

# The Former Monsanto Chemical Company Site

“East Side”

Everett, Massachusetts

“The unique parcel that slipped through the cracks”



October 26, 2010

Officer Patrick Johnston  
Everett Police Department  
Marine Unit

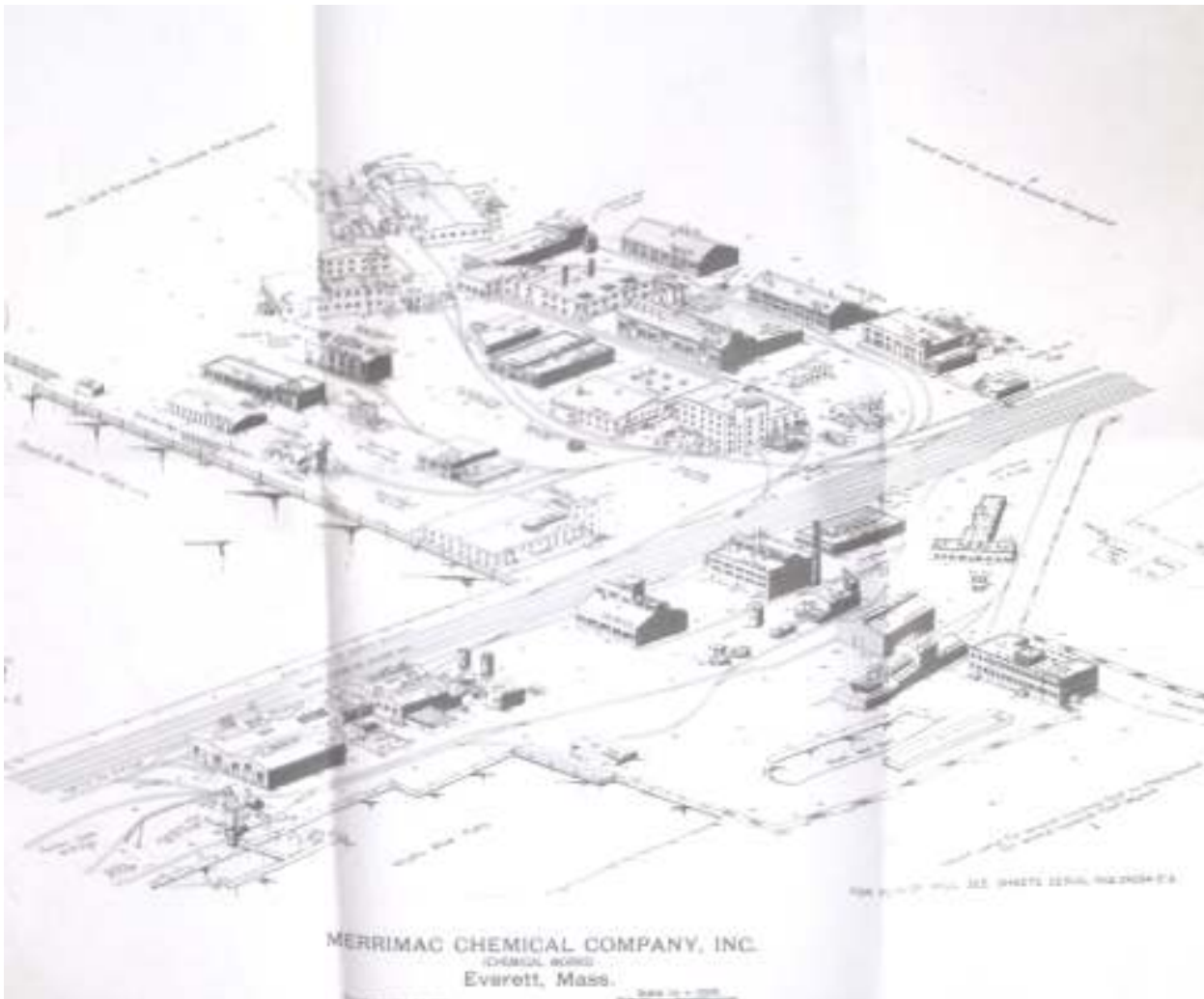


Site Locus

## Table of Contents

Executive Summary	Page 3
Description and History of Use and Contamination	Page 3
Recent History...slipping through the cracks.	Page 6
DEP RTN	Page 7
Conclusion	Page 7
Disclaimer	Page 7
Appendix A - 1910 Sanborn Insurance Map	Page 8
Appendix B - 1931 Merrimac Chemical Site Plan	Page 9
Appendix C - 1943 Monsanto Chemical Site Plan	Page 11
Appendix D - Chapter 842 of the Acts of 1975	Page 12
Appendix E - Amnesty Fill Plan	Page 15

NOTE: Originals of these plans on file.



Rendering of Monsanto's predecessor Merrimac Chemical's site in 1931 showing production on both East and West sides of railroad tracks.

## Executive Summary

An island becomes part of the mainland as industry backfills around it, builds upon it and expands. Industry leaves and a brownfield is left behind. Except for the island this is a common story in the Northeast. But the island is not the only unique thing about this parcel of land. Straddling two cities, it once was the home or should we say ½ the home as it is only the “East Side” of what was once the biggest industry in Everett. While all the uses of the site may never be known we do know that dyes, acids and aluminum were all made or stored on site. Unfortunately the practices of the day included bulldozing buildings and storages tanks (with their product still inside) into the ground as the need for space for new products or process came into being. Industrial neighbors upstream of the site spilled between 30-90k gallons of hydraulic oil into the ground through most of the 70’s and 80’s. Monsanto sold this “East Side” parcel to Boston Edison in 1983 before the Massachusetts Contingency Plan (MCP) was in effect. The site failed to make the MA-DEP Transition List (LTBI) of 1993 and then, whether through accident or design subsequent purchases of the parcel were all made without any 21E Site investigation and pre-MCP use restrictions on the deed from Monsanto were not passed on in subsequent deeds. Today the site is primed for development and the facts, assumptions and conclusions presented here indicates the need for MA-DEP’s involvement in any future development of this parcel and for this parcel to be brought under the umbrella of the Massachusetts Contingency Plan

### Description and History of Use and Contamination

The Monsanto Chemical Company “East Side” site in Everett, Massachusetts is unique...for many reasons. It is comprised of 30 acres of land on the banks of the Mystic River in the southern portion of Everett. It has a street address of Chemical Lane (now Horizon Way) in Everett and is located just west of Rt.99 (Alford Street) and just east of the MBTA Commuter rail bridge, it straddles the city boundaries of Everett and Boston. Not much of this parcel is “original” land existing at the time of the first colonists. Much of it has been backfilled except for some of the uplands and a major portion of land on the peninsular that once was White Island.



1887 Map of Mystic River Showing White Island

The lands close proximity to the Route 99 Alford Street has played a prominent role in this land development. This road was the location of the Penny Ferry operated by Peter Tufts in 1640 and by 1787 the Malden Bridge was located here (Note: the Malden Bridge was 2,420 feet long and reputedly the “longest bridge in the world” at the time.). The Malden Bridge was a toll bridge during this period and the high toll prohibited development until Broadway in Everett was extended to other settlements. This parcel was most likely used for shell fishing of its tidal flats and brick making. The earliest industrial use of this area was in 1804 when a William Barrett constructed a dye house that was later occupied by Cochran Chemical.

Saugus Branch and Eastern Railroad built a bridge across the Mystic in 1854 using a corner of White Island and then bisecting what would later become the entire Monsanto site and thus creating what would become the East and West sides.

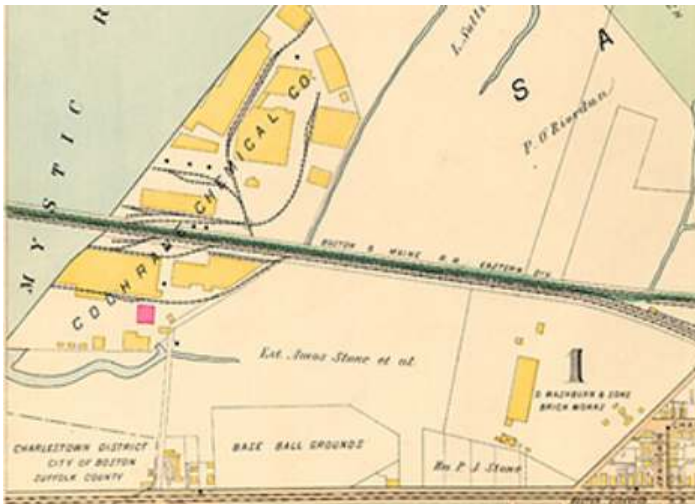
In 1868 New England Chemical started a plant on this site that signaled the beginning of a long history in developing chemical industry in Everett, though this particular company failed by 1872. Alexander Cochrane, a Scot, worked in the Talbot Chemical Works in North Billerica 1849-58 before coming to Malden/Everett in the latter year. In 1872 the Cochrane Chemical Co. purchased the trackside property of the New England Chemical Co., and by 1875, with a product worth \$300,000, the company was the leading town industry -- and virtually the only one beyond five brick yards, an emery wheel manufacturer, and a large grain mill.

During WWI, the Cochrane Chemical Works did a huge business in war materials and marketed the first U. S. made H-acid. Cochrane's 113 acres and 50 buildings were acquired by the Merrimac Chemical Co. in 1917. Merrimac Chemical is one of the historical predecessors (as is Monsanto) to the Principal Responsible Party's (PRP) for the Industri-plex Superfund site in Woburn. (See

EPA Superfund Record of Decision:  
 INDUSTRI-PLEX EPA ID: MAD076580950  
 OU 01 WOBURN, MA 09/30/1986 Page 7 at  
<http://www.epa.gov/superfund/sites/rods/fulltext/r0186020.pdf> )

**Cochrane Chemical Co. Sells Out.**  
 Directors of the Merrimac Chemical Company have voted to purchase the Cochrane Chemical Company of Everett, Mass. The transaction will be financed by issuing 1,764,000 shares, to be offered to the stockholders at \$73, each stockholder to have the privilege of taking one and one-half shares for each share now held. The Directors have also declared a stock dividend of 11,760 shares, one-half share of the new stock for each share now held. Regular dividends will hereafter be paid in January, April, July, and October.

New York Times Dec., 15, 1916



The site was in turn purchased by Monsanto in 1929 and in the late 20s the plant began a complete modernization.

As was the practice of the day the chemical industry did not always, if ever, properly dispose of hazardous waste or unwanted chemicals. In the Woburn Industri-plex Record of Decision the practices were described thusly: *"FROM 1853 UNTIL 1929 THE SITE DEVELOPMENT WAS CHARACTERIZED BY NUMEROUS*

*SMALL BUILDINGS SCATTERED OVER 90 ACRES. OLD MAPS OF THE SITE SHOW THAT THESE BUILDINGS WERE BUILT OR DESTROYED AS QUICKLY AS THERE WERE CHANGES IN THE DEMAND FOR CERTAIN CHEMICALS. IT APPEARS, BASED ON A HISTORICAL SEARCH AND VISUAL OBSERVATIONS THAT WASTE PRODUCTS WERE DISPOSED OF RANDOMLY OVER THE YEARS, USUALLY WHEREVER IT WAS CONVENIENT, EITHER TO FILL IN A LOW SPOT OR OUT BEHIND A BUILDING".* We know that the Everett "East Side" site was used by Cochran, Merrimac and Monsanto in chemical production or storage (See map above and Appendix A, B, C) and that those practices were most likely the same in Everett as in Woburn.

Throughout this period the companies transformed the landscape. Permits were issued for backfilling of the Mystic and Malden Rivers and their tide flats (see Appendix D – Chapter 842 of the Acts of 1975) thus creating new land connecting and surrounding White Island. But they did not license all fill. In 1997 Monsanto filed for amnesty for unlicensed fill in their West Side site under Chapter 91. (See Appendix E – Amnesty Plan) This begs the question of the potential of unlicensed fill on the East Side site. Beyond that though ...based on the practice of disposing of waste in low areas and the backfilling that was ongoing at the time it is ***safe to assume that much of the soils and sediments surrounding the uplands are contaminated with hazardous wastes.***

We also know that in 1987 the MBTA did an environmental study of their Repair Facility located 80 Broadway in Everett which is just north of the East Side site. The report details how between 30 and 90 thousand gallons of hydraulic oil were leaked into the soils under the facility as well as smaller amounts of other hazardous materials throughout the 70's



and 80's. As this repair facility is upstream of assumed groundwater flow there exists the possibility of contaminants entering the site through groundwater.

Monsanto did remediate its West Side site in the late 90's and the Gateway Mall was built there. The Licensed Site Professional (LSP) who did the MCP compliance work for Monsanto states in their literature: *“Dating back to the mid-1800s, and formerly one of the nation’s largest chemical manufacturing plants, Monsanto’s Everett plant once produced sulfuric acid, plasticizer, and polyvinyl butyral (PVB), which is used to make laminated safety glass. As was typical of early chemical manufacturing facilities, the Everett plant had experienced spills and releases of oil and hazardous materials into the ground.”* What has not been mentioned and what has seemed to slip through the cracks ...is the East Side Site.

## Recent History...slipping through the cracks.

Monsanto Chemical owned the East Side site from 1929 to 1983 when it sold the parcel to Boston Edison. Sulphuric Acid production was ongoing on the site at least into the early 70's. Receiving of sulphur by ship occurred at the East Side as well as aluminum work (exactly what type is unknown.) When Monsanto sold the site to Boston Edison in 1983 (before the MCP) it included in the Deed easements for water intake and power transmission lines to its existing West Side production facility. It also included pre-MCP use restrictions for this parcel allowing only for industrial use and prohibiting many other uses. Monsanto knew the land was contaminated.

Boston Edison retained the land until 1995 and their use of the parcel, if any, is unknown. O'Donnell Sand & Gravel bought the land and the easements and use restrictions remained on the deed. These restrictions were removed when O'Donnell S&G sold the land to its secretary and treasurer Mary O'Donnell but added the ability to temporarily store solid fill on the property until it could be placed on the old West Side site which was being remediated at that time. The original use restrictions were not included. The same day controlling ownership of the parcel was deeded to Rosen Construction Ventures of Florida who was doing some facet of the remediation work. When the work was done and Rosen gave up its controlling interest in the site the easements and use restrictions were not reintroduced in the new deed.



Former Monsanto  
West Side Site Today

The parcel changed hands a few more times and each iteration of the deed did not include the use restrictions. Furthermore, the purchaser either paid cash, or entered into mortgage agreement with the seller therefore eliminating any banking regulations requiring a 21E site investigation...and so a site with a high probability of contamination, possibly public health risks...slipped through the cracks.

Please note that this report does not in any way mean to imply any violation of federal or state tax, real estate or environmental law or regulation. Any such determination would be made by those far more familiar with such matters.

In the table below is an incomplete list of deeded transactions pertaining to this parcel from 1983 to date.. Transactions where Mystic Landing LLC used the parcel as collateral for 2 loans were not included. All records were reviewed on-line at the Middlesex South Registry of Deeds website.

<b>Date</b>	<b>Registry Book/Page</b>	<b>Grantor/Grantee</b>	<b>Dollar Value</b>	<b>Description</b>
6/23/83	15083/266	Monsanto/Boston Edison	\$1.1 million	Deed with easements and use restrictions
3/6/95	25212/463	Boston Edison/O'Donnell S&G	\$2 million	Deed with easements and use restrictions
9/28/95	25691/169	O'Donnell S&G/ Mary O'Donnell	\$1 dollar	Deed with original easements and use restrictions <i>missing</i> . New covenant allowing temporary storage of fill.
9/28/95	25691/183	Mary O'Donnell/ Rosen Const.	\$1 Dollar	Controlling interest in site to Rosen.
3/17/99	29962/357	Rosen Const/ Mary O'Donnell	\$10 Dollars	Controlling interest returned to O'Donnell
6/21/2001	33123/071	Mary O'Donnell/ Mystic Landing LLC	\$300k	No restrictions
10/15/2009	53680/333	Mystic Landing LLC/ FBT Everett Realty	\$8 million	No restrictions

**DEP RTN**

Please note that in 1999 a RTN of 3-18971 was issued for asbestos stored on site as part of the Big Dig. This RTN was closed.

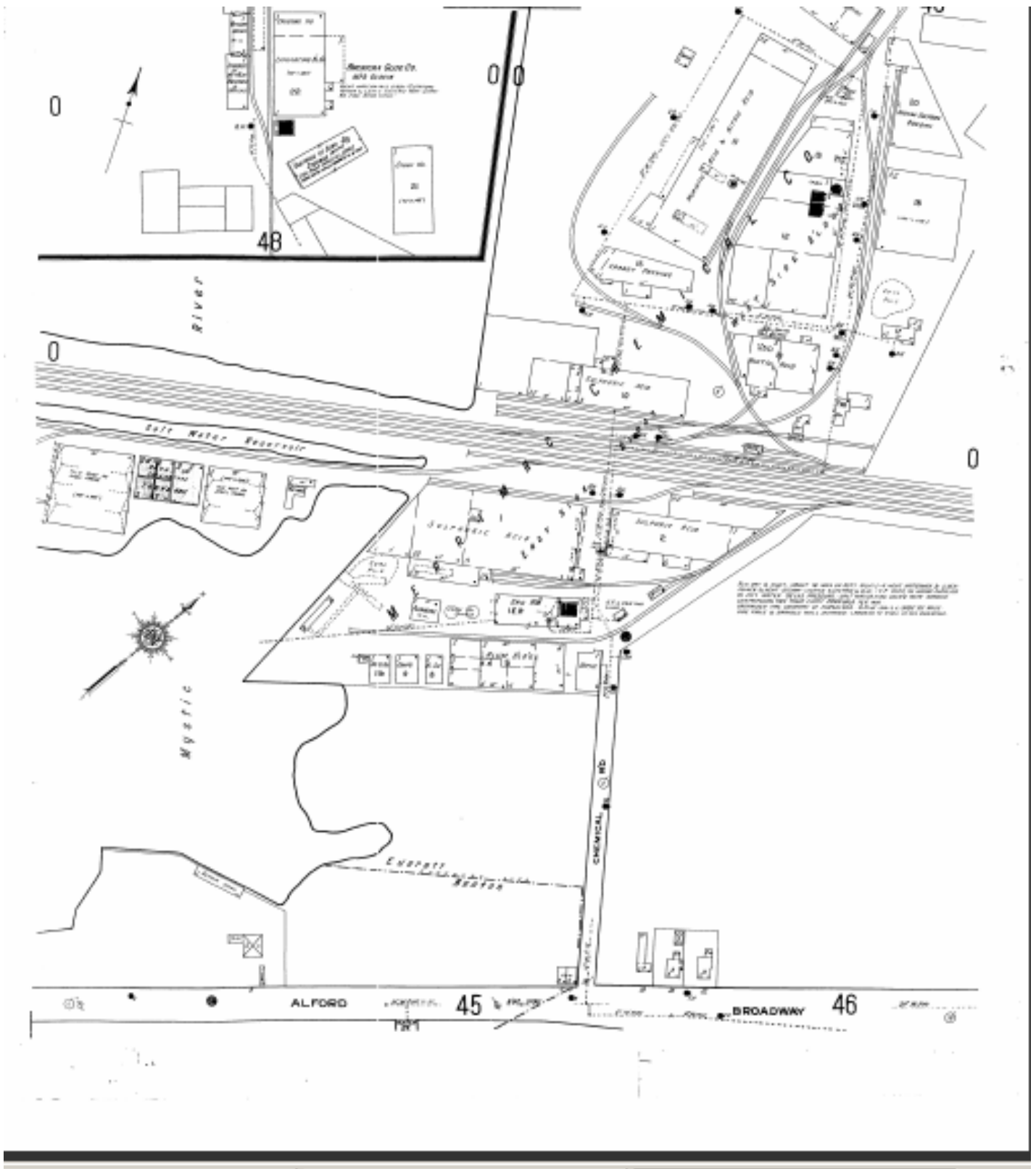
**Conclusion**

The above facts, assumptions and conclusions indicates the need for MA-DEP's involvement in any future development of this parcel and for this parcel to be brought under the umbrella of the Massachusetts Contingency Plan.

**Disclaimer**

Please note that this report does not in any way mean to imply any violation of federal or state tax, real estate or environmental law or regulation. Any such determination would be made by those far more familiar with such matters. Neither is this an attempt to cast a harsh light on any regulatory entity. This was only an attempt to show that this parcel is in need of environmental oversight.

Appendix A – 1910 Sanborn Insurance Map

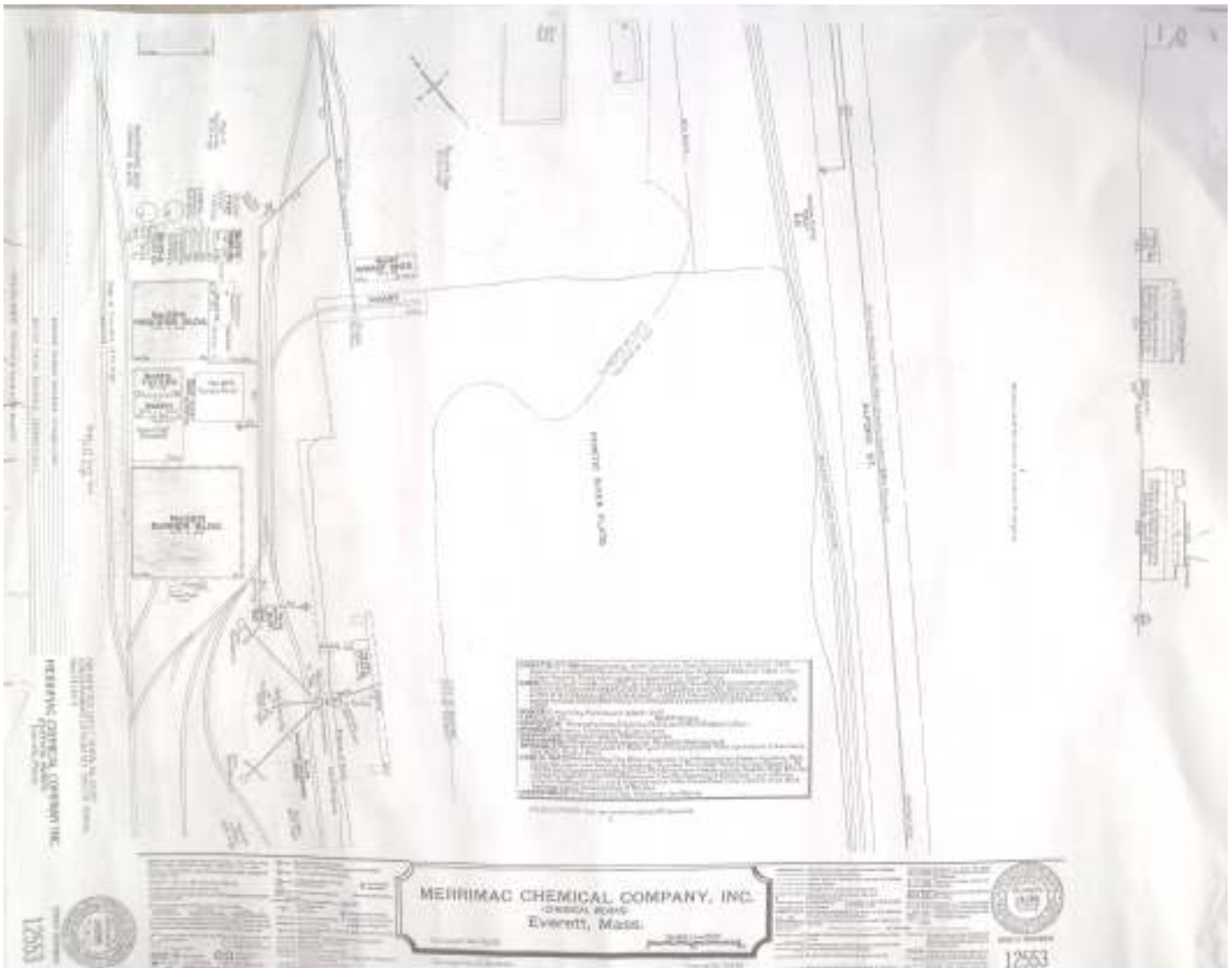




**Appendix B – Merrimac Chemical Site Plans - 1931**

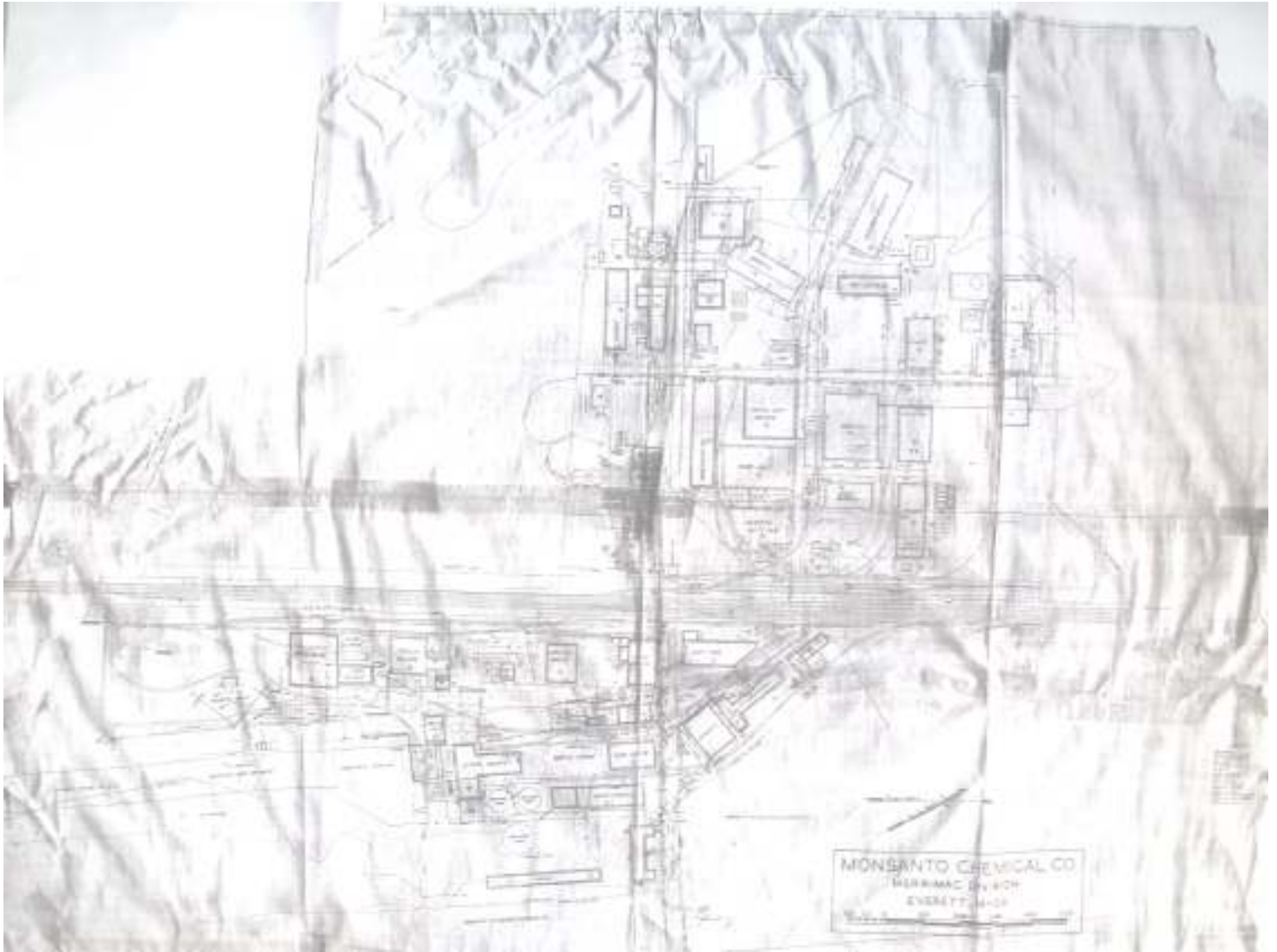


**Merrimac Chemical – Everett  
East Side Northern Portion  
1931**



**Merrimac Chemical – Everett  
East Side Southern Portion  
1931**

**Appendix C – Monsanto Site Plan 1943**



## Appendix D - Chapter 842 of the Act of 1975

Chap. 842.

Revere Beach Improvements Loan, Act of 1975, and shall be on the serial payment plan for such maximum term, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from date of issue thereof and the entire issue not later than June thirtieth, two thousand. All interest payments and payments on account of principal of such bonds shall be paid from the Metropolitan district park fund to be assessed by methods fixed by law.

Approved December 24, 1975.

Chap. 842. An Act providing that certain licenses HERETOFORE GRANTED FOR THE PURPOSE OF PLACING AND MAINTAINING FILL, PILES AND OTHER STRUCTURES OVER CERTAIN TIDEWATERS IN THE MYSTIC AND MALDEN RIVERS BE IRREVOCABLE.

Be it enacted, etc., as follows:

Section 1. Notwithstanding any provisions of general or special law to the contrary, the following licenses affecting a certain parcel of land in the city of Boston, described in Certificate of Title No. 53765, filed in the registry of deeds in Suffolk county in Book 264, Page 165, certain parcels of land in the city of Everett, described in Certificates of Title Nos. 73296, 55705 and 131520, filed in the southern district registry of deeds in Middlesex county in Book 485, Page 177, Book 372, Page 221 and Book 787, Page 170, respectively, in a Deed from Trustees of Nealco-Monsanto Company, recorded in the southern district South registry of deeds in Middlesex county in Book 8378, Page 386, and in a Deed from the Commonwealth of Massachusetts, recorded in the southern district registry of deeds in Middlesex county in Book 11902, Page 425, and any land subject to rights and easements referred to in said Certificates of Title and Deeds, are hereby, made irrevocable:

1. The license granted to the Boston and Maine Railroad on January twenty-seventh, eighteen hundred and eighty-seven, being License No. 977, recorded with the southern district registry of deeds in Middlesex county in Book 1784, Page 462.
2. The license granted to the Cochrane Chemical Company on May third, nineteen hundred and six, being License No. 3060, Acts, 1975. - Chap. 842. recorded in the southern district registry of deeds in Middlesex county in Book 3231, Page 221.
3. The license granted to the Boston and Albany Railroad, the New York Central and Hudson River Railroad Company, Lessee, on August second, nineteen hundred and seven, being License No. 3200, recorded in the southern district registry of deeds in Middlesex county in Book 3326, Page 473.
4. The license granted to the Boston and Maine Railroad on August second, nineteen hundred and seven, being License No. 3201, recorded in the southern district registry of deeds in Middlesex county in Book 3324, Page 138.
5. The license granted to George R. Blinn and Henry W. Bragg, Trustees, on January twentieth, nineteen hundred and eight, being License No. 3252, recorded in the southern district registry of deeds in Middlesex county in Book 3392, Page 81, and with the registry of deeds in Suffolk county in Book 3300, Page 434.

6. The license granted to the Cochrane Chemical Company on March eighteenth, nineteen hundred and ten, being License No. 3446, recorded in the southern district registry of deeds in Middlesex county in Book 3566, Page 199.
7. The license granted to the Cochrane Chemical Company on June twenty-third, nineteen hundred and eleven, being License No. 3596, recorded in the southern district registry of deeds in Middlesex county in Book 3639, Page 237.
8. The license granted to the Merrimac Chemical Company on March ninth, nineteen hundred and twenty, being License No. 23, recorded in the southern district registry of deeds in Middlesex county in Book 4339, Page 534.
9. The license granted to the Merrimac Chemical Company on January ninth, nineteen hundred and twenty, being License No. 9, recorded in the southern district registry of deeds in Middlesex county in Book 4339, Page 536.
10. The license granted to the Merrimac Chemical Company on January thirteenth, nineteen hundred and twenty-two, being License No. 200, recorded in the southern district registry of deeds in Middlesex county in Book 4498, Page 330, and in the registry of deeds in Suffolk county in Book 4354, Page 24.
11. The license granted to the Boston Elevated Railway Company on January thirteenth, nineteen hundred and twenty-two, being License No. 201, recorded in the southern district registry of deeds in Middlesex county in Book 4498, Page 328, and in the Registry of Deeds in Suffolk county in Book 4354, Page 25.
12. The license granted to the Boston Elevated Railway Company and the Merrimac Chemical Company on December tenth, nineteen hundred and thirty-five, being License No. 1740, Acts, 1975. - Chap. 842, recorded in the southern district registry of deeds in Middlesex county in Book 5995, Page 435.
13. The license granted to Monsanto Chemical Company on March sixteenth, nineteen hundred and forty-three, being License No. 2585, recorded in the southern district registry of deeds in Middlesex county in Book 6666, Page 359.

Section 2. Notwithstanding any provision of general or special law to the contrary, the following licenses, all of which were duly recorded in the southern district registry of deeds in Middlesex county, but none of which was filed in the Land Court in the southern district registry of deeds in Middlesex county, are hereby made irrevocable for the purpose of filing in the land court.

1. The license granted to Monsanto Chemical Company on June fifteenth, nineteen hundred and forty-eight, being License No. 76, recorded in the southern district registry of deeds in Middlesex county in book 7406, Page 482.
2. The license granted to the Monsanto Chemical Company on February twenty-third, nineteen hundred and forty-nine, being License No. 113, recorded in the southern district registry of deeds in Middlesex county in Book 7406, Page 484.
3. The license granted to Monsanto Chemical Company on September twenty-eighth, nineteen hundred and fifty-three, being License No. 231, recorded in the southern district registry of deeds in Middlesex county in Book 8221, Page 324.
4. The license granted to the Monsanto Chemical Company on April eleventh, nineteen hundred and fifty-five, being License No. 3719, recorded in the southern district registry of deeds in Middlesex county in Book 8564, Page 419.

Section 3. Notwithstanding any provision of general or special law to the contrary, in regard to any of the land described as Parcel B in said Certificate of Title No. 73296, or described as Lot C in said Certificate of Title No. 55705, which may have been filled without benefit of license,

an irrevocable license is hereby granted to maintain all of said solid fill.

Section 4. In the event of a taking of any land referred to in this act by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages recoverable by reason of such taking shall in no case exceed the actual costs of acquisition of such land by the owner from whom such taking is made, together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition, or the date such other cost was incurred, as the case may be.

Approved December 23, 1975.

