UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

VIA ELECTRONIC MAIL

January 25, 2023

Ed Burt
Town of Hopedale
Board of Water & Sewer Commissioners
78 Hopedale Street
Hopedale, Massachusetts 01747

Re: Responses to January 19, 2023 Town of Hopedale questions regarding the Nuclear Metals Industries (NMI) Superfund Site

Dear Mr. Burt:

EPA has received your questions related to the transportation and transfer of NMI materials through the Grafton Upton Railroad (GURR) facility in Hopedale, Massachusetts. The questions posed by Hopedale are copied below along with NMI Site team responses in italics.

1. How will the NMI team communicate delivery schedules, actual delivery results and issues in a proactive manner to Hopedale to allow the Town to fulfill its oversight requirements? Why is this transport being done without a special permit?

   NMI Response: *The Transportation & Disposal (T&D) plan in place for the NMI cleanup requires that US Ecology notify police and fire departments in Hopedale (and other communities) two weeks prior to waste shipments. Under CERCLA, permits are not required to be obtained.*

2. Please provide a list all the prior transports that US Ecology is referring to that went through G&U Hopedale facilities.

   NMI Response: *The NMI case team is unable to provide this information as it is outside of the scope of the NMI project.*

3. How do we know that the Hopedale railyard ground area does not already contain contamination from the prior spills or prior transports? Please explain the testing that has been done at the railyard and the testing that will be done going forward.

   NMI Response: *This question is outside the scope of the NMI Site cleanup. The GURR facility is being used as a transfer facility for soil from truck to rail as part of the cleanup of the NMI Site performed by private parties and overseen by EPA and MassDEP. Please*

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note that due to the unique nature of railroad property, the Surface Transportation Board (https://www.stb.gov/) generally governs its use.

4. Why isn't the concrete pad a requirement, especially before the deliveries restart in the spring/summer? Please expand to explain the systematic emergency procedures, including procedures to address inclement weather issues.

   NMI Response: *EPA is working within its' oversight role to limit future spills. Various methods can be used to limit spills and US Ecology is working on the design of a backboard to put against side of rail car to limit spills. EPA will continue to monitor the transfers.*

   As for an update on the soil bags, the last two weeks (1/10/23 – 1/24/23) US Ecology transferred 86 bags of soil (1,740 tons total), had tears in 11 bags (13%) during the truck to rail transfer, and spills from 3 bags (3%) outside of the gondola. Overall, the bag tear rate and spill rate have both decreased since the start of off-site soil transport. US Ecology and de maximis have worked with the bag manufacturers to further improve the bag design and have had some success.

5. Please describe the NMI materials and some of the existing transport safeguards.

   a. Please explain what is in these material that requires the removal from the NMI site in Concord to be disposed of in a special landfill in Michigan.

      NMI Response: *Please refer to the NMI Record of Decision (ROD) for information regarding contaminants at the NMI site (https://semspub.epa.gov/work/01/582996.pdf).*

   b. What happens if the truck scan at the NMI site indicates a presence of radiation?

      NMI Response: *The outside of the truck body is being scanned to make sure it is not transporting contaminated soils outside of the IP-1 shipping bag. If the scan indicates the presence of radiation, the truck would be decontaminated and re-scanned.*

   c. How long will the material sit at the railyard awaiting rail transport to MI?

      NMI Response: *As previously stated, the loaded gondola cars may remain at the GURR facility for 1-2 days. There could be circumstances when this 1 to 2 day timeframe is exceeded but it should not exceed 10 days.*

   d. Who is the responsible for the materials while at the railyard, awaiting rail transport?

NMI Response: *Through the non-hazardous waste manifest process (bill of lading), US Ecology has ownership of material from when they depart the NMI site in Concord, Mass until acceptance at Wayne Disposal in Belleville, Mich.*

Per MassDEP and prior communications, no special handling is required within a Zone II since these are non-hazardous soils being transported.

6. Please correct Appendix C of the T&D plan, the Spill Contingency plan to reflect the specific response should a spill happen within the railyard.

   NMI Response: *As previously stated, the same procedures will apply for any spill between leaving the NMI Site in Concord, Mass. and final disposal in Belleville, Mich. (see T&D Plan, Appendix C, Page 2: Contingency Area 2- Spill of truck contents during front or back-end dray transport to USEM, dated December 14, 2022).*

   a. If the material requires an "over-excavated" cleanup at the Michigan site, why was a shovel an appropriate cleanup approach within a Zone II Water Protected district?

      NMI Response: *The T&D plan (Appendix C, Spill Contingency) was followed in this cleanup. Because a very small amount of soil material was spilled, the only equipment necessary to perform the work was a shovel and skid steer. To clarify, "over-excavated" means that the spilled material and native soil/material directly touching or impacted the spilled material will also be removed.*

   b. Who is the railyard attendant and under what expertise/authority does this attendant signoff on the impact of a spill within a Zone II?

      NMI Response: *GURR is responsible for on-site actions at railyard.*

7. Please correct the T&D plan, section 4 and 5, with the correct trucking route and associated community disturbance list.

   NMI Response: *As noted in the T&D Plan the transportation route is subject to change.*

Please contact me at (617) 918-1435 or at nierenberg.kara@epa.gov should you have any questions in this regard.

Sincerely,

Kara Nierenberg
Remedial Project Manager

Cc: Jeff Nutting, Town of Hopedale
Tim Watson, Town of Hopedale
Bruce Thompson, de maximis
Garry Waldeck, MassDEP
Sarah Meeks, USEPA
ZaNetta Purnell, USEPA

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