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NPDES PERMIT UNIT

March 12, 2003

Shell Oil Products US
HSE Science and Engineering
308 E. 38th Street
New York, New York 10016
Tel (212) 661 2506
Fax (212) 661 2581
Email MSHong@ShellOPUS.com
Internet http://www.shell.com

Roger Janson, Associate Director
Surface Water Programs
USEPA - Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

MAR 27 2003

Re: Response to February 10, 2003 USEPA Letter
Fall River Marine Terminal
One New Street
Fall River, MA 02722
NPDES Exclusion Reference #MA 031-006 (Outfall 001A)
NPDES Permit #MA0004871 (Outfalls 001 and 004)

Dear Mr. Janson:

This letter is in response to the USEPA letter dated February 10, 2003 addressed to Shell Oil Products US ("Shell"). Pursuant to Michael O'Brien's request, Shell is providing written documentation to the USEPA Region that that Jay Cashman Inc. is the current owner and operator of the Fall River Marine Terminal and therefore is environmentally responsible for outfalls 001 and 004. The associated contact information is:

Alan Perrault
Jay Cashman Inc.
20 West Howell Street
Dorchester, MA 02125
Phone : 781-335-5001

Shell also verifies that all the information contained in page 2, paragraph 2 of your letter dated February 10, 2003 is accurate.

In accordance with Conditions 3(b) and 3(d) of the Second Amendment to the Agreement for Sale and purchase between Shell Oil Company ("Seller") and Jay Cashman, Inc. ("Purchaser") dated August 3, 2000, Jay Cashman Inc. was to assume all sampling, monitoring, management and reporting responsibilities for Outfall 004 upon closing and Outfall 001 upon notice from Shell that all groundwater from Outfall 001 was rerouted to Outfall 001A (see enclosed Second Amendment). Written and verbal notification was given to Alan Perrault of Jay Cashman Inc. (see enclosed written notification letter).

(H)

Mr. Roger Janson

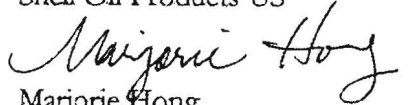
Response to February 10, 2003 USEPA Letter

March 12, 2003

Page 2 of 3

If you have any questions, or require any additional information, I may be contacted at (212) 661-2506.

Respectfully,
Shell Oil Products US


Marjorie Hong
Senior Environmental Engineer

Enclosures: Second Amendment

January 14, 2003 Letter from Shell Oil Products US to Jay Cashman Inc.

Mr. Roger Janson

Response to February 10, 2003 USEPA Letter

March 12, 2003

Page 3 of 3

C: Olga Vergara, USEPA – Region 1
1 Congress Street, Suite 1100 (CMU)
Boston, MA 02114-2023

Brian Pitt, USEPA – Region 1
1 Congress Street, Suite 1100 (CPE)
Boston, MA 02114-2023

John Hackler, USEPA – Region 1
1 Congress Street, Suite 1100 (CPE)
Boston, MA 02114-2023

Mike O'Brien, USEPA – Region 1
1 Congress Street, Suite 1100 (CPE)
Boston, MA 02114-2023

Alan Perrault
Jay Cashman Inc.
20 West Howell Street
Dorchester, MA 02125

Tim Franceschini, Sr Staff Hydrogeologist (via electronic mail)
Shell Global Solutions (US) Inc.
WestHollow Research Center
3333 Hwy 6 South, Room #EC353
Houston, TX 77082

Greg Motta, Site Manager (via electronic mail)
Shell Oil Products Company
Former Shell Fall River Distribution Terminal
One New Street, PO Box 9818
Fall River, MA 02720

Michelle Smith, Project Scientist (via electronic mail)
NewFields Princeton LLC
103 Carnegie Center, Suite 109
Princeton, NJ 08540

Michael P. Bingham, I.SP (via electronic mail)
Corporate Environmental Advisors, Inc.
Hartwell Business Park
127 Hartwell Street
West Boylston, MA 01583

Chris Dawson

From: Chris Dawson [dawson.chris@comcast.net]
Sent: Thursday, May 19, 2011 3:56 PM
To: papadopoulos.george@epamail.epa.gov
Subject: RE: MODIFICATION OF PERMITS - QUESTION



Quitclaim Deed Jay
Cashman and...

