



In City Council PLACED ON FILE

June 16, 2010

Mr. Steven Ross
Emergency Response / Bureau of Waste Site Cleanup
Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, Massachusetts 01887

JUN 23 2010

Rosaria Salerno
CITY CLERK

RE: Release Notification Form (RNF) and Response Action Outcome (RAO) Statement
Charlestown, Massachusetts – Vessel, Mystic Marine Discounts, 100 Terminal Street
Oil Sheen on Surface Water, Release Tracking Number (RTN) 3-29255

Potential Responsible Party: Mystic Marine Discounts
100 Terminal Street
Charlestown, Massachusetts 02129
Mr. Jason Curley, Marine Fueling Operator
P617.293.6247; F617.241.0217
jcurley@mysticmarinediscounts.com

Property Owner(s): Same as above.

City of Boston c/o City Clerk
One City Hall Square, Room 601
Boston, Massachusetts 02201-2014
Ms. Rosaria Salerno, City Clerk
P617.635.4600
Rosaria.Salerno@cityofboston.gov

Dear Mr. Ross:

The purpose of this submittal is to supply the Massachusetts Department of Environmental Protection (MassDEP) with a *Release Notification Form (RNF)* and a *Response Action Outcome (RAO) Statement* for the referenced site. This submittal has been prepared by Cyn Environmental Services (Cyn) of Stoughton, Massachusetts, on behalf of Mystic Marine Discounts (MMD) of Charlestown, Massachusetts, to finalize the site's compliance with the Massachusetts Contingency Plan (MCP), 310 CMR 40.0000. This submittal has been provided as an attachment to an original *RNF (BWSC103)* and *RAO Statement Transmittal Form (BWSC104)* via MassDEP's eDEP Online Filing System; copies are provided in **Appendix A**. Refer to **Figure 1**, the Site Locus, for the regional location of the site.

80210117
JUN 16 11:30
CITY CLERK'S OFFICE
RECEIVED

Information required for an *RAO Statement*, as specified in Section 40.1056, is contained in this submittal as a whole. The *RNF* and *RAO Statement* apply only to the May 5, 2010 reported "Oil Sheen on Surface Water" of a volume of approximately 10 gallons of diesel fuel at the referenced site. Additionally, the submittal applies only to the disposal site as described in section "I. *Disposal Site Definition and Site Activity and Use [Current and Foreseeable]*" of this report, and as referenced in **Figure 2**, the Site Plan. Massachusetts Geographical Information System (MassGIS) data is provided as **Figure 3**.

History

At approximately 12:50 PM on May 5, 2010, while moored at MMD, a vessel that was being refueled was accidentally overfilled, resulting in a release of approximately 10 gallons of diesel fuel to the water surface of Little Mystic Channel. Upon notice of the release, the refueling operations were stopped, thus eliminating the primary source of the release.

The release quickly dissipated into a petroleum-based sheen on surface water, and spread over an area approximately 250 feet long by 25 feet wide, and that had previously been secured with harbor boom. MMD personnel deployed absorbent pads and boom to the surface water within the release area. MMD contacted the United States Coast Guard (USCG), the National Response Center (NRC), Boston Fire Department (BFD), and Cyn to report the incident and/or to request assistance in a cleanup. At 1:08 PM, MMD then reported to conditions to MassDEP.

At the time of reporting to MassDEP, MassDEP determined that the release was or may have been a disposal site as defined in MCP. The MassDEP also had reason to believe that MMD was, or may have been, a potentially responsible party, based on its status as [property] owner, and issued it a Notice of Responsibility (NOR) pursuant to M.G.L. c. 21E & 310 CMR 40.0000, and that references Release Tracking Number (RTN) 3-29225.

As indicated in the NOR, general response action requirements included the need for conducting an Immediate Response Action (IRA); the need for hiring a spill cleanup contractor; the need for employing or engaging a Licensed Site Professional (LSP) to manage, supervise, or actually perform necessary response actions; and the need for disposing of all generated wastes in accordance with applicable local, state, and federal regulations.

Notification Thresholds

MassDEP issued Release Tracking Number (RTN) 3-28495 to the release and considered the following notification thresholds applicable:

- *40.0311: Releases Which Require Notification Within Two Hours*

Except as provided at 310 CMR 40.0317 or 310 CMR 40.0332(1) or (7), persons required to notify under 310 CMR 40.0331 shall notify the MassDEP as soon as possible but not more than two hours after obtaining knowledge that a release meets one or more of the following sets of criteria:

(5) a sudden, continuous or intermittent release to the environment of any quantity of oil or waste oil that is listed at 310 CMR 40.1600 that results in the appearance of a sheen on surface water.

Completed Immediate Response Actions

To comply with MassDEP's approvals, MMD contracted Cyn to respond to the site to complete the IRA activities and later, to provide LSP services. It should be noted that additional federal, state, and local permits, unless otherwise noted throughout this report, were not needed to conduct the response actions. All site response actions completed by Cyn were done so in compliance with their health and safety plan, which is on file and available for review upon request.

May 5, 2010: Cyn personnel arrived on site to find that one or more of the contacted authorities had already responded and applied additional absorbent pads and boom. Cyn collected the spent pads and boom, placing it into eight Department of Transportation (DOT)-approved 55-gallon drums. The drums were sealed, labeled, and later transported from the site for proper disposal.

June 10, 2010: Upon authorization to complete LSP services, a Cyn Engineer/Scientist visited the site to ensure that the previously completed actions were sufficient to remediate the release. The Engineer/Scientist inspected the subject area of surface water and surrounding areas; a petroleum-based sheen was not present.

Management of Remediation Waste

Cyn provides a copy of the following transportation and disposal document as **Appendix B:**

- Uniform Hazardous Waste Manifest 004973630 JJK, dated May 5, 2010
Cyn Oil Corporation, Stoughton, Massachusetts (designated facility)
A total of 580 pounds of "State Regulated Waste Oily Solids"
(spent absorbent pads and boom)
Eight drums via transportation vehicle

Disposal Site Characterization

I. Disposal Site Definition and Site Activity and Use [Current and Foreseeable]

MMD operates the property as a fueling facility for boaters and as a large retail facility for marine supplies, bait, and tackle; its future use is not expected to change. Surrounding properties are of similar nature and use. The release area itself (i.e., disposal site and *RAO Statement* boundaries) includes a portion of Little Mystic Channel (owned by MMD and/or the City of Boston c/o City Clerk) in the vicinity of MMD and measuring approximately 250 feet long by 25 feet wide. Information collected from the MassGIS website indicates that the described area is approximately located at Latitude/Longitude 42° 22' 48" / -71° 03' 01", and UTM coordinates 4694036mN / 331199mE. **Figure 2** illustrates the release area, the disposal site, and other pertinent features.

Based on Cyn's observations, institutions, as defined by the MCP, are not located within 500 feet of the site. According to information gathered from the MassGIS website at <http://www.mass.gov/mgis/mapping.htm>, natural resource areas and Current or Potential Drinking Water Source Areas present at or near the site include Little Mystic Channel itself. An un-named protected open space exits approximately 500 feet to the southwest across the channel. **Figure 3** illustrates available MassGIS information.

II. Contaminants of Concern

The reported release at the disposal site relates to diesel fuel. In accordance with MassDEP Publication #WSC-401-91, the most recent version of the MCP, and MassDEP Publication #WSC-02-411, *Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of MADEP VPH/EPH Approach, Final Policy*, October 31, 2002, to properly evaluate such a release, it is recommended that the assessment activities evaluate the impacted media for residual concentrations of volatile petroleum hydrocarbons (VPH) with target parameters.

Soil/Groundwater: There is no reason to believe that either of these media has been impacted by this release and thus, it is the opinion of Cyn that Contaminants of Concern (COCs) do not exist.

Surface Water: At the time of the incident, a dissipating petroleum-based sheen was observed within a finite area of the surface water. Since the source of the release was immediately eliminated upon discovery; since the release was almost immediately remediated with absorbents; and since the remaining sheen has long since dissipated due to the tidal nature of the area, it is Cyn's opinion that the collection of surface water samples for confirmatory laboratory analyses was un-necessary and also Cyn's opinion that COCs no longer remain from the subject release.

III. Soil and Groundwater Categorization

Soil is not present at the site and thus, its characterization is not applicable. *[Of note, Cyn conservatively categorized potential site soil as "S-1" to complete BWSC104.]* With respect to characterization of the site's groundwater, according to information gathered from the MassGIS website; Massachusetts Surface Water Quality Standard documentation; site reconnaissance; a review of the site conditions; and other sources:

- Site groundwater **is not** subject to GW-1 criteria since the site **is not** located in, or in close proximity to, an area defined as a Current or Potential Drinking Water Source Area;
- Although the average annual depth to groundwater at the site may be 15 feet or less, the site or portions thereof **is not** located within 30 feet of an existing occupied building or structure and thus, site groundwater **is not** subject to GW-2 criteria;
- As is the case for all groundwater, groundwater at the site **is** a potential source of discharge to surface water bodies and therefore, **is** subject to GW-3 criteria.

