

EPA Environmental News

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Resolve
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SETTLEMENT REACHED FOR CLEANUP OF RE-SOLVE, INC. SUPERFUND HAZARDOUS WASTE SITE

DARTMOUTH, MA---The U.S. Environmental Protection Agency (EPA), in conjunction with the Massachusetts Department of Environmental Quality Engineering (DEQE), today announced a \$31 million settlement with 223 major potentially responsible parties (PRPs) involved in the Re-Solve, Inc. hazardous waste site in North Dartmouth, Massachusetts. This comprehensive agreement will result in cleanup of the site and reimbursement of \$8.4 million in past costs.

The settlement was reached under the federal Superfund law, which requires parties responsible for chemical wastes to clean up contaminated sites. The settlement also covers claims by the Commonwealth of Massachusetts under federal and state environmental laws.

EPA Regional Administrator, Michael R. Deland, said that "The Re-Solve case is a good example of how Superfund enforcement negotiations are supposed to work to help EPA get sites cleaned up. The case is unique because the negotiations used a number of different settlement tools created by the Superfund statute. Many of these tools are being used for the first time in the New England region and are among the first in the nation."

(More)

Site cleanup will involve excavating approximately 25,500 cubic yards of soils and sediments contaminated with PCBs and volatile organic compounds (VOCs). The material will be decontaminated using an innovative PCB treatment technology known as dechlorination, which also reduces the levels of VOCs. Because the contamination has moved from the site onto adjacent wetlands, the agreement provides for excavation of PCB-contaminated sediments, followed by restoration of those wetlands. To address the groundwater contamination, the parties will construct a "pump and treat" facility that will continue to cleanse the groundwater until drinking water quality standards are met.

It is estimated that it will take approximately two years to treat approximately 25,500 cubic yards of contaminated soils and sediments. The settling parties have estimated that groundwater will be treated for 30 years to reduce VOCs to levels specified by EPA.

DEQE Deputy Commissioner, Thomas B. Powers, noted that, "After a year of complex negotiations, this settlement stands as an example of what multi-party cooperation can accomplish. Its use of a new cleanup technology and imaginative methods of recovering state and federal tax dollars will serve as a model in future cases."

One of the unique features of this settlement is that this is the first Superfund settlement in which EPA used a "Nonbinding Preliminary Allocation of Responsibility" (NBAR) to determine each settler's share of the payments and cleanup costs. The NBAR allocates to each potentially responsible party a share of the total liability at the site.

Another Superfund settlement tool used in the negotiations to expedite the cleanup was EPA's agreement to pay for a share of the cleanup costs in a "mixed funding" agreement to cover the shares of the 38 parties who refused to join the settlement. Under this agreement, the settling parties can submit claims to EPA for up to \$7.2 million of the costs incurred in the cleanup (31% of \$22.75 in estimated future response costs). EPA is preparing to sue the non-settlers to recover any remaining costs that have been or will be expended by the Superfund at the site.

Deland noted that "EPA is using mixed funding so that recalcitrant parties will not impede settlement with a substantial number of potentially responsible parties who are willing to step forward and voluntarily perform the cleanup. We have every intention of suing the companies who did not join the settlement so that all will recognize they cannot escape their obligations under the Superfund law."

(More)

Under the settlement, the settling parties will both perform the site cleanup and reimburse EPA and the Commonwealth of Massachusetts for past costs at the site. One group of 56 parties will undertake the remedial action that was chosen by EPA in September 1987, which is now estimated to cost approximately \$30 million. In addition, those 56 companies will reimburse EPA and the Commonwealth of Massachusetts \$5.6 million in past costs, mainly expended during cleanup at the site in 1985. A second group of 167 settlers are considered "de minimis" parties, who contributed small amounts of waste to the site. The de minimis parties will be released from any future liability at the site in return for a cash payment of \$10.6 million, including a premium, of which \$7.8 will be paid toward the cleanup and \$2.8 will be paid to reimburse past costs.

Powers noted, however, that "even with this satisfactory solution, the underlying problem remains. The only truly effective method of dealing with hazardous waste is to reduce or eliminate its creation. In Massachusetts, we continue to emphasize source reduction as the primary means of protecting our land, air and water. Not only does it represent an environmentally sound practice, but it can reduce cost and limit a firm's overall liability."

The Re-Solve, Inc. site is located off of North Hixville Road in a rural area of North Dartmouth. Re-Solve, Inc. operated as a waste chemical reclamation facility from 1956 until its closure in 1980. A variety of hazardous materials were handled at the site, including solvents, waste oils, organic liquids and solids, acids, alkalies, inorganic liquids and polychlorinated biphenyls (PCBs). Wastes from the reclamation processes were disposed of on-site for much of the time.

The Re-Solve site was added to the National Priorities List in 1981. An initial study of the site indicated that sludges in several former lagoons and soils at the site were highly contaminated with polychlorinated biphenyls (PCBs). In 1985, EPA contracted with the U.S. Army Corps of Engineers to excavate approximately 15,000 cubic yards of the most contaminated material for off-site disposal. EPA continued to study the site to identify all areas of contamination and to determine the extent of groundwater contamination. Studies show that residential drinking water wells near the site are not contaminated. Based on a study that was released in June 1987, EPA selected a remedy for the site to address the contamination remaining in soils and groundwater under the site.

(More)

The settlement is incorporated in a consent decree filed today in federal district court in Boston. The public will have 30 days to comment on the settlement. The court will have final approval over the terms of the decree.

This is the second major settlement in the last two weeks. Last week, EPA announced a \$24 million settlement with 34 PRPs that will result in the cleanup of the Industriplex Superfund site in Woburn, Massachusetts.

