Danner, Ward

From: Jennifer DENICOLA <jd18@me.com>
Sent: Monday, July 14, 2014 9:45 PM
To: Armann, Steve
Cc: Scott, Jeff; Huetteman, Tom; Hope Edelman; Blumenfeld, Jared; Cami Winikoff; Santos, Carmen
Subject: Re: Another approval authorizing inplace management of PCB source material

Steve:

I am not sure where you are going with these examples of "manage in place" for PCBs, because this is yet another example of you sending me a plan that has no relevance to Malibu, as did the Univ. of Mass Graduate School you sent to me last week.

Univ. of Mass is a Graduate school and educates adults and not children. The have 900 windows that need to be replaced and they have started shortly after their consent agreement was finalized. Their plan includes remediation of encapsulