



June 26, 2020

CERTIFIED MAIL

Article #: 92148969009997901417698252

Mr. Rich Schirra
Hitachi
645 Russell Street
Batesburg, SC 29006

**Re: Amendment to the Voluntary Cleanup Contract
Ansaldo (Union Switch and Signal) Site; Lexington County**

Dear Mr. Schirra:

Please find enclosed a Certified as True and Correct Copy the Amendment to the Voluntary Cleanup Contract 14-5012-RP which was executed by the Department on June 25, 2020.

Thank you for your patience and cooperation in this matter. The Department continues to look forward to working with Hitachi to address this Site under the South Carolina Voluntary Cleanup Program. Should you wish to further discuss the terms of the amendment, please telephone either Lucas Berresford at (803) 898-0747, or me at (803) 898-0882.

Sincerely,

A handwritten signature in blue ink that reads 'Elisa Vincent'.

Elisa Vincent, Environmental Health Manager
Division of Site Assessment, Remediation & Revitalization
Bureau of Land and Waste Management

Enclosure

cc: Ken Taylor, L&WM
J. Lucas Berresford, L&WM
Veronica Barringer, Area Director
Jan Trent/Shawn Reed/Linda Jackson, L&WM
BLWM File 50855

FIRST AMENDMENT TO VOLUNTARY CLEANUP CONTRACT

14-5012-RP

IN THE MATTER OF
ANSALDO STS USA, INC. (f/k/a UNION SWITCH AND SIGNAL SITE),
LEXINGTON COUNTY
AND
HITACHI RAIL STS USA, INC. f/k/a ANSALDO STS USA, INC.

WHEREAS, on December 10, 2014, Ansaldo STS USA, Inc., now known as Hitachi Rail STS USA, Inc. (“Hitachi”), and the South Carolina Department of Health and Environmental Control (“Department”) entered into Voluntary Cleanup Contract 14-5012-RP (“VCC”), with respect to the Ansaldo Union Switch and Signal Site located at 645 Russell Street, Batesburg, South Carolina (the “Site”);

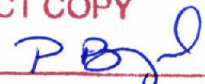
WHEREAS, the VCC provides that Hitachi submit for approval a Focused Feasibility Study (“FFS”) to evaluate remedial alternatives and potential risks to human health that may be posed by existing contamination at the Site;

WHEREAS, Hitachi submitted the Revised FFS on February 7, 2019. The Revised FFS was approved by the Department on February 26, 2019.

WHEREAS, Hitachi shall prepare and submit under separate cover from the FFS, a Health and Safety Plan that is consistent with Occupational Safety and Health Administration Regulations.

**THIS IS CERTIFIED AS A TRUE
AND CORRECT COPY**

SIGNATURE _____



WHEREAS, Hitachi submitted the Revised Baseline Risk Assessment on February 7, 2019.

WHEREAS, the Department issued a Proposed Plan on July 10, 2019, and had a public comment period open until August 15, 2019; and

WHEREAS, on February 5, 2020, the Department signed a Record of Decision (“ROD”) for the Site. The ROD included the Department's selected remedy for the residual source area soil and for groundwater contamination.

NOW, THEREFORE, IT IS AGREED that VCC 14-5012-RP shall be amended as follows:

- (1) The ROD is incorporated by reference and shall be added as part of the VCC.
- (2) The following requirements shall be added:
 - a. Within one-hundred eighty (180) days of the execution of this Amendment to the VCC, Hitachi shall submit to the Department for approval a Remedial Design/Remedial Action Work Plan (“RD/RA Work Plan”) for conducting in-situ chemical oxidation soil blending in the source area and installing a zero valent iron permeable reactive barrier at the distal end of the plume. The RD/RA Work Plan shall include the following: (1) final design plans and specifications; (2) construction quality assurance requirements and procedures; (3) schedule for implementation and completion of the Remedial Action; (4) methods for satisfying permitting requirements; (5) contingency measures and their implementation; (6) standard performance criteria and proposed actions should the criteria not be met; and (7) procedures for management of contaminated materials;
 - b. The Department will review the RD/RA Work Plan and notify Hitachi in writing of any deficiencies in the RD/RA Work Plan;

- c. Any comments generated through the Department's review of the RD/RA Work Plan must be addressed in writing to the Department's Project Manager within thirty (30) days of receipt of said comments by Hitachi;
- d. Upon Department approval of the RD/RA Work Plan and the time schedule for implementation thereof, the RD/RA Work Plan and schedule shall be incorporated herein and become an enforceable part of the VCC;
- e. Hitachi shall begin to implement the remedy within thirty (30) days of the Department's approval of the RD/RA Work Plan and thereafter take all necessary and reasonable steps to ensure timely completion of the remedy;
- f. Within sixty (60) days after implementation of the remedy, a Long-Term Monitoring ("LTM") Plan will be prepared by Hitachi and submitted to the Department for review. Any comments generated through the Department's review of the LTM Plan will be addressed in writing to the Department's Project Manager within thirty (30) days of receipt of said comments by Hitachi;
- g. Within sixty (60) days of the completion of installation of remedial activities, Hitachi shall submit to the Department's Project Manager a written Remedial Design/Remedial Action Report. This report shall provide a detailed description of the remedial activities taken, including any analytical results, volumes of waste removed, manifests, etc. The Department shall review the report for determination of completion of the remedial activities and sufficiency of the documentation within a reasonable period of time. If the Department determines that the remedial activities are not completed in accordance with the approved RD/RA Work Plan, Hitachi shall take all necessary and reasonable actions to complete the remedial measures within the time specified by the Department.

In the alternative, if the documentation contained in the Remedial Action Report as submitted by Hitachi is not approved, Hitachi shall submit a revised report to the Department's Project Manager, which addresses the comments in the Department's letter, within thirty (30) days after receipt of the Department's disapproval letter; and

h. Hitachi's obligation to submit quarterly progress reports pursuant to Paragraph 6 of the VCC shall be continued and may be reduced to such other frequency set forth in the LTM Plan approved by the Department.

FURTHER IT IS AGREED that this Amendment in no way is intended to or does affect VCC 14-5012-RP except as specifically provided herein and such VCC remains in full force and effect subject to this Amendment.

**THIS IS CERTIFIED AS A TRUE
AND CORRECT COPY**

SIGNATURE



**FOR THE SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL**

Henry J. Porter

Henry J. Porter, Chief
Bureau of Land and Waste Management
Environmental Quality Control

DATE: 6-25-2020

Karen Ratig
Reviewed by Office of General Counsel

DATE: 6/22/20

HITACHI RAIL STS USA, INC.

Joseph R. Pozza

Signature

DATE: 6/9/2020

JOSEPH R. POZZA, PRESIDENT

Printed Name and Title