



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590**

March 12, 2023

VIA EMAIL

Norfolk Southern Railway Company
c/o Marc R. Ferries, P.E., MBA
Project Navigator, Ltd.
15990 N. Barkers Landing Rd, Suite 325
Houston, Texas 77079

Re: East Palestine Train Derailment Site
Norfolk Southern Rail Line, East Palestine, Columbiana County, Ohio
Site/Spill Identifier (SSID): C5XR
Unilateral Administrative Order
Site Directive #2: Data Management/Communication By NSR

Dear Mr. Ferries:

As you know, the Unilateral Administrative Order (“UAO”) contains several requirements regarding data management/communication by the Norfolk Southern Railway Company (“NSR”). By this letter, and pursuant to my authority as the On-Scene Coordinator for the United States Environmental Protection Agency (“EPA”), and consistent with the Action Memorandum and UAO¹ issued by EPA on February 21, 2023, for the above-referenced Site, I direct NSR to do the following:

Immediately NSR shall:

- In addition to directing any email to On-Scene Coordinators Ralph Dollhopf and Jack Kelly, for any transmission of operational or environmental data directed by email, NSR shall copy the following mailboxes:

R5_OPS@epa.gov

R5_PSC@epa.gov

R5_ENVL@epa.gov

R5_SITL@epa.gov

R5_Data@epa.gov

R5_DOCL@epa.gov

Within one (1) calendar day from receipt of this letter, NSR shall:

- Deliver a Data Inventory of all field data being collected by NSR and NSR contractors. That includes but is not limited to:

See UAO Paragraphs 38 and 39 in particular.

Data Element	What organization collected the information?	Is an electronic form of that information currently available? If so provide brief description of data storage system and data format. If not, explain.	Can the information be provided in a web-based data service and made immediately available to EPA? If not, explain.	Contact information for the NSR representative and the contractor representative capable of coordinating data sharing.	Will the format or system for data management of this information change as NSR rolls out longer-term solutions (for example, uploading to the R5 Environmental Quality Information System (“EQuIS”))? If so, describe the change to take place and the anticipated timing for that change.
Air monitoring locations, stationary					
Air monitoring data, stationary					
Air monitoring locations, roving					
Air monitoring data, roving					
Air sample locations					
Air sample data					
Surface water sample, locations					
Surface water sample, data					
Potable well sample locations with associated well boring data and field sampling information					
Potable well sample, sample analysis data					
All other well locations NSR is managing data for, including but not limited to: (1) existing and proposed					

monitoring wells; (2) sentinel monitoring wells; and (3) municipal groundwater wells					
Sampling and analysis data from all other well locations					
Surface water monitoring, locations					
Surface water monitoring, data					
All other georeferenced features NSR has collected or managing as part of the response. This includes but is not limited to: (1) point / line / area features depicting operational areas of interest; (2) excavational areas; (3) personnel and equipment staging areas; (4) waste staging and transfer areas; (5) drainage and surface water features, including dams and underflow dams; (5) hard and soft boom areas; (6) material product recovery areas (7) surface water sparging and (8) any other mitigation or engineering control location not already covered					
Unmanned Aerial Systems (UAS) collected data					
Any fate and transport or groundwater flow					

models					
All metadata for all geodata					
Site photos					
Any other georeferenced data NSR is managing for the response					

- Coordinate with EPA (Data Unit) via EPA’s Data Support Coordinator (with a cc to On-Scene Coordinators Ralph Dollhopf and Jack Kelly) for access to information, upon request of the Data Unit. NSR has one (1) calendar day to respond to email requests for information from the Data Unit. NSR shall not disrupt an established method for sharing data, without the consent of EPA.

Within five (5) calendar days from receipt of this letter, NSR shall submit a Data Management Plan (DMP) for EPA review and approval. Upon request of EPA, NSR shall submit an updated DMP within two (2) calendar days of EPA issuing such a request. The plan shall address the following:

- Data Manager Roles and Responsibilities – Identifies the key functions required for ensuring accuracy of data.
- Data Streams and referring to written procedures for ensuring information accuracy. For example:

Data Element. Identify all samples which were split sampled, and the split sampling organization	Data Collection Method SOPs (established or anticipated)	Data Verification Procedure SOPs (established or anticipated)	Other data management procedures (established or anticipated)	Roles and responsibilities	End-products and turnaround time the info will be available to the end user
[refer to NSR Data Inventory for each data element]	[State the method of data capture, like electronic form in FieldNow. If there is a field data collection procedure, written or anticipated, refer to it here]	[You will probably have field staff taking basic steps to ensure initial accuracy of information: location data, date/time, etc. Refer to all written procedures that will ensure data accuracy]	[Your data will be moved, formatted uploaded through the course of data flow. Refer to written procedures data managers have, or will need to		[What are the end-products you will or may create based on need: -summaries uploaded to the “NS East Palestine Data Portal” -Data services available to internal reviewers -Data services available to external users (for instance, data made available

			ensure accuracy of information)]		pending development of the EPA Region 5 EQUIS -data via EQUIS to R5 EPA
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Within twenty (20) calendar days from receipt of this letter, NSR shall transfer all incident environmental monitoring and sampling, well boring information, and all other georeferenced feature data for the response to the EPA Region 5 EQUIS schema. Thereafter, NSR shall push updates to the EPA Region 5 EQUIS schema by 12:00amEST (midnight) daily unless EPA agrees to a different schedule.

Thank you for your attention to these matters. If you have any questions, I can be contacted at dollhopf.ralph@epa.gov or 231-301-0559 (cell).

Sincerely yours,

ralph dollhopf
 Digitally signed by ralph dollhopf
 Date: 2023.03.12 18:40:42 -04'00'

Ralph Dollhopf
 On-Scene Coordinator

cc:

- Robert Wood, System Manager Hazardous Materials, Norfolk Southern & Norfolk Southern Unified Command Representative
- Matthew Gernard, Deputy General Counsel, Norfolk Southern
- Hollister Hill, General Counsel - Environmental, Risk Management, Legal Claims, & Legal Operations, Norfolk Southern
- Matthew Gernard, Deputy General Counsel, Norfolk Southern
- Geoffrey Rathgeber, Assistant Deputy General Counsel, Norfolk Southern
- E. Fitzgerald Veira, Esq., Troutman Pepper
- Brooks Smith, Esq., Troutman Pepper
- Peggy Otum, Esq., Wilmer Hale