EXHIBIT C-14

Municipal File Review



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Owner Massachusetts, Commonwealth of

From Mass, Johnson for the Feebler Minded.

Estate 17 Acres 11 665 pg. ft. Land plans of F.C.

Lohnson June 1.88 Bourged by Jarah Hohrd 1854

50 7089 Acres & 5 Acres 30227 ft. This two being the same conveyed to grant or by Fred M. Galdwine Sept. 1.87.

16 14 Acres, January January Whelphystal Aug & 87.

To Grantor from

Consideration Date 4. 11 89 Recorded 6. 17 89 1 Book 1915.

Grantor List of 1889-90. Page 84

Remarks

GRANTOR: Commissionerealth of moso John.

Department of Mental Diseases acting for Commiss mass for purpose of constructing of the track to connect ed comed by bomme to confuse by moso School for Feeble - minded with look.

Ital mass R.R. as hereby take absolutely in the Elimple in mome to whelely and bomme all that track of led tall rate easements title timbs in all pursues in its to one of taken.

Laking, 19574. N.E. along New right of many.

Contr. mass Dun of 3 + m R.R. and park being station: 1 + 66 along and center line of proposely aiding beg an station: 0 + 00 which is interes of center line of existing aiding with NE. line. Beaner bl. - ring from and park alone musting on all center line on curne to light, radius 573, 241, all 3+41. to atatin 2 + ro - NE on tangent to all curre 200 ft. to atatin 4 + 00 - NE. N. + NW along. and center line on curre to light radius 173.2 ft. aft. Por ft. to fait. on SE line Warrely Clarko Rd. ad. park being aft 37 ft. Sw from interes. Ad. SE line Warrely Clarko Rd. Se line Warrely Clarko Rd.

Grant Dept of Mental Desease Jaking Still recension Jaking Berly Mental Desease Jaking Lamied by Catruck J. Ordenick J. Or

J. 57. 023 E. 999. 25 J. - El Ly ed Ad Cor J. 39. 59. 40" W. 1437. 10 Jt. to E Le Jurelle P.J. - Il a Jurpels Rd. M. 11029 W. 89. 47 Jt. El 3. 39059 40 "E. Ly ed. Dommerk: Mary E. Helela Q. Briderick 1300.32 Jt. - El Ly ed. Dommerk Mary E. L. Delia Q. Priderick 3 57.23 W. 858. 17 Jt. Il Ly ad. Dommin, mary E. + Delia C. Briderick J. 40 b 24. 30" W. 570. 12 Jt. - Il Ly Jupels P. 7. 17. 041 W. 82. 46 Jt. to hey.

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		Consideration ⊄ -			·,·,	1-28- 2	7.7	-2-202
		Grantor List of 1896-97	Page	PA.	Assessors'			~~~~~
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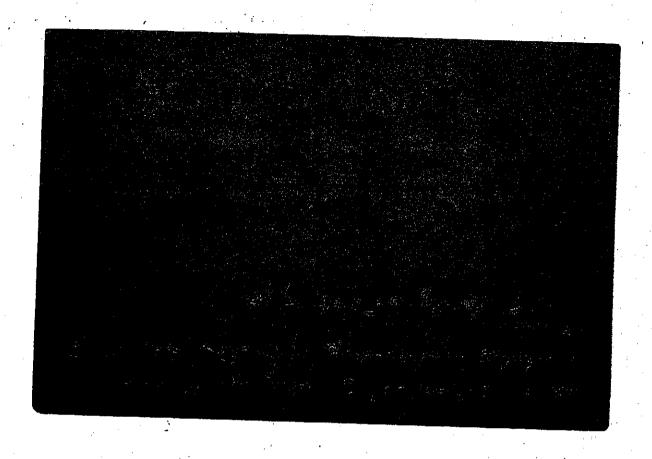
Begint a split granite stone at N.E. cor.
of priem. then, S. 38°-845/3 f. to ld. of gr
to mall at ld. of S. S. Warren then. S.
29°-111 f. Sh. 38/2° 89 f. - St. 48°-35"/1

St. 22'/2° E-110 f. St. 11/2° 12/2° f. St. 12° - 10 m

78 f. St. 37/4° E. 659 f. all on ld. of sd Warren as
wall n. stands to cor. at la. of Baldwin

then. S. 45° 10 m. E. 270 f. on Baldwin ld. as
mall now stands
on sd. granteei ld. contg. Facus.

,	Owner Massachusetts School Low Bellow Midd
	From Walter 6 Fernald
	Estate
	Est. North St. described in deed
	from Hanking to Gernald.
	To Grantor from
	Consideration Date 2. J. 90 Recorded 2 6, 90 Book/955
	Grantor List of / Py 90. Page 2 72/
· ·	Remarks
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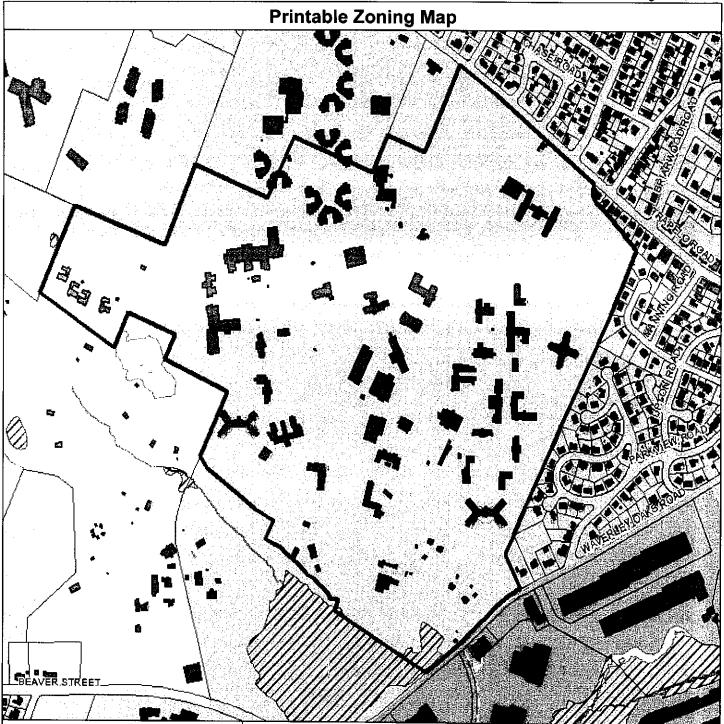


TO GRANTOR FROM

SERVICE LA COLLEGE HASE

TO CRANTOR FROM

Waltham GIS Information For Property and Surrounding Properties



Prop ID Location R045 001 0001 190 TRAPELO RD

COMM, OF MASS

Billing Address 200 TRAPELO ROAD

City, State Zip WALTHAM, MA 02452

Legal Ref. Date 10/22/1931

Sale Price

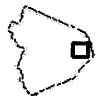
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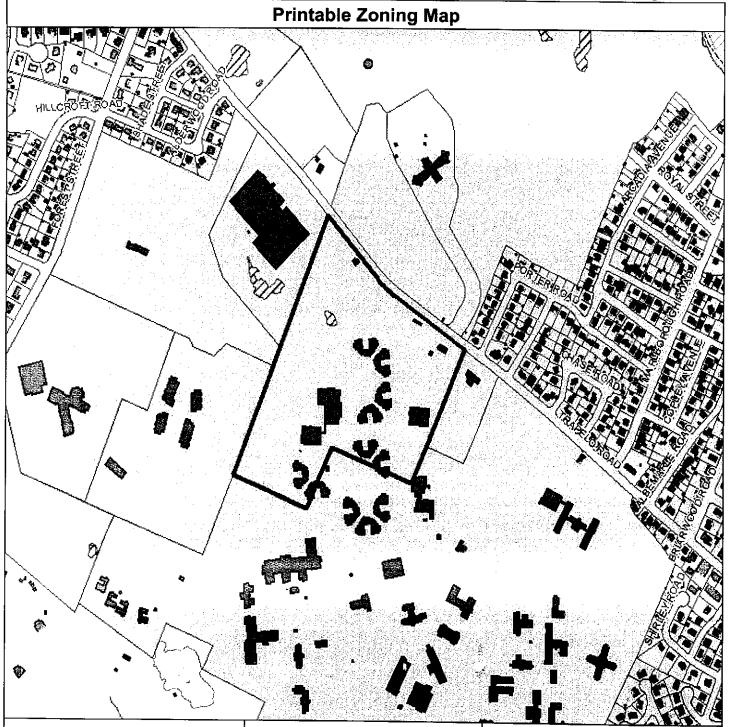
Lot Size



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Prop ID

R036 008 0001

Location

338 TRAPELO RD

Owner Billing Address 200 TRAPELO RD.

COMMONWEALTH OF MASS.

City, State Zip WALTHAM, MA 02452

Legal Ref. Date 5/22/1930

Sale Price Lot Size

\$0

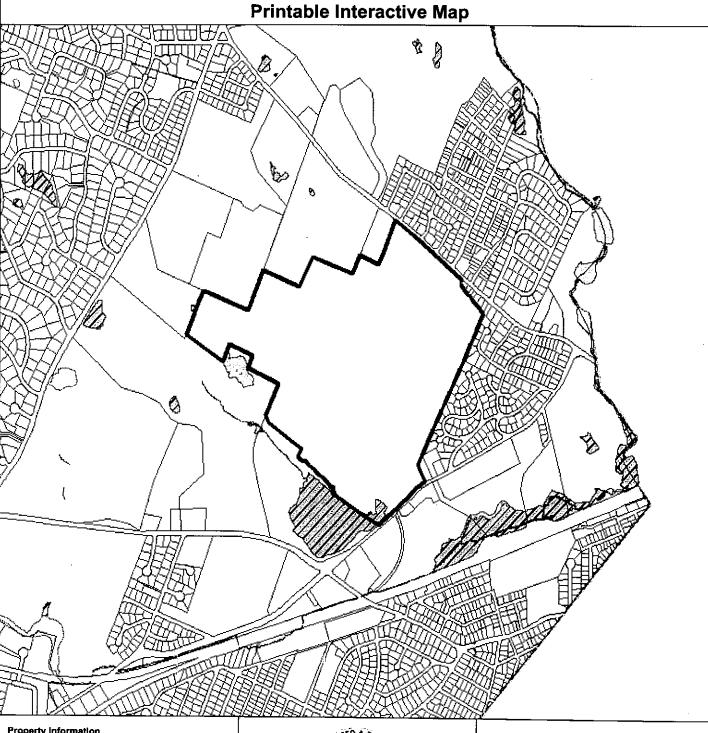
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Prop ID Location R045 001 0001

Owner

190 TRAPELO RD COMM. OF MASS

Billing Address 200 TRAPELO ROAD City, State Zip WALTHAM, MA 02452

Legal Ref. Date 10/22/1931

Sale Price

\$0

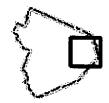
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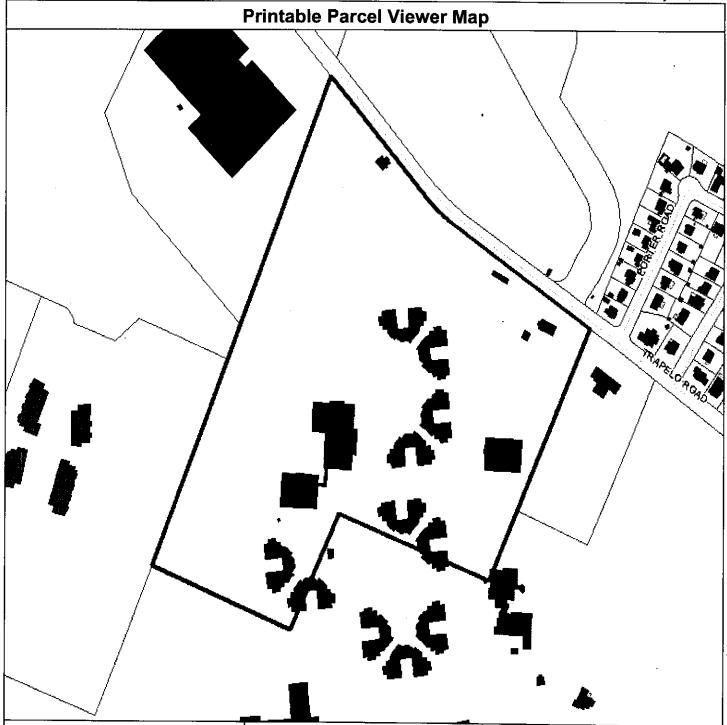
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Prop ID

R036 008 0001

Location

338 TRAPELO RD

OwnerCOMMONWEALTH OF MASS.Billing Address200 TRAPELO RD.