IV. Exposure Points, Exposure Pathways, and Exposure Point Concentrations

Pursuant to Sections 310 CMR 40.0924 through 40.0926, an evaluation of the contaminant conditions was conducted to define exposure points, pathways, and exposure point concentrations (EPCs). For soil, exposure points are defined as the horizontal and vertical distribution of the contaminated soil in combination with the applicable soil category(ies). For groundwater, exposure points are measured at each wellhead or nearest tap of a well screened within the horizontal and vertical distribution of the oil and/or hazardous material in the groundwater resource itself. For other media, the definition of an exposure point may vary. Exposure point pathways are defined, without limitation, as ingestion, inhalation, and/or dermal absorption of impacted media.

Soil, Groundwater, Surface Water: Based on the fact that COCs do not, or no longer, exist within these media, it is the opinion of Cyn that exposure points, exposure pathways, and/or EPCs do not exist.

V. Critical Exposure Pathways and Substantial Release Migration Evaluation

Pursuant to Section 310 CMR 40.0006, Critical Exposure Pathways (CEPs) are defined as those routes by which oil and/or hazardous material (OHM) released at a disposal site are transported, or are likely to be transported, to human receptors via vapor phase emissions into a living or working space of a pre-school, daycare, school, or occupied residential dwelling; or ingestion, dermal absorption or inhalation of measurable concentrations of oil and/or hazardous materials from drinking water supply wells located at and servicing a pre-school, daycare, school, or occupied residential dwelling. Based on Cyn's observations, such structures are not located at or near the site and thus, Cyn is of the opinion that a CEP does not exist at the site.

Based on the definition of SRM found at 310 CMR 40.0006, a Condition of SMR may have existed at the time of the release due to the inclusionary MCP language, "releases that have resulted in the discharge of separate-phase oil and/or separate-phase hazardous material to surface waters, subsurface structures, or underground utilities or conduits". However, based on the elimination of the source of the release, observations of the surface water at the time of the release (i.e., dissipation to a limited petroleum-based sheen), and observations of the surface water during a follow-on visit (i.e., no petroleum-based sheen observed), it is the opinion of Cyn that a Condition of SRM does not exist.

VI. Imminent Hazard Evaluation

Pursuant to Section 310 CMR 40.0426, an Imminent Hazard (IH) evaluation shall be performed as part of an IRA at sites where a release or threat of release could pose an IH to human health, safety, public welfare, or the environment, as described in 310 CMR 40.0321. Based on a review of the criteria, it is Cyn's opinion that an IH did not, and currently does not, exist.

VII. Conceptual Site Model (CSM)

While moored at the site, a vessel that was being refueled was accidentally overfilled, resulting in a release of approximately 10 gallons of diesel fuel to the water surface of Little Mystic Channel. Upon notice of the release, the refueling operations were stopped, thus eliminating the primary source of the release. The release quickly dissipated into a petroleum-based sheen on surface water, and spread over an area approximately 250 feet long by 25 feet wide, and that had previously been secured with harbor boom. Absorbent pads and boom were deployed to remediate the release. The remediation wastes have been collected and transported from the site for proper disposal, thus eliminating any secondary sources of a release. A follow-on inspection did not identify the presence of a petroleum-based sheen on surface water within the release area; there is no reason to believe that other media has been impacted by this release.

Conclusions and Recommendations

Pursuant to 310 CMR 40.1036, a Class A-1 RAO applies to the Disposal Site because:

- a Permanent Solution has been achieved; and
- the level of oil and hazardous material in the environment has been reduced to background.

Pursuant to 310 CMR 40.1003(5), a Class A-1 RAO is achieved at sites where the source of contamination that is likely to result in an increase in the concentration of the contamination in an environmental medium is eliminated or controlled. In this case, the primary and secondary sources of the release have been eliminated.

Pursuant to 310 CMR 40.0960, the risk of harm to safety shall be characterized based on the data collected pursuant to the response action being performed and the site, receptor, and exposure information identified for the site. It shall also be characterized by comparing current and reasonably foreseeable conditions at the disposal site and in the surrounding environment to applicable safety standards. Additionally, a level of no significant risk to safety exists or has been achieved if the conditions at the disposal site that are related to the release of OHM do not currently and will not in the foreseeable future pose a threat of physical harm or bodily injury to people.

For this site, released diesel fuel and associated remediation wastes have been removed from the site so that COCs, and thus exposure points, pathways, and EPCs, do not exist (i.e., background conditions have been met). Since background conditions have been met and since none of the following conditions exist, a level of no significant risk to safety exists at the site:

- The presence of rusted or corroded drums or containers, open pits, lagoons, or other dangerous structures;
- The threat of fire or explosion or presence of explosive vapors; or
- Uncontained material with the characteristics of corrosivity, reactivity, or flammability.

In conclusion, a Class A-1 RAO has been achieved and no further action is required at the defined disposal site with respect to this release. In the opinion of Cyn, the requirements applicable to this class of RAO have been met and the certification of this *RAO Statement* is presented on the original and appended copy of the *RAO Statement Transmittal Form*, BWSC104. Of note, the implementation of an Activity and Use Limitation (AUL) is not applicable to this site. EPCs do not exist and thus, comparison to Upper Concentration Limits (UCLs) is not applicable. Furthermore, no operation, maintenance, and/or monitoring is required to confirm and/or maintain the conditions at the site upon which this *RAO Statement* is based.

Pursuant to 310 CMR 40.1403(3)(b), (f), and (h), public notification letters were mailed concurrently with this submittal to the City of Boston Chief Municipal Officer and Board of Health. At a minimum, these notices include a copy of the original *RNF*, a statement of the local officials' right to request additional Public Involvement Activities under 310 CMR 40.1403(9), a summary of decisions regarding this *RAO Statement*, and how the local officials may obtain a copy of this *RAO Statement* from the person(s) conducting response actions. Copies of these public notification letters are provided in **Appendix C**. Pursuant to 310 CMR 40.1403(11) and 40.1406, copies of other required notifications (i.e., *Informational Notice to Property Owners*, BWSC122; and *Informational Notice About Immediate Response Actions*, BWSC124) are also provided in **Appendix C**. Should you require additional information or have any questions relative to this submittal, please feel free to contact the undersigned at your convenience.

