Ciba Specialty Chemicals Corporation
North America
Corporate
Remediation Services

MAG910277

Ciba

November 16, 2006

Mr. Victor Alvarez
USEPA Region 1
1 Congress Street
Suite 1100 CMP
Boston, MA 02114-0203

RE: Hamblet & Hayes Facility
Salem, MA

Dear Mr. Alvarez:

Ciba Specialty Chemicals is conducting Response Actions at the former Hamblet & Hayes Site at 1 Colonial Road in Salem Massachusetts (MADEP Release Tracking Number 3-2565), pursuant to the Massachusetts Contingency Plan. Part of the planned remediation includes dewatering of excavated sediments that are contaminated with trivalent chromium.

Enclosed is a Notice of Intent and supporting information related to the proposed project. This project has been delayed for several years because approximately half of the sediment excavation will be undertaken beneath National Grid high voltage transmission lines. Access has been sought for this work in the National Grid Right of Way for several years, and we only recently received access. We are on a short schedule for this work because Ciba is currently on a Tier 1B Permit Extension which will expire on March 1, 2007. We expect that the weather conditions for the wetland work will be limited at this time of year so we are making every effort to at least complete the more difficult excavation are within the next month.

Route 37 West
P. O. Box 71
Toms River, New Jersey 08754-0071

If the NOI can be reviewed as soon as possible we would greatly appreciate your consideration. Should you have any questions regarding this matter please feel free to contact me at (732) 914-2867.

Sincerely,
Ciba Specialty Chemicals

Tom Smith
Environmental Associate

1. General site information. Please provide the following information about the site:

a) Name of **facility/site**: Hamblet & Hayes Site (Univar USA is current site owner; Ciba is conducting MCP Response Actions and is project owner)		**Facility/site** address: One Colonial Road, Salem, MA 01970		
Location of **facility/site**: long: 42° 30'36.17" N lat:70° 53'59.81" W	Facility SIC code(s):	Street: Colonial Road		
b) Name of **facility/site owner:** Ciba - Remediation project owner		Town: Salem		
Email address of owner: thomas.smith@cibasc.com		State: MA	Zip: 01970	County: Essex
Telephone no.of facility/site **owner**: (732) 914-2500				
Fax no. of facility/site **owner**: (732) 914-2917		**Owner** is (check one): 1. Federal____ 2. State/Tribal_____ 3. Private_✔___ 4. other, if so, describe:		
Address of **owner** (if different from site):				
Street: Oak Ridge Parkway				
Town: Toms River	State: NJ	Zip: 08753	County: Ocean	
c) Legal name of **operator**: Ciba Specialty Chemicals Corporation	**Operator** telephone no: (732) 914-2500			
	Operator fax no.: (732) 914-2917	**Operator** email: thomas.smith@cibasc.com		
Operator contact name and title: Thomas Smith, Environmental Associate				

Address of **operator** (if different from owner):	Street:		
Town:	State:	Zip:	County:

d) Check "yes" or "no" for the following:
1. Has a prior NPDES permit exclusion been granted for the discharge? Yes ✔ No___, if "yes," number: #MA-04I-094
2. Has a prior NPDES application (Form 1 & 2C) ever been filed for the discharge? Yes___ No ✔, if "yes," date and tracking #:
3. Is the discharge a "new discharge"as defined by 40 CFR 122.2? Yes ✔ No___
4. For sites in Massachusetts, is the discharge covered under the MA Contingency Plan (MCP) and exempt from state permitting? Yes__ No ✔

e) Is site/facility subject to any State permitting or other action which is causing the generation of discharge? Yes ✔ No___ If "yes," please list: 1. site identification # assigned by the state of NH or MA: RTN 3-2565 2. permit or license # assigned: 3. state agency contact information: name, location, and telephone number: Chris Coolen - MADEP 978-694-3385	f) Is the site/facility covered by any other EPA permit, including: 1. multi-sector storm water general permit? Y ✔ N___, if Y, number: 2. phase I or II construction storm water general permit? Y___ N___, if Y, number: 3. individual NPDES permit? Y___ N ✔, if Y, number: 4. any other water quality related permit? Y___ N ✔, if Y, number:

2. Discharge information. Please provide information about the discharge, (attaching additional sheets as needed) including:

a) Describe the discharge activities for which the owner/applicant is seeking coverage:

Dewatering of pond sediments during excavation activities under MCP remediation; Remediation is not part of facility operations or connected to facility stormwater management. Wetland remediation pursuant to Chapter 91 Dredging Permit, 401 Water Quality Certification, MEPA Permit

b) Provide the following information about each discharge:	1) Number of discharge points: 1	2) What is the **maximum** and **average flow rate** of discharge (in cubic feet per second, ft^3/s)? Max. flow 100 Average flow 10 Is maximum flow a **design value**? Y ✔ N___ For average flow, include the units and appropriate notation if this value is a design value or estimate if not available. GPM Units. These are estimates for dewatering rates from pond sediments.

3) Latitude and longitude of each discharge within 100 feet: pt.1:long. 42^{o} 30' 38.66" N 70^{o} 53' 52.66"W;

4) If hydrostatic testing, total volume of the discharge (gals):	5) Is the discharge intermittent ✔ or seasonal ____? Is discharge ongoing Yes ____ No ✔ ?
c) Expected dates of discharge (mm/dd/yy): start 11/30/06 end 12/31/06	
d) Please attach a line drawing or flow schematic showing water flow through the facility including: 1. sources of intake water, 2. contributing flow from the operation, 3. treatment units, and 4. discharge points and receiving waters(s).	

3. Contaminant information. In order to complete this section, the applicant will need to take a minimum of one sample of the untreated water and have it analyzed for **all** of the parameters listed in Appendix III. Historical data, (i.e., data taken no more than 2 years prior to the effective date of the permit) may be used if obtained pursuant to: i. Massachusetts' regulations 310 CMR 40.0000, the Massachusetts Contingency Plan ("Chapter 21E"); ii. New Hampshire's Title 50 RSA 485-A: Water Pollution and Waste Disposal or Title 50 RSA 485-C: Groundwater Protection Act; or iii. an EPA permit exclusion letter issued pursuant to 40 CFR 122.3, provided the data was analyzed with test methods that meet the requirements of this permit. Otherwise, a new sample shall be taken and analyzed.

a) Based on the analysis of the sample(s) of the untreated influent, the applicant must check the box of the sub-categories that the potential discharge falls within.

Gasoline Only	VOC Only	Primarily Metals	Urban Fill Sites	Contaminated Sumps	Mixed Contaminants	Aquifer Testing
Fuel Oils (and Other Oils) only	VOC with Other Contaminants	Petroleum with Other Contaminants	Listed Contaminated Sites	Contaminated Dredge Condensates ✔	Hydrostatic Testing of Pipelines/Tanks	Well Development or Rehabilitation

b) Based on the analysis of the untreated influent, the applicant must indicate whether each listed chemical is **believed present** or **believed absent** in the potential discharge. Attach additional sheets as needed.

PARAMETER	**Believe Absent**	**Believe Present**	**# of Samples (1 min-imum)**	**Type of Sample (e.g., grab)**	**Analytical Method Used (method #)**	**Minimum Level (ML) of Test Method**	**Maximum daily value**		**Avg. daily value**	
							concentration (ug/l)	**mass (kg)**	**concentration (ug/l)**	**mass (kg)**
1. Total Suspended Solids		✔	1	Grab	160.2	3000	9600	0.0052		
2. Total Residual Chlorine	✔		1	Grab	330.4	40	NA			
3. Total Petroleum Hydrocarbons		✔	1	Grab	1664A	1500	3800	2.07		
4. Cyanide	✔		1	Grab	335.4	5	ND			
5. Benzene	✔		1	Grab	8260B	0.5	ND			
6. Toluene	✔		1	Grab	8260B	0.7	ND			
7. Ethylbenzene	✔		1	Grab	8260B	0.8	ND			
8. (m,p,o) Xylenes	✔		1	Grab	8260B	0.8	ND			
9. Total BTEX[4]	✔		1	Grab	8260B	0.8	ND			

[4] BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
10. Ethylene Dibromide (1,2- Dibromo-methane)	✔		1	Grab	8260B	1	ND			
11. Methyl-tert-Butyl Ether (MtBE)	✔		1	Grab	8260	1	ND			
12. tert-Butyl Alcohol (TBA)	✔		1	Grab	8260	1	ND			
13. tert-Amyl Methyl Ether (TAME)	✔		1	Grab	8260	1	ND			
14. Naphthalene	✔		1	Grab	8270	0.9	ND			
15. Carbon Tetra-chloride	✔		1	Grab	8260	1	ND			
16. 1,4 Dichlorobenzene	✔		1	Grab	8260B	1	ND			
17. 1,2 Dichlorobenzene	✔		1	Grab	8260B	1	ND			
18. 1,3 Dichlorobenzene	✔		1	Grab	8260B	1	ND			
19. 1,1 Dichloroethane	✔		1	Grab	8260	1	ND			
20. 1,2 Dichloroethane	✔		1	Grab	8260	1	ND			
21. 1,1 Dichloroethylene	✔		1	Grab	8260	0.8	ND			
22. cis-1,2 Dichloro-ethylene	✔		1	Grab	8260	0.8	ND			
23. Dichloromethane (Methylene Chloride)	✔		1	Grab	8260	2	ND			
24. Tetrachloroethylene	✔		1	Grab	8260	0.8	ND			

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily Value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
25. 1,1,1 Trichloroethane	✔		1	Grab	8260	0.8	ND			
26. 1,1,2 Trichloroethane	✔		1	Grab	8260	0.8	ND			
27. Trichloroethylene	✔		1	Grab	8260	1	ND			
28. Vinyl Chloride	✔		1	Grab	8260	1	ND			
29. Acetone	✔		1	Grab	8260	6	ND			
30. 1,4 Dioxane	✔		1	Grab	8270	0.9	ND			
31. Total Phenols	✔		1	Grab	8270	0.9	ND			
32. Pentachlorophenol	✔		1	Grab	8270	3	ND			
33. Total Phthalates [5] (Phthalate esthers)	✔		1	Grab	8270	2	ND			
34. Bis (2-Ethylhexyl) Phthalate [Di-(ethylhexyl) Phthalate]	✔		1	Grab	8270	2	ND			
35. Total Group I Polycyclic Aromatic Hydrocarbons (PAH)	✔		1	Grab	8270	0.9	ND			
a. Benzo(a) Anthracene	✔		1	Grab	8270	0.9	ND			
b. Benzo(a) Pyrene	✔		1	Grab	8270	0.9	ND			
c. Benzo(b)Fluoranthene	✔		1	Grab	8270	0.9	ND			
d. Benzo(k) Fluoranthene	✔		1	Grab	8270	0.9	ND			
e. Chrysene	✔		1	Grab	8270	0.9	ND			

[5] The sum of individual phthalate compounds.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Average daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
f. Dibenzo(a,h) anthracene	✔		1	Grab	8270	0.9	ND			
g. Indeno(1,2,3-cd) Pyrene	✔		1	Grab	8270	0.9	ND			
36. Total Group II Polycyclic Aromatic Hydrocarbons (PAH)	✔		1	Grab	8270	0.9	ND			
h. Acenaphthene	✔		1	Grab	8270	0.9	ND			
i. Acenaphthylene	✔		1	Grab	8270	0.9	ND			
j. Anthracene	✔		1	Grab	8270	0.9	ND			
k. Benzo(ghi) Perylene	✔		1	Grab	8270	0.9	ND			
l. Fluoranthene	✔		1	Grab	8270	0.9	ND			
m. Fluorene	✔		1	Grab	8270	0.9	ND			
n. Naphthalene-	✔		1	Grab	8270	0.9	ND			
o. Phenanthrene	✔		1	Grab	8270	0.9	ND			
p. Pyrene	✔		1	Grab	8270	0.9	ND			
37. Total Polychlorinated Biphenyls (PCBs)	✔		1	Grab	608	95	ND			
38. Antimony	✔		1	Grab	6010B	9.7	ND			
39. Arsenic	✔		1	Grab	6010B	10	ND			
40. Cadmium	✔		1	Grab	6010B	0.9	ND			
41. Chromium III		✔	1	Grab	6010B	2.3	56	0.031		
42. Chromium VI	✔		1	Grab	7196A	5	ND			

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
43. Copper		✔	1	Grab	6010B	2.2	2.7	0.0015		
44. Lead		✔	1	Grab	6010B	6.9	13	0.0071		
45. Mercury	✔		1	Grab	7470A	0.056	ND			
46. Nickel	✔		1	Grab	6010B	5.6	ND			
47. Selenium	✔		1	Grab	6010B	9.4	ND			
48. Silver	✔		1	Grab	6010B	1.6	ND			
49. Zinc		✔	1	Grab	6010B	8.1	26	0.014		
50. Iron		✔	1	Grab	6010B	52	1290	0.703		
Other (describe):										

c) For discharges where **metals** are believed present, please fill out the following:

Step 1: Do any of the metals in the influent have a **reasonable potential** to exceed the effluent limits in Appendix III (i.e., the limits set at zero to five dilutions)? Y ✔ N____	If yes, which metals? CrIII (Note - Tidal Brackish, not Freshwater Discharge)
Step 2: For any metals which have **reasonable potential** to exceed the **Appendix III** limits, calculate the **dilution factor (DF)** using the formula in Part I.A.3.c) (step 2) of the NOI instructions or as determined by the State prior to the submission of this NOI. What is the dilution factor for applicable metals? Metals: CHROMIUM (TRIVALENT) DF: _____	Look up the limit calculated at the corresponding dilution factor in **Appendix IV.** Do any of the metals in the **influent** have the potential to exceed the corresponding **effluent** limits in Appendix IV (i.e., is the influent concentration above the limit set at the calculated dilution factor)? Y____ N ✔ If "Yes," list which metals:

4. Treatment system information. Please describe the treatment system using separate sheets as necessary, including:

a) A description of the treatment system, including a schematic of the proposed or existing treatment system:

Control of particulates is the target. CrIII on particulate matter is the contaminant of concern.

b) Identify each applicable treatment unit (check all that apply):	Frac. tank ✔	Air stripper	Oil/water separator	Equalization tanks	Bag filter ✔	GAC filter ✔
	Chlorination	Dechlorination	Other (please describe): Additional filtration cloth/diffuser set up at infiltration location			

c) Proposed **average** and **maximum flow rates** (gallons per minute) for the discharge and the **design flow rate**(s) (gallons per minute) of the treatment system:
Average flow rate of discharge 10 GPM Maximum flow rate of treatment system 50 GPM Design flow rate of treatment system 100GPM

d) A description of chemical additives being used or planned to be used (attach MSDS sheets):

None

5. Receiving surface water(s). Please provide information about the receiving water(s), using separate sheets as necessary:

a) Identify the discharge pathway:	Direct_____	Within facility__	Storm drain____	River/brook____	Wetlands ✔	Other (describe):

b) Provide a narrative description of the discharge pathway, including the name(s) of the receiving waters:

Portions of Mill Pond will be hydraulically isolated and dewatered. This decant will be settled and filtered before being returned to the pond outside of the excavation area. Sediment once excavated will be transported to a drying bed on the paved portion of the facility. Decant from this drying operation will be sent to the settling tank and filtered prior to return to the wetland. At the point of entry back into the wetland hay baled and filter cloth will privide additional filtration and disperse the return flow to avoid suspendion of solids from the banks.

c) Attach a detailed map(s) indicating the site location and location of the outfall to the receiving water:
1. For multiple discharges, number the discharges sequentially.
2. For indirect dischargers, indicate the location of the discharge to the indirect conveyance and the discharge to surface water
The map should also include the location and distance to the nearest sanitary sewer as well as the locus of nearby sensitive receptors (based on USGS topographical mapping), such as surface waters, drinking water supplies, and wetland areas.

d) Provide the state water quality classification of the receiving water SB ,

e) Provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water _____ cfs
Please attach any calculation sheets used to support stream flow and dilution calculations.

f) Is the receiving water a listed 303(d) water quality impaired or limited water? Yes____ No✔ If yes, for which pollutant(s)?

Is there a TMDL? Yes____ No✔ If yes, for which pollutant(s)?

6. Results of Consultation with Federal Services: Please provide the following information according to requirements of Part I.B.4 and Appendices II and VII.

a) Are any listed threatened or endangered species, or designated critical habitat, in proximity to the discharge? Yes____No✔
Has any consultation with the federal services been completed ? ✔ No___ or is consultation underway? Yes No✔
What were the results of the consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service (~~check~~ one):
a "no jeopardy" opinion? _____or written concurrence____ on a finding that the discharges are not likely to adversely affect any endangered species or critical habitat?

b) Are any historic properties listed or eligible for listing on the National Register of Historic Places located on the facility or site or in proximity to the discharge?
Yes_____ No✔ Have any state or tribal historic preservation officer been consulted in this determination (Massachusetts only)? Yes_____ No_____

7. Supplemental information. :

Please provide any supplemental information. Attach any analytical data used to support the application. Attach any certification(s) required by the general permit.

This discharge is into a tidal brackish water wetland, not into a freshwater system.
Mill Pond discharges by culvert syustem to Salem Harbor.
Analytical results for current surface water sample used to complete 3B above is attached.
Additional detail in attached MADEP Waterways Permit (#10972), and 401 Water Quality Certification.
Original NPDES Exclusion letter also attached.

8. Signature Requirements: The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22, including the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Facility/Site Name: Hamblet & Hayes Salem Massachusetts Site

Operator signature: 

Title: Environmental Associate

Date: 11/15/06

ANALYTICAL DATA

Lancaster Laboratories

ANALYTICAL RESULTS

Prepared for:

Ciba Specialty Chemicals Corp
Bldg 743 -Route 37 West
P.O. Box 71
Toms River NJ 08754-0071

732-914-2867

Prepared by:

Lancaster Laboratories
2425 New Holland Pike
Lancaster, PA 17605-2425

SAMPLE GROUP

The sample group for this submittal is 1010698. Samples arrived at the laboratory on Friday, October 20, 2006. The PO# for this group is T0093396/T0216301.

Client Description	Lancaster Labs Number
SW-CB-1 Grab Water Sample	4894692

1 COPY TO Ciba Specialty Chemicals Corp Attn: Tom Smith

Questions? Contact your Client Services Representative
Gwen A Birchall at (717) 656-2300

Respectfully Submitted,

Valerie L. Tomayko
Group Leader

Lancaster Laboratories

Lancaster Laboratories Sample No. WW 4894692

SW-CB-1 Grab Water Sample
Salem, MA

Collected:10/19/2006 16:45 by ML

Account Number: 04285

Submitted: 10/20/2006 09:15
Reported: 11/01/2006 at 20:46
Discard: 01/01/2007

Ciba Specialty Chemicals Corp
Bldg 743 -Route 37 West
P.O. Box 71
Toms River NJ 08754-0071

SWCB1

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Units	Dilution Factor
03929	4-Chloro-3-methylphenol	59-50-7	N.D.	0.9	ug/l	1
03930	2,4,6-Trichlorophenol	88-06-2	N.D.	0.9	ug/l	1
03931	2,4-Dinitrophenol	51-28-5	N.D.	19.	ug/l	1
03932	4-Nitrophenol	100-02-7	N.D.	9.	ug/l	1
03933	4,6-Dinitro-2-methylphenol	534-52-1	N.D.	5.	ug/l	1
03934	Pentachlorophenol	87-86-5	N.D.	3.	ug/l	1
03947	Naphthalene	91-20-3	N.D.	0.9	ug/l	1
03951	Acenaphthylene	208-96-8	N.D.	0.9	ug/l	1
03952	Dimethylphthalate	131-11-3	N.D.	2.	ug/l	1
03954	Acenaphthene	83-32-9	N.D.	0.9	ug/l	1
03956	Fluorene	86-73-7	N.D.	0.9	ug/l	1
03958	Diethylphthalate	84-66-2	N.D.	2.	ug/l	1
03963	Phenanthrene	85-01-8	N.D.	0.9	ug/l	1
03964	Anthracene	120-12-7	N.D.	0.9	ug/l	1
03965	Di-n-butylphthalate	84-74-2	N.D.	2.	ug/l	1
03966	Fluoranthene	206-44-0	N.D.	0.9	ug/l	1
03967	Pyrene	129-00-0	N.D.	0.9	ug/l	1
03969	Butylbenzylphthalate	85-68-7	N.D.	2.	ug/l	1
03970	Benzo(a)anthracene	56-55-3	N.D.	0.9	ug/l	1
03971	Chrysene	218-01-9	N.D.	0.9	ug/l	1
03973	bis(2-Ethylhexyl)phthalate	117-81-7	N.D.	2.	ug/l	1
03974	Di-n-octylphthalate	117-84-0	N.D.	2.	ug/l	1
03975	Benzo(b)fluoranthene	205-99-2	N.D.	0.9	ug/l	1
03976	Benzo(k)fluoranthene	207-08-9	N.D.	0.9	ug/l	1
03977	Benzo(a)pyrene	50-32-8	N.D.	0.9	ug/l	1
03978	Indeno(1,2,3-cd)pyrene	193-39-5	N.D.	0.9	ug/l	1
03979	Dibenz(a,h)anthracene	53-70-3	N.D.	0.9	ug/l	1
03980	Benzo(g,h,i)perylene	191-24-2	N.D.	0.9	ug/l	1
04680	2-Methylphenol	95-48-7	N.D.	0.9	ug/l	1
04682	4-Methylphenol	106-44-5	N.D.	2.	ug/l	1

3-Methylphenol and 4-methylphenol cannot be resolved under the chromatographic conditions used for sample analysis. The result reported for 4-methylphenol represents the combined total of both compounds.

06291 TCL by 8260 (water)

02010	Methyl Tertiary Butyl Ether	1634-04-4	N.D.	0.5	ug/l	1
05386	Vinyl Chloride	75-01-4	N.D.	1.	ug/l	1
05390	1,1-Dichloroethene	75-35-4	N.D.	0.8	ug/l	1
05391	Methylene Chloride	75-09-2	N.D.	2.	ug/l	1
05393	1,1-Dichloroethane	75-34-3	N.D.	1.	ug/l	1
05395	cis-1,2-Dichloroethene	156-59-2	N.D.	0.8	ug/l	1

Lancaster Laboratories

Lancaster Laboratories Sample No. WW 4894692

SW-CB-1 Grab Water Sample
Salem, MA

Collected:10/19/2006 16:45 by ML

Account Number: 04285

Submitted: 10/20/2006 09:15
Reported: 11/01/2006 at 20:46
Discard: 01/01/2007

Ciba Specialty Chemicals Corp
Bldg 743 -Route 37 West
P.O. Box 71
Toms River NJ 08754-0071

SWCB1

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Units	Dilution Factor
00259	Mercury	7439-97-6	N.D.	0.000056	mg/l	1
01754	Iron	7439-89-6	1.29	0.0522	mg/l	1
07035	Arsenic	7440-38-2	N.D.	0.010	mg/l	1
07036	Selenium	7782-49-2	N.D.	0.0094	mg/l	1
07044	Antimony	7440-36-0	N.D.	0.0097	mg/l	1
07049	Cadmium	7440-43-9	N.D.	0.00091	mg/l	1
07051	Chromium	7440-47-3	0.0555	0.0023	mg/l	1
07053	Copper	7440-50-8	0.0027	0.0022	mg/l	1
07055	Lead	7439-92-1	0.0128	0.0069	mg/l	1
07061	Nickel	7440-02-0	N.D.	0.0056	mg/l	1
07066	Silver	7440-22-4	N.D.	0.0016	mg/l	1
07072	Zinc	7440-66-6	0.0261	0.0081	mg/l	1
00206	Total Suspended Solids	n.a.	9.6	3.0	mg/l	1
00237	Total Cyanide (water)	57-12-5	N.D.	0.0050	mg/l	1
00240	Chlorine Residual (DPD)	n.a.	0.040	0.040	mg/l	1
	The 40 CFR Part 136 requires that this analysis be performed immediately (within 15 minutes) upon sample collection. Because this was not possible, the result may not be used for reporting purposes.					
00276	Hexavalent Chromium	18540-29-9	N.D.	0.0050	mg/l	1
08078	SGT-HEM (TPH)	n.a.	3.8	1.5	mg/l	1
08079	HEM (oil & grease)	n.a.	2.2	1.4	mg/l	1
06030	PCBs in Water					
00639	PCB-1016	12674-11-2	N.D.	0.095	ug/l	1
00640	PCB-1221	11104-28-2	N.D.	0.095	ug/l	1
00641	PCB-1232	11141-16-5	N.D.	0.095	ug/l	1
00642	PCB-1242	53469-21-9	N.D.	0.095	ug/l	1
00643	PCB-1248	12672-29-6	N.D.	0.095	ug/l	1
00644	PCB-1254	11097-69-1	N.D.	0.095	ug/l	1
00645	PCB-1260	11096-82-5	N.D.	0.095	ug/l	1
04678	TCL SW846 Semivolatiles/Waters					
02591	1,4-Dioxane	123-91-1	N.D.	0.9	ug/l	1
03922	2,4,5-Trichlorophenol	95-95-4	N.D.	0.9	ug/l	1
03924	2-Chlorophenol	95-57-8	N.D.	0.9	ug/l	1
03925	Phenol	108-95-2	N.D.	0.9	ug/l	1
03926	2-Nitrophenol	88-75-5	N.D.	0.9	ug/l	1
03927	2,4-Dimethylphenol	105-67-9	N.D.	3.	ug/l	1
03928	2,4-Dichlorophenol	120-83-2	N.D.	0.9	ug/l	1

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Lancaster Laboratories

Lancaster Laboratories Sample No. WW 4894692

SW-CB-1 Grab Water Sample
Salem, MA

Collected:10/19/2006 16:45 by ML

Account Number: 04285

Submitted: 10/20/2006 09:15
Reported: 11/01/2006 at 20:46
Discard: 01/01/2007

Ciba Specialty Chemicals Corp
Bldg 743 -Route 37 West
P.O. Box 71
Toms River NJ 08754-0071

SWCB1

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Units	Dilution Factor
05398	1,1,1-Trichloroethane	71-55-6	N.D.	0.8	ug/l	1
05399	Carbon Tetrachloride	56-23-5	N.D.	1.	ug/l	1
05401	Benzene	71-43-2	N.D.	0.5	ug/l	1
05402	1,2-Dichloroethane	107-06-2	N.D.	1.	ug/l	1
05403	Trichloroethene	79-01-6	N.D.	1.	ug/l	1
05407	Toluene	108-88-3	N.D.	0.7	ug/l	1
05408	1,1,2-Trichloroethane	79-00-5	N.D.	0.8	ug/l	1
05409	Tetrachloroethene	127-18-4	N.D.	0.8	ug/l	1
05415	Ethylbenzene	100-41-4	N.D.	0.8	ug/l	1
06302	Acetone	67-64-1	N.D.	6.	ug/l	1
06310	Xylene (Total)	1330-20-7	N.D.	0.8	ug/l	1
06371	8260 Special Cmpds for Waters					
05662	1,2-Dibromoethane	106-93-4	N.D.	1.	ug/l	1
08171	1,3-Dichlorobenzene	541-73-1	N.D.	1.	ug/l	1
08172	1,4-Dichlorobenzene	106-46-7	N.D.	1.	ug/l	1
08173	1,2-Dichlorobenzene	95-50-1	N.D.	1.	ug/l	1
08202	EPA SW 846/8260 - Water					
02014	t-Amyl methyl ether	994-05-8	N.D.	0.8	ug/l	1
02015	t-Butyl alcohol	75-65-0	N.D.	10.	ug/l	1

Trip blank vials were not received by the laboratory for this sample group.

All QC is compliant unless otherwise noted. Please refer to the Quality Control Summary for overall QC performance data and associated samples.