City, State Zip WALTHAM, MA 02452

Legal Ref. Date 5/22/1930

Sale Price

\$0

Lot Size

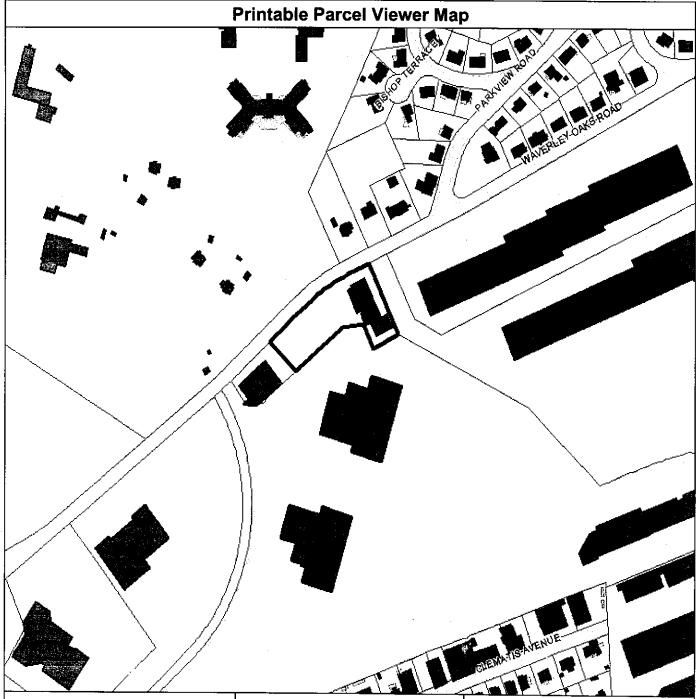
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Prop ID

R045 003 0005

Location Owner

355 WAVERLEY OAKS RD YMC REALTY TRUST

City, State Zip WALTHAM, MA 02452-8403

Billing Address 355 WAVERLEY OAKS RD

Legal Ref. Date 7/13/1973 Sale Price \$0

Lot Size

1.24674



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Prop ID

R045 003 0001

Location Owner

319 WAVERLEY OAKS RD

Billing Address 319 WAVERLEY OAKS ROAD

BUILDING UNLIMITED, INC.

City, State Zip WALTHAM, MA 02452-8403

Legal Ref. Date 7/20/1992

Sale Price Lot Size

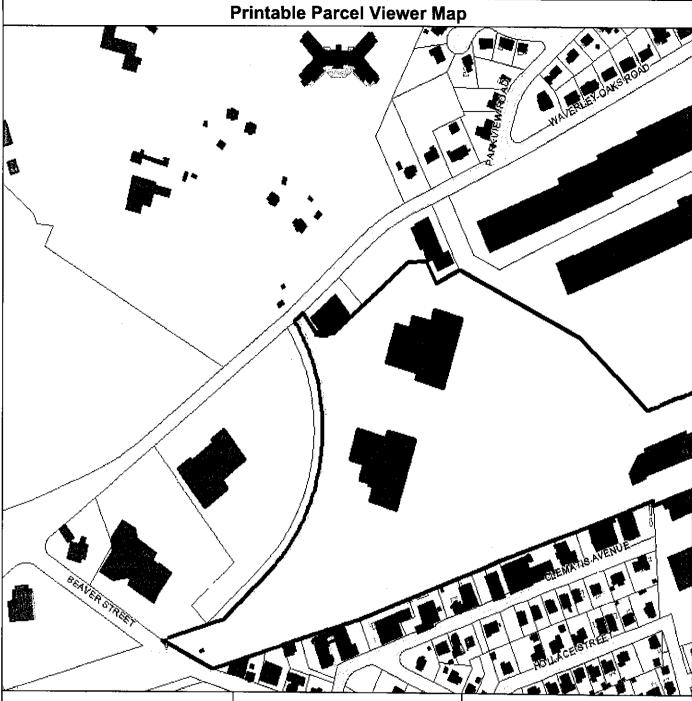
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Prop ID R054 004 0003

 Location
 307 WAVERLEY OAKS RD

 Owner
 BEAVER GROUP, LLC

 Billing Address
 411 WAVERLEY OAKS RD

 City, State Zip
 WALTHAM, MA 02452-8405

 Legal Ref. Date
 12/28/1998

 Sale Price
 \$150,000

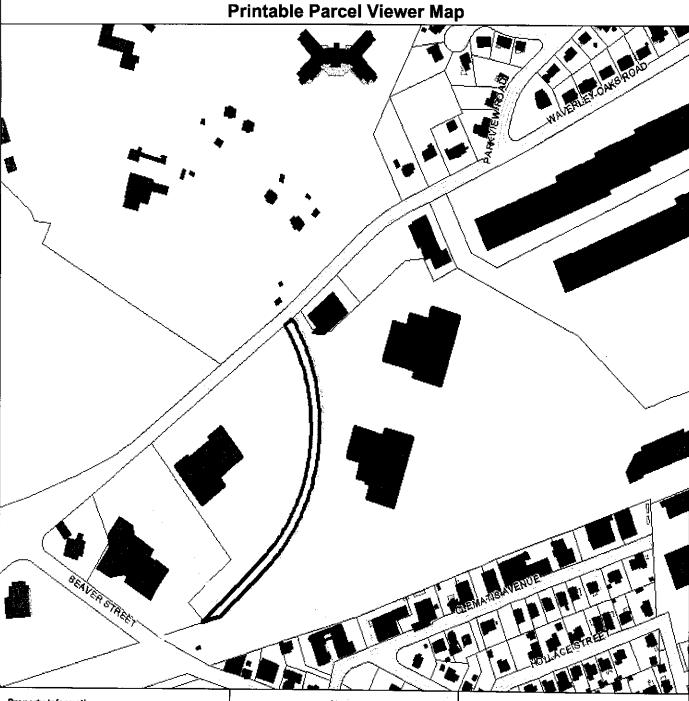
 Lot Size
 26.98347



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Prop ID

R054 004 0002

Location Owner

313 WAVERLEY OAKS RD

Billing Address 200 TRAPELO ROAD

COMMONWEALTH OF MASS.

City, State Zip WALTHAM, MA 02452-6368

Legal Ref. Date 12/12/1905 Sale Price

\$0

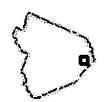
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Prop ID

R054 004 0001

Location Owner

271 WAVERLEY OAKS RD WESTSHELL, L.L.C.

Billing Address 411 WAVERLEY OAKS RD

City, State ZIP WALTHAM, MA 02452-8405

Legal Ref. Date 6/14/1996 Sale Price \$1

Lot Size

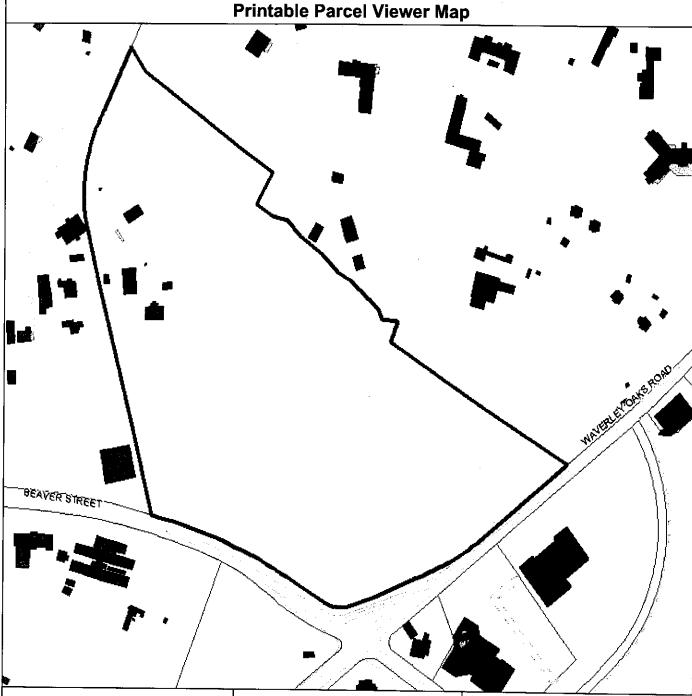
5.57899



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Prop ID

R054 001 0001

Location

225 BEAVER ST

Owner

COMMONWEALTH OF MASS. Billing Address 240 BEAVER STREET

City, State Zip WALTHAM, MA 02452-8022

Legal Ref. Date

Sale Price \$0

Lot Size

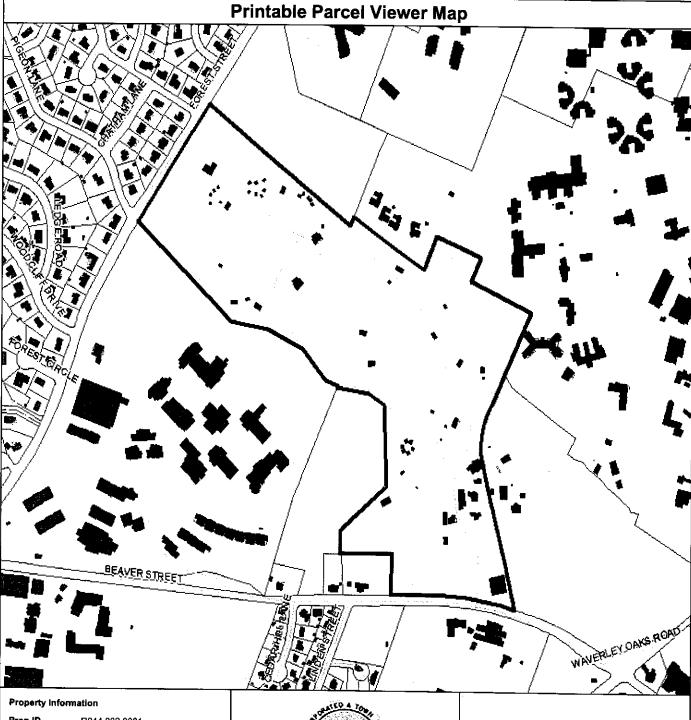
30.84



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Prop ID

R044 002 0001

Location Owner

265 BEAVER ST MASS. GIRL SCOUTS

Billing Address 265 BEAVER STREET

City, State Zip WALTHAM, MA 02452-8021 Legal Ref. Date

Sale Price \$0

Lot Size

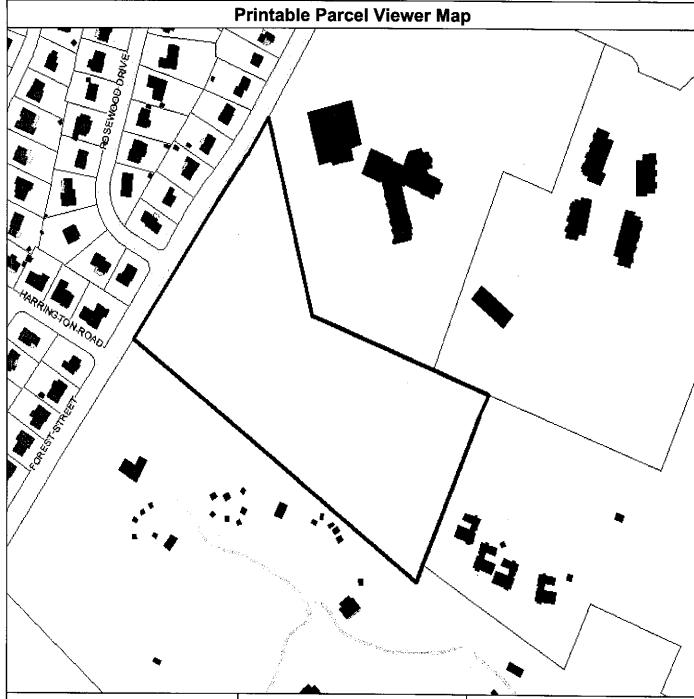
75.5



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Prop ID

R035 007 0016

Location Owner

FOREST ST

Billing Address 610 MAIN ST.

CITY OF WALTHAM

City, State Zip WALTHAM, MA 02452-5552

Legal Ref. Date 3/31/1923 Sale Price

\$0

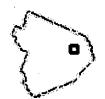
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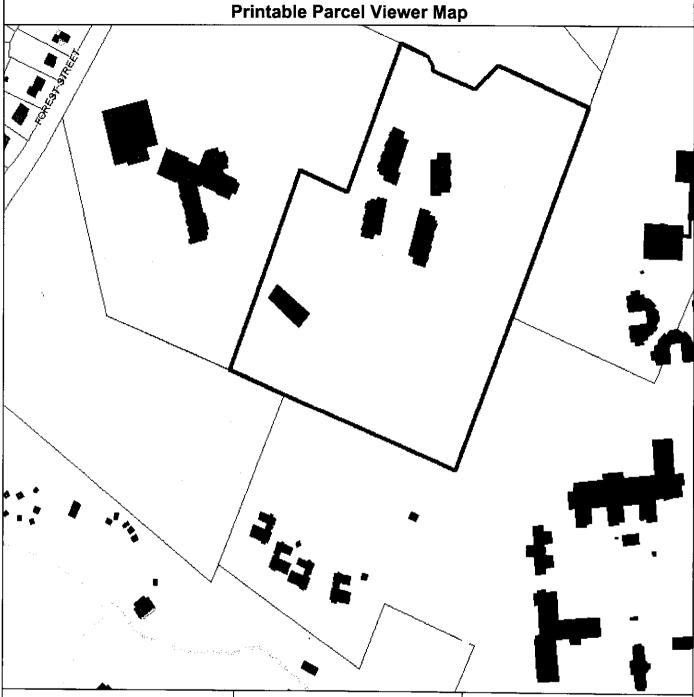
14.98999