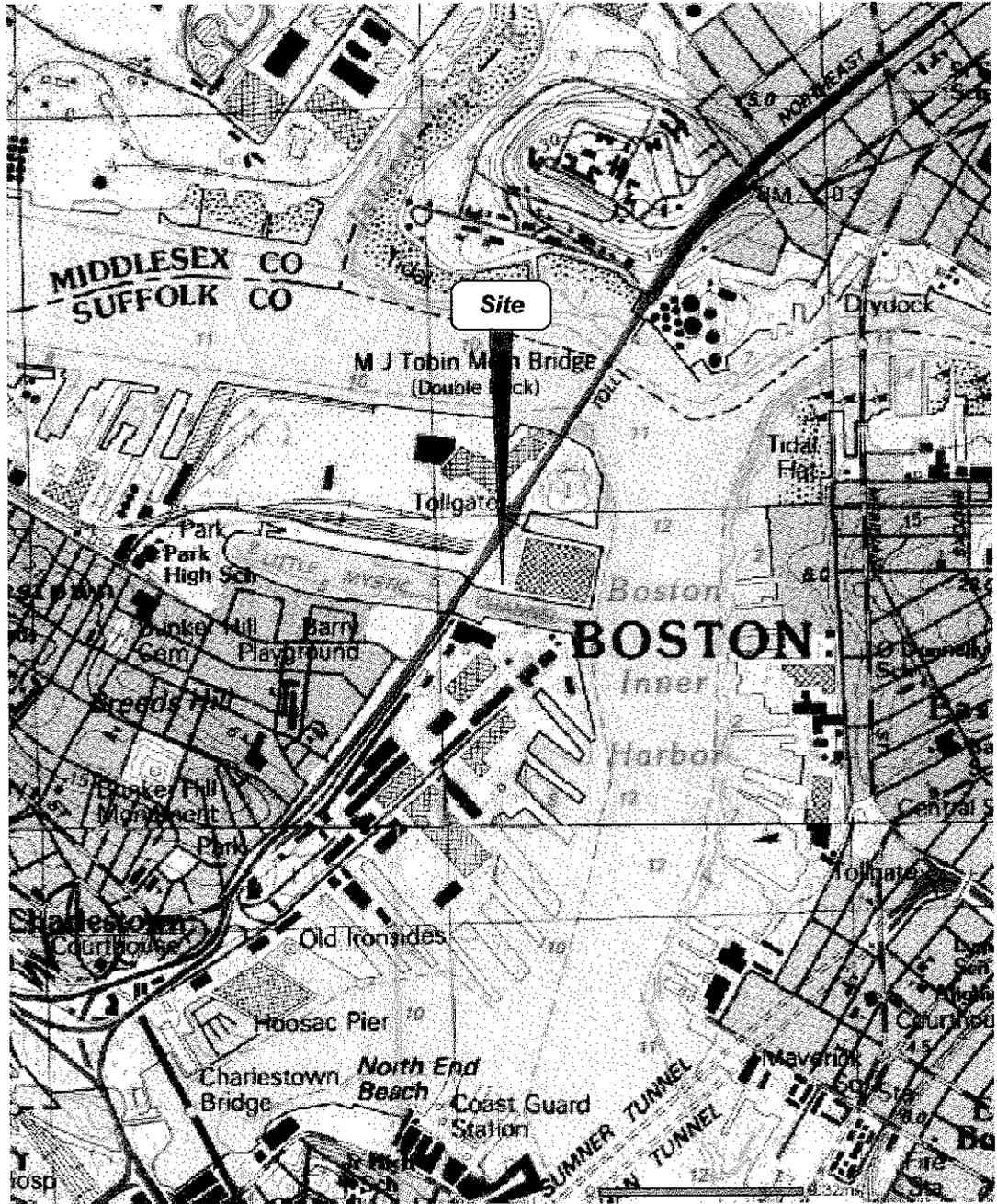
Sincerely,
Cyn Environmental Services



Richard R. LaMothe, LSP
Senior Project Manager

cc: MMD
City of Boston c/o City Clerk
Cyn File

Figures
Appendix A – *RNF and RAO Statement Transmittal Form*
Appendix B – *Transportation and Disposal Document*
Appendix C – *Public Notification*



Source: <http://www.mass.gov/mgis/mapping.htm>



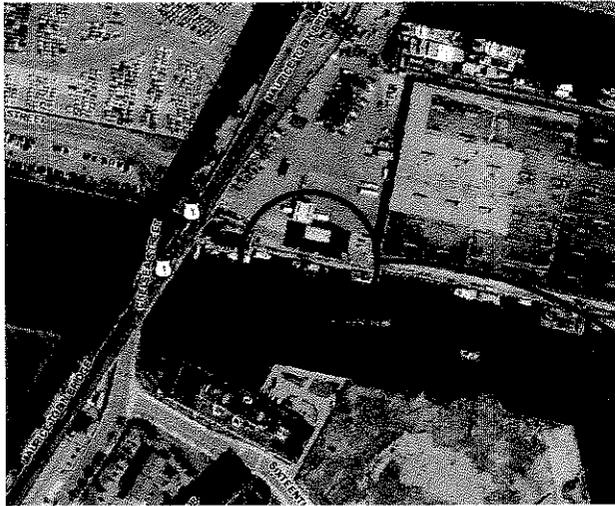
Cyn Environmental Services

100 Tosca Drive, Stoughton, Massachusetts 02072

Site Locus

Little Mystic Channel, 100 Terminal Street
Charlestown, Massachusetts

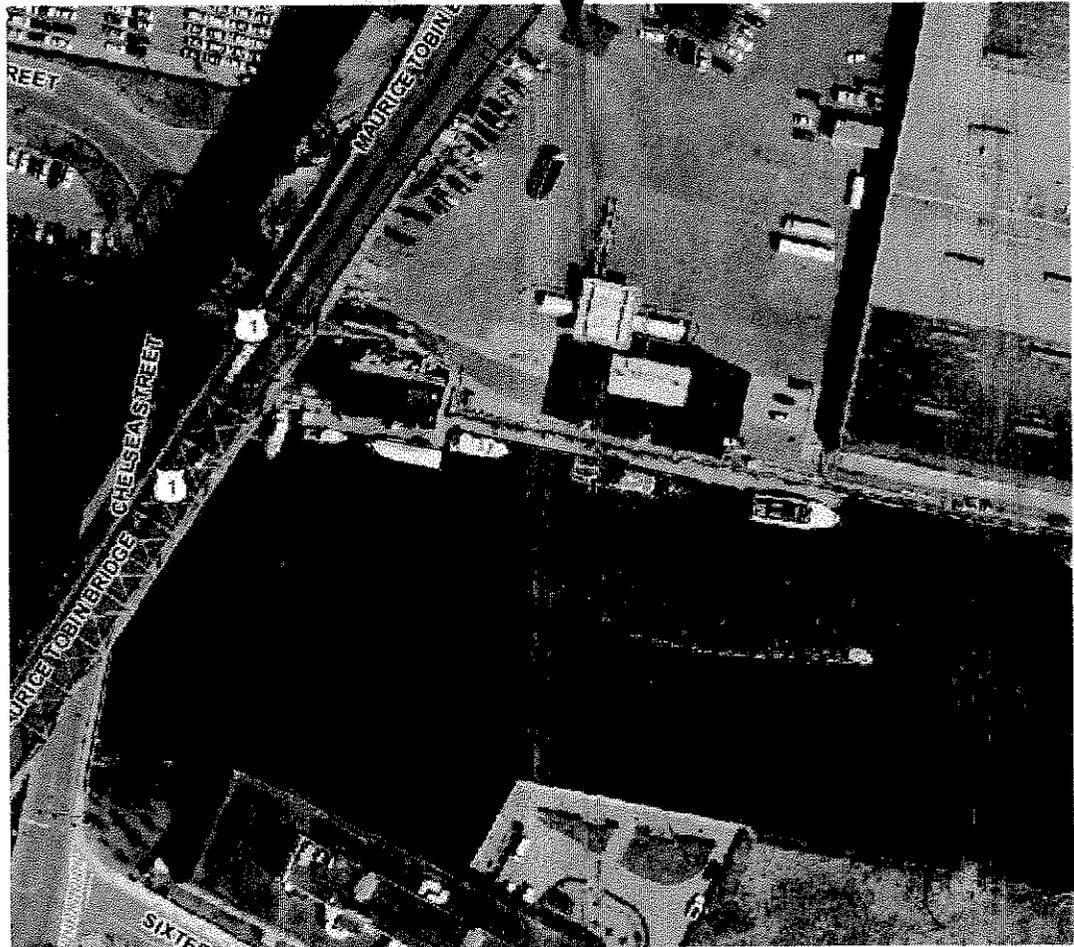
Drawn:	R. LaMothe	Scale:	As Noted
Reviewed:	n/a	Project #:	207053-TS
Drawn:	06/14/10	Figure #:	1



Release Area / Disposal Site / Response Action Outcome (RAO) Statement boundaries include area on surface water outlined by red.

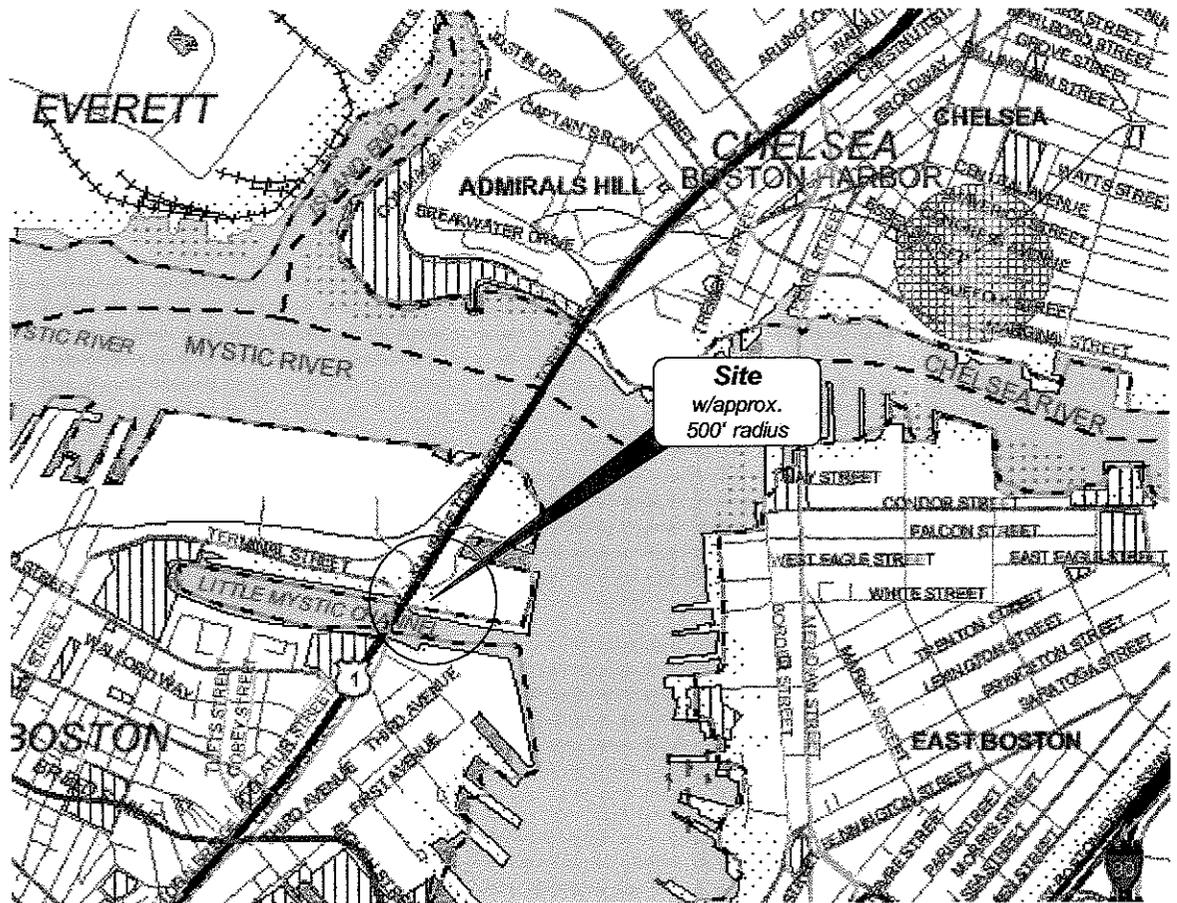
(i.e., Release to surface water measuring approximately 250' long by 25' wide).