Laboratory Chronicle

CAT No.	Analysis Name	Method	Trial#	Analysis Date and Time	Analyst	Dilution Factor
00259	Mercury	SW-846 7470A	1	10/27/2006 12:33	Damary Valentin	1
01754	Iron	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07035	Arsenic	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07036	Selenium	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07044	Antimony	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1

Lancaster Laboratories

Lancaster Laboratories Sample No. WW 4894692

SW-CB-1 Grab Water Sample
Salem, MA

Collected:10/19/2006 16:45 by ML

Submitted: 10/20/2006 09:15
Reported: 11/01/2006 at 20:46
Discard: 01/01/2007

Account Number: 04285

Ciba Specialty Chemicals Corp
Bldg 743 -Route 37 West
P.O. Box 71
Toms River NJ 08754-0071

SWCB1

07049	Cadmium	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07051	Chromium	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07053	Copper	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07055	Lead	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07061	Nickel	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07066	Silver	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
07072	Zinc	SW-846 6010B	1	10/25/2006 04:27	Suzette L Lehman	1
00206	Total Suspended Solids	EPA 160.2	1	10/23/2006 15:38	Maria O Gittens	1
00237	Total Cyanide (water)	EPA 335.4	1	10/27/2006 21:43	Venia B McFadden	1
00240	Chlorine Residual (DPD)	EPA 330.4	1	10/21/2006 12:00	Daniel S Smith	1
00276	Hexavalent Chromium	SW-846 7196A	1	10/20/2006 09:30	Michelle L Lalli	1
08078	SGT-HEM (TPH)	EPA 1664A	1	10/27/2006 09:30	Valerie J Trout	1
08079	HEM (oil & grease)	EPA 1664A	1	10/25/2006 07:30	Valerie J Trout	1
06030	PCBs in Water	EPA 608	1	10/24/2006 15:39	Andrea J Covey	1
04678	TCL SW846 Semivolatiles/Waters	SW-846 8270C	1	11/01/2006 08:44	Mark A Clark	1
06291	TCL by 8260 (water)	SW-846 8260B	1	10/26/2006 01:59	Nicholas R Rossi	1
06371	8260 Special Cmpds for Waters	SW-846 8260B	1	10/26/2006 01:59	Nicholas R Rossi	1
08202	EPA SW 846/8260 - Water	SW-846 8260B	1	10/26/2006 01:59	Nicholas R Rossi	1
00492	Cyanide Water Distillation	EPA 335.4	1	10/27/2006 11:05	Nancy J Shoop	1
00813	BNA Water Extraction	SW-846 3510C	1	10/22/2006 16:00	Kerrie A Greenfield	1
00817	Water Sample Pest. Extraction	EPA 608	1	10/22/2006 07:15	Joseph S Feister	1
01163	GC/MS VOA Water Prep	SW-846 5030B	1	10/26/2006 01:59	Nicholas R Rossi	1
05705	WW/TL SW 846 ICP Digest (tot)	SW-846 3010A	1	10/24/2006 19:05	James L Mertz	1
05713	WW SW846 Hg Digest	SW-846 7470A	1	10/27/2006 08:10	Damary Valentin	1

Lancaster Laboratories

Quality Control Summary

Client Name: Ciba Specialty Chemicals Corp
Reported: 11/01/06 at 08:46 PM

Group Number: 1010698

Matrix QC may not be reported if site-specific QC samples were not submitted. In these situations, to demonstrate precision and accuracy at a batch level, a LCS/LCSD was performed, unless otherwise specified in the method.

Laboratory Compliance Quality Control

Analysis Name	Blank Result	Blank MDL	Report Units	LCS %REC	LCSD %REC	LCS/LCSD Limits	RPD	RPD Max
Batch number: 06293027601A	Sample number(s): 4894692							
Hexavalent Chromium	N.D.	0.0050	mg/l	101		90-110		
Batch number: 062940010A	Sample number(s): 4894692							
PCB-1016	N.D.	0.10	ug/l	90	90	52-123	0	30
PCB-1221	N.D.	0.10	ug/l					
PCB-1232	N.D.	0.10	ug/l					
PCB-1242	N.D.	0.10	ug/l					
PCB-1248	N.D.	0.10	ug/l					
PCB-1254	N.D.	0.10	ug/l					
PCB-1260	N.D.	0.10	ug/l	100	102	62-133	2	30
Batch number: 06294024001A	Sample number(s): 4894692							
Chlorine Residual (DPD)	N.D.	0.040	mg/l	101	101	95-105	0	2
Batch number: 06296020602A	Sample number(s): 4894692							
Total Suspended Solids	N.D.	3.0	mg/l	105		56-128		
Batch number: 06296WAD026	Sample number(s): 4894692							
1,4-Dioxane	N.D.	1.	ug/l	47	51	47-96	7	30
2,4,5-Trichlorophenol	N.D.	1.	ug/l	88	90	70-115	1	30
2-Chlorophenol	N.D.	1.	ug/l	90	91	63-112	1	30
Phenol	N.D.	1.	ug/l	40	47	23-65	17	30
2-Nitrophenol	N.D.	1.	ug/l	102	104	82-119	2	30
2,4-Dimethylphenol	N.D.	3.	ug/l	83	84	60-107	1	30
2,4-Dichlorophenol	N.D.	1.	ug/l	92	94	66-110	2	30
4-Chloro-3-methylphenol	N.D.	1.	ug/l	91	92	72-114	1	30
2,4,6-Trichlorophenol	N.D.	1.	ug/l	97	95	69-111	1	30
2,4-Dinitrophenol	N.D.	20.	ug/l	96	100	52-120	4	30
4-Nitrophenol	N.D.	10.	ug/l	38	40	12-74	5	30
4,6-Dinitro-2-methylphenol	N.D.	5.	ug/l	100	107	56-130	6	30
Pentachlorophenol	N.D.	3.	ug/l	88	93	48-108	6	30
Naphthalene	N.D.	1.	ug/l	82	85	68-108	3	30
Acenaphthylene	N.D.	1.	ug/l	90	92	76-117	2	30
Dimethylphthalate	N.D.	2.	ug/l	81	82	66-105	1	30
Acenaphthene	N.D.	1.	ug/l	86	88	68-111	2	30
Fluorene	N.D.	1.	ug/l	85	87	75-111	2	30
Diethylphthalate	N.D.	2.	ug/l	86	87	61-110	2	30
Phenanthrene	N.D.	1.	ug/l	85	86	68-111	0	30
Anthracene	N.D.	1.	ug/l	83	85	68-108	2	30
Di-n-butylphthalate	N.D.	2.	ug/l	80	79	63-113	1	30
Fluoranthene	N.D.	1.	ug/l	78	79	66-108	1	30
Pyrene	N.D.	1.	ug/l	87	89	68-114	2	30
Butylbenzylphthalate	N.D.	2.	ug/l	86	88	63-120	2	30
Benzo(a)anthracene	N.D.	1.	ug/l	87	89	71-113	2	30
Chrysene	N.D.	1.	ug/l	85	87	70-111	2	30

*- Outside of specification
(1) The result for one or both determinations was less than five times the LOQ.
(2) The background result was more than four times the spike added.

Lancaster Laboratories, Inc.
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Lancaster Laboratories

Quality Control Summary

Client Name: Ciba Specialty Chemicals Corp
Reported: 11/01/06 at 08:46 PM

Group Number: 1010698

Laboratory Compliance Quality Control

Analysis Name	Blank Result	Blank MDL	Report Units	LCS %REC	LCSD %REC	LCS/LCSD Limits	RPD	RPD Max
bis(2-Ethylhexyl)phthalate	N.D.	2.	ug/l	82	85	62-126	4	30
Di-n-octylphthalate	N.D.	2.	ug/l	78	79	58-118	1	30
Benzo(b)fluoranthene	N.D.	1.	ug/l	90	81	65-122	10	30
Benzo(k)fluoranthene	N.D.	1.	ug/l	78	89	67-120	13	30
Benzo(a)pyrene	N.D.	1.	ug/l	84	84	68-121	0	30
Indeno(1,2,3-cd)pyrene	N.D.	1.	ug/l	87	88	64-125	2	30
Dibenz(a,h)anthracene	N.D.	1.	ug/l	92	90	70-131	2	30
Benzo(g,h,i)perylene	N.D.	1.	ug/l	87	87	67-126	0	30
2-Methylphenol	N.D.	1.	ug/l	73	75	56-105	3	30
4-Methylphenol	N.D.	2.	ug/l	76	76	51-98	1	30
Batch number: 062975705007	Sample number(s): 4894692							
Iron	N.D.	0.0522	mg/l	98		90-112		
Arsenic	N.D.	0.010	mg/l	107		80-120		
Selenium	N.D.	0.0094	mg/l	104		80-120		
Antimony	N.D.	0.0097	mg/l	98		80-120		
Cadmium	N.D.	0.00091	mg/l	102		90-112		
Chromium	N.D.	0.0023	mg/l	98		90-110		
Copper	N.D.	0.0022	mg/l	105		90-112		
Lead	N.D.	0.0069	mg/l	104		90-113		
Nickel	N.D.	0.0056	mg/l	101		90-111		
Silver	N.D.	0.0016	mg/l	101		90-118		
Zinc	N.D.	0.0081	mg/l	102		90-111		
Batch number: 06298807901A	Sample number(s): 4894692							
SGT-HEM (TPH)	2.7	1.5	mg/l	68		64-114		
HEM (oil & grease)	4.3	1.4	mg/l	93		78-114		
Batch number: 06300102101A	Sample number(s): 4894692							
Total Cyanide (water)	N.D.	0.0050	mg/l	100		90-110		
Batch number: 063005713002	Sample number(s): 4894692							
Mercury	N.D.	0.00005 6	mg/l	105		80-120		
Batch number: W062972AB	Sample number(s): 4894692							
Methyl Tertiary Butyl Ether	N.D.	0.5	ug/l	109		73-119		
t-Amyl methyl ether	N.D.	0.8	ug/l	102		79-113		
t-Butyl alcohol	N.D.	10.	ug/l	108		69-127		
Vinyl Chloride	N.D.	1.	ug/l	69		62-123		
1,1-Dichloroethene	N.D.	0.8	ug/l	102		79-130		
Methylene Chloride	N.D.	2.	ug/l	102		85-120		
1,1-Dichloroethane	N.D.	1.	ug/l	102		83-127		
cis-1,2-Dichloroethene	N.D.	0.8	ug/l	100		84-117		
1,1,1-Trichloroethane	N.D.	0.8	ug/l	112		83-127		
Carbon Tetrachloride	N.D.	1.	ug/l	111		77-130		
Benzene	N.D.	0.5	ug/l	100		85-117		
1,2-Dichloroethane	N.D.	1.	ug/l	114		77-132		
Trichloroethene	N.D.	1.	ug/l	103		87-117		
Toluene	N.D.	0.7	ug/l	94		85-115		
1,1,2-Trichloroethane	N.D.	0.8	ug/l	98		86-113		
Tetrachloroethene	N.D.	0.8	ug/l	98		74-125		
Ethylbenzene	N.D.	0.8	ug/l	98		82-119		
1,2-Dibromoethane	N.D.	1.	ug/l	99		81-114		

*- Outside of specification
(1) The result for one or both determinations was less than five times the LOQ.
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Lancaster Laboratories

Quality Control Summary

Client Name: Ciba Specialty Chemicals Corp
Reported: 11/01/06 at 08:46 PM

Group Number: 1010698

Laboratory Compliance Quality Control

Analysis Name	Blank Result	Blank MDL	Report Units	LCS %REC	LCSD %REC	LCS/LCSD Limits	RPD	RPD Max
Acetone	N.D.	6.	ug/l	108		27-217		
Xylene (Total)	N.D.	0.8	ug/l	96		83-113		
1,3-Dichlorobenzene	N.D.	1.	ug/l	96		81-114		
1,4-Dichlorobenzene	N.D.	1.	ug/l	97		84-116		
1,2-Dichlorobenzene	N.D.	1.	ug/l	96		81-112		

Sample Matrix Quality Control

Unspiked (UNSPK) = the sample used in conjunction with the matrix spike
Background (BKG) = the sample used in conjunction with the duplicate

Analysis Name	MS %REC	MSD %REC	MS/MSD Limits	RPD	RPD MAX	BKG Conc	DUP Conc	DUP RPD	Dup RPD Max
Batch number: 06293027601A	Sample number(s): 4894692 UNSPK: P894570 BKG: P894570								
Hexavalent Chromium	103	100	85-115	2	5	N.D.	N.D.	200* (1)	5
Batch number: 06294024001A	Sample number(s): 4894692 BKG: 4894692								
Chlorine Residual (DPD)						0.040	0.040	0 (1)	4
Batch number: 06296020602A	Sample number(s): 4894692 BKG: P894477								
Total Suspended Solids						N.D.	N.D.	0 (1)	20
Batch number: 062975705007	Sample number(s): 4894692 UNSPK: P894745 BKG: P894745								
Iron	98	99	75-125	1	20	N.D.	N.D.	0 (1)	20
Arsenic	110	108	75-125	2	20	N.D.	N.D.	76* (1)	20
Selenium	107	108	75-125	1	20	N.D.	N.D.	-56 (1)	20
Antimony	102	102	75-125	0	20	N.D.	N.D.	98* (1)	20
Cadmium	102	102	83-116	0	20	0.00093	0.0012	22* (1)	20
Chromium	97	97	81-120	0	20	N.D.	N.D.	-12 (1)	20
Copper	108	108	86-122	0	20	0.0060	0.0058	3 (1)	20
Lead	104	106	75-125	2	20	N.D.	N.D.	-42 (1)	20
Nickel	100	101	86-115	1	20	0.0124	0.0139	11 (1)	20
Silver	106	106	75-125	0	20	0.0026	0.0026	0 (1)	20
Zinc	105	105	75-125	0	20	0.0872	0.0868	0 (1)	20
Batch number: 06298807901A	Sample number(s): 4894692 UNSPK: P894869 BKG: P894869								
SGT-HEM (TPH)	61*	46*	64-132	17	39	3.4	2.6	27* (1)	24
HEM (oil & grease)	75*	69*	79-114	2	17	2.8	3.3	15 (1)	18
Batch number: 06300102101A	Sample number(s): 4894692 UNSPK: P893237 BKG: P893237								
Total Cyanide (water)	100		90-110			N.D.	N.D.	120* (1)	20
Batch number: 063005713002	Sample number(s): 4894692 UNSPK: P893109 BKG: P893109								
Mercury	108	105	80-120	3	20	N.D.	N.D.	-26 (1)	20
Batch number: W062972AB	Sample number(s): 4894692 UNSPK: P894099								
Methyl Tertiary Butyl Ether	111	112	69-127	1	30				
t-Amyl methyl ether	99	101	72-125	2	30				
t-Butyl alcohol	104	103	64-130	1	30				
Vinyl Chloride	68	69	67-142	1	30				
1,1-Dichloroethene	(2)	(2)	87-145	2	30				
Methylene Chloride	100	98	79-133	2	30				

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Lancaster Laboratories

Quality Control Summary

Client Name: Ciba Specialty Chemicals Corp
Reported: 11/01/06 at 08:46 PM

Group Number: 1010698

Sample Matrix Quality Control

Unspiked (UNSPK) = the sample used in conjunction with the matrix spike
Background (BKG) = the sample used in conjunction with the duplicate

Analysis Name	MS %REC	MSD %REC	MS/MSD Limits	RPD	RPD MAX	BKG Conc	DUP Conc	DUP RPD	Dup RPD Max
1,1-Dichloroethane	103	105	85-135	2	30				
cis-1,2-Dichloroethene	97	100	83-126	1	30				
1,1,1-Trichloroethane	(2)	(2)	81-142	2	30				
Carbon Tetrachloride	120	119	82-149	1	30				
Benzene	99	99	83-128	0	30				
1,2-Dichloroethane	122	120	70-143	2	30				
Trichloroethene	(2)	(2)	83-136	1	30				
Toluene	94	93	83-127	1	30				
1,1,2-Trichloroethane	99	96	77-125	3	30				
Tetrachloroethene	102	97	78-133	5	30				
Ethylbenzene	97	96	82-129	1	30				
1,2-Dibromoethane	100	96	78-120	4	30				
Acetone	80	81	48-143	1	30				
Xylene (Total)	97	95	82-130	2	30				
1,3-Dichlorobenzene	94	95	79-123	2	30				
1,4-Dichlorobenzene	95	95	81-122	1	30				
1,2-Dichlorobenzene	94	96	82-117	2	30				

Surrogate Quality Control

Surrogate recoveries which are outside of the QC window are confirmed unless attributed to dilution or otherwise noted on the Analysis Report.

Analysis Name: PCBs in Water
Batch number: 062940010A

	Tetrachloro-m-xylene	Decachlorobiphenyl
4894692	84	112
Blank	83	114
LCS	84	104
LCSD	83	108
Limits:	43-122	28-135

Analysis Name: TCL SW846 Semivolatiles/Waters
Batch number: 06296WAD026

	2-Fluorophenol	Phenol-d6	2,4,6-Tribromophenol	Nitrobenzene-d5
4894692	47	32	98	80
Blank	52	36	101	84
LCS	56	38	103	87
LCSD	54	39	103	86
Limits:	10-101	10-82	31-148	51-123

	2-Fluorobiphenyl	Terphenyl-d14
4894692	84	80
Blank	85	92
LCS	88	98

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(1) The result for one or both determinations was less than five times the LOQ.
(2) The background result was more than four times the spike added.

Lancaster Laboratories, Inc.
2425 New Holland Pike
PO Box 12425
Lancaster, PA 17605-2425
717-656-2300 Fax: 717-656-2681

Lancaster Laboratories

Quality Control Summary

Client Name: Ciba Specialty Chemicals Corp
Group Number: 1010698
Reported: 11/01/06 at 08:46 PM

Surrogate Quality Control

LCSD	87	99		
Limits:	64-112	52-151		

Analysis Name: TCL by 8260 (water)
Batch number: W062972AB

	Dibromofluoromethane	1,2-Dichloroethane-d4	Toluene-d8	4-Bromofluorobenzene
4894692	105	93	84	82
Blank	97	90	88	86
LCS	96	91	89	90
MS	95	91	88	90
MSD	98	91	88	89
Limits:	80-116	77-113	80-113	78-113

*- Outside of specification
(1) The result for one or both determinations was less than five times the LOQ.
(2) The background result was more than four times the spike added.

Lancaster Laboratories, Inc.
2425 New Holland Pike
PO Box 12425
Lancaster, PA 17605-2425
717-656-2300 Fax: 717-656-2681

Analysis Request/ Environmental Services Chain of Custody

Lancaster Laboratories

For Lancaster Laboratories use only
Acct. # 4285 Group# 1010698 Sample # 4894692

COC # 0129582

Please print. Instructions on reverse side correspond with circled numbers.

(1)
Client: CIBA Acct. #:
Project Name/#: Univar PWSID #:
Project Manager: Tom Smith P.O.#:
Sampler: Mike Larimore (EA) Quote #:
~~Name of state where samples were collected:~~ Massachusetts

For Lab Use Only
FSC:
SCR#: 34732

Preservation Codes
H=HCl T=Thiosulfate
N=HNO_3 B=NaOH
S=H_2SO_4 O=Other

(5) Preservation Codes

(2) Sample Identification	Date	Time	(3)			(4)		PCBs	SVOC SW846 8270	VOC 8260	total cyanide	HEM (0/6)	total metals *	Chlorine Residual	Hex Chrome/TSS	Remarks (6)
Preservation								S	S	H	B/O	H				
SW-CB-1	10/19/06	445 pm	X			X	11	X	X	X	X	X	X	X	X	total metals = As, Cd, Cr, Cu, Fe Pb, Mercury, Nickel Selenium, Silver, Antimony. No preservation for total metals in jar!

Added Zn per ___ 10/23/06

(7) **Turnaround Time Requested** (TAT) (please circle): Normal Rush
(Rush TAT is subject to Lancaster Laboratories approval and surcharge.)
Date results are needed:
Rush results requested by (please circle): Phone Fax E-mail
Phone #: Fax #:
E-mail address:

(8) **Data Package Options** (please circle if required)
Type I (validation/NJ Reg) TX TRRP-13
Type II (Tier II) MA MCP CT RCP
Type III (Reduced NJ)
Type IV (CLP SOW)
Type VI (Raw Data Only)

SDG Complete? Yes No

Site-specific QC (MS/MSD/Dup)? Yes No
(If yes, indicate QC sample and submit triplicate volume.)
Internal COC Required? Yes / No

Relinquished by:	Date	Time	Received by:	Date	Time (9)
[signature]	10-18-06	1430	[signature]		
[signature]	10/19/06	550			
			[signature]	10/20/06	0915

Lancaster Laboratories, Inc., 2425 New Holland Pike, Lancaster, PA 17601 (717) 656-2300 Fax: (717) 656-6766
Copies: White and yellow should accompany samples to Lancaster Laboratories. The pink copy should be retained by the client.

2102.03

WATERWAYS PERMIT

401 WATER QUALITY CERTIFICATION

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

Ciba Specialty Chemicals, Inc.
C/o Vanasse Hangen Brustlin, Inc
101 Walnut Street
P.O. Box 9151
Watertown, MA 02471-9151
attn: Daniel Padien

FEB 1 2006

Re: Waterways Application No. W04-1080D/ Permit No. 10972
Mill Pond, Salem, Essex County

Dear Mr. Padien:

The Department of Environmental Protection, has approved the enclosed referenced permit authorizing you to perform dredging pursuant to M.G.L. Chapter 91 and its regulations 310 CMR 9.00. Any subsequent project change not authorized by this permit shall render it void.

Pursuant to 310 CMR 9.17(1)(a) and 9.17(2), the Licensee may appeal this decision within twenty-one (21) days of the date of permit issuance, by submitting a written request, by certified mail, for an adjudicatory hearing. Any notice of claim for an adjudicatory hearing must include the following information: the DEP Waterways Application File Number; the complete name, address and telephone number of the party filing the request; if represented by counsel, the name, address and telephone number of the attorney; a clear statement that a formal adjudicatory hearing is being requested; and a clear and concise statement of the specific objections to the Department's license decision, and the relief sought through the adjudicatory hearing, including, specifically, the changes desired in the final Waterways Permit.

The hearing request, along with a valid check made payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100.00), must be mailed to:

Case Administrator
Department of Environmental Protection
One Winter Street – 2nd floor
Boston, MA 02108

At the same time, a copy of this appeal must be sent to the DEP Waterways Regulation Program, the municipal official of the city or town where the project is located, and any other parties to this proceeding. In addition, this appeal must include a statement that the appropriate copies have been delivered as described herein.

The work authorized by this permit shall not commence if the Department receives a request for an adjudicatory hearing. You are also required to notify the Department in writing of the date the authorized work is completed.

Sincerely,

Ben Lynch
Program Chief
Waterways Regulation Program

cc: Salem, Conservation Commission w/enc.
ACOE
file

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

STEPHEN R. PRITCHARD
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

PERMIT NO. 10972

Name and Address of Permittee:
Ciba Specialty Chemicals, Inc.
P.O. Box 71 – Oakridge Parkway
Toms River, NJ 08754

ISSUED: February 1, 2006
EXPIRES: February 1, 2011

Permission is hereby given by the Department of Environmental Protection to perform dredging of approximately 3,500 cubic yards of contaminated sediment, in Mill Pond at One Colonial Road, in the City of Salem. The proposed dredging project is being performed as part of the Massachusetts Oil and Hazardous Materials Release Prevention and Response Action Chapter 21E, the Massachusetts Contingency Plan (MCP) and as such shall be under the direction of a Licensed Site Professional. ---------

All work authorized herein shall be in the location shown and to the dimensions indicated in the permit plans titled: "Application by: Ciba Specialty Chemicals Inc, at: Mill Pond; In: Salem, Essex County, Commonwealth of Massachusetts (Site Locus Map, Existing and Proposed Remediation); dated June 2004. Prepared by Vanasse Hangen Brustlin, Inc. (13 sheets).

STANDARD WATERWAYS PERMIT CONDITIONS

1. Acceptance of this Waterways Permit shall constitute an agreement by the permittee to conform to all terms and conditions stated herein.

2. This permit is issued upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the permittee prior to the commencement of any activity hereby authorized.

3. This permit shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This permit may be revoked after the Department has given written notice of the alleged noncompliance to the permittee, or his agent, and those persons who have filed a written request, with the Department, for such notice and have afforded the permittee a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this permit void.

4. This permit is issued subject to all applicable federal, state, county, and municipal laws, ordinances, by-laws, and regulations, including but not limited to, a valid Order of Conditions issued pursuant to the Wetlands Protection Act, M.G.L. Chapter 131, s.40. In particular, this issuance is subject to the provisions of Sections 52 to 56, inclusive of Chapter 91 of the General Law and its Regulations 310 CMR 9.40(5), which provides, in part, that the transportation and dumping of the dredge material shall be done under the supervision of the Department, and, when required, the permittee shall provide at his/her expense a dredge inspector approved by the Department. When said inspector is required, a report certified by the dredge inspector shall be submitted to the Department within 30 days after the completion of the dredging. The report shall include daily logs of the dredging operation indicating volume of dredge material, point of origin, point of destination and other appropriate information.

5. This Waterways Permit is issued upon the express condition that dredging and transportation and disposal of dredge material shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Wetlands and Waterways.

6. All subsequent maintenance dredging and transportation and disposal of this dredge material, during the term of this permit, shall conform to all standards and conditions applied to the original dredging operation performed under this permit.

7. After completion of the work authorized, the permittee shall furnish, to the Department a suitable plan showing the depths at mean low water over the area dredged. The dredging under this permit shall be conducted as to cause no unnecessary obstruction of the free passage of vessels. In doing the dredging authorized, care shall be taken to cause no shoaling. If, however, any shoaling is caused, the permittee shall, at his expense remove the shoal areas. The permittee shall pay all costs of supervision, and if at any time the Department deems necessary a survey or surveys of the area dredged, the permittee shall pay all costs associated with such work. Nothing in this permit shall be construed as to impair the legal rights of any persons, or authorize dredging on land not owned by the permittee without consent of the owner(s) of such property.

8. The permittee shall assume and pay all claims and demands arising in any manner from the work authorized herein, and shall save harmless and indemnify the audits, damages, costs and expenses incurred by reason thereof.

9. The permittee shall, at least three days before commencing any dredging in the tide water, give written notice to the Department of the time, location and amount of the proposed work.

10. Whosoever violates any provisions of this permit shall be subject to a fine of $25,000 per day for each day such violation occurs or continues, or by imprisonment for not more than one year, or both such fine and imprisonment; or shall be subject to civil penalty not to exceed $25,000 per day for each day such violation occurs or continues.

