To: Richard S. Lewis[rlewis@hausfeld.com]
Cc: Mahler, Tom[mahler.tom@epa.gov]; Daniel DeFeo[ddefeo@defeokolker.com]
From: Stoy, Alyse
Sent: Mon 12/26/2016 9:10:32 PM
Subject: RE: Bridgeton Residential Sampling [WARNING: DKIM validation failed]

Mr. Lewis,

Thank you for your response. The timing of our effort is merely to proceed in an expeditious manner now that our sampling plan, developed in coordination with the U.S. Army Corps of Engineers, ATSDR, MDNR, and MDHSS, is complete and has been thoroughly reviewed and approved by our office. EPA completely agrees that your review of the QAPP is extremely important so that you and your clients understand how the data will be collected, analyzed, and our process to ensure data quality. I think you'll agree that is why EPA has requested the same level of information from you regarding the prior sampling of the Dailey's home so that we can have a similar understanding of the data that currently exists. Even though the requested information has not been provided to us, we have developed the QAPP provided to you this morning. Regarding identification of specific sampling locations, the QAPP describes EPA's plan to perform sampling at more than just the Dailey's home and highlights how screening level data will be obtained both from the exterior and interior residential areas to bias where physical samples will be collected.

The planning and implementation of EPA's sampling is solely being done in accordance with our authority under CERCLA, and we will undertake an objective, scientific analysis of the data gathered to determine if further response actions are warranted. While our technical team is in Bridgeton we would like to collect samples from two to three homes this week, and beyond the Dailey's I am unaware of other specific homeowners in the area that your firm represents. Of course if any of the other locations selected by our team is represented by counsel we would work through you or the appropriate attorney before proceeding with any work at those residences. If it would be helpful for you and I to have a brief conversation on that issue I am available anytime.

Regards,

Alyse

Alyse Stoy

Office of Regional Counsel

U.S. EPA Region 7

(913) 551-7826 office

(816) 807-3271 cell

From: Richard S. Lewis [mailto:rlewis@hausfeld.com]
Sent: Monday, December 26, 2016 1:20 PM
To: Stoy, Alyse <Stoy.Alyse@epa.gov>
Cc: Mahler, Tom <mahler.tom@epa.gov>; Daniel DeFeo <ddefeo@defeokolker.com>
Subject: RE: Bridgeton Residential Sampling [WARNING: DKIM validation failed]

Dear Ms. Stoy :

I did receive your email this morning and tried to call you and left a voicemail . My full response to your email is attached to this email . Your proposed timing to start sampling 2 days after Christmas without adequate notice or meaningful opportunity to review , comment and participate is not practical and is not acceptable . Please reschedule all Spanish Village sampling for early January to allow for adequate notice and meaningful opportunity to participate . If you are declaring this a public health emergency and your position is that you cannot allow for adequate notice and opportunity to review , comment and participate , please state that .

Thank you , Rich Lewis .

From: Stoy, Alyse [mailto:Stoy.Alyse@epa.gov]
Sent: Monday, December 26, 2016 8:47 AM
To: Richard S. Lewis <rlewis@hausfeld.com>
Cc: Mahler, Tom <mahler.tom@epa.gov>; Daniel DeFeo <ddefeo@defeokolker.com>
Subject: Bridgeton Residential Sampling

Good Morning Mr. Lewis,

I hope you are enjoying the holidays. In follow up to our previous communications, EPA has prepared the attached Quality Assurance Project Plan (QAPP) to perform radiological sampling at certain homes in Spanish Village, including the Dailey's home. EPA staff and our contractors will arrive in Bridgeton later today and plan to conduct the sampling activities through Thursday of this week. Also attached is a proposed Consent for Access to Property. In summary, EPA's residential sampling effort encompasses the following activities:

- Outdoor sampling will include a real-time gamma survey of surface soils and collection of soil samples for laboratory analysis for radionuclides.
- Indoor sampling will include real-time surveys of interior building surfaces for alpha, beta, and gamma radiation, collection of wipe dust samples for on-site analyses for gross alpha/beta followed by laboratory analysis for radionuclides, and collection of bulk dust samples for laboratory radionuclide analysis.
- If elevated levels of radionuclides are detected, EPA will evaluate the results of samples collected to determine if such radionuclides are present beyond what is naturally occurring. Depending on our review of that data, EPA will determine if any further CERCLA action is warranted.
- In addition to providing preliminary screening results, EPA will provide your clients with a receipt of samples obtained from their home and a copy of the analytical results of such samples.
- It is anticipated that we will have a team of up to eight personnel (EPA staff and contractors) that will perform the sampling work, and we anticipate that it will take approximately one full day to complete the sampling of the Dailey's home.

We are available to discuss EPA's QAPP and access agreement by telephone later today, and are happy to address any questions you may have. Also copied on this email is Tom Mahler, EPA's On-Scene Coordinator for this sampling effort, and once he arrives in Bridgeton today he will be available in person to discuss our proposed work with Mr. and Mrs. Dailey to ensure they fully understand our sampling effort. Tom can be reached at 913-551-7416. After you have had a chance to review these documents and discuss with your client, upon execution of the Consent for Access to Property document our team will be able to schedule the collection of these samples from the Dailey's home.

We greatly appreciate your assistance in this effort, and please advise if you would like to schedule a time to discuss this matter in more detail.

Regards,

Alyse

Alyse Stoy

Office of Regional Counsel

U.S. EPA Region 7

(913) 551-7826 office

(816) 807-3271 cell