



File Copy  
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November 1, 2004

Mr. Kyle MacAfee  
Bureau of Waste Site Cleanup  
Massachusetts Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

**RE: Transfer of Tier II Classification for the Property Located at  
2472-2484 Massachusetts Avenue  
Cambridge, MA  
RTN 3-00013232**

Dear Mr. MacAfee:

On behalf of the current owner of the property, VLW Realty Trust of Cambridge, Massachusetts, MACTEC Engineering and Consulting (MACTEC) is enclosing herein a Tier II Classification Transfer submittal for the subject property formerly known as the Former Mass. Avenue Firestone Store and Gasoline Station. The reason for the change of Responsible Party is a recent change of ownership and planned changes in use of the property. The property will remain commercial use, but the operations will change from a gasoline station to a restaurant. This change in use will involve construction on the property.

In addition to the change of ownership, there is also a change in Licensed Site Professional (LSP) of Record for the Disposal Site:

Mr. Robert Nicoloro  
Lic. #4290  
MACTEC Engineering and Consulting  
107 Audubon Road, Wakefield, MA 01880  
Tel: 781-245-6606, Fax: 781-246-5060

Upon review by the new LSP of the background information regarding the status of this Disposal Site under the Massachusetts Contingency Plan (MCP), it is noted that the site-specific MCP compliance schedule, active before the property transfer, includes a Tier Classification extension request (Attached). It is not clear if that extension has been granted. The table referenced in this extension request document is not on file with MACTEC, so could not be included. Other documents on file at DEP include:

- Tier Classification dated August 7, 1997
- Phase I Site Investigation Report dated 1995
- Phase II Comprehensive Site Assessment dated October 13, 2001
- Ram Plan dated October 29, 2001

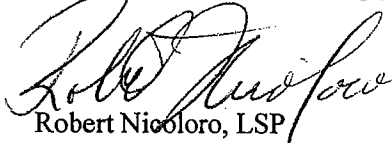
MACTEC Engineering and Consulting  
107 Audubon Road, Bldg 2, Suite 301 • Wakefield, MA 01880  
781-245-6606 • Fax: 781-246-5060

Mr. Kyle MacAfee  
November 1, 2004  
Page 2

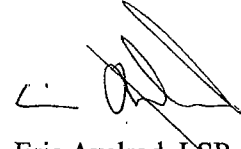
- Ram Plan Modification dated January 2002
- IRA Completion Statement dated July 2003
- RAM Plan dated September 2004

If there are any questions regarding this information, please do not hesitate to contact me.

Sincerely,  
**MACTEC ENGINEERING AND CONSULTING**



Robert Nicoloro, LSP  
Senior Project Manager



Eric Axelrod, LSP  
Office Manager

Enclosures

cc: MACTEC Project File [PAW2-mfg\Best Gas Cambridge\Tier Classification\transfer letter.doc]

MASSACHUSETTS CONTINGENCY PLAN  
TIER II EXTENTION

RELEASE TRACKING No. 3-13232  
Mass Ave Firestone  
2480 Massachusetts Avenue  
Cambridge, MA 02140

Date: APRIL 2004

Report Prepared For:

Frank Mazzeo  
2480 Massachusetts Avenue  
Cambridge, MA 02140

Report Prepared By:

NewPath, LLC  
237 South Street  
Hingham, MA 02043

MASSACHUSETTS CONTINGENCY PLAN  
TIER II EXTENSION

RELEASE TRACKING No. 3-13232

## 1.0 Disposal Site Summary

The subject site is located at 2480 Massachusetts Avenue in Cambridge, Massachusetts. The site has been used as a gasoline filling station since the 1930s and is currently occupied by Basic Gas. Based on the available information it appears that multiple underground storage tanks (USTs) were removed from the site in 1984 and replaced with three (3) 6,000-gallon gasoline USTs, two (2) 510-gallon USTs for diesel and waste oil (both tanks have since been removed), and one (1) 280-gallon aboveground storage tank for waste oil. Reportedly, the tanks are single walled steel tanks with the appropriate cathodic protection.