Source: <http://www.mass.gov/mgis/mapping.htm>



Cyn Environmental Services
 100 Tosca Drive, Stoughton, Massachusetts 02072

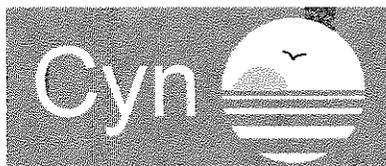
Site Plan			
Little Mystic Channel, 100 Terminal Street Charlestown, Massachusetts			
Drawn:	R. LaMothe	Scale:	As Noted
Reviewed:	n/a	Project #:	207053-TS
Drawn:	06/14/10	Figure #:	2



Source: <http://www.mass.gov/mgis/mapping.htm>

DEP MCP 21e Map Legend

- | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> Zone IIs IWPA Zone A Sole Source Aquifers Solid Waste Sites Protected Openspace ACECs NHESP Estimated Habitat of Rare Wildlife in Wetland Areas Certified Vernal Pools 2003 NHESP Subbasins Mass Major Basins DEP Region Town Arce County Boundaries | <p>Aquifers, By Yield</p> <ul style="list-style-type: none"> HIGH YIELD MEDIUM YIELD <p>Non Potential Drinking Water Source Area</p> <ul style="list-style-type: none"> HIGH YIELD MEDIUM YIELD <p>FEMA Floodplains</p> <ul style="list-style-type: none"> 100 YEAR FLOODPLAIN | <p>Hydrography</p> <ul style="list-style-type: none"> WATER RESERVOIR WETLANDS SALT WATER WETLANDS FLATS, SHOALS <p>Rivers and Streams</p> <ul style="list-style-type: none"> PERENNIAL INTERMITTENT SHORELINE MAN MADE SHORE DAM AQUEDUCT | <p>EOT-OTP Roads</p> <ul style="list-style-type: none"> LIMITED ACCESS HIGHWAY MULTI LANE HWY, NOT LIMITED ACCESS OTHER NUMBERED HWY MAJOR ROAD - COLLECTOR MINOR STREET OR ROAD, RAMP <p>Tracks and Trails MHD</p> <ul style="list-style-type: none"> TRACK TRAIL <p>Transmission Lines</p> <ul style="list-style-type: none"> PIPELINE POWERLINE TRAIN |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

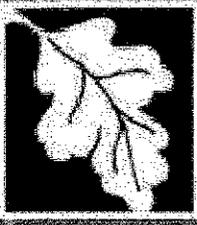


Cyn Environmental Services
100 Tosca Drive, Stoughton, Massachusetts 02072

MassGIS Plan
Little Mystic Channel, 100 Terminal Street
Charlestown, Massachusetts

Drawn:	R. LaMothe	Scale:	As Noted
Reviewed:	n/a	Project #:	207053-TS
Drawn:	06/14/10	Figure #:	3

Appendix A – RNF and RAO Statement Transmittal Form



RELEASE NOTIFICATION & NOTIFICATION
RETRACTION FORM

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.0335 and 310 CMR 40.0371 (Subpart C)

A. RELEASE OR THREAT OF RELEASE LOCATION:

1. Release Name/Location Aid: **MARIKA M/V AT MYSTIC MARINE FUEL**

2. Street Address: **100 TERMINAL ST**

3. City/Town: **CHARLESTOWN** 4. ZIP Code: **02129-0000**

5. UTM Coordinates: a. UTM N: **4694036** b. UTME: **331199**

B. THIS FORM IS BEING USED TO: (check one)

- 1. Submit a **Release Notification**
- 2. Submit a **Revised Release Notification**
- 3. Submit a **Retraction of a Previously Reported Notification** of a release or threat of release including supporting documentation required pursuant to 310 CMR 40.0335 (Section C is not required)

(All sections of this transmittal form must be filled out unless otherwise noted above)

C. INFORMATION DESCRIBING THE RELEASE OR THREAT OF RELEASE (TOR):

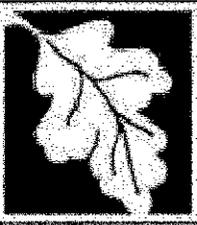
1. Date and time of Oral Notification, if applicable: **05/05/2010** Time: **01:08** AM PM
mm/dd/yyyy hh:mm

2. Date and time you obtained knowledge of the Release or TOR: **05/05/2010** Time: **12:50** AM PM
mm/dd/yyyy hh:mm

3. Date and time release or TOR occurred, if known: **05/05/2010** Time: **12:50** AM PM
mm/dd/yyyy hh:mm

Check all Notification Thresholds that apply to the Release or Threat of Release:
(for more information see 310 CMR 40.0310 - 40.0315)

<p>4. 2 HOUR REPORTING CONDITIONS</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Sudden Release <input type="checkbox"/> b. Threat of Sudden Release <input checked="" type="checkbox"/> c. Oil Sheen on Surface Water <input type="checkbox"/> d. Poses Imminent Hazard <input type="checkbox"/> e. Could Pose Imminent Hazard <input type="checkbox"/> f. Release Detected in Private Well <input type="checkbox"/> g. Release to Storm Drain <input type="checkbox"/> h. Sanitary Sewer Release (Imminent Hazard Only) 	<p>5. 72 HOUR REPORTING CONDITIONS</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/2 Inch <input type="checkbox"/> b. Underground Storage Tank (UST) Release <input type="checkbox"/> c. Threat of UST Release <input type="checkbox"/> d. Release to Groundwater near Water Supply <input type="checkbox"/> e. Release to Groundwater near School or Residence <input checked="" type="checkbox"/> f. Substantial Release Migration 	<p>6. 120 DAY REPORTING CONDITIONS</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Release of Hazardous Material(s) to Soil or Groundwater Exceeding Reportable Concentration(s) <input type="checkbox"/> b. Release of Oil to Soil Exceeding Reportable Concentration(s) and Affecting More than 2 Cubic Yards <input type="checkbox"/> c. Release of Oil to Groundwater Exceeding Reportable Concentration(s) <input type="checkbox"/> d. Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/8 Inch and Less than 1/2 Inch
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



**RELEASE NOTIFICATION & NOTIFICATION
RETRACTION FORM**

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.0335 and 310 CMR 40.0371 (Subpart C)

C. INFORMATION DESCRIBING THE RELEASE OR THREAT OF RELEASE (TOR): (cont.)

7. List below the Oils (O) or Hazardous Materials (HM) that exceed their Reportable Concentration (RC) or Reportable Quantity (RQ) by the greatest amount.

O or HM Released	CAS Number, if known	O or HM	Amount or Concentration	Units	RCs Exceeded, if Applicable (RCS-1, RCS-2, RCGW-1, RCGW-2)
DIESEL FUEL	N/A	O	10.00	GAL	N/A

8. Check here if a list of additional Oil and Hazardous Materials subject to reporting is attached.

D. PERSON REQUIRED TO NOTIFY:

1. Check all that apply: a. change in contact name b. change of address c. change in the person notifying

2. Name of Organization: MYSTIC MARINE DISCOUNTS

3. Contact First Name: JASON 4. Last Name: CURLEY

5. Street: 100 TERMINAL STREET 6. Title: MARINE FUELING OPERATOR

7. City/Town: CHARLESTOWN, MA 8. State: MA 9. ZIP Code: 02129-0000

10. Telephone: (617) 293-6247 11. Ext.: 12. FAX:

13. Check here if attaching names and addresses of owners of properties affected by the Release or Threat of Release, other than an owner who is submitting this Release Notification (required).

