

THE CITY OF WALTHAM
MASSACHUSETTS

PURCHASING DEPARTMENT

DEMOLITION OF BUILDING AT 476-486 MAIN STREET

ADDENDUM NO. 1

August 30, 2016

CHANGES, CORRECTIONS AND CLARIFICATIONS

The attention of bidders submitting proposals for the above subject project is called to the following addendum to the specifications. The items set forth herein, whether of omission, addition, substitution or clarification are all to be included in and form a part of the proposal submitted.

THE NUMBER OF THIS ADDENDUM (NO. 1) MUST BE ACKNOWLEDGED IN THE COVER LETTER

ITEM 1: ENVIRONMENTAL REPORTS

a) Please see the attached environmental reports completed by independent consultants in February 2016 and December 2014.

b) A third environmental report, prepared by Woodard & Curren -December 2013 - is available for review in the office of the City of Waltham's Purchasing Agent at 610 Main street, Waltham. The report is over 600 pages large. The report Concludes that: *"This assessment [report] revealed no evidence of recognized environmental conditions in connection with the property"*.

End of Addendum 1

COOPERSTOWN environmental

PHASE I ENVIRONMENTAL SITE ASSESSMENT

476-486 Main Street
Waltham, Massachusetts 02452

Prepared for:

RCDL, LLC
P.O. Box 310
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Prepared by:

Cooperstown Environmental LLC
Andover, Massachusetts

February 2016

TABLE OF CONTENTS

1.0 INTRODUCTION 2

 1.1 Purpose 2

 1.2 Scope of Services 3

 1.3 Significant Assumptions 3

 1.4 Limitations and Exceptions 3

 1.5 Principles 4

 1.6 Special Terms and Conditions 4

 1.7 Exclusive Use 4

2.0 SITE DESCRIPTION 5

 2.1 Location and Legal Description 5

 2.2 Property and Vicinity Characteristics 5

 2.3 Current Property Use 6

 2.4 Structures, Roads, & Other Improvements on the Site 6

 2.5 Current Use of Adjoining Properties 6

3.0 USER-PROVIDED INFORMATION 6

 3.1 Title Records 6

 3.2 Environmental Liens or Activity and Use Limitations 6

 3.3 Specialized Knowledge 7

 3.4 Commonly Known or Reasonably Ascertainable Information 7

 3.5 Valuation Reduction for Environmental Issues 7

 3.6 Owner, Property Manager, and Occupant Information 7

 3.7 Reason for Performing Phase I 7

 3.8 Previous Environmental Reports 7

 476-486 Main Street and 9 Newton Street 7

 486 Main Street and 9 Newton Street 9

4.0 RECORDS REVIEW 9

 4.1 Environmental & Physical Setting 9

 4.1.1 Site Topography 9

 4.1.2 Local Geology and Hydrogeology 9

 4.2 Standard Environmental Record Sources 9

 4.2.1 Database Results – Subject Property 10

 4.2.2 Database Results – Surrounding Properties 10

4.3	Wetlands, Floodplains, Areas of Environmental Concern	12
4.4	Local Records Sources	12
4.4.1	Fire Department	12
4.4.2	Health Department Records	13
4.4.3	Building and Engineering Department Records	13
4.4.4	Assessing Department	14
4.4.5	Water and Sewer	14
4.4.5	Conservation Commission	14
4.5	Historical Use Information	14
4.5.1	Sanborn Maps	14
4.5.2	City Directories	14
4.5.3	Historical Aerial Photographs	16
4.5.4	Chain of Title	16
4.6	Previous Environmental Investigations	16
4.7	Summary of Site Uses	16
4.8	Summary of Surrounding Land Uses	16
5.0	SITE RECONNAISSANCE	17
5.1	Methodology and Limiting Conditions	17
5.2	General Observations	17
5.2.1	Potable Water	17
5.2.2	Wastewater	17
5.2.3	Storm Water	17
5.2.4	Solid Waste	17
5.2.5	Hazardous Materials/Chemicals & Hazardous Waste	17
5.2.6	Hydraulic Equipment	17
5.2.7	Above Ground Storage Tanks	18
5.2.8	Underground Storage Tanks	18
5.2.9	Polychlorinated Biphenyls (PCBs)	18
5.2.10	Lead-Based Paint	18
5.2.11	Waste Oil	18
5.2.12	Asbestos Containing Material (ACM)	18
5.2.13	Radon	18
5.3	Interior Observations	18
5.3.1	Heating/Cooling	18
5.3.2	Stains or Corrosion	18
5.3.3	Drains and Sumps	19
5.4	Exterior Observations	19
5.4.1	Pits, Ponds, Lagoons, Septic Systems	19
5.4.2	Stained Soil or Pavement	19
5.4.3	Stressed Vegetation	19
5.4.4	Solid Waste	19
5.4.5	Wells	19

PRIVILEGED AND CONFIDENTIAL

Environmental Site Assessment Report
476-486 Main Street, Waltham, MA

iii
February 2016

6.0	INTERVIEWS	20
6.1	User Interview	20
6.2	Owner Representative Interview	20
6.3	Local Officials Interviews	20
7.0	DISCUSSION OF DATA GAPS AND UNCERTAINTIES	21
8.0	CONCLUSIONS AND RECOMMENDATIONS	22
9.0	DEVIATIONS	23
10.0	REFERENCES	24
11.0	SIGNATURE OF ENVIRONMENTAL PROFESSIONAL.....	25

PRIVILEGED AND CONFIDENTIAL

Environmental Site Assessment Report
476-486 Main Street, Waltham, MA

iv
February 2016

APPENDICES

APPENDIX A	TABLES AND FIGURES
APPENDIX B	ASSESSING DEPARTMENT RECORDS
APPENDIX C	USER COMPLETED ASTM 1527-13 QUESTIONNAIRE
APPENDIX D	PREVIOUS ENVIRONMENTAL REPORTS
APPENDIX E	ENVIRONMENTAL DATA RESOURCES REPORT
APPENDIX F	VAPOR ENCROACHMENT SCREENING
APPENDIX G	LOCAL RECORDS
APPENDIX H	EDR SANBORN MAPS
APPENDIX I	EDR CITY DIRECTORY REVIEW
APPENDIX J	EDR AERIAL PHOTOGRAPHS
APPENDIX K	SITE RECONNAISSANCE PHOTOGRAPHS
APPENDIX L	SUPPORTING DOCUMENTS FOR ENVIRONMENTAL PROFESSIONAL

EXECUTIVE SUMMARY

Cooperstown Environmental LLC (Cooperstown) conducted a Phase I Environmental Site Assessment (ESA) at 476-486 Main Street, Waltham, MA in Waltham, MA (the Subject Property). This ESA was performed in general accordance with the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E 1527-13) and 40 CFR 312 and the Environmental Protection Agency's "All Appropriate Inquiry" (AAI) Final Rule, as outlined in Cooperstown's proposal to Mr. Richard A. Gordon, representative of RCDL dated January 12, 2016.

The ESA revealed the history of the Subject Property and adjoining properties dating back to before 1892. The Phase I Environmental Site Assessment was performed in conformance with the scope and limitations of ASTM Practice E 1527-13. There were no exceptions to, or deletions from, this practice. This assessment did not reveal any Recognized Environmental Conditions (RECs) at the Subject Property as described below:

The assessment revealed historical recognized environmental conditions (HRECs) at the 476 Main Street property associated with use as a gas station and auto repair. Release Tracking Number 3-30866 was assigned to the site and a Class A-2 was filed in August 2012. Closure conditions are consistent with current regulations and therefore, there is no current REC associated with this condition.

The property is currently used for auto repair and there is some above ground storage of waste oil, wiper fluid, motor oil, etc. inside the building that is consistent with this use. As there was no significant staining or indications of spills inside the building, this is considered a *de minimus* condition at the time of this report. It is recommended that the concrete of the garage floor be repaired in previous excavation areas to prevent the potential for petroleum products to enter the subsurface in the event of any spills.

1.0 INTRODUCTION

1.1 Purpose

Cooperstown Environmental LLC (Cooperstown) was retained by RCDL to conduct an Environmental Site Assessment (ESA) on a property in Waltham, Massachusetts. The "Site" or "Subject Property" as defined for the purposes of this report comprises two contiguous parcels located at 476-478 Main Street and 486 Main Street in Waltham, Massachusetts.

A site locus and current topographic map is shown on **Figure 1, Appendix A**. A current aerial photo of the Subject Property is shown in **Figure 2, Appendix A**. The Plot Plan of the property is shown in **Figure 3, Appendix A**.

The purpose of a Phase I ESA is to identify "recognized environmental conditions" on the Subject Property. The ASTM Standard Practice for ESAs (E1527-13) provides the following definition of "recognized environmental conditions":

The term recognized environmental condition (REC) means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property; (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimus conditions are not recognized environmental conditions. (ASTM 2013).

Controlled RECs result from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority with concentrations which are allowed to remain in place subject to the implementation of controls such as property use restrictions, institutional controls, engineering controls and/or activity and use limitations.

Historical conditions result from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, meets the requirements for unrestricted use, and the conditions at the time of closure would not be considered a recognized condition at the time the report is written. Historical RECs are reviewed as part of the Phase I and if closure conditions meet current regulatory standards, they are not considered to be RECS.

Specifically, the purpose of this ESA was to:

- Evaluate the potential for environmental impact by hazardous substances or petroleum products on the site due to known site uses;
- Evaluate the potential for off-site, nearby sources of hazardous substances or petroleum products to impact the environmental quality of the property;
- Evaluate the potential for historical site contamination based on readily available information about prior use or development of the facility property;

- Identify existing or potential environmental conditions or circumstances on the site that could require clean-up, remedial action or other response;
- Identify existing or potential environmental conditions or circumstances on the site that may affect the value of the site; and
- Provide written documentation that the user has performed all appropriate inquiry into existing and previous ownership and uses of the property consistent with customary commercial practices.

1.2 Scope of Services

This ESA was performed in general accordance with the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E 1527-13), published in 2013, and 40 CFR 312, the Environmental Protection Agency's "All Appropriate Inquiry" (AAI) Final Rule, as outlined in Cooperstown's proposal to Mr. Richard A. Gordon for RC DL, dated January 12, 2016.

The Phase I ESA includes four primary tasks as set forth in the ASTM E1527-13 standard:

- Records Review;
- Site Reconnaissance;
- Interviews;
- Report Preparation.

1.3 Significant Assumptions

No significant assumptions were made for the purposes of this Environmental Site Assessment.

1.4 Limitations and Exceptions

Cooperstown reviewed information concerning potential recognized environmental conditions (RECs) at the Subject Property and prepared the report in a professional manner using that degree of skill and care exercised for similar projects under similar conditions in the same geographic locale by other qualified environmental consultants. This report, including its opinions and conclusions, is based on the information that was made available to Cooperstown during the investigation and upon the services described, which were performed within the approved time and budgetary requirements. Because the report is based upon available information, some of its conclusions could be different if the information upon which it is based is determined to be false, inaccurate, or contradicted by additional information.

Cooperstown makes no representation concerning the legal significance of its findings or the value of the property investigation. Cooperstown has no contractual liability to third parties for the information or opinions in this report.

1.5 Principles

The ASTM E 1527-13 standard recognizes several principles inherent in an ESA based on this standard, including:

Uncertainty Not Eliminated — No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost.

Not Exhaustive — All appropriate inquiry does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an environmental site assessment and the reduction of uncertainty about unknown conditions resulting from additional information.

Level of Inquiry is Variable — Not every property will warrant the same level of assessment. Consistent with good commercial or customary practice, the appropriate level of environmental site assessment will be guided by the type of property subject to assessment, the expertise and risk tolerance of the user, and the information developed in the course of the inquiry.

Comparison with Subsequent Inquiry — It should not be concluded or assumed that an inquiry was not all appropriate inquiries merely because the inquiry did not identify recognized environmental conditions in connection with a property. Environmental site assessments must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent environmental site assessments should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors.

1.6 Special Terms and Conditions

There are no special terms or conditions are in place for this Environmental Site Assessment.

1.7 Exclusive Use

This ESA report has been prepared for the exclusive use of RCDL. Only RCDL, its affiliates, and successors or assigns are entitled to rely on this report. Any use or reliance on this report or its conclusions by any other party is strictly prohibited and if done, shall be solely at the user's risk. Also, as described in the AAI regulations, this report should be considered to represent present conditions. As described in 40 CFR 312.20, a prospective purchaser may be able to use the findings and conclusions described herein within 180 days of the date of this report, or within one year of the date of this report if certain activities are updated. If so, however, Cooperstown shall have no obligations or shall not be liable to such prospective purchaser whatsoever.

2.0 SITE DESCRIPTION

2.1 Location and Legal Description

The Subject Property is located at 476- 486 Main Street, Waltham, Middlesex County, Massachusetts. The Property is comprised of two parcels of land. The deeds are found in the Southern Middlesex Registry of Deeds, Book 33233 page 99 (486 Main St.) and Book 30414 Page 107 (476 Main Street). The assessor's records are included in **Appendix B**.

The parcel at 476-478 Main Street, assessor's ID# R061-013-001, contains an auto service garage. The assessor's description is a 0.213 acre parcel containing a service garage building with a slab foundation and concrete block constructed siding. The building is heated by forced hot air with heating oil. The City of Waltham Assessor's database shows Maine/Moody 1999 Realty Trust, Richard and Lynda S. Gordon, Trustees located at PO Box 310, Waltham MA as the owner of the 476-478 Main Street parcel.

The parcel at 486 Main Street, assessor's ID# R061-013-0012, formerly contained a commercial building that was leased by Stephen's Liquors. The assessor's description is a 0.128 acre parcel that is currently an empty lot. The City of Waltham Assessor's database shows RCDL, LLC, located at 892 Main Street, Waltham MA as the current owner of the 486 Main Street parcel.

The site's coordinates are latitude 42° 22' 37.20" E and longitude 71° 13' 45.48" W. Universal Transverse Mercator (UTM) coordinates are 316459.0 (East) and 4693828.5 (North). The elevation of the property is approximately 66 feet above sea level. A site locus and current topographic map is shown on **Figure 1** in **Appendix A**. A site plan is shown in **Figure 2, Appendix A**.

According to the City of Waltham the entire Subject Property is zoned as a Business A District. The surrounding area is comprised mainly of commercial and residential use.

2.2 Property and Vicinity Characteristics

The Subject Property is located at the southwest corner of Main and Newton Streets and situated in a commercial area that borders a residential area located along Newton Street to the south. The area businesses along Main Street include various commercial establishments such as stores and gasoline service stations.

Information about the Property characteristics and surrounding area was obtained from observations made during the site reconnaissance on January 20, 2016, reviews of the city record sources, a 2012 Environmental Site Assessment report by Cooperstown titled "Phase I Environmental Site Assessment, 476-478 and 486 Main Street Waltham, Massachusetts 02452".

2.3 Current Property Use

The property is currently owned by RCDL and Maine/Moody 1999 Realty Trust. The 476 Main Street property contains a service garage building which is currently occupied by a tenant at will who repairs automobiles in the garage. The 486 Main Street property is currently a vacant lot.

2.4 Structures, Roads, & Other Improvements on the Site

There is one building located at the Subject Property. The building at 476-478 Main Street contains approximately 2796 square feet of finished space. There is a paved parking area at the front of the building and there are entries off both Main Street and Newton Street.

2.5 Current Use of Adjoining Properties

Observations were made during the site reconnaissance of the adjoining and nearby properties. The adjoining properties include:

- North: Main Street and various retail establishments on the far side
- East: Bank building and residences
- South: Leland Home for Senior Citizens at 21 Newton Street.
- West: City of Waltham owned parking area and Government Building at 488 and 494 Main St.

3.0 USER-PROVIDED INFORMATION

The User's representative, Mr. Richard A. Gordon, Managing Partner of RCDL, completed the ASTM 1527-13 Questionnaire for the Subject Property. The completed questionnaire is included in **Appendix C** and the user provided information is summarized below.

3.1 Title Records

Title records were not provided by the user. The property record cards are included in **Appendix B**.

3.2 Environmental Liens or Activity and Use Limitations

The AAI standard requires that the property be checked for environmental liens that may have been placed on the property's title and that the person who is seeking limited liability protections from the AAI process provide this data to the environmental professional.

The User of this report, RCDL (represented by Richard A. Gordon), stated that he has no knowledge of environmental liens on the subject property.

In Massachusetts, in addition to an environmental lien, a property may have a Notice of Activity and Use Limitation (AUL). The Massachusetts Department of Environmental Protection (MassDEP) maintains a database of AULs that have been filed for all properties in Massachusetts. Cooperstown checked this online database on January 28, 2016 and did not identify any AULs that have been placed on 476-486 Main Street.

3.3 Specialized Knowledge

According to the user, he has no specialized knowledge of the Subject Property.

3.4 Commonly Known or Reasonably Ascertainable Information

The User indicated that he is not aware of any past releases or environmental cleanups that have occurred at the Subject Property outside of those documented in previous reports. Specifically, there was a Class A-2 RAO submitted for the 476 Main Street property in 2012 following response actions to address petroleum contamination at the site. He also states that 484 [sic] Main Street has been an automotive shop and 486 Main Street has been a liquor store.

Additional information provided during the owner interview and site reconnaissance is presented in Section 6. No other commonly known or reasonably ascertainable information pertaining to the subject property was provided to Cooperstown by the User.

3.5 Valuation Reduction for Environmental Issues

Cooperstown does not have knowledge that the value of the Subject Property is significantly less than the value of comparable properties nor has such information been communicated to us during this assignment.

3.6 Owner, Property Manager, and Occupant Information

The properties are owned by RCDL, LLC (486 Main Street) and Main/Moody Realty Trust (476-478 Main Street). The current property manager is Susan Murphy of IBG Properties. The property at 476 Main Street contains an auto repair garage. The property at 486 Main Street is currently vacant.

3.7 Reason for Performing Phase I

It is the understanding of *Cooperstown Environmental LLC* that this Phase I report was requested in connection with a potential real-estate sale or financing action.

3.8 Previous Environmental Reports

476-486 Main Street and 9 Newton Street

A Phase I report was previously prepared by Cooperstown for the Site in 2012 and is entitled, "Phase I/II Environmental Site Assessment 476-478 and 486 Main Street, Waltham Massachusetts." The report is dated April 2012 and was prepared for RCDL who was the property owner at the time. The report does not conform to all of the current standards for ESAs. A copy of the report is included in **Appendix D**.

The report identified five recognized environmental conditions (RECs) which are outlined below:

- The parcel at 476 Main Street is a former gas station that included five underground storage tanks used to store gasoline, fuel oil, and waste oil.
- The fire department has no record that the gas station tanks were removed. A representative of the owner, RCDL, LLC believes these tanks were either removed or filled with sand in place. There is the potential for one or more of these tanks to remain at the Property without proper closure.

- Although 9 Newton Street has always been residential, there is a record of a past spill at this parcel and no information regarding the specifics of this spill.
- In addition to petroleum storage at the 476 Main Street parcel, there are empty and partially filled drums of anti-freeze and windshield wiper fluid located in an around the building and used tires stored outside the building.
- There are floor drains and sumps labeled on the drawings for the original Texaco Station and these drains and sump access were observed during site reconnaissance. It is not known if the drains are connected to the sewer system and the sumps are located in the auto repair bays, raising concern about waste oil disposal.

A limited Phase II investigation was conducted by Cooperstown in March 2012 and included the advancement of four soil borings, installation of three monitoring wells, test pitting and soil and groundwater analysis. All drilling and test pitting occurred on the 476 Main Street property as there were no RECs associated with the 486 Main Street property.

The Phase I/II ESA found the following conclusions:

- The 1000 gallon fuel oil tank remains underground at the property outside the restrooms and is approximately 2/3 full of petroleum product. The presence of this tank increases the likelihood that the 500 gallon waste oil tank also remains at the property under the slab foundation of the additional garage bays. It appears that the three gasoline storage tanks were removed from the property.
- One test pit sample and four subsurface soil samples were collected from potential source areas and submitted for laboratory analysis. There were no reportable conditions associated with soil quality at the property.
- Three samples were collected from groundwater monitoring wells installed on the gas station parcel with the focus on evaluating impacts to groundwater from petroleum storage. There were no reportable conditions associated with groundwater.
- There are floor drains and sumps in the old Texaco station building. Although there was no widespread soil or groundwater contamination as evidenced by the sampling conducted outside the building, there may be a volume of petroleum contaminated soil underneath the building foundation in the vicinity of these structures. Additionally, there may be a 500 gallon waste oil tank remaining under the garage foundation as there is no record of tank removals from the property with the fire department.

Additional investigations were performed by Cooperstown to remove the existing fuel oil tank, remove the hydraulic lifts and perform additional interior investigations related to the floor drains/sumps. This work was performed in June 2012. The tank removal resulted in a notification to DEP under RTN 3-30866; this RTN was closed out with a Class A2 Response Action Outcome (RAO) in August 2012 and the RAO is available on DEP's website. The sources of contamination including underground storage tanks and lifts have been removed from the property. Post-excavation verification samples were collected from areas where tanks had been removed previously and also the areas of the tank and hydraulic lifts removed by Cooperstown. The soil sampling conducted is adequate to assess the soil that has been impacted by petroleum released to the subsurface. It was the opinion of Cooperstown as the LSP that the source, nature, and extent of contamination at the Site has been adequately documented and the site met a condition of No Significant Risk. Additionally, the tires, anti-freeze, and windshield wiper fluid were stored in and around the building removed by Cooperstown at the time of these response actions.

The 500 gallon waste oil tank potentially remaining under the garage foundation was not located during test pitting activities. Test pits were conducted in the garage in the area of the tank based on Waltham Building Records (**Appendix G**) and there was no evidence of the tank or contaminated soil in this area.

486 Main Street and 9 Newton Street

A limited Phase II report dated January 2013 was prepared by Cooperstown for work performed on 486 Main Street and 9 Newton Street. The 9 Newton Street property is immediately South, and therefore downgradient, of the Subject Property. A copy of the report is included in **Appendix D**. The work included the December 2012 advancement of soil borings, installation of monitoring wells and analysis of both soil and groundwater samples for Extractable Petroleum Hydrocarbons (EPH), metals, and volatile organic compounds (VOCs). Tetrachloroethene (PCE) was detected in soil at 10-15' bgs above the applicable reportable concentration and was reported to Mass DEP resulting in the issuance of RTN 3-31421. Additional subsurface investigations in January 2013 on the 9 Newton Street property included the drilling of additional soil borings, completion of two additional monitoring wells and the collection of both soil and groundwater samples from each location. These samples were analyzed for VOCs. No VOCs were found in the additional soil samples, however VOCs were detected in all three groundwater samples but not above the applicable groundwater standards in effect at that time. The concentration of PCE, TCE, and other compounds found in groundwater does not pose a concern at the site for potential indoor intrusion as the depth to groundwater in the area is 22 to 27 feet below grade, well below the 15 foot depth that indicates the potential for indoor air impacts. The RTN was closed out with a Class B1 RAO in 2013.

4.0 RECORDS REVIEW

4.1 Environmental & Physical Setting

4.1.1 Site Topography

Cooperstown Environmental LLC reviewed the current United States Geological Survey (USGS) Topographic Quadrangle Map for information on topography and elevation of the subject property. The subject property is located approximately 66 feet above mean sea level and is quite level across the site.

4.1.2 Local Geology and Hydrogeology

Based on area topography and proximity to surface water bodies, groundwater flow in the area would be expected to flow South towards the Charles River. Groundwater likely flows toward the river although local groundwater flow may vary due to the presence of underground utilities such as sewers, storm drains, and heterogeneous subsurface soil conditions. Depth to water is approximately 25-27' bgs according to the 2008 drilling activities on a parcel across Newton Street to the east and the 2012 drilling activities performed on the Subject Property in 2012. Soils encountered during drilling were dense silty sands with numerous stones and cobbles.

4.2 Standard Environmental Record Sources

Environmental Data Resources (EDR) was subcontracted to perform an All Appropriate Inquiry (AAI) regulatory records search for the Subject Property and up to a one-mile radius surrounding the Subject Property, as specified within the ASTM-13 standard. EDR is a data management firm that specializes in computer research of federal and

state databases. In addition to searches of federal and state databases, EDR maintains proprietary databases of higher risk property uses such as dry cleaning establishments and automotive service. A report of database findings was developed by EDR and reviewed by Cooperstown. The EDR Report dated January 14, 2016 is contained in **Appendix E**.

The Search Summary Report includes a complete list of databases queried in the AAI search, as well as a description of the databases within which properties within the ASTM-13 specified search distance from the Subject Property were identified. Where deemed applicable, supplemental data resources (e.g., MassDEP on-line data resources) were reviewed. It should be noted that sites subject to regulatory review often show up in multiple databases.

The EDR Report findings are also utilized to evaluate the potential for vapor migration and intrusion, and to identify potential vapor intrusion conditions (VICs). A VIC is generally defined as contamination of indoor air caused by the release of vapor from contaminated groundwater or soil, which exists on or in close proximity to the property and thereby poses a health risk to the site's occupants.

4.2.1 Database Results – Subject Property

The Subject Property is listed in multiple databases including Federal, state and an EDR proprietary database. The databases are summarized in **Table 1 of Appendix A**. A release was reported to the Massachusetts Department of Environmental Protection (MA DEP) in June 2012. RTN 3-30866 was issued for the release related to fuel oil in an underground storage tank. The RTN was closed out with a Class A2 RAO in August 2012. Additional details about the release are described in **Section 3.8**.

4.2.2 Database Results – Surrounding Properties

Cooperstown reviewed the results of EDR's AAI search to identify sites that could be expected to affect the Subject Property. Based on the topography and location of surface water bodies, the groundwater flow direction in the vicinity of the Subject Property is presumed to be to the south. The potential for nearby sites to affect the Subject Property was evaluated in light of this groundwater flow information. A summary of Cooperstown's review, including details and the regulatory status of the properties within a ¼ mile of the Subject Property, are summarized in **Table 1 of Appendix A**.

Of the upgradient sites identified in the AAI search, the following sites could have the potential to affect the Subject Property and were further evaluated:

- A property located at 488 Main Street is listed in the release database with RTN 3-19152. The release was closed out with a Class A2 RAO in 2001; the release is not expected to affect the Subject Property. The site is also listed in EDR's proprietary US Historical Gas Stations and EDR's proprietary US Historical Cleaners database. Due to its location with respect to groundwater flow and proximity to the Subject Property, this site could possibly affect the Subject Property and was evaluated further in the Vapor Encroachment Condition (VEC) evaluation, discussed in **Section 4.2.4** below.

- Linden Cleaners, located at 465 Main Street is listed in EDR's proprietary US Historical Cleaners database. Due to its location with respect to groundwater flow and proximity to the Subject Property, this site could possibly affect the Subject Property and was evaluated further in the Vapor Encroachment Condition (VEC) evaluation, discussed in **Section 4.2.4** below.
- The Arco Station, located at 487 Main Street, is listed in multiple databases. The site is listed in EDR's proprietary US Historical Gas Stations and due to its location with respect to groundwater flow and proximity to the Subject Property, this site could possibly affect the Subject Property and was evaluated further in the Vapor Encroachment Condition (VEC) evaluation, discussed in **Section 4.2.4** below. The site also in the release database with RTN 3-791 and was closed out with a Class A3 RAO in 2003.

Three additional sites were identified as upgradient from the Subject Property, as follows:

- A Private Residence, located at 8-10 Lyman Terrace, is listed in the release database.
- Waltham Vocational High School, located at 100 Summer Street, is listed in the RCRA database as a small quantity generator.
- McDevitt Middle School, located at 75 Church St, is listed as a hazardous waste generator.

Despite being located upgradient to the Subject Property, the two schools are not expected to affect the Subject Property because of the small amount of oil and/or hazardous materials expected to be present under their normal operations in combination with their respective distance from the Subject Property. The private residence is not expected to affect the Subject Property because the release was closed out with a Class A2 RAO, indicating a level of No Significant Risk, in combination with the site's distance from the Subject Property.

Based on the direction of groundwater flow and their locations relative to the Subject Property, the remaining sites are downgradient or crossgradient from the Subject Property. Due to their respective distances from the Subject Property in combination with the details of the listing and the specific nature of the oil or hazardous materials found at these sites, none of downgradient or crossgradient sites are expected to affect the Subject Property.

4.2.5 Orphan Records

Cooperstown reviewed the orphan records, which were not mapped by EDR due to insufficient geographical information. None of the orphan sites are expected to affect the Subject Property due to their location with respect to groundwater flow, their distance from the Subject Property, or their achievement of a level of No Significant Risk, as designated by an RAO.

4.2.7 Evaluation of Potential of Vapor Intrusion onto Subject Property

An evaluation of the potential of vapor intrusion onto the Subject Property was completed using the findings of the EDR Report. Namely, each site within the Area of Concern, as defined by ASTM E2600-10 *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*, was reviewed in light of site conditions, such as groundwater flow directions, presence of preferential pathways, and soil characteristics, to determine whether a vapor encroachment condition (VEC) would be likely to be present.

Cooperstown reviewed the findings of the EDR report, conducted a Vapor Encroachment screening, and concluded that a VEC is not likely to be present at the site. Two historical dry cleaners are upgradient and/or closely crossgradient of the Subject Property and a gas station with a historical release is also located upgradient of the Subject Property. Extensive subsurface investigations have occurred on the Subject Property related to previous Phase I and Phase II activities. No detections of chemicals of concern related to dry cleaner activities have been found on the Subject Property. No petroleum compounds believed to originate from the Arco station have been found on the Subject Property during subsurface investigations. Additionally, depth to water in the area is 22 to 27 feet below grade and soils are primarily dense till, making a vapor encroachment condition unlikely. The reports documenting these investigations are included in **Appendix D**. Based on these considerations, a vapor encroachment condition is not likely to be present. Documentation of this screening is provided in **Appendix F**.

4.3 Wetlands, Floodplains, Areas of Environmental Concern

According to the EDR report, the nearest wetlands are located within ½ mile of the Subject Property, and the site is not within a floodplain.

A Priority Resource Map for the area is included as **Figure 4, Appendix A**. The subject property is not within Non-Potential Drinking Water Source Areas, Sole Source Aquifers, Public Water Supplies, Interim Wellhead Protection Areas, Protected Open Space, Areas of Critical Environmental Concern, Certified Vernal Pools, Zone II Public Water Supply, or a High Yield Aquifer. Two potential vernal pool and areas of protected open space are located within ½ mile of the Subject Property.

4.4 Local Records Sources

Cooperstown submitted requests for file reviews to the City of Waltham Fire Department, City of Waltham Department of Public Health, City of Waltham Engineering Department and City of Waltham Conservation Commission on January 20, 2016. Cooperstown also requested the Property Record Card from the City of Waltham Assessing Department on January 20, 2016. The information gathered through this process is summarized below. Documentation from the local record sources is contained in **Appendix G**.

4.4.1 Fire Department

Previous file reviews for 476-486 Main Street performed by Dacey and Dacey PC in August 2011 and Cooperstown in March 2012, which were associated with the previous environmental site assessment performed by Cooperstown, identified the following records:

- 330 gallon above ground heating oil tank was installed at 488 Main Street (next door to 486 Main Street).
- A 3,000 gallon Underground Storage Tank was removed from the 488 Main Street property in 1985 and that the "tank and hole appear clean". The tank removed was 64 inches diameter by 18 feet in length and the last stored substance was fuel oil.
- The Fire Department also indicated that there have been no reported spills and no hazardous materials stored in the general location of the subject property.

- A search of computer files, which contain information that is considered to be “incomplete” indicated a record that a 1000 gallon tank was installed at 478 Main Street on 2/26/1951. There was no record of a tank removal (as of the 2012 file review) and were no other tank records for the Subject Property.

Cooperstown submitted a request to City of Waltham Fire Prevention Bureau on January 20, 2016 to conduct a file review for 476- 486 Main Street. In addition to the information provided in the previous file reviews outlined above, the fire department identified the following records:

- The removal of a 1,000 gallon underground storage tank removed from the 476 Main Street property in 2012 (fuel oil UST removed by Cooperstown).
- A permit to temporarily store 550-gallons of gasoline above ground in 1985

Documentation from the fire department is contained in **Appendix G**.

4.4.2 Health Department Records

Per MCP regulations, responsible parties are required to notify the local public health official of certain environmental actions and assessments occurring at a property. Also, complaints to the local Conservation Department regarding certain properties sometimes can provide information about the history of a property (fill being used, illegal dumping, etc.).

Cooperstown performed a file review at the Waltham Board of Health on January 20, 2016 to conduct a file review for 476-486 Main Street. A public notification letter dated August 1, 2012 notified the board of health of a Response Action Outcome submitted to Mass DEP for RTN 3-30866.

4.4.3 Building and Engineering Department Records

The City of Waltham Building and Engineering departments were on January 20, 2015 to conduct a file review for 476-486 Main Street. Cooperstown also contacted these departments in March 2012 in association with the previous environmental site assessment performed by Cooperstown.