In 1995 the Jiffy-Lube company expressed interest in purchasing the property and conducted a preliminary environmental site investigation to determine if the soil and groundwater had been impacted by historical use. Total petroleum hydrocarbons (TPH) were detected in the soil and groundwater above reportable concentrations and a Release Notification Form (RNF) was submitted to the DEP. The site was assigned Release Tracking Number (RTN) 3-0013232 in December 1995. A summary of the subsequent environmental investigations and DEP correspondences is provided below.

- January 8, 1997 – The MA-DEP notified Mr. Mazzeo that response actions have not been conducted within the requisite time frame and that the site would be listed as a “Default Tier IB” site if further actions were not taken.
- March 3, 1997 - RG Contractors pressure tested the five (5) USTs and all five (5) tested tight.
- August 11, 1997 – Eklund Associates submitted a Phase I and Tier Classification to the DEP. The site was classified as a Tier II site.
- July and August 2001 – A Preliminary Site Assessment was conducted by IES, Inc on behalf of Frank Fodera to determine if the site could be developed for residential use. The assessment included the installation and sampling of five (5) test borings and three (3) monitoring wells. The assessment identified concentrations of EPH and VPH constituents above Method 1 standards and concluded that a RAO could not be achieved using the available information.
- October 13, 2001 – Eklund Associates completed a MCP Phase II using the information obtained from the Preliminary Assessment supplemented by a targeted soil gas survey. The soil gas survey consisted of the installation of three points in the building floor slab nearest a well with high contaminant concentrations (no map provided). Soil gas samples were then collected

following the protocol established in the final draft "Implementation of the MADEP VPH/EPH Approach (June 2001, p25)." Reportedly no concentrations above 1.0 ppmv were detected.

The Phase II concluded that the disposal site did not pose a significant potential hazard to human health, safety, and welfare pursuant to the MCP. The consultant indicated that a Response Action Outcome (RAO) with appropriate Activities and Use Limitations (AUL) could be filed with the DEP if the facility was operated as a gas station or similar use.

- October 29, 2001 – Eklund Associates submitted a Release Abatement Measures (RAM) Plan to excavate up to 200 cubic yards of contaminated soil
- January 2002 – Eklund Associates installed two (2) test pits onsite to further evaluate the volume of soil that would be excavated during planned RAM activities. Laboratory analysis of three soil samples collected from the test pits detected only minimal concentrations of C<sub>9</sub>-C<sub>12</sub> Aliphatics; however a map showing the location of the test pits or the soil samples was not provided in any of the available information.

The RAM Plan was modified to include the removal of the remaining USTs; however the RAM Plan was never executed.

- January, 2002 – December, 2002 – Additional subsurface investigations were conducted by Boston Environmental Engineering Associates (BEEA) to further define the degree and extent of the contamination and to evaluate potential options for reaching a permanent solution compatible with a residential use. The investigation included the installation of 13 soil borings, 11 of which were completed as monitoring wells. Nearly half of the borings and monitoring wells were installed off property to identify the extent of the plume and to identify any up-gradient contaminant sources.

The investigation determined that volatile petroleum hydrocarbons (VPH) were present in the soil and groundwater above applicable regulatory standards across approximately 75% of the property and extractable petroleum hydrocarbons (EPH) were present above standards across approximately 15% of the property. BEEA also determined that contamination was moving west with groundwater across Edmunds Street. Based on the results, BEEA concluded that soil and groundwater remediation were required before a level of "No Significant Risk" for residential use could be achieved.

- In April 2004, NewPath, LLC was retained by the site owner to prepare and submit a Tier II Extension for the disposal site.
- During the BEEA investigation laboratory analytical results for groundwater collected within 30 feet of two residences, 9-11 and 13-15 Edmunds Street, detected total volatile organic compounds (VOC) at levels exceeding 5 mg/l.

The DEP was informed of this condition on April 7, 2003 and determined that the VOC levels triggered an Immediate Response Action (IRA) threshold. The DEP assigned RTN # 3-22811 to the site for the new reporting condition and issued a Notice of Responsibility to the site owner.

