



RESOURCE CONTROLS

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August 22, 2006

Ms. Paegan Deering
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

SUBJECT: RTN-3-23855

Dear Ms. Deering:

The current owner of the Subject Site received a \$4,000 annual compliance fee bill for the Site, which the MADEP suggests is a Tier ID default disposal site. We do not agree with the basis for this fee in that the Site should not have been classified as Tier 1D. We respectfully request that the Department amend the invoice and issue an appropriate credit of \$4,000.

The Site was purchased by Ms. Adele Santos in early 2004. She did not cause the release and has never contributed to the release. She bought the property in the condition that was described to the Department in the Partial RAO that was issued on April 29, 2004.

Upon acquisition of the property, Ms. Santos filed a Release Notification on May 12, 2004, and a Partial RAO-B1 on the same day. Since the RAO was issued less than 12 months following notification, neither Tier Classification nor an annual compliance fee are required.

While a Partial RAO was filed, not a full RAO, it is important to note that the Partial RAO related to 100% of the real estate controlled by Ms. Santos. Since issues addressed in the Partial RAO are broader neighborhood issues that did not originate on the Santos property and the balance of the "Disposal Site" is controlled by other responsible parties, Ms. Santos has reached the appropriate liability endpoint that is within her control. Please refer to enclosed cover letter that was submitted with the Partial RAO.

We trust that the enclosed is sufficient to resolve this matter, and that the Department will issue an appropriate credit shortly.

If you have any questions, please call the undersigned.

RESOURCE CONTROL ASSOCIATES, INC.

Robert C. Atwood, PE and LSP
President and CEO

RCA:lap

Enclosure

cc: Ms. Adele Santos
Mr. Robert Kalaghan, MADEP

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FILE COPY

May 7, 2004

**RESOURCE
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Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup
Northeast Regional Office
One Winter Street
Boston, MA 02108-4746

SUBJECT: Release Notification and Class B-1
Partial Response Action Outcome (RAO-P) Statement
27 Village Street, Somerville, Massachusetts

To Whom It May Concern:

On behalf of the Ms. Adele Santos ("Responsible Party"), owner of the residential and commercial property located at 27 Village Street, Somerville, Massachusetts, Resource Control Associates, Inc. (Resource Controls) is submitting the attached Release Notification Form and Partial Response Action Outcome (RAO-P) Statement to the Massachusetts Department of Environmental Protection (MADEP).

The releases identified on-Site were discovered during implementation of a property transfer assessment, prior to the Responsible Party's acquisition of the Property. The Responsible Party did not cause or contribute to the release area located on the property or to the balance of the disposal site located beyond the property line. Therefore, it is Resource Controls opinion that the Responsible Party has reached the appropriate liability endpoint, as described in Section 5C of Massachusetts General Law Chapter (M.G.L.) 21e. In addition, the Responsible Party understands that achieving the liability endpoint requires the RP to meet all of the requirements outlined in Section 5C of M.G.L. Chapter 21e.

In consideration of the foregoing, it is the understanding of Resource Controls that the Responsible Party will not be required to conduct response actions on the remainder of the disposal site, or be assessed annual compliance fees, beyond the RAO completion date, in this regard.

Please do not hesitate to contact the undersigned at (401) 728-6860 if you have any questions.

Very truly yours,

RESOURCE CONTROL ASSOCIATES, INC.

Patrick D. Corcoran, LSP

Maria L. Meleschnig
Project Manager

cc: Adele Santos, MIT School of Architecture and Planning

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1. Article Addressed to:

Ms. Paigan DeMay
MADEP
One Winter St.
Boston, MA 02108

Received
 AUG 30 2006
 Resource Controls

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