



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

300-0665
 Provided by DEP

A. Project Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Cobra Realty Trust
 Name
PO Box 2917
 Mailing Address
Worcester MA 01613
 City/Town State Zip Code
(508) 347-3455
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

William Babineau - Villarge Automotive
 Applicant
10/3/2005 300-0665
 Dated DEP File Number

3. The project site is located at:

150 Charlton Road Sturbridge
 Street Address City/Town
Parcel ID: 208-02612-150
 Assessors Map/Plat Number Parcel/Lot Number

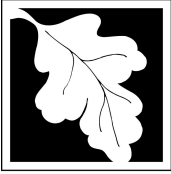
4. The final Order of Conditions was recorded at the Registry of Deeds for:

Cobra Realty Trust
 Property Owner (if different)
Worcester 37645 316
 County Book Page
 Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

EBT Environmental Consultants, Inc.
GLENN E. KREVOSKY, CONSULTANT

601 Main Street

North Oxford, MA 01537

glenn.krevosky@charter.net

Cell: (508)769-3659 Office: (508)987-0979

Sturbridge Conservation Commission
308 Main Street
Sturbridge, MA 01566

December 7, 2021
Revised: March 22, 2024

Re. 150 Charlton Road, Sturbridge – Restoration Report for DEP File #300-0665 & Request to lift Enforcement Order dated 7/23/2021

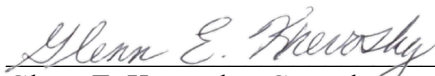
Dear Commission,

The following restoration items for 150 Charlton Road, DEP File #300-0665, were completed between 8/4/2021 and 8/10/2021:

1. Wattles were installed on 8/4/2021 per the Summit Engineering plan by S&M Farms.
2. The pea stone pile adjacent to WF-19D was removed utilizing a track excavator down to the surface of the original A Horizon on 8/10/2021.
3. The fill piles closest to Route 20 was removed on 8/4/2021 under the guidance of Glenn Krevosky of EBT, Inc. EBT, Inc. ascertained there was minimal square footage of wetland (less than 20 square feet) at the edge of the fill pile adjacent to WF C8. One additional flag was placed (WF C8.5). The new sequence of flagging is WF C8 to WF C8.5 to WF C9. Because only fill was removed there was no need to add additional organic rich soil both to the small piece of the wetland uncovered nor the remaining area where the fill pile had existed. Once the removal process was completed the area was planted on the same day with 60 woody plants at a 6' spacing and seeded with New England Conservation mix (with a handful of New England Wetmix in the area of WF C8.5) – see attached New England Wetland Plants estimate.
4. The 13' deep steel well approximately 40' to the south of the piles was removed on 8/4/2021. Utilizing a mini excavator, a chain was wrapped around the steel well and the well was pulled straight up and out. On the trail to the pipe there was no alteration of woody vegetation nor the forest floor.
5. The trench restoration work started at the northwestern end of the trench and headed south toward Route 20 to remove the 4" corrugated plastic pipe and 3/4" stone. The entire trench was backfilled with Paxton soil to within 4"-6" of the final grade. In the wetland (northern portion): the area was replaced with 6" of rich, organic topsoil and seeded with a wet meadow seed mix. In the upland (southern portion): the area was replaced with 4" of loam and seeded with conservation seed mix. The final elevation of soil where the trench was matched the elevation of the existing non-disturbed land to the left and right of the trench. This work took place on 8/5/2021, 8/9/2021 and 8/10/2021.
6. The well closest to Route 20 was removed on 8/4/2021 in the same manor the first well was removed, utilizing an access path coming from 174 Charlton Road along Route 20.

The remedial restoration relative to hydrocarbons was completed (see CMG Engineering letter, dated 1/21/2021) and the field/forest restoration was completed according to the restoration plan under the friendly enforcement order referenced above.

Respectfully,



Glenn E. Krevosky, Consultant



Photo 1 taken by EBT, Inc. on 8/10/2021 – Facing southeast showing the restoration area after the removal of the PVC pipe and crushed stone bed (shown on the restoration plan) was completed.



Photo 2 taken by EBT, Inc. on 10/7/2023 – Facing northwest showing the field growing with meadow grass species, similar to what is found throughout the unaltered area.



Photo 2 taken by EBT, Inc. on 8/11/2021 – Showing area where historic loam pile at the southern end of the field within the forest was removed and planted with native species, as described on the site plan.



Photo 2 taken by EBT, Inc. on 10/7/2023 – Showing the area after 2 growing seasons. The planted species are growing but slowly due to the surrounding canopy. There is also the effect of browsing by deer.

Tauper Land Survey, Inc.