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Prop ID

R035 007 015A

Location Owner

371 FOREST ST BENTLEY COLLEGE

Billing Address 175 FOREST STREET

City, State Zip WALTHAM, MA 02452-6322

Legal Ref. Date 11/9/2001 Sale Price

\$1

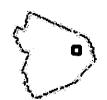
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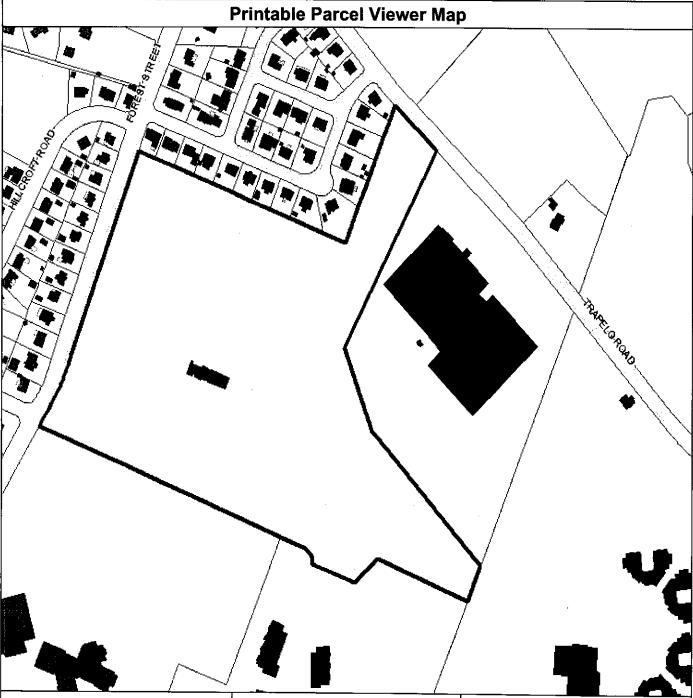
22.29217



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Prop ID

R035 007 015C

Location Owner

424 TRAPELO RD CITY OF WALTHAM, PARK

Billing Address 314 TOTTEN POND ROAD

City, State Zip WALTHAM, MA 02451

Legal Ref. Date 11/9/2001 Sale Price

\$1

Lot Size

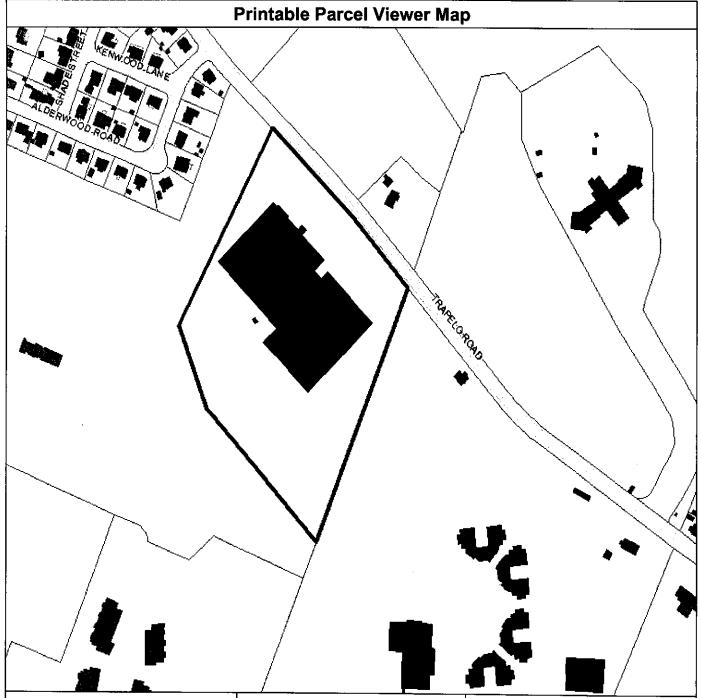
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Prop ID

R035 007 0015

Location

380 TRAPELO RD

Owner

AMERICA, UNITED STATES OF

Billing Address 424 TRAPELO RD.

Legal Ref. Date 1/1/1944

City, State Zip WALTHAM, MA 02452-6322

Sale Price

\$0

Lot Size

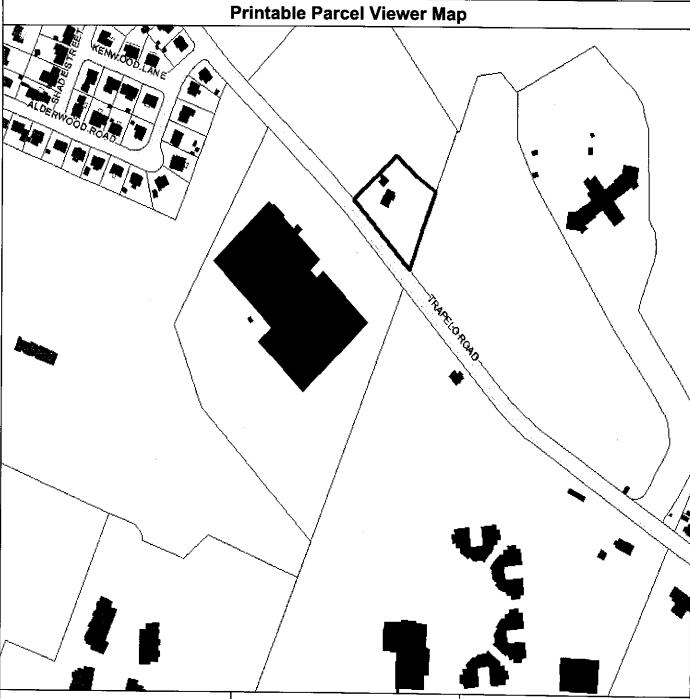
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Prop ID

R036 001 0001

Location

385 TRAPELO RD

Owner

ALTHEA H. MILLETT REALTY TR;

Billing Address 385 TRAPELO ROAD

Legal Ref. Date 2/9/2001

City, State Zip WALTHAM, MA 02452-6318

Sale Price

\$100

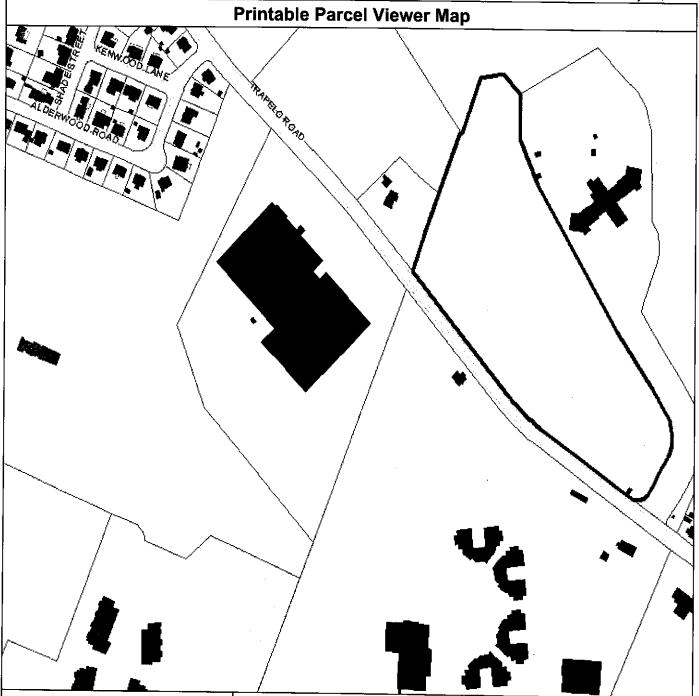
Lot Size



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Prop ID

R036 001 002C

Location Owner

475 TRAPELO RD CITY OF WALTHAM

Billing Address 610 MAIN ST

City, State Zip WALTHAM, MA 02452-5552

Sale Price

Legal Ref. Date 2/6/2003 \$600,000

Lot Size

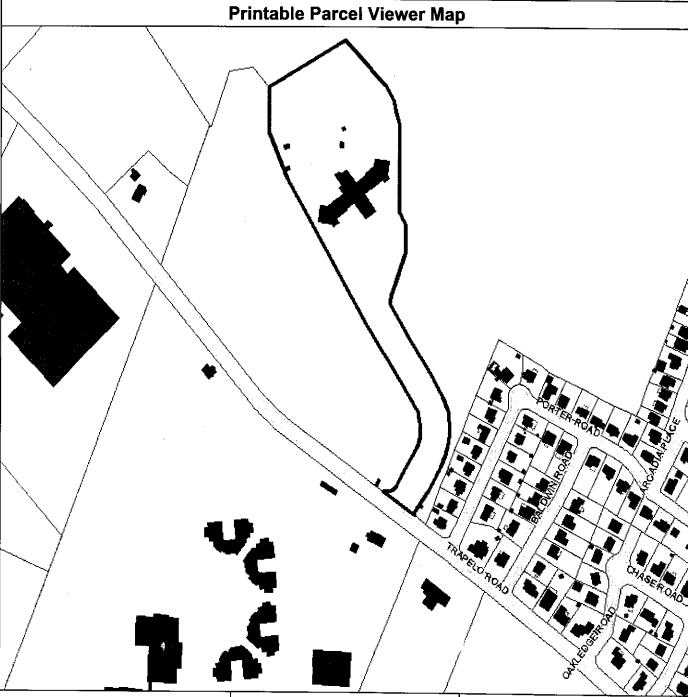
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Prop ID

R036 001 002B 285 TRAPELO RD

Location Owner

CITY OF WALTHAM

Billing Address 610 MAIN ST

City, State Zip WALTHAM, MA 02452-5552

Legal Ref. Date 6/29/2005 Sale Price

\$1,750,000

Lot Size

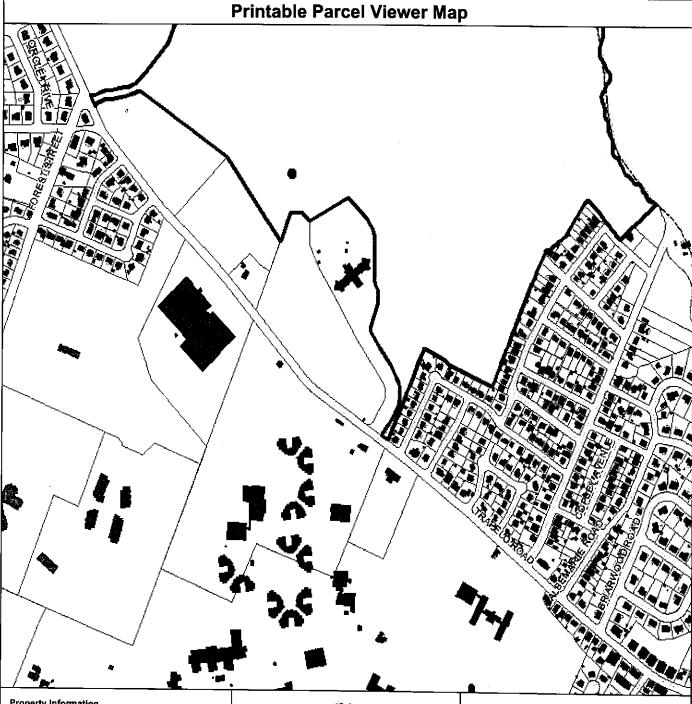
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Prop ID

R036 001 0002

Location

475 TRAPELO RD

Owner

COMMONWEALTH OF MASS.

Billing Address 475 TRAPELO RD.

City, State Zip WALTHAM, MA 02452-6374

Legal Ref. Date

Sale Price

Lot Size

162



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Printable Parcel Viewer Map TRACE TO ROAD

Property Information

Prop ID

R036 008 0003

Location

258 TRAPELO RD

Owner

CITY OF WALTHAM

Billing Address 610 MAIN STREET

City, State Zip WALTHAM, MA 02452-5552

Legal Ref. Date

Sale Price

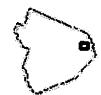
Lot Size

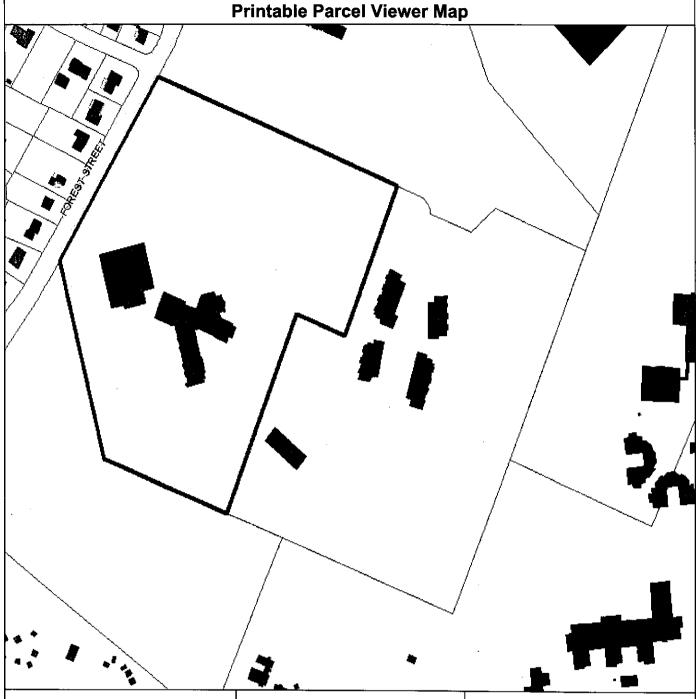
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Prop ID

R035 007 015B

Location

 ${\bf 333}\,{\bf FOREST}\,{\bf ST}$

Owner

NEW JEWISH HIGH SCHOOL

Billing Address 333 FOREST ST.

City, State Zip WALTHAM, MA 02452-6322

Legal Ref. Date 11/9/2001 **Sale Price** \$1

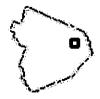
Lot Size

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Printable Parcel Viewer Map

Property Information

Prop ID

R046 011 0011

Location

411 WAVERLEY OAKS RD

Owner

DBCI, INC.