SPECIAL WATERWAYS PERMIT CONDITIONS

1. Dredging shall be performed by mechanical means.

2. Dredge spoils shall be disposed at a regulated facility for disposal.

3. Maintenance dredging may be performed for a period of five (5) years subsequent to the date of issuance of this permit.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Ben Lynch
Program Chief, Waterways Regulation Program

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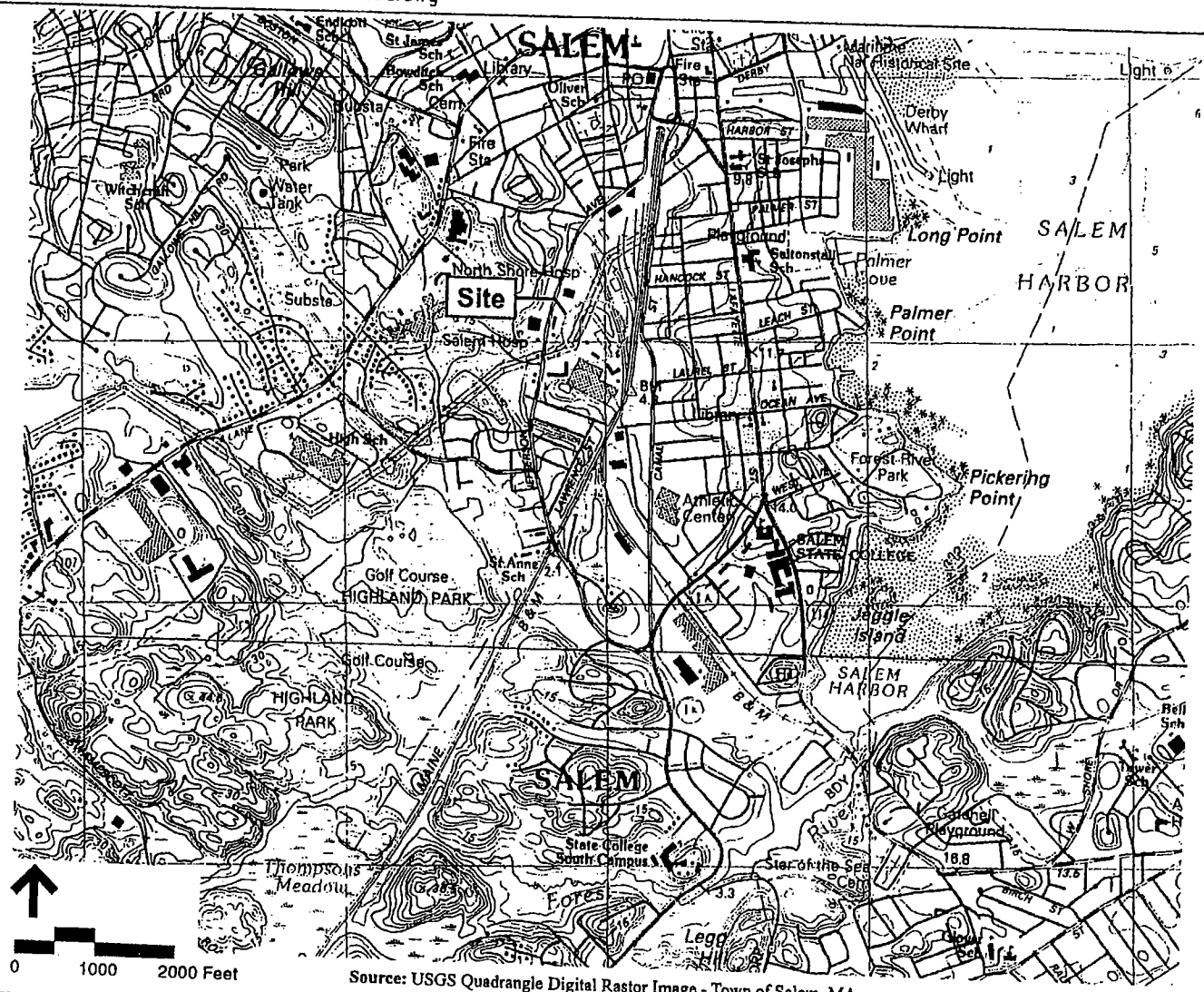
PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

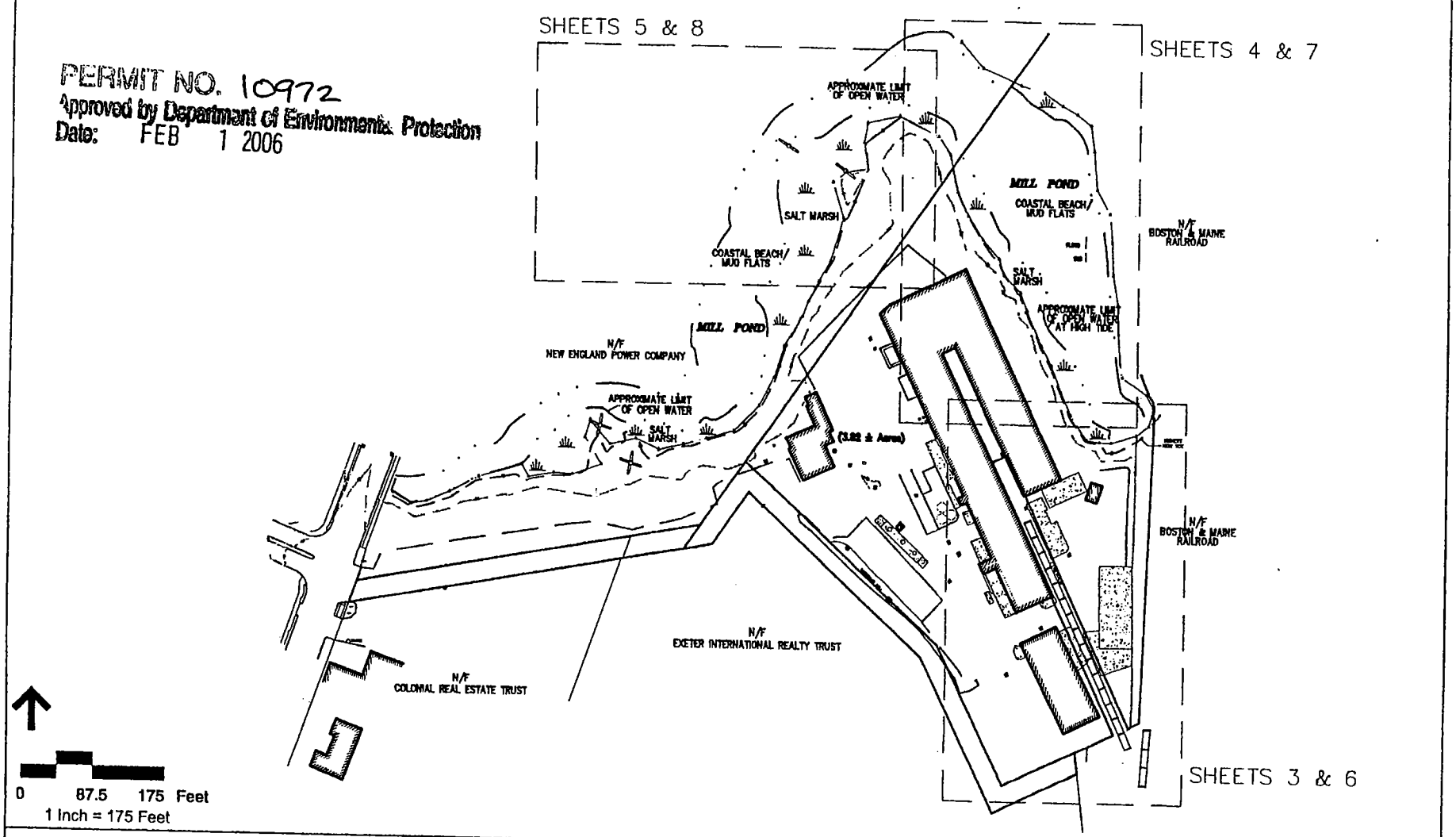


Source: USGS Quadrangle Digital Rastor Image - Town of Salem, MA

VHB Vanasse Hangen Brustlin, Inc. Transportation Land Development Environmental Services 101 Walnut Street, P.O. Box 9151 Watertown, MA 02471 617 924-1770 - FAX 617 924-2286	SITE LOCUS MAP		DATE June, 2004
	AT: Mill Pond IN: Salem Essex County Commonwealth of Massachusetts	APPLICATION BY: Ciba Specality Chemicals Inc.	SHEET 1 OF 13

M: \06820\cad\ev\planset\ACOE\06820-ACOE-PLOT-50mod.dwg

PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006



VHB
Vanasse Hangen Brustlin, Inc.

Transportation
Land Development
Environmental Services

101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

KEY SHEET

DATE: June, 2004

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

SHEET 2 OF 13

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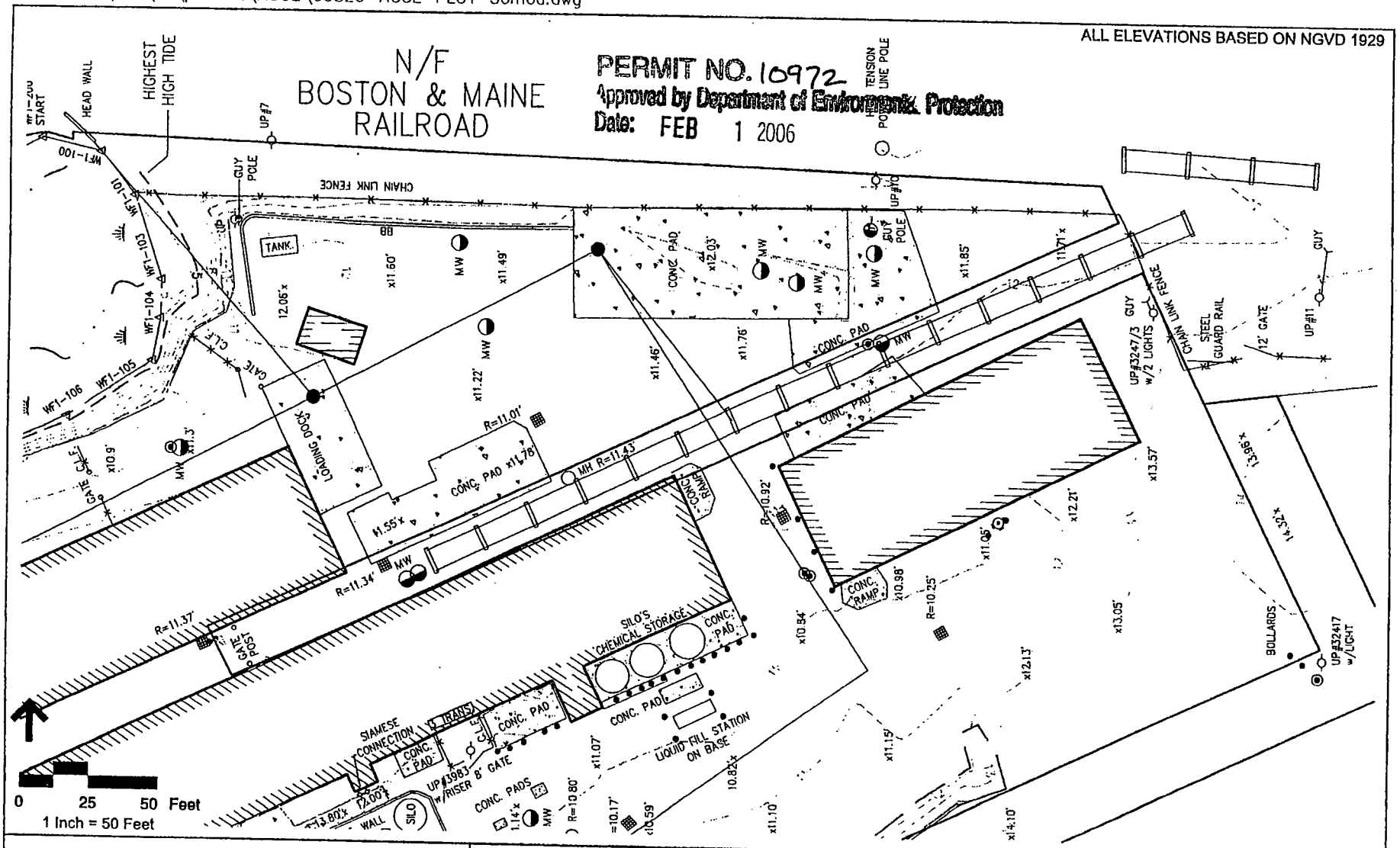

VHB
Vanasse Hangen Brustlin, Inc.

Transportation
Land Development
Environmental Services

101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

EXISTING CONDITIONS - 1

DATE: June, 2004

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

SHEET 3 OF 13

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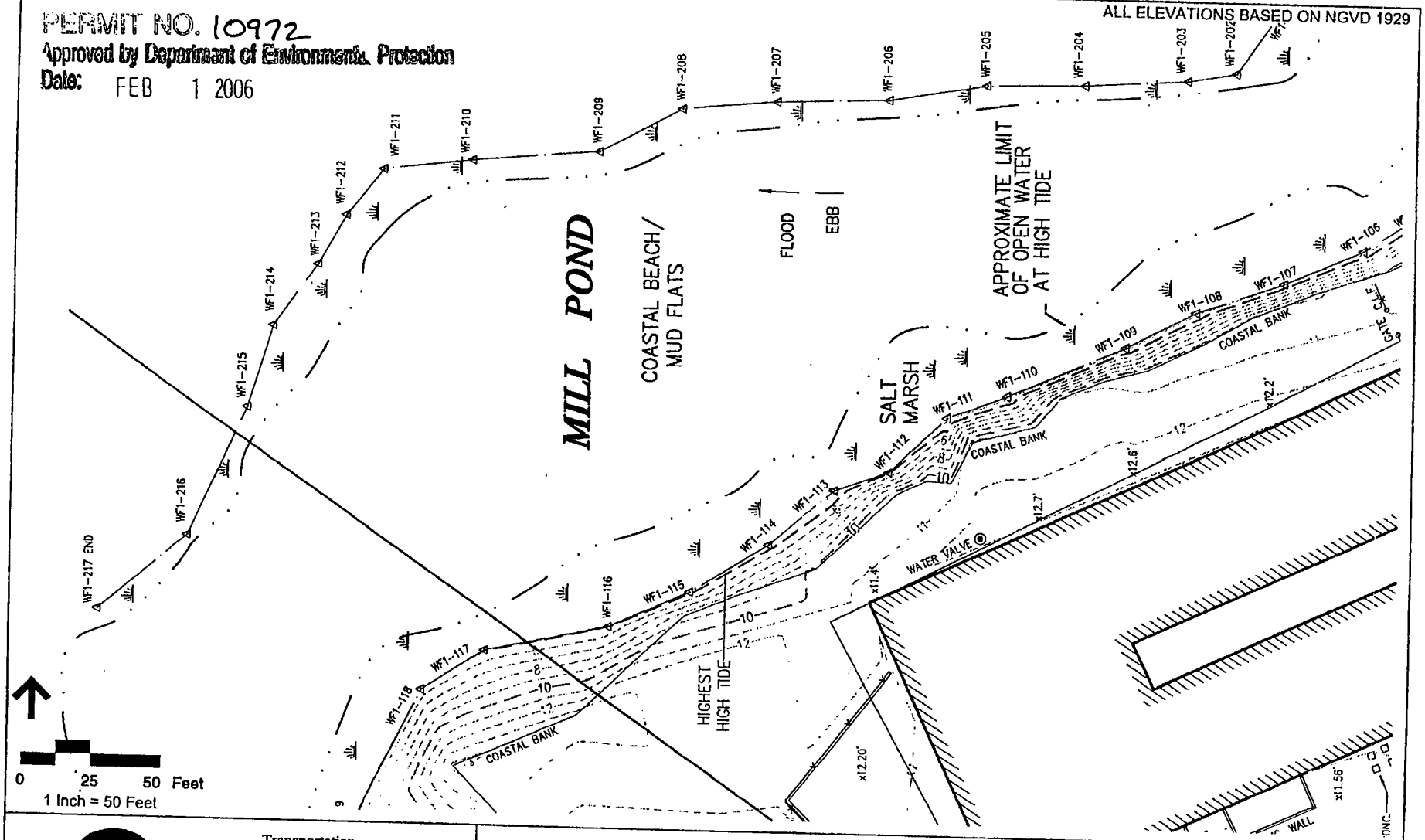
PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

