



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

SE-5J

September 14, 2023

Jami Wallace, President
Unity Council for the East Palestine Train Derailment

Daniel Winston, Co-Executive Director
River Valley Organizing

Dear Jami Wallace and Daniel Winston:

Thank you for your July 26, 2023, letter to Administrator Regan and others regarding concerns surrounding dioxin impacts from the East Palestine Train Derailment incident. I have been asked to respond on their behalf. As we stated in our previous letter, the U.S. Environmental Protection Agency (EPA) recognizes that the formation of dioxin/furan (dioxin) compounds resulting from the “vent and burn” activity was possible. Following the vent and burn on February 6, 2023, EPA reviewed several aspects of the fire and determined that significant increased community risk to dioxin exposure was unlikely. Based on EPA’s review of the [Phase 1 Soil Sampling Plan](#) results, we have determined that no significant impacts have occurred from the deposition of train derailment related ash, smoke, and soot.

EPA ordered Norfolk Southern Railway Company (NSR) to conduct dioxin and semi-volatile organic compound sampling before any other type of off-site delineation sampling from the derailment. Also, EPA reviewed, provided comments, and approved to the NSR plan for this activity. EPA provided full oversight of the operation and collected split samples at approximately 20% of the locations to ensure quality control. The sampling conducted was appropriate for the stated objectives of the work plan.

EPA disagrees that the sampling procedures are not transparent and accessible. The Work Plan provides very clear and specific sampling procedures. While EPA agrees that the sample results can be complicated and are difficult for the public to interpret, we have met with many community members at EPA’s Welcome Center to explain the results and will continue to do so as the cleanup continues. EPA’s results were posted to EPA’s website as soon as they were available.

The objectives of the Phase 1 Sampling Plan were to determine if a more comprehensive assessment is necessary. After review of the Phase 1 data, coordination with subject matter experts and environmental, health, and agricultural partners, EPA does not recommend any further off-site sampling. However, as part of the upcoming [Full Site Characterization Plan](#), more dioxin sampling will occur at the derailment site, support zones, and some adjacent properties. Importantly, the dioxin levels in waste collected on-site did not show levels of

contamination that would warrant further off-site dioxin assessment other than what we've already described. The waste data can be reviewed in [Volume 2](#) and [Volume 3](#) of the incident's Waste Management Plan. No commercial product or ecological sampling is planned to further assess dioxin impacts from this incident.

Please refer the attached document for responses to your specific questions.

EPA is preparing a response to a fellow member of the Unity Council regarding further indoor monitoring or sampling. Regarding Professor Whelton's statements, EPA has repeatedly requested that he share his data with us. Unfortunately to date, he has not provided any data or evidence of his claims.

Finally, EPA is finishing a technical memo that will provide more information, including statistical evaluation of the Phase 1 sampling results.

Again, thank you for your letter. If you have any questions, feel free to contact our Welcome Center at 330-775-6517 or to drop-in next time you visit East Palestine.

Sincerely,

Mark Durno
On-Scene Coordinator
Regional Homeland Security Advisor
U.S. EPA Region 5

Attachment 1: Specific Questions about Dioxin Testing

Sampling Locations

- What are the specific sampling locations for each measurement?

Due to privacy laws, specific locations cannot be shared. However, approximate locations of the data can be shared verbally.

- How were the sampling locations and the number of sampling locations chosen each day?

Please review the Phase 1 Work Plan for the operational approach and design to sampling locations. The number of samples collected each day were dependent on resources available, access agreements to properties, and size of properties inspected.

- Did EPA or Norfolk Southern choose sampling locations?

Sample locations were jointly chosen by EPA and Norfolk Southern in accordance with the Phase 1 Work Plan.

- If sampling locations were not chosen using the standard soil sampling methods, why not?

Sampling locations were chosen in accordance with the Phase 1 Work Plan. Standard sampling methods were performed at each location.

Sample Collection and Measurement

- What were the sample collection procedures? How did EPA collect, package, and maintain samples for delivery to the lab?

The Soil Sampling Standard Operating Procedure (SOP) addresses these questions and can be found in the attachments to the [Phase 1 Soil Sampling Plan](#).

- What lab did the analysis of the dioxin soil samples?

EPA's samples were analyzed by Pace Analytical. Norfolk Southern samples were analyzed by Eurofins.

- Were field blanks collected and analyzed as part of the QA/QC procedures? If so, please provide a copy of the results.

Yes, Quality Control / Quality Assurance samples were collected and can be provided electronically. Please provide an e-mail and I will share a summary table of the data with you.

Sample Analysis

- Concentrations of every analyte were very high on 3/13 and 3/30 (and to a lesser extent 3/10). What were the sampling locations on these days and why were they orders of

magnitude higher than most other measurements? What are EPA's plans for additional samples at and near these locations?

The higher detections are not particular to the date sampled. Dioxins/furans are persistent compounds and would not vary based on weather conditions. EPA's analysis of the data shows that higher levels of contamination are associated with samples collected in the public right-of-way (i.e., roadside). When access could not be obtained from a particular property, in the interest of collecting rapid data, the samples were collected from the right-of-way. Other samples in reasonable proximity of these outliers demonstrate dioxin levels that are typical of urban or rural areas. It's also important to note that the data indicates no significant difference between surface samples (top 1 inch) and samples at depth (1 to 6 inches below ground surface). This indicates that the compounds present are largely legacy contamination and less likely to be from recent releases. See above for EPA's approach to additional sampling.

- Can you provide a copy of the Quality Assurance/Quality Control procedures and the results that were used with this sampling effort?

Yes, EPA can provide an electronic copy of the Quality Assurance Project Plan for this activity. Please provide an e-mail and I will share this plan with you.

Follow-Up Sampling

- What are the next steps for dioxin sampling in the immediate future and in the months ahead?

As part of the [Full Site Characterization Plan](#), more dioxin/furan sampling will occur at the derailment site, support zones, and some adjacent properties.

- Will EPA work with other independent researchers who have been sampling for dioxins, such as Scott Smith to test for dioxins in furnace filters, dust, soil, and other sources?

EPA does not recommend indoor sampling. Regarding Mr. Smith, EPA has requested Work Plans and/or Quality Assurance Plans or other materials that describe his sampling objectives and what the resulting data intend to prove. To date, he has not provided these documents. These are the same type of documents that you have asked of us, and we have provided.