

**SEVENTH PROGRESS REPORT
NORFOLK SOUTHERN RAILWAY COMPANY
OLD ATHENS TURNPIKE LEAD SITE
OLD ATHENS ROAD
PRINCETON, WEST VIRGINIA
NSRC FILE NO. SA08-253-001**

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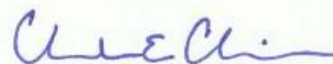
MM&A Project No. NS1691

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1.0 INTRODUCTION

This Progress Report was prepared on behalf of Norfolk Southern Railway Company (NSRC) by Marshall Miller & Associates (MM&A). The Progress Report describes response actions in accordance with Section 8.7 of the Administrative Settlement and Order on Consent for Removal Response Action, hereafter referred to as the Settlement Agreement (SA), between the United States Environmental Protection Agency (USEPA) and NSRC. The effective date of the SA was July 2, 2009. Response actions are being performed in the Old Athens Turnpike right-of-way in accordance with the Response Action Plan (RAP) submitted to USEPA on July 6, 2009, as amended on July 16, 2009. NSRC received USEPA's July 29, 2009 approval of the RAP, as well as notification of access to the portion of the Site not owned by NSRC, on July 31, 2009. In accordance with the SA, NSRC commenced on-site implementation of the RAP on August 5, 2009, within seven business days of receipt of the RAP approval and access notification. NSRC submitted the First Progress Report on August 6, 2009, the Second Progress Report on August 20, 2009, the Third Progress Report on September 3, 2009, the Fourth Progress Report on September 17, 2009, the Fifth Progress Report on October 1, 2009 and the Sixth Progress Report on October 15, 2009, each providing information on activities performed during the fourteen days following the respective prior progress report. In accordance with the SA, this Seventh Progress Report provides information on activities performed during the fourteen days following the Sixth Progress Report.

The Old Athens Turnpike right-of-way (hereafter referred to as the R-O-W) is located in Princeton, Mercer County, West Virginia. For purposes of the RAP, the Site consists of (1) a portion of the R-O-W (approximately 50 feet wide by 300 feet long) adjacent to the former salvage facility (referred to herein as the S.S. Belcher property) that was operated by S.S. Belcher & Company (S.S. Belcher) on NSRC property, and (2) a small overwash area (approximately 30 feet wide by 50 feet long) located on NSRC's property formerly leased to S.S. Belcher. NSRC owns Parcel Number 9 in Princeton, Mercer County, West Virginia, which extends southwestward to the centerline of the former R-O-W. Access to the portion of the Site not owned by NSRC was granted to USEPA by a warrant issued on July 23,

2009. USEPA notified NSRC of the issuance of the warrant granting NSRC access, as USEPA's agent for that purpose, by letter dated July 29, 2009. Lead-impacted surface soil is being assessed and remediated at the R-O-W in accordance with the approved RAP.

2.0 RESPONSE ACTIONS COMPLETED DURING REPORTING PERIOD

In accordance with the SA and RAP, MM&A has completed the following activities during this reporting period:

1. Maintained high visibility security fencing and keep out signs around at the R-O-W to deter access by persons not conducting or overseeing the response actions, to preclude interference with the performance of the response activities and to provide for safety of the public during non-working hours.
2. Completed excavation of lead-impacted soil and debris (battery casings) on October 19, 2009. Approximately 500 tons of lead-impacted soil was transported off-site as hazardous waste by U.S. Bulk Transportation, Inc. The waste was transported to the Max Environmental Technologies, Inc. (Max Environmental) facility for recycling/disposal. Max Environmental is located at 233 Max Lane in Yukon, Pennsylvania. Max Environmental operates under Permit PAD004835146.
3. Soil and debris in excess of the cleanup goal in close vicinity of large tree roots or boulders were removed using hand tools (shovels, trowels). Soil and debris in excess of the cleanup goal very close to large tree roots or boulders that could not be effectively removed will be covered with clean material during backfilling.
4. Post-excavation confirmation soil sample collection could not be conducted during the week of October 19 – 23, 2009, due to heavy rainfall.
5. Submitted qualifications for JDM Services, Inc. (JDM) of Bastian, Virginia, to the USEPA for approval on October 15, 2009. USEPA approval for JDM to provide loading and transportation of clean fill from the Green Valley borrow was received on October 17, 2009. A copy of the SA was provided to JDM on October 26, 2009.

3.0 PROBLEMS ENCOUNTERED OR ANTICIPATED

None

4.0 ACTIONS TO PREVENT OR MITIGATE PROBLEMS

None needed.

5.0 SCHEDULE FOR COMPLETING PROBLEM MITIGATION

None

6.0 COPIES OF ANALYTICAL DATA

No new laboratory analytical data was received.

7.0 RESPONSE ACTION PLAN MODIFICATIONS

No other modifications were made to the response action, the RAP or the schedule.

8.0 REMEDIAL ACTIONS OVER NEXT FOURTEEN DAYS

The following response actions are anticipated to be completed in the next fourteen days in accordance with the schedule included in the RAP:

1. Post-excavation confirmation soil samples will be collected and analyzed for total lead. Confirmation sampling of soil will consist of establishing a sampling grid system using 625 ft² (25 ft by 25 ft) grid squares across the excavated area and conducting in situ XRF screening of soil at the center and nodes of each 625 ft² grid square. One prepared XRF sample will be collected from the location having the highest in situ screening reading within each 625 ft² grid square. Where screening results are within 60 percent of the cleanup goal of 400 mg/kg (≥ 240 mg/kg), a soil sample will be collected and submitted to Lancaster Laboratories for analysis of total lead in accordance with USEPA Method 6010C. Although XRF protocol according to USEPA Method 6200 requires that five percent (1:20) of prepared XRF samples be submitted for laboratory analysis, at least 10 percent (1:10) of prepared XRF confirmation samples will be submitted for laboratory analysis of total lead using USEPA Method 6010C. In the event that XRF analysis and laboratory analysis conflict, laboratory analytical results will be utilized.
2. Backfilling of the excavation will be completed using clean fill material from the Green Valley Site in accordance with Item 14 of Section 2.1 of the RAP, including sampling requirements, and ground cover will be placed in accordance with Item 15 of Section 2.1

of the RAP. The average dry weight XRF total lead concentration will be calculated from all post-excavation confirmation soil samples and compared to the Site cleanup goal of 400 mg/kg for average total lead. If the average dry weight XRF total lead concentration for post-excavation soil samples is above 400 mg/kg at a depth of three feet below the surface, a filter fabric or liner will be placed over the affected areas and the excavation will be backfilled using clean material. If the average dry weight XRF total lead concentration for post-excavation soil samples is below 400 mg/kg, the excavation will be backfilled using clean material without a fabric filter or liner. If needed, the filter fabric will consist of Geotex® unwoven GEOTEX® 651 or an equivalent product. GEOTEX® 651 is made from the highest quality polypropylene fibers and is designed for environmental use in stabilization and erosion control.