Professional Engineering & Land Surveying

April 23, 2024

Sturbridge Conservation Commission
308 Main Street
Sturbridge, MA 01566

Re: Request to lift Enforcement Order
150 Charlton Road
DEP File No. 300-0665

Dear Members of the Conservation Commission:

On behalf of Cobra Realty Trust, owner of the above referenced property, we request the removal of the Enforcement Order (EO), dated July 23, 2021, associated with DEP File No. 300-0665. The EO required completion of the work shown on the Restoration Plan (referenced below) prior to the issuance of a Certificate of Compliance (COC) and removal of the EO.

We enclose for your reference:

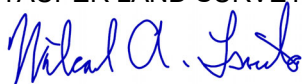
- Restoration Site Plan entitled; "Restoration Plan, 15 Charlton Road, Sturbridge, MA, Prepared for Cobra Realty Trust, Prepared by Summit Engineering & Land Survey, Inc., Rev.#1 June 30, 2021 Sheet 1 of 1."
- Restoration Report prepared by EBT Environmental Consultants, Inc. Revised March 22, 2024.

On April 15, 2024, Mikael A. Lassila, PE (Tauper Land Survey Inc.) and Glenn E. Krevosky (EBT Environmental Consultants, Inc) met on-site to review the items noted in the above Restoration Report. The proposed work shown on the Site Plan has been completed and further detail is provided in the Restoration Report. During the site meeting Mr. Krevosky noted that the removal of the green plastic netting from the erosion control straw wattles was still remaining work to be performed.

Please note that the firm that prepared the Summit Engineering and Survey, Inc. is no longer in business and Tauper Land Survey, Inc. has been retained by the owner / applicant to complete outstanding work associated with this project.

Thank you for your continued consideration in this matter. Please contact Tauper Land Survey Inc, and EBT Environmental Consultants, Inc. with any questions or requests for additional information and to inform us of upcoming meeting dates / times that require us or the owner to appear before the Conservation Commission regarding this matter.

Sincerely,
TAUPER LAND SURVEY, INC.



Mikael A. Lassila, P.E.
Mass. Reg. No. 45680

Cc: client

Encl.: Restoration Site Plan (6/30/201) and Restoration Report (3/22/2024).

January 21, 2021

Sturbridge Conservation Commission
308 Main St
Sturbridge, MA 01566

**Re: Status of MCP Response Actions at
149 & 150 Charlton Road, Sturbridge MA
Release Tracking Number (RTN) 2-0434 et al.
MA DEP Wetlands File #300-0665
CMG ID 2003-036**

Dear Commissioners:

CMG Environmental, Inc. (CMG) herewith provides a summary of the current status of response actions at the above properties relative to MGL c.21E and the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000). We performed a review of documents submitted to the Department of Environmental Protection (DEP) for the above properties, and intend this summary to support a request for a Certificate of Compliance for DEP wetlands file #300-0665 at 150 Charlton Road.

BACKGROUND

The 149 Charlton Road parcel is currently an operating Stop & Shop-branded gasoline filling station that began operations circa 2012-2013. That location was the source area of a gasoline release to the subsurface from a former underground storage tank (UST) system in place when Village Automotive operated at the property. Village Automotive operated a gasoline filling station and mechanical repair business at the time of gasoline release discovery in 1988.

DEP assigned RTN 2-0434 under the pre-1993 MCP following discovery of a release of petroleum to groundwater identified during an environmental assessment in 1988. In July 1998 a geotechnical boring contractor identified evidence of petroleum in soil beneath Charlton Road (U.S. Route 20) north of 149 Charlton Road. DEP issued RTN 2-12301 to identify that release, which the Potentially Responsible Party (PRP) for RTN 2-0434 (Village Automotive) later linked to RTN 2-0434. CMG notes linking an RTN to a previously-issued one closes the newer RTN and requires all response actions for it be performed under the original RTN (2-0434 in this case).

In September 1998 contractors identified another release of petroleum constituents to soil along Route 20 during a water line replacement. DEP issued RTN 2-12420 for this release, which Village Automotive also linked to RTN 2-0434. In December 1998 Village Automotive replaced petroleum USTs at the property and identified a 72-hour reporting condition due to elevated total organic vapors in soil near a UST, and DEP issued RTN 2-12570 to identify that release. Village Automotive also linked this to RTN 2-0434.

In January 1999, Village Automotive's consultants identified elevated concentrations of petroleum, lead, and polychlorinated biphenyls (PCBs) during soil stockpiling activities. DEP issued RTN 2-12615 to that release, which Village Automotive closed in January 2000 via Class A-2 Response Action Outcome (RAO) submittal. A Class A-2 RAO was the term for a 'disposal site' achieving a permanent solution (i.e., no additional actions necessary) with contamination remaining but which poses a condition of 'no significant risk' to health, safety, public welfare, and the environment. In 2014 DEP revised the MCP, and the current term for such a case is 'Permanent Solution' (with no conditions).