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RE-SOLVE SETTLING PARTIES

NAMES OF SETTLING PARTIES UNDER THE RE-SOLVE CONSENT DECREE

ADAC CORPORATION
ADAMS DRUG CO., INC./BROOKS DRUG
ARVOVOX INC./BELLEVILLE INDUSTRIES
ALAN JEWELRY
ALBEROX CORPORATION
AMERICAN BILTRITE
ANTICO FLOORING DIV./AMERICAN BILTRITE
ANDERSON PRODUCTS CO. INC.
ANSON, INC.
AOTCO METAL FINISHING COMPANY, INC.
ARDEM JEWELRY MANUFACTURING CO.
ARRWRIGHT CO., INC.
ARROW AUTOMOTIVE INDUSTRIES, INC.
ASHWORTH PLASTICS PRODUCTS CO.
ATP DAVIDSON COMPANY/WHITE CONSOLIDATED INDUSTRIES, INC.
AT&T TECHNOLOGIES, INC./WESTERN ELECTRIC CO. INC.
AUGAT, INC.
AVI CORPORATION
AXTON-CROSS CO.
A.J. KNOTT TOOL & MFG CO.
A.W. CHESTERTON COMPANY
BABSON-DOW MFG. CO.
BAILEY MANUFACTURING CORPORATION
BANGOR PUNTA MARINE/O'DAY COMPANY
BARNSTED THERMOLYNE CORP.
BAY STATE CIRCUITS, INC.
BCD METAL PRODUCTS, INC.
BELLOPEAN CORP
BLACHRE BROTHERS, INC.
BLE ELECTRONICS INC.
BOSTON WHALER INC.
BRUCE DIAMOND CORP.
BURNDY CORPORATION
BUEST RANGE VALVE CO.
B. B. GREENBERG CO.
CAMBRIDGE TOOL & MFG. CO., INC.
CELLOPHANE PRODUCTS CORP.
CENTRONICS DATA COMPUTER CORP.
CHAPMAN MFG. CO./CMC LIQUIDATING
CLAROSTAT MFG. CO.
COATERS, INC.
COMPOSITE TECHNICAL ALLOYS
COMPUGRAPHIC CORP
CONGRESS TECHNICAL SPRAY COMPANY
COOLEY, INC.
COPPERCRAFT GUILD/ERAPT INC.
CROWNHARE CORP.
CUSTOM ASSOCIATES, INC.
CUSTOM COATING & LAMINATING CORP.
C. E. BRADLEY LABORATORIES INC.
DAMON CORPORATION
DANECRAFT CO. INC.
DATA GENERAL CORP.

RE-SOLVE SETTLING PARTIES

NAMES OF SETTLING PARTIES UNDER THE RE-SOLVE CONSENT DECREE

DAVOL, INC.
DEKATEL/PFIZER INC.
DELTA ELECTRONICS MANUFACTURING CORP
DEVCON CORP.
DIGITAL EQUIPMENT CORPORATION
DIXON INDUSTRIES INC.
DURALECTRA, INC.
EASTERN AIR DEVICES INC.
EASTERN CASE PARTS INC.
EASTERN REPRODUCTION CORP.
ECRM, INC.
ELECTRO-FILMS, INC.
ENGELHARD CORP.
EVERFLY PRODUCTS, INC.
FARINA BROTHERS, INC
FAS FAX CORPORATION
FERROFLUIDICS CORPORATION
FIBBE LEATHER MFG. CORP.
FIRESTONE TIRE AND RUBBER CO.
FRAM CORPORATION/ALLIED-SIGNAL INC.
FREQUENCY SOURCES, INC./LORAL CORPORATION
F.M. HILL MACHINE CO., INC./INGERSOLL-RAND
GAR-DOC, INC.
GENCORP CO. INC.
GENERAL CHEMICAL CORP.
GENERAL CIRCUITS, DIV. OF BRINTEC CORP.
GENERAL INSTRUMENT CORP/JERROLD ELECTRON
GEOCHEM INCORPORATED
GEORGE MANN & CO., INC.
GLINES AND RHODES CO., INC.
GLOBE MANUFACTURING CO.
GOODYEAR TIRE & RUBBER CO.
GROZ-BECKERT USA, INC.
GTE SYLVANIA/GTE PRODUCTS CORP.
GUARDIAN CORPORATION
HAARTZ CORP.
HAARTZ-MASON, INC.
HASBEO INC.
HEMBTITE CORP.
HEMMSDORF FIXTURES MFG. CO./CAMDEN INDUSTRIES CO., INC.
HERO COATINGS CO., INC.
HEWLETT-PACKARD CO., INC.
HILSINGER CORP.
HOLDEN SANITATION CO.
HOLLISTON MILLS, INC.
HONEYWELL BULL INC.
HONEYWELL INC.
HOPWOOD RETINNING CORP.
HOYT CORPORATION
ICI AMERICAS INC./BEATRICE CHEMICAL/STABLE FINISH/UNITED FINISH
IMPERIAL PEARL CO., INC.
IMPERIAL WALLPAPER MILLS, INC./IMPERIAL WALLCOVERINGS, INC.
INFORX, INC.

