

EXHIBIT B

ACTIVITY AND USE LIMITATION LSP OPINION

RTN# 3-15809
THE FOUNDRY BUILDING
101 ROGERS STREET
CAMBRIDGE, MASSACHUSETTS
Page 1 of 2

The purpose of this opinion is to summarize conditions at the subject property (the "Site") located at 101 Rogers Street, Cambridge, Massachusetts that warrant the termination of an Activity and Use Limitation (AUL). The AUL was recorded on the property deed in 1998 for the purposes of limiting potential human exposure to concentrations of residual petroleum in soil. Reportable concentrations of petroleum-impacted soil and groundwater were discovered at the property in 1997 during an environmental assessment for a real estate transaction. The Department of Environmental Protection (DEP) was notified and the property was assigned the release tracking number 3-15809.

Based on the location of the petroleum-impacted soil and groundwater, the release of petroleum is believed to be related to a former 10,000-gallon underground fuel oil storage tank. This tank was removed from the property in 1988. The affected soils were located at a depth of approximately 10-15 below surface grade under asphalt pavement. The soils were classified as "S-3" potentially accessible to humans under conditions of future excavation. Groundwater conditions were determined to exceed applicable Method 1 GW-2 category standards. Subsequent soil gas measurements completed underneath the building led to a risk characterization that concluded that the risk of exposure to vapors in indoor air as a result of the groundwater or soil conditions was not significant.

Initial soil samples collected from the Site were analyzed for total petroleum hydrocarbons (TPH) by a method that was not capable of discriminating between various hydrocarbon fractions. These concentrations of TPH exceeded the more stringent "S-1" standards set to be protective of a residential exposure. Subsequent analyses by the DEP VPH/EPH methodology determined that the six individual hydrocarbon fractions did meet the S-1 standard. On a conservative basis, an AUL was applied to the whole property, and a class A-3 Response Action Outcome (RAO) statement was submitted to the DEP in 1998.

In review of the data, and regulatory changes enacted since the initial samples were collected, it is our opinion that the more detailed VPH/EPH data may be relied on to determine that Site soils meet the S-1 criteria. As a monitoring point, new groundwater samples were collected from existing wells MW-1 & MW-2 for

VPH/EPH analyses in 2002. The results of these analyses indicate that Site conditions have continued to improve. Groundwater concentrations are much lower, and meet all applicable standards.

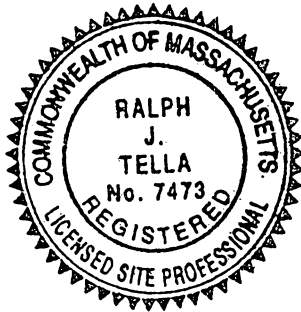
On this basis, it is my opinion that the existing AUL is no longer necessary to maintain a level of No Significant Risk, and should be released. To support this, a revised Class A-2 RAO statement has been prepared and submitted to DEP.

Ralph J. Tella

9/16/02

Ralph J. Tella, LSP#7473

SEAL:



Lord Associates, Inc.

Environmental Consulting & Licensed Site Professional Services

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2002 SEP 25 A 10:10

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September 23, 2002

Ms. Margaret Drury
City Clerks Office
795 Massachusetts Avenue
Cambridge, MA 02139

Mr. Harold Cox
Cambridge Public Health Department
795 Massachusetts Avenue
Cambridge, MA 02139

Mr. Joseph Nicoloro
Cambridge Building Department
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Termination of Notice of AUL
101 Rogers Street

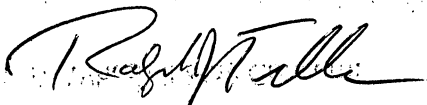
To Whom It May Concern:

In accordance with the Massachusetts Contingency Plan (MCP, 310 CMR 40.1403(7)), "Minimum Public Involvement Activities in Response Actions", Lord Associates, Inc., has prepared a revised Response action Outcome (RAO) Statement" for the above-referenced site.

In accordance with the revised RAO, a revised Licensed Site Professional (LSP) Opinion (see attached) has also been prepared. Consistent with this opinion, a Termination of Notice of Activity and Use Limitation has been recorded for the Site at the Middlesex County Registry of Deeds as instrument #511.

A copy of the RAO is available for review at the Department of Environmental Protection's Northeast Regional Office at 205A Lowell Street, Wilmington, MA.

Sincerely,
LORD ASSOCIATES, INC.



Ralph J. Tella, CHMM, LSP
Vice President and Senior Project Manager

cc: MADEP, Data Entry (By FedEx: 8322 6692 3837)
Attachment: LSP Opinion

S-307

Consent Communication #1

A communication was received
from Lord Associates, Inc.,
regarding Termination of Notice of
AUL-101 Rogers Street.

In City Council October 7, 2002

**REFERRED TO
CITY MANAGER.**