The building permits identified indicate that the 476 Main Street parcel included filed plans for a gas service station in 1950 with a subsequent permit to remodel the station granted in 1970 and the addition of service bays in 1976. The permits filed for the 486 Main St. parcel were first filed in 1916 to remodel the building and include a 1942 building to “remodel a room in the house”. The building was remodeled as a store in 1951. The permits for the 9 Newton St. parcel indicate remodeling a single house into two apartments in 1933 and subsequent permits to construct a garage and install a fence.

The plans for the gas station were reviewed to determine the location of tanks that were installed when the 476 Main Street parcel became a gas station. The plans indicate that five underground tanks were to be installed including two 2000 gallon gasoline tanks, one 4000 gallon gasoline tank, a 1000 gallon fuel oil tank, and a 500 gallon waste oil tank. A copy of the original building plan for the gas station is included in **Appendix G**.

4.4.4 Assessing Department

Cooperstown requested property record cards from the City of Waltham for the 476 and 486 Main Street properties on January 20, 2016. The property record cards are provided in **Appendix B**.

4.4.5 Water and Sewer

Cooperstown contacted City of Waltham Water and Sewer department on January 20, 2015 to confirm that the property is connected to water and sewer. Water and sewer are available in the area. A search of the Water and Sewer online system confirms that 486 Main Street is connected to water and sewer. Backup documentation is included in **Appendix G**.

4.4.5 Conservation Commission

Cooperstown contacted the City of Waltham Conservation Commission on January 20, 2015 to conduct a file review for 476-486 Main Street and no information regarding the Subject Property was found.

4.5 Historical Use Information

4.5.1 Sanborn Maps

EDR conducted a search of Sanborn Maps and determined that fire insurance maps available for the years 1892, 1897, 1903, 1911, 1918, 1950, and 1972. The maps, included in **Appendix H**, The maps indicate that the Property had been occupied since at least 1892 and was used for various shoe-manufacturing purposes in the early years followed by residential purposes

The 1892 Sanborn map shows one buildings on the 476 Main St. and one building on the 486 Main St. parcel. The buildings appear to be residential as do the buildings on surrounding parcels. There are no appreciable changes to the maps through the 1918 Sanborn map. The 1950 Sanborn shows that the 476 Main Street parcel is now labeled as a gas station and the building footprint appears to be similar to the 1950 building permit provided by the building department for the 2012 ESA. The building on the 486 Main Street parcel is now labeled as a store. There is no change to the filling station in the 1972 map, but the store on the 476 parcel has been raised and rebuilt on the eastern border of the property as another store.

The adjacent properties to the west was used as a school from at least 1892 through 1972. The properties to the north were primarily residential through 1918, at which point they became commercial buildings. The properties to the south have been used for residential purposes since 1892, as shown in all of the Sanborn maps.

4.5.2 City Directories

A City Directory Review is a service provided by Environmental Data Resources (EDR). The review identifies any historical city directory coverage or tenant information on the Subject Property and in the surrounding areas. The information included in the search is collected from various public entities. The City Directory Review for the Subject Property is included in **Appendix I**.

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Environmental Site Assessment Report
476-486 Main Street, Waltham MA

15
February 2016

City Directories for Main Street and Newton Street covered the period 1930 through 2013; directories from 1930, 1941, 1945, 1950, 1955, 1957, 1964, 1968, 1972, 1977, 1982, 1987, 1992, 1995, 1999, 2003, 2008 and 2013 were provided by EDR.

476 Main Street

Listing	Year
Residential	1930, 1941, 1945
Vacant	1950
No Listing	1955, 1972, 1977
Pierce & Dixon Texaco Service	1957, 1964
Dick's Texaco Station	1968
Midas Muffler Shop	1982, 1987, 1992
Majestic Enterprises Auto Specialties DIV	1992
Midas Muffler & Brake Shops	1995, 1999
Midas Mufir & Brk Shops Subn Boston Locations	1999
Midas Auto Service Experts	2003
A to Z Auto Service	2008
Advanced Tire & Auto Service	2013
Midas	
Samis Auto Service	

478 Main Street

Listing	Year
Residential	1930, 1941, 1945
Vacant	1950
No Listing	1955, 1957, 1964, 1968, 1987, 1992, 1995, 1999, 2003, 2008, 2013
Vanaria Bros Texaco Station	1972
Majestic for Mufflers automotive	1977

484 Main Street

Listing	Year
No Listing	1930, 1941, 1945, 1950, 1955, 1957
Stewart Liquor Mart Inc	1964, 1968, 1972, 1977, 1982, 1987, 1992, 1995, 1999, 2003, 2008, 2013
Ralph Santiago	2003

486 Main Street

Listing	Year
Residential	1930, 1941,
The Walnut Tree Restaurant Derbyshire Elna	1945
Vacant	1950, 1955
No Listing	1957, 1964, 1968, 1972, 1977, 1987, 1992, 1995, 1999, 2003, 2008, 2013

The listings for the adjacent properties Newton Street are residential and the adjacent properties on Main Street are commercial in all of the directories, indicating that the area has been mixed use since at least 1930 and that there is a history of petroleum storage on the subject property.

4.5.3 Historical Aerial Photographs

Historical aerial photos of the Subject Property and vicinity were provided by Environmental Data Resources (EDR) for the years 1938 through 2012. The aerial photographs are included in **Appendix J**. The property is developed as of the 1938 aerial photograph. The building to the west side of the 476 Main Street property, believed to be a filling station, first appears in the 1950 aerial photograph and there are minimal changes to the property from 1950 through 1978. The historical aerials indicate that the garage building as it appears today was present on the Site by 1978 and no appreciable changes have occurred at the Subject Property from that time through 2012. A current aerial photograph is also included in **Appendix A** as **Figure 3**.

4.5.4 Chain of Title

A Chain of Title search was not performed as part of this assessment.

4.6 Previous Environmental Investigations

Previous environmental investigations are discussed in **Section 3.8**.

4.7 Summary of Site Uses

Town records, historical references such as Sanborn maps and city directories, and information provided by the owner establish property usage for the Subject Property back to the early 1900s. Both parcels were residential until approximately 1950 when the 476 Main Street parcel was converted to a gas station and the 486 Main St. parcel was converted to a store which has since been demolished. In the mid-1970s, the gas station was renovated to include garage bays and has been operated by various auto repair establishments since then. The 476 Main Street parcel is currently being leased as an auto repair garage.

4.8 Summary of Surrounding Land Uses

According to the Sanborn maps, the City Directories, and the History of Middlesex County (1888), this area of Waltham has been developed for commercial and residential uses since approximately 1900. The primary non-residential uses include retail shops, government buildings, gas stations, and auto repair.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

On January 20, 2016, staff from Cooperstown conducted a site reconnaissance of the Subject Property and the immediate surrounding area. Photographs of the site and vicinity are provided in **Appendix K**. Information regarding the current status of the property and recent history of property was provided by the representative of the current leasee at 476 Main Street, Guillermo Molina. Mr. Molina was present during site reconnaissance and answered questions regarding the current practices at the property.

5.2 General Observations

5.2.1 Potable Water

Municipal water service is provided to this area and to the adjacent properties by the City of Waltham. No evidence was found of a private drinking water well on the Property and the owner has no knowledge of any monitoring wells or private supply wells located on the property.

5.2.2 Wastewater

Public sanitary sewer service is available from the City of Waltham. No evidence was found of a former septic system on the Property and the owner has no knowledge of any septic systems on the property.

5.2.3 Storm Water

Storm water drains from the rooftops and paved areas to catch basins located in the parking lot and adjacent streets.

5.2.4 Solid Waste

There was no solid waste accumulation observed at the subject property during site recon. The outside areas are generally free of waste. The building is occupied by an auto repair business and the only waste observed is consistent with business use.

5.2.5 Hazardous Materials/Chemicals & Hazardous Waste

Cooperstown Environmental LLC personnel observed some chemical storage inside the garage building at 476 Main Street. One full 55 gallon drum of anti-freeze. There were also containers (<5 gallons) of motor oil and other automotive repair materials including lubricating oil located in the garage building.

5.2.6 Hydraulic Equipment

An above ground lift (electric) was observed during the site visit. The two hydraulic lifts that were located at the property were removed by Cooperstown LLC in 2012.

5.2.7 Above Ground Storage Tanks

An above ground storage tank (AST) for waste oil was observed within the building on a side wall. No other ASTs were observed on the Property during the site reconnaissance.

5.2.8 Underground Storage Tanks

No evidence of existing underground storage tanks were observed at the Subject Property.

5.2.9 Polychlorinated Biphenyls (PCBs)

PCBs are typically associated with electrical transformers and/or old lighting ballasts. PCBs were also used in paints, caulking, and other building materials are primarily found in buildings constructed during the 1940s through the 1970s. The production of PCBs was banned in 1977 and their use was banned in 1979.

During the Property visit, no PCB-type transformers were observed on the site.

5.2.10 Lead-Based Paint

The federal government banned lead-based paint from housing in 1978. The building remaining at the Subject Property is for commercial use and it is not known whether or not lead based paint is present in the buildings.

5.2.11 Waste Oil

There is one AST located in the garage that is used for waste oil accumulation.

5.2.12 Asbestos Containing Material (ACM)

An ACM survey is outside of the scope of this ESA.

5.2.13 Radon

A radon survey is outside of the scope of this ESA.

5.3 Interior Observations

5.3.1 Heating/Cooling

There is a gas meter on the side of the garage building at 476 Main Street so gas service is available to the building. The building was at one time heated with oil as a 1000-gallon underground fuel oil was removed in 2012.

5.3.2 Stains or Corrosion

There was some floor staining observed in the garage building at 476 Main Street that appeared to be oil staining consistent with the building's use for auto repair.

5.3.3 Drains and Sumps

There were no drains or sumps observed during site recon however, there are several areas where the concrete was removed to conduct test pits during prior site investigation. There is absorbent material over one of the pits in the auto repair area to prevent any spills from entering the subsurface. It is recommended that the concrete be replaced in the garage if it is going to continue to be used for automotive repair.

5.4 Exterior Observations

5.4.1 Pits, Ponds, Lagoons, Septic Systems

No pits, ponds, or lagoons were observed on the Subject Property. No observations or information regarding an on-site septic system was found at any of the parcels.

5.4.2 Stained Soil or Pavement

The asphalt of the parking area next to 486 Main Street is in fair condition as there are some cracks and broken areas. The paved areas surrounding the garage building at 476 Main Street are heavily cracked and weathered. Other than small stains from parked cars, there were no obvious stains in the paved areas surrounding either building.

5.4.3 Stressed Vegetation

The only significant vegetation on the property is in the rear of the garage building. As it is winter the vegetation is currently dormant but otherwise appears healthy. There was no apparent stressed vegetation on the subject property.

5.4.4 Solid Waste

There was no solid waste accumulation areas observed outside during site reconnaissance.

5.4.5 Wells

No former drinking water wells or monitoring wells were observed. Monitoring wells were observed in the parking area of the 476 Main Street property which were installed during prior site investigations.

6.0 INTERVIEWS

6.1 User Interview

The User's representative, Mr. Richard A. Gordon, Managing Partner of RCDL completed the ASTM E 1527-13 Questionnaire regarding his knowledge of the presence of oil and/or hazardous materials (OHM). The questionnaire form asks numerous questions regarding potential recognized environmental conditions that may be present on the site. The completed form is contained in **Appendix C**. Results are summarized in **Section 3**.

6.2 Owner Representative Interview

No representative of the owner was onsite during site reconnaissance on January 20, 2016. Guillermo Molina, the current leasee of the 476 Main Street property was interviewed during the site visit. Information provided during the interview is included with the Site Reconnaissance information in **Section 5**.

6.3 Local Officials Interviews

Local officials were interviewed as described in **Section 4.4** to determine municipal records that pertain to the Subject Property.

7.0 DISCUSSION OF DATA GAPS AND UNCERTAINTIES

EPA's All Appropriate Inquiries (AAI) regulations require that the report discuss data gaps, or requirements of AAI that were not completed for any reason, and a requirement to comment on the steps taken to address these data gaps, document the sources consulted, and to comment on their significance. "Significant" data gaps are those that would prevent the report from making a determination as to whether there are Recognized Environmental Conditions on the Subject Property.

The requirements of AAI include:

- Work must be conducted by an environmental professional (§312.21)
- Work must be conducted within 180 days (1 year for certain requirements) of purchase or transaction date
- Must interview current owner & occupant, and may need to interview past owners, operators, and occupants and/or neighbors (§312.23)
- Must review historical sources of information (§312.24)
- Must search for recorded environmental liens on the property; (§312.25)
- Must review databases of governmental records (§312.26)
- Must conduct visual inspection of facility (§312.27)
- Must seek to determine any specialized knowledge (§312.28), the relationship of the purchase price to value of property (§312.29), commonly known information about the property (§312.30), and the degree of obviousness of the presence of contamination (§312.31)

Based on the AAI requirements, we do not believe that there are any significant data gaps after completing this work. Specifically, in performing this project, the AAI requirements were met in the following manner:

- The work was conducted by an environmental professional;
- We assume that any real estate transaction will occur within 1 year (180 days for certain requirements) of this report; otherwise, the report would need to be updated to comply with this requirement of AAI;
- We interviewed the current owner of the property. Past owners and operators of the property were not available for interview. However, background resources were available to determine a timeline of Site history since approximately 1892;
- We reviewed historical sources of information (Section 4);
- The property owner has no knowledge of any environmental liens against the subject property that have been filed under federal, state, or local laws;
- We reviewed databases of governmental records (Section 4);
- We conducted a visual inspection of the facility (Section 5);
- We determined that the final four requirements of AAI (specialized knowledge (§312.28), relationship of the purchase price to value (§312.29), commonly known information (§312.30), and the degree of obviousness of contamination (§312.31)) were met.

8.0 CONCLUSIONS AND RECOMMENDATIONS

Cooperstown has performed this ESA in conformance with the scope and limitations of the ASTM International "Standard Practice for Phase I Environmental Site Assessment" (E-1527-13), as outlined in the proposal submitted to RCDL, dated January 12, 2016. The purpose of the Phase I ESA was to identify "recognized environmental conditions" (RECs) in connection with the Subject Property. The Phase I ESA included a review of regulatory and historical records, site reconnaissance, and interviews with persons having knowledge of the property.

The site reconnaissance, owner interview, and review of regulatory and historical records show a history of the Subject Property back to approximately 1892. Historical aerial photos, City Directories, and local sources contain a record of the past uses of the Subject Property and surrounding properties. The established timeline of the historical record indicates there are no significant data gaps in meeting the standard for Phase I investigations (E-1527-13).

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 of 476-486 Main Street, Waltham, Massachusetts (the site or Subject Property). Any exceptions to, or deletions from, this practice are described in Section 9.0 of this report.

The assessment revealed historical recognized environmental conditions (HRECs) at the 476 Main Street property associated with use as a gas station and auto repair. Release Tracking Number 3-30866 was assigned to the site and a Class A-2 was filed in August 2012. Closure conditions are consistent with current regulations and therefore, there is no current REC associated with this condition.

The property is currently used for auto repair and there is some above ground storage of waste oil, wiper fluid, motor oil, etc. inside the building that is consistent with this use. As there was no significant staining or indications of spills inside the building, this is considered a *de minimus* condition at the time of this report. It is recommended that the concrete of the garage floor be repaired in previous excavation areas to prevent the potential for petroleum products to enter the subsurface in the event of any spills.

9.0 DEVIATIONS

The ASTM Standard Practice requires the disclosure of all deletions and deviations from this practice (if any) which shall be listed individually and in detail, including client-imposed constraints, and all additions should be listed. No deletions or deviations from the ASTM Standard Practice have been implemented for this report.

10.0 REFERENCES

Cooperstown relied on or reviewed the following sources of information to complete this ESA:

- Property Reconnaissance and Owner Interview conducted January 20, 2016
- Environmental Data Resource Report – 476-486 Main Street, Waltham, MA, dated January 16, 2016
- City Directory Review, supplied by Environmental Data Resources
- Sanborn Fire Insurance Map Report by Environmental Data Resources
- Historical Aerial Photographs supplied by Environmental Data Resources
- USGS Topographic Map supplied by Environmental Data Resources
- City of Waltham Fire Department Records
- Waltham Public Health Commission Records
- City of Waltham Assessing Department Records
- ASTM (E 1527-13) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process
- “Phase I/II Environmental Site Assessment 476-478 and 486 Main Street, Waltham Massachusetts.,” Cooperstown Environmental LLC (Andover, MA) dated April 2012.
- “Limited ASTM Phase II Investigations, 486 Main Street and 9 Newton Street, Waltham MA,” Cooperstown Environmental LLC (Andover, MA) dated January 2013.

Environmental Site Assessment Report
476-486 Main Street, Waltham MA

25
February 2016

11.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

This report was prepared in accordance with the American Society for Testing and Materials (ASTM) E1527-13 standard for Phase I Environmental Site Assessments (ESAs) and Environmental Protection Agency's (EPA's) "All Appropriate Inquiry" Final Rule (40 CFR 312). The material and data in this report were prepared by the staff member(s) listed below under the direction of an "environmental professional" as defined in 40 CFR 312. Supporting documents are included in **Appendix L**.

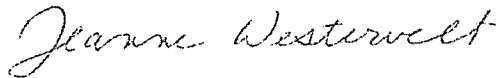
Prepared by:



Ariel Newman
Senior Project Scientist
Cooperstown Environmental LLC

"I declare that, to the best of my professional knowledge and belief, I meet the definition of environmental professional as defined in §312.10 of 40 CFR 312" and "I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312."

Certified by "Environmental Professional"



Jeanne Westervelt, P.G., LSP
Senior Geologist
Cooperstown Environmental LLC

Massachusetts Licensed Site Professional (LSP) #4097
Pennsylvania Professional Geologist #PG002883G



**Phase I
Environmental Site
Assessment
Report**

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COMMITMENT & INTEGRITY DRIVE RESULTS

City of Waltham
December 2014

TABLE OF CONTENTS

SECTION	PAGE NO.
EXECUTIVE SUMMARY	ES-1
1. INTRODUCTION	1-1
1.1 Purpose	1-1
1.2 Methodology	1-2
1.2.1 Records Review	1-2
1.2.2 Site Reconnaissance	1-3
1.2.3 Interviews	1-3
1.2.4 Report	1-3
1.3 Significant Assumptions	1-3
1.4 Limitations and Exceptions	1-4
1.5 Special Terms and Conditions	1-5
1.6 User Reliance	1-5
2. SITE DESCRIPTION	2-1
2.1 Location and Legal Description	2-1
2.1.1 Location	2-1
2.1.2 Assessors Identification	2-1
2.2 Site and General Vicinity General Characteristics	2-1
2.3 Current Use of The Subject Property	2-1
2.4 Description of Structures, Roads, and Other Improvements on the Subject Property	2-1
2.5 Current Uses of Adjoining Properties	2-2
3. USER-PROVIDED INFORMATION	3-1
3.1 Title Records	3-1
3.2 Environmental Liens or Use Limitations	3-1
3.3 Specialized Knowledge	3-1
3.4 Commonly Known or Reasonably Ascertainable Information	3-1
3.5 Valuation Reduction for Environmental Issues	3-1
3.6 Owner, Property Manager, Occupant Information	3-1
3.7 Reason for Performing Phase I Assessment	3-1
4. RECORDS REVIEW	4-1
4.1 Standard Environmental Record Sources	4-1
4.1.1 Federal Records Review	4-1
4.1.1.1 National Priority List (NPL)	4-1
4.1.1.2 Delisted NPL	4-2
4.1.1.3 Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)	4-2
4.1.1.4 CERCLIS No Further Remedial Action Planned Sites	4-2
4.1.1.5 Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS)	4-2
4.1.1.6 RCRA Treatment Storage Disposal (TSD) Facility	4-2
4.1.1.7 RCRA Large, Small, and Conditionally Exempt Small Quantity Hazardous Waste Generators	4-3

4.1.1.8	Federal Institutional Control/Engineering Control Registry.....	4-3
4.1.1.9	Emergency Response Notification System (ERNS)	4-3
4.1.2	State Records Review.....	4-3
4.1.2.1	State Hazardous Waste Sites	4-3
4.1.2.2	State Landfill and/or Solid Waste Disposal Sites	4-5
4.1.2.3	State Leaking Storage Tank Lists	4-5
4.1.2.4	State Registered Storage Tank Lists	4-6
4.1.2.5	State Institutional Control/Engineering Control Registry	4-7
4.1.2.6	Voluntary Cleanup Sites	4-8
4.1.2.7	Brownfield Sites.....	4-8
4.1.3	Tribal Records Review	4-8
4.1.4	Supplemental Records Review	4-8
4.1.5	Orphan Sites.....	4-8
4.2	Physical Setting	4-8
4.2.1	Priority Resources	4-8
4.2.2	Topography.....	4-9
4.2.3	Geology.....	4-9
4.2.4	Hydrology.....	4-9
4.3	Historical Use Information	4-9
4.3.1	Chain of Title.....	4-9
4.3.2	Sanborn Fire Insurance Maps	4-9
4.3.3	Aerial Photographs.....	4-10
4.3.4	Topographic Maps.....	4-11
4.4	Local Records Review.....	4-12
4.4.1	Assessor's Office.....	4-12
4.4.2	Building and Inspectional Services.....	4-12
4.4.3	Fire Department.....	4-12
4.4.4	Public Health Commission.....	4-13
4.4.5	Department of Sewer and Water	4-14
4.4.6	Middlesex South County Registry of Deeds	4-14
4.5	Summary of Site Uses.....	4-14
4.6	Summary of Surrounding Land Uses	4-15
5.	PREVIOUS ENVIRONMENTAL REPORTS	5-1
6.	SITE RECONNAISSANCE	6-1
6.1	Interview	6-1
6.2	General Observations	6-1
6.3	Heating Source	6-1
6.4	Solid Waste	6-1
6.5	Wastewater	6-1
6.6	Stormwater Drainage System.....	6-2
6.7	Water Supply	6-2
6.8	Hazardous Substances and Petroleum Products.....	6-2
6.9	Underground Storage Tanks.....	6-2
6.10	Aboveground Storage Tanks	6-2
6.11	Odors	6-2
6.12	Pools of Liquid	6-2
6.13	Soil and Pavement Staining.....	6-2

6.14	Pits, Ponds, or Lagoons	6-2
6.15	Wells 6-2	
6.16	Vapor Encroachment.....	6-3
7.	INTERVIEWS.....	7-1
7.1	Interview With Owner	7-1
7.2	Interview With Site Manager	7-1
7.3	Interviews With Occupants.....	7-1
7.4	Interviews With Local Government Officials	7-1
8.	FINDINGS AND CONCLUSIONS	8-1
8.1	Findings.....	8-1
8.2	Conclusions.....	8-2
9.	DATA GAPS	9-1
10.	SIGNATURES.....	10-1
11.	REFERENCES.....	11-1

FIGURES

Figure 1:	Site Locus Map
Figure 2:	Assessors Map
Figure 3:	Site Plan
Figure 4:	Aerial Photo

TABLES

Table 4-1:	RCRA Sites Within 0.25 Mile of Subject Property
Table 4-2:	Reported SHWS and Release Sites Within 0.25 Mile of Subject Property
Table 4-3:	LUST Sites Within 0.5 miles of Subject Property
Table 4-4:	Storage Tank Sites Within 0.25 miles of Subject Property
Table 4-5:	Activity and Use Limitation Sites Within 0.5 miles of Subject Property
Table 4-6:	Historical Sanborn Fire Insurance Maps
Table 4-7:	Historical Aerial Photograph Review
Table 4-8:	Historical Topographic Map Review

APPENDICES

Appendix A:	Photographs
Appendix B:	EDR Radius Map
Appendix C:	Supporting Documentation
Appendix D:	Resumes

EXECUTIVE SUMMARY

Woodard & Curran Inc. (Woodard & Curran) was retained by the City of Waltham, Massachusetts to conduct a Phase I and II Environmental Site Assessment (ESA) of 9 Newton Street and Rear 486 Main Street in Waltham, Massachusetts (the "subject property"). This ESA was requested in association with a potential acquisition of the subject property.

Woodard & Curran conducted the Phase I ESA in general accordance with the ASTM "Standard Practice for Environmental Site Assessments E 1527-13" and the United States Environmental Protection Agency (EPA) All Appropriate Inquiry (AAI) rule (40 CFR Part 312). Woodard & Curran evaluated the subject property for evidence of the presence or likely presence of hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of release into structures, soils, groundwater, surface water, or sediments on the subject property. These conditions are referred to in this report as Recognized Environmental Conditions (RECs). The Phase I ESA included a site walkover, historical research, and a review of applicable local, state, and federal environmental records.

The subject property is an approximately 0.235-acre area of land consisting of two parcels located on the southerly side of Main Street and on the westerly side of Newton Street in Waltham, Massachusetts. The subject property is presently undeveloped. Based upon information from historical research sources, 9 Newton Street was previously developed as a residential property with a two-family home and a separate garage structure. Both structures were demolished in December 2006. The area of the subject property at Rear 486 Main Street has historically been developed with a small garage/ barn storage structure. The storage structure was demolished in 2001. The subject property is currently owned by RCDL, LLC.

At the time of site reconnaissance, a minor quantity of solid waste (plastic, wood, glass, asphalt) was present adjacent to the chain link fence separating 9 Newton Street and Rear 486 Main Street. No evidence of leakage of hazardous materials and/or petroleum products was observed at the time of the site reconnaissance. No evidence of current or former petroleum underground or aboveground storage tanks was observed.

In 2012, a subsurface assessment was completed on the property at 9 Newton Street by Cooperstown Environmental LLC, as part of a Limited Phase II Environmental Site Investigation for the current property owner. No visual or olfactory evidence of contamination was noted in the assessment report. A soil sample collected for laboratory analysis from a location in a southeastern central area of 9 Newton Street at a depth of 10 to 12 feet below ground surface (bgs) reported a tetrachloroethylene (PCE) concentration of 1.5 milligrams/kilogram (mg/kg). This resulting value exceeded the applicable Reporting Concentration Standard and therefore, a 120-day reportable condition was established. MassDEP was notified of the release condition in March 2013 and subsequently, release tracking number (RTN) 3-31421 was assigned to the site.

The subject property is therefore listed as a release site according to the Massachusetts Department of Environmental Protection (MassDEP) sites database and the State Hazardous Waste Sites database. A Class B-1 Response Action Outcome (RAO - a site closure document) was submitted for the site on March 14, 2013, indicating that remedial actions have not been conducted since no significant risk exists.

9 Newton Street was also identified in the Spills database. Little information is provided in relation to the Spill, reported in 1993 at 9 Newton Street. Details such as the material, quantity, source of the release and the clean-up type are not reported. However, the Spill is identified as being "Closed."

To evaluate subsurface conditions on the subject property, Woodard & Curran completed Phase II ESA investigation activities on the property in November 2013. The assessment activities included the advancement of six soil borings. All soil borings were visually characterized and screened using a photoionization detector (PID) for total volatile organic compounds. No significantly elevated PID measurements were observed and no soil staining was noted in any soil borings. Three soil samples were submitted to the laboratory for volatile organic compound (VOC) and

extractable petroleum hydrocarbon (EPH) analysis. VOCs were not detected above the laboratory reporting limits. EPH carbon ranges and target analytes were detected below the applicable Massachusetts Contingency Plan (MCP) reportable concentration standards. No reportable condition exists.

None of the adjoining/nearby properties listed in the databases currently appear to present an environmental concern to the subject property based on regulatory status and visual observations. Releases have been identified on nearby properties. Permanent solutions have been achieved at all nearby properties in accordance with the Massachusetts Contingency Plan. The off-site facilities that were identified in the vicinity are not expected to present an environmental concern to the subject property because: i) they are not required to perform further action; ii) the nature of the identified environmental concern does not suggest that the subject property would be impacted; or iii) based upon review, they are too distant and/or hydraulically downgradient or cross gradient relative to the subject property to reasonably affect it.

Woodard & Curran has performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM Practice E 1527-13 of the 9 Newton Street and Rear 486 Main Street properties in Waltham, MA. Any exceptions, or deletions from, this practice are described in Sections 1.4 and 9 of this report. This Phase I assessment revealed no evidence of recognized environmental conditions (REC) in connection with the property.

The following historic REC (a past release of any hazardous substances or petroleum products that has been remediated and such remediation accepted by the responsible regulatory agency) was identified:

- A detection of tetrachloroethylene in subsurface soil from an unknown source. Site regulatory closure was achieved with completion of a Class B-1 RAO Statement in 2013.

1. INTRODUCTION

1.1 PURPOSE

Woodard & Curran Inc. (Woodard & Curran) was retained by the City of Waltham, Massachusetts (the "Client") to conduct a Phase I Environmental Site Assessment (ESA) of 9 Newton Street and Rear 486 Main Street in Waltham, Massachusetts (the "subject property"). This ESA was requested in association with a potential acquisition of the subject property.

The Phase I ESA was conducted in general accordance with the ASTM International "Standard Practice for Environmental Site Assessments E-1527-13" and the United States Environmental Protection Agency's (EPA) All Appropriate Inquiry (AAI) Final Rule (40 CFR Part 312). Good commercial and customary practice for conducting Phase I ESAs has the goal of providing an independent, professional opinion regarding Recognized Environmental Conditions (RECs), as defined by ASTM, associated with the subject property. RECs are defined as

"the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

As defined by ASTM, hazardous substance is a substance defined as hazardous pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) 42 USC § 9601(14), and as interpreted by United States Environmental Protection Act (EPA) regulations and the courts. Petroleum products is defined as those substances included within the meaning of the petroleum exclusion to CERCLA 42 USC § 9601(14), as interpreted by the courts and EPA, that is: petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under Subparagraphs (A) through (F) of CERCLA 42 USC § 9601(14), natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

This Phase I ESA also evaluated controlled RECs and historical RECs. ASTM defines a controlled REC (CREC) as:

"A recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

ASTM defines an historical REC (HREC) as

"a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

A past release that was addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority may be a REC if there has been a change in regulatory criteria since the past release achieved closure.

The conclusions of this Phase I ESA are intended to assist the Client in evaluating the business environmental risk associated with the property. ASTM defines business environmental risk as

“a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice. Consideration of business environmental risk issues may involve addressing one or more non-scope considerations.”

1.2 METHODOLOGY

This Phase I ESA was completed in general accordance with the ASTM International E 1527-13 standard, and the terms and conditions of Woodard & Curran's proposal to the Client dated November 20, 2014. This Phase I ESA consists of four components: records review, site reconnaissance, interviews, and this report. An Environmental Professional meeting the education, training, and experience requirements as set forth in 40 CFR §312.10(b) and ASTM E 1527-13 completed the assessment and/or reviewed this document.

Woodard & Curran previously completed an environmental assessment report of the subject property in December 2013. Portions of this report reference information obtained during completion of the December 2013 report.

1.2.1 Records Review

Records reviewed included the following federal, state, tribal, and local databases as maintained by EPA and state, tribal, and local environmental regulatory agencies:

Federal Databases

- National Priorities List (NPL);
- De-listed NPL List;
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) list;
- CERCLIS No Further Remedial Action Planned (CERCLIS-NFRAP) list;
- Resource Conservation and Recovery Act (RCRA) Corrective Action Report (RCRA-CORRACTS) list;
- RCRA Non-CORRACTS Treatment Storage and Disposal (TSD) list;
- RCRA generators list;
- Institutional Control/Engineering Control (IC/UC) registries; and
- Emergency Response Notification System (ERNS) list.

State/Tribal/Local Databases

- Hazardous Waste Sites (SHWS) or State/Tribal/Local- equivalent NPL or CERCLIS list;
- Solid Waste Facilities and Landfills (SWF/LF) list;
- Leaking Underground Storage Tanks (LUST);
- Registered Storage Tanks (AST/UST) list;
- Institutional Control/Engineering Control (IC/UC) registries;
- Voluntary Cleanup Sites (VC); and
- Brownfield sites list.

To evaluate the physical setting of the subject property, Woodard & Curran reviewed the following sources, if readily available:

- United States Geological Survey (USGS) topographic maps;

- Aerial photographs; and
- Local soil, geologic, surface water, and groundwater information.

To evaluate the current and historic use of the subject property, Woodard & Curran reviewed the following sources, if readily available:

- Current and historic topographic maps;
- Current and historic aerial photos;
- Sanborn Fire Insurance Maps;
- Local records including information available from the local Building, Health, and Assessor Departments; and
- Previous environmental reports prepared by Woodard & Curran.

1.2.2 Site Reconnaissance

Woodard & Curran completed a walkover of the subject property on December 3, 2014 to assess the presence or absence of RECs. The walkover included an evaluation of the following (if present):

- Hazardous substances and petroleum products;
- Underground storage tanks (USTs) and aboveground storage tanks (ASTs);
- On-site wastewater disposal systems;
- Pits, ponds, and lagoons;
- Hydraulic or electrical equipment potentially containing polychlorinated biphenyls (PCBs);
- Stressed vegetation, stained soils, or odors;
- Waste management, including solid waste, wastewater, and hazardous waste;
- Groundwater wells;
- Topography, drainage, impervious surfaces, and buildings; and
- Adjacent property characteristics visible from publicly accessible locations.

1.2.3 Interviews

Woodard & Curran completed reasonable attempts to interview persons with actual or constructive knowledge of current and/or past uses of the subject property and adjacent properties. Woodard & Curran attempted to interview the following individuals and/or entities:

- Property owner or property owner representative; and
- State and/or local government officials (such as tax assessor, health agent, and conservation agent).

The subject property is currently unoccupied.

1.2.4 Report

This Phase I ESA report prepared by Woodard & Curran includes documentation to support the findings, opinions, and conclusions obtained by the Environmental Professional. Deviations and additions, if any, from the approach presented in ASTM Standard E 1527-13 are listed in detail.

1.3 SIGNIFICANT ASSUMPTIONS

Woodard & Curran made the following assumptions:

- The information obtained from the Client, the Client's representative, individuals interviewed, and prior environmental reports, if any, was considered to be accurate.
- The information provided by the environmental records database vendor and other public record sources is complete and accurate.
- Conditions observed at the subject property were assumed to be representative of areas that were not accessible unless otherwise noted.

1.4 LIMITATIONS AND EXCEPTIONS

The evaluations contained in this Phase I ESA represent Woodard & Curran's professional opinions and judgments based on the current, generally accepted engineering and technical practices for the nature and scope of this Phase I ESA authorized by the Client. This Phase I ESA is based on the conditions observed on the dates of field observation noted and records review as described herein.

The following limitations were encountered during completion of this Phase I ESA:

- Access was not available to conduct interviews with the previous property owners/occupants.

In no event may a Third Party rely on the evaluation, conclusions, and professional opinions presented in the Phase I ESA Report without first obtaining the expressed written consent of Woodard & Curran. Woodard & Curran shall bear no liability for any unauthorized use of the information contained in this report. In the event that new information not contained in this report is obtained relating to environmental or hazardous waste issues at the subject property or nearby, such information shall be brought to Woodard & Curran's attention promptly and Woodard & Curran may, upon evaluation, modify the conclusions stated in this report.

Property access was granted for purposes of reconnaissance and examination of conditions at the subject property. No other physical sampling of soil, groundwater, or other materials was conducted during this Phase I ESA. Specific information on the normal practices of property owners and/or occupants with regard to solid waste disposal, on-site use, generation, storage, and/or disposal of chemicals or oil and hazardous materials was strictly obtained through review of previous environmental reports and interviews. Additionally, Woodard & Curran has relied on information provided by various officials and other parties as referenced herein. Although believed to be accurate, Woodard & Curran has not attempted to independently verify the accuracy or completeness of information provided by officials and other parties, which was received or reviewed during the course of completing these services.

ASTM E 1527-13 recognizes inherent limitations for Phase I ESAs including:

- Uncertainty Not Eliminated – No environmental site assessment can wholly eliminate uncertainty regarding the potential for RECs in connection with the subject property;
- Not Exhaustive – All appropriate inquiry does not mean exhaustive assessment of a clean property; and
- Level of Inquiry is Variable – Not every property will warrant the same level of assessment. The level of inquiry will depend on the type of property, the user's risk tolerance, and information obtained during the inquiry.

As indicated in the ASTM Standard, there are additional potential environmental issues that are outside of the scope of the ASTM Phase I practice, including asbestos-containing building materials, biological agents, cultural and historic risks, ecological resources, endangered species, health and safety, indoor air quality unrelated to releases of hazardous substances or petroleum products into the environment, industrial hygiene, lead based paint, lead in drinking water, mold, radon, regulatory compliance, and wetlands (E 1527-13). These items were not included in this



Phase I ESA. In addition, the determination of compliance with activity and use limitations, if present, is beyond the scope of the Phase I ESA.

1.5 SPECIAL TERMS AND CONDITIONS

This Phase I ESA is subject to the terms and conditions of our proposal dated November 20, 2014, which was authorized by the Client on November 20, 2014.

1.6 USER RELIANCE

This Phase I ESA report has been prepared for the exclusive use of City of Waltham, Massachusetts.

2. SITE DESCRIPTION

2.1 LOCATION AND LEGAL DESCRIPTION

2.1.1 Location

The subject property is located west of Newton Street and south of Main Street in the City of Waltham, Middlesex County, Massachusetts. The current owner of the property is listed as RCDL, LLC. by the Waltham Assessors office.

The subject property is surrounded by commercial and residential properties. The subject property is located at 42° 22' 36.48" N latitude, 71° 13' 45.84" W longitude. UTM coordinates are X: 316450.2, Y: 4693806.5. Elevation of the property is approximately 66 feet above sea level. A Site Locus Map is presented as Figure 1.

2.1.2 Assessors Identification

The subject property is identified by the Waltham Assessor's online database as follows:

- 9 Newton Street – Parcel R061-013-0002 consisting of 0.132 acres.
- Rear 486 Main Street – A portion of parcel R061-013-0012 consisting of about 0.097 acres.

The Assessors map is presented as Figure 2.

2.2 SITE AND GENERAL VICINITY GENERAL CHARACTERISTICS

The vicinity of the subject property is characterized by a mixture of commercial and residential properties. A former automotive repair garage (476 Main Street; currently unoccupied) abuts the subject property to the north. An operational liquor store, located at 486 Main Street, also abuts the property to the north. Newton Street abuts the subject property to the east, beyond which is commercial and residential property. The Leland Home, a senior residence and nursing care center abuts the property to the south. The City of Waltham Council on Aging (Senior Center) is located at 488 Main Street, which abuts the subject property to the west.

2.3 CURRENT USE OF THE SUBJECT PROPERTY

The subject property is presently undeveloped. Based upon information from historical research sources, 9 Newton Street was previously developed as a residential property with a two-family home and a separate garage structure. Both structures were demolished in December 2006. The area of the subject property at Rear 486 Main Street has historically been undeveloped. A Site Plan is provided as Figure 3, and an aerial photograph of the property is provided as Figure 4.

2.4 DESCRIPTION OF STRUCTURES, ROADS, AND OTHER IMPROVEMENTS ON THE SUBJECT PROPERTY

No structures or roads are present on either 9 Newton Street or Rear 486 Main Street. 9 Newton Street is vacant land. The Rear 486 Main Street portion of the subject property consists of an approximately 4,200-square foot parking area. Part of this parking area is paved with weathered asphalt and the rest is unpaved. The current parking area is intended to be use by patrons of the liquor store located at 486 Main Street.

A four to six foot tall wooden fence lines the subject property to the south and west and a two to three foot concrete block wall delineates the subject property to the north. A five-foot chain link fence separates the two parcels comprising the subject property.

2.5 CURRENT USES OF ADJOINING PROPERTIES

Adjoining/nearby properties were observed from the vantage of the subject property and/or from public access areas for indications of activities with the potential to pose an environmental concern to the subject property. The uses and features of adjoining/nearby properties are described below:

North: Northeastern: An unoccupied former automotive service garage.

Northwestern: An operational liquor store, Stephen's Liquors.

South: Leland Home, a senior residence and nursing care center.

East: Newton Street, beyond which are residential properties.

West: The City of Waltham, Council on Aging (Senior Center).

3. USER-PROVIDED INFORMATION

3.1 TITLE RECORDS

Woodard & Curran was not provided with title records for the subject property and was not engaged by the Client to secure a title report as part of this Phase I Environmental Site Assessment.

3.2 ENVIRONMENTAL LIENS OR USE LIMITATIONS

According to the site representative, the subject property does not have any environmental liens. An on-line review of Middlesex South Registry of Deeds (Middlesex County) documents did not identify current environmental liens against the property.

According to a review of the Massachusetts Department of Environmental Protection (MassDEP) sites database, the subject property does not have an activity and use limitation.

3.3 SPECIALIZED KNOWLEDGE

The subject property has been owned by RCDL, LLC since July 11, 2001. The properties at 9 Newton Street and 486 Main Street have been owned by different entities of the Milton H. and Pauline Gordon Family since 1983 and 1970, respectively. According to the site representative, the subject property had been used as two apartment living spaces, 9 Newton Street and 11 Newton Street, until the building demolition in December 2006.

3.4 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

Information provided by the Site Representative is presented in Sections 5 and 6. No other commonly known or reasonably ascertainable information pertaining to the subject property was provided to Woodard & Curran by the Client.

3.5 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

No actual knowledge that the value of the subject property is significantly less than the purchase price of comparable properties has been communicated to Woodard & Curran.

3.6 OWNER, PROPERTY MANAGER, OCCUPANT INFORMATION

The subject property is currently owned by RCDL, LLC and is unoccupied. Information obtained during the site walkover is presented in Section 6.

3.7 REASON FOR PERFORMING PHASE I ASSESSMENT

Woodard & Curran understands this Phase I and II assessment is being completed in support of a potential acquisition of the subject property.

4. RECORDS REVIEW

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

Woodard & Curran conducted a search of Federal, Tribal, and State of Massachusetts environmental databases to obtain any listed information concerning the subject property, or within a specified radius of the subject property, as recommended by the ASTM Standard. In addition, state or local supplemental ASTM databases were searched. This database search was conducted through Environmental Data Resources, Incorporated (EDR). The EDR report, which identifies all standard and supplemental state or local ASTM databases reviewed, is provided in Appendix B.

A summary of the standard record sources listed in the ASTM Standard is provided in the following table:

Environmental Record Source	Report Section	Subject property Listed?	Nearby Properties Listed?
Federal NPL	4.1.1.1	No	No
Federal Delisted NPL	4.1.1.2	No	No
Federal CERCLIS	4.1.1.3	No	No
Federal CERCLIS NFRAP	4.1.1.4	No	YES
Federal RCRA CORRACTS	4.1.1.5	No	No
Federal RCRA TSD	4.1.1.6	No	No
Federal RCRA Generators	4.1.1.7	No	YES
Federal Institutional Control	4.1.1.8	No	No
ERNS	4.1.1.9	No	NA
State Hazardous Waste Sites (state-equivalent NPL and CERCLIS)	4.1.2.1	YES	YES
State Landfill	4.1.2.2	No	No
State Leaking Storage Tanks	4.1.2.3	No	YES
State Registered Tanks	4.1.2.4	No	YES
State Institutional Controls	4.1.2.5	No	YES
State Voluntary Cleanup	4.1.2.6	No	No
State Brownfields	4.1.2.7	No	No
Tribal Databases	4.1.3	No	No
Other	4.1.4	YES	NA

In addition to these standard record sources, Woodard & Curran evaluated both supplemental Federal and State databases as well as databases developed by EDR. The subject property was listed in supplemental records as described in Section 4.1.4.

4.1.1 Federal Records Review

4.1.1.1 National Priority List (NPL)

The National Priorities List (NPL) database is a list of known releases associated with abandoned hazardous waste or contamination sites that have been identified for priority remedial actions under the Federal Superfund Program established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

The subject property was not identified in the NPL database, nor was any NPL site identified within a 1-mile radius of the subject property.

4.1.1.2 Delisted NPL

The Delisted National Priorities List (NPL) database is a list of sites removed from the NPL list.

The subject property was not identified in the Delisted NPL database, nor was any delisted NPL site identified within a 1-mile radius of the subject property.

4.1.1.3 Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)

The Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database is a list of potentially contaminated sites brought to the attention of EPA that are suspected or confirmed to have adversely impacted the environment. The CERCLIS database contains sites that are in the EPA screening and assessment process phase (also referred to as a Preliminary Assessment).

The subject property was not identified as a CERCLIS site, nor was any CERCLIS site identified within a 0.5-mile radius of the subject property.

4.1.1.4 CERCLIS No Further Remedial Action Planned Sites

The CERCLIS No Further Remedial Action Planned (NFRAP) database is a list of CERCLIS sites deemed to not require Federal Superfund action following the EPA screening and assessment process. This status does not necessarily mean no hazards are present at the site.

The subject property was not identified as a CERCLIS NFRAP site. One NFRAP site was identified within a 0.5 mile radius of the subject property.

The former Salvucci Construction Corporation, located at 37 Whitcomb Street, Waltham, Massachusetts is identified as a NFRAP site. This site is located approximately 0.3 miles south-southwest of the subject property, beyond the Charles River. The discovery of conditions existing at the site occurred in January 1992 and a preliminary assessment was conducted in August 1993. No further information regarding the NFRAP assignment is included in the EDR Radius Report.

Whitcomb Street is approximately 30 feet lower in elevation than the subject property and is located beyond a physical barrier, the Charles River. Due to the physical setting and location relative to the subject property, this NFRAP site does not pose any environmental implications to the subject property.

4.1.1.5 Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS)

The Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS) database is a list of hazardous waste sites/handlers identified as having a RCRA violation and subject to RCRA corrective actions.

The subject property was not identified as a CORRACTS site, nor was any CORRACTS site identified within a 1-mile radius of the subject property.

4.1.1.6 RCRA Treatment Storage Disposal (TSD) Facility

The RCRA Treatment Storage Disposal (TSD) Facility database is a list of sites, which treat, store, and/or dispose of hazardous waste.

The subject property was not identified as a TSD site, nor was any TSD site identified within a 0.5-mile radius of the subject property.

4.1.1.7 RCRA Large, Small, and Conditionally Exempt Small Quantity Hazardous Waste Generators

The RCRA Large Quantity Hazardous Waste Generator (LQG), Small Quantity Hazardous Waste Generators (SQG), and Conditionally Exempt Small Quantity Generators (CESQG) databases are lists of sites, which generate and/or transport hazardous waste.

The subject property was not identified as a RCRA Generator site. Two RCRA CESQG sites were identified within a quarter mile radius of the subject property.

Table 4-1. RCRA Sites Within 0.25 Mile of Subject Property

Name	Address	Distance	Details
Muffler Specialists Inc.	476 Main Street	Abutting to north	CESQG; No violations listed
Valvoline Instant Oil Change	557 Main Street	Approximately 900 feet east-northeast	CESQG; Violations listed; Compliance achieved 6/28/1991

Based on the regulatory status and/or their location relative to the subject property, the RCRA generator site identified at 557 Main Street is unlikely to pose a threat to the environmental integrity of the subject property. Based on its RCRA generator regulatory status, the RCRA generator site identified at 476 Main Street is unlikely to pose a threat to the environmental integrity of the subject property. 476 Main Street is identified as a state release site and further discussed in Section 4.1.2.1.

4.1.1.8 Federal Institutional Control/Engineering Control Registry

The Federal Sites with Institutional Control and Federal Engineering Controls Site List are databases maintained by EPA. The databases contain sites with either institutional or engineering controls in place.

The subject property was not identified in the Institutional Control and Federal Engineering Controls Site database, nor was any nearby property identified within the search radius.

4.1.1.9 Emergency Response Notification System (ERNS)

The Emergency Response Notification System (ERNS) database is a list of reported releases of oil and hazardous materials. The database contains information from spill and emergency response reports prepared by the National Response Center, Department of Transportation, EPA, and the U.S. Coast Guard.

The subject property was not identified in the ERNS database.

4.1.2 State Records Review

4.1.2.1 State Hazardous Waste Sites

The Massachusetts Department of Environmental Protection (MassDEP) maintains a sites database that lists all reportable releases as defined by the Massachusetts Contingency Plan (MCP). The EDR database identifies MCP

reportable releases in three databases: the State Hazardous Waste Sites (SHWS), the Releases list, and the former Spills list.

The subject property was identified in the SHWS database, the Release database, and the Spills database by the EDR Radius Report.

9 Newton Street was identified in the SHWS database and Release database in conjunction to RTN 3-31421. Based on information provided in previous environmental reports, as discussed further in Section 5, soil borings were advanced at the subject property in December 2012 as part of a Limited Phase II Investigation, following a separate Phase I ESA. One soil sample submitted for laboratory analysis resulted in a tetrachloroethylene (PCE) value of 1.5 milligrams per kilogram (mg/kg), which exceeded the applicable Reportable Concentration Standards (RCS-1). The condition was subsequently reported to the MassDEP under a 120-day reporting category. A Class B-1 Response Action Outcome (RAO) was submitted on March 14, 2013, indicating that remedial actions were not required or conducted since no significant risk exists. Further information is provided in Section 5.

9 Newton Street was also identified in the Spills database. Little information is provided in relation to the Spill identified at 9 Newton Street. The Spill ID is N93-0534 and the first response date is April 29, 1993. The material, quantity, source of the release and the clean-up are not reported. However, the Spill is identified as being 'Closed'.

The SHWS database also identified 103 sites within a one mile radius of the subject property, 37 of which were located within one-half mile of the subject property. It is important to note that many of the sites identified on the SHWS list were often duplicated on the Release list. These sites are assigned unique Release Tracking Numbers (RTN) within the MassDEP database which references the releases of OHM.

Four (4) SHWS sites and three (3) Release sites were located less than 0.25 mile from the subject property. These closest releases reported in the SHWS and Release databases are summarized below in Table 4-2.

Table 4-2. Reported SHWS and Release Sites Within 0.25 Mile of Subject Property

RTN/ Spill ID	Address	Descriptor	Details	Distance
3-19152	488 Main Street	Adjacent to Government Building	Class A-2 RAO; Gasoline UST	Abutting to west
3-30866	476 Main Street	No Location Aid	Class A-2 RAO; Gasoline UST	Abutting to north
3-791	487 Main Street	Arco Station	Class A-3 RAO (AUL); Gasoline UST	0.05 miles NW
3-24536	8-10 Lyman Terrace	Private Residence	Class A-2 RAO; #2 Fuel Oil Pipe Release	0.10 miles NW
3-16858	99-105 Newton Street	Former Service Station	RAO NR; Gasoline UST	0.19 miles SSE
3-30336	330 River Street	Connors Memorial Swimming Pool	Class A-2 RAO; PCBs	0.21 miles S
3-14241	105 Newton Street	Not Reported	Class A-2 RAO; Gasoline & Fuel Oil USTs, ASTs	0.23 miles SSE

Notes: RAO = Response Action Outcome (site closure document)
RTN = Release Tracking Number

UST= Underground Storage Tank, AST = Aboveground Storage Tank
 PCB = Polychlorinated biphenyls (hazardous material)
 Class A-2 = A permanent solution has been achieved. Contamination has not been reduced to background levels.
 Class A-3 = A permanent solution has been achieved. Contamination has not been reduced to background levels and an Activity and use Limitation (AUL) has been implemented.

The ASTM standard indicates review of regulatory files associated with either the subject property or adjoining properties is necessary to evaluate the presence of RECs. Information regarding the subject property is provided above and in Section 5. nearby sites is summarized below and in Table 4-2.

476 Main Street (RTN 3-30866)

This release is discussed in further detail in Section 5.

488 Main Street (RTN 3-19152)

During removal of a 3,000-gallon gasoline UST from the property in 2000, a 120-day reportable condition was measured. MassDEP assigned RTN 3-19152 to the release. A Class A-2 RAO Statement was submitted to MassDEP in January 2001 to achieve regulatory closure. Soil samples were collected and analyzed from the tank excavation to demonstrate the site posed No Significant Risk. Based on the regulatory status of this site, it is unlikely to pose a threat to the environmental integrity of the subject property.

4.1.2.2 State Landfill and/or Solid Waste Disposal Sites

The landfill and solid waste disposal sites database is a registry of permitted solid waste disposal facilities or landfills.

According to the EDR database, the subject property was not identified in the landfill database, nor was any landfill or solid waste disposal site identified within a 0.5-mile radius of the subject property.

4.1.2.3 State Leaking Storage Tank Lists

The Leaking Aboveground Storage Tank (LAST) list and Leaking Underground Storage Tank (LUST) list include sites in the MassDEP release database that have either an AST or UST identified as the source.

The subject property was not identified as a LUST or LAST site. A search of EDR's databases revealed ten (10) LUST sites and no LAST sites within half a mile of the subject property. These sites are summarized below in Table 4-3.

Table 4-3. LUST Sites Within 0.5 miles of Subject Property

Address	Site	Distance from Subject Property	Details
476 Main Street	No Location Aid	Abutting to north	Class A-2 RAO
487 Main Street	Arco Station	0.05 miles NW	Class A-3 RAO
99 – 105 Newton Street	Former Service Station	0.2 miles SSE	RAO not required
35 Whitcomb Street	Quality Trucking	0.31 miles SSW	RAO

Address	Site	Distance from Subject Property	Details
194-196 Moody Street	Former Sign O Rama Facility	0.41 miles WSW	Downgradient property status (DPS)
97 Linden Street	Not Reported	0.41 miles ENE	DEPNFA
6 McBride Court	Off Calvary Street/ Newton Street	0.42 miles S	RAO statement received following IRA
22 Felton Street	No Location Aid	0.44 miles WSW	Class A-2 RAO
209 Moody Street	Former Grover Cronin Department Store	0.45 miles SW	Class A-2 RAO
30 Spring Street	NYNEX Office	0.47 miles W	Class A-2 RAO

Note: RAO = Response Action Outcome (site closure document)
 IRA = Immediate Response Actions
 DEPNFA = MassDEP Determined No Further Action required.
 Class A-2 = A permanent solution has been achieved. Contamination has not been reduced to background levels.
 Class A-3 = A permanent solution has been achieved. Contamination has not been reduced to background levels and an Activity and Use Limitation (AUL) has been implemented.

The LUST site identified at 476 Main Street is discussed in further detail in Section 5.

Based on the regulatory status of these sites and/or their location relative to the subject property, these nearby release sites are unlikely to pose a threat to the environmental integrity of the subject property.

4.1.2.4 State Registered Storage Tank Lists

Registered storage tank lists are databases of USTs and ASTs that are required to be registered with the state. Registered USTs are regulated under Subtitle I of RCRA, and are registered with MassDEP. Some USTs and ASTs may not be registered due to use and size measures within the applicable state regulations.

There are no registered USTs listed for the subject property. There are two registered UST sites and one registered AST site within a 0.25 mile radius of the subject property. These sites are listed in Table 4-4.

Table 4-4. Storage Tank Sites Within 0.25 miles of Subject Property

Address	Site	Distance from Subject Property	Details
487 Main Street	Waltham Arco	0.05 miles NW	(2) 6,000-gallon gasoline USTs in use, installed 5/5/1988 (1) 4,000-gallon gasoline UST in use, installed 5/5/1988 (1) 550-gallon waste oil UST installed 7/6/1984, removed 1/20/1987

Address	Site	Distance from Subject Property	Details
569 Main Street	Valvoline Instant Oil Change	0.19 miles West	(1) 160-gallon steel waste oil AST in use
105 Newton Street	Newton Street Gulf Inc.	0.23 miles SSE	(2) 4,000-gallon gasoline USTs installed 4/21/1977, removed 5/28/1998 (1) 3,000-gallon gasoline UST installed 4/21/1977, removed 5/28/1998 (1) 10,000-gallon diesel fuel UST installed 4/21/1977, removed 5/28/1998 (1) 4,000-gallon gasoline UST installed 4/20/1992, removed 5/28/1998

Based on the sites' regulatory status, tank conditions and/or distance from the subject property, these sites are unlikely to pose a significant threat to the environmental integrity of the subject property.

4.1.2.5 State Institutional Control/Engineering Control Registry

The Institutional Control and Engineering Control Registry lists sites with Activity and Use Limitations (AUL).

The subject property was not identified in the Institutional Control database. Five AUL sites were identified within a 0.5 mile radius of the subject property. These sites are summarized below in Table 4-5.

Table 4-5. Activity and Use Limitation Sites Within 0.5 miles of Subject Property

Address	Site	Distance from Subject Property	Details
487 Main Street	Waltham Arco	Abutting to north	Leaking gasoline UST; Class A-3 RAO achieved 12/24/2004
154 Newton Street	No Location Aid	0.35 miles S	Oil release; Class A-3 RAO achieved 9/25/1997
131 Lexington Street	No Location Aid	0.45 miles NW	TCE, PCE, DCE and VC contamination; Class A-3 RAO achieved 4/6/2004
136-148 Lexington Street	Between Main Building and Railroad Track	0.45 miles NW	TPH contamination; Class A-3 RAO achieved 6/2/1995
155-177 Lexington Street	Austin Rhodes Municipal Center	0.48 miles NW	Asbestos abatement; Class A-3 RAO achieved 7/7/2010

Notes: RAO = Response Action Outcome (site closure document)
 Class A-3 = A permanent solution has been achieved. Contamination has not been reduced to background levels and an Activity and use Limitation (AUL) has been implemented.
 TPH = Total Petroleum Hydrocarbons
 TCE, PCE, DCE, VC = Trichloroethene, tetrachloroethylene, dichloroethene and vinyl chloride (chlorinated solvents)

Based on the sites' regulatory status and distance from the subject property, these sites are unlikely to pose a significant threat to the environmental integrity of the subject property.

4.1.2.6 Voluntary Cleanup Sites

The State of Massachusetts does not maintain a database identified as voluntary cleanup sites. Sites with reportable releases are identified in the Releases database (Section 4.1.2.1).

4.1.2.7 Brownfield Sites

The State of Massachusetts does not maintain a database identified as Brownfield sites. Sites with reportable releases are identified in the Releases database (Section 4.1.2.1).

No property within a half mile of the subject property was listed in the U.S. Brownfields database.

4.1.3 Tribal Records Review

Tribal databases identify land listed as Indian land and sites within the Indian land. The subject property is not located within a one-mile radius of designated tribal land. The subject property and surrounding properties are not identified in any tribal databases.

4.1.4 Supplemental Records Review

The EDR Report identifies supplemental federal, state, and/or tribal databases, which are beyond the standard environmental record sources specified in ASTM E 1527-05. These databases are listed within the EDR Report.

The subject property was identified as a site in the Lead Inspection Database. The database documents the lead inspection data pertaining to lead based paints. The Department of Health and Human Services maintains the database as part of the Massachusetts Childhood Lead Poisoning Prevention Program. The residence at 9 Newton Street was inspected twice in 2004 and it was determined hazardous lead paint existed. The residence at 9 Newton Street was demolished in 2006.

4.1.5 Orphan Sites

EDR identified 11 Orphan sites in the database search. Orphan sites are sites for which a geographic location cannot be identified because of insufficient address information.

Based on a review of the orphan sites list, it appears that none of the orphan sites are expected to present a concern to the subject property.

4.2 PHYSICAL SETTING

4.2.1 Priority Resources

According to the MassDEP Massachusetts Contingency Plan (MCP) 21E Priority Resource Map, the subject property is not located within a Zone II area, Non-Potential Drinking Water Source Areas, Protected Open Space, Sole Source Aquifers, Public Water Supplies, Interim Wellhead Protection Areas, Medium and High-Yield Aquifers, Wetlands, Protected Open Space, Areas of Critical Environmental Concern, MassDEP Permitted Solid Waste Facilities, or Natural Heritage & Endangered Species Program (NHESP) Habitats and Certified Vernal Pools.

The nearest priority resource is a Protected Open Space located at John W. McDevitt Middle School, approximately 500 feet northeast of the subject property.

4.2.2 Topography

Woodard & Curran reviewed EDR-provided historic topographic maps dating from 1893 to 1985 as well as current United States Geological Survey (USGS) topographic maps for information on topography and elevation of the subject property. The subject property is located approximately 66 feet above mean sea level. The subject property is relatively flat with the general area gradually sloped to the south, towards the Charles River.

4.2.3 Geology

According to the United States Department of Agriculture's (USDA) Soil Conservation Service, the primary soil type at the subject property is Urban Land, which consists of excavated and filled land.

According to the Soil Survey of Middlesex County, Massachusetts published by the Natural Resources Conservation Service, materials in the area of the subject property are Urban-Land-Merrimac-Udorthents. This soil classification indicates "...85 percent or more of the land is covered with impervious surfaces such as buildings and pavement. [Additionally], Udorthents consist mainly of areas where soil has been removed and of areas which have been filled. Where the surface soil has been removed, loamy or sandy subsoil and substratum layers are exposed. The fill consists of soil, rubble, refuse, and spoil from dredging, and ranges from 2 to 20 feet thick.

Soil borings completed on the subject property identified coarse to fine sand underlying the topsoil and shallow urban fill.

4.2.4 Hydrology

Groundwater occurs at approximately 27 feet below ground surface at the subject property, based on information obtained through previous environmental investigations (Section 5). Based on local topography, groundwater likely flows to the south in the direction of the Charles River. Local groundwater flow may vary due to the presence of underground utilities such as sewers, storm drains, and heterogeneous subsurface soil conditions.

No surface water bodies or drainage swales exist on the subject property. The Charles River is the nearest surface water body, located approximately 0.25 miles south of the property. Lyman Pond is located approximately 0.5 miles northeast of the property.

4.3 HISTORICAL USE INFORMATION

4.3.1 Chain of Title

Limited historical ownership information was available from the Middlesex South Registry of Deeds (Middlesex County). Both parcels of the subject property are currently owned by RCDL, LLC who purchased each from the Gordon Family Trust in July 11, 2001. Additional information is presented in Section 4.4.4.

4.3.2 Sanborn Fire Insurance Maps

Woodard & Curran reviewed seven Sanborn Fire Insurance Maps dating from 1892 to 1972. The maps reviewed are summarized in Table 4-6 below and are included in Appendix C.

Table 4-6. Historical Sanborn Fire Insurance Maps

Date	Description
1892	The subject property and surrounding area is developed with buildings along Newton Street and Main Street having a "D" designation indicating they are dwellings. A public school is located at the corner of Heard Street and Main Street, one block west of the subject property. The subject property has three

Date	Description
	existing buildings. A house and stable exist at 11 Newton Street (now identified as 9 Newton Street) and a house exists at 486 Main Street. The stable is located behind (west of) the house at 11 Newton Street and is identified as 11 1/2. Parcel boundaries are not included in this Sanborn Map. The surrounding area is very similar to conditions described above.
1897	Similar general conditions exist to those described for the 1892 map. However, parcel boundaries are included on this edition. The parcel along Newton Street is labeled as 11 Newton Street and includes one residential dwelling. The parcel at the corner of Newton Street and Main Street includes one residential dwelling at 476 and 478 Main St and one residential dwelling at 486 Main St. The stable described previously from the 1892 Map, is now included as part of the Main Street parcel and is identified as 486 1/2 Main Street.
1903	Similar conditions to those described for the 1897 Sanborn Map. The property along Newton Street is now identified as 9 Newton Street.
1911	Similar conditions to those described for the 1903 Sanborn Map. The dwelling at the corner of Newton Street and Main Street is now split into two separate living spaces identified as 476 and 478 Main Street.
1918	Similar conditions to those described from 1911.
1950	The 9 Newton Street parcel now consists of the original residential dwelling and a small separate building in the southwest corner of the property with an "A" designation, signifying an automobile garage. 486 Main Street is now an individual parcel. The original residential dwelling is now designated as "S", for store and the original stable structure, is identified as an automobile garage. The dwelling that existed at the corner of Newton Street and Main Street is no longer present. A gasoline filling station is now located 476 and 478 Main Street (north of the subject property).
1972	The conditions of buildings and structures at the Newton Street parcel remain unchanged from 1950. The street address of the dwelling is identified as 9, 11 Newton Street. The store (originally a residential dwelling) that existed at 486 Main Street is no longer present. A store with a storage area at the rear and surrounding parking area is now located at 484 Main Street. The storage area appears to be the previously existing garage (originally a stable). The Main Street parcel has street addresses of 484 and 486 Main Street. The gasoline filling station located at 476 and 478 Main Street (north of the subject property), as described in the 1950 Sanborn Map, remains unchanged.

4.3.3 Aerial Photographs

Woodard & Curran reviewed thirteen historical aerial photographs of the Waltham area spanning from 1938 through 2012. The photos are summarized in Table 4-7 below and are included in Appendix C.

Table 4-7. Historical Aerial Photograph Review

Date	Description
1938	The subject property is developed with three (3) discernible buildings, including two (2) dwellings and one smaller separate out building. The surrounding area is developed similarly.
1955	The main building and out building at 486 Main Street are no longer are present. A new structure exists at the eastern extent 486 Main Street. The original structure at 9 Newton Street remains. The building

Date	Description
	observed in the 1938 aerial, north of the subject property, at 476 Main Street, is no longer present. A new structure exists at the western extent of the said property. The building structures for the Main Street properties discussed are in close proximity.
1957	Poor picture quality. Site conditions presumed similar to the 1955 photo.
1960	Poor picture quality. Site conditions presumed similar to the 1955 photo.
1969	Similar to the 1955 photo.
1978	An additional structure is attached to the original building at 476 Main Street, north of the subject property. Surrounding conditions are similar to those observed in previous aerial photographs.
1980 1986 1995	Poor picture quality. Site conditions presumed similar to 1978.
2006	Structures at 9 Newton Street and 486 Main Street not easily identified due to poor picture quality and apparent tree cover.
2008	9 Newton Street is an undeveloped, vacant grass lot. The buildings at 486 Main Street 476 Main Street, north of the subject property are observable. Cars are present in the parking areas outside of the respective businesses.
2010 2012	9 Newton Street remains undeveloped. No cars are present outside of the buildings located at 476 Main Street, north of the subject property.

Woodard & Curran also reviewed aerial photographs dated between 1995 and 2013 available on Google Earth. The conditions visible on these photos with regards to the subject property are similar to those discussed above.

4.3.4 Topographic Maps

Woodard & Curran reviewed historical USGS topographic maps for the site and vicinity. These maps are summarized in Table 4-8 below, and are included in Appendix C.

Table 4-8. Historical Topographic Map Review

Date	Description
1893	Newton Street and Main Street are discernible on the map. No buildings are included in the vicinity of the subject property. The Fitchburg Railroad is located approximately one-block south of the subject property.
1903	Similar to the 1893 map. The railroad is now identified as the Boston and Maine Railroad. A pond is present to the north and on the northern portion of the subject property.
1947	Similar to the 1903 map. Newton Street is identified at Route 128 and a school is located due west of the subject property.
1950	Same as 1947.

Date	Description
1956	Similar to the 1950 map. Main Street is identified as Route 20 and Newton Street is no longer identified as Route 128. No structures are depicted in the vicinity of the subject property except for schools, churches and municipal buildings.
1958 1971	Same as 1956.
1985	Similar to previous maps. The building west of the subject property is no longer depicted as a school.

4.4 LOCAL RECORDS REVIEW

4.4.1 Assessor's Office

Assessors information is referenced in Sections 2.1.2 and 4.3.1.

4.4.2 Building and Inspectional Services

As reported in a December 2013 Phase I and II Environmental Site Assessment Report of the subject property prepared by Woodard & Curran:

Woodard & Curran obtained copies of the building permit cards for 9-11 Newton Street and 484-486 Main Street from the City of Waltham Building Department. The permit cards chronicle remodeling, construction, and utilities permits. The following reviewed includes but is not limited to:

9 -11 Newton Street:

- July 24, 1933: Gertrude Webster proposes to remodel single residence into two apartments.
- August 3, 1933: Gertrude Webster proposes to construct a two car garage.
- March 12, 1976: The Leland Home obtains a gas permit.
- December 12, 2006: Richard A. Gordon proposes to demolish two family structure and separate garage.

Woodard & Curran also searched the City of Waltham on-line permits database. In addition to the demolition permit listed above, a permit dated May 8, 2013 to National Grid for abandonment of the natural gas service was present.

4.4.3 Fire Department

As reported in a December 2013 Phase I and II Environmental Site Assessment Report of the subject property prepared by Woodard & Curran:

On November 6, 2000, the Waltham Fire Department issued a "Red Tag" for the oil burner at the 9 Newton Street residence, indicating that an oil tank was present. No further information pertaining to spills of or storage of oil and/or hazardous materials was present in the Fire Department files for the property.

The files contained information pertaining to above ground storage tanks (ASTs) and underground storage tanks (USTs) at adjacent properties. At 476-478 Main Street, the abutting parcel north of the subject property, one (1)

1000-gallon UST was removed on June 5, 2012. Lt. Murphy of the Waltham Fire Department observed the tank removal and noted three (3) small holes but no visible evidence of leaks. Soil tests were mandated following the removal according to information provided by the City of Waltham Fire Department. The tank removal was conducted as part of limited Phase II assessment and a Release Tracking Number of 3-30866 was subsequently assigned to the 476-478 Main Street.

State records also indicate that an existing 1000-gallon UST at 476-478 Main Street was inspected on February 26, 1951; however, no permit was filed with the Fire department.

At the Leland Home, 21 Newton Street, south of the subject property, two (2) 1000-gallon USTs were removed in 1993. State records indicate that the tanks existed and were inspected in 1953 however; no permit was filed with the City of Waltham. The tanks were removed in good condition as observed by the Waltham Fire Department.

Review of reasonably accessible databases did not identify the presence of underground storage tanks on the subject property.

4.4.4 Public Health Commission

As reported in a December 2013 Phase I and II Environmental Site Assessment Report of the subject property prepared by Woodard & Curran:

Woodard & Curran contacted the Waltham Board of Health to request information pertaining to public health issues, complaints, or violations pertaining to the subject property. The following information was reviewed:

- A citation issued to RCDL, LLC pertaining to the trash and debris accumulation at the 484-496 Main Street property dated April 20, 2009. The citation was issued by Michael Delfino, Senior Public Health Inspector, following a property inspection. The citation indicates violations of the State Sanitary Code. Hand written note on the file states "5/8/09, clean up completed to satisfaction, MD."
- A citation issued by the Waltham Board of Health, Code Enforcement Inspector, Robert Gately, dated December 1, 1994, pertaining to living condition violations at a residential apartment located at 9 Newton Street. The inspection noted violations such as broken smoke detectors, light fixtures, stairway railings, etc. A hand written note signed by Robert Gately states "Inspected January 25, 1995, all violations have been corrected."
- 2004 and 2005 correspondence between Governo Law Firm LLC, representing the Ira B. Gordon Family Partnership, and the City of Waltham Board of Health, requesting any information or documentation on file for the 9 Newton Street property.

No further information was provided in the Board of Health files for either property.

No information pertaining to oil and hazardous materials was present in the Board of Health files.

484-486 Main Street:

- December 15, 1916: A.M. Buttrick proposes to remodel building and remove second floor.
- May 26, 1942: R.F. Derbyshire proposes to remodel room in house.
- March 29, 1951: David and Katherine Bloom request approval to construct store building.
- December 12, 1951: David and Katherine Bloom propose to demolish single family dwelling to make way for store construction.

- October 27, 1993: Stephen's Liquors obtains gas permit.
- November 14, 2001: Richard Gordon obtains permit to demolish barn (See Section 4.3.2; Identified on the Sanborn Maps as a stable/ garage and later used as storage for original store.)

4.4.5 Department of Sewer and Water

As reported in a December 2013 Phase I and II Environmental Site Assessment Report of the subject property prepared by Woodard & Curran:

During the municipal file review conducted by Woodard & Curran on October 31, 2013, Ms. Kate Carnes of the City of Waltham Department of Sewer and Water confirmed that the properties at 9-11 Newton Street and 484-486 Main Street were serviced by public water and sewer utilities.

4.4.6 Middlesex South County Registry of Deeds

The subject property is comprised of two individual parcels. Based on information obtained from the Middlesex South Registry of Deeds, the properties at 9 Newton Street and 486 Main Street have been owned by different entities of the Milton H. and Pauline Gordon Family since 1983 and 1970, respectively. Each parcel is deeded separately, and, at the time of the review, the Rear 486 Main Street property was included in the deeds for 486 Main Street.

The following information was reviewed from the Middlesex South Registry of Deeds (Middlesex County):

9 Newton Street:

- A deed recorded February 15, 1983 transferring the property from the Leland Home to Ira B. Gordon for \$75,000. Deed recorded in Book 14899, Page 558.
- A deed recorded July 11, 2001 transferring the property (9-11 Newton Street) from Richard Gordon, Lynda Gordon, Debra Gordon and Cynthia Kaplan as "Tenant in Common" to RCDL, LLC for \$1.00. Deed recorded in Book 33233, Page 107.

486 Main Street:

- A deed recorded August 20, 1970 transferring the property from David and Katherine Bloom, and Stewart and Renata Bloom to Trustees of the Milton H. and Pauline Gordon Realty Trust for \$75,000. Deed recorded in Book 11877, Page 695.
- A deed recorded July 1, 1976 transferring the property from the Gordon Family Realty Trust to Ira B. Gordon for \$75,000. Deed recorded in Book 13008, Page 204.
- A deed recorded July 11, 2001 transferring the property (484-496 Main Street) from Richard Gordon, Lynda Gordon, Debra Gordon and Cynthia Kaplan as "Tenant in Common" to RCDL, LLC for \$1.00. Deed recorded in Book 33233, Page 99.

4.5 SUMMARY OF SITE USES

The subject property is presently undeveloped. The Rear 486 Main Street area is improved with asphalt paved parking area. According to historical research sources, the subject property was developed with residential dwellings and a stable/ garage since as early as 1893. A small out building, originally a stable, remained at the rear extent of 486 Main Street until 2001.

9 Newton Street was developed as a residential home as early as 1892. The dwelling was converted into a two family home with a separate two-car garage in 1933. The residence and garage structures were demolished in 2006. The property at 9 Newton Street has remained vacant since the demolition in 2006.

4.6 SUMMARY OF SURROUNDING LAND USES

The subject property is surrounded by commercial and residential properties, including a former gasoline service station at the property identified as 476-478 Main Street.

5. PREVIOUS ENVIRONMENTAL REPORTS

Woodard & Curran reviewed the following environmental reports pertaining to the subject property:

Cooperstown Environmental LLC, 2012, *Phase III Environmental Site Assessment, 476, 486 Main Street and 9 Newton Street, Waltham, Massachusetts 02452*, dated April 2012 and prepared for RCDL, LLC.

Cooperstown Environmental LLC, 2013, *Class B-1 Response Action Outcome (RAO) Statement, 9 Newton Street, Waltham, Massachusetts*, dated March 14, 2013 and prepared for RCDL, LLC.

Cooperstown Environmental LLC conducted a Phase I Environmental Site Assessment of the property to identify "recognized environmental conditions" as defined by the ASTM Standard Practice for ESAs (E1527-05). At the time of the assessment, 9 Newton Street was vacant and undeveloped, and Rear 486 Main Street was also vacant. Historical information reviewed by Cooperstown Environmental LLC indicated the 9 Newton Street property was formerly used for residential purposes. No evidence of current or former ASTs or USTs was found pertaining to 9 Newton Street and the rear portion of 486 Main Street. The ESA identified 9 Newton Street on the State Spills List for a 1993 spill. According to the list, the spill has a designation of "cased closed" but there is no information on the type of spill or the amount of spilled material.

The Phase I ESA concluded "although 9 Newton Street has always been residential, there is a record of a past spill at this parcel and no information regarding the specifics of this spill." To evaluate subsurface conditions, a boring was advanced at one location (boring B-1) on the 9 Newton Street property. One soil sample (from 25 to 27 feet below ground surface) from this boring was submitted to an analytical laboratory for extractable petroleum hydrocarbon analysis. No analytes were detected. There were no subsurface soil samples collected from 486 Main Street because Cooperstown Environmental did not identify any recognized environmental conditions associated with that property. Based on this Phase I ESA activity, Cooperstown Environmental concluded there was no reportable condition at the 9 Newton Street property.

This Phase I ESA also evaluated the abutting property at 476 Main Street. Because this abutting property was a former gasoline station that included five underground storage tanks, Phase II ESA activities, including test pits, soil borings, and soil and groundwater sampling, were conducted. During the assessment, a 1,000-gallon UST was identified on the 476 Main Street property. The UST was removed in June 2012 and a reportable condition was identified (RTN 3-30866). Further investigation also identified petroleum impacted soil adjacent to hydraulic lifts at the property. The UST and hydraulic lifts were removed from the property, and post removal soil and groundwater sampling data was used in a Method 2 Risk Characterization to conclude the site had achieved a condition of No Significant Risk. A Class A-2 Response Action Outcome Statement was submitted to the MassDEP in August 2012.

In December 2012, Cooperstown Environmental initiated additional Limited Phase II ESA activities at the 9 Newton Street and Rear 486 Main Street properties. Two soil borings, completed as groundwater monitoring wells, were installed on the Rear 486 Main Street property, and one soil boring/monitoring well was completed on the 9 Newton Street property. The presence of tetrachloroethylene above the applicable Massachusetts Contingency Plan (MCP) Reportable Concentration (RCS-1) was identified at one soil sample location at a depth of 10 to 12 feet below ground surface. Metals and extractable petroleum hydrocarbons were also detected in some soil samples, but no other analytes were detected above the applicable soil or groundwater reportable concentration standards. The source of the contamination is not known.

Additional soil borings were completed surrounding the location of the tetrachloroethylene detection in January 2013. Soil and groundwater samples were collected and analyzed for volatile organic compounds (VOCs). No VOCs were detected in soil. Four VOCs (1,1-dichloroethene, tert butyl methyl ether, 1,1-dichloroethane, and trichloroethene) were detected in groundwater at concentrations below the applicable regulatory standards. Based on the risk

characterization, Cooperstown Environmental concluded a condition of No Significant Risk was achieved for the site. A Class B-1 Response Action Outcome Statement was submitted for the 9 Newton Street site to the MassDEP in March 2013.

In 2013, Woodard & Curran prepared the following report pertaining to the subject property:

Woodard & Curran, 2013, *Phase I and II Environmental Site Assessment, 9 Newton Street and Rear 486 Main Street, Waltham, Massachusetts*, dated December 2013 and prepared for the City of Waltham.

Key findings of the Phase I and II ESA included:

- Based upon information from historical research sources, 9 Newton Street was previously developed as a residential property with a two-family home and a separate garage structure. Both structures were demolished in December 2006. The area of the subject property at Rear 486 Main Street has historically been developed with a small garage/ barn storage structure. The storage structure was demolished in 2001 for additional parking area.
- At the time of site reconnaissance, two empty plastic 55-gallon barrels, labeled corrosive, were observed on the 9 Newton Street parcel. The barrels were opened at the top and being utilized as trash receptacles. No evidence of leakage of hazardous materials and/or petroleum products was observed at the time of the site reconnaissance.
- No evidence of current or former petroleum underground or aboveground storage tanks was observed.

Based on the October 30, 2013 site walkover and records review for the subject property, potential sources of subsurface contamination at the property include:

- Former gasoline and/ or waste oil underground storage tanks and drum storage area located at the former gasoline station and automobile service garage abutting the property to the north;
- Former residential structure at 9 Newton Street, which was heated using an oil fired system; and
- Two former automobile and/or storage garage structures located at 9 Newton Street and Rear 486 Main Street.

To evaluate these potential sources, Woodard & Curran initiated a subsurface soil and groundwater assessment in November 2013. A total of six borings were advanced using direct push geoprobe techniques. Borings WC-1 and WC-2 were advanced on the northern portion of the 9 Newton Street property nearest to the former service station at 476 Main Street. Borings WC-3 and WC-6 were advanced in the central portion of the 9 Newton Street property, both of which were located south of the assumed former residential structure. Borings WC-4 and WC-5 were advanced on the Rear 486 Main Street portion of the subject property. No new monitoring wells were installed during the subsurface assessment activities. Five previously existing monitoring wells were present on the subject property.

Soil samples collected during advancement of the soil borings were visually characterized and screened using a photoionization detector (PID) for total volatile organic vapors. No significantly elevated PID measurements were observed and no staining was noted in any soil borings. Three samples were submitted for laboratory analysis:

- WC-1 from 3 to 5 feet below ground surface (bgs);
- WC-2 from 3 to 5 feet bgs; and
- WC-4 from 7 to 9 feet bgs

Volatile organic compounds were not detected in the three subsurface soil samples. Extractable petroleum hydrocarbon carbon ranges were detected in two of three samples submitted (WC-1 and WC-2). In addition, ten individual polycyclic aromatic hydrocarbons (PAHs) were detected in sample WC-2. PAH constituents detected above the laboratory reporting limit include: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene. Fluoranthene was also detected in sample WC-1. All EPH and PAH detections were well below the applicable Reportable Concentration Standards and no reportable condition was present.

Woodard & Curran gauged the five wells on the subject property on November 21, 2013, three on the 9 Newton Street parcel and two at Rear 486 Main Street, for the presence of oil and/ or Non-Aqueous Phase Liquid (NAPL). No oil or NAPL was detected.

Based upon the results of the assessment, Woodard & Curran recommended no further assessment.

6. SITE RECONNAISSANCE

Mr. Robert McGrath of Woodard & Curran conducted the site reconnaissance on December 3, 2014. Photographs taken during the site reconnaissance are included in this report as Appendix A.

6.1 INTERVIEW

Woodard & Curran discussed site conditions and historical operations with Richard Gordon. Mr. Gordon is the manager of RCDL LLC, the property owner. The interview took place via telephone on December 3, 2014 and focused on property conditions that potentially changed between November 2013 and present. Previously, Woodard & Curran interviewed Mr. Gordon on November 5, 2013 via a teleconference conducted at the office of Attorney Richard Dacey, who represents the property owner.

Mr. Gordon indicated 9 Newton Street was formerly developed with a two-family residence that was demolished around 2006. Mr. Gordon was not aware of any petroleum or hazardous material storage on the subject property either before or after November 2013.

6.2 GENERAL OBSERVATIONS

Weather during the property reconnaissance was overcast - in the 40's degrees Fahrenheit.

The 9 Newton Street parcel is currently undeveloped. A small quantity of solid waste was observed on the parcel on December 3, 2014, including:

- glass, plastic, metal, and wood debris;
- rubber tires;
- textiles; and
- asphalt.

Surface debris observed in November 2013 had been removed from the subject property and vegetation was cut. No evidence of oil and/or hazardous materials on the subject property was observed during the site reconnaissance.

The Rear 486 Main Street parcel is also undeveloped and vacant. A weathered asphalt surface is present over a portion of this parcel with the remainder being unpaved.

6.3 HEATING SOURCE

There are no buildings on the subject property; therefore, no heating source is present.

6.4 SOLID WASTE

Because the subject property is vacant, no solid waste is generated by property use. However, a small quantity of trash and debris has accumulated on the vacant property.

6.5 WASTEWATER

Currently, wastewater is not generated on the subject property because there are no buildings on the subject property.

6.6 STORMWATER DRAINAGE SYSTEM

Storm water flows off paved surfaces to the surrounding non paved surfaces or nearby catch basins located in the streets.

6.7 WATER SUPPLY

The subject property is currently undeveloped; no water supply is connected to the subject property. Municipal water service is present in the City of Waltham. No evidence of a private water supply well on the subject property was observed.

6.8 HAZARDOUS SUBSTANCES AND PETROLEUM PRODUCTS

No hazardous substances or petroleum products were observed on the 9 Newton Street parcel or Rear 486 Main Street parcel. No evidence of leakage of hazardous materials and/or petroleum products was observed at the time of the site reconnaissance.

6.9 UNDERGROUND STORAGE TANKS

No current USTs were observed or reported to be located at the subject property. No USTs were registered for the subject property, according to environmental databases searched by EDR or agencies contacted by Woodard & Curran.

6.10 ABOVEGROUND STORAGE TANKS

No current ASTs were observed or reported to be located at the subject property. No ASTs were registered for the subject property, according to environmental databases searched by EDR or agencies contacted by Woodard & Curran.

6.11 ODORS

No strong, pungent, or noxious odors were noted at the subject property.

6.12 POOLS OF LIQUID

No pools of liquid or standing surface water were observed or reported at the subject property.

6.13 SOIL AND PAVEMENT STAINING

No soil or pavement staining relating to a release of hazardous substances or petroleum products were observed or reported at the subject property.

6.14 PITS, PONDS, OR LAGOONS

No pits, ponds, or lagoons were observed at the subject property.

6.15 WELLS

Groundwater monitoring wells were installed on the subject property in 2012 and 2013 (Section 5).

6.16 VAPOR ENCROACHMENT

An assessment of vapor intrusion into structures on the subject property was conducted in general conformance with the Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions (ASTM International 2600-10).

This guide presents a screening approach for evaluating the likelihood of migrating vapors volatilized from a contaminated source to encroach upon the subsurface of the subject property. The first tier of screening includes a review of known or suspect contaminated sites in the vicinity of the subject property. Specifically, this first tier screening approach evaluates the potential for petroleum impacted sites within 0.1 miles of the subject property and non-petroleum contaminated sites within 0.33 miles of the subject property to impact the subject property. If a known or suspect contaminated site is located within these search distances, an evaluation of hydraulic or physical barriers between the contaminated site and the subject property is conducted. The presence of preferential pathways, such as a utility corridor, is evaluated if a barrier is not present.

For this assessment, Woodard & Curran completed both an initial Tier 1 non-invasive screen to evaluate the presence or absence of a potential vapor encroachment condition (VEC) and reviewed subsurface data collected on the subject property. Woodard & Curran concluded sites within the search distances that had achieved regulatory closure would not pose a vapor encroachment condition to the subject property.

Because soil and groundwater data collected from the subject property did not identify the presence of elevated total organic vapors and based on the current understanding of petroleum and non-petroleum releases near the subject property as reported in documents reviewed for this Phase I ESA, there is no current risk of vapor intrusion on the subject property.

7. INTERVIEWS

7.1 INTERVIEW WITH OWNER

Information obtained from the subject property owner's representative is presented in Sections 4 and 6.

7.2 INTERVIEW WITH SITE MANAGER

Information obtained from the subject property owner's representative is presented in Sections 4 and 6.

7.3 INTERVIEWS WITH OCCUPANTS

The subject property is unoccupied.

7.4 INTERVIEWS WITH LOCAL GOVERNMENT OFFICIALS

Interviews with local government officials are presented in Section 4.4.

8. FINDINGS AND CONCLUSIONS

Woodard & Curran was retained by the City of Waltham, Massachusetts (the "Client") to conduct a Phase I Environmental Site Assessment of the 9 Newton Street and Rear 486 Main Street properties in Waltham, Middlesex County, Massachusetts (the "subject property"). Woodard & Curran conducted the Phase I ESA in general accordance with the ASTM "Standard Practice for Environmental Site Assessments E 1527-13" and the EPA's AAI Final Rule (40 CFR Part 312). Woodard & Curran evaluated the subject property for evidence of the presence or likely presence of hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of release into structures, soils, groundwater, surface water, or sediments on the subject property. These conditions are referred to in this report as RECs. The Phase I ESA included a site walkover, historical research, and a review of applicable local, state, and federal environmental records.

Woodard & Curran's summary of the overall findings and conclusions are presented below.

8.1 FINDINGS

- The subject property is an approximately 0.235-acre area of land consisting of two parcels located on the southerly side of Main Street and on the westerly side of Newton Street in Waltham, Massachusetts. The subject property is presently vacant and undeveloped.
- Based upon information from historical research sources, 9 Newton Street was previously developed as a residential property with a two-family home and a separate garage structure. Both structures were demolished in December 2006. The area of the subject property at Rear 486 Main Street has historically been developed with a small garage/ barn storage structure. The storage structure was demolished in 2001.
- The subject property has been owned by RCDL, LLC since July 11, 2001. The properties at 9 Newton Street and 486 Main Street have been owned by different entities of the Milton H. and Pauline Gordon Family since 1983 and 1970, respectively.
- At the time of site reconnaissance, the subject property was vacant. A minor quantity of solid waste (wood, plastic, glass, asphalt) was present on the 9 Newton Street property near the chain link fence separating 9 Newton Street and Rear 486 Main Street. No evidence of leakage of hazardous materials and/or petroleum products was observed at the time of the site reconnaissance.
- No evidence of current or former petroleum underground or aboveground storage tanks was observed.
- Based on a review of environmental databases, the subject property was listed as site in the State Hazardous Waste Sites database. In 2012, a subsurface assessment was completed on the property at 9 Newton Street by Cooperstown Environmental LLC, as part of a Limited Phase II Environmental Site Investigation completed for the current property owner. No visual or olfactory evidence of contamination was noted in the assessment report reviewed by Woodard & Curran. A soil sample collected for laboratory analysis resulted in a PCE concentration exceeding the applicable Reporting Concentration Standard (RCS-1). Therefore, a 120-day reportable condition was established and MassDEP was notified of the release condition in March 2013. Subsequently, RTN 3-31421 was assigned to the site. Cooperstown Environmental completed additional assessment of the property and prepared a Method 2 Risk Characterization which concluded the site posed No Significant Risk. A Class B-1 Response Action Outcome Statement was submitted to MassDEP in March 2013 achieving site closure.
- The subject property (9 Newton Street) was also identified in the Spills database under Spill ID N93-0534 with a response date of April 29, 1993. However, no further information with respect to the identity of the

substance spilled or released, the amount of the spill and/or the specific location on the site of the spill or area impacted is known or available. The database listing indicates the Spill is identified as being "Closed".

- In November 2013, Woodard & Curran completed Phase II ESA investigation activities which involved of the advancement of six soil borings to 10 to 15 feet bgs. All soil borings were visually characterized and screened using a PID measuring total volatile organic compounds. No significantly elevated PID measurements were observed and no staining was noted in any soil borings. Three samples were submitted to the laboratory for VOC and EPH analysis. VOCs were not detected above the laboratory reporting limits. EPH carbon ranges and target analytes were detected below the reportable concentration standards. No reportable condition exists.
- Oil and/or hazardous material releases have been reported on nearby properties. However, based on distance, location, and/or regulatory status of these nearby sites, the environmental integrity of the subject property is not expected to be significantly impacted by these sites.

8.2 CONCLUSIONS

We have performed a Phase I and II Environmental Site Assessment in general conformance with the scope and limitations of ASTM Practice E 1527-13 of the 9 Newton Street and Rear 486 Main Street properties in Waltham, MA. Any exceptions, or deletions from, this practice are described in Sections 1.4 and 9 of this report. This assessment revealed no evidence of recognized environmental conditions in connection with the property.

The following historic REC (a past release of any hazardous substances or petroleum products that has been remediated and such remediation accepted by the responsible regulatory agency) was identified:

- A detection of tetrachloroethylene in subsurface soil from an unknown source. Site regulatory closure was achieved with completion of a Class B-1 RAO Statement in 2013.

9. DATA GAPS

Woodard & Curran was unable to interview previous owners and occupants of the property as their contact information was neither provided nor encountered during Phase I research.

The aforementioned data gaps are anticipated to have little impact on the findings and conclusions of this report, as supporting information was found through other resources.



10. SIGNATURES

Robert W. McGrath, who is an Environmental Professional whose signature is affixed below, reviewed the Phase I ESA for 9 Newton Street and Rear 486 Main Street in Waltham, Massachusetts.

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in § 312.10 of this part. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Robert W McGrath

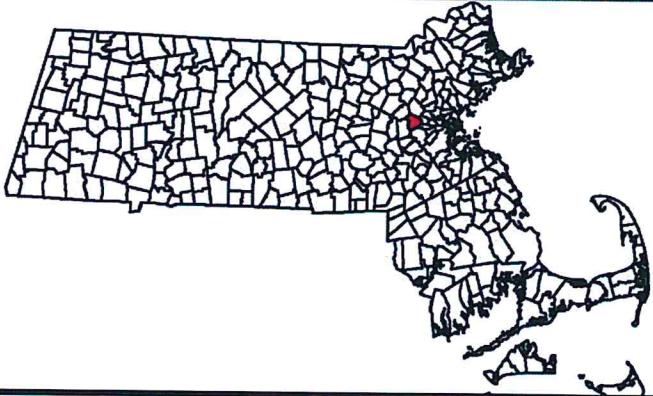
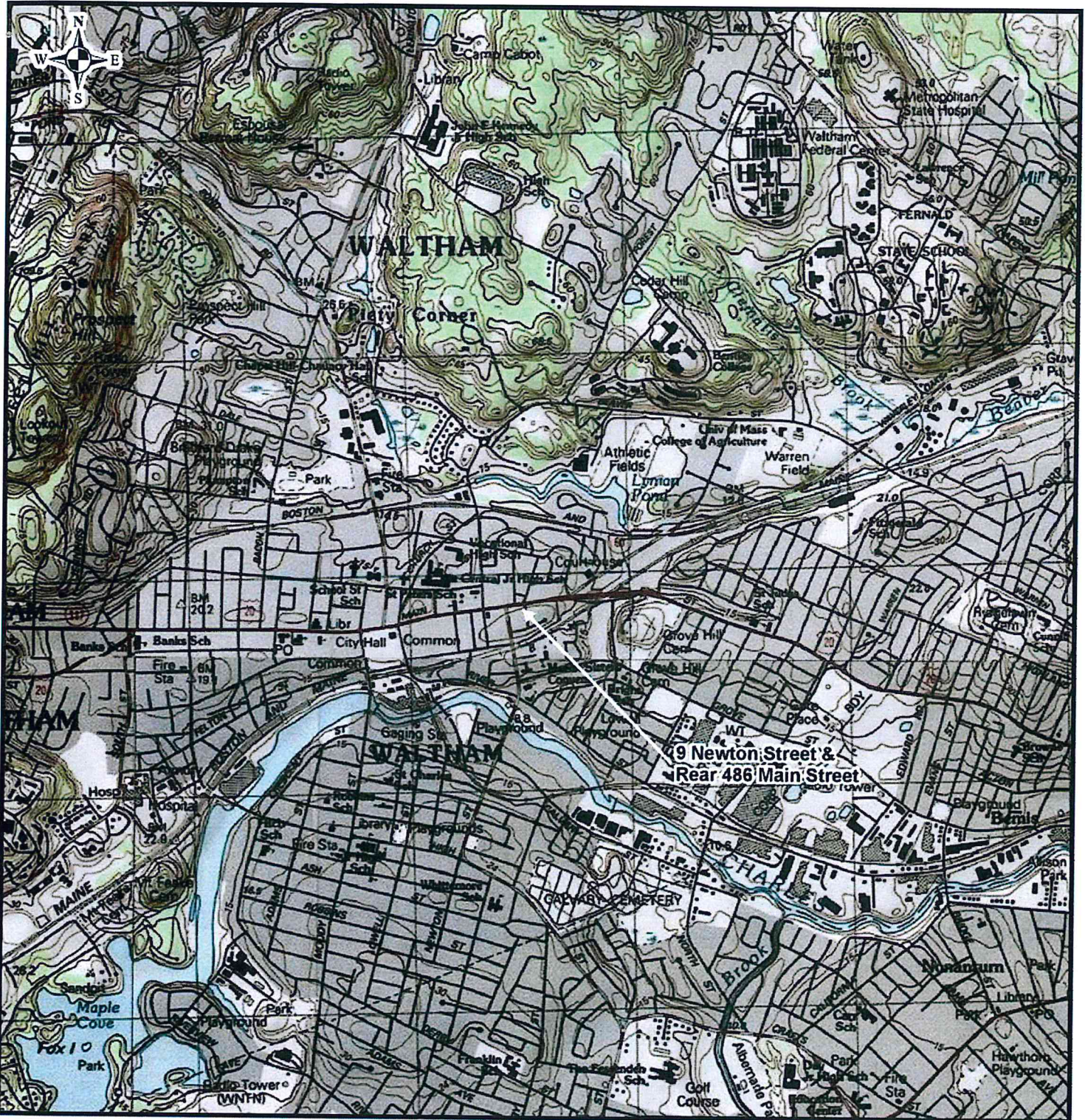
Robert W. McGrath
Vice President
Woodard & Curran



11. REFERENCES

- Environmental Data Resources, Inc. (EDR) Radius Map with Geocheck Report. December 1, 2014.
- EDR Sanborn Map Report. October 31, 2013.
- EDR Aerial Photograph Print Service. October 31, 2013.
- EDR Historical Topographic Maps Report. October 31, 2013.
- EDR City Directory Abstract, October 31, 2013.
- Scott, 1999, Priority Resources Map, Northeast DEP Region.
- USDA, Soil Conservation Services, Web Soil Survey, December 2014.
- NRCS, Soil Survey of Middlesex County, Massachusetts, December 2014.
- Cooperstown Environmental, 2012, Phase I ESA/ Limited Phase II Investigation, April 2012.
- Cooperstown Environmental, 2013, Class A-2 RAO Statement (RTN 3-30866), April 2013.
- Cooperstown Environmental, 2013, Class B-1 RAO Statement (RTN 3-31421), March 2013.
- Woodard & Curran, 2013, Phase I and II Environmental Site Assessment, 9 Newton Street and Rear 486 Main Street, Waltham, Massachusetts, dated December 2013.

FIGURES



Site Locus

**9 Newton Street & Rear 486 Main Street
Waltham, MA**

Figure 1



SCALE: 1" = 2000'	DOC: VA-SiteLocus.MXD
DATE: 12/04/14	JOB NO.: 226369
DRAWN BY: RS	SOURCE: MassGIS



Main Street (Rte 20)

R061-013-0001

R061-013-0012

R061-013-0011

R061-013-0002

Newton Street

SUBJECT
PROPERTY

R061-013-0003

Assessors Parcels

9 Newton Street & Rear 486 Main Street
Waltham, MA

Figure 2



SCALE: 1" = 40'

DOC:ESA-Assessors.MXD

DATE: 12/4/2014

JOB NO.: 226369

DRAWN BY: RS

SOURCE: MassGIS



Main Street (Rte 20)

Newton Street

484 Main Street
Garage/ Storage Barn
Demolished 2001

9-11 Newton Street
Residence
Demolished 2006

9-11 Newton Street
Garage
Demolished 2006

Site Plan

9 Newton Street & Rear 486 Main Street
Waltham, MA

Figure 3



SCALE: 1" = 40'

DOC:ESA-SitePlan.MXD

DATE: 12/4/2014

JOB NO.: 226369

DRAWN BY: RS

SOURCE: MassGIS



Main Street (Rte 20)

Stephen's Liquors
484 Main Street

Former Service Station

Newton Street

9 Newton Street

Rear 486 Main Street

Leland Home

Site Aerial

9 Newton Street & Rear 486 Main Street
Waltham, MA

Figure 4



SCALE: 1" = 40'

DOC:ESA-Aerial.MXD

DATE: 12/4/2014

JOB NO.: 226369

DRAWN BY: RS

SOURCE: MassGIS

APPENDIX A: PHOTOGRAPHS



Photo Number: 1

View Direction: Looking east

Date: 12/3/14

Description: Subject Property – 9 Newton Street



Photo Number: 2

View Direction: Looking west

Date: 12/3/14

Description: Subject Property – 9 Newton Street



Photo Number: 3

View Direction: Looking southeast

Date: 12/3/14

Description: Solid waste on 9 Newton Street



Photo Number: 4

View Direction: Looking east

Date: 12/3/14

Description: Subject Property – Rear 486 Main Street

APPENDIX C: SUPPORTING DOCUMENTATION

APPENDIX D: RESUMES



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