



TOWN OF ACTON
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F. DORE' HUNTER, Chairman
Acton Board of Selectmen

September 17, 2007

Mr. Derrick Golden, EPA Remedial Project Manager
US Environmental Protection Agency
EPA Region 1, Suite 1100
1 Congress Street
Boston, MA 02114-2023

Re: Town of Acton Comments on Draft Community Update
W. R Grace Superfund Site, Acton, Massachusetts
Received by Town August 23, 2007
Extension to Respond to September 21, 2007

Dear Mr. Golden:

Thank you for the opportunity to provide these comments, on behalf the Town of Acton on the Draft Community Update for the W. R. Grace Superfund Site in Acton, MA. The Town received an electronic copy of the draft update on August 23, 2007. The Town has received ACES's comments dated August 29, 2007, on the draft update. The Town requested and was granted an extension to respond until September 21, 2007. The Town is sending a hard copy and an electronic copy of these comments to you and the other parties copied at the end of this letter.

General Comments:

1. Communication:

The Town agrees with ACES that EPA and DEP should keep the Acton stakeholders (the Town of Acton, the Acton Water District, & ACES), better informed on an ongoing basis as to the status of the W. R. Grace Superfund Site. The last conference call was in May. The Status Reports for May, June and July were provided in late August. A conference call was scheduled for June but unilaterally cancelled by EPA. No telephone conferences were held in July or August. Approvals were issued by EPA on revised documents before the revised documents themselves were provided to the Acton stakeholders, so that the Acton stakeholders had no opportunity to comment thereon.

To improve communication, the Town respectfully asks that EPA and DEP:

- Schedule more frequent meetings or conference calls with the Acton stakeholders (the most recent one was in May 2007);
- Stay in closer contact when major decisions (such as a change in treatment technology) are under discussion;
- Provide the Acton stakeholders an opportunity to comment on revised submissions that make substantive changes before the submissions are approved; and
- Provide the Acton stakeholders with the monthly status reports contemporaneously, not months after the fact.

2. Layperson-friendliness:

The Town agrees with ACES that some terms used in the update, especially on page 2, are highly technical. The purpose of the update should be to inform the average citizen who does not have a professional background in waste site remediation as to the status of the site. If possible, the Town asks that EPA use simpler, more layman friendly language.

Specific Comments:

3. Approvals Without Notice

Until late August, the last formal written communication which the Town received from EPA was your email of May 07, 2007 3:33 PM forwarding a copy of the April 30, 2007 monthly status report on the Remedial Design for the W.R. Grace site. Yet according to the draft Update (Page 1, First Paragraph), several approvals have been issued by the Government Parties:

The Sediment, Northeast Area Groundwater and Landfill Area Groundwater Pre-Design Work Plans have been reviewed and approved by EPA and MassDEP, in consultation with the Town of Acton, the Acton Water District and the Acton Citizens for Environmental Safety.

This statement is as surprising as it is inaccurate, because the Town has since learned that each of these reports was revised by Grace and the revisions approved by EPA *before* the revised report was even provided to the Acton stakeholders. Thus, the July 27, 2007 monthly status report, which you emailed to the Town on August 28, 2007 at 9:19 AM, indicates that:

Sediment Pre-Design Work Plan

The Government Parties conditionally approved the SPDWP on July 24, 2007. [The Table at the end of the status report indicates that a Revised Sediment Pre-Design Workplan was submitted on June 25, 2007.]

...

Northeast Area Groundwater Pre-Design Work Plan

Grace submitted the Northeast Area Groundwater Pre-Design Work Plan (Revised) on July 24, 2007. Grace is expecting an approval from the Government Parties by August 9, 2007.

...

Grace submitted a revised Landfill Area Groundwater Pre-Design Work Plan on July 26, 2007. Section 4 "Metals Removal System Treatability and Pilot Testing" and Attachment C "QAPP Addendum – Whole Effluent Toxicity Testing" were not included in the document submitted July 24. Those portions of the Work Plan will be sent at a later date for inclusion in the Work Plan. Grace is expecting a partial approval (Sections 1-3) of the work plan from the Government Parties by August 9, 2007.

Each of these revised reports was approved by EPA without the Town even being provided a copy in advance of the approval. After ACES submitted its comments on the draft update, EPA apparently realized its mistake, and the Town has now received the following:

REVISED REPORT	DATE SUBMITTED TO EPA	DATE APPROVED BY EPA	DATE REVISED REPORT AND APPROVAL SUBMITTED TO TOWN
Revised Sediment Pre-Design Work Plan	6/25/07	7/24/07	8/3/07
Revised Northeast Area Groundwater Pre-Design Work Plan	7/24/07	8/30/07	8/30/07 (1:39 PM)
Revised Landfill Area Groundwater Pre-Design Work Plan	7/26/07	8/30/07	8/30/07 (4:47 PM)

It is clear that EPA had each of these revised reports for a month or more before approving them; however, EPA did not provide the revised reports to the Acton stakeholders for comment before approving them.