ALL ELEVATIONS BASED ON NGVD 1929



VHB Vanasse Hangen Brustlin, Inc. Transportation Land Development Environmental Services 101 Walnut Street, P.O. Box 9151 Watertown, MA 02471 617 924-1770 - FAX 617 924-2286	EXISTING CONDITIONS - 2		DATE June, 2004
	AT: Mill Pond IN: Salem Essex County Commonwealth of Massachusetts	APPLICATION BY: Ciba Speciality Chemicals Inc.	SHEET 4 OF 13

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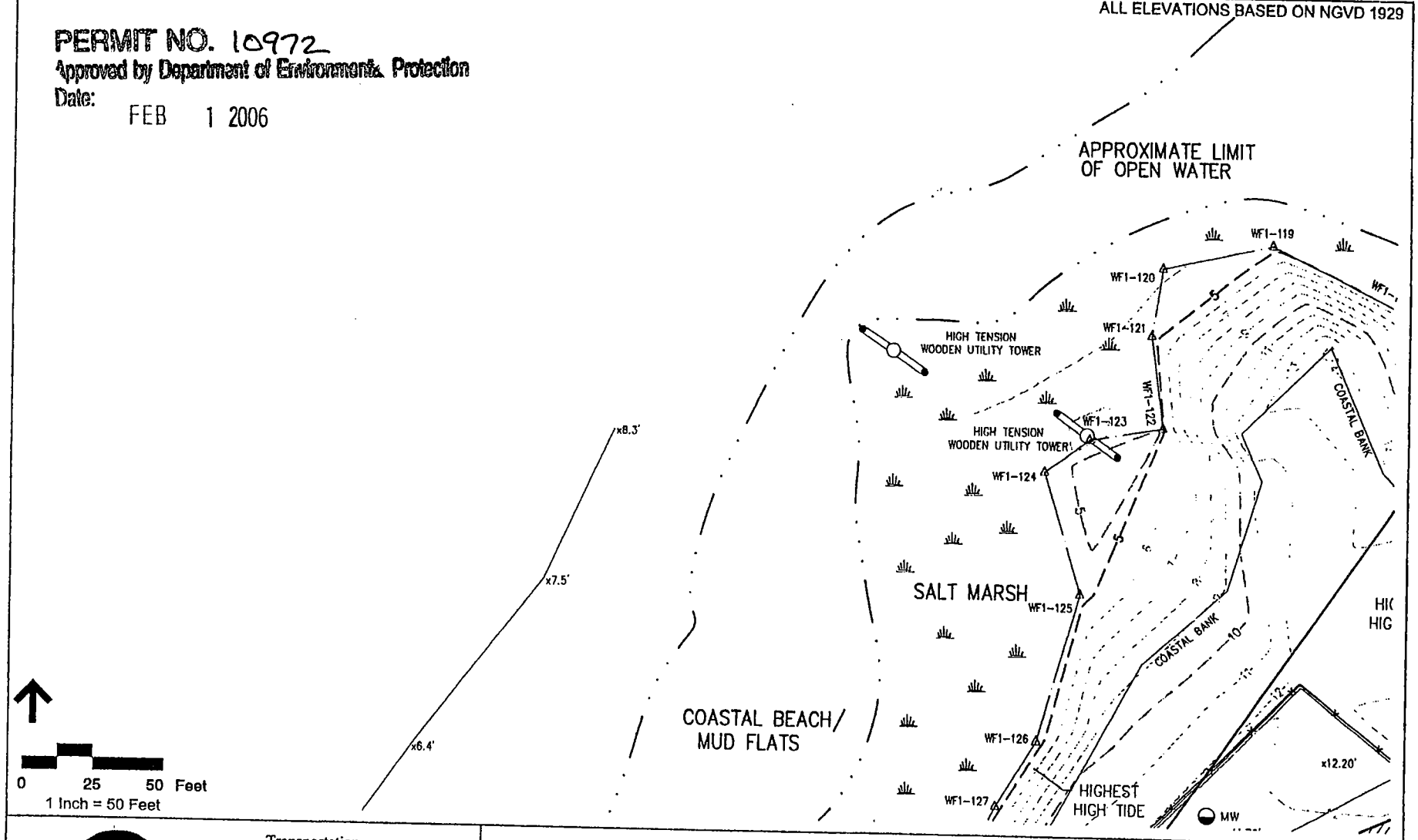
PERMIT NO. 10972
Approved by Department of Environmental Protection
Date:
FEB 1 2006

ALL ELEVATIONS BASED ON NGVD 1929



VHB
Vanasse Hangen Brustlin, Inc.
Transportation
Land Development
Environmental Services
101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

EXISTING CONDITIONS - 3

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
June, 2004

SHEET 5 OF 13

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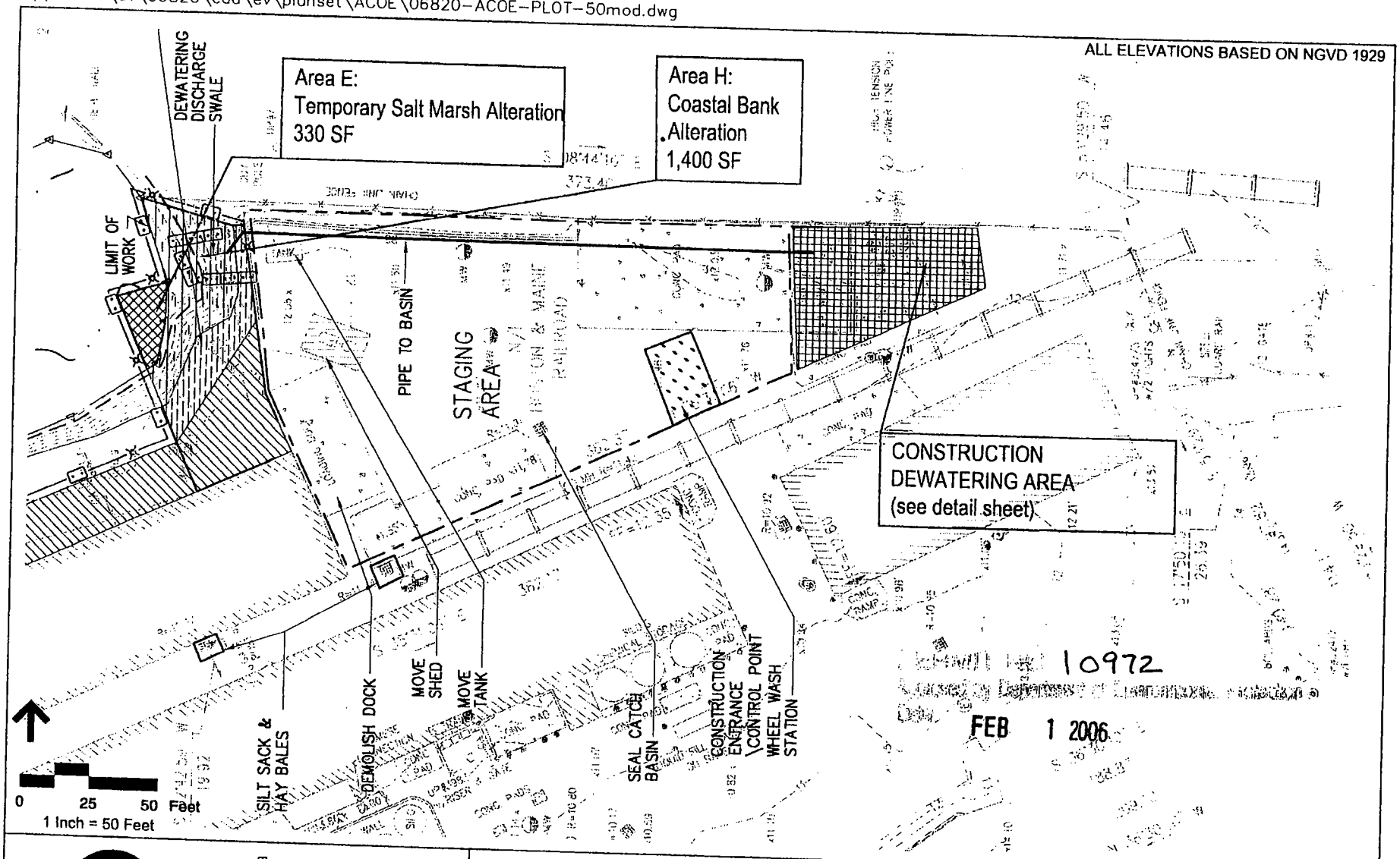

VHB
Vanasse Hangen Brustlin, Inc.
Transportation
Land Development
Environmental Services
101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

PROPOSED REMEDIATION - 1

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
July, 2005

SHEET 6 OF 13

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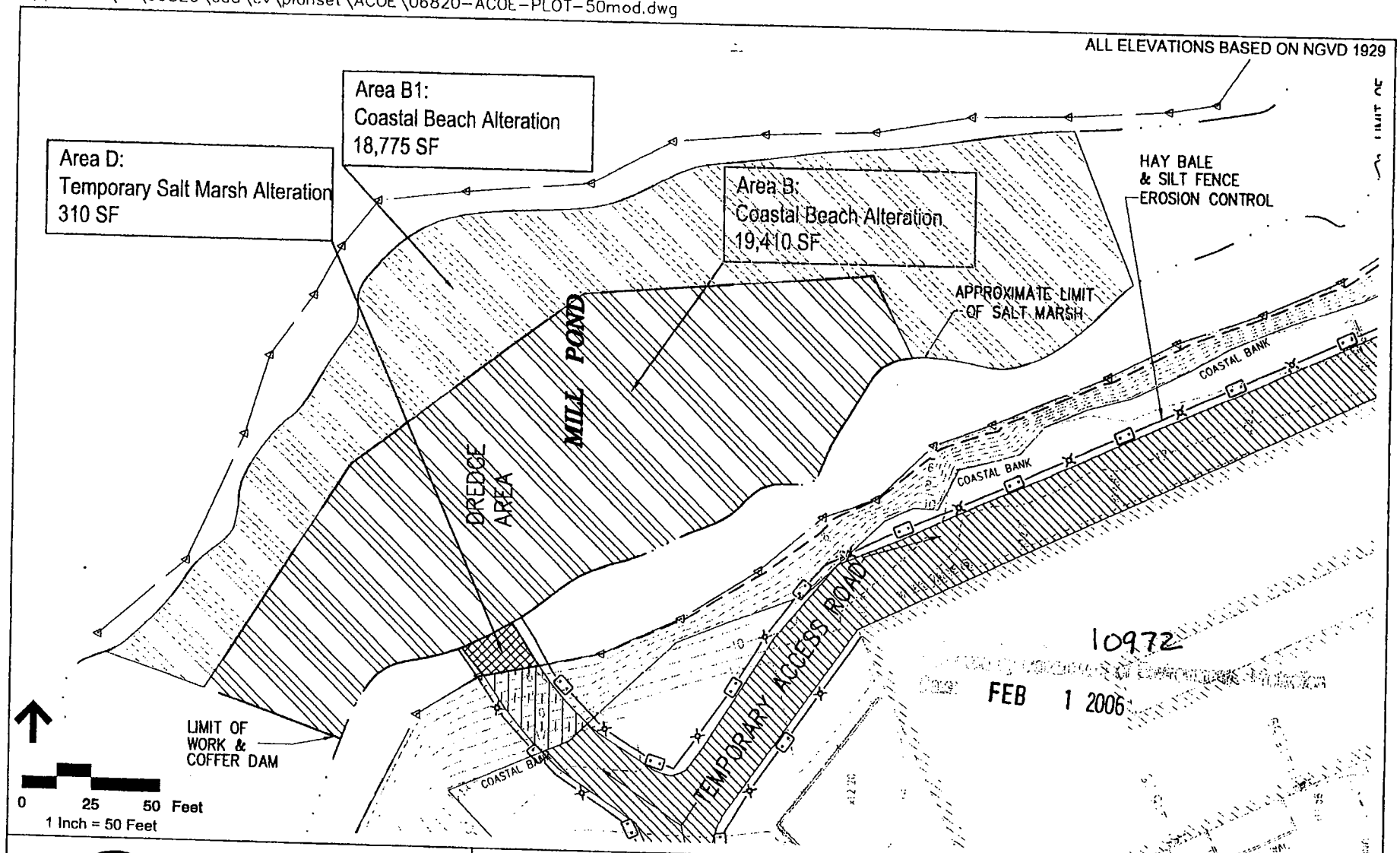

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101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