Billing Address 411 WAVERLEY OAKS RD.#340

Legal Ref. Date 8/23/2000

City, State Zip WALTHAM, MA 02453

Sale Price

\$10

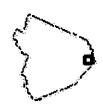
Lot Size

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Printable Parcel Viewer Map

Property Information

Prop ID

R046 011 0010

Owner

425 WAVERLEY OAKS RD

Location

DUFFY BROS., INC.

Billing Address 411 WAVERLEY OAKS RD.#340

Legal Ref. Date 10/10/1973

City, State Zip WALTHAM, MA 02453

Sale Price

\$0

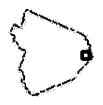
Lot Size

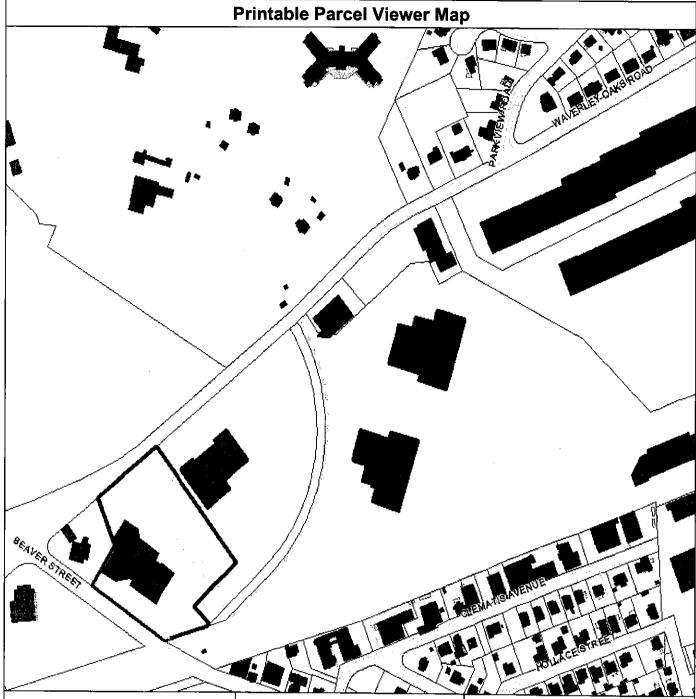
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Prop ID

R054 004 0004

Location

135 BEAVER ST

Owner

CLEMATIS LIMITED PARTNERSHIP

Billing Address 411 WAVERLEY OAKS ROAD City, State Zip WALTHAM, MA 02452-8405

Legal Ref. Date 3/1/1985

Sale Price

\$0

Lot Size

3.76566



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City of Waltham Printable Abutter List

Total Count: 45		a	Close
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ParcelID	Location	Owner	Co-Owner	Co-Owner2	Owner	Owner
				An Assiste	Address	CityStateZip
R046 002 0015	106 SHIRLEY RD	106 SHIRLEY RD. RLTY. TR;	RICHARD & ANN M. DONNELLY TR.		106 SHIRLEY RD.	WALTHAM, MA 02452- 8035
R037 020 0001	158 TRAPELO RD	158 TRAPELO ROAD NOMINEE	TRUST,MARY., JAMES & C/O	CAROLYN M CALLAHAN, TRS.	300 SUMMER ST. #31	BOSTON, MA 02210-1115
R046 002 0042	48 SHAWMUT RD	ABKARIAN, ALBERT & LINDA			48 SHAWMUT ROAD	WALTHAM, MA 02452- 8014
R045 001 0002	29 TIP TOP TERR	ANTONUCCI, BERNARDINE A.			29 TIPTOP TER.	WALTHAM, MA 02452
R037 020 0005	140 TRAPELO RD	ATTARDO, JOSEPH L.			140 TRAPELO ROAD	WALTHAM, MA 02451
R054 004 0003	307 WAVERLEY OAKS RD	BEAVER GROUP, LLC	C/O DUFFY ASSOC.	300	411 WAVERLEY OAKS RD	WALTHAM, MA 02452- 8405
R035 007 015A	371 FOREST ST	BENTLEY COLLEGE			175 FOREST STREET	WALTHAM, MA 02452- 6322
R045 003 0001	319 WAVERLEY OAKS RD	BUILDING UNLIMITED, INC.			319 WAVERLEY OAKS ROAD	WALTHAM, MA 02452- 8403
R037 017 0010	163 TRAPELO RĐ	BURKEY, DANIEL D. & REBECCA			163 TRAPELO ROAD	WALTHAM, MA 02452
R045 001 0009	4 BISHOP TERR	BYAMUGISHA, JOYCE & SHALTO	BYAMUGISHA		4 BISHOP TERRACE	WALTHAM, MA 02452
R036 008 0003	258 TRAPELO RD	CITY OF WALTHAM			610 MAIN STREET	WALTHAM, MA 02452- 5552
R035 007 0016	FOREST ST	CITY OF WALTHAM			610 MAIN ST.	WALTHAM, MA 02452- 5552
R045 001 0001	190 TRAPELO RD	COMM. OF MASS	FERNALD , WALTER STATE SCHOOL		200 TRAPELO ROAD	WALTHAM, MA 02452
R036 008 0001	338 TRAPELO RD	COMMONWEALTH OF MASS.			200 TRAPELO RD.	WALTHAM, MA 02452
R054 001 0001	225 BEAVER ST	COMMONWEALTH OF MASS.			240 BEAVER STREET	WALTHAM, MA 02452- 8022
R054 004 0002	313 WAVERLEY OAKS RD	COMMONWEALTH OF MASS.	W E F S SCHOOL		200 TRAPELO ROAD	WALTHAM, MA 02452- 6368
R045 001 0008	30 PHILLIPS CIR	HABESHIAN, VAHE & SONIA	SIRAN TAMAKIAN HABESHIAN		30 PHILLIPS CIRCLE	WALTHAM, MA 02452- 8047
R037 020 0006	136 TRAPELO RD	HUNTER, JOHH D. &	LYNN A. STAZZONE		136 TRAPELO ROAD	WALTHAM, MA 02451
R045 001 0013	366 WAVERLEY OAKS RD	J.C. REAL ESTATE TRUST,	ALICE A. MORREALE, TR.	C/O CLAIRE DESISTO	P.O. BOX 1156	E. DENNIS, MA 02641
R046 002 0041	54 SHAWMUT RD	KANTARJIAN, LARA			54 SHAWMUT RD.	WALTHAM, MA 02452- 8014

R045 001 0010

10 BISHOP TERR

KEARNEY, JAMES W. & JANICE

10 BISHOP TERRACE

WALTHAM, MA 02452

R046 002 0002	126 TRAPELO RD	KIM, JADIE			126 TRAPELO RD.	WALTHAM MA 02452
R045 001 0012	360 WAVERLEY OAKS RD	LAWRENCE, BARBARA L. 8	JAMES E. MESTHENE		360 WAVERLEY OAKS ROAD	, WALTHAM MA 02452 6209
R037 020 0003	150 TRAPELO RD	LEWIS, ROBERT C. & ATSUKO			150 TRAPELO ROAD	WALTHAM MA 02452
R037 020 0004	146 TRAPELO RD	LICATA, STEPHANIE & GARY	F. FLEISCHMAN		146 TRAPELO ROAD	WALTHAM MA 02451
R036 005 0006	6 CHASE RD	LYCHAKOV, IGOR & ALLA	LYCHAKOVA		6 CHASE ROAD	WALTHAM MA 02452- 6402
R046 002 0019	84 SHIRLEY RD	MALIZIA, ANTHONY M. &	ROSE C. H&UX, T/E		84 SHIRLEY RD.	WALTHAM, MA 02452- 8035
R046 002 0018	88 SHIRLEY RD	MARCHAND, EDWIN F.; LIFE EST;	JUDITH BOYD, JANE, STEVEN,	MICHAEL & EDWIN MARCHAND III	88 SHIRLEY RD.	WALTHAM, MA 02452- 8035
R046 002 0001	132 TRAPELO RD	MARDIROSSIAN, ANNIE FKA ANI	AKOGHLANIAN		132 TRAPELO ROAD	WALTHAM, MA 02452
R045 001 0005	60 PHILLIPS CIR	MARY F. GOTSELL TRUST	KATHLEEN & WILLIAM GARVEY,	EXEC.	91 OLD COLONY DR.	SO. WEYMOUTI MA 02190
R044 002 0001	265 BEAVER ST	MASS. GIRL SCOUTS			265 BEAVER STREET	WALTHAM, MA 02452- 8021
R037 020 0002	152 TRAPELO RD	MCDONALD, EDWARD J., JR. &	PATRICE M.		152 TRAPELO ROAD	WALTHAM, MA 02452
R037 017 0011	171 TRAPELO RD	MILLERICK RESIDENCE TRUST,	ELAINE& BRIAN MILLERICK &	PHILIP J. NOTOPOULOS,TRS	171 TRAPELO ROAD	WALTHAM, MA 02452
R036 007 006B	251 TRAPELO RD	ORTIZ, JOSE A. & NINA M.	R/S		251 TRAPELO ROAD	WALTHAM, MA 02452- 6317
R046 002 0016	100 SHIRLEY RD	POIRIER, ROBERT &	GAIL K.H&UX		100 SHIRLEY RD.	WALTHAM, MA 02452- 8035
R046 002 0017	94 SHIRLEY RD	REST, JAMES W. & MARY KAY	BROWNE		94 SHIRLEY RD.	WALTHAM, MA 02452- 8035
R045 001 0007	40 PHILLIPS CIR	RIOS, VICTOR &	NASTASI, H&UX T/E		40 PHILLIPS CIRCLE	WALTHAM, MA 02452- 8047
R036 005 0007	211 TRAPELO RD	SAHAN,SERKIZ & NURITSE			211 TRAPELO RD.	WALTHAM, MA 02452
R045 001 0011	15 BISHOP TERR	SARKISSIAN, ROUPEN & SOSSY			15 BISHOP TERRACE	WALTHAM, MA 02452- 8048
R046 002 0003	122 TRAPELO RD	SICILIANO, ERIC			122 TRAPELO RD.	WALTHAM, MA 02452
R046 002 0014	112 SHIRLEY RD	SMERLAS, JOHN L. & FRANCINE	S. JUDD; RTS. OF SURVIVORSHIP		112 SHIRLEY ROAD	WALTHAM, MA 02452- 8035
R045 001 0003	34 TIP TOP TERR	STEPANIAN, SARKIS &	SHOUSHAN	The second secon	34 TIPTOP TERRACE	WALTHAM,

R045 001 0006	50 PHILLIPS CIR	TXABARRIAGA, ROCIO & MICHAEL	WARNER	50 PHILLIPS CIR.	WALTHAM, MA 02452- 8047
R054 004 0001	271 WAVERLEY OAKS RD	WESTSHELL, L.L.C.		411 WAVERLEY OAKS RD	WALTHAM, MA 02452- 8405
R045 003 0005	355 WAVERLEY OAKS RD	YMC REALTY TRUST	YOLANDA M. CELLUCCI TR.	355 WAVERLEY OAKS RD	WALTHAM, MA 02452- 8403

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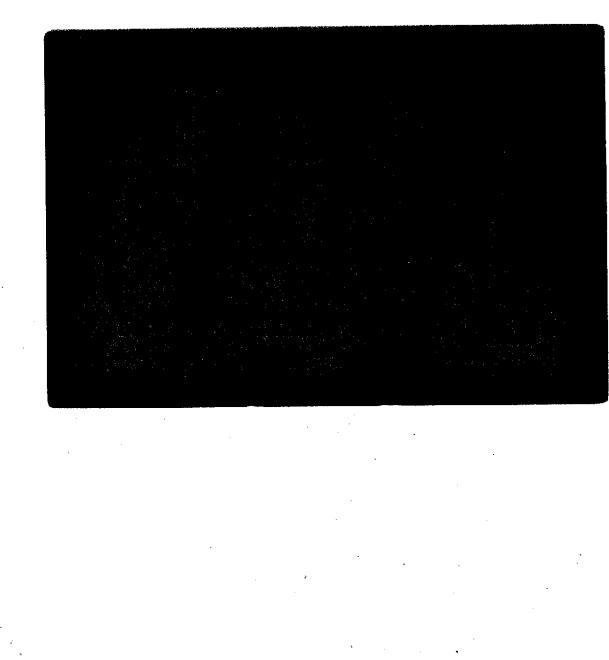
City of Waltham Printable Abutter List

