Ex. 5 Deliberative Process (DP)

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From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]
Sent: Wednesday, March 30, 2016 4:41 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>; Janice Davis <jadadavi@ucsc.edu>; Lucien Martin <lumamart@ucsc.edu>; Maria Caine <mcaine@ucsc.edu>; Janie Flores <jalflore@ucsc.edu>; Liora Huebner <lhuebner@ucsc.edu>; Flora Lu <floralu@ucsc.edu>; bradley@greenaction.org
Subject: Re: Stuart Walker will join RE: request re conference call April 12

Hi Lily,

That's great. Thank you.

May I ask, in preparation for the call, if you could either provide me with copies, or direct me to links if they are posted on a website, for any 5-year reviews performed for portions of Hunters Point to ascertain the potential impact of revised EPA cleanup standards and guidance that may have come into being since cleanup planning and decisions and risk analyses were originally initiated? If the 5 year reviews were done by EPA, it would be helpful to see them. If they were done by the Navy, it would be helpful to be able to obtain them as well as any EPA reviews of the Navy analyses.

Also, if EPA has done any other reviews of how updated EPA guidance and standards and risk assessment methodologies might impact Hunters Point past cleanup actions, decisions, and risk analyses, it would be very helpful to see those as well.

Thanks,

Daniel Hirsch
Director
Program on Environmental and Nuclear Policy
College Ten
University of California at Santa Cruz

On Mar 25, 2016, at 1:58 PM, LEE, LILY <LEE.LILY@EPA.GOV> wrote:

Dear Dr. Hirsch,

Thank you for the questions and the suggestion to bring in Stuart. Region IX has consulted with him over the years about the Hunters Point site. I just talked with him, and he has graciously agreed to participate in the call.

Lily

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From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]
Sent: Sunday, March 20, 2016 7:57 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>; Janice Davis <jadadavi@ucsc.edu>; Lucien Martin <lumamart@ucsc.edu>; Maria Caine <mcaine@ucsc.edu>; Janie Flores <jalflore@ucsc.edu>; Liora Huebner <lhuebner@ucsc.edu>; Flora Lu <floralu@ucsc.edu>; bradley@greenaction.org
Subject: request re conference call April 12

Hi Lily,
We would appreciate it if you would arrange for Stuart Walker, the EPA Superfund remedial program's National Radiation Expert, to participate in the conference call on Hunters Point issues scheduled for April 12.
We note that "Radiation Risk Assessment at CERCLA Sites Q&A ," (EPA Office of Superfund Remediation and Technology Innovation Directive 9200.4-40, May 2014) states:
"Q10. For CERCLA risk assessments at remedial sites, is it appropriate to use guidance or approaches developed by other Federal, State or Tribal Agencies or by International or National Organizations?
A. EPA has made the policy decision that risks from radionuclide exposures at remedial sites should be estimated in the same manner as chemical contaminants, which is consistent with EPA's remedial program implementing guidance (e.g., EPA 1997g, 1999d, 2000f). Consequently, approaches that do not follow the remedial program's policies and guidance should not be used at CERCLA remedial sites. Should regional staff have questions, they should consult with the Superfund remedial program's National Radiation Expert (Stuart Walker of OSRTI at the time this fact sheet was issued, at (703) 603-8748 or walker.stuart@epa.gov), before using guidance from other organizations that is not already incorporated into this and other EPA Superfund remedial program guidance."

Among the issues we wish to explore during the conference call is whether remediation standards, models, and other guidance were used at Hunters Point that are inconsistent with the EPA remedial program's policies and guidance. If so, we would like to understand whether EPA Region IX consulted with Mr. Walker before allowing use of guidance that is not incorporated in EPA Superfund remedial program guidance, and if so, on what basis the approvals were made. If there was no consultation with Mr. Walker, we would like to learn why not.

Thank you.

Daniel Hirsch
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