RE-SOLVE SETTLING PARTIES

NAMES OF SETTLING PARTIES UNDER THE RE-SOLVE CONSENT DECREE

INLAND SPECIALTY CHEMICAL CORP.
INTEREX CORPORATION, INC.
INTERNATIONAL TELEPHONE AND TELEGRAPH CO
I.H.C. MAGNETICS CORP.
JANCO, INC.
JERVIS B. WEBB CO./NORFOLK CONVEYOR DIV.
JET-LINE SERVICES, INC.
JOHN DANAIS CO.
JOHNSON HEATER CORP.
JONES & VINING, INC.
J.H. McCORD WINN, INC./McCORD WINN INC.
KALWALL CORP.
KINEPAC CORP.
KINGSTON-WARREN CORP.
KLITZNER INDUSTRIES INC.
KNAPP-KINGSIZE CORP./KNAPP SHOES, INC.
KOLLSMAN INSTRUMENT/SEQUA CORP.
KROHN-HITE CO., INC.
KYANIZE PAINTS, INC./O.P.K. INC.
K. J. QUINN & CO., INC.
K. W. THOMPSON TOOL CO., INC.
LILLY CHEMICAL PRODUCTS, INC./LILLY INDUSTRIAL COATINGS, INC.
LINDBERG HEAT TREATING CO.
LUDLOW CORP.
L.G. BALFOUR CO.
M AND V ELECTROPLATING CORP
MAINE ELECTRONICS INC./BOCKWELL INTERNATIONAL CORP.
MARATHON COMPANY, INC.
MARKET FORGE CO., INC.
MAYNARD H. MOORE JR. CO. INC.
MERRIMAN CO., INC./LITTON INDUSTRIES, INC.
METAL ART BUCKLE CO./AXIA INC.
MIDDLESEX RESEARCH MFG. CO., INC.
MILLIPORE CORP.
MOORE BUSINESS FORMS, INC.
MSM INDUSTRIES, INC.
MARRAGANSETT COATED PAPER CO.
NAVTEC, INC.
NEW ENGLAND INSTRUMENT CO., INC.
NEW ENGLAND PLATING CO.
NORTH ATTLEBORO TAPS, INC.
NORTH EAST SOLVENTS RECLAMATION CORP.
NORTON CO., INC.
NRC, INC.
NUCLEAR METALS, INC.
NULCO MFG. CORP.
PACKAGE CHEMICAL CO. INC.
PANDEL-BRADFORD, INC./COMPO INDUSTRIES INC.
PEARSON YACHTS/GRUMMAN CORPORATION
PERVEL INDUSTRIES
PHILLIPS MANUFACTURING CO., INC.
PIC'S SCREW MACHINE, INC.
PIONEER PLASTICS/STERLING ENGINEERING PRODUCTS, INC.

RE-SOLVE SETTLING PARTIES

NAMES OF SETTLING PARTIES UNDER THE RE-SOLVE CONSENT DECREE

PRIME COMPUTER, INC.
PRIME TANNING CO., INC.

PROVIDENCE GRAVURE, INC./MAXWELL COMMUNICATION CORP.
RECYCLING INDUSTRIES, INC.
REYNOLDS & HARMAN, INC.
RICHARD A. KLEIN, INC.
ROBBINS MFG. CO. INC.
ROYCE ALUMINUM CORP.
R.H. CHENY, INC.
SANITOL, INC.
SCHLUMBERGER TECHNOLOGIES INC./APPLICON INC.
SECURITY REEL CO.
SELIG MANUFACTURING CO., INC.
SERVICE CHEMICAL CORPORATION
SHELDahl INCORPORATED
SIGMA INSTRUMENTS, INC.
SIMPLY WIRE AND CABLE COMPANY
SNAP-ON TOOLS CORP.
SPALDING SPORTS WORLDWIDE CO. INC.
SPENCER PLATING CO., INC.
SPRAGUE ELECTRIC COMPANY
SPRAY-O-MATIC CORPORATION
STANDARD SPRAY CO., INC.
STA-HI SYSTEMS/HALL PROCESSING SYSTEMS
SUPPOLK SERVICES, INC.
SWANK, INC.
SYMONS INDUSTRIES CO., INC.
S.D. WARREN CO., INC.
TANSTORF ELECTRONICS CO., INC.
TECO CORPORATION
TELEDYNE PHILBRICK CO., INC.
TEXAS INSTRUMENTS, INC.
TEITRON, INC./BEN-MONT CORPORATION/AVCO. CORP.
THE ROBBINS CO.
THE SHEFFIELD SILVER COMPANY
TEERMO ELECTRON CORPORATION
TNCO, INC.
TOBE DEUTSCHMANN LABS, INC.
TRANSCOM ELECTRONICS/ALCATEL NETWORKS SYSTEMS
TRA-CON, INC.
TRW, INC.
T. SARDELLI & SONS, INC.
UNION CAMP CORP.
UNION PRODUCTS, INC.
UNITED MERCHANTS & MANUFACTURERS, INC.
UNITRODE CORP.
USM CORP - BAILEY/EMHART INDUSTRIES./EMHART CORP.
VELCRO USA, INC.
VERNON PLASTICS CORP./BORDEN INC.
VICTORY PEARL, INC.
VICTORY POLISHING & PLATING CO., INC.
V.H. BLACKINTON & CO., INC.

RE-SOLVE SETTLING PARTIES

NAMES OF SETTLING PARTIES UNDER THE RE-SOLVE CONSENT DECREE

WALCO-ELECTRIC CO., INC.
WANG LABORATORIES, INC.
WARREN COMMUNICATIONS/FISKARS ELECTRONIC CORP.
WATTS FLUID POWER, INC.
WATTS REGULATOR CO., INC.
WEYMOUTH ART LEATHER CO., INC.
WHITING & DAVIS CO., INC.
WHITMAN PRODUCTS LTD./WHITMAN SKIVERTEX LTD.
WILNER WOOD PRODUCTS CO., INC.
WENTHAM STEEL PRODUCTS CO., INC.
WRIGHT LINE, INC.
W.R. GRACE & CO./AMICON
XIDEX CORP.

