



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
Boston, MA 02109-3912

November 4, 2020

Ms. Brona Simon
SHPO and Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: Iron Horse Park Superfund Site, Billerica, Massachusetts
National Historic Preservation Act – Section 106 Consultation
Determination of No Adverse Effects for Remedial Action at B&M Railroad Landfill,
Area of Concern (AOC) 1

Dear Ms. Simon:

In our ongoing efforts to comply with Section 106, the National Historic Preservation Act, the United States Environmental Protection Agency (EPA) is continuing coordination with the Massachusetts Historical Commission related to activities at the B&M Railroad Landfill (AOC 1) at the Iron Horse Park Superfund Site (the Site) in Billerica, Massachusetts.

The remedy for AOC 1 includes the excavation of landfill material from the edge of the wetland, capping of the landfill, instituting land use restrictions, restoring wetlands impacted by the cleanup, and sampling groundwater periodically to assess the effects of the source control action (capping). Railroad waste extends into portions of the Middlesex Canal along AOC 1, originally from infilling of waste into the wetlands behind the berm and eventually over the berm during the twentieth century. Although test pits are planned for final confirmation of the limits of waste within the Middlesex Canal, the waste requiring excavation likely extends approximately 10 feet into the canal channel.

Remedial activities at AOC 1 are being done in two phases, the first of which was completed this fall. The next phase of the remedy, which is slated to begin next year, includes work along the adjacent Middlesex Canal, which is listed on the National Register of Historic Places (NRHP) as part of the Middlesex Canal Historic and Archaeological District (the District). The section that borders AOC 1, between the south end of the B&M railroad yard (Iron Horse Park) and Pond Street, consists only of the prism and is listed as a contributing resource of the District. The section bordering AOC 1 still contains water, although the prism and berm are no longer visible. No related canal features such as locks, aqueducts, bridges, culverts, or sluiceways are located within this area.

Ahead of the second phase of remediation, an *Assessment of Effects Memorandum, Middlesex Canal Historic and Archaeological District, Iron Horse Park Superfund Site, Operable Unit 3, Area of Concern 1*, was prepared to evaluate whether our remedial action would have an adverse effect on the historic District. The report is attached to this letter, and the major findings and conclusion are summarized below.

- Excavation of wastes will likely result in the removal of original materials that were used in the construction of the canal channel and berm, which will alter the shape of these elements of the canal. However, the berm and the prism itself have already been altered significantly by activities related to the filling of the adjacent wetlands with waste on the northern edge (extending into the canal prism), as well as erosion of the towpath on the southern edge.
- The removal of material from the berm as part of the remediation would result in the loss of a portion of the canal that could provide information on the construction of the canal; however, there have been previous investigations of sections of the canal with similar construction and existing sections that have yet to be examined archaeologically that are better-preserved and more suitable for study.
- Upon completion of the cap, the setting will be affected by the maintenance of a grass-covered, capped landfill structure that will rise higher than the existing ground and be more visible from the canal as a result of the removal of vegetation. However, the setting and feeling of the canal have already been affected by changes to the canal's profile due to the filling of the wetland on the north side of the canal and the erosion of the towpath on the south side.
- Overall, the effect of the action to the design and setting of the canal is not adverse, since the canal channel will be preserved, and other aspects of canal's integrity at this location have already historically been adversely affected.

EPA agrees with the conclusions of the report and has made the determination that the proposed remedial action at AOC 1 will not have an adverse effect on the Middlesex Canal Historic and Archaeological District. EPA is seeking your concurrence on this determination within 30 days.

EPA will continue to engage in the Section 106 consultation process with you. EPA is not aware of any indigenous use of the B&M Railroad Landfill area or surrounding land and believes that it is highly unlikely that tribal artifacts of archaeological significance would be impacted by the remedial activities at AOC 1. Therefore, EPA has not consulted with the Tribal Historic Preservation Officer regarding the remedial activities at AOC 1.

If you have any questions or concerns about the remedial action or the determination of no adverse effects, please contact me at 617-918-1605, or occonnor.laurie@epa.gov.

Sincerely,



Laurie O'Connor
Remedial Project Manager
Superfund and Emergency Management Division

Enclosures:

1. Project Notification Form – Massachusetts Historical Commission
2. Assessment of Effects Memorandum, Middlesex Canal Historic and Archaeological District, Iron Horse Park Superfund Site, Operable Unit 3, Area of Concern 1, 30 October 2020

cc: Christopher Wilson, Program Analyst, Advisory Council on Historic Preservation
J. Jeremiah Breen, President, Middlesex Canal Association (2 copies)
Janet Waldron, Project Manager, MassDEP
Dana Banks, Pan Am
Stacey Harvey, ERM
Michael Pettit, ERM

via email only

Bob Cianciarulo, Chief, Remediation 1 Branch, EPA
Susan Scott, Senior Enforcement Counsel, EPA
Lyndsey Colburn, ERM
John Hazard, ERM
Jeffrey Holland, ERM