Hi, George,

I think we may have a problem here...

The March 12, 2003, letter from Shell Oil Products US to Roger Janson of the USEPA that you forwarded me states as follows:

"Shell is providing written documentation to the USEPA Region that Jay Cashman, Inc., is the current owner and operator of the Fall River Marine Terminal and therefore is environmentally responsible for Outfalls 001 and 004."

I believe that NPDES Permit MA 0004871 may have been transferred to Jay Cashman, Inc., "under a cloud"...

JAY CASHMAN, INC., ACTUALLY WAS NOT THE "CURRENT OWNER" (NOR PROBABLY THE "OPERATOR") in March of 2003. Jay Cashman, Inc., had already SOLD the property to Fall River Marine Terminal, LLC, approximately 3 months after the corporation had purchased the property in December of 2000 (sale to Fall River Marine Terminal, LLC, recorded in Bristol County Registry of Deeds on 03/14/01--see copy of Deed Attached).

Also, in checking with the Commonwealth of Massachusetts Secretary of State's Office, Jay Cashman is/was Clerk and a Director of Jay Cashman, Inc., in 2001 (the earliest records available). He was not Chairman of the Board nor Secretary of the Corporation (as indicated in the executed "Transfer" dated 01/14/03) as far as the Secretary of State's Office or I could tell from our research.

I will be reviewing the "transfer" documents in more detail and will get back to you with any additional questions/comments.

I can't tell you how much I appreciate your help in this matter. I want my Public Input filing to be as complete and as accurate as possible.

Cecile Scofield
Lady Lake, Florida
774-526-4739

-----Original Message-----

From: papadopoulos.george@epamail.epa.gov
[mailto:papadopoulos.george@epamail.epa.gov]
Sent: Thursday, May 19, 2011 12:55 PM
To: Chris Dawson
Subject: Re: MODIFICATION OF PERMITS - QUESTION

Cecile, here is some correspondence regarding the transfer of ownership for this site.

(I)
~~See~~
exhibit "A" +
"B"
Attached

Chris Dawson

From: Chris Dawson [dawson.chris@comcast.net]
Sent: Thursday, May 19, 2011 11:59 AM
To: papadopoulos.george@epamail.epa.gov
Subject: MODIFICATION OF PERMITS - QUESTION

QUICK QUESTION:

40 CFR Ch. 1 (7-1-08 Edition) Section 122.63 Minor Modifications of Permits

(d) Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the Permit is necessary, provided that a written agreement containing a specific date for transfer of Permit responsibility, coverage, and liability between the current and new Permittees has been submitted to the Director.

Is this applicable? If it is applicable, I would be interested in seeing a copy of the referenced agreement that was submitted to the Director. I am particularly interested in references to "liability" especially since the Weaver's Cove Energy property on 1 New St. in Fall River, MA, is a MassDEP 21E Site.

Thank you again for your help.

Cecile Scofield
Lady Lake, Florida
774-526-4738

-----Original Message-----

From: papadopoulos.george@epamail.epa.gov
[mailto:papadopoulos.george@epamail.epa.gov]
Sent: Wednesday, May 18, 2011 1:02 PM
To: dawson.chris@comcast.net
Subject: second e-mail

Here you go Cecile . . . the public notice extension will actually be in the newspaper tomorrow . . .

(See attached file: MA_public_notice_extension_weavers cove.doc)

(See attached file: Document.pdf)

From: Laura.Turley@shell.com
Sent: Wednesday, May 16, 2012 5:52 PM
To: dawson.chris@comcast.net
Cc: Pierre.Espejo@shell.com
Subject: Former Shell Property in Fall River, MA

Dear Ms. Scofield,

[REDACTED]

[REDACTED]

[REDACTED] "We want to assure you that Shell is committed to perform the required remediation at the site associated with Shell's historical use pursuant to Massachusetts requirements as outlined in the Purchase and Sale Agreement when Shell sold the property to Jay Cashman Inc."

With regards,

Laura

Laura C. Turley
Managing Counsel

Shell Oil Company
P. O. Box 2463
Houston, TX 77252-2463
United States of America
<http://www.shell.com>

Tel: 713-241-0969
Email: laura.turley@shell.com

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(K)