During the course of assessment activities for RTN 2-0434 in the early 2000s, Village Automotive consultants identified the former gasoline additive methyl tertiary butyl ether (MTBE) and other gasoline constituents in soil and groundwater at 150 Charlton Road. This parcel is located north of 149 Charlton Road (across Route 20), and is hydraulically downgradient from that property (i.e., groundwater flows generally from the gas station northward beneath Route 20 onto 150 Charlton Road).

In 2005 DEP and Sturbridge Conservation Commission issued an Order of Conditions for file #300-0665 to allow installation of injection wells within wetland areas at 150 Charlton Road. The goal of this installation was to allow addition of remedial additives to degrade gasoline constituents present within soil and groundwater at that parcel.

Master RTN 2-0434 (and its linked RTNs 2-12301, 2-12420 & 2-12570) achieved a condition of 'no significant risk' in 2008 following earlier remedial soil excavation, in-situ chemical oxidation at both 149 & 150 Charlton Road, and years of natural attenuation processes. Environmental Compliance Services (ECS) of Agawam, Massachusetts prepared a Class A-2 RAO for RTN 2-0434, which Village Automotive submitted to DEP on June 24, 2008.

DEP subsequently issued three additional RTNs at 149 Charlton Road in 2012: 2-18586 (May), 2-18672 (August), and 2-18765 (December). RTN 2-18586 was a 30-gallon gasoline release from a tanker truck that achieved a Class A-2 RAO in July 2012. The PRP for 2-18586 (Bee-Zee Gas, who operated the gasoline station between Village Automotive's tenure and its current Stop & Shop operation) retracted that RTN in January 2013 after additional investigation resulted in a determination that it did not constitute a reportable release.

The issuance of RTN 2-18672 was for a failed tightness test on a gasoline supply line (i.e., a "threat of release"). Subsequent investigation confirmed a release of gasoline to the environment, for which Tetra Tech, Inc. supervised response actions that culminated in submittal of a Class A-2 RAO on June 7, 2013.

Vanasse Hangen Brustlin, Inc. submitted a Release Abatement Measure (RAM) Plan on behalf of Stop & Shop during fall 2012 following several years of environmental due diligence investigation related to Stop & Shop's purchase of 149 Charlton Road. They performed the RAM under RTN 2-0434 following discussions with DEP staff (since 2-0434 achieved a Class A-2 RAO in 2008). Their goal was to allow management of potentially contaminated soil and groundwater during redevelopment of the fueling station (e.g., installation of new USTs and dispensers). They closed this RAM in May 2013.

In July 2019 the Sturbridge Fire Department responded to a release of approximately 25 gallons of gasoline from a customer's car, which they reported to DEP as an overfill. DEP assigned RTN


2-20943 to identify that release. Subsequent investigation by NRC East Environmental determined this volume was likely due to damage to the vehicle's fuel tank after striking roadway debris rather than an actual overfill. Personnel at the filling station, the Sturbridge Fire Department, and NRC applied sorbents to contain the release. NRC personnel removed product from a nearby catch basin along with the damaged vehicle fuel tank. Weather conditions at the time were dry, and no discharge of water via the catch basin's outfall occurred (thus no gasoline migrated off-Site). Stop & Shop assumed responsibility for 2-20943 and subsequently submitted a Permanent Solution for it on August 19, 2019. CMG did not identify any other releases of oil and/or hazardous material at either 149 Charlton Road or 150 Charlton Road since issuance of RTN 2-20943 (nor any prior to that which are not already discussed herein).

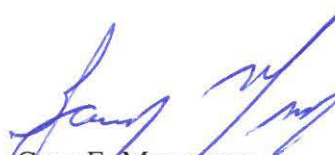
SUMMARY

CMG concludes that all response actions for the former Village Automotive/former Bee-Zee Gas/current Stop & Shop gasoline filling station at 149 Charlton Road are complete. Absent any future releases that result in contaminant migration or discharge to 150 Charlton Road, the activities that required issuance of an Order of Conditions on that property occurred under original RTN 2-0434 and have been complete since 2008. CMG recommends closure of wetlands file #300-0665 for 150 Charlton Road.

Please call us at 774-241-0901 if you have questions or if CMG can be of any further assistance to you.

Sincerely,
CMG ENVIRONMENTAL, INC.


C. Ryan Goad
Hydrogeologist


Gary E. Magnuson
Principal

cc: Mr. Glenn Krevosky, EBT Environmental Consultants, Inc.
Mr. Daniel Prouty, Cobra Realty Trust

2003-036\MCP Status of 149 & 150 Charlton Road.doc