Suquamish Tribe Review Comments
East Waterway Operable Unit AB Memo

Comment No.	Section	Page#	Comment	Response
1	General		The Document needs to clearly state that the East Waterway AB values are site-specific for the EW site and are not appropriate for use at other sites or as precedent for replacing natural background values. The Tribe supports the use of risk-based clean up levels that are protective of Suquamish tribal members, or natural background values as represented by the BOLD data set and accepted by EPA and ECY for use in establishing clean up levels for Puget Sound sites, where risk-based levels are below natural background conditions.	EPA agrees that the document should clearly state that these values are site-specific for the EW and that these values may not be appropriate for use at other sites. The revised document will add that clarification. It is EPAs policy that the CERCLA program does not generally set cleanup levels below anthropogenic background concentrations. Reasons for this approach include the potential for recontamination by surrounding areas, technical impracticability, and cost effectiveness. EPA acknowledged that "natural background" for PCBs as established for Puget Sound may not be achievable at the LDW Superfund Site, and that cleanup goals may be revisted subsequent to the remedial action.
2	General		It is the Tribes understanding that a revised draft Proposed Plan that includes the AB values has been prepared. When will EPA be providing this to the Tribe for review? It is not appropriate to distribute a draft Proposed Plan including the proposed AB values prior to finalizing the AB technical memo.	The AB values have been incorporated into the draft PP and the Tribe has received and reviewed that copy. EPA plans to finalize the AB technical memorandum before the formal release of the Proposed Plan for public comment.
3	General		The Tribe has read through the comments submitted by the Department of Ecology (Ecology) via email on April 7, 2021. It appears that there are significant concerns regarding the development of AB values. The Tribe strongly suggests that a meeting be scheduled with EPA and Ecology to address these comments and include both the Suquamish Tribe and Muckleshoot Tribe.	EPA conducted a meeting on May 21, 2021 with the Tribes and Ecology to discuss Ecology's comments.
4	2	3	Why is "future case" in quotes? The reduction of total suspended solid inputs from EW laterals and source control actions in stormwater drainage basins are an important part of remediation and restoration of the EW. Include any updated source control information from Ecology that may affect AB estimates. Also, there will be a source control sufficiency	Will remove quotation marks on the word future case and define the term as it is used In the Proposed Plan. The Proposed Plan includes a statement regarding source control evaluation which is outlined in Chart 1. The evaluation criteria will be developed in RD.

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			evaluation to determine if the potential for recontamination from these sources has been or will be reduced enough to ensure that the sediment remediation is effective. Remove the quotation marks and discuss the source control sufficiency evaluation. Note that it is not Figure 1 in Appendix J it is Chart 1.	
5	4.4 and 5.6		If arsenic is naturally occurring as stated in the text and arsenic concentrations in Green River suspended solids are higher than those found in EW bedded sediments as well as at several completed cleanup sites in Elliott Bay, it is not appropriate that a PRG for arsenic based on AB would be set at a higher level than what is already present in bedded sediments at the site and has been proven achievable at other cleanup sites.	Arsenic concentrations in suspended materials were used to determine AB. The extent to which biogeochemical processes may alter arsenic concentrations in the waterway after cleanup is not known.
6	4.8	24	Include decisions made regarding arsenic in the list of selected data treatments	Agreed
7	5		The uncertainty/sensitivity discussion should look at all the decisions made related to the treatment of data, as summarized in Section 4.8 (with the inclusion of arsenic). Include discussions for uncertainty/sensitivity introduced by decisions made regarding non-detects for PCBs and dioxin/furans, as well as the decisions to evaluate dioxin/furans as individual congeners and to use four congeners to represent all dioxin/furans.	This section is meant to discuss the major decisions – however, some decisions such as the selection of the four D/F aren't subject to uncertainty analysis. The effect of various treatments for non-detect D/F results is presented in Table 4-4.
8	5.7	27	Implying that new development within the watershed could result in an increase in contaminant contributions should not be a factor to support AB. In addition to the superfund cleanup activities in the Duwamish to improve conditions and reduce contamination King County is under a consent decree to address pollutant reductions including toxic organic compounds (PCBs, PBDEs, semi-volatile organic compounds and pesticides). Delete the last sentence.	The derivation of AB will not include future contributions from new sources. Last sentence will be deleted.
9	5.9	28	Add a discussion of the overall impact of all the decisions regarding data treatment. Are the AB values for each contaminant expected to be generally biased high or low? Summarize the overall site impacts and/or changes to cleanup expected from use of the AB values.	Any attempt to estimate the result of combinations of uncertainties would be speculative.