PROPOSED REMEDIATION - 2

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
July, 2005

SHEET 7 OF 13

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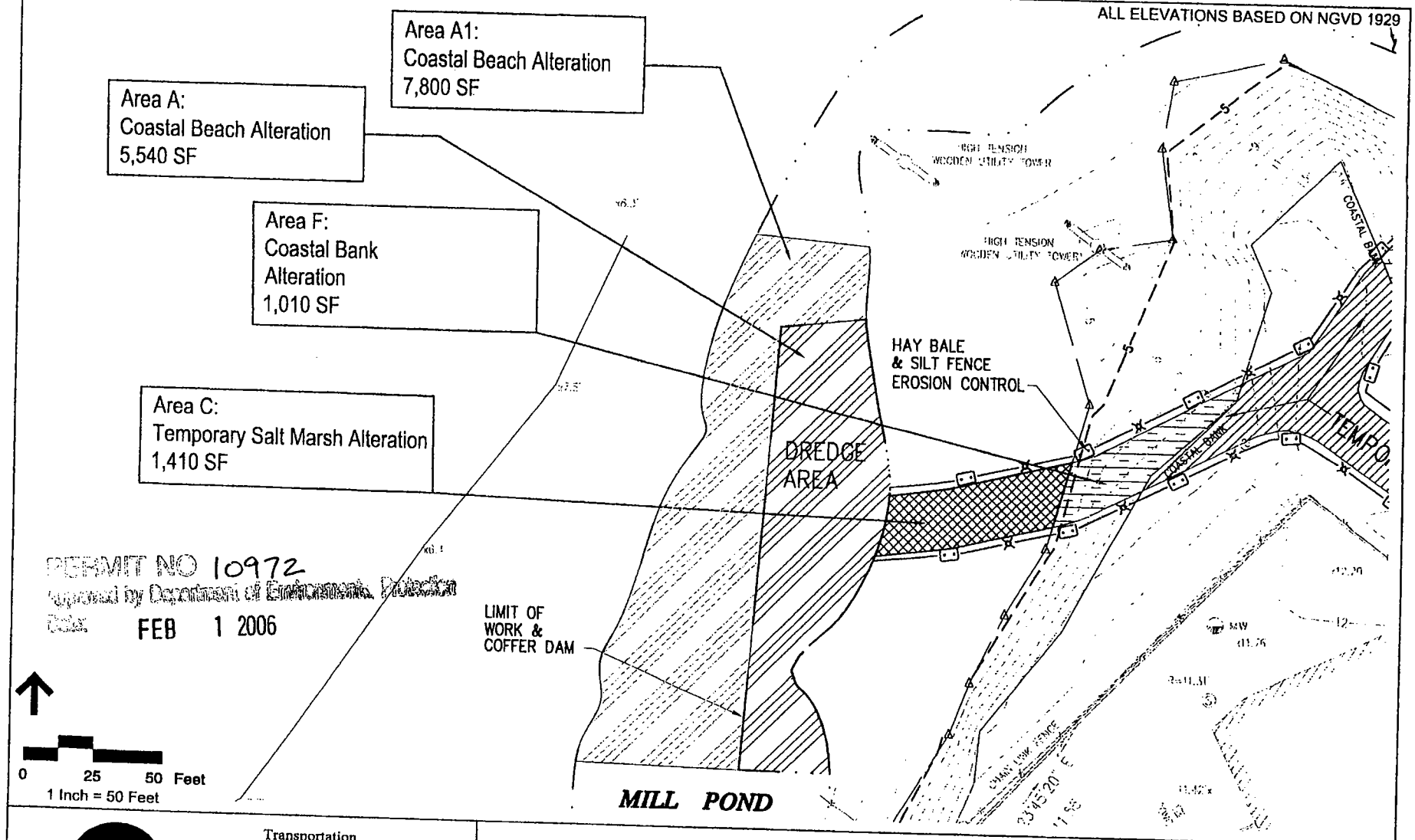

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Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

PROPOSED REMEDIATION - 3

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
July, 2005

SHEET 8 OF 13

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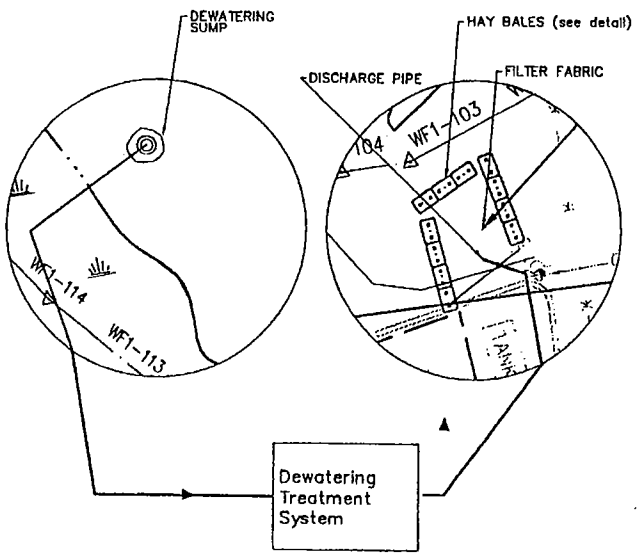
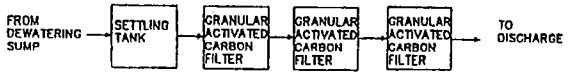
ALL ELEVATIONS BASED ON NGVD 1929

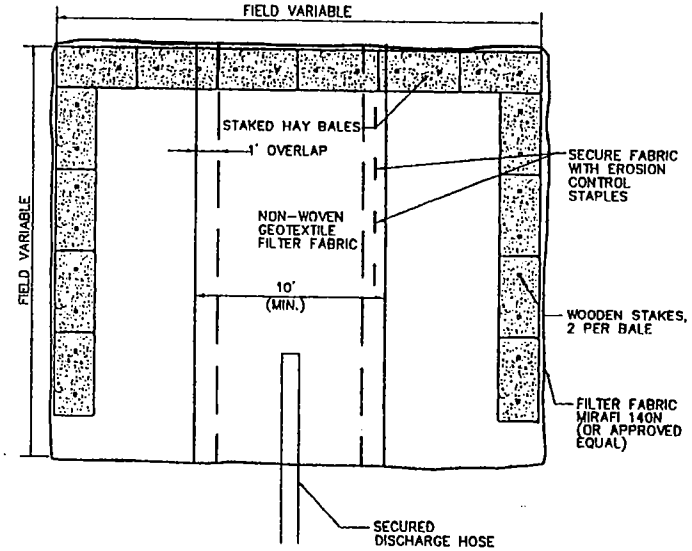




Dewatering Treatment Schematic

Dewatering System

N.T.S. Source: VHB 5/03 REVEV-dewater1



Plan View

PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

Notes:

1. NUMBER OF BALES MAY VARY DEPENDING ON SITE CONDITIONS.

Dewatering Discharge Swale

N.T.S. Source: VHB 6/03 EV_6908

VHB
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101 Walnut Street, P.O. Box 9151
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REMEDIATION DETAILS

DATE: June, 2004

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

SHEET 9 OF 13

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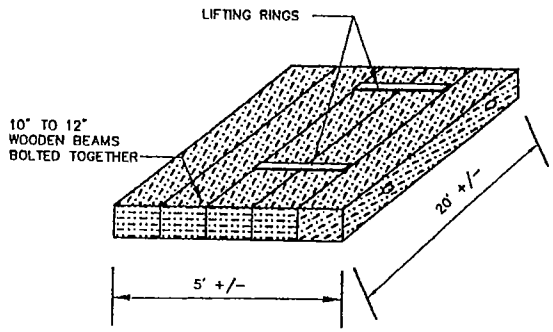
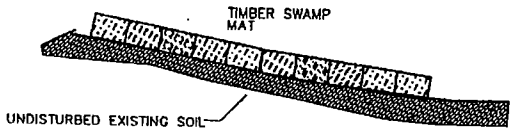
ALL ELEVATIONS BASED ON NGVD 1929



Mat Construction Detail

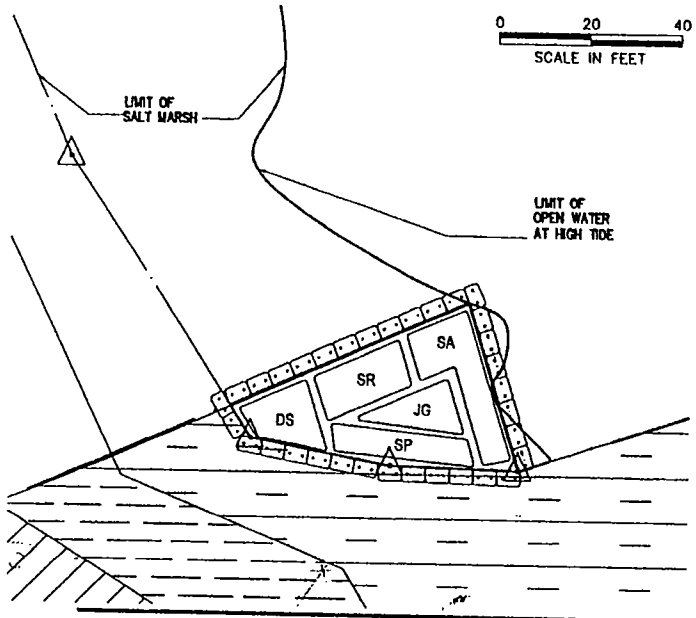


Typical Mat Installation

PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

Construction Access (Swamp Mat Detail)

N.T.S. Source: VHB REV 6/03 EV_swamp



Notes:

1. FOLLOWING EXCAVATION FOR REMEDIATION, PRE-EXISTING GRADES ARE TO BE REESTABLISHED.
2. BACK FILLING MAY BE ACCOMPLISHED BY USE OF LOCALLY OBTAINED DREDGE MATERIAL SIMILAR IN GRAIN SIZE AND ORGANIC CONTENT.
3. IF LOCALLY AVAILABLE DREDGE MATERIAL IS NOT AVAILABLE, SUITABLE REPLACEMENT SOILS MAY BE MANUFACTURED BY MIXING 50 PERCENT SCREENED LOAM AND 50 PERCENT CLEAN ORGANIC MULCH.
4. SALT MARSH RESTORATION AREA IS TO BE PLANTED IN ACCORDANCE WITH ACCOMPANYING TABLE. PLANT SUBSTITUTIONS REQUIRE APPROVAL OF ENVIRONMENTAL MONITOR.

Salt Marsh Restoration Detail

Source: VHB 8/03

VHB
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Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

REMEDIATION DETAILS

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
June, 2004

SHEET 10 OF 13

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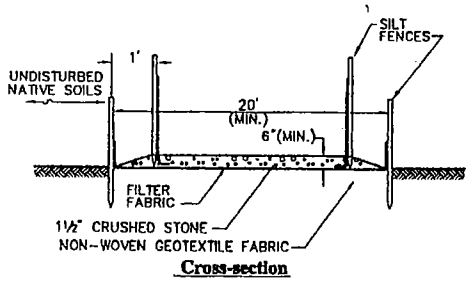
ALL ELEVATIONS BASED ON NGVD 1929

PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006



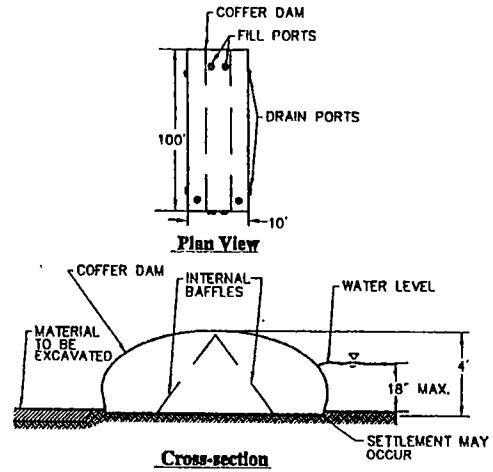
Cross-section

Notes:

1. GEOTEXTILE FABRIC SHALL BE PLACED WITHOUT DISTURBING NATIVE SOILS.
2. A SILT FENCE SHALL BE MAINTAINED ON EITHER SIDE OF THE ROADWAY TO PREVENT ACCESS TO UNDISTURBED NATIVE SOILS.
3. AFTER COMPLETION OF CONSTRUCTION ACTIVITIES, THE GRAVEL SHALL BE REMOVED FIRST, THEN GEOTEXTILE FABRIC REMOVED WITHOUT DISTURBING NATIVE SOILS.

Construction Access Road Bed

N.T.S. Source: VHB 5/03 EV-roadbed



Plan View

Cross-section

Notes:

1. THE DAM WILL CONSIST OF A SELF CONTAINED SINGLE TUBE DEVICE WITH AN INTERNAL RESTRAINT BAFFLE.
2. THE SELF-CONTAINED WATER INFLATED DAM SHALL HAVE THREADED FILL PORTS AND DRAIN PORTS FOR RAPID INFLATION AND DRAINING. THE DAM WILL BE EQUIPPED WITH END LIFTING LOOPS USED TO CONTROL THE DAM WITH EQUIPMENT DURING THE INSTALLATION AND REMOVAL PROCESS.
3. METHOD FOR CONNECTING THE INDIVIDUAL UNITS TOGETHER WILL CONSIST OF OVERLAPPING THE END OF THE UNITS A SPECIFIED LENGTH WHICH WILL CREATE A WATERTIGHT CONNECTION. NO OTHER DEVICES OR METHODS FOR CONNECTING THE BARRIERS ARE REQUIRED.