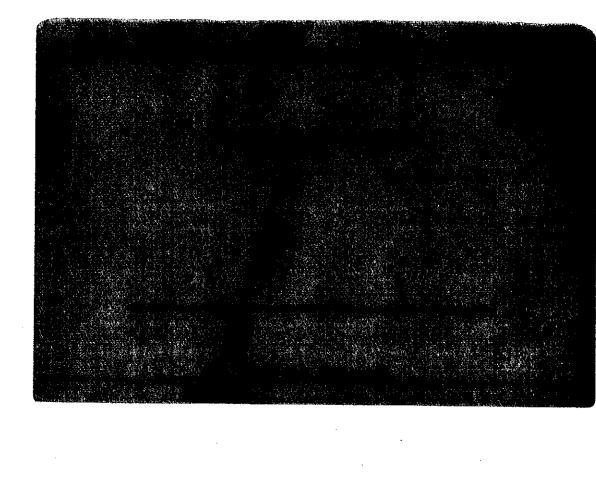
ParcelID	Location	Owner	Co-Owner	Co-Owner2	Owner Address	Owner CityStateZip
R035 007 0015	380 TRAPELO RD	AMERICA, UNITED STATES OF	;	, ,,,,	424 TRAPELO RD.	WALTHAM, MA 02452- 6322
R035 007 015A	371 FOREST ST	BENTLEY COLLEGE			175 FOREST STREET	WALTHAM, MA 02452- 6322
R036 001 002C	475 TRAPELO RD	CITY OF WALTHAM			610 MAIN ST	WALTHAM, MA 02452- 5552
R036 008 0003	258 TRAPELO RD	CITY OF WALTHAM			610 MAIN STREET	WALTHAM, MA 02452- 5552
R035 007 015C	424 TRAPELO RD	CITY OF WALTHAM, PARK	& RECREATION DEPT		314 TOTTEN POND ROAD	WALTHAM, MA 02451
R045 001 0001	190 TRAPELO RD	COMM. OF MASS	FERNALD , WALTER STATE SCHOOL		200 TRAPELO ROAD	WALTHAM, MA 02452
R036 008 0001	338 TRAPELO RD	COMMONWEALTH OF MASS.			200 TRAPELO RD.	WALTHAM, MA 02452

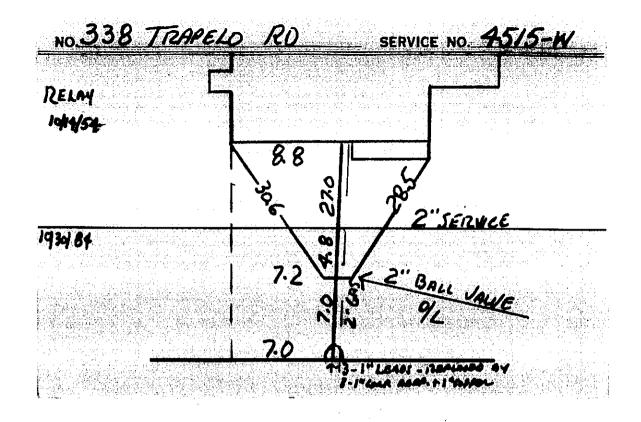
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1930/By REPLACED LEADS (3) WWW IM DIPPER (24E)
NEN 2" BALL UPLUE 9/L (3) "CORP. ADDRESS (3)" AMELE ADMINED)

0



175 Cabot Street. Suite 415, Lowell, MA 01854 • Phone: (978) 275-9730 • Fax: (978) 275-9489

Telephone Conversation Record
Date: 7/30/2009
Caller (name/affiliation): Fretcher Fo Lor, Techlaus Phone No.: 978-275.9730
Person Called (name/affiliation): Kate Waltham Phone No.: 5781-314-3
Person Called (name/affiliation): Kate Walthan Phone No.: 5781-314-3 Enginerine Billing Clark Subject: Vanification of water + sever connections
Conversation Record:
munici pol
Kate has records indicating that writer and
Kate has records indicating that water and Sewer convections were inortive (but greent) for
- 180 Trapelo Rosa } Residences along Trapelo Road - 282 - 338
- 338
Quality and Integrity





March 19, 2008 Project No. 4953

Mr. Walter S. Sweder
Director of Public Health
City of Waltham Health Department
119 School Street
Waltham, Massachusetts 02451

RE: Public Involvement Notification

Class A-3 Response Action Outcome Report The Fernald Center - Power Plant 200 Trapelo Road Waltham, Massachusetts Release Tracking Number 3-13467

Dear Mr. Sweder:

Pursuant to 310 CMR 40.1403 of the Massachusetts Contingency Plan (MCP), the following serves as written notification for the submittal of a Class A-3 Response Action Outcome and Activity and Use Limitation (AUL) for the release of No. 6 fuel oil from three underground storage tanks formerly located at the Fernald Center Power Plant located at 200 Trapelo Road in Waltham, Massachusetts, hereinafter, the "Site." The Department of Environmental Protection - Northeast Regional Office (DEP-NERO) was first notified of the release on February 20, 1996 and the Site was assigned Release Tracking Number (RTN) 3-13467. The Response Action Outcome Statement was issued to the DEP-NERO on March 19, 2008. Please find a copy of a Registry of Deeds-certified copy of the above mentioned AUL enclosed with this letter. A copy of the referenced report is available for review at the DEP-NERO. If you have any questions, please contact the undersigned.

CIVIL DESIGN & LAND PLANNING

REGULATORY COMPLIANCE & PLANNING

GEOTECHNICAL ENGINEERING
ENVIRONMENTAL CONSULTING

SURVEYING

Sincerely,

Coneco Engineers & Scientists, Incorporated

Brian F Klingler, PG, LSP Principal Geologist

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cc: DEP-NERO

Ms. Ellen M. Howe, DMR Mayor Jeannette A. McCarthy Mr. Ronald G. Vokey, Planning Department

304



Bk: 60880 Pg: 306 Doc: NOT Page: 1 of 20 03/14/2008 08:58 AM

Form 1075

NOTICE OF ACTIVITY AND USE LIMITATION M.G.L. c. 21E, § 6 and 310 CMR 40.0000

Disposal Site Name: The Fernald Center Power Plant

200 Trapelo Road

Waltham, Massachusetts

DEP Release Tracking No.(s): 3-13467

This Notice of Activity and Use Limitation ("Notice") is made as of this 14th day of March, 2008, by the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Retardation at 500 Harrison Avenue in Boston, Massachusetts 02118, together with its successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Retardation at 500 Harrison Avenue in Boston, Massachusetts, is the owner in fee simple of that certain parcel of land located at 200 Trapelo Road in Waltham, Middlesex County, Massachusetts with the buildings and improvements thereon, pursuant, in part, to a deed recorded with the Middlesex County Registry of Deeds in Book 5600, Page 550, with the remaining portion of the property being unrecorded land;

WHEREAS, said parcel of land, which is partially described in Exhibit A, attached hereto and made a part hereof ("Property") is subject to this Notice of Activity and Use Limitation. The Property is shown, in part, on two plans recorded with the Middlesex County Registry of Deeds in Plan Book 2008, Page 104, and in a plan dated December 26, 1903 and revised in 1922, with the remaining portion of the Property being unrecorded land;

WHEREAS, a portion of the Property ("Portion of the Property") is subject to this Notice of Activity and Use Limitation. The Portion of the Property is more particularly bounded and described in Exhibit A-1, attached hereto and made a part hereof. The Portion of the Property is shown on a plan recorded with the Middlesex County Registry of Deeds in Plan Book 2008, Page 104, and on a sketch plan attached hereto;

WHEREAS, the Portion of the Property comprises all of a disposal site as the result of a release of oil and/or hazardous material. Exhibit B is a sketch plan showing the relationship of the Portion of the Property subject to this Notice of Activity and Use Limitation to the boundaries of said disposal site existing within the limits of the Property and to the extent such boundaries have been established. Exhibit B is attached hereto and made a part hereof; and

WHEREAS, one or more response actions have been selected for the Disposal Site in accordance with M.G.L. c. 21E ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000 ("MCP"). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous material in soil and/or (b) the restriction of

T. Ref.: 5600-550

Coneco Environmental
4 FIRST Street
Bridgewater, MA 02324

certain activities occurring in, on, through, over or under the Portion of the Property. The basis for such restrictions is set forth in an Activity and Use Limitation Opinion ("AUL Opinion"), dated March 6, 2008 (which is attached hereto as Exhibit C and made a part hereof);

NOW, THEREFORE, notice is hereby given that the activity and use limitations set forth in said AUL Opinion are as follows:

- 1. Activities and Uses Consistent with the AUL Opinion. The AUL Opinion provides that a condition of No Significant Risk to health, safety, public welfare or the environment exists for any foreseeable period of time (pursuant to 310 CMR 40.0000) so long as any of the following activities and uses occur on the Portion of the Property:
 - (i) Any activities and uses consistent with the current use of the Portion of the Property as a power plant facility and parking area;
 - (ii) Activities and uses including, but not limited to, maintenance of the asphalt-paved driveway and parking area within the designated AUL Area which do not cause direct contact with, disturbance, or relocation of, the contaminated soil within the designated AUL Area;
 - (iii) Excavation associated with limited short term utility work which may be deemed necessary within the designated AUL Area, provided that it is conducted in accordance with the performance standards for Utility Related Abatement Measures (URAMs) set forth by the MCP at 310 CMR 40.0030, and all applicable worker health and safety practices pursuant to 310 CMR 40.0018;
 - (iii) Subsurface activities and/or construction, including but not limited to excavation associated with future construction of buildings and other improvements to support permitted uses on the property which may disturb contaminated soils, provided that such work is conducted in accordance with a Soil Management Plan developed in accordance with Obligation (ii) as set forth in Notice of AUL Item 3;
 - (v) Activities and uses not expressly prohibited by the Notice of AUL;
 - (vi) Such other activities or uses which, in the Opinion of an LSP, shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph; and
 - (vii) Such other activities and uses not identified in Paragraph 2 as being Activities and Uses Inconsistent with the AUL.
- 2. Activities and Uses Inconsistent with the AUL Opinion. Activities and uses which are inconsistent with the objectives of this Notice of Activity and Use Limitation, and which, if implemented at the Portion of the Property, may result in a

significant risk of harm to health, safety, public welfare or the environment or in a substantial hazard, are as follows:

- (i) The use of buildings located with the Portion of the Property as an office, store, residence, school, or daycare facility;
- (ii) The cultivation of fruits and vegetables destined for human consumption (e.g., gardening);
- (iii) Recreational activities, such as playing baseball, swimming, fishing and hiking;
- (iv) Leisure activities, such as picnicking, sunbathing and entertaining;
- (v) Relocation of the contaminated soils within the designated AUL Area unless an LSP Opinion is rendered which attests that a condition of "No Significant Risk" is maintained, consistent with the provisions of the MCP; and
- (vi) Any subsurface activity or excavation which may result in direct contact with, disturbance, or relocation of contaminated soils between 2 and 15 feet which is not conducted in accordance with Obligations of the Notice of AUL.
- 3. Obligations and Conditions Set Forth in the AUL Opinion. If applicable, obligations and/or conditions to be undertaken and/or maintained at the Portion of the Property to maintain a condition of No Significant Risk as set forth in the AUL Opinion shall include the following:
 - (i) Prior to the performance of major excavation work which may encounter impacted soils known to exist at depth, or in the event that evidence of petroleum contamination is encountered during shallow excavation work, a Health and Safety Plan must be prepared by a Certified Industrial Hygienist or other qualified professional familiar with worker health and safety procedures and requirements. The Health and Safety Plan must specify the level of personal protection and engineering controls, dust mitigative procedures, and perimeter monitoring necessary to prevent both worker and other receptor exposures to contaminated soils below current site grading. The Health and Safety Plan must also detail the type of protective clothing (i.e. gloves, Tyvek clothing, etc.), respiratory protection, environmental monitoring, and mechanical equipment necessary to prevent exposures to petroleum products via inhalation, ingestion and/or direct dermal contact;
 - (ii) Prior to the performance of major excavation work which may encounter impacted soils known to exist at depth, or in the event that evidence of petroleum contamination is encountered during shallow excavation work, a Soil Management Plan must be prepared by a LSP and must describe soil

excavation, handling, storage, on-site reuse, transport, and disposal procedures. Petroleum-impacted soils excavated below currently existing surface grades must either be reused within the Portion of the Property at the same depths or greater below final grades, or must be transported off-site for appropriate disposal. The Soil Management Plan must also include a description of the engineering controls and air monitoring procedures necessary at the site to ensure that receptors in the vicinity of the site are not impacted by petroleum products, fugitive dust, particulates, or exposures to contaminated soil via inhalation, dermal contact and/or ingestion; and

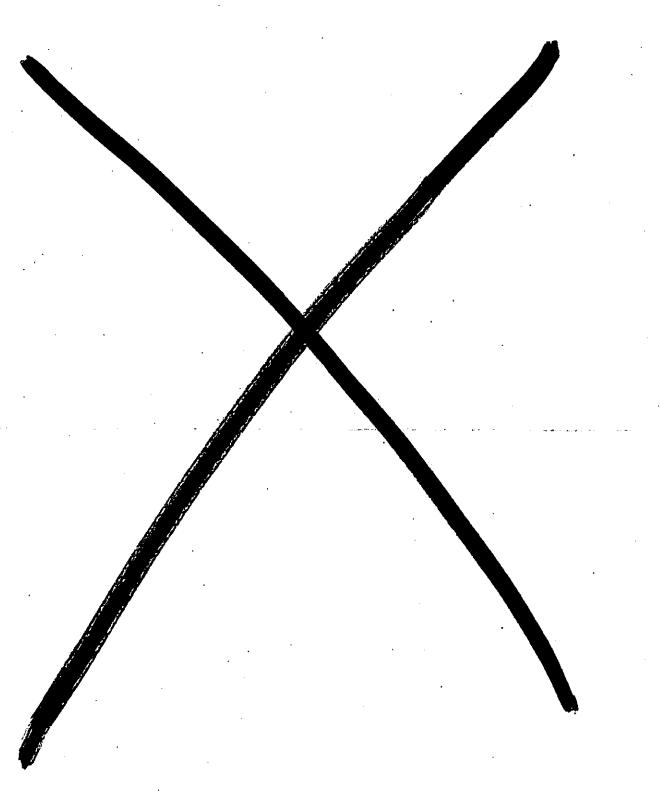
- (iii) Full and immediate repair/replacement of the asphalt following the completion of excavation activities associated with limited short term utility work performed in accordance with Obligations (i) and (ii) above.
- 4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Portion of the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by an LSP who shall render an Opinion, in accordance with 310 CMR 40.1080 et seq., as to whether the proposed changes will present a significant risk of harm to health, safety, public welfare or the environment. Any and all requirements set forth in the Opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.
- 5. Violation of a Response Action Outcome. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by an LSP in accordance with 310 CMR 40.1080 et seq., and without additional response actions, if necessary, to achieve or maintain a condition of No Significant Risk or to eliminate substantial hazards.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by an LSP in accordance with 310 CMR 40.1080 et seq., the owner or operator of the Portion of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. <u>Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer.</u> This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed.