- The site owner retained NewPath, LLC in May 2003 to conduct an IRA to determine if a condition of Substantial Release Migration (SRM) or Critical Exposure Pathway (CEP) existed within the two residences of concern. The IRA included indoor air sampling in both houses and sampling of the two monitoring wells located nearest the homes (BE-10 and BE11). It was determined that a condition of Substantial Release Migration or Critical Exposure Pathway did **not** exist at the disposal. In a letter dated August 31, 2003, the DEP agreed with the findings of the IRA but indicated that additional sampling may be required during worst case conditions (winter) to verify the results.
- On August 28, 2003 NewPath, LLC re-sampled 10 of the existing monitoring wells to evaluate the current condition of the groundwater. The results of the sampling event indicated that the contaminant concentrations in most instances were stagnant or had decreased, indicating that all onsite sources had been removed. Residual contamination was still present in the soil and groundwater above applicable regulatory thresholds; however, and remediation was recommended to achieve a level of "No Significant Risk" for residential use.

The approximate locations of the borings, test pits and groundwater monitoring wells installed to date are depicted in the attached Figure and a summary of the available laboratory analytical results are included in Tables 1 and 2.



**TIER CLASSIFICATION TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

3 - 13232

**A. DISPOSAL SITE LOCATION:**

1. Disposal Site Name: Former Mass Avenue Firestone Store and Gasoline Station

2. Street Address: 2472-2484 Massachusetts Avenue

3. City/Town: Cambridge, MA

4. ZIP Code: 02139-1605

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

1. Submit a new **Tier Classification Submittal for a Tier I Site**, including a **Numerical Ranking Scoresheet (BWSC107A)** (check one) A Tier I Permit Application must also be submitted.

a. Tier IA     b. Tier IB     c. Tier IC

2. Submit a new **Tier Classification Submittal for a Tier II Site**, including the **Numerical Ranking Scoresheet (BWSC107A)** and the **Tier II Compliance History (BWSC107B)**

3. Submit a **Phase I Completion Statement** as per 310 CMR 40.0480

If previously submitted, provide date \_\_\_\_\_ mm/dd/yyyy

4. Submit a **Phase II Scope of Work** as per 310 CMR 40.0834

If previously submitted, provide date \_\_\_\_\_ mm/dd/yyyy

5. Submit a **Phase II Conceptual Scope of Work supporting a Tier Classification Submittal**

6. Submit a **Tier II Extension Submittal** for Response Actions at a Tier II Site including the **Tier II Compliance History (BWSC107B)**

7. Submit a **Tier II Transfer Submittal** for a change in person(s) undertaking Response Actions at a Tier II Site including the **Tier II Compliance History (BWSC107B)** and the **Tier II Transferor Certification (BWSC107C)**

Proposed effective date of transfer : 09/01/2004  
mm/dd/yyyy

8. Submit a **Revised Tier Classification Submittal**, including a **Numerical Ranking Scoresheet (BWSC107A)** A Major Permit Modification may also need to be submitted.

If this revised submittal is re-classifying the site check the new classification.

a. Tier IA     b. Tier IB     c. Tier IC     d. Tier II

9. Submit a **Notice that an additional Release Tracking Number(s) is (are) being linked to this Tier Classified Site (Primary RTN)**. Future response actions addressing the Release or Threat of Release notification condition associated with additional Release Tracking Numbers (RTNs) will be conducted as part of the Response Actions planned or ongoing at the Primary Site listed above. For a previously Tier Classified Primary Site, if there is a reasonable likelihood that the addition of the new secondary RTN(s) would change the classification of the site, a **Revised Tier Classification Submittal** must also be made.

Provide Release Tracking Number(s): a.  -  b.  -

All future Response Actions must occur according to the deadlines applicable to the Primary RTN. Use only the Primary RTN when making future submittals for this site unless specifically relating to response actions started before the linking occurred.



