

**Record of Decision**  
**Part 2 – The Decision Summary**

waters of Goose Pond. Source material placed below this boundary will not be expected to contaminate surface water in the remainder of Goose Pond. The available data indicate that the mine pit can hold up to 1,300,000 cubic yards of source material and dredged sediment without filling above the mixing boundary. This is more than adequate to hold the estimated 101,000 cubic yards of sediment and 347,000 cubic yards of source material and soil identified for disposal in the former mine pit. This volume will only fill the pit to an estimated depth of 120 feet below sea level. The estimated level of fill in the mine pit after implementation of the selected remedy for OU1 is shown in Figure 21. The disposal of contaminated sediments into the CAD cell and long-term monitoring of the protectiveness CAD cell will meet all applicable standards under the Clean Water Act and other identified ARARs for protecting the aquatic resources of Goose Pond.

**Backfilling of dredged areas in Goose Pond is not planned.** This is primarily because the mine waste has artificially filled Goose Pond and its removal will partially re-establish the pre-mine hydrology. The salt marsh, excavated or disturbed during remedial activities, will be restored and any permanent loss of area or function will be included in the wetland mitigation component of the cleanup.

**Mine Waste and Sediment Waste Disposal in the Submerged Former Mine Pit in Goose Pond**

The submerged former mine pit in Goose Pond (the Pit), as a potential receiving area for confined aquatic disposal (CAD) cell of mining waste and contaminated sediments, was evaluated to verify compliance with the Clean Water Act (CWA) Section 404, potential for exceedances of CWA Water Quality Criteria (WQC) and protectiveness under CERCLA. For Superfund sites, as an ARAR, Section 404 of the CWA governs the placement of contaminants and pollutants into waters of the United States as an applicable regulatory requirement. Section 403 of the CWA, which governs placement of waste and pollutants into the ocean environment (specifically, the territorial sea, the water of the contiguous zone, or the oceans), is neither an applicable nor a relevant and appropriate requirement because data show that waste contaminants to be placed in the CAD cell will not leak into the bay and ocean waters of the United States.

The technical evaluation of the CAD cell made the following findings that are unique to the situation at the former Callahan Mine Pit and ensures that waste placement in the CAD cell will remain protective of human health and the environment and will comply with applicable, or relevant and appropriate requirements (ARARs).

***Overarching Determination under CWA 404:***

- The receiving water body is not deemed a special aquatic site under Clean Water Act 404, as defined in 40 C.F.R. § 230.3(q-1) and Subpart E of the “Section 404 (b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material” at 40 C.F.R. §§ 230.40-230.45.
- *Sufficient information is available to demonstrate that disposal in the CAD cell will comply with Clean Water Act 404.*



**U.S. ENVIRONMENTAL PROTECTION AGENCY  
EPA NEW ENGLAND**

**RECORD OF DECISION**

**OPERABLE UNIT 1**

**CALLAHAN MINE SUPERFUND SITE**

**SEPTEMBER 2009**

Callahan Mine

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