Accordingly, the draft update should be revised to accurately reflect the facts:

Revised Sediment, Northeast Area Groundwater and Landfill Area Groundwater Pre-Design Work Plans have been reviewed and approved by EPA and MassDEP. The Town of Acton, the Acton Water District and the Acton Citizens for Environmental Safety were provided an opportunity to comment on the original drafts of these plans. Revised versions of these plans were provided to the Town of Acton, the Acton Water District and the Acton Citizens for Environmental Safety after they were approved.

4. Pump and Treat Remedy for Northeast Area

Ironically, had the Town been provided with an advance copy of the Revised Northeast Area Groundwater Pre-Design Work Plan before it was approved, the Town would have been in a position to comment favorably on the significant change in direction incorporated in the revised plan - from the proposed pilot testing of Groundwater Circulation Wells (GCWs) for the Northeast Area to the more traditional groundwater pumping and treatment for the Northeast Area. The Town is interested in the prompt implementation of an effective groundwater remedy for the Northeast Area. The fact that Grace had concerns about the "implementability of the GCW technology," would have increased the delays and uncertainties had that remedy been pursued further.

This situation reinforces the need for and appropriateness of providing an advance opportunity to the Town and the other Acton Stakeholders of significant changes in plans which they have previously reviewed. If the change is positive, the Town will be the first to say so.

The Town does have a concern that Grace presupposes a "three year" duration for the pump and treat remedy for the Northeast Area, as indicated in the following references to the Revised Pre-Design Work Plan (emphasis added):

- Based on the relatively low estimates of the mass of contamination remaining in the aquifer, USEPA stated in the ROD that this *pumping would continue for approximately three years.* (Page 1-3).
- Given the minimal impacts that the withdrawal would have on either the School Street Wellfield or Fort Pond Brook, and the fact that *the remedy for the Northeast Area is expected to be short-lived, approximately three years,* the extracted water need not be returned to the Northeast Area. Page 1-4)
- The groundwater flow model evaluation indicates that extraction of 50 gpm from the Northeast Area with no injection/infiltration has minimal impacts on groundwater discharging to Fort Pond Brook and on water levels around the School Street Well Field. Based on these results and the fact that *the remedy for the Northeast Area is expected to be short-lived, approximately three years,* Grace proposes that the Remedial Action for the Northeast Area include discharge of the treated groundwater to Sinking Pond rather than injection/infiltration back into the Northeast Area.. (Page A-2)

The Town believes that neither the ROD nor the EPA approval dated August 30, 2007 of the Revised Pre-Design Work Plan dictate a premature termination of the pump and treat remedy for the Northeast Area if the problem has not been eradicated and the system continues to be effective. Debate on this point should not delay the implementation of the Revised Pre-Design Work Plan; rather, this issue and related matters can be further evaluated as the implementation of the remedy unfolds.

5. Manganese

The Town agrees with ACES' observation that the update mentions arsenic and iron, but not manganese, even though manganese at the site exceeds EPA's Health Advisory standards. As the primary inorganic contaminants driving the current cleanup at the site have been manganese and arsenic, it should be added to the update at Page 3 (Landfill Area, top of page), and Page 5. Record of Decision and Statement of Work, Top of page, (continuation of third bullet from previous page).

6. Recommendation to Sample AR-15

The Town agrees with ACES' recommendation in its September 13, 2007, letter that EPA should require ongoing water quality sampling of existing monitoring well AR-15 for the following reasons:

- EPA's comment # 2 (April 3, 2007) on the Draft Landfill Area Pre-Design Work Plan recognized the need for additional data on the western extent of the landfill plume.
- Existing monitoring well AR-15 is located between the major portion of the VOC landfill plume area and WRG-3, a well that the Acton Water District is actively pursuing as a future public water supply well.
- There would be substantial benefit from sampling existing well AR-15 and only limited marginal cost. Well AR-15 has four separate sampling intervals at a range of depths.

- While AR-15 was sampled in 2000 and 2001, a review of the annual monitoring reports since then shows that it has not been monitored for water quality since 2001.

7. Appendices

Finally, it is important that the Acton Stakeholders be provided an opportunity to review Appendices to draft reports at the same time they are provided the opportunity to review the draft reports themselves. This has not always been the case.

Recognizing the practical problem of transmitting bulky reports and appendices in a timely manner, the Town recommends that EPA require Grace or its consultant to post copies of the drafts on an FTP website to which the Acton Stakeholders are provided access. This would eliminate the practical issues and speed up response time on comments.

Thank you again for the opportunity to provide comments on the 2007 draft Community Update for the WR Grace Superfund Site, in Acton.

Sincerely,

F. Dore' Hunter
Chairman, Board of Selectmen

Electronic cc: Acton Board of Selectmen
Stephen Anderson, Anderson & Kreiger
Mary Michelman, ACES President
David Buckley, DEP
Jane Ceraso, AWD
Jim Deming, AWD
Doug Halley, Acton Health Director
John Murray, Acton Interim Town Manager
Jim Okun, OT&O
Sarah White, USEPA