahan)  
Wayland Public Library PIP Repository (% Ann Knight)  
Wayland Water Department (% Superintendent Donald Hollender)