III. NON-SETTLING PARTIES

NON-SETTLING
PARTY
COUNT

NAME OF NON-SETTLING PARTY

1	ADVANCE COATINGS CO.
2	BEVERLY LEATHER FINISHING CORP.
3	CADO FABRICATIONS
4	CHEMICAL RECOVERY, INC.
5	CONNECTICUT AEROSOLS
6	CORNELL-DUBILIER/FEDERAL PACIFIC
7	CRAWFORD PRODUCTIONS
8	C. M. LABORATORIES, INC.
9	C. RAY RANDALL MFG. CO.
10	C.D. PATRICK & SONS
11	DANVERS MOTOR CO., INC.
12	DESOTO SOFT ENAMELING
13	DIXON CHEMICAL CO.
14	ELD METAL PRODUCTS CO.
15	E. MORRIS BROWN CO., INC.
16	HARRINGTON & RICHARDSON, INC.
17	HAZEN PAPER CO.
18	HOLYONE CARD & PAPER CO.
19	HUBBARD HALL CHEMICAL CO.
20	INTERNATIONAL STENCILING FINISHING CO.
21	LEO TECHNICAL CERAMICS, INC.
22	MORNING COMPANY, INC.
23	NORTHEAST LABS
24	N. E. S. SUPERENAMELING CO.
25	PEARCE LEATHER CO.
26	PLYMOUTH RUBBER CO.
27	POLYFORM CORP.
28	PRINTED CIRCUIT CORP.
29	ROSEMAR, INC.
30	ROYAL TAPE, INC.
31	RUEPPING-EAST, INC.
32	RUSSELECTRIC, INC.
33	SABLEMAN PLASTICS
34	SAGAMORE INDUSTRIAL FINISH CORP.
35	UNION INDUSTRIES, INC.
36	UNIVERSAL PRODUCTS, INC.
37	VULCAN CORPORATION AMESBURY PLASTICS
38	WATERLAC INDUSTRIES, INC.

FACT SHEET

RE-SOLVE, INC. SUPERFUND SITE NORTH DARTMOUTH, MASSACHUSETTS

DETAILED DESCRIPTION OF THE SETTLEMENT

1. CLEANUP AGREEMENT FINALIZED

On February 9, 1989, the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Quality Engineering (DEQE) finalized an agreement with 223 major potentially responsible parties (PRPs) to carry out a cleanup plan for contamination at the Re-Solve, Inc. hazardous waste site in North Dartmouth, Massachusetts. The agreement was formalized in a consent decree filed in the U.S. District Court in Boston.

The consent decree is available for public review and comment in the information repositories located at the Southworth Public Library in Dartmouth, and the EPA Records Center, 90 Canal Street, Boston. This fact sheet provides an explanation of the provisions of the consent decree, a summary of the selected cleanup plan, and an explanation of how to participate in the 30-day public comment period for the consent decree.

The consent decree defines the work to be conducted by the settling parties under the cleanup plan selected for the treatment of contaminated soils, sediments, and groundwater in the September 1987 Record of Decision (ROD) for the Re-Solve site. The plan calls for use of a dechlorination technology to treat PCB-contaminated soils and sediments, and pumping and treating groundwater contaminated by volatile organic compounds with a combination of air stripping and carbon adsorption treatment units. The consent decree establishes responsibilities and outlines specific plans for cleaning up contamination to levels protective of public health and the environment.

2. ELEMENTS OF THE CONSENT DECREE

The consent decree for the Re-Solve, Inc. Superfund site is the result of Special Notice negotiations conducted under the enforcement provisions of the Federal Superfund law, known as the Comprehensive Environmental Response, Compensation and Liability Act, or CERCLA.

The agreement calls for the settling parties to reimburse much of the government's past costs and to cleanup the site at an estimated cost of \$29.8 million, according to the remedy selected by EPA in September 1987. The agreement provides for

each settler to pay for its share according to a Nonbinding Allocation of Responsibility (NBAR), which EPA prepared for the negotiations. This is a "mixed funding" agreement, in which EPA has agreed to reimburse the settling parties up to \$7.2 million towards the cleanup, the share of costs attributable to 38 PRPs who refused to join the settlement. EPA expects to sue the non-settling parties for the outstanding past and future costs later this year.

In addition, the settling parties will reimburse the governments \$8.4 million of the \$10.3 million in past costs. The settling parties will immediately pay EPA \$7.9 million towards the \$8.1 million, plus \$1.7 million in interest, of Superfund monies spent at the site over the last six years. They will also reimburse the Commonwealth of Massachusetts for its past costs of \$476,000.

The 223 parties who signed the decree fall into two groups. The first group consists of 56 parties representing 54.3% of liability at the site, referred to as "settling defendants," who will perform the cleanup and pay \$5.6 million in past costs. The consent decree provides for the settling defendants to establish the Re-Solve Trust Fund, which will administer the cleanup.

The second group consists of 167 parties who contributed less than one percent of the waste sent to the site, referred to as "de minimis settling defendants." They will settle by making a single cash payment, including a premium, in return for a complete release from liability at the site. Each de minimis party will pay its allocated share of the total estimated response costs of \$40.1 million. In total, the de minimis settling defendants representing 14.5% of the total liability will pay \$2.8 million to the governments to reimburse past costs and pay \$7.8 million to the Re-Solve Trust Fund as their share of the cleanup costs.