Owner hereby authorizes and consents to the filing and recordation and/or registration of this Notice, said Notice to become effective when executed under seal

by the undersigned LSP, and recorded and/or registered with the appropriate Registry(ies) of Deeds and/or Land Registration Office(s).



WITNESS the execution hereof under a 2008.	seal this 11-62 day of March, 2008.
Ву:	Commonwealth of Massachusetts Executive Office of Health and Human Services Department of Mental Retardation
	Elin n. Howe
	Elin M. Howe Commissioner
COMMONWEALTH	OF MASSACHUSETTS .
Siffaen ss	March 11, 2008
Executive Office of Health and Human Service me through satisfactory evidence of identificat be the person whose name is signed on the pre to me that he signed it voluntarily for its stated possible. The Massachusetts Dopt of Mental. Referred han and I am me of the atterneys in her employ. The undersigned LSP hereby certifies the Limitation Opinion attached hereto as Exhibit Commission.	Notice Public: My Commission Expires: 12/21/20/2 Jacquelyn Berman That he executed the aforesaid Activity and Use and made a part hereof and that in his Opinion onsistent with the terms set forth in said Activity Brian P. Kingler, P.G., L.S.P. LSP Seal: BRIAN No. 8493 SISTER SITE PROTE BRIAN RUINGLER No. 8493 SISTER SITE PROTE SITE PROTE SITE PROTE STEPROTE STEPROTE

COMMONWEALTH OF MASSACHUSETTS

PLYmouth	COUNTY,	SS
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MARCL 13, 2008

On this 13th day of <u>MARC</u>, 2008, before me, the undersigned notary public, personally appeared Brian F. Klingler, P.G., L.S.P., proved to me through satisfactory evidence of identification, which were <u>MA licews</u>, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Norary Public:
My Commission Expires: Sept. 22, 2011

Upon recording, return to:

Paul Beaton, P.E. Project Engineer Massachusetts Department of Mental Retardation 500 Harrison Avenue Boston, Massachusetts 02118



Exhibit A

A metes and bounds description of a portion of recorded land located within the larger property which contains the Site is as follows:

COMMENCING Commencing at a point in the dividing line between land of the City of Waltham and land of the Roman Catholic Archbishop of Boston, said bound lying N 37° 49' 30" E a distance of 615.60 feet southerly from its intersection with the southerly line of Trapelo Road;

THENCE S 52° 10' 30" E for a distance of 264.99 feet;

THENCE S 36° 26' 40" W a distance of 51.26 feet;

THENCE S 38° 16' 40" W a distance of 203.22 feet;

THENCE . N 48° 33' 50" W a distance of 265,15 feet;

THENCE N 37° 49' 30" E a distance of 237.76 feet to the point of beginning.

Containing 65,340 Square Feet.

The remaining area of the property is composed of unrecorded land owned by the Commonwealth of Massachusetts. No further legal descriptions or title deed is available for the remainder of the property.

Exhibit A-1

A metes and bounds description of the area subject to the AUL is as follows:

COMMENCING Commencing at a drill hole in a stone bound on the southeasterly line of Waverley Oaks Road, said bound lying N 51° 29' 49" E a distance of 1051.13 feet from the center of a stone bound also on the southeasterly line of Waverley Oaks Road which marks the point of curvature at the intersection of the northeasterly line of Beaver Street with the southeasterly line of Waverly Oaks Road;

THENCE

N 47°27'49" W for a distance of 579.87 feet to the point of beginning of the

herein described AUL area:

THENCE

S 10°40'10" W a distance of 123.00 feet;

THENCE

N 79°19'50" W a distance of 145.00 feet;

THENCE

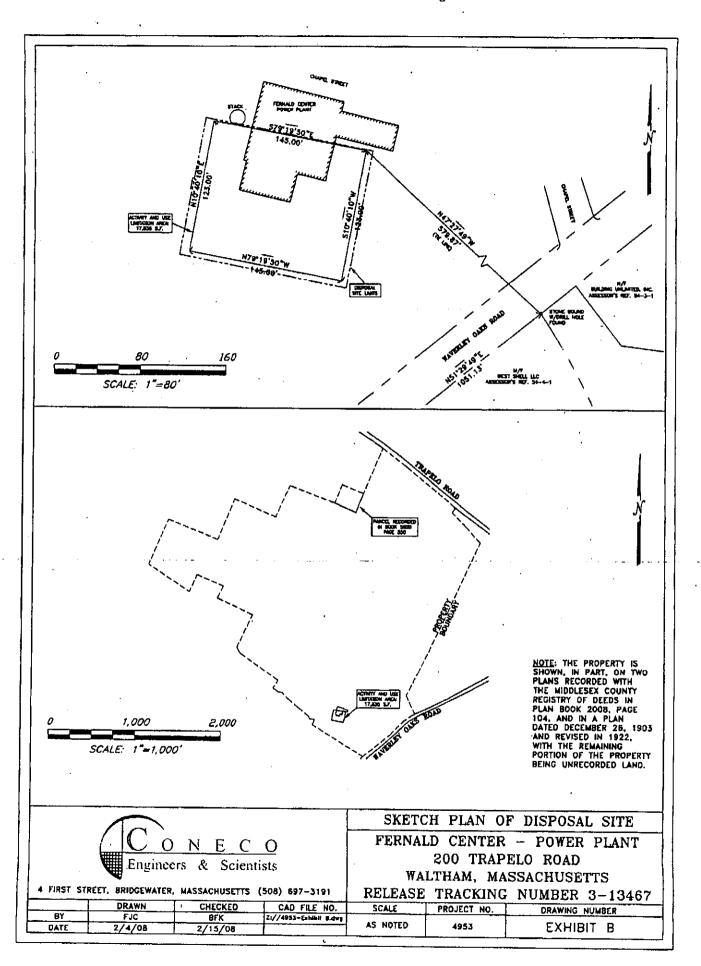
N 10°40'10" E a distance of 123.00 feet:

THENCE

S 79°19'50"E a distance of 145.00 feet to the point of beginning.

Containing 17,835 Square Feet and bounded on all sides by other land of the Commonwealth of Massachusetts.

The depth of the area subject to the AUL begins at a depth of approximately 2 feet below surface grade within this area, which comprises an approximate 17,835 square feet and extends 15 feet below the existing surface grade.



^{*}Bk: 50880 Pg: 316

EXHIBIT "C"

March 6, 2008 Project No. 4953

Bureau of Waste Site Cleanup Department of Environmental Protection Northeast Regional Office 205B Lowell Street Wilmington, Massachusetts 01887

RE: Activity and Use Limitation Opinion

The Fernald Center - Power Plant 200 Trapelo Road Waltham, Massachusetts Release Tracking Number 3-13467

Dear Sir or Madam:

In accordance with the specifications of 310 CMR 40.1074, on behalf of the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Retardation (DMR), Coneco Engineers and Scientists (Coneco) has prepared the following Activity and Use Limitation (AUL) Opinion regarding the implementation of an AUL at the above-referenced property, hereinafter, the "Site."

Based upon the Method I Risk Characterization performed at the Site, a condition of "No Significant Risk" exists for all current uses of the Site; however, a condition of "No Significant Risk" does not exist for all potential future uses of the Site due to residual petroleum-impacted soil at the Site. To ensure that current and future risk is mitigated at the Site, an AUL is required in the Area of Concern which will limit soil exposure.

HISTORICAL BACKGROUND

Release Identification and Notification

Three No. 6 fuel oil underground storage tanks (USTs) were installed at the Site in 1954, with volumes ranging from 23,000 to 28,000 gallons. On February 20, 1996, personnel of the Fernald Center Power Plant reported that No. 6 fuel oil had released from these USTs and was seeping beneath a concrete retaining wall at the Site. This release reportedly impacted surficial and subsurface soil, an unnamed stream, and a pipe trench associated with the USTs. On this day, this release was reported to the Department of Environmental Protection - Northeast Regional Office (DEP-NERO). This release was assigned release tracking number (RTN) 3-13467.

Immediate Response Actions

At the request of DMR, Vertex Engineering Services, Incorporated (Vertex) of Weymouth, Massachusetts provided oversight for Immediate Response Action (IRA) activities including the deployment of oil absorbent pads and booms at the base of the retaining wall and in the adjacent stream to manually remove oil from the stream area.

An Immediate Response Action Plan (IRAP) was prepared by Vertex and submitted to the DEP-NERO on April 19, 1996. The IRAP consisted of the removal and replacement of the three USTs at the Site. These activities occurred between July and December of 1996. Approximately 1,000 cubic yards of soil and 15,000 gallons of groundwater were reportedly removed from the Site during IRA activities. The excavation was backfilled with clean fill and partially repayed after the completion of excavation activities. An IRA Completion Report was issued by Vertex on May 7, 1997.

Soil samples collected from the sidewalls and bottom of the excavation were submitted by Vertex for laboratory analysis of total petroleum hydrocarbons (TPH) by Environmental Protection Agency (EPA) Method 8100M. Laboratory analytical results of the soil samples indicated that elevated TPH concentrations remained in soil at the Site. As such, additional investigation activities were warranted.

Phase I - Initial Site Investigation / Tier Classification

A Phase I - Initial Site Investigation Report and Tier Classification Submittal were issued by Vertex on February 20, 1997. This investigation included a review of records available at state, federal, and local agencies, the performance of test borings, and the installation of seven groundwater monitoring wells at the Site. Four monitoring wells, designated MW-I through MW-4, were installed outside the Fernald Power Plant building situated hydraulically upgradient and downgradient from the former USTs. Three monitoring wells, designated MW-BI through MW-B3, were installed in the basement of the Fernald Power Plant building situated hydraulically crossgradient and downgradient from the former USTs. Soil samples colleted during these subsurface investigation activities were submitted for laboratory analysis of TPH by EPA Method 8100M, polycyclic aromatic hydrocarbons (PAHs) by EPA Method 8270, and benzene, toluene, ethyl benzene, and xylenes (BTEX) by EPA Method 8020. Laboratory analytical results of the soil samples indicated that elevated TPH concentrations remained in soil at the Site.

On February 6, 1997, Vertex assessed groundwater conditions at the Site, including gauging and sampling of the monitoring wells. Observations regarding the presence of non-aqueous phase liquid (NAPL) were made at each viable on-Site groundwater monitoring well. NAPL thickness was measured in monitoring wells MW-B1 and MW-B2 at a thickness exceeding 0.5 inches. No evidence of NAPL was detected in monitoring wells at the Site that included MW-1 through MW-4, and MW-B3. As such, Vertex collected groundwater samples from these monitoring wells and submitted them for laboratory analysis of TPH by EPA Method 8100M. Based upon these observations and laboratory analysis of soil and groundwater at the Site, a condition of "No Significant Risk" did not exist at the Site.

In addition, the Site was evaluated using the Numerical Ranking System for scoring Disposal Sites for purposes of Tier Classification and permitting. The Site received a score of 270 points, classifying it as a Tier II Site having low priority regulatory status.

Phase II Scope of Work and Comprehensive Site Assessment

A Scope of Work for a Phase II - Comprehensive Site Assessment was prepared by Vertex and submitted to the DEP on June 13, 1997. The Scope of Work detailed activities to be conducted as part of the Phase II Investigation, in accordance with the Massachusetts Contingency Plan (MCP).

In August 1998, Vertex conducted a Phase II - Comprehensive Site Assessment at the Site which included additional sampling and analysis of the existing groundwater monitoring wells, and additional evaluation of the stream adjacent to the Site. On August 5, 1998, Vertex noted that an immiscible layer of NAPL was present in monitoring wells MW-B1 and MW-B2 in excess of 0.5 inches.

No evidence of NAPL was detected in monitoring wells MW-1 through MW-4, and MW-B3. As such, Vertex collected groundwater samples from these monitoring wells and submitted them for laboratory analysis of extractable petroleum hydrocarbons (EPH) by the DEP Method. Analytical results obtained from groundwater samples collected from MW-1 through MW-4, and MW-B3 did not indicate concentrations of EPH carbon fraction ranges exceeding the applicable DEP Method 1 Risk Characterization Standards.

Vertex evaluated environmental conditions within the stream adjacent to the Site and concluded that IRA activities had reduced concentrations of oil and/or hazardous materials to levels below the applicable DEP Method 1 Risk Characterization Standards.

