

BARNEY FRANK
4TH DISTRICT MASSACHUSETTS

2252 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20616-2104
(202) 225-5931
29 CRAFTS STREET
SUITE 375
NEWTON, MA 02458
(617) 332-3920

558 PLEASANT STREET
ROOM 309
NEW BEDFORD, MA 02740
(508) 999-6462

THE JONES BUILDING
29 BROADWAY
SUITE 310
TAUNTON, MA 02780
(508) 822-4796

Congress of the United States
House of Representatives
Washington, DC

September 27, 2012

Mr. Kenneth L. Kimmell
Commissioner
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

Dear Commissioner Kimmell:

I am writing in support of the town of Norton and its elected town and state officials in their opposition to the capping proposal submitted to the Department of Environmental Protection by EndCap Technology that would transport 650,000 Cubic Yards of "slightly contaminated" material by truck over the course of four years in order to complete the required capping of the Attleboro Landfill. While I am appreciative of your letter of August 30th that extended public comment on this proposal and states in part that "MassDEP will require that the owner/proponent, Albert Dumont and EndCap Technology LLC (ECT), address the comments received from the community by modifying the proposal for capping the ALI landfill," I remain concerned that the nature of this proposal, to provide a funding source for the required cap, will trump the potential harm to area residents and the integrity of ongoing remediation efforts at the Shpack Superfund site which is in the final stages of a costly and exhaustive effort by local, state and federal partners.

As you are undoubtedly aware, for many years, I have been directly involved in the ongoing efforts of both the Army Corps of Engineers and the Environmental Protection Agency in their combined cleanup of radiological and chemical waste at the Shpack site. Through the tireless efforts of these two federal agencies, committed local leaders and the Citizens Advisory Shpack Team (CAST), that cleanup is finally nearing its completion. However, the uncertain nature of the Attleboro Landfill and its proximity to the Shpack site has always been an underlying concern to those who have dedicated so much time and effort to the remediation efforts of this Superfund site. This proposal has validated those fears.

According to the comment letter from the town of Norton's Board of Selectmen, the required soil to cap the Attleboro Landfill is a fraction of EndCap's proposal. While a viable revenue source may be necessary to help fund this cap, DEP should be mindful of the transportation stress on local roadways, potential harm to area residents and the negative impact the importing of even slightly contaminated and excessive materials may have on the abutting Superfund site.

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While every effort may be made to ensure the integrity of the capped material, no one can predict the effect such a large amount of material would have on either the Shpack site or local residents, and I strongly urge you to fully consider responsible alternatives to properly capping the Attleboro Landfill.

Sincerely,



BARNEY FRANK
Member of Congress

BF/gpp

Reply To: 29 Broadway, Suite 310
Taunton, MA 02780