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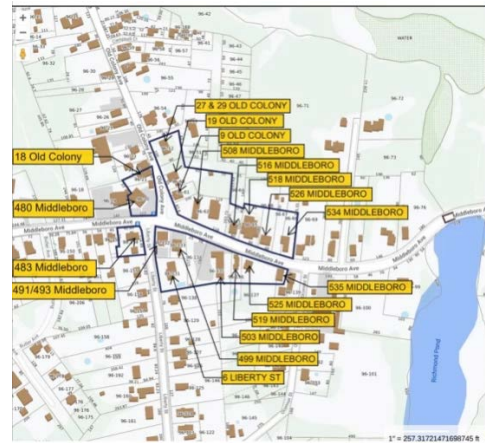
The Inland Professional Corporation (IPC), Principal Joseph V. Polsinello, a Licensed Site Professional (LSP) was Contacted Late December 2023, regarding a 31,000-gallon gasoline release, initial notification August 25, 2023 to the MassDEP BWSC (Bureau of Waste Site Cleanup). The call through the owner's Attorney, the owners could use your help, the \$ 2,000,000.00 coverage was exhausted with Mass DEP and U.S. EPA asking for information. After my immediate call with the owner to meet the next day, December 27, 2023; **my next calls were to my associates of Commercial Industrial Solutions to Create and Establish The Team.**

Closed since late August 2023, the owner and adjacent properties were vacated pending continued monitoring to ensure the Paramount Priority for Health, Safety, Environmental & Public Welfare Protection as Led by a MassDEP Licensed Site Professional (LSP). The First LSP after a Month Resigned; the Second Out of State Based LSP Resigned Along with Remediation and Emergency Contingency Contractors with Notice of Insurance Coverage Depleted.

Clean up after massive spill at Taunton gas station 'could go on for years.' What we know.

Daniel Schemer The Taunton Daily Gazette

Published 5:15 a.m. ET Dec. 5, 2023 | Updated 5:15 a.m. ET Dec. 5, 2023



IPC Project # 2343P
Case History for
Commercial Industrial Solutions

INLAND PROFESSIONAL CORPORATION
51 Mill St., Unit 7,
Hanover, MA 02339
www.inlandprofcorp.com



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2343P AERIAL GIS MAP

Appendix A – Aerial GIS Maps



IPC # 2343P – Enviro Business Consult
508 Middleboro Avenue,
East Taunton, MA 02718

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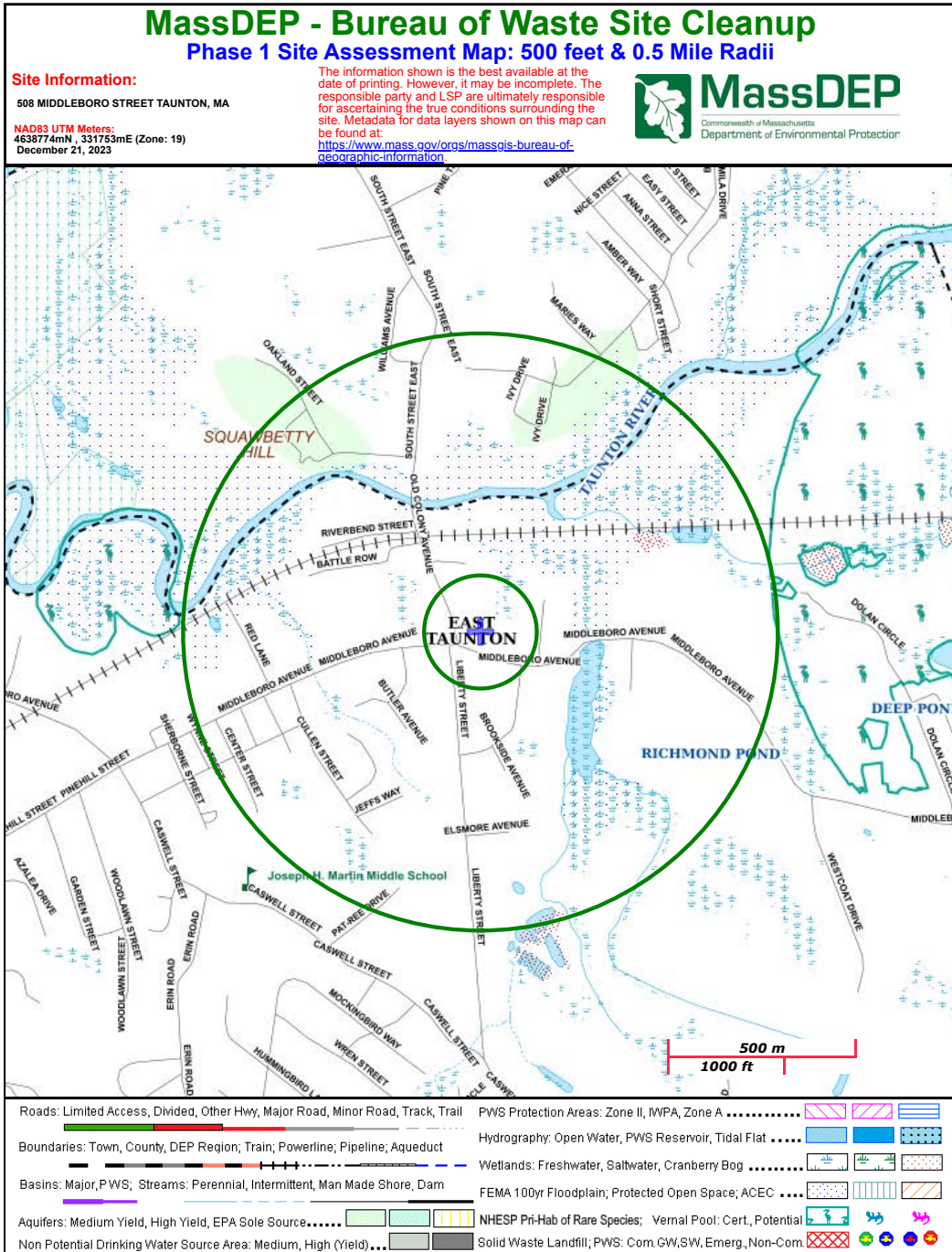


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2343P AQUIFER MAP

12/21/23, 12:43 PM

MassDEP Phase 1 Site Assessment Map



<https://maps.massgis.digital.mass.gov/images/dep/mcp/mcp.htm>

1/1

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Joseph V. Polsinello, LSP, Principal IPC Established *The Team*, with the Owner / Operators *The Lead*. Following our Hands on Policy, *From the Board Room to the Field*, All of the *Team*, UST (Underground Storage Tank), Building Construction, Site Work Excavation and Construction, LSP of Record & Three (3) Peer LSP's, Civil / Petroleum / Remediation / Treatment Engineers, Hydrogeologists / GeoChemist, Assessment, Emergency Response, Disposal / Treatment were incorporated in the Austerity Budget, and at Nominal Cost Experienced *Team*.




 Amaro Brothers Realty Trust - MA DEP RTN: 4-0029972
 Andy Amaro
 Health & Safety - Environmental Protection - Public Welfare Review & Sign In
Member of the Environmental & Safety
 Safety First - A Priority

PRINT NAME	SIGNATURE	CELL #
Aaron Amaro	<i>[Signature]</i>	
Andy Amaro	<i>[Signature]</i>	
JOSEPH V. POLSINELLO	<i>[Signature]</i>	519 963 7300
Rob Berger	<i>[Signature]</i>	
Supervisor	<i>[Signature]</i>	
Don Brown	<i>[Signature]</i>	
MIKE ENOBILI	<i>[Signature]</i>	



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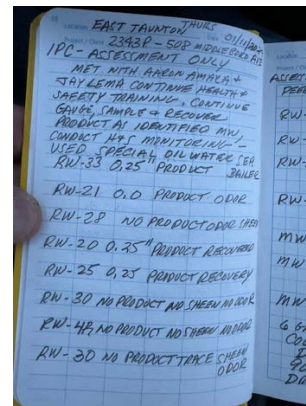
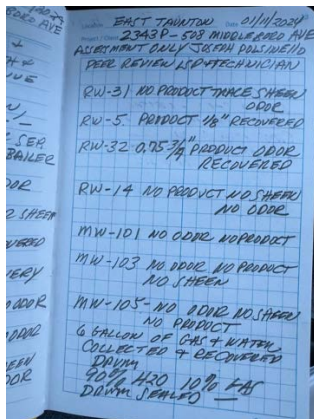
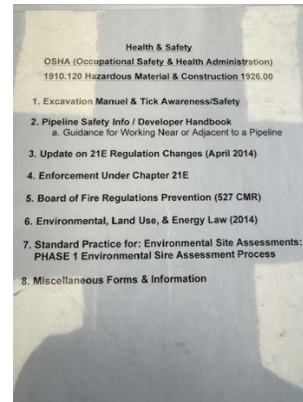


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Joseph V. Polsinello, LSP, Principal IPC, *In The Field*, Most Important Aspect, Joe Personally Assessed, Sampled & Recorded in *My Field Log Book*. Three Generations, Four (4) Decades My Family and Associates Volunteer Fire, EMT, Civic and Community & Local Government Service; Mentors, OSHA Training Providers as Qualified *Competent Person* / Health & Safety Site Officer Experience, *Junior – Entry Level Individuals Do Not Possess*. Note: Explosion Proof High Velocity Blower Exhausting Sewer / Storm Drain to Ensure No Vapors, No LEL (Lower Explosion Limit) & Assessment Points.

Lost in a Majority of Assessment / Remediation “Sites” Whether an ASTM Phase I Environmental Site Assessment in Obtaining a Loan with a Recognized Lender, a Majority Select the *Consultant*, Without *YOUR* Knowledge or Understanding of the Consequences; and Mass DEP BWSC (Bureau of Waste Site Cleanup) “Sites” a Serious Void Exists Between the Business, Board Room and To the Field Data, Communications and Impact of Opinions.

The Majority of Consultants Utilize Junior Entry Level Individuals, Many LSP and Principals have Never Been to the “Site” or Subject Property; Including the Individual Meeting, Sitting Across from You in the Board Room. The IPC / Commercial *Industrial Solutions Team* mandates the strict Quality Assurance / Quality Control “*From the Board Room to the Field*”



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NOTICE OF RESPONSIBILITY RTN Release Tracking Number Page 1, Statutory Liability NOR Page 2, NOR Page 3 Explanations IRA (Immediate Response Actions) Fees & Deadlines, NOR Page 4 "You must employ or engage a Licensed Site Professional (LSP) to manage, supervise or perform the necessary response actions to address this release / threat of release.", Page 1 MassDEP the Guide to Licensed Site Professionals and The LSP Board, "What Are Some of the Important Rules of Professional Conduct that LSPs Must Meet?" "Who Can File Complaints Against LSPs?"



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs
Department of Environmental Protection
Southeast Regional Office - 25 Riverside Drive, Lowell, MA 01854-1100

September 6, 2023

Two Brothers Realty Trust
100 Andy Avenue, Taunton
508 Middleboro Avenue
East Taunton, Massachusetts 02718

RE: **TAUNTON - BWC**
Release Tracking Number: 4-022972
508 Middleboro Avenue
NOTICE OF RESPONSIBILITY

THIS IS AN IMPORTANT NOTICE. FAILURE TO TAKE APPROPRIATE ACTION IN RESPONSE TO THIS NOTICE COULD RESULT IN SERIOUS LEGAL CONSEQUENCES.

Dear Mr. Amos:

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (BWSC) at the Department is tasked with ensuring the cleanup of oil and hazardous material (OHM) releases pursuant to the Massachusetts Oil and Hazardous Material Release Prevention and Response Act (M.G.L. c. 21E or Chapter 21E). The law is implemented through regulations known as the Massachusetts Contingency Plan (310 CMR 40.0001) and the MCP. Both Chapter 21E and the MCP require the performance of response actions to provide for the protection of human health, safety, public welfare and the environment which may result from releases and/or threats of releases of OHM.

REASON FOR THIS NOTICE

On August 25, 2023 at 5:37 PM, MassDEP received a notification from Acron Amuro concerning a sudden release of approximately 2,500 gallons of gasoline at the Acron's Market, Inc. service center. A tank in a dispenser line resulted in the release. The release impacted soil, groundwater and indoor air of adjoining properties. Pursuant to 310 CMR 40.001(1)(b), this release requires notification to MassDEP within 2 hours of knowledge of the release, and pursuant to 310 CMR 40.001(1)(c), the release requires that an Immediate Response Action (IRA) be conducted.

Chapter 21E and the MCP require the performance of response actions to prevent harm to health, safety, public welfare and the environment which may result from this release and govern the conduct of such actions. The purpose of this notice is to inform you of your legal responsibilities under State law for assessing and/or remedying the release at this property. For purposes of this Notice of Responsibility (NOR) the terms

This information is available in alternate formats. Please contact Release Support at 877-683-1863.
TDD: 617-292-2222
Voice: 617-292-2222
Email: mas@mass.gov
Printed on Recycled Paper

Notice of Responsibility
Release Tracking Number 4-022972
Page 2 of 4
and phrases used herein shall have the meaning ascribed to such terms and phrases by the Chapter 21E and the MCP unless clearly indicated otherwise.

STATUTORY LIABILITY

MassDEP has reason to believe that you (as used in this Notice, "you" and "your" refers to Two Brothers Realty Trust), as the current owner of the property from which a release of oil has occurred, are a Statutorily Responsible Party (SRP) with liability under M.G.L. c. 21E §5, for response action costs. Section 5 makes the following parties liable to the Commonwealth of Massachusetts: current owners or operators of a site for or at which there is or has been a release/threat of release of oil or hazardous material, any person who owned or operated a site at the time hazardous material was stored or disposed of, any person who arranged for the transport, disposal, storage or treatment of hazardous material or for a site, any person who transported hazardous material to a transport, disposal, storage or treatment site from which there is or has been a release/threat of release of such material, and any person who otherwise caused or is highly responsible for a release/threat of release of oil or hazardous material at a site.

The liability is "strict," meaning that it is not based on fault, but solely on your status as owner, operator, generator, transporter, disposer or other person specified in M.G.L. c. 21E §5. This liability is also "joint and several," meaning that you may be liable for all response action costs incurred at a disposal site regardless of the existence of any other liable parties. Pursuant to M.G.L. c. 21E and the MCP the term disposal means anywhere OHM has come to be located.

MassDEP encourages parties with liability under M.G.L. c. 21E to take prompt and appropriate actions in response to releases and threats of release of oil and/or hazardous materials by taking prompt action, you may significantly lower your assessment and cleanup costs and/or avoid liability for costs incurred by MassDEP in taking such actions.

You may be liable for up to three (3) times of Response Action Costs incurred by MassDEP. Response Action Costs, includes, without limitation, the cost of direct work spent by MassDEP employees arranging for response actions or performing work performed by persons other than MassDEP or its contractors, expenses incurred by MassDEP in support of those direct hours, and payments to MassDEP's contractors. (For more detail on this liability, see 310 CMR 40.0003)

MassDEP may also assess release or threat of release costs incurred at the site of release amount (SRN) computed annually. To secure payment of this debt, the Commonwealth may place liens on your property in the Commonwealth. To receive the debt, the Commonwealth may foreclose on these liens. The Attorney General will file a lawsuit against you.

In addition to your liability for up to three (3) times of Response Action Costs incurred by MassDEP, you may also be liable to the Commonwealth for damages to natural resources caused by the release. Civil and criminal penalties may also be imposed under M.G.L. c. 21E, § 9, and civil administrative penalties may be imposed under M.G.L. c. 21A, § 16 for each violation of M.G.L. c. 21E, the MCP, or any order, permit or approved record thereunder.

By taking prompt actions you may also avoid the imposition of, the amount of or reduce certain annual compliance assurance fees payable under 310 CMR 4.00.

Notice of Responsibility
Release Tracking Number 4-022972
Page 3 of 4

You should be aware that you may have claims against third parties for damages, including claims for contribution or reimbursement for the costs of cleanup. Such claims do not exist until you have been assessed a lien which establishes the time allowed for bringing litigation. MassDEP encourages you to take any action necessary to protect your such claims you may have against third parties.

If you are a responsible party you may have reason to believe that your performance of the necessary response actions is beyond your financial, financial or legal ability, you should promptly notify the Department in writing of your inability to do so in accordance with M.G.L. c. 21E, subsection 5(a), and 310 CMR 40.001(2). If you assert or demonstrate to compliance therewith that performance or prong for such response actions is beyond your ability, subsection 5(b) provides you with a limited defense to an action by the Commonwealth in the event of fees to three times the Department's response action costs and 310 CMR 40.001(2) provides you with a limited defense to the Department's assessment of civil administrative penalties.

Please refer to M.G.L. c. 21E for a complete description of potential liability.

ORAL APPROVAL/IMMEDIATE ACTION REQUIRED

As outlined above, pursuant to 310 CMR 40.001(2), this release requires that an IRA be conducted. Coordination with the Licensed Site Professional (LSP) of Record resulted in the approval of the following response actions under an IRA Fee:

- Application of absorbents,
- 200 cubic yards soil removal,
- Product recovery,
- Assessment

All Remediation Waste generated must be properly stored/handled and disposed as soon as possible and, in all cases, within 120 days of the date of generation per 310 CMR 40.0030.

ADDITIONAL ACTIONS REQUIRED

Additional submittals are necessary relative to this notification including, but not limited to, a written IRA Plan, IRA Completion Statement and/or a Permanent or Temporary Solution Statement. The MCP requires that a LSP be hired to submit to MassDEP when a Permanent Solution Statement is filed greater than 120 days from the date of initial notification.

Specific approval is required from MassDEP for the implementation of most IRAs pursuant to 310 CMR 40.0040. Release Assessment Measures (RAMs) may not be conducted until a RAM Plan is submitted pursuant to 310 CMR 40.0045. Assessment activities, the construction of a fence and/or the posting of signs are actions that are exempt from this approval requirement.

In addition to oral notification, 310 CMR 40.0033 requires that a completed Release Notification Form (BWC-120) be submitted to MassDEP within sixty (60) calendar days of August 25, 2023.

Notice of Responsibility
Release Tracking Number 4-022972
Page 4 of 4

You must employ or engage a Licensed Site Professional (LSP) to manage, supervise or perform the necessary response actions to address this release/threat of release. You may obtain a list of the names and addresses of these licensed professionals from the Board of Registration of Hazardous Waste Site Cleanup Professionals (BRS) at <http://www.mass.gov/brc> or by calling 877-683-1863. MassDEP records relative to the inventory of BRS members are available on the BRS website.

Unless otherwise provided by MassDEP, potentially responsible parties (PRPs) have one year from the initial date of notification to MassDEP of a release, pursuant to 310 CMR 40.0030, to form the date MassDEP issues a Notice of Responsibility, whichever occurs earlier, to file with MassDEP one of the following submittals: (1) a completed Classification Statement, (2) a Permanent or Temporary Solution Statement or Application, (3) a Divergent Property Status. The deadline for either of the first two submittals for this release is August 25, 2024.

This release shall not be deemed to have had all the necessary and required response actions taken unless and until all submittals heretofore presented by the release have been submitted and a list of the Significant Risk areas or has been achieved in compliance with Chapter 21E and the MCP. The MCP requires parties undertaking response actions to address a release to submit to MassDEP a Permanent Solution Statement prepared by an LSP in accordance with 310 CMR 40.0030 upon determining that a level of Significant Risk already exists or has been achieved relative to the release.

If you have any questions relative to this Notice, please contact Robert Murphy at the telephone address or at (774) 683-2028. All future communications regarding this release must specify the Release Tracking Number: 4-022972.

Sincerely,

Dan Crafton, Chief
Emergency Response Section
Bureau of Waste Site Cleanup

CCRM

cc: Board of Health
Board of Selection
Fire Department

The LSP Board also regulates the professional services provided by LSPs. It has adopted Rules of Professional Conduct that all LSPs must meet. The LSP Board investigates complaints that LSPs have failed to follow these rules.

WHAT ARE SOME OF THE IMPORTANT RULES OF PROFESSIONAL CONDUCT THAT LSPS MUST MEET?

The Massachusetts Waste Site Cleanup Program has been designed to safeguard public health and the environment. LSPs conduct the cleanup project with the facility to avoid further releases to the earth or air. DEP's requirements for assessing and cleaning up a site and its related independent professional judgment of a site. In addition, the LSP Board requires that LSPs provide advice with reasonable care and diligence, keeping the knowledge and skill required of LSPs.

WHAT HAPPENS WHEN LSPS VIOLATE THE BOARD'S PROFESSIONAL CONDUCT RULES?

If the LSP Board receives a complaint about an LSP and determines that the LSP has violated one or more of the Rules of Professional Conduct, the Board can discipline the LSP. The forms of discipline include reprimand, suspension of license, and, in cases of serious violations, revocation of license.

WHY CAN I FILE COMPLAINTS AGAINST LSPS?

Anyone can file a complaint, including property owners and anyone who visits LSPs, shippers, cleanup groups, public officials, DEP staff, and even other LSPs. To file a complaint, all you need to do is to fill out a short Complaint Form obtained from the LSP Board by calling (877) 556-1143.

The Board considers all complaints that LSPs have performed in a manner that violates the number of years or any of the other Rules of Professional Conduct. However, the LSP Board does not have jurisdiction to resolve disputes between LSPs and their clients about fees.

FOR MORE INFORMATION...

LSP Board

List of LSPs: (877) 556-1001
To file a Complaint: (877) 556-1143
LSP disciplinary records: (877) 556-1814
Email address: lsp@mass.gov

Web site: www.lspboard.org

• General information about the LSP Board

• List of LSPs

• Disciplinary action rules

• LSP Board's Rules of Professional Conduct

Department of Environmental Protection
MCP Region 1 (213 program only)

• (877) 556-2232 (toll free voice 877 and remote Massachusetts)

• (800) 465-0444 (toll free voice 781, 726, 878, and 617)

Web site: www.mass.gov/brc

• Massachusetts Contingency Plan

• Other waste site cleanup publications

• Site List

• Bioremediation information

Agnes Paul CARROLL, Governor
One World Trade Center
New York, NY 10048

Executive Office of Environmental Affairs
Bob Demas, Secretary
Alec Trone, Executive Director, LSP Board

GUIDE TO LICENSED SITE PROFESSIONALS AND THE LSP BOARD

prepared by
The Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals
One World Trade Center, 11th Floor
New York, NY 10048
(877) 556-1001
lspboard@mass.gov

PURPOSE OF THIS PAMPHLET

This pamphlet has been prepared to help you better understand the role that Licensed Site Professionals (LSPs) and the LSP Board play in the way we assess and clean up sites ("21E program"). You may find this pamphlet useful if:

- you need to hire an LSP to oversee an assessment or cleanup at your property;
- your property owner or is in need a contaminated site when cleanup activities are being initiated by an LSP;
- you are a land owner in a city or town in which waste sites are located.

If you have additional questions about this pamphlet do not answer, please contact the LSP Board at the Massachusetts Department of Environmental Protection (DEP). Please mention, as well as mail and Web site addresses, as listed on the back of this pamphlet.

GENERAL INFORMATION:

The Commonwealth of Massachusetts takes the cleanup of sites and other releases of oil, gasoline, and other hazardous materials to the soil and groundwater very seriously.

Chapter 21E of the Massachusetts General Laws sets out the legal obligations of property owners and others responsible for the contamination:

- report a release of oil or release;
- assess the nature and extent of contamination;
- take speedy action to address threats which pose a significant risk of harm; and
- clean up the contamination.

Those who may be legally responsible for a spill or release under Chapter 21E may obtain general information about their obligations from DEP. They also may wish to refer to their specific legal obligations from an attorney who is knowledgeable about the 21E program.

HOW SITES GET CLEANED

The Massachusetts Department of Environmental Protection has implemented the 21E program through a set of regulations known as the Massachusetts Contingency Plan or "MCP". The MCP gives the state's role in conducting cleanup of contaminated sites. The MCP requires people who are responsible for cleanup to hire a Licensed Site Professional to manage and/or oversee the required assessment and cleanup work. Licensed Site Professionals are also referred to as "LSPs".

WHAT ARE LSPS AND WHAT DO THEY DO?

LSPs are scientists or engineers experienced in the assessment and cleanup of oil, gasoline, and hazardous material contamination. They are licensed by an independent state board to manage cleanup and provide formal, written reports that cleanup work meets the requirements of the MCP.

WHY LICENSED LSPS?

LSPs are licensed by the Board of Registration of Hazardous Waste Site Cleanup Professionals. This board, known as the "LSP Board", continually updates the "LSP Board". Applicants must have adequate education and experience, successfully pass the Board, and they may pass an examination that tests their technical and regulatory knowledge. The LSP Board also requires that LSPs have continuing education requirements in order to maintain their licenses. These licensing and continuing education requirements, along with the LSP Board's rigorous disciplinary program, were designed to ensure that LSPs have the knowledge and experience to provide the most effective, prompt, thorough assessment and cleanup services mandated by the state regulations.

completed must be sent to DEP. When a cleanup has been completed, the LSP provides a final written report that the response actions have achieved the required cleanup with the MCP and protect health, safety, public welfare, and the environment. Only an LSP can sign and stamp these final reports.

HOW TO FIND A HIRE AN LSP

Most environmental services firms have LSPs on staff. Other LSPs work independently and either clients or hiring all the needed environmental contractors. A complete list of LSPs, their addresses and telephone numbers can be obtained on the World Wide Web at <http://www.mass.gov/brc> or by calling the LSP Board at (877) 556-1001. DEP's Region 1 Service Center also has a list of all Licensed LSPs.

Approve sending to this an LSP should do the following:

- Ask for a cost estimate.
- Contact the LSP Board and ask if any complaints have been filed against the LSP who are being considered. If so, ask if any discipline was imposed.
- Compare experience as well as cost. Do not base your selection on cost alone. A more experienced LSP may cost you less in the long run.
- Obtain a written contract describing the work to be done and specifying all fees.

WHY LICENSED LSPS?

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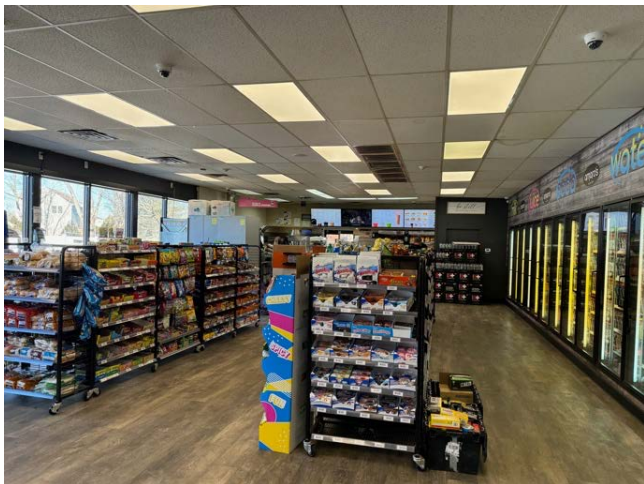
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February 6, 2024 Less Than Four (4) Weeks Implementing the IPC / Commercial *Industrial Solutions Team* the Separators / Tanks Delivered, 120 Ton Crane Set Up. Amaro's Market, Completely Restored, Grand Opening the Amaro Family with State Senator Marc R. Pacheco, Taunton, Massachusetts, Serving Third Bristol and Plymouth District.



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