

**M.G.L. CHAPTER 21E, SECTION 3A(j)(2)**  
**NOTICE OF SETTLEMENT**  
**FOR**  
**THE SUTTON BROOK DISPOSAL AREA FUND SITE**  
**TEWKSBURY, MASSACHUSETTS**

In accordance with § 3A(j)(2) of M.G.L. ch. 21E, NOTICE is hereby given on behalf of the Settling Defendants listed below (comprised of Performing Settling Defendants, Cashout Settling Defendants and De Minimis Settling Defendants) of a settlement relative to alleged releases of oil or hazardous materials at the Sutton Brook Disposal Area Superfund Site (the Site).

The Settling Defendants will resolve their liability to the Commonwealth of Massachusetts in a judicially-approved Consent Decree regarding the Site. The Consent Decree requires some or all of the Settling Defendants to perform response actions at the Site and to reimburse the Commonwealth for response costs it has incurred and will incur there. Each Performing Settling Defendant shall be entitled on the effective date of the Consent Decree, and each Cashout Settling Defendant and De Minimis Settling Defendant shall be entitled on the later of the effective date of the Consent Decree or the date when the Commonwealth receives notice that its full payment under the Consent Decree has been made, to protection from claims brought pursuant to M.G.L. c. 21E for contribution, cost recovery or equitable share regarding matters addressed in the Consent Decree, pursuant to §3A(j)(2) of M.G.L. c. 21E.

A copy of the Consent Decree may be reviewed at the MassDEP office located at One Winter Street, Boston, MA. Please contact Dorothy Allen at (617) 292-5795 to schedule an appointment.

**OPPORTUNITY TO COMMENT**

In accordance with §3A(j)(2) of M.G.L. ch. 21E, the Consent Decree is subject to a 90 day public comment period. Written comments on the Consent Decree may be submitted until 5:00 pm on April 27, 2010 to the Commonwealth and the Settling Defendants by delivering such comments to the persons listed below.

For the Commonwealth: Louis Dundin, Assistant Attorney General  
Office of the Attorney General  
Environmental Protection Division  
One Ashburton Place, Room 1813  
Boston, MA 02108-1598

For the Settling Defendants: Wilmer Cutler Pickering Hale and Dorr LLP  
Attn: Patrick van der Voorn  
60 State Street  
Boston, MA 02109

## SETTLING DEFENDANTS

### **Performing Settling Defendants**

Ausimont Industries, Inc., for itself and on behalf of Compo Industries, Inc., Pandel-Bradford, Inc., and Pandel, Inc.

Boston and Maine Corporation (B & M Railroad/Pan Am Railways)

Browning-Ferris Industries, Inc. and its predecessors including Barry Bros., Inc., Greenwood Disposal Company, Inc., and Miller Disposal Services Inc.; Allied Waste Systems, Inc. and its predecessors including Reliable Rubbish Disposal, Inc.; and BFI Waste Systems of North America, LLC

BTU International

DuPont / NE Nuclear (E.I. DuPont De Nemours and Co.)

Honeywell International, Inc.

Mallinckrodt LLC (as successor to International Minerals and Chemical Co. on behalf of its subsidiary Kingston Steel Drum Co.)

M/A-COM, Inc. (formerly known as Microwave Associates, Inc.) in its own right and on behalf of Microwave Associates

Raytheon Company

Sears, Roebuck and Co.

Textron Systems Corp./AVCO (Textron, Inc.)

Town of Tewksbury

Verizon New England, Inc. (New England Telephone Co.)

Waste Management of Massachusetts, Inc. (V. Canelas Co., Inc.); Waste Management Disposal Services of Massachusetts, Inc. (SCA Disposal Services of New England, Inc. - Eastern Division); Waste Management of New Hampshire, Inc. (P&T Container Service Co., Inc.)

Zeneca, Inc., as successor to Polyvinyl Chemicals Inc., a/k/a Polyvinyl Chemical Industries

### **Cashout Settling Defendants**

Emhart Industries, Inc.

Holt & Bugbee Company

New England Power Company, and Massachusetts Electric Company

RCA Corporation (Lockheed Martin Corp.)

Tewksbury State Hospital (Massachusetts Dept. of Public Health)

The Gillette Company

### **De Minimis Settling Defendants**

3M Company (f/k/a Minnesota Mining and Manufacturing Co.)

American Science and Engineering, Inc.

Anton's Cleaners, Inc.

Cabot Corp.

Cambridge Tool and Manufacturing Co., Inc., JapENAMELac Corp. and their successor Leggett & Platt, Incorporated

Computervision LLC

Fisons Corporation

Frank C. Meyer Corp. (Millen Industries, Inc.)

GCA Corp. (SPX Corporation)

General Latex and Chemical Corporation

Hewlett-Packard Co./Apollo Computer, Inc./Digital Equipment Corp.

Majilite Manufacturing, Inc.

Massachusetts Bay Transportation Authority

Massachusetts Institute of Technology

Schneider Automation Division of Square D Company, as successor to Modicon, Inc.

New Balance Athletic Shoe, Inc.

Piconics, Inc.

Roche Brothers Barrel and Drum Company, Inc.

The Sherwin-Williams Company

TRW Automotive US LLC (as successor to Carr Fasteners)

Tutor Perini Corporation

Vishay Intertechnology, Inc. and its subsidiaries and affiliates, including Vishay BLH, Inc. (Baldwin Lima Hamilton)

W.R. Grace & Co.