3. WORK TO BE PERFORMED AT THE RE-SOLVE SITE

The cleanup agreement, in accordance with the remedy selected for the Re-Solve site in September 1987, requires actions to secure the site, to decontaminate soils and sediments on-site and in nearby wetlands, and to treat contaminated groundwater under the site, as described below.

Warning Signs and Fencing: The existing fence will be repaired and additional fence constructed to enclose the site, with a secured front gate to restrict access.

Signs in English and Portuguese will be posted on the perimeter fence warning persons to keep out of the restricted area. Signs will be posted along the Copicut River and Cornell Pond warning the public not to fish in those waters.

Source Control: Approximately 22,500 cubic yards of PCB-contaminated soils located above the water table will be excavated and treated on-site with a dechlorination technology. Based on a risk assessment, soils contaminated at levels above 25 part per million (ppm) will be excavated for treatment. Special precautions will be taken while excavating soils to avoid air and dust emissions.

Approximately 3,000 cubic yards of PCB-contaminated sediments located in wetland areas to the north and east of the site will be excavated and treated with the same dechlorination technology as used for the contaminated soils. Sediments contaminated with PCBs at levels above 1 ppm will be excavated. Special precautions will be taken to avoid spreading contamination into other areas during the excavation.

Because dechlorination is an innovative technology, the treatment technology will be pilot tested on-site to determine whether the dechlorination technology is implementable on a full scale. If EPA, in consultation with the Commonwealth of Massachusetts, determines from the pilot testing that dechlorination is not implementable, the soils and sediments will be treated on-site by an appropriate method of incineration.

Treated soils and sediments will be tested to ensure that health-based cleanup levels are met and the treated soils and sediments will then be used to fill the areas on-site where soils were excavated. After the treated soils are replaced, the site will be graded and covered with 18 inches of gravel, and later covered with one foot of soil and revegetated.

Achieving the cleanup level for sediments contaminated with PCBs will require the disturbance and temporary loss of some wetlands. Following the cleanup, a program to restore the wetlands will be implemented.

Groundwater Treatment: Groundwater in the aquifer under the site, which is contaminated with volatile organic compounds (VOCs), will be intercepted and extracted for treatment on-site. After treatment, the extracted water will be reinjected at the site by a distribution system. Soils within the reinjection areas will be flushed with the treated water to reduce the level of VOCs in the soils. The groundwater pumping capacity and reinjection capacity of soils at the site will be studied in pump tests during design of the remedy.

Groundwater will be treated in a facility to be built on-site with the following operations: precipitation, air stripping, activated carbon adsorption, and filtration. The design specifications of each groundwater treatment unit will be evaluated in a treatability study.

The groundwater will be treated to meet Maximum Contaminant Levels (MCLs) established under the Safe Drinking Water Act and a health-based standard. Use of groundwater under the site will be prohibited.

After the groundwater has met the cleanup standards, the settling parties will continue to monitor the groundwater for at least three years to ensure that the cleanup is complete.

4. HOW THE REMEDIAL ACTION WILL BE CONDUCTED

Fifty-six of the settling parties are responsible for performance of the remedial action. All design, construction, and other work to be performed under contracts paid for by the settling parties will be under the supervision of EPA and DEQE, and all aspects of the work will be reviewed and approved by EPA, in consultation with DEQE. The settling parties have established the Re-Solve Trust Fund, which will collect money from the parties to pay for the work under the direction of an Executive Committee. The work will be performed in a series of steps:

Fencing and Posting of Signs: The parties will fence the entire site, post signs on the fence, and provide signs for use on the Copicut River to the Dartmouth Board of Health within 60 days after the effective date of the consent decree.

Pre-Design Studies and Plans: A number of studies will be conducted to gather data for use in designing the remedial action. These studies include soil treatability studies using a dechlorination technology, pilot treatability studies to design the on-site groundwater treatment system, and pump/performance tests to determine the appropriate pumping and recharge rates. The parties will also prepare a number of plans, including plans to define the contaminated soils above the water table, excavation plans for contaminated soils and sediments, plans for air monitoring during the cleanup, and a plan for designing a groundwater monitoring program.

Remedial Design: In this phase, the parties will prepare the detailed design plans and specifications to be used in the actual construction of the treatment facilities, as well as the schedules for implementation.

Remedial Action: Upon approval of the remedial design plans and specifications by EPA, in consultation with DEQE, the parties will implement the remedy.

Operation and Maintenance: The parties will continue to operate and maintain the groundwater treatment facility and groundwater monitoring system until the cleanup standards specified in the consent decree are met.

5. HOW THE CONSENT DECREE WILL BECOME EFFECTIVE

EPA will publish a notice of the proposed settlement in the Federal Register within a few days, which will begin a 30-day public comment period to solicit community input on the consent decree. At the end of the comment period, the government will determine if it is appropriate to finalize the settlement in light of the comments received. If so, it will request the federal court to approve the consent decree and enter it as a binding court order. All timetables and schedules for performance of the remedial action begin to run when the court approves the consent decree.

