



May 10, 2021

Sudbury Earth Removal Board
278 Old Sudbury Road
Sudbury, MA 01776
Attn: Beth Suedmeyer, Environmental Planner

Re: Application for a Removal Permit under the Sudbury Earth Removal Bylaw

Dear Members of the Earth Removal Board:

NSTAR Electric Company d/b/a Eversource Energy (“Eversource” or “the Company”) is submitting this letter to provide information responsive to questions presented by members of the Earth Removal Board during the public hearing conducted on April 26, 2021 for the referenced application. The application was filed in connection with the Company’s proposed construction of a new 115-kilovolt (“kV”) underground electric transmission line in Sudbury and the completion of a rail trail by the Massachusetts Department of Conservation and Recreation (“DCR”) along a section of disused right-of-way (“ROW”) owned by the Massachusetts Bay Transportation Authority (the “Project”). We anticipate that this information will assist the Board in issuing a favorable decision at the meeting scheduled for May 17, 2021.¹

1. Truck Traffic and Routing

One topic of inquiry involved the number of truck trips associated with earth removal for the Project. The precise number of truck trips cannot be predicted, but the number of truck trips is estimated to be 1,200, assuming 10-yard dump trucks are used to remove the excess soil from the ROW. Spread over a one-year construction period, that equates to only 4 to 5 trips per day.

With regard to truck routes within the Town of Sudbury, the construction contractor will choose routes that are most expeditious for the trucks to access the ROW and then to leave the ROW to export of materials. Given the nature of the roadways and potential access routes, it seems likely that most trucks will be routed to and from the ROW via US Route 20/Boston Post Road, which is likely to be the most expeditious route between the ROW and remote locations. The distances between Route 20 and the ROW entrances at local roads in Sudbury are as follows:

- Dutton Road: 1.5 miles south to US Route 20 WB via Wayside Inn Road, or via

¹ As noted previously, the application was filed by Eversource despite our conclusion that the Bylaw is not applicable to this project. By making a filing, Eversource did not waive any rights to dispute the applicability of the Bylaw to the project, and the Company reserved its rights to challenge the applicability of the Bylaw if a permit is denied by the Board or if there is undue delay or imposition of unreasonable conditions in review of the application.

Old Garrison Rd 400 ft south to Peakham Road then 0.5 mi to Route 20 EB;

- Peakham Road: 1.0 miles south to US Route 20;
- Horse Pond Road: 0.6 miles south on Route 20;
- Union Ave: 1,000 ft south to Route 20;
- Substation Driveway (enters directly on to Route 20).

2. Soil Testing

A second topic of inquiry involved the condition of the soil that will be relocated within the ROW in Sudbury as part of the grading for the Project. or removed from the ROW in Sudbury as excess material for off-site disposal. As part of this discussion, concerns were expressed about the potential for the soil to contain contamination from former railroad operations on the ROW or from industrial/commercial sites adjacent to the ROW. Other questions were asked about whether obtaining additional data from soil on the ROW in advance of commencement of the Project would enable the contractor to reduce overall truck trips by transporting the excess soil directly from the ROW to a receiving facility rather than transporting soil to a laydown yard for sampling and then transporting the material to a receiving facility. These items are addressed below.

First, the Company has already conducted a thorough due diligence and sampling program along the ROW. This investigation followed the protocols established by the Massachusetts Department of Environmental Protection (“MassDEP”) in its guidance document titled *Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails* (“MassDEP Guidance”), which is attached here. In 2017, MassDEP staff directed Eversource to use this guidance to evaluate and address the potential presence of oil and/or hazardous materials (“OHM”) for the Project. The initial due diligence involved evaluating multiple lines of evidence such as known releases of OHM in the vicinity of the ROW, potential past sources of OHM associated with former ROW operations, and field observations along the route. The results of this evaluation were provided in a September 29, 2017 memorandum, which is attached here.

Based on this due diligence effort, and in accordance with the MassDEP Guidance, areas within the ROW were classified as either “residential/rural” or “industrial/commercial” based upon the history of activity both adjacent to and within the ROW. These designations were used to formulate and implement a subsurface assessment program for the areas designated as industrial/commercial pursuant to the MassDEP Guidance, and according to the guidance sampling of segments designated as residential/rural is not warranted.