**TIER CLASSIFICATION TRANSMITTAL FORM**

Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

3 - 13232

**C. 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 of this form indicates that a **Tier I or Tier II Classification Submittal including the Numerical Ranking System Scoresheet** is being submitted, this Tier Classification Submittal has been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and, 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) complies(y) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a **Phase I Completion Statement** is being submitted, 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;

> if Section B of this form indicates that a **Phase II Scope of Work** is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed 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;

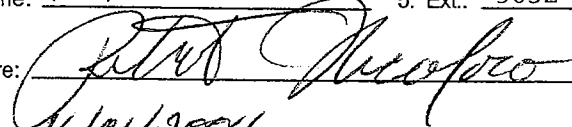
> if Section B of this form indicates that a **Tier II Extension Submittal or a Tier II Transfer Submittal** is being submitted, the response action(s) that is (are) the subject of this submittal (i) is (are) being implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 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) complies(y) 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 #: 4290

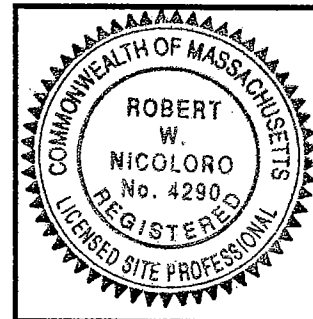
2. First Name: Robert 3. Last Name: Nicoloro

4. Telephone: (781) 245-6606 5. Ext.: 5632 6. FAX: (781) 246-5060

7. Signature: 

8. Date: 11/01/2004  
mm/dd/yyyy

9. LSP Stamp:







**TIER CLASSIFICATION TRANSMITTAL FORM**  
Pursuant to 310 CMR 40.0500 (Subpart E)

Release Tracking Number

3 - 13232

**D. 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: VLW Realty Trust
3. Contact First Name: Brandon 4. Last Name: Woolkalis
5. Street: 12 Chatham Street 6. Title: \_\_\_\_\_
7. City/Town: Cambridge 8. State: MA 9. ZIP Code: 02139-1605
10. Telephone: (617) 216-2000 11. Ext.: \_\_\_\_\_ 12. FAX: (617) 497-1285

**E. RELATIONSHIP OF PERSON MAKING SUBMITTAL TO DISPOSAL SITE:**

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: \_\_\_\_\_

**F. 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 any Phase Reports to DEP.
3. Check here to certify that a Legal Notice of a Tier Classification or Re-classification Submittal has been or will be made according to 310 CMR 40.1403, and a copy of the notice sent to DEP, the Chief Municipal Officer and the Local Board of Health.
4. For a Tier II Extension Submittal, check here to certify that a statement summarizing why a Permanent or Temporary Solution has not been achieved at the Disposal Site is attached.
5. For a Tier II Transfer Submittal, check here to certify that a statement summarizing the reasons for the proposed change in person(s) undertaking the Response Actions is attached. All Response Actions must be completed by the deadline applicable to the person who first filed either a Tier Classification Submittal for the Disposal Site or received a Waiver of Approvals.
6. Check here if any non-updatable information provided on this form is incorrect, e.g. Release Address/Location Aid. Send corrections to the DEP Regional Office.
7. Check here to certify that the LSP Opinion containing the material facts, data, and other information is attached.



**TIER CLASSIFICATION TRANSMITTAL FORM**  
Pursuant to 310 CMR 40.0500 (Subpart E)

3 - 13232

**G. CERTIFICATION OF PERSON MAKING SUBMITTAL:**

1. I, Brandon Woolkalis, 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.

If submitting a Tier II Classification, Extension or Transfer, I also attest under the pains and penalties of perjury that (i) I/the person(s) or entity(ies) on whose behalf this submittal is made has/have personally examined and am/is familiar with the requirements of M.G.L. c. 21E and 310 CMR 40.0000; (ii) based upon my inquiry of the/those Licensed Site Professional(s) employed or engaged to render Professional Services for the disposal site which is the subject of this Transmittal Form and of the person(s) or entity(ies) on whose behalf this submittal is made, and my/those person's(s') or entity's(ies') understanding as to the estimated costs of necessary response actions, that/those person(s) or entity(ies) has/have the technical, financial and legal ability to proceed with response actions for such site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements; and (iii) that I am fully authorized to make this attestation on behalf of the person(s) or entity(ies) legally responsible for this submittal. I/the person(s) or entity(ies) on whose behalf this submittal is made is aware of the requirements in 310 CMR 40.0172 for notifying the Department in the event that I/the person(s) or entity(ies) on whose behalf this submittal is made learn(s) that it/they is/are unable to proceed with the necessary response actions.

2. By: Brandon Woolkalis 3. Title: Manager  
Signature

4. For: FRANK MUZZEO 5. Date: 10/18/04  
(Name of person or entity recorded in Section D) mm/dd/yyyy

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

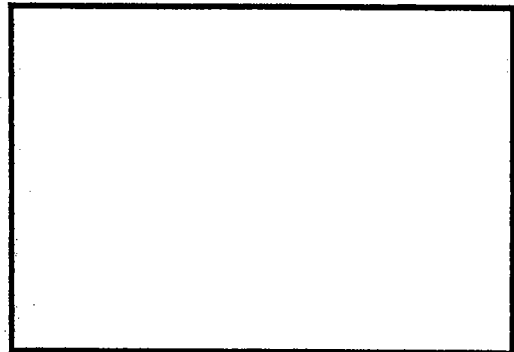
7. Street: \_\_\_\_\_

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):





**TIER II COMPLIANCE HISTORY**  
Pursuant to 310 CMR 40.0540 (Subpart E)

**A. DISPOSAL SITE COMPLIANCE HISTORY SUMMARY:**

1. Check here if a Tier II Compliance History of the person listed in BWSC107, Section D, was previously submitted, and there has been no change in that person's compliance history. If this box is checked, this section does not have to be completed.
2. List all permits or licenses that have been issued by the Department that are relevant to this Disposal Site:

Program	Permit Number	Permit Category	Facility ID
a. Air Quality	NA		
b. Hazardous Waste (M.G.L. c. 21C)	NA		
c. Solid Waste	NA		
d. Industrial Wastewater Management	NA		
e. Water Supply	NA		
f. Water Pollution Control/Surface Water	NA		
g. Water Pollution Control/Groundwater	NA		
h. Water Pollution Control/Sewer Connection	NA		
i. Wetland & Waterways	NA		

3. List all other Federal, state or local permits, licenses, certifications, registrations, variances, or approvals that are relevant to this Disposal Site:

Issuing Authority or Program, or Documentation Type	Identification Number	Date Issued (mm/dd/yyyy)
City of Cambridge - Street Opening Permit	4607	05/17/2004

4. Check here to certify that, if needed, a statement further describing the Compliance History of this Disposal Site is attached.

This statement must describe the compliance history of the person or entity named in BWSC107, Section D with the following: (1) DEP regulations; and (2) other laws for the protection of health, safety, public welfare and the environment administered or enforced by any other government agency. Such a statement should identify information such as: (1) actions relevant to the Disposal Site taken by the Department to enforce its requirements including, but not limited to, a Notice of Noncompliance (NON), Notice of Intent to Assess Civil Administrative Penalty (PAN), Notice of Intent to Take Response Action (NORA), and an administrative enforcement order; (2) administrative consent orders; (3) judicial consent judgements; (4) similar administrative actions taken by other Federal, state or local agencies; (5) civil or criminal actions relevant to the Disposal Site brought on behalf of the DEP or other Federal, state, or local agencies; and (6) any additional relevant information. For each action identified, provide the following information: (1) name of the issuing authority, type of action, identification number and date issued; (2) description of noncompliance cited; (3) current status of the matter; and (4) final disposition, if any.



**TIER II TRANSFEROR CERTIFICATION**  
Pursuant to 310 CMR 40.0560 (Subpart E)

Release Tracking Number

3 - 13232

**A. PERSON TRANSFERRING A TIER II CLASSIFICATION:**

1. Check all that apply:  a. change in contact name  b. change of address

2. Name of Organization: Mass Ave Firestone, Inc.

3. Contact First Name: Frank 4. Last Name: Mazzeo

5. Street: 2480 Massachusetts Avenue 6. Title: \_\_\_\_\_

7. City/Town: Cambridge 8. State: MA 9. ZIP Code: 02140-1627

10. Telephone: (617) 547-1003 11. Ext.: \_\_\_\_\_ 12. FAX: \_\_\_\_\_

**B. RELATIONSHIP TO THE DISPOSAL SITE OF PERSON TRANSFERRING A TIER II CLASSIFICATION:**

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: \_\_\_\_\_

**C. CERTIFICATION OF PERSON TRANSFERRING TIER II CLASSIFICATION:**

1. I, Frank Mazzeo, 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: [Signature] 3. Title: FORMER OWNER  
Signature

4. For: Brandon Woolkalis 5. Date: 11-03-2004  
(Name of person or entity recorded in Section A) mm/dd/yyyy

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

7. Street: 481 Fellsway West

8. City/Town: MEDFORD 9. State: MA 10. ZIP Code: 02155

11. Telephone: 781-396-9780 12. Ext.: \_\_\_\_\_ 13. FAX: \_\_\_\_\_



11-04 ltr. to  
K. MACAfee -



A NOTE FROM  
Robert and Karen Nicoloro

also sent to Helping animals in 2002.  
regular mail 11-304 JMU 3650080007  
FRANC MAZZEO  
481 Fellsway West  
MEDFORD, MA  
02155

Brandon Woolkalis  
10 CHATHAM ST.  
Cambridge, MA 02139

MSPCA

Bringing kindness and comfort to needy animals.



Massachusetts Department of Environmental Protection  
Bureau of Waste Site Cleanup

BWSC107C

TIER II TRANSFEROR CERTIFICATION

Pursuant to 310 CMR 40.0560 (Subpart E)

Release Tracking Number

3 - 13232

A. PERSON TRANSFERRING A TIER II CLASSIFICATION:

1. Check all that apply:  a. change in contact name  b. change of address

2. Name of Organization: Mass Ave Firestone, Inc.

3. Contact First Name: Frank 4. Last Name: Mazzeo

5. Street: 2480 Massachusetts Avenue 6. Title: \_\_\_\_\_

7. City/Town: Cambridge 8. State: MA 9. ZIP Code: 02140-1627

10. Telephone: (617) 547-1003 11. Ext.: \_\_\_\_\_ 12. FAX: \_\_\_\_\_

B. RELATIONSHIP TO THE DISPOSAL SITE OF PERSON TRANSFERRING A TIER II CLASSIFICATION:

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: \_\_\_\_\_

C. CERTIFICATION OF PERSON TRANSFERRING TIER II CLASSIFICATION:

1. I, Frank Mazzeo, 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: [Signature] 3. Title: FORMER OWNER  
Signature

4. For: Brandon Woolkalis 5. Date: 11-03-2004  
(Name of person or entity recorded in Section A) mm/dd/yyyy

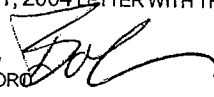

6. Check here if the address of the person providing certification is different from address recorded in Section A)

7. Street: 481 Fellsway West

8. City/Town: MEDFORD 9. State: MA 10. ZIP Code: 02155

11. Telephone: 781-396-9780 12. Ext.: \_\_\_\_\_ 13. FAX: \_\_\_\_\_



TRANSMITTAL LETTER					
To: Ms. KATHY CAHILL			DATE: NOVEMBER 3, 2004		
MADEP-BWSC			CLIENT:		
ONE WINTER STREET, 9 <sup>TH</sup> FLR			PROJECT:		
BOSTON, MA 02108			MACTEC PROJECT No.:		
PHONE: 617-654-6549			DELIVERY: FEDEX		
			<p>DEAR KATHY,</p> <p>PLEASE FIND REVISED FORM 107C WITH THE SIGNATURE OF FORMER OWNER OF THE FORMER FIRESTONE GASOLINE STATION AT 2480 MASS. AVE. PLEASE REPLACE 107C PAGE FROM THE NOVEMBER 1, 2004 LETTER WITH THE ATTACHED.</p> <p>THANK YOU, BOB NICOLORO </p>		
<input checked="" type="checkbox"/> INFORMATION <input type="checkbox"/> ESTIMATING <input type="checkbox"/> COMMENTS AND/OR APPROVAL		<input type="checkbox"/> PURCHASING <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> SEE REMARKS		PREPARED BY: JENNIFER M. NAPOLITANO 	
NUMBER	REVISION No.	NO. OF COPIES	TITLE OR DESCRIPTION		
1		1	TIER II TRANSFEROR CERTIFICATION. BSWC107C		
DISTRIBUTION: T = TRANSMITTAL LETTER; C = COPY OF DOCUMENT					
		T	C		
				T	C

MACTEC Engineering and Consulting  
 107 Audubon Road, Suite 301  
 Wakefield, MA 01880  
 Phone No.: (781) 245-6606 Fax No.: (781) 246-5060



A NOTE FROM

Robert and Karen Nicoloro

JEN

Helping animals in 2002.

PLEASE TRANSMIT  
MAKE A MEMO TO:

3650040007

Ms. KATHY Cahill

MASSACHUSETTS DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

BUREAU OF WASTE SITE CLEANUP  
ONE WINTER ST.

BOSTON, MA 02108

Dear KATHY Revised Form 107C

PLEASE FIND ~~original~~ with  
THE SIGNATURE OF FORMER OWNER  
OF THE FORMER FIRESTONE  
GASOLINE STATION at 2480 MASS.

AVENUE. PLEASE REPLACE 107C PAGE  
MSPCA FROM THE NOV 1, 2004 LETTER

Bringing kindness and comfort to needy animals.

~~and~~ with the attached  
Thank you Bob Nicoloro



**Napolitano, Jennifer**

---

**Subject:** FW: FedEx shipment 790819516813

-----Original Message-----

From: FedEx [<mailto:donotreply@fedex.com>]  
Sent: Thursday, November 04, 2004 11:39 AM  
To: Napolitano, Jennifer  
Subject: FedEx shipment 790819516813

**Our records indicate that the shipment sent from Bob Nicoloro/MACTEC to Kathy Cahill/MADEP-BSWC has been delivered. The package was delivered on 11/04/2004 at 9:43 AM and signed for or released by C.GURINO.**

The ship date of the shipment was 11/03/2004.

The tracking number of this shipment was 790819516813.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:  
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=790819516813&action=track&language=english&cntry\\_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790819516813&action=track&language=english&cntry_code=us)

Disclaimer

-----  
FedEx has not validated the authenticity of any email address.

11/4/2004

From: • Origin ID: (781)245-6606  
 Bob Nicoloro  
 MACTEC  
 107 Audubon Road  
 Wakefield, MA 01880



CLS09140405/06

Ship Date: 03NOV04  
 Actual Wgt: 1 LB  
 System#: 4212649/INET2000  
 Account#: S \*\*\*\*\*

REF: 3650040007/1

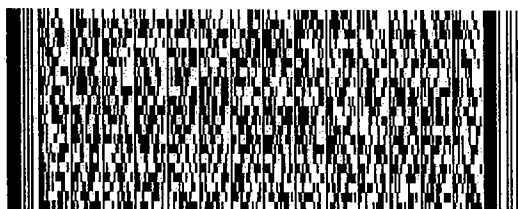


Delivery Address Bar Code

SHIP TO: (617)654-6549

BILL SENDER

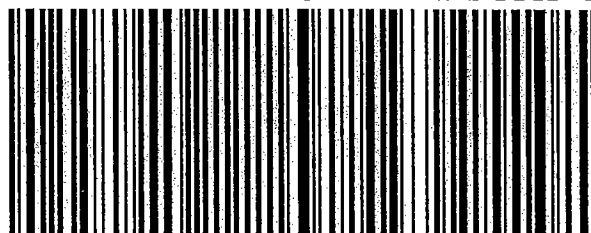
**Kathy Cahill**  
**MADEP-BSWC**  
**One Winter Street**  
**9th Floor**  
**Boston, MA 02108**

**STANDARD OVERNIGHT****THU**

TRK# 7908 1951 6813

FORM  
0201Deliver By:  
04NOV04**BOS A1**

02108 -MA-US

**01 LWMA**

Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.**

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.