The proposed consent decree, along with other site-related documents, is currently available for public review at the Southworth Public Library, 732 Dartmouth Street, in Dartmouth, and at the EPA Records Center, 90 Canal Street, Boston. Individuals wishing to comment on the decree should send comments to:

Assistant Attorney General
Lands and Natural Resources Division
United States Department of Justice
9th Street & Pennsylvania Avenue
Washington, D.C. 20530

Re: U.S. v. Adac Corporation, et al.
DOJ Ref. 90-11-2*58

Exhibit 2

Off-Site Surface Waters

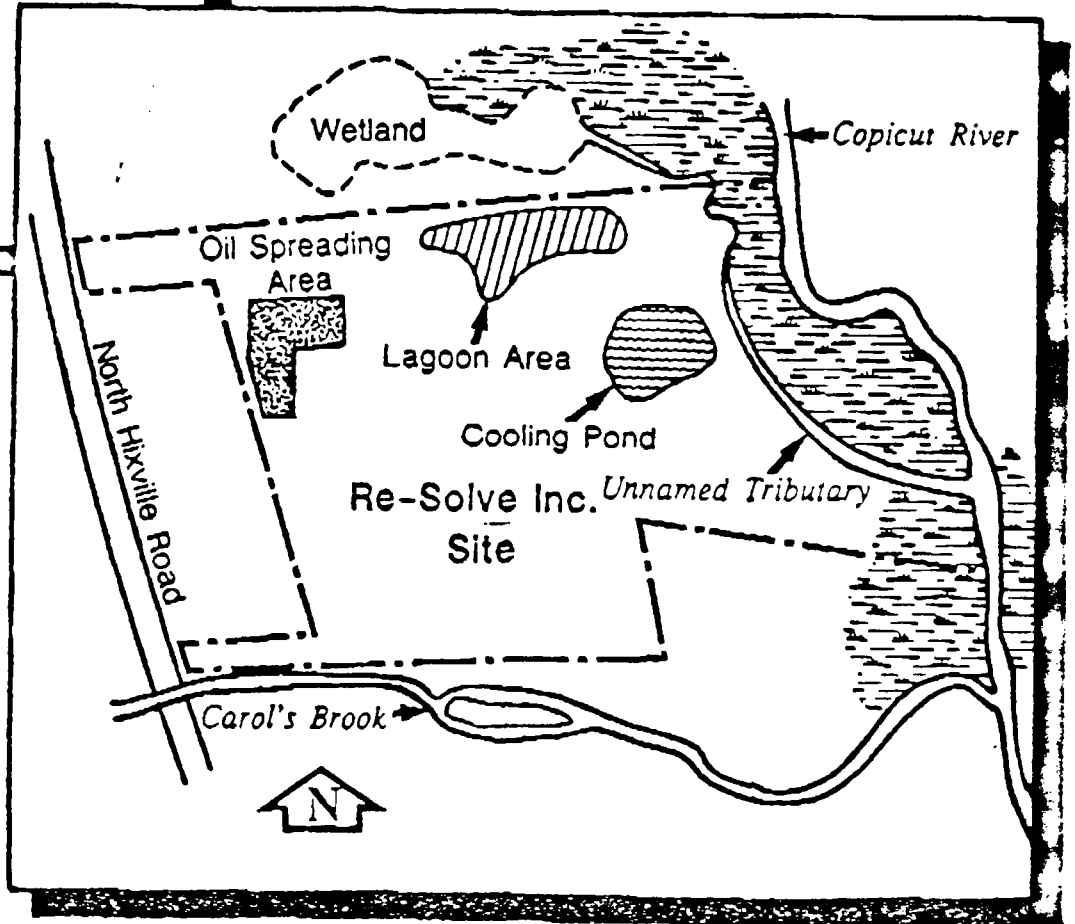
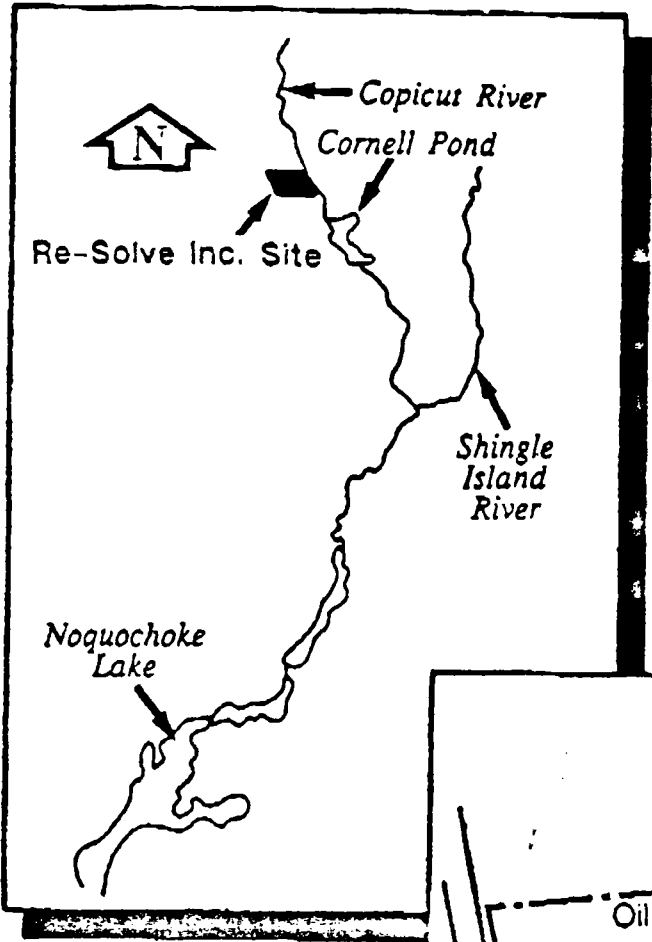
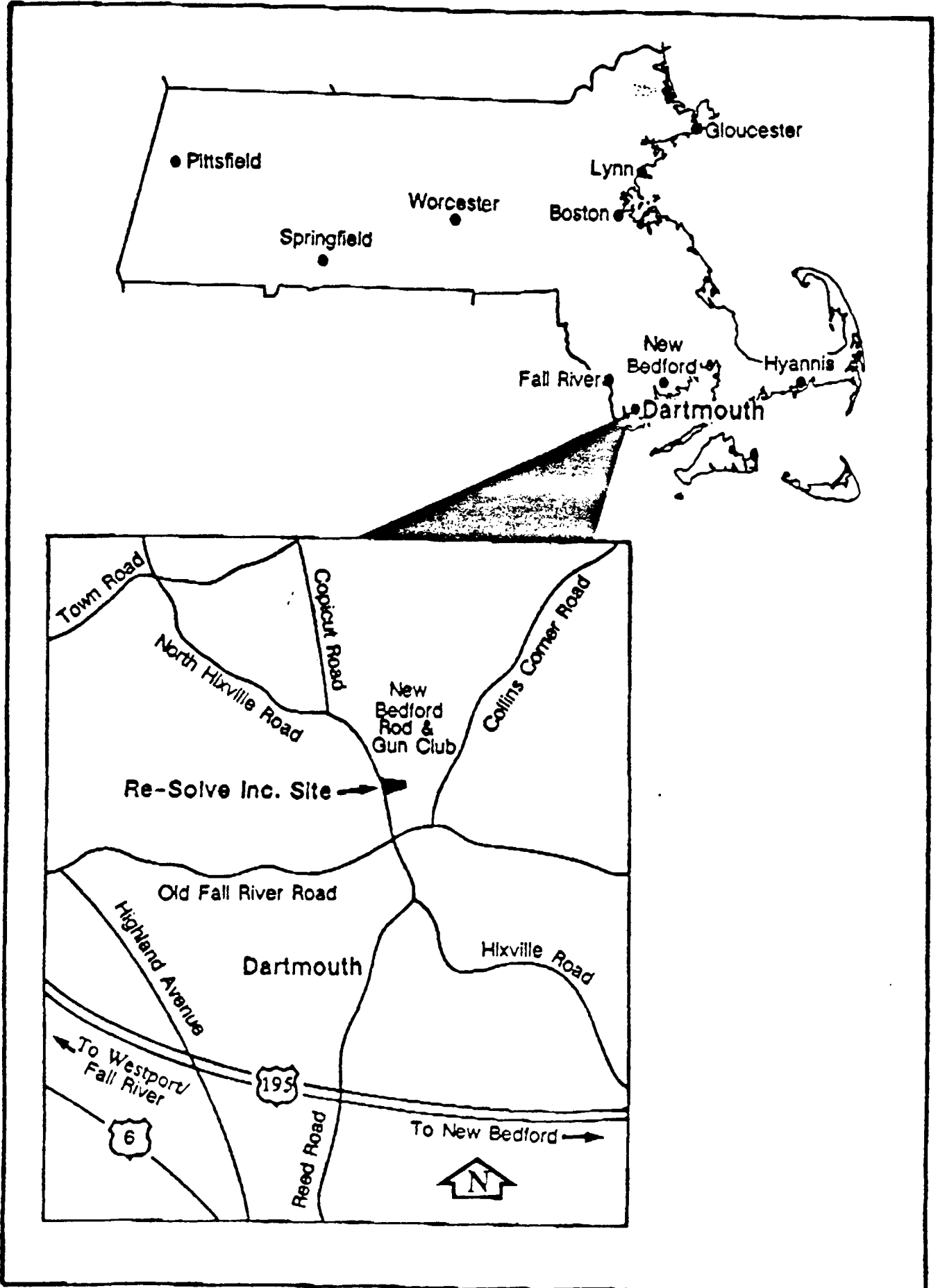