In addition, the Phase II Report included an Exposure Assessment which concluded the extent of the contamination associated with RTN 3-13467 remaining at the Site was confined to a localized area completely covered by the concrete slab floor of the Power Plant building and an area under the north retaining wall of the UST location. Consequently, impacted soil remaining at the Site was categorized as "Isolated Sub-Surface Soils."

A Method 1 Risk Characterization was conducted to determine whether a condition of "No Significant Risk" existed at the Site. The results of the assessment were that no significant migration of the release had occurred at the Site either as a dissolved phase in groundwater, as separate phase in the soil, or through volatilization into indoor air at the Site. The results of the Risk Characterization concluded that a condition of "No Significant Risk" did not exist at the Site due to the presence of NAPL in monitoring wells MW-B1 and MW-B2 at a thickness greater than the applicable Upper Concentration Limit (UCL).

Phase III - Evaluation of Comprehensive Response Action Alternatives, and Class C Response Action Outcome

On June 25, 2002, Vertex completed a Phase III - Remedial Action Plan, and Class C Response Action Outcome for the Site. The Phase III Report identified and evaluated Remedial Action Alternatives which are reasonably feasible to achieve a level of "No Significant Risk" for the release. The Phase III Report also demonstrated that a Permanent Solution is not feasible and that any substantial hazards associated with the Site have been eliminated allowing the implementation of a Class C - Temporary Solution Response Action Outcome.

Quarterly Groundwater Monitoring

On August 1, 2003, Coneco initiated investigatory activities to assess groundwater conditions at the Site and determine if a condition of "No Significant Risk" was present at the Site. These activities included the collection of groundwater samples from viable monitoring wells at the Site between August 2003 and May 2007. Observations regarding the presence of NAPL and the depth to groundwater measurements were made by Coneco personnel at each viable on-Site groundwater monitoring well. On October 6, 2005, Coneco measured NAPL in MW-B2 at a thickness of 0.63 feet. During subsequent sampling events from January 20, 2006 to May 24, 2007, Coneco continued to measure NAPL thickness in monitoring wells at the Site, and NAPL thickness was never measured greater than 0.1 inches in any of the monitoring wells. Therefore, NAPL thickness present within monitoring wells at the Site, specifically MW-B2, has been reduced below the applicable UCL of 0.5 inches.

Stage I Environmental Screening

Based on the reported release of No. 6 fuel oil to the stream adjacent to the Site, a Stage I Environmental Screening was conducted by Coneco to characterize potential exposure to Site biota and habitats. Although the release of No. 6 fuel oil had reportedly impacted the stream adjacent to the Site, subsequent field observations by Coneco between August 2003 and May 2007 did not identify any residual persistent contamination. As such, Coneco is of the opinion that the results of this Screening indicate that no current or future exposure exists at the Site in relation to this release, and a condition of "No Significant Risk of Harm" to Site biota and habitats exists.

METHOD I RISK CHARACTERIZATION

Using the soil and groundwater classifications derived for the Site, Method 1 threshold concentrations for the compounds reported at the Site are listed in the MCP. The most stringent Risk Characterization concentration from each soil and groundwater classification is considered to be the threshold under which a condition of "No Significant Risk" exists at the Disposal Site.

The concentration of oil or hazardous material in a specific medium which a human or environmental receptor may contact at the Site is defined as the "Exposure Point Concentration" (EPC). Under the provisions of the MCP, the EPC for an area of contaminated soil and groundwater can be determined by taking an average of all the concentrations detected within a contiguous area, which in this case, constitutes the area impacted by the release of No. 6 fuel oil at the Site. For the purposes of this investigation, the horizontal limits of the Disposal Site are conservatively defined as an approximately 14,000 square-foot area encompassing the location of the former USTs and identified impacted soil and groundwater at the Power Plant, as depicted on Exhibit B. Vertically, the Disposal Site includes soil from approximately 2 feet below grade to 15 feet below grade.

Soil Risk Characterization

Analytical results obtained from soil samples collected by Vertex at the conclusion of excavation activities, and Geoprobe[®] test boring samples collected by Coneco during monitoring well installation at the Disposal Site were used to calculate the current EPCs. For EPH fraction ranges detected within the limits of the Disposal Site, the EPCs have been defined as the average concentration of the respective EPH fraction ranges detected within

the soil samples collected from the Disposal Site. In soil samples from which the specific fractionation ranges were not detected above the laboratory quantification limits, one-half of the laboratory quantification limit was used to calculate the EPC. In accordance with 310 CMR 40.0902(3) and 310 CMR 40.1020(2), a level of "No Significant Risk" exists for concentrations of oil and/or hazardous materials which have been reduced to "Background." As no concentrations of polycyclic aromatic hydrocarbons (PAHs) or C₁₁-C₂₂ Aromatic Hydrocarbons were identified in soil samples collected from the Site, these analytes were excluded from this Method 1 Risk Characterization. Soil analytical results, calculated EPCs, and the currently applicable Method 1 Risk Characterization Standards are presented below in Table 1.

Table 1 - Soil Exposure Point Concentrations							
Sample 1D (depth)	Date Collected	C ₉ -C ₁₈ Aliphatic Hydrocarbons	C ₁₉ -C ₃₆ Aliphatic Hydrocarbons	C ₁₁ -C ₂₂ Aromatic Hydrocarbons			
Sidewall-West (12')	10/29/1996	170(1)	380	NT ⁽²⁾			
Sidewall-East (12')	10/29/1996	96	480	NT			
Sidewall-North (12')	10/28/1996	10,000	15,000	NT			
Bottom #1 (17')	10/28/1996	1,900	4,500	NT			
Bottom #2 (17')	10/29/1996	730	1,200	NT			
Pipeline (3')	11/1/1996	870	2,000	NT			
MW-1 (5-7')	2/3/1997	53	450	NT			
MW-2 (5-7')	2/3/1997	3	31	NT			
MW-3 (5-7')	2/3/1997	13	74	NT			
MW-4 (5-7')	2/3/1997	8	26	NT			
MW-2B (2-4')	2/3/1997	7,200	12,000	NT			
MW-3B (2-4')	2/3/1997	2	12	NT			
GP-01/S2 (3-5')	5/17/2007	. <40.0	<40.0	<40.0			
GP-02/S6 (13-15')	5/17/2007	<30.4	<30.4	<30.4			
EPC Value		1,438.7	2,412.6	15.2			
DEP Method 1 S-1/GW-2/3 Risk Characterization Standards (3)		1,000	2,500	800			
DEP Method 1 S-3/GW Characterization Stand		5,000	5,000	5,000			

1) Analytical results and Method 1 Risk Characterization Standards are presented in mg/kg.

Notes: 2) NT denotes sample not tested for specified analyte

Although the Method 1 S-3 GW-2/3 Risk Characterization Standards are currently applicable for the Disposal Site, the more conservative Method 1 S-1 GW-2/3 Risk Characterization Standards are used to protect potential future Site uses. Therefore, a condition of "No Significant Risk" exists at the Disposal Site for current uses; however, a condition of "No Significant Risk" does not exist for potential future uses. The more stringent S-1 GW-2/3

³⁾ DEP Method 1 Risk Characterization standards are listed in 310 CMR 40.0974 and derived in Section 5.1

Risk Characterization Standards will be achieved by implementing an Activity and Use Limitation.

Groundwater Risk Characterization

Pursuant to Policy WSC-02-411 Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of the MADEP VPH/EPH Approach, Coneco obtained data from Site monitoring wells on a quarterly basis to determine if a condition of "No Significant Risk" exists at the Disposal Site. On October 6, 2005, Coneco measured NAPL in MW-B2 at a thickness of 0.63 feet exceeding the applicable UCL of 0.5 inches presented in 310 CMR 40.0996(6). During the subsequent sampling events from January 20, 2006 to May 24, 2007, Coneco continued to measure NAPL thickness in monitoring wells at the Site, and NAPL thickness was never measured greater than 0.1 inches in any of the monitoring wells. Therefore, NAPL thickness present within monitoring wells at the Site, specifically MW-B2, have been reduced below the applicable UCL of 0.5 inches as presented in 310 CMR 40.0996(6).

Analytical results obtained from groundwater samples collected from viable on-Site monitoring wells by Coneco during sampling event between January 20, 2006 and May 24, 2007 were used to calculate the current EPCs. For EPH fraction ranges detected within the limits of the Disposal Site, the EPCs have been defined as the average concentration of the respective EPH fraction ranges detected within the groundwater samples collected from viable groundwater monitoring wells at the Site. In groundwater samples from which the specific fractionation ranges were not detected above the laboratory quantification limits, one-half of the laboratory quantification limit was used to calculate the EPC.

In accordance with 310 CMR 40.0902(3) and 310 CMR 40.1020(2), a level of "No Significant Risk" exists for concentrations of oil and/or hazardous materials which have been reduced to "Background." As no concentrations of PAHs were identified in groundwater samples collected from monitoring wells at the Site between January 20, 2006 and May 24, 2007, these analytes were excluded from this Method 1 Risk Characterization. The calculated EPCs for groundwater analytes and the currently applicable Method 1 Risk Characterization Standards are presented below in Table 2.

Table 2 - Groundwater Exposure Point Concentration Values – January 20, 2006 through May 24, 2007

Monitoring Well	C ₉ -C ₁₈ Aliphatic Hydrocarbon EPC	C ₁₉ -C ₃₆ Aliphatic Hydrocarbon EPC	C ₁₁ -C ₂₂ Aromatic Hydrocarbon EPC
MW-I	100.00(1)	266.67	100.00
MW-2	100.00	100.00	100.00
MW-3	100.00	100.00	100.00
MW-4	100.00	100.00	100.00
MW-B1	300.00	566.67	800.00
MW-B2	100.00	100.00	233.33
MW-B3	100.00	. 100.00	100.00
CMW-1	100.00	100.00	100.00
CMW-2	100.00	100.00	100.00
DEP Method 1 GW-2 Risk Characterization Standards (2)	1,000	NA ⁽³⁾	50,000
DEP Method I GW-3 Risk Characterization Standards	20,000	20,000	30,000

Notes:

- Analytical results and Method 1 Risk Characterization Standards are presented in μg/l.
- DEP Method 1 Risk Characterization standards are listed in 310 CMR 40.0974 and derived in Section 5.1.
- 6) NA denotes no standards have been promulgated.

The calculated EPCs for groundwater samples collected from monitoring wells at the Site on a quarterly basis between January 20, 2006 and May 24, 2007 are below the currently applicable Method 1 Risk Characterization Standards. Therefore, a condition of "No Significant Risk" exists for groundwater at the Disposal Site.

ACTIVITY AND USE LIMITATION

Based upon analytical data collected during Coneco's investigations, the area subject to the AUL is depicted in plan view in Exhibit B and is registered at the Middlesex County Registry of Deeds in Plan Book 2008, Page 104. The description of the soil subject to the Activity and Use Limitation is provided below. Prohibited activities include the following:

- The use of buildings located with the Portion of the Property as an office, store, residence, school, or daycare;
- The cultivation of fruits and vegetables destined for human consumption (e.g., gardening);
- Recreational activities, such as playing baseball, swimming, fishing and hiking;
- Leisure activities, such as picnicking, sunbathing and entertaining;
- Relocation of the contaminated soils within the designated AUL Area unless an LSP
 Opinion is rendered which attests that a condition of "No Significant Risk" is maintained,
 consistent with the provisions of the MCP;

 Any subsurface activity or excavation which may result in direct contact with, disturbance, or relocation of contaminated soils between 2 and 15 feet which is not conducted in accordance with Obligations of the Notice of AUL.

The AUL Opinion provides that a condition of No Significant Risk to health, safety, public welfare or the environment exists for any foreseeable period of time (pursuant to 310 CMR 40.0000) so long as any of the following activities and uses occur within the designated AUL Area:

- Any activities and uses consistent with the current use of the Portion of the Property as a Power Plant facility and parking area;
- Activities and uses including, but not limited to, maintenance of the asphalt-paved driveway
 and parking area within the designated AUL Area which do not cause direct contact with,
 disturbance, or relocation of, the contaminated soil within the designated AUL Area;
- Excavation associated with limited short term utility work which may be deemed necessary
 within the designated AUL Area, provided that it is conducted in accordance with the
 performance standards for Utility Related Abatement Measures (URAMs) set forth by the
 MCP at 310 CMR 40.0030, and all applicable worker health and safety practices pursuant to
 310 CMR 40.0018;
- Subsurface activities and/or construction, including but not limited to excavation associated
 with future construction of buildings and other improvements to support permitted uses on
 the property which may disturb contaminated soils, provided that such work is conducted in
 accordance with a Soil Management Plan developed in accordance with Obligation (ii) as
 set forth in Notice of AUL Item 3.
- Activities and uses not expressly prohibited by the Notice of AUL;
- Such other activities and uses which, in the Opinion of a LSP, as defined in 310 CMR 40.0006, shall present no greater risk of harm to health, safety, public welfare, or the environment than the activities and uses set forth in this paragraph.

