Message

From: LEE, LILY [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6085A744F9347E6836C54C0E85B97B2-LLEE06]
Sent: 4/11/2016 5:14:17 PM
To: Tennis, Rachel [Tennis.Rachel@epa.gov]
Subject: Stuart Walker agrees this doesn't apply - FW: Does the attached OSWER Directive apply at Hunters Pt? FW: EPA use of Current PRG Calculator to evaluate Navy cleanups
Attachments: OSWER Directive radiation HQ consultation.pdf

I talked to him & Mark this morning.

Lily Lee
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From: LEE, LILY
Sent: Monday, April 11, 2016 12:09 AM
To: Tennis, Rachel <Tennis.Rachel@epa.gov>
Subject: Does the attached OSWER Directive apply at Hunters Pt? FW: EPA use of Current PRG Calculator to evaluate Navy cleanups

Dear Rachel,

I saw in the attached OSWER Directive that consultation is required under these circumstances:

> The purpose of this memorandum is to request that EPA Regional Offices consult with Headquarters on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) response decisions involving (1) onsite management (e.g., capping of material in place, building disposal cells) of radioactive materials, or (2) when there is a potential national precedent setting issue related to a radioactive substance, pollutant or contaminant. This

I'm not sure if these conditions are met.

Here's an excerpt from the Parcel G ROD (p. 42 of pdf, p. 48 of hard copy):

"The Selected Remedy for radiologically impacted soil and structures consists of surveying radiologically impacted buildings and former building sites with documented radiological impacts for unrestricted release. Unrestricted release means that a property can be used for any residential or commercial purpose once regulatory requirements have been met. Decontamination will be performed and buildings will be dismantled if necessary. Remaining radiologically impacted storm drains and sanitary sewer lines throughout Parcel G will be removed and disposed of off site."

On the next page:

"The survey and removals will occur before any covers are installed as part of Alternative S-5. Buildings, former building sites, and excavated areas will be surveyed after cleanup is completed to ensure that no residual radioactivity is present at levels above the remediation goals. Excavated soil, building materials, and drain material from radiologically impacted sites will be screened and radioactive sources and contaminated soil will be removed and disposed of at an off-site low-level radioactive waste facility."

So I'm not sure this sounds like condition 1 above.

Re condition 2, I honestly don't know enough re if there was any national precedent setting issue or not. Maybe I can ask John & Mark.

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From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]
Sent: Wednesday, April 06, 2016 8:49 AM
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: EPA use of Current PRG Calculator to evaluate Navy cleanups

Hi Lily,

Thank you for sending this material. It is helpful and raises some additional questions we will want to discuss on the 12th.

However, I would still like to see the 5-year reviews and any EPA reviews of them, as requested in my prior email. I would appreciate it if you would send them, or identify a URL where they can be found.

You indicate that the Region has routinely been consulting with Stuart Walker over the years on Hunters Point. It would also be helpful if you could provide me with copies of any identification by the Region of proposals by the Navy to use guidance, standards, or risk assessment methodologies not consistent with EPA's CERCLA guidance and requests for and results of consultation with Walker as to the appropriateness of those non-EPA alternatives.

It would be useful if participants in the call have available at that time the documents you just sent, plus the excerpts of other documents we previously sent you, and the item sent by Derek Robinson on 2/19.

As to the suggested agenda, I think it would be most productive, given the short time we have for the call, if instead our team merely asks the questions we have, gets answers, and there is some discussion of the key issues that arise.

Thanks for all your help in getting this arranged.

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

On Apr 4, 2016, at 5:00 PM, LEE, LILY <LEE.LILY@EPA.GOV> wrote:

Dear Dr. Hirsch,

Thank you for asking about EPA reviews of Navy analyses. In summary, the Navy uses the Department of Energy's RESRAD model in place of the EPA Preliminary Remediation Goal (PRG) calculator to evaluate doses and risks from contamination. EPA compares contamination concentrations with its PRG calculator. Generally, EPA's calculations result in a smaller estimate of radiation dose and associated risk, but the results are always nearly the same. EPA advises the Navy of its findings.

More specifically, as the Navy conducts radiological cleanup work, it submits individual reports on progress. When the Navy provides EPA with drafts of its Survey Unit Project Reports (SUPR), EPA's health physicist evaluates these reports to use the most current version of the USEPA's Preliminary Remediation Goal PRG Calculator as an additional line of evidence to evaluate residual risk remaining after completion of the removal actions described in these reports. EPA's submits this evaluation as part of its comments on the draft SUPR reports, and EPA comments become part of the final SUPR reports.

Once the reports are finalized, they become part of the Administrative Record for the site. One place individual reports are available to the public is at DTSC's EnviroStor website (link for Hunters Point Naval Shipyard files athttp://www.envirostor.dtsc.ca.gov/public/search.asp?CMD=search&city=San+Francisco&zip=&county=&case_number=&business_name=&FEDERAL_SUPERFUND=True). As one recent example, which I have pulled out at random, here is a link to the files for the "Final Work Package 110, Survey Unit Project Reports, Zones K, L, M, N, and O, Parcel D-1 Phase II Sanitary Sewer and Storm Drain Removal." http://www.envirostor.dtsc.ca.gov/regulators/deliverable_documents/4440022110/Final%20SUPR%20Pkg%20%23110_Zone%20K.pdf For Zone K, USEPA's PRG table for this survey unit appears beginning on p. 2868 of this pdf file. This file is 17 MB, so for your convenience, I have attached the EPA comments for this example. I also attached a few other examples to illustrate the type of evaluation that USEPA Region IX routinely conducts for each draft report from the Navy.

The Navy prepares Five Year Reviews, but those type of documents do not typically go to this level of detail, so I thought the information above and attached would be more relevant to your questions. Please let me know what further information would be useful to you.

Lily

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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

Lily Lee
Cleanup Project Manager
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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
Director

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<Work Pkgs 108-111 Storm drain D-1 - EPA Comments 6-29-2015.docx><2015-1-12 EPA Rad Review multiple Survey Units Oct Nov 2014.docx><EPA Comments Draft Survey Units 344-350-351-355.docx>