In the Fall of 2018, the subsurface assessment program was implemented to evaluate the current conditions of the ROW adjacent to sites of concern and in the industrial/commercial segments of the Project pursuant to the MassDEP Guidance. A total of 29 soil samples and three groundwater samples were collected in Sudbury. The results of the sampling are summarized in a June 2, 2020 memorandum, which is attached with this letter. During this subsurface investigation, a geotechnical evaluation also was performed by Lahlaf Geotechnical Consulting,

Inc. (“LGCI”), which was documented in the December 7, 2018 report also attached here.

The results of the sampling program identified the presence of only low concentrations of OHM that are typical of former rail lines. The OHM identified are common on railroad ROWs and their presence is anticipated and addressed by the MassDEP Guidance and does not require reporting to MassDEP. The results support the determination that the soil can be reused in the ROW and managed safely for off-site disposition without further advance testing in situ. Also, the groundwater sampling data show that OHM is not present at elevated levels in groundwater in the ROW.

In accordance with the MassDEP Guidance, these sampling results were obtained from the industrial/commercial Project segment and targeted areas with a higher potential to be impacted from both past railroad operations and releases of OHM at sites adjacent to the ROW. Similar results were obtained from like sampling conducted in the ROW in Hudson. We conclude that these results are representative of soil in the Project corridor and further sampling in residential/rural Project segments is not supported by the data or required by the MassDEP Guidance.

Second, all soil that will be reused within the ROW is being relocated only short distances from “cut” areas to proximate areas where “fill” is required to achieve proposed grades. In addition, soil will not be moved outside of areas that are designated similarly in accordance with the MassDEP Guidance (*i.e.*, soil from industrial/commercial areas will not be moved to rural/residential areas). More importantly, all of the existing soil that is relocated within the ROW will be emplaced beneath geotechnical fabric, followed by eight inches (8”) of gravel, and then either the pavement placed for the DCR shared-use path or four inches (4”) of loam and vegetation placed on the shoulders adjacent to the path. This method of construction follows the MassDEP Guidance to prevent potential exposure to the soil, whether remaining in place or relocated within the ROW. Thus, the net benefits of the Project are to remove a substantial volume of existing soil from the ROW for off-site disposition and to restrict exposure to soil remaining in the ROW.

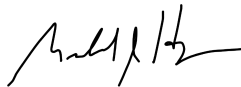
Third, the process of sampling volumes of excess soil aggregated at a laydown yard is an industry standard procedure established to provide receiving facilities with representative data showing that the soil meets their permit criteria. A composite sample consisting of 5 to 10 aliquots from a discrete soil stockpile with a volume of 500 cubic yards ensures the accuracy and representativeness of the data for the receiving facility. In contrast, attempting to characterize soil by in situ sampling in the ROW prior to removal would require the contractor to implement an unmanageable effort to identify, segregate and track all soil slated for both re-use and export before, during, and after excavation. Furthermore, using pre-characterization data for facility approval would be less representative, reliable, and coupled with tracking concerns may not provide the specificity and accuracy necessary for the responsible professional to provide the necessary certification to the receiving facility regarding the soil they will be receiving.

Fourth, additional sampling in situ for disposal characterization will not appreciably reduce total truck trips. Soil will be transported from the excavation area to the laydown yard with single or double axle dump trucks that can access the ROW and typically hold 10 to 14 cubic yards. After the soil is aggregated in a stockpile and sampled as described above, a load-out is

scheduled for tractor/trailer trucks that can hold approximately 25 cubic yards to transport soil to the disposal facility in several round trips per day. This method is the most efficient and is required due to the tight access limitations on the ROW. If the smaller trucks are used to transport the excess material directly to the disposal facility rather than to a laydown yard, there would still be the same volume of truck traffic on local roads.

We trust that this information addresses the questions raised by the Board. We request your timely review and favorable approval of this application. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hager".

Mike Hager, Project Manager

Attachments:

MassDEP “Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails”

VHB Memorandum: “Summary of Hazardous Materials Assessment, Proposed Transmission Line Project Sudbury to Hudson, Massachusetts,” dated September 29, 2017.

VHB Memorandum: “Sudbury-Hudson Transmission Reliability and Mass Central Rail Trail Project Summary of Soil and Groundwater Analytical Results and Subsurface Media Management,” dated June 2, 2020.

LGCI Geotechnical Report, dated December 7, 2018