المحاربات والموادر معارض التساع المستعفد المستوع ميوال والرارا

A metes and bounds description of the area subject to the AUL is as follows:

COMMENCING Commencing at a drill hole in a stone bound on the southeasterly line of

Waverley Oaks Road, said bound lying N 51° 29' 49" E a distance of 1051.13 feet from the center of a stone bound also on the southeasterly line of Waverley Oaks Road which marks the point of curvature at the intersection of the northeasterly line of Beaver Street with the southeasterly line of Waverly

Oaks Road;

THENCE N 47°27'49" W for a distance of 579.87 feet to the point of beginning of the

herein described AUL area;

THENCE S 10°40'10" W a distance of 123.00 feet:

THENCE N 79°19'50" W a distance of 145.00 feet;

THENCE N 10°40'10" E a distance of 123.00 feet;

THENCE S 79°19'50"E a distance of 140.00 feet to the point of beginning.

Containing 17,835 Square Feet and bounded on all sides by other land of the Commonwealth of Massachusetts. The depth of the area subject to the AUL begins at a depth of approximately 2 feet below surface grade and extends 15 feet below the existing surface grade.

Notifications to the Chief Municipal Officer, Health Department, Zoning Official, and Building Department, as well as a published legal notice have been made within 30 days of the AUL submittal.

If there are any questions, please contact the undersigned at (508) 697-3191, extension 103.

Sincerely,

Coneco Engineers & Scientists, Incorporated

Brian F Klingler, P.G., L.S.P.

Principal Geologist

Exhibit E

I, Elin M. Howe, do hereby certify that the property identified as "The Fernald Center" located at 200 Trapelo Road in Waltham, Massachusetts is owned by the Commonwealth of Massachusetts. In addition, the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Retardation conducts operations at the above mentioned property. As Commissioner of the Department of Mental Retardation, I have the authority to sign legal documents on behalf of the Commonwealth.

Elin M. Howe

Altcol Middlesex S. Register



CIVIL DESIGN & LAND PLANNING

SURVEYING

GEOTECHNICAL ENGINEERING

ENVIRONMENTAL CONSULTING

REGULATORY COMPLIANCE & PLANNING

June 27, 2003 Project No. 4701

Mr. Walter Sweder Director of Public Health City of Waltham Health Department 119 School Street Waltham, Massachusetts 02451

RE: Public Involvement Notification

Massachusetts Department of Mental Retardation Fernald Center Malone Park Building No. 21 200 'Trapelo Road Waltham, Massachusetts Release 'Tracking Number 3-21892

Dear Director Sweder:

Pursuant to 310 CMR 40.1403 of the Massachusetts Contingency Plan (MCP), the following serves as written notification of the identification of a release of an unknown volume of No. 2 fuel oil from a former 500-gallon No. 2 fuel oil underground storage tank at Malone Park Building No. 21 of the Massachusetts Department of Mental Retardation Fernald Center in Waltham, Massachusetts. This letter follows notification to the Department of Environmental Protection - Northeast Regional Office (NERO) on June 27, 2002 and the submittal of a Response Action Outcome (RAO) Statement on June 27, 2003. The Site has been assigned Release Tracking Number (RTN) 3-21892. Copies of the RAO Statement are available for review at the DEP-NERO.

Pursuant to the provisions of 310 CMR 40.0427, no ongoing activities related to the above described release are required.

If you have any questions, please contact the undersigned.

Sincerely,

Coneco Engineers & Scientists

Jedd S. Steinglass Project Manager Brian F. Klingler, P.G., L.S.P.

Principal Geologist

JSS:BFK:jd jss-/4701.21.notification.doc



CIVIL DESIGN & LAND PLANNING

SURVEYING

Principal Geologist

GEOTECHNICAL ENGINEERING

Environmental Consulting

REGULATORY COMPLIANCE & PLANNING

July 2, 2003 Project No. 4701

Walter Sweder Jr.
Director of Public Health
Waltham Health Department
Town Hall
19 School Street
Waltham, Massachusetts 02451

RE: Public Involvement Notification

Phase I Initial Site Investigation and Tier II Permit Application Fernald Center - Malone Park Building No. 23 200 Trapelo Road Waltham, Massachusetts Release Tracking Number 3-21893

Dear Mr. Sweder:

Pursuant to 310 CMR 40.1403 of the Massachusetts Contingency Plan (MCP), the following serves as written notification of a release of petroleum at Malone Park Building No. 23 of the Fernald Center at 200 Trapelo Road in Waltham, Massachusetts. This letter follows the submittal of a Phase I Initial Site Investigation and Tier Classification to the Department of Environmental Protection (DEP), Northeast Regional Office (NERO) on June 27, 2003. Legal notice of the Tier II Permit Application is attached for your reference. Copies of the above report are available for review at the DEP-NERO.

If you have any questions, please contact the undersigned.

Sincerely,

Coneco Engineers & Scientists

Jedd S. Steinglass

Project Manager

JSS:BFK:jd

jss/d:4701.municipal.Tier.doc

NOTICE OF INITIAL SITE INVESTIGATION AND WASTE SITE CLEANUP PERMIT APPLICATION

FERNALD CENTER - MALONE PARK BUILDING NO. 23
200 TRAPELO ROAD
WALTHAM, MASSACHUSETTS
RELEASE TRACKING NUMBER 3-21893

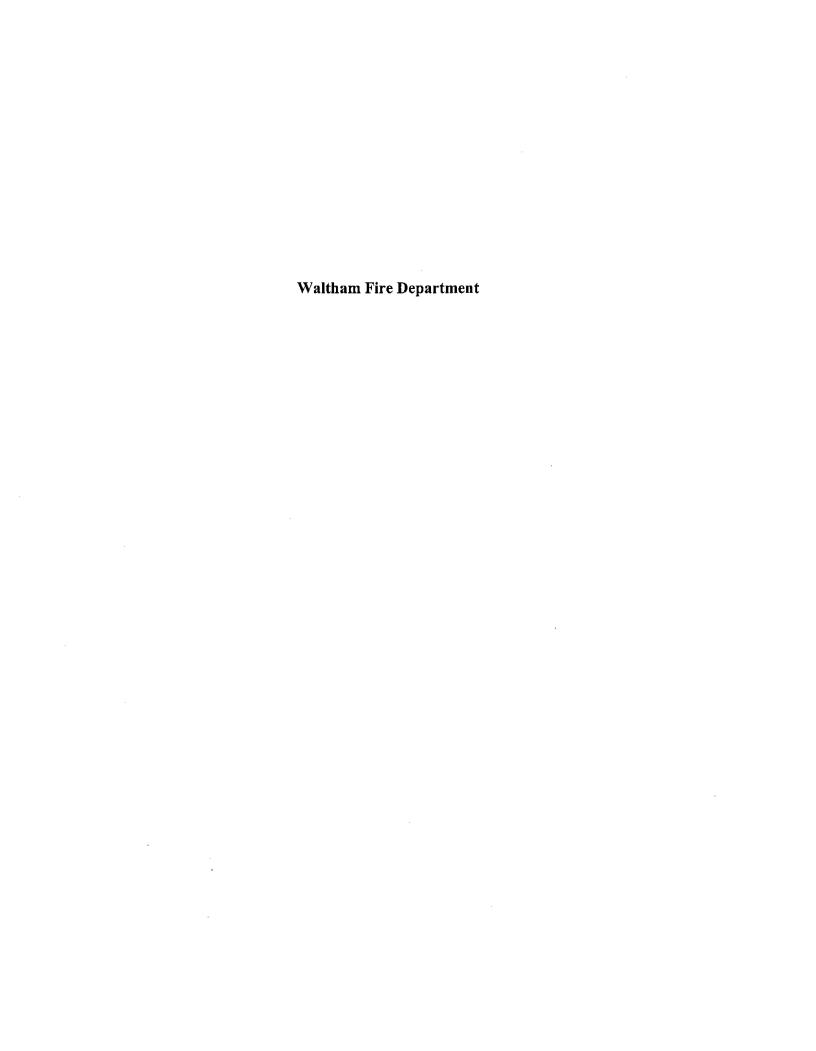
Pursuant to the Massachusetts Contingency Plan (310 CMR 40.0480), an Initial Site Investigation has been performed at the above referenced location. A release of oil and/or hazardous materials has occurred at this location which is a disposal site (as defined by M.G.L. c. 21E, Section 2). This site has been classified as Tier II (310 CMR 40.0500), and an Initial Tier II Permit application is being submitted on June 27, 2003 to the Department of Environmental Protection (DEP) pursuant to 310 CMR 40.0510.

Response actions at this site will be conducted by the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Retardation who has employed Coneco Engineers and Scientists of Bridgewater, Massachusetts to manage response actions in accordance with the Massachusetts Contingency Plan (310 CMR 40.0000). The Massachusetts Department of Mental Retardation, the applicant, is represented by David Chan, Project Engineer, 500 Harrison Avenue, Boston, Massachusetts 02118 at telephone number 617-824-7881.

Anyone interested in reviewing the permit application should notify DEP by writing to Department of Environmental Protection, Bureau of Waste Site Cleanup, Permit Section, 1 Winter Street, Boston, Massachusetts 02108 by July 18, 2003. If anyone notifies DEP of his or her interest in reviewing or submitting comment on the Tier II permit application, the DEP will conduct a public comment review period of twenty (20) days which shall run concurrently with DEP's Initial Technical Review of the application. Anyone who fails to notify DEP in writing of his/her interest in commenting on the application by the above date may be deemed to have waived his/her rights, if any, to appeal DEP's permit decision or to intervene in an adjudicatory proceeding with respect to this application, pursuant to 310 CMR 40.0770(2).

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of and involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2) Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

To obtain more information on this disposal site and the opportunities for public involvement during its remediation, please contact Mr. Brian F. Klingler, P.G., L.S.P., Principal Geologist, of Coneco Engineers and Scientists at 4 First Street, Bridgewater, Massachusetts, 02324, or at (508) 697-3191.





WALTHAM FIRE DEPARTMENT

FIRE PREVENTION BUREAU 175 LEXINGTON STREET WALTHAM, MA 02452-4638

Telephone 781-314-3710 Fax 781-647-0892

7/16/09

Tech Law Inc. 175 Cabot Street Ste. 415 Lowell, MA 01854

Attn: Melanie Littman/ Gretchen Fodor

Per your request of 6/08/09 requesting information on 200 Trapelo Road, <u>our records</u> indicate the following installs and removals in the general location of your request.

AST'S INSTALLED

STREET	NO.	SIZE	DATE INST	ALLED
Trapelo Rd	200	4-330gal	6/20/02	For htg. Inspected by Lt. Belida 10/08/02
Trapelo Rd.	200	275	10/2/01	For htg. Inspected by Lt. Lefort
Trapelo Rd.	200	2-275	4/15/98	For htg. Inspected by Lt. Comeau
Beaver St.	265	275	11/21/08	For htg. Inspected by Lt. Quaranto

UGT'S INSTALLED

STREET	NO.	SIZE	DATE INSTA	LLED
Trapelo Rd.	200	2-20,000	11/22/86	Installed and buried before inspection

AST'S REMOVED

STREET	NO.	SIZE	DATE REMOVED		
Beaver St.	265	275	11/04/08		

UGT'S REMOVED

STREET	<u>NO.</u>	SIZE	DATE REMOV	VED
Trapelo Rd.	200	2-4,000	5/22/97	Lt. Comeau
46	66	1,000	9/16/97	Lt. Belida. Clean appearance.
44	"	500	5/21/97	Tank ok, Lt. Galvin
"	66	1,000	5/20/97	Tank Ok, Lt. Galvin
"	44	1,000	5/29/97	Tank appears ok, Lt. Galvin.
44	66	Four 500gal	6/27/02	3-tank & hole appear clean. 1 had oil on exterior bottom of tank. DEP notified.Lt. Ferrick
"	66	1500	4/27/01	Tank & site appear ok. Lt. Lefort
	"	1000	4/27/01	Tank & site appear ok. Lt. Lefort
66	44	500	4/27/01	Tank & site appear ok. Lt. Lefort

(continued)



WALTHAM FIRE DEPARTMENT

FIRE PREVENTION BUREAU 175 LEXINGTON STREET WALTHAM, MA 02452-4638

Telephone 781-314-3710 Fax 781-647-0892

PAGE 2

UGT'S REMOVED continued,,,

STREET	NO.	SIZE	DATE REMOVED		
Trapelo Rd.	200	22,000 25,000 29,000	10/17/96	Lt. Galvin. Oil in ground. DEP notified	
Trapelo Rd.	200	750	10/30/98	Tank & hole ok. Lt. W. Burke	
Beaver St.	265	500	6/21/93	Tank Ok. Dep. Cardillo	

Permits for aboveground tanks for temporary heat were issued for 5-500 gal and one 1,000gal tanks from 1/28/98- 1/29/99.

Oil burner permit inspected by Lt. Comeau 2/14/97, indicates presence of 275 gal tank in basement @ 227 Beaver St.. Oil Burner permit, inspected by Lt. Belida on 9/15/95 indicates existing tank, no size or type(above or underground) indicated in boiler room @ 258 Trapelo Road.

Please see the DEP for more info on 200 Trapelo Rd.;

RTN3-21380 7/26/02 ~ RTN3-15121 6/19/97 ~ RTN3-13467 5/26/99 ~ RTN3-10367 6/24/94 RTN3-21892 7/18/02 ~ RTN3-21893 7/18/02 ~ RTN3-21380 2/17/02 ~ RTN3-15149 6/25/97 And also;

NON-NE 95-9029-2-E 7/5/95 ~ NON-NE 95-9030-2E 6/20/95 ~ NON-NE 98-7011 5/18/98

Waltham Fire Department, Fire Prevention