Coffer Dam

N.T.S. Source: VHB 5/03 EV_COFFER

VHB
Vanasse Hangen Brustlin, Inc.
Transportation
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101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

Remediation Details

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
June, 2004

SHEET 11 OF 13

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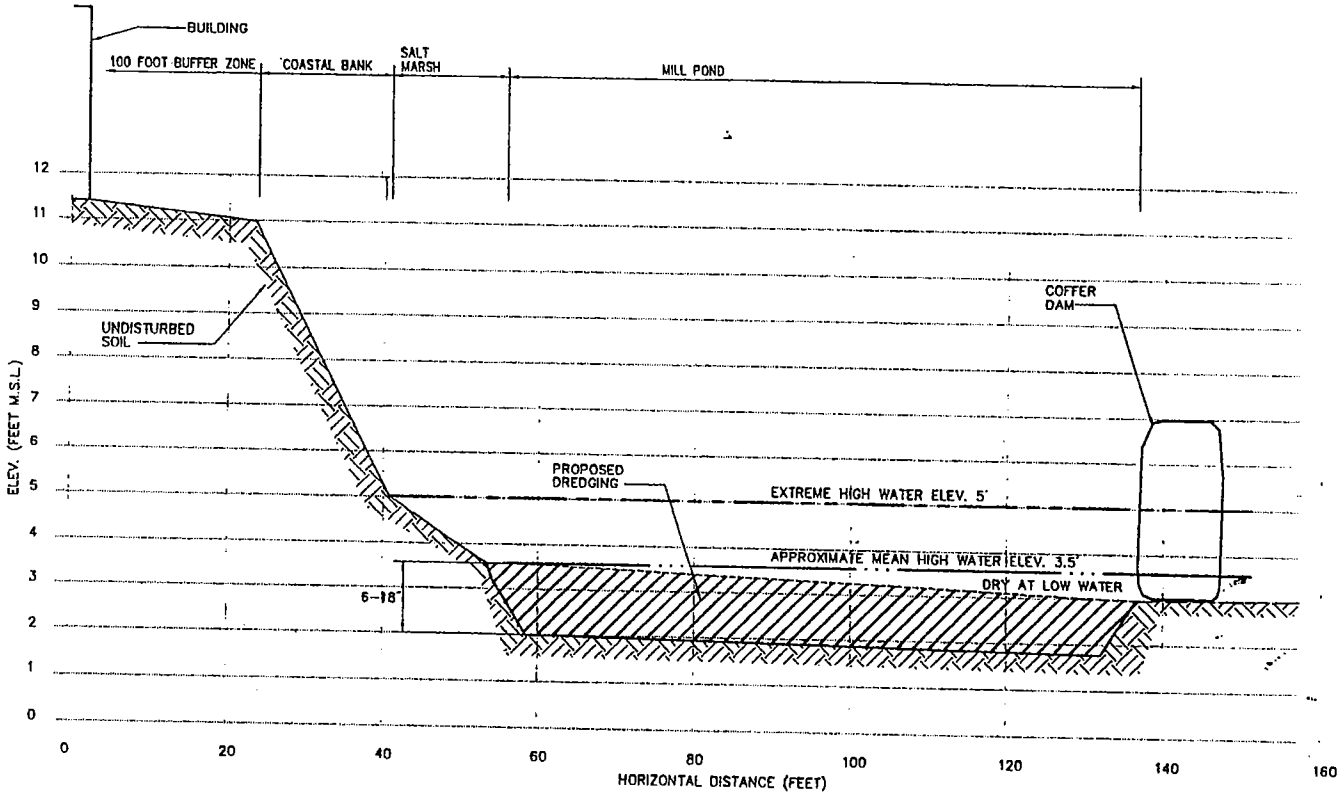
ALL ELEVATIONS BASED ON NGVD 1929



PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

Typical Cross Section of Proposed Dredging Area

N.T.S.

Source: VHB

6/03
EV_DREDGE

VHB
Vanasse Hangen Brustlin, Inc.

Transportation
Land Development
Environmental Services

101 Walnut Street, P.O. Box 9151
Watertown, MA 02471
617 924-1770 - FAX 617 924-2286

Remediation Details

AT: Mill Pond
IN: Salem
Essex County
Commonwealth of Massachusetts

APPLICATION BY:
Ciba Specality Chemicals Inc.

DATE
June, 2004

SHEET 12 OF 13

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ALL ELEVATIONS BASED ON NGVD 1929

PERMIT NO. 10972
Approved by Department of Environmental Protection
Date: FEB 1 2006

Symbol	Common Name	Latin Name	Size	Number of Plants	Spacing
SA	smooth chordgrass	*Spartina alterniflora*	2 inch peat pots	50	1 ft. on center
JG	saltmeadow rush	*Juncus gerardii*	2 inch peat pots	30	1 ft. on center
SR	saltmeadow bullrush	*Scirpus robustus*	2 inch peat pots	50	1 ft. on center
SP	saltmeadow chordgrass	*Spartina patens*	2 inch peat pot or bare root plug	40 (80 bare root plug)	1 ft. on center (bare root: 6 in. on center)
DS	spike grass	*Distichlics spicata*	2 inch peat pots	45	1 ft. on center
Total				**215 (255 if bare root plugs used)**	

Salt Marsh Restoration Plant Materials 8/03

Source: VHB

VHB
Vanasse Hangen Brustlin, Inc.
Transportation
Land Development
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DATE: June, 2004

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APPLICATION BY:
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SHEET 13 OF 13

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

STEPHEN R. PRITCHARD
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

October 25, 2005

Mr. Tom Smith
Ciba Specialty Chemicals, Inc.
P.O. Box 71
Toms River, NJ 08754

Re: **401 WATER QUALITY CERTIFICATION**
BRP WW 08 - Minor project dredging

At: One Colonial Road, Former Hamblet & Hayes Facility, SALEM

Transmittal №: W050017
Wetlands File №: 64-354
ACoE Application №:NAE 2004-3870
RTN: 3-2565

Dear Mr. Smith:

The Department has reviewed your application for Water Quality Certification, as referenced above. In accordance with the provisions of Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 et seq.), MGL c.21, §§ 26-53, and 314 CMR 9.00, it has been determined there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law.

The waters of Mill Pond are designated in the Massachusetts Surface Water Quality Standards as Class SB Waters. Such waters are intended "as habitat for fish, other aquatic life and wildlife and for primary and secondary contact recreation." Anti-degradation provisions of these Standards require that "existing uses and the level of water quality necessary to protect the existing uses shall be maintained and protected."

Proposed project: It is understood that the site is being regulated under the Massachusetts Oil and Hazardous Materials Release Prevention and Response Action Chapter 21E, the Massachusetts Contingency Plan (MCP) at 310 CMR 40.0000, and that the proposed dredging and sediment management activities will be conducted under the direction of a Licensed Site Professional (LSP). The project entails dredging approximately 54,000 ft^2 of Mill Pond and adjacent areas to remove up to 3,500 cy^3 of contaminated sediment. The dredging will take place in-the-dry; temporary bladder dams will be used to isolate the areas to be dredged from tidal flow. After the dam is installed, and the work area dewatered, conventional construction

7. Dredging in accord with this Certification may begin following the 21-day appeal period and once all other permits have been received.

8. Within 30 days of the completion of the initial dredging, a bathymetric survey (as built) of the pond, depicting post-dredge conditions, shall be sent to the Department.

9. Disposal of any volume of dredged material at any location in tidal waters is subject to approval by this Department and the Massachusetts Coastal Zone Management office.

This decision is issued under the authorities of M.G.L. c.21 s.26-53, c. 21A s.14 and 314 CMR 9.00. This decision is limited to the on-site dredging and dewatering activities. This decision does not constitute an approval, nor shall it limit the Department's authorities, under c. 21E and 310 CMR 40.0000, the Massachusetts Contingency Plan for any remedial actions and activities being undertaken at the Site related to the placement, reuse and/or disposal of dredged material in upland areas.

This certification does not relieve the applicant of the obligation to comply with other applicable state or federal statutes or regulations. Any changes made to the project as described in the previously submitted Notice of Intent, 401 Water Quality Certification application, or supplemental documents will require further notification to the Department.

Certain persons shall have a right to request an adjudicatory hearing concerning certifications by the Department when an application is required:

a. the applicant or property owner;
b. any person aggrieved by the decision who has submitted written comments during the public comment period;
c. any ten (10) persons of the Commonwealth pursuant to M.G.L. c.30A where a group member has submitted written comments during the public comment period; or
d. any governmental body or private organization with a mandate to protect the environment, which has submitted written comments during the public comment period.

Any person aggrieved, any ten (10) persons of the Commonwealth, or a governmental body or private organization with a mandate to protect the environment may appeal without having submitted written comments during the public comment period only when the claim is based on new substantive issues arising from material changes to the scope or impact of the activity and not apparent at the time of public notice. To request an adjudicatory hearing pursuant to M.G.L. c.30A, § 10, a Notice of Claim must be made in writing, provided that the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form within twenty-one (21) days from the date of issuance of this Certificate, and addressed to:

Case Administrator
Department of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108.

A copy of the request shall at the same time be sent by certified mail or hand delivery to the issuing office of the Wetlands and Waterways Program at:

If you have questions on this decision, please contact Yvonne Unger at 617-292-5893.

Sincerely,

Glenn Haas
Director
Division of Watershed Management

enclosure: Departmental Action Fee Transmittal Form

cc:

Karen Adams, Regulatory/Enforcement Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751
Stephanie Cunningham, DMF, Annisquam River Marine Fisheries Station, 30 Emerson Avenue, Gloucester, MA 01930
Dave Slagle, Rich Tomczyk DEP NERO
Daniel Padien, VHB, Inc., P.O. Box 9151, Watertown, MA 02471-9151
Salem Conservation Commission, City hall, One Salem Green, Salem, MA 01970

Yu/W050017

NPDES EXCLUSION LETTER

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

DATE: October 6, 2004

Mr. Thomas Smith
Environmental Associate
Ciba Specialty Chemicals Corporation
Oak Ridge Parkway
Toms River, New Jersey 08754

Re: (Former) Hamblet & Hayes Site
20 Colonial Rd.; Salem, Massachusetts

NPDES Exclusion #MA-04I-094

Dear Mr. Smith:

As of June 3, 2002, the On-Scene Coordinators (OSC's) in the Emergency Planning & Response Branch of EPA-New England (EPA-NE) have no longer been issuing National Pollutant Discharge Elimination (NPDES) Permit "Exclusion" letters in the states of Massachusetts and New Hampshire. EPA is, however, still the permitting authority for point source water discharge permits in these two states. Since the early 90's, EPA-NE granted exclusions to the NPDES permit process under the authority of Section 122.3(d) of the NPDES regulations to allow expedited testing and cleanup of contaminated sites for which a discharge of groundwater and incidental surface water was required following appropriate treatment. This process was necessary due to the large number of cleanups requiring permits and the time-frame necessary to issue individual NPDES permits.

Exclusion letters were developed for each site following submission and review of an application with various site information, test data, treatment type, and other facts. Discharge effluent limits, monitoring requirements and other special conditions were set out in the letters signed by the OSC in charge. EPA-NE has determined that we can no longer issue these exclusions except in circumstances where a response action is under the direct control of the OSC (either EPA or the USCG) as outlined in the National Contingency Plan (NCP). These determinations are made following notification to the National Response Center of a release of a reportable quantity of oil or hazardous substances.

We are in the process of developing a new General NPDES Permit to cover short and long term discharges from remediation activities. We expect the lead time needed to become covered by the General Permit to be about the same as the current exclusion waiver process. We hope to have the General Permit published in the Federal Register as final and effective in the near future. Until the effective date of the new General Permit, EPA-NE is requesting that you provide treatment of any such discharges to waters of the United States consistent with the limits and other requirements traditionally established in the Exclusion letters process.

Please refer to "Attachment A" to this letter for the interim requirements for discharge.

If you have any questions or concerns about this process please contact Michael J. O'Brien of the NPDES Program at (617) 918-1649. Additional contacts for the NPDES Program include Olga Vergara for MA issues at (617) 918-1519 and Shelley Puleo for NH issues at (617) 918-1545. Thank you for your cooperation as we develop this new permit.

Sincerely yours,

Roger A. Janson

Roger Janson, Associate Director
Surface Water Programs

cc. State of MA/or
State of NH

******(Former) Hamblet & Hayes Site******
20 Colonial Road
Salem, Massachusetts

ATTACHMENT A

The discharge(s) referenced in the accompanying letter must be in accordance with the following provisions:

1. No discharge of oil, sufficient to cause a sheen (as defined in 40 CFR 110), occurs to the drainage system. The discharge of a sheen of oil or gasoline constitutes an oil spill and must be reported immediately to the National Response Center (NRC) at (800) 424-8802.

2. Security provisions are maintained to assure that system failure, vandalism, or other incidents will be addressed in a timely fashion, preventing the loss of oil or contaminated water to the drainage system.

3. The flow rate shall be maintained within acceptable operating parameters and shall not exceed the design flow of the treatment system. There shall be no bypass of the treatment system unless unavoidable to prevent loss of life, personal injury, or severe property damage. No filter backwash or other maintenance waters shall be discharged without treatment.

4. Sampling and analysis, in accordance with EPA Methods, must be performed for the following chemicals with the listed limits being applicable:

Total Suspended Solids (TSS)	30 ppm
Trichloroethene (TCE)	5 ppb
1,1,1-Trichloroethane (TCA)	200 ppb
Tetrachloroethene (PCE)	5 ppb
Vinyl Chloride	2 ppb
Chromium III, Total Recoverable	48.8 ppb

Should sampling indicate the presence of additional chemicals, discharge concentrations should not exceed the Federal Drinking Water Standards (MCL's) or 100 ppb, whichever is lower, in the effluent.

Solids - These waters shall be free from floating, suspended, and settleable solids in concentrations or combinations that would impair any use assigned to this class, that would cause esthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom sediments.

Color and Turbidity - These waters shall be free from color and turbidity in concentrations or combinations that are esthetically objectionable conditions or that would impair the use assigned to this class.

Laboratory samples must be obtained from the influent to treatment, and from the effluent to the drainage system once each day for the first, third and sixth day of discharge. These samples must be analyzed with a 72-hour turnaround time. If the system is working properly, sampling for the remainder of the month shall be weekly and then monthly thereafter. The turnaround time for these samples shall ensure that no more than seven days pass between the sampling event and when the results are received and reviewed by the contractor.

If analysis indicates that the effluent limits have been exceeded, then the system must be shut down immediately and the problem corrected. Upon restarting the system, a sample must be taken and there must be 24 hour turnaround for the results. If the analysis indicates that the problem has been corrected, then the sampling schedule shall resume. If not, then the system shall be shut down again and repaired.

5. Analytical Reports, with quality control information, are to be reported to EPA and the MADEP or NHDES Project Manager by the 28th of the following month. Reports to EPA should be sent to:

NPDES Permit Unit
Mail Code (CPE)
Office of Ecosystem Protection
Environmental Protection Agency
One Congress St., Suite 1100
Boston, MA 02114-2023

RE: NPDES [please include assigned reference # on all correspondence]

6. You, or your contractor, must maintain copies of all analytical reports, and quality control information for a period of 3 years from the date of the report.

You should consider these requirements to be in effect immediately.