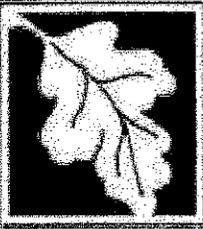
E. RELATIONSHIP OF PERSON TO RELEASE OR THREAT OF RELEASE:

1. RP or PRP a. Owner b. Operator c. Generator d. Transporter
 e. Other RP or PRP Specify: _____

2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

4. Any Other Person Otherwise Required to Notify Specify Relationship: _____



**RELEASE NOTIFICATION & NOTIFICATION
RETRACTION FORM**

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.0335 and 310 CMR 40.0371 (Subpart C)

F. CERTIFICATION OF PERSON REQUIRED TO NOTIFY:

1. I, **JASONCURLEY**, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. By: **JASONCURLEY**

Signature

3. Title: **MARINE FUELING OPERATOR**

4. For: **MYSTIC MARINE DISCOUNTS**

(Name of person or entity recorded in Section D)

5. Date: **6/16/2010**

mm/dd/yyyy

6. Check here if the address of the person providing certification is different from address recorded in Section D.

7. Street: _____

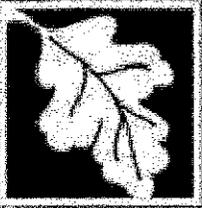
8. City/Town: _____ 9. State: _____ 10. ZIP Code: _____

11. Telephone: _____ 12. Ext.: _____ 13. FAX: _____

YOU ARE SUBJECT TO AN ANNUAL COMPLIANCE ASSURANCE FEE OF UP TO \$10,000 PER BILLABLE YEAR FOR THIS DISPOSAL SITE. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY:)

**Received by DEP on
6/16/2010 9:47:38 AM**



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 29255

For sites with multiple RTNs, enter the Primary RTN above.

A. SITE LOCATION:

1. Site Name/Location Aid: **MARIKA M/V AT MYSTIC MARINE FUEL**

2. Street Address: **100 TERMINAL ST**

3. City/Town: **CHARLESTOWN** 4. ZIP Code: **02129000**

5. Check here if a Tier Classification Submittal has been provided to DEP for this disposal site.
 a. Tier IA b. Tier IB c. Tier IC d. Tier II

6. If a Tier I Permit has been issued, provide Permit Number: _____

B. THIS FORM IS BEING USED TO: (check all that apply)

1. List Submittal Date of RAO Statement (if previously submitted): _____
mm/dd/yyyy

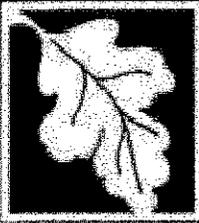
2. Submit a **Response Action Outcome (RAO) Statement**
 a. Check here if this RAO Statement covers additional Release Tracking Numbers (RTNs). RTNs that have been previously linked to a Tier Classified Primary RTN do not need to be listed here.
b. Provide additional Release Tracking Number(s) covered by this RAO Statement. - _____ - _____

3. Submit a **Revised Response Action Outcome Statement**
 a. Check here if this Revised RAO Statement covers additional Release Tracking Numbers (RTNs), not listed on the RAO Statement or previously submitted Revised RAO Statements. RTNs that have been previously linked to a Tier Classified Primary RTN do not need to be listed here.
b. Provide additional Release Tracking Number(s) covered by this RAO Statement. - _____ - _____

4. Submit a **Response Action Outcome Partial (RAO-P) Statement**
Check above box, if any Response Actions remain to be taken to address conditions associated with this disposal site having the Primary RTN listed in the header section of this transmittal form. This RAO Statement will record only an RAO-Partial Statement for that RTN. A final RAO Statement will need to be submitted that references all RAO-Partial Statements and, if applicable, covers any remaining conditions not covered by the RAO-Partial Statements.
Also, specify if you are an Eligible Person or Tenant pursuant to M.G.L. c. 21E s.2, and have no further obligation to conduct response actions on the remaining portion(s) of the disposal site:
 a. Eligible Person b. Eligible Tenant

5. Submit an optional **Phase I Completion Statement** supporting an RAO Statement
 6. Submit a **Periodic Review Opinion evaluating the status of a Temporary Solution** for a Class C-1 RAO Statement, as specified in 310 CMR 40.1051 (Section F is optional)
 7. Submit a **Retraction** of a previously submitted **Response Action Outcome Statement** (Sections E & F are not required)

(All sections of this transmittal form must be filled out unless otherwise noted above)



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.1000 (Subpart J)

C. DESCRIPTION OF RESPONSE ACTIONS: (check all that apply; for volumes, list cumulative amounts)

- 1. Assessment and/or Monitoring Only
- 3. Deployment of Absorbent or Containment Materials
- 5. Structure Venting System
- 7. Product or NAPL Recovery
- 9. Groundwater Treatment Systems
- 11. Bioremediation
- 13. Monitored Natural Attenuation
- 15. Removal of Contaminated Soils
- 2. Temporary Covers or Caps
- 4. Treatment of Water Supplies
- 6. Engineered Barrier
- 8. Fencing and Sign Posting
- 10. Soil Vapor Extraction
- 12. Air Sparging
- 14. In-situ Chemical Oxidation

a. Re-use, Recycling or Treatment i. On Site Estimated volume in cubic yards []

ii. Off Site Estimated volume in cubic yards []

ii. Facility Name: [] Town: [] State: []

ii. Facility Name: [] Town: [] State: []

iii. Describe: []

b. Landfill i. Cover Estimated volume in cubic yards []

Facility Name: [] Town: [] State: []

ii. Disposal Estimated volume in cubic yards []

Facility Name: [] Town: [] State: []

16. Removal of Drums, Tanks or Containers:

a. Describe Quantity and Amount: []

b. Facility Name: [] Town: [] State: []

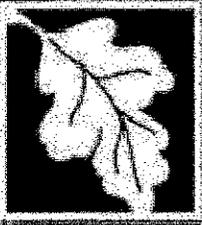
c. Facility Name: [] Town: [] State: []

17. Removal of Other Contaminated Media:

a. Specify Type and Volume: **580 POUNDS OF SPENT ABSORBENTS**

b. Facility Name: **CYN OIL CORPORATION** Town: **STOUGHTON** State: **MA**

c. Facility Name: [] Town: [] State: []



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.1000 (Subpart J)

C. DESCRIPTION OF RESPONSE ACTIONS (cont.): (check all that apply; for volumes, list cumulative amounts)

18. Other Response Actions:

Describe:

[Empty text box for description of other response actions]

19. Use of Innovative Technologies:

Describe:

[Empty text box for description of innovative technologies]

D. SITE USE:

1. Are the response actions that are the subject of this submittal associated with the redevelopment, reuse or the major expansion of the current use of property(ies) impacted by the presence of oil and/or hazardous materials?

- a. Yes b. No c. Don't know

2. Is the property a vacant or under-utilized commercial or industrial property ("a brownfield property")?

- a. Yes b. No c. Don't know

3. Will funds from a state or federal brownfield incentive program be used on one or more of the property(ies) within the disposal site?

- a. Yes b. No c. Don't know If Yes, identify program(s):

[Empty text box for identifying program(s)]

4. Has a Covenant Not to Sue been obtained or sought?

- a. Yes b. No c. Don't know

5. Check all applicable categories that apply to the person making this submittal:

- a. Redevelopment Agency or Authority
 b. Community Development Corporation c. Economic Development and Industrial Corporation
 d. Private Developer e. Fiduciary f. Secured Lender g. Municipality
 h. Potential Buyer (non-owner) i. Other, describe: PRIVATE ENTITY

This data will be used by MassDEP for information purposes only, and does not represent or create any legal commitment, obligation or liability on the part of the party or person providing this data to MassDEP.

E. RESPONSE ACTION OUTCOME CLASS:

Specify the Class of Response Action Outcome that applies to the disposal site, or site of the Threat of Release. Select ONLY one Class.

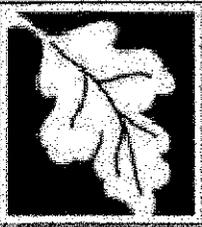
1. Class A-1 RAO: Specify one of the following:

- a. Contamination has been reduced to background levels. b. A Threat of Release has been eliminated.

2. Class A-2 RAO: You MUST provide justification that reducing contamination to or approaching background levels is infeasible.

3. Class A-3 RAO: You MUST provide an implemented Activity and Use Limitation (AUL) and justification that reducing contamination to or approaching background levels is infeasible.

4. Class A-4 RAO: You MUST provide an implemented AUL, justification that reducing contamination to or approaching background levels is infeasible, and justification that reducing contamination to less than Upper Concentration Limits (UCLs) 15 feet below ground surface or below an Engineered Barrier is infeasible. If the Permanent Solution relies upon an Engineered Barrier, you must provide or have previously provided a Phase III Remedial Action Plan that justifies the selection of the Engineered Barrier.