Exhibit 3

Areas of Interest
Re-Solve Inc. Site
North Dartmouth, Ma.

Exhibit 1
Site Location Map
Re-Solve Inc. Site, North Dartmouth, Ma.



SITE HISTORY

The Re-Solve, Inc. Superfund site is located in North Dartmouth, Massachusetts, in a rural residential area about eight miles west of Fall River. The six-acre site is surrounded by wetlands on two sides and on the southwest by a forested area. A shallow aquifer flows towards the Copicut River, which is located 500 feet to the east of the site.

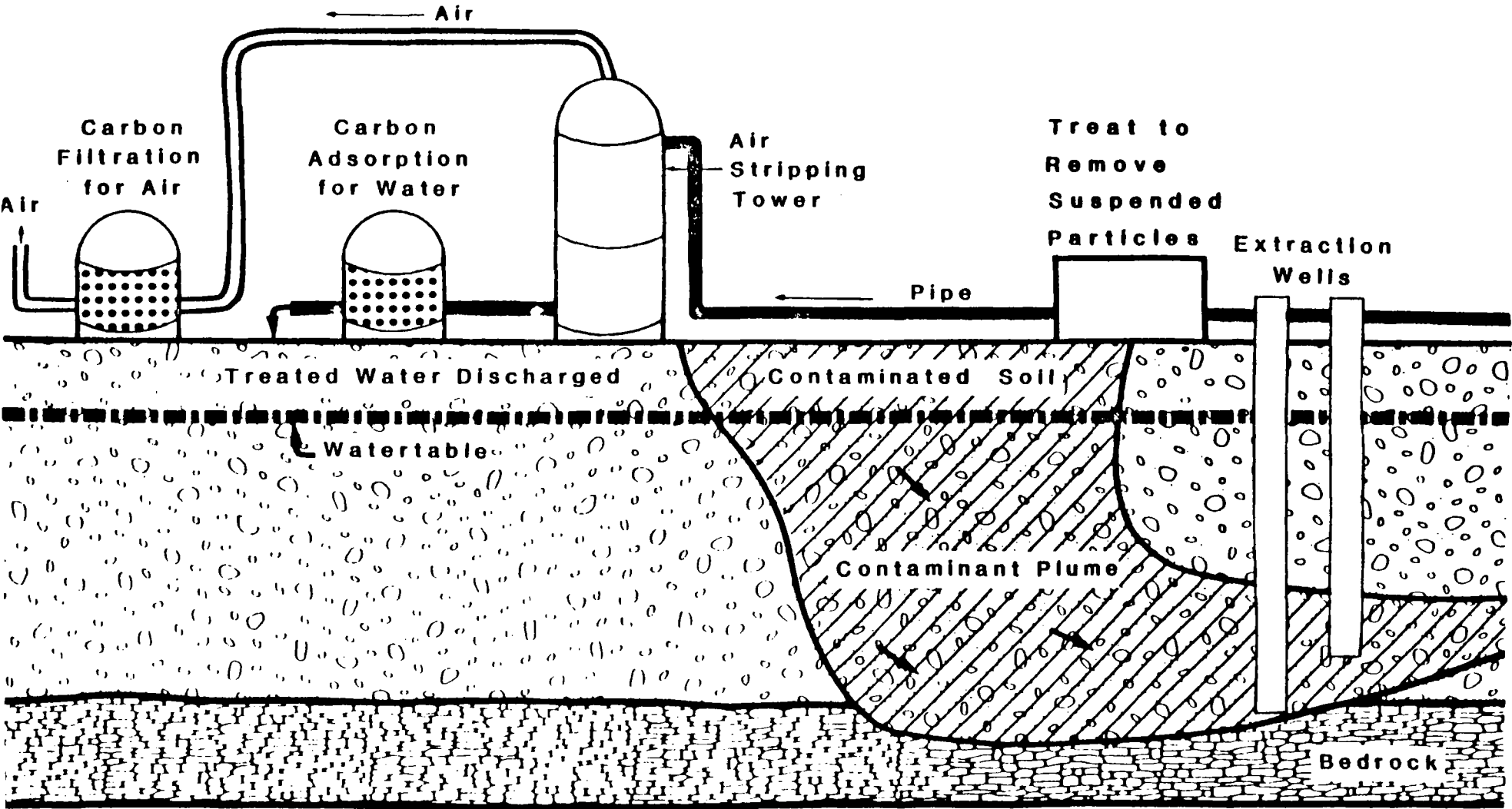
From 1956 until 1980, Re-Solve, Inc. operated as a waste chemical reclamation facility on the site property. From 1974 to 1980, Re-Solve, Inc. was licensed by the Commonwealth of Massachusetts. Generally, customers of Resolve, Inc. sent their spent solvents or other used chemicals to Re-Solve for reclamation, and then purchased the cleaned products back from Re-Solve.

The operators of the former facility disposed of residues from the distillation process in four unlined lagoons and in an oil-spreading area in the western portion of the site, in a process known as land farming. Cooling water from the solvent distillation columns was disposed in a large cooling pond on the site property. In addition, poor handling practices and leaking drums added to contamination at the site. The hazardous waste materials handled on the site included solvents, polychlorinated biphenyls (PCBs), acids, and liquids and solids composed of organic and inorganic compounds.

Exhibit 4

REMOVAL AND TREATMENT OF CONTAMINATED GROUND WATER

(CONCEPTUAL DESIGN)



In February 1987, EPA completed a Supplemental RI, which included an analysis of fish from the Copicut River and Cornell Pond. Based on that study, EPA signed a Record of Decision (ROD) in July 1983, which called for the excavation and off-site disposal of the most heavily contaminated materials. The study identified and characterized widespread contamination by PCBs and organic compounds, primarily volatile organic compounds (VOCs), in on-site soils, groundwater, and sediments. EPA, DEQE and the Massachusetts Department of Health advised people not to eat eels caught in the Copicut River when high levels of PCBs were detected in them, and posted warning signs along the river. As part of the RI, EPA also sampled 56 residential wells located within a one-mile radius of the site. Sampling results show that these wells have not been noticeably affected by contamination from the site.

On September 24, 1987, after a public comment period on the proposed plan, EPA selected a cleanup remedy for the Re-Solve site. The remedy calls for treating contaminated soils and sediments with a dechlorination technology to remove both PCBs and volatile organic compounds, and pumping and treating contaminated groundwater with sedimentation, air stripping and carbon adsorption treatment units.

In March 1988, using the Special Notice procedures of the Superfund law, EPA entered into negotiations with the parties deemed potentially responsible for the site contamination to have them conduct and fund the cleanup under EPA supervision.

Problems at the site were brought to the attention of local Dartmouth officials in 1980, when an explosion occurred at the site, causing the death of an employee. Also during this time, the Dartmouth Board of Health began to receive complaints from residents living near the site concerning odors emanating from the facility. The town requested that the Department of Environmental Quality Engineering (DEQE) investigate the site. DEQE found that the site was not in compliance with the current state and federal standards for hazardous waste management. The facility closed on October 21, 1980 after DEQE unsuccessfully attempted to compel the current owner to perform the necessary improvements at the site.

In December 1982, the site was placed on EPA's National Priorities List, a listing of the nation's worst hazardous waste sites, making it eligible to receive federal Superfund monies for investigation and cleanup. Shortly thereafter, DEQE constructed a fence around the perimeter of the site.

In June 1983, EPA completed an initial Remedial Investigation (RI) of sources of contamination at the site, which identified highly contaminated lagoon wastes and soils contaminated with organic compounds, including PCBs. The U.S. Army Corps of Engineers, under contract to EPA, completed a source control remedial action in 1985, which entailed removal of 15,000 cubic yards of contaminated lagoon wastes and soils for disposal at EPA-approved landfills.