

November 6, 2020

Town of Sudbury
Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

Re: **Response to Protect Sudbury, Inc. LSP Comments Provided by Partner Engineering and Science, Inc. dated November 2, 2020.**

Dear Ms. Capone:

The Applicants and their consultants have reviewed the public comment letter submitted to the Commission by Partner Engineering and Science, Inc. (“Partner”) on behalf of Protect Sudbury, Inc. (“PS”) dated November 2, 2020. In that letter, Partner offers comments relative to the soil and groundwater due diligence investigation (including database research and field sampling) conducted in 2017 and 2018 for the Applicants by VHB, which was summarized in a filing submitted to the Commission. We offer the following response to those comments.

First, as a general matter, the Partner comments reflect an inaccurate assumption that the MBTA right-of-way (“ROW”) should be addressed as a “disposal site” subject to G.L. c. 21E. A “disposal site” subject to G.L. c. 21E is defined as a place or area “where uncontrolled oil and/or hazardous material has come to be located.” The extensive due diligence conducted on the ROW by VHB, which followed the approach recommended by the Massachusetts Department of Environmental Protection (“MassDEP”) for evaluating conditions along a former rail corridor, indicated that soil and groundwater in the project work limits on the ROW have not been impacted above residual levels by historical railroad activities and have not been impacted by conditions associated with properties that abut the ROW. This is why Partner’s “formulation of a Conceptual Site Model for this Project,” which is an approach associated with disposal sites subject to c. 21E, is a misplaced and inapplicable approach here.

Second, as part of the due diligence investigation, VHB evaluated the specific conditions at the disposal sites that Partner listed as being of specific concern, i.e., the former Rod and Gun Club site (RTN 3-24573) at 33 Bulkley Road, the Former Raytheon Company site (RTNs 3-3037 and 3-27243) located at 528 Boston Post Road, and the Precision Coating Inc. site (RTN 2-20439) in Hudson. The locations of groundwater monitoring wells were selected by VHB with specific focus on these and other documented disposal sites near the ROW. The data collected from those sampling locations during due diligence indicated that there has not been any uncontrolled migration of contaminants onto the ROW in these areas. Furthermore, the database review indicated that these disposal sites have been or are being addressed by the applicable PRPs and mitigated under the applicable regulations to achieve a condition that poses no significant risk to public health and the environment.

Third, Partner suggests that the Project’s proposed management of soil along the ROW “with potential impact from historic railroad operations would typically be managed under a MCP Release Abatement Measure (RAM) Plan or Utility RAM Plan.” Partner states: “Typically for projects requiring large volumes of soil excavation, pre-characterization is conducted to evaluate disposal options.” These comments are misleading. Such pre-characterization for soil management is conducted when there are data

showing that the soil contains significant concentrations of oil or hazardous materials. As indicated, those conditions were not identified as a result of the due diligence. Partner also suggests that “it is possible that soil has not been adequately characterized at the splice vault locations” where excavation may go below eight feet. This is not logical because soil impacts, if present from past railroad operations, would be located in the shallow soil less than eight feet below present grade. In addition, the Soil and Groundwater Management Plan (“SGMP”) that will be established for this project will include the standard set of protocols that are followed whenever any project encounters an unexpected area of significant contamination during construction.

Fourth, it was stated that “Partner suggests that more extensive groundwater sampling along the Project would be warranted to more adequately characterize groundwater conditions and to ensure current and potential drinking water source areas and wetland resources located in proximity to the Project are not impacted.” This assumes inaccurately that if there is an area of impacted groundwater along the ROW, the limited activities associated with the Project would result in a greater impact to drinking water source areas and wetland resources. Based upon the type of subsurface soil identified along the ROW, it is clear that large volumes of groundwater have been migrating through the ROW for decades at typical groundwater flow rates, which can range up to 15 or 30 feet per day. Therefore, the relocation of groundwater from the transmission line trench to adjacent surface soils via overland flow will not change the overall condition of groundwater in these drinking water source areas and wetland resources near the ROW. Consequently, Partner’s comment that additional sampling “would be prudent” is not supported by the data and available information. In addition, the criticism by Partner of the visual and olfactory observation protocol to be conducted during construction is wrong. This is the standard approach for work in areas where pre-characterization has not identified significant contamination. During construction, the equipment operators and environmental monitors are observing the soil and groundwater for sheens, odors and/or discoloration that are indicative of previously unidentified contamination.

In summary, the comments from Partner do not present any new issues that the Commission needs to address with regard to the Applicants’ plan for soil and groundwater management during construction and the protection of water supply and wetland resources. The information and protocols presented by the Applicants in the NOI and supplemental materials are sufficient for the Project to comply with the relevant performance standards under the state and local wetland protection laws and regulations.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.

A handwritten signature in black ink that reads "Paul McKinlay". The signature is written in a cursive, flowing style.

Paul McKinlay, PG, LSP
Senior Project Manager