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Release Tracking Number

-

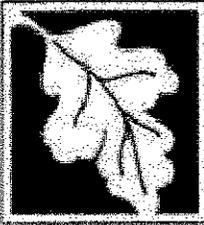
Pursuant to 310 CMR 40.1000 (Subpart J)

E. RESPONSE ACTION OUTCOME CLASS (cont.):

- 5. Class B-1 RAO: Specify one of the following:
 - a. Contamination is consistent with background levels
 - b. Contamination is **NOT** consistent with background levels.
- 6. Class B-2 RAO: You **MUST** provide an implemented AUL.
- 7. Class B-3 RAO: You **MUST** provide an implemented AUL and justification that reducing contamination to less than Upper Concentration Limits (UCLs) 15 feet below ground surface is infeasible.
- 8. Class C-1 RAO: You must submit a plan as specified at 310 CMR 40.0861(2)(h). Indicate type of ongoing response actions.
 - a. Active Remedial System
 - b. Active Remedial Monitoring Program
 - c. None
 - d. Other Specify:
- 9. Class C-2 RAO: You must hold a valid Tier I Permit or Tier II Classification to continue response actions toward a Permanent Solution.

F. RESPONSE ACTION OUTCOME INFORMATION:

- 1. Specify the Risk Characterization Method(s) used to achieve the RAO described above:
 - a. Method 1
 - b. Method 2
 - c. Method 3
 - d. Method Not Applicable-Contamination reduced to or consistent with background, or Threat of Release abated
- 2. Specify all Soil Category(ies) applicable. More than one Soil Category may apply at a Site. Be sure to check off all **APPLICABLE** categories:
 - a. S-1/GW-1
 - b. S-1/GW-2
 - c. S-1/GW-3
 - d. S-2/GW-1
 - e. S-2/GW-2
 - f. S-2/GW-3
 - g. S-3/GW-1
 - h. S-3/GW-2
 - i. S-3/GW-3
- 3. Specify all Groundwater Category(ies) impacted. A site may impact more than one Groundwater Category. Be sure to check off all **IMPACTED** categories:
 - a. GW-1
 - b. GW-2
 - c. GW-3
 - d. No Groundwater Impacted
- 4. Specify remediation conducted:
 - a. Check here if soil remediation was conducted.
 - b. Check here if groundwater remediation was conducted.
- 5. Specify whether the analytical data used to support the Response Action Outcome was generated pursuant to the Department's Compendium of Analytical Methods (CAM) and 310 CMR 40.1056:
 - a. CAM used to support all analytical data.
 - b. CAM used to support some of the analytical data.
 - c. CAM not used.
- 6. Check here to certify that the Class A, B or C Response Action Outcome includes a Data Usability Assessment and Data Representativeness Evaluation pursuant to 310 CMR 40.1056.
- 7. Estimate the number of acres this RAO Statement applies to:



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Release Tracking Number

3 - 29255

Pursuant to 310 CMR 40.1000 (Subpart J)

G. LSP SIGNATURE AND STAMP:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and 309 CMR 4.03(2), and (iii) the provisions of 309 CMR 4.03(3), to the best of my knowledge, information and belief,

> if Section B indicates that either an **RAO Statement, Phase I Completion Statement and/or Periodic Review Opinion** is being provided, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal.

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

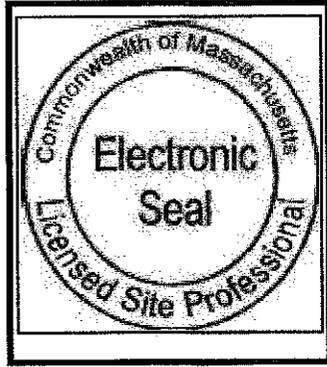
1. LSP #:

2. First Name: 3. Last Name:

4. Telephone: 5. Ext.: 6. FAX:

7. Signature:

8. Date:
mm/dd/yyyy

9. LSP Stamp: 

H. PERSON MAKING SUBMITTAL:

1. Check all that apply: a. change in contact name b. change of address c. change in the person undertaking response actions

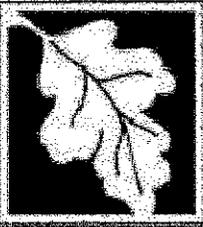
2. Name of Organization:

3. Contact First Name: 4. Last Name:

5. Street: 6. Title:

7. City/Town: 8. State: 9. ZIP Code:

10. Telephone: 11. Ext.: 12. FAX:



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Release Tracking Number

Pursuant to 310 CMR 40.1000 (Subpart J)

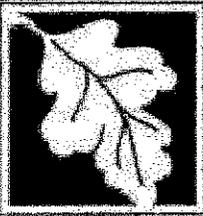
3 - 29255

I. RELATIONSHIP TO RELEASE OR THREAT OF RELEASE OF PERSON MAKING SUBMITTAL:

- 1. RP or PRP
 - a. Owner
 - b. Operator
 - c. Generator
 - d. Transporter
 - e. Other RP or PRP Specify: _____
- 2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)
- 3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))
- 4. Any Other Person Making Submittal Specify Relationship: _____

J. REQUIRED ATTACHMENT AND SUBMITTALS:

- 1. Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.
- 2. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the submittal of an RAO Statement that relies on the public way/rail right-of-way exemption from the requirements of an AUL.
- 3. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the submittal of a RAO Statement with instructions on how to obtain a full copy of the report.
- 4. Check here to certify that documentation is attached specifying the location of the Site, or the location and boundaries of the Disposal Site subject to this RAO Statement. If submitting an RAO Statement for a PORTION of a Disposal Site, you must document the location and boundaries for both the portion subject to this submittal and, to the extent defined, the entire Disposal Site.
- 5. Check here to certify that, pursuant to 310 CMR 40.1406, notice was provided to the owner(s) of each property within the disposal site boundaries, or notice was not required because the disposal site boundaries are limited to property owned by the party conducting response actions. (check all that apply)
 - a. Notice was provided prior to, or concurrent with the submittal of a Phase II Completion Statement to the Department.
 - b. Notice was provided prior to, or concurrent with the submittal of this RAO Statement to the Department.
 - c. Notice not required.
 - d. Total number of property owners notified, if applicable:
- 6. Check here if required to submit one or more AULs. You must submit an AUL Transmittal Form (BWSC113) and a copy of each implemented AUL related to this RAO Statement. Specify the type of AUL(s) below: (required for Class A-3, A-4, B-2, B-3 RAO Statements)
 - a. Notice of Activity and Use Limitation
 - b. Number of Notices submitted:
 - c. Grant of Environmental Restriction
 - d. Number of Grants submitted:
- 7. If an RAO Compliance Fee is required for any of the RTNs listed on this transmittal form, check here to certify that an RAO Compliance Fee was submitted to DEP, P. O. Box 4062, Boston, MA 02211.
- 8. Check here if any non-updatable information provided on this form is incorrect, e.g. Site Address/Location Aid. Send corrections to the DEP Regional Office.
- 9. Check here to certify that the LSP Opinion containing the material facts, data, and other information is attached.



RESPONSE ACTION OUTCOME (RAO) STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 29255

K. CERTIFICATION OF PERSON MAKING SUBMITTAL:

1. I, **JASONCURLEY**, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. By: **JASONCURLEY** Signature 3. Title: **MARINE FUELING OPERATOR**

4. For: **MYSTIC MARINE DISCOUNTS** (Name of person or entity recorded in Section H) 5. Date: **6/16/2010** mm/dd/yyyy

6. Check here if the address of the person providing certification is different from address recorded in Section H.

7. Street:

8. City/Town: 9. State: 10. ZIP Code:

11. Telephone: 12. Ext.: 13. FAX:

YOU ARE SUBJECT TO AN ANNUAL COMPLIANCE ASSURANCE FEE OF UP TO \$10,000 PER BILLABLE YEAR FOR THIS DISPOSAL SITE. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY:)

**Received by DEP on
6/16/2010 10:22:14 AM**

Appendix B – Transportation and Disposal Document

017132

821

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number MP 8006669007	2. Page 1
5. Generator's Name and Mailing Address Diversified Automotive mystic Pier 1 - Fuel Island			
Generator's Phone: Charlestown, MA 02129			
6. Transporter 1 Company Name CYN OIL CORPORATION			
7. Transporter 2 Company Name			
8. Designated Facility Name and Site Address CYN OIL CORPORATION 1771 WASHINGTON ST STOUGHTON MA 02072 Facility's Phone: 781 341-5100			
9a. 1st	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		
	OS, STATE REGULATED WASTE OILY SOLIDS (Non-DOT Regulated Material)		
2			
3			
4			
14. Special Handling Instructions and Additional Information 1. Oily Solids.			

GENERATOR

8 DM

Form Approved. OMB No. 2050-0039

1 of 3. Emergency Response Phone 800-855-1038	4. Manifest Tracking Number 004973630 JJK
--------------------------------------------------	----------------------------------------------

Generator's Site Address (If different from manifest generator)

U.S. EPA District
MA0082303777

U.S. EPA Region

U.S. EPA Number

MA0082303777

10. Containers		11. Unit Quantity	12. Unit wt. Lb	13. Waste Codes	
No.	Type				
008 DM	580 P			MA01	

Pads + Sausage boom

16. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable regulations. I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment and I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator).

Generator's/Offeror's Printed/Typed Name _____
Jason Cook _____ Sig

18. International Shipments Import to U.S. Export from _____
Transporter signature (for exports only): _____

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name _____ Sig

Mark Ellis
Transporter 2 Printed/Typed Name _____ Sig

18. Discrepancy

18a. Discrepancy Indication Space Quantity Type

18b. Alternate Facility (or Generator)

Facility's Phone: _____

18c. Signature of Alternate Facility (or Generator) _____

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, or storage) _____

1. _____	2. _____	3. _____
----------	----------	----------

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest
Printed/Typed Name _____ Sig

are fully and accurately described above by the proper shipping name, and are classified, packaged, and labeled in accordance with applicable international and national governmental regulations. I, the exporter, shipper and I am the Primary Agent of the Consignor (operator) or (b) (I am a small quantity generator) to me.

Signature: *[Handwritten Signature]*
Month: 5 Day: 5 Year: 10

U.S. Port of entry/exit: _____
Date leaving U.S.: _____

Signature: *[Handwritten Signature]*
Month: 5 Day: 5 Year: 10

Signature: _____
Month: _____ Day: _____ Year: _____

Residue Partial Rejection Full Rejection

Manifest Reference Number: _____
U.S. EPA ID Number: _____

Month: _____ Day: _____ Year: _____

(including, and recycling systems):
4

except as noted in Item 18a:
Signature: _____
Month: _____ Day: _____ Year: _____

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Appendix C – Public Notification



June 14, 2010

Mayor Thomas M. Menino
One City Hall Plaza
Boston, Massachusetts 02105
mayor@cityofboston.gov

RE: Release Notification Form (RNF) and Response Action Outcome (RAO) Statement
Charlestown, Massachusetts – Vessel, Mystic Marine Discounts, 100 Terminal Street
Oil Sheen on Surface Water, Release Tracking Number (RTN) 3-29255

Dear Mayor Menino:

Pursuant to 310 CMR 40.1403(b), (f), and (h) of the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), Cyn Environmental Services (Cyn) of Stoughton, MA, on behalf of Mystic Marine Discounts of Chalestown, MA, provides this notification of the submittal of a Release Notification Form (RNF) and Class A-1 Response Action Outcome (RAO) Statement for the referenced site. As required, this notice includes a copy of the RNF and also reminds you of your right to request additional Public Involvement Activities under 310 CMR 40.1403(9).

As outlined by the RAO Statement, while moored at the site, a vessel that was being refueled was accidentally overfilled, resulting in a release of approximately 10 gallons of diesel fuel to the water surface of Little Mystic Channel. Upon notice of the release, the refueling operations were stopped, thus eliminating the primary source of the release. The release quickly dissipated into a petroleum-based sheen on surface water, and spread over an area approximately 250 feet long by 25 feet wide, and that had previously been secured with harbor boom. Absorbent pads and boom were deployed to remediate the release. The remediation wastes have been collected and transported from the site for proper disposal, thus eliminating any secondary sources of a release. A follow-on inspection did not identify the presence of a petroleum-based sheen on surface water within the release area; there is no reason to believe that other media has been impacted by this release.

The primary and secondary sources of the release have been eliminated. Exposure Points, Exposure Pathways, and Exposure Point Concentrations do not exist for this site. A Critical Exposure Pathway, a condition of Substantial Release Migration, and/or an Imminent Hazard does not current exist at the site. A Permanent Solution has been achieved and the level of oil and/or hazardous material in the environment has been reduced to background. A level of no significant risk to safety exists at the site and no further action is required at the defined disposal site with respect to this release.

A complete copy of the RAO Statement is available to you through the Massachusetts Department of Environmental Protection's (MassDEP's) Northeast Regional Office at 205B Lowell Street, Wilmington, MA 01887. You may reach this office at 978.694.3200. Should you require any further information or have any questions relative to this submittal, please feel free to contact the undersigned at the letterhead address at your earliest convenience.

Sincerely,
Cyn Environmental Services

A handwritten signature in black ink, appearing to read "Richard R. LaMothe", with a long horizontal line extending to the right.

Richard R. LaMothe, LSP
Senior Project Manager

cc: MassDEP, Northeast Regional Office



June 14, 2010

Dr. Barbara Ferrer, Executive Director
Boston Public Health Commission
1010 Massachusetts Avenue, Second Floor
Boston, Massachusetts 02118
info@bphc.org

RE: Release Notification Form (RNF) and Response Action Outcome (RAO) Statement
Charlestown, Massachusetts – Vessel, Mystic Marine Discounts, 100 Terminal Street
Oil Sheen on Surface Water, Release Tracking Number (RTN) 3-29255

Dear Ms. Ferrer:

Pursuant to 310 CMR 40.1403(b), (f), and (h) of the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), Cyn Environmental Services (Cyn) of Stoughton, MA, on behalf of Mystic Marine Discounts of Chalestown, MA, provides this notification of the submittal of a Release Notification Form (RNF) and Class A-1 Response Action Outcome (RAO) Statement for the referenced site. As required, this notice includes a copy of the RNF and also reminds you of your right to request additional Public Involvement Activities under 310 CMR 40.1403(9).

As outlined by the RAO Statement, while moored at the site, a vessel that was being refueled was accidentally overfilled, resulting in a release of approximately 10 gallons of diesel fuel to the water surface of Little Mystic Channel. Upon notice of the release, the refueling operations were stopped, thus eliminating the primary source of the release. The release quickly dissipated into a petroleum-based sheen on surface water, and spread over an area approximately 250 feet long by 25 feet wide, and that had previously been secured with harbor boom. Absorbent pads and boom were deployed to remediate the release. The remediation wastes have been collected and transported from the site for proper disposal, thus eliminating any secondary sources of a release. A follow-on inspection did not identify the presence of a petroleum-based sheen on surface water within the release area; there is no reason to believe that other media has been impacted by this release.

The primary and secondary sources of the release have been eliminated. Exposure Points, Exposure Pathways, and Exposure Point Concentrations do not exist for this site. A Critical Exposure Pathway, a condition of Substantial Release Migration, and/or an Imminent Hazard does not current exist at the site. A Permanent Solution has been achieved and the level of oil and/or hazardous material in the environment has been reduced to background. A level of no significant risk to safety exists at the site and no further action is required at the defined disposal site with respect to this release.

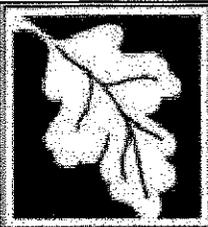
A complete copy of the RAO Statement is available to you through the Massachusetts Department of Environmental Protection's (MassDEP's) Northeast Regional Office at 205B Lowell Street, Wilmington, MA 01887. You may reach this office at 978.694.3200. Should you require any further information or have any questions relative to this submittal, please feel free to contact the undersigned at the letterhead address at your earliest convenience.

Sincerely,
Cyn Environmental Services

A handwritten signature in black ink, appearing to read "Richard R. LaMothe", with a long horizontal line extending to the right.

Richard R. LaMothe, LSP
Senior Project Manager

cc: MassDEP, Northeast Regional Office



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC122

This notice is related to:
Release Tracking Number

INFORMATIONAL NOTICE TO PROPERTY OWNERS

3 - 29255

As Required by 310 CMR 40.1406 of the Massachusetts Contingency Plan (MCP)

A. DISPOSAL SITE ADDRESS: (associated with Release Tracking Number provided above)

1. Street Address: 100 Terminal Street
2. City/Town: Charlestown, MA 3. ZIP Code: 02129-0000

B. THIS NOTICE IS BEING PROVIDED TO THE FOLLOWING PROPERTY OWNER:

1. Name of Property Owner: Varies - Please see accompanying report.
2. Address of Property For Which This Notice is Being Provided Owned by Property Owner named in B1:
a. Street Address: _____
b. City/Town: _____ c. ZIP Code: _____

C. THIS NOTICE IS BEING GIVEN : (check one)

- 1. Upon Completion of a Phase II Comprehensive Site Assessment.
- 2. Upon Submittal of a Response Action Outcome (i.e., Site Closure Report).
- 3. Upon Completion of Additional Investigation showing that Oil or Hazardous Material is not Present at the Property.

D. DESCRIPTION OF OIL AND/OR HAZARDOUS MATERIAL PRESENT OR LIKELY TO BE PRESENT AT THE PROPERTY :
(check all that apply)

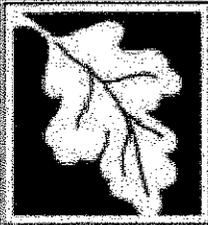
AFFECTED ENVIRONMENTAL MEDIA	PRINCIPAL CHEMICAL(S) PRESENT
<input type="checkbox"/> 1. Soil	_____
<input type="checkbox"/> 2. Groundwater	_____
<input checked="" type="checkbox"/> 3. Surface Water	<u>Diesel Fuel (sheen)</u>
<input type="checkbox"/> 4. Sediment	_____
<input type="checkbox"/> 5. Indoor Air	_____
<input type="checkbox"/> 6. Other: _____ (specify)	_____

E. ATTACHMENTS PROVIDED WITH THIS NOTICE. AS REQUIRED BY 310 CMR 40.1406:

- 1. A Copy of the Map Showing or a Description Describing the Area where the Oil and/or Hazardous is or is likely to be Present.
- 2. A Copy of the Phase II Completion Site Assessment or Response Action Outcome Conclusions.

