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

REPLY TO THE ATTENTION OF:

April 9, 2010 LU-9J

CERTIFIED MAIL 7001 0320 0006 1188 1601
RETURN RECEIPT REQUESTED

Michael J. Pinto
Legacy Site Services
468 Thomas Jones Way, Suite 150
Exton, PA 19341-2528

Re: Approval of RAOs for BaP and 2,3,7,8-TCDD TEQ in Soil
Submitted 11-18-09
Administrative Order on Consent
U.S. EPA ID NO. MID 005 363 114
U.S. EPA Docket No. V-W-89-R-45

Dear Mr. Pinto,

As we have discussed, EPA approves the Remedial Action Objectives (RAOs) for soil constituents at the Arkema East Plant in Riverview, Michigan (Arkema), based on your November 18, 2009 letter (November 2009 letter). The RAOs correspond to Michigan Part 201soil criteria for Industrial/Commercial Category II sites for a cumulative cancer risk range of $1X10^{-5}$, and are within EPA's acceptable cumulative cancer risk range of $1X\ 10^{-4}$ to $1X\ 10^{-6}$. The RAO for 2,3,7.8-TCDD TEQ of 0.99 ppb is the State criterion and considers as the 2009 EPA draft interim PRGs for dioxin at industrial sites (0.95 ppb). The RAO for benzo(a)pyrene (BaP) is 8.0 ppm, which is the State criterion. Legacy has been developing the Corrective Measures Study (CMS) based on the 2006 EPA approval of the revised CMS Work Plan. Please submit the CMS by May 7, 2010.

In your November 2009 letter, you presented a statistical analysis projecting post-remedial conditions as the basis of your soil corrective measures design. The analysis uses surrogate "clean" concentrations to replace sample points in areas targeted for remediation; the exposure point concentration was then recalculated to demonstrate that projected post-remedial conditions will meet the RAO goals.

Please note that although your November 2009 letter presumes a soil cover remedy to meet the RAO goals, EPA has not approved or suggested a cover remedy. The covered areas described in the letter are interpreted to be areas where the selected remedy would remove the exposure pathway to receptors. Arkema should propose

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alternative remedial approaches in the CMS to address the soil contamination.

If you have any questions, please contact me at (312) 886-3020.

Sincerely,

Carolyn Bury

Carolyn Bury
Project Manager
Corrective Action Section 2
Remediation and Reuse Branch

cc: Peter Quackenbush, MDNRE, Lansing (w/ enclosure 11-18-09 letter from Arkema)
Bhooma Sundar, EPA CAS2