F. CONTACT INFORMATION RELATED TO THE PARTY PROVIDING THIS NOTICE:

1. Contact Name: Mystic Marine Discounts 2. Street: 100 Terminal Street
3. City/Town: Charlestown 4. State: MA 5. ZIP Code: 02129-0000
6. Telephone: (617) 293-6247 7. Email: n/a



INFORMATIONAL NOTICE TO PROPERTY OWNERS

3 - 29255

As Required by 310 CMR 40.1406 of the Massachusetts Contingency Plan (MCP)

MASSACHUSETTS REGULATIONS THAT REQUIRE THIS NOTICE

This notice is being provided pursuant to the Massachusetts Contingency Plan and the notification requirement at 310 CMR 40.1406. The Massachusetts Contingency Plan is a state regulation that specifies requirements for parties who are taking actions to address releases of chemicals (oil or hazardous material) to the environment.

THE PERSON(S) PROVIDING THIS NOTICE

This notice has been sent to you by the party(ies) who is/are addressing a release of oil or hazardous material to the environment at the location listed in **Section A** on the reverse side of this form.

PURPOSE OF THIS NOTICE

Parties who are taking actions to respond to releases of oil or hazardous material to the environment are required by state regulations (referred to above) to notify the owners of property where the oil or hazardous material is or is likely to be present. These same parties are also required to notify property owners upon completion of actions to address the oil or hazardous material, or if additional investigations show that the oil or hazardous material is not, as previously suspected, present at a property. **Section C** on the reverse side of this form indicates the circumstance under which you are receiving this notice at this time.

INFORMATION RELATED TO YOUR PROPERTY

Section D on the reverse side of this form indicates the type(s) of oil or hazardous material that is or is likely to be present at your property, and the environmental medium (e.g., soil or groundwater) where it is or is likely to be present. **Please note** when an investigation indicates that the oil or hazardous material is or is likely to be present at your property, this does not mean that the oil or hazardous material is posing a health risk to you. Parties who are taking actions to address oil and hazardous material releases are required by state regulations to adequately investigate these releases and take necessary actions to ensure that affected properties meet standards that are protective of human health and the environment.

ATTACHED MAP OR DESCRIPTION AND REPORT CONCLUSIONS

The party providing this notice to you is required to attach a map or description that indicates the boundaries of the area where the oil or hazardous material is or is likely to be present, and the conclusions of the site investigation or closure report (**Section E**). These attachments should give you additional information about the nature and location of the oil or hazardous material with respect to your property.

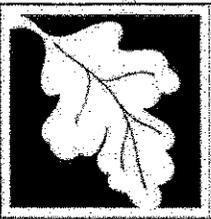
FOR MORE INFORMATION

Information about the general process for addressing releases of oil or hazardous material under the Massachusetts Contingency Plan and related public involvement opportunities may be found at <http://www.mass.gov/dep/cleanup/oview.htm>.

For more information regarding this notice, you may contact the party listed in **Section F** on the reverse side of this form. Information about the disposal site identified in **Section A** is also available in files at the Massachusetts Department of Environmental Protection.

See <http://mass.gov/dep/about/region/schedule.htm> if you would like to make an appointment to see these files. Please reference the **Release Tracking Number** listed in the upper right hand corner on the reverse side of this form when making file review appointments.

For additional information, please contact: Cyn Environmental Services
100 Tosca Drive, Stoughton, MA 02072, Attn: Richard R. LaMothe, LSP
Senior Project Manager, 781.341.1777 x155



INFORMATIONAL NOTICE ABOUT IMMEDIATE RESPONSE ACTIONS
As required by 310 CMR 40.1403(11) of the Massachusetts Contingency Plan

BWSC 124

This Notice is Related to
Release Tracking Number

3	29255
---	-------

A. The address of the disposal site related to this Notice and Release Tracking Number (provided above):

1. Street Address: 100 Terminal Street
City/Town: Charlestown, MA Zip Code: 02129-0000

B. This Notice is being provided to the following party:

1. Name: Varies - Please see accompanying report.
2. Street Address: _____
City/Town: _____ Zip Code: _____

C. This notice is being given to notify the party listed in Section B that:

- 1. Immediate Response Actions are to be/have been taken at the disposal site identified in Section A.
- 2. Immediate Response Actions taken at the disposal site identified in Section A have been completed. For notices given upon completion of Immediate Response Actions, attach a copy of the Immediate Response Action Completion Statement with the Notice.
 - Check here if an Immediate Response Action Completion Statement is attached.

D. Description of purpose, nature and expected duration of the Immediate Response Actions:

1. Describe the conditions that are to be/have been addressed by the Immediate Response Actions (i.e., Imminent Hazard, Critical Exposure Pathway), including any potential risks to human health or safety:
A sudden, continuous or intermittent release to the environment of any quantity of oil or waste oil that is listed at 310 CMR 40.1600 that results in the appearance of a sheen on surface water.

2. Describe the activities that are to be/have been conducted as Immediate Response Actions, including any excavation, removal and/or management of contaminated media, monitoring, use of respirators or other protective equipment:
Response actions to address the release included the use of absorbent materials to remediate the sheen.

3. Describe the specific location(s) where the Immediate Response Actions are to be/have been taken (attach map, as appropriate):
See attached figure.

4. Provide the approximate start date and completion date for the Immediate Response Actions:
May 5, 2010

E. Contact information related to the party providing this notice:

1. Contact Name: Mystic Marine Discounts
Street Address: 100 Terminal Street
City/Town: Charlestown, MA Zip Code: 02129-0000
Telephone: (617) 293-6247 Email: n/a

For additional information,
please contact: Cyn
Environmental Services, 100
Tosca Drive, Stoughton, MA
02072, Attn: Richard R.
LaMothe, LSP, Senior Project
Manager, 781.341.1777 x155

INFORMATIONAL NOTICE ABOUT IMMEDIATE RESPONSE ACTIONS
As required by 310 CMR 40.1403(11) of the Massachusetts Contingency Plan

MASSACHUSETTS REGULATIONS THAT REQUIRE THIS NOTICE

This notice is being provided pursuant to the Massachusetts Contingency Plan and the notification requirement at 310 CMR 40.1403(11). The Massachusetts Contingency Plan is a state regulation that specifies requirements for parties who are taking actions to address releases of chemicals (oil or hazardous material) to the environment.

THE PERSON(S) PROVIDING THIS NOTICE

This notice has been sent to you by the person who is addressing a release of oil or hazardous material to the environment at the location listed in **Section A** on the reverse side of this form. (The regulations refer to the area where the oil or hazardous material is present as the "disposal site".)

PURPOSE OF THIS NOTICE

Parties who are taking an Immediate Response Action to assess, and eliminate or mitigate conditions that could pose a risk to human health or safety or the environment, if unaddressed in the short-term, are required by state regulations to notify persons who are in close proximity to the area where the Immediate Response Action is occurring (i.e., "Affected Individuals"). The purpose of the notice is to inform its recipient (identified in **Section B** on the reverse side of this notice) of the purpose, scope and nature of the Immediate Response Action and how to obtain more information.

The regulations also required that the same "Affected Individuals" receive notice upon the completion of the Immediate Response Action. **Section C** on the reverse side of this form indicates the circumstance under which you are receiving this notice at this time. If you are receiving this notice upon completion of the Immediate Response Action, you should also be receiving a copy of the Immediate Response Action Completion Statement that summarizes the work that has been done.

Section D on the reverse side of this form provides specific information about the conditions that are to be/have been addressed by the Immediate Response Action, the types of activities that are to be/have been conducted (e.g., excavation of contaminated soil) and the expected start date and completion date for these activities.

POSTING THIS NOTICE

Recipients of this notice who own or operate a multi-unit or commercial or industrial building at which or near the location where the Immediate Response Action is occurring should post a copy of **both sides** of this notice at a central bulletin board, sign in area or other location where it will be visible to people who are routinely present in the building (e.g., residents, workers). The purpose of this posting is to inform these people of the purpose, scope and nature of the Immediate Response Action that they may be observing and/or about which they may wish to obtain more information.

FOR MORE INFORMATION

Information about the general process for addressing releases of oil or hazardous material under the Massachusetts Contingency Plan and related public involvement opportunities may be found at <http://www.mass.gov/dep/cleanup/oview.htm>. For more information regarding this notice, you may contact the party listed in **Section E** on the reverse side of this form. Information about the disposal site identified in Section A is also available in files at the Massachusetts Department of Environmental Protection. See <http://mass.gov/dep/about/region/schedule.htm> if you would like to make an appointment to see these files. Please reference the **Release Tracking Number** listed in the upper right hand corner on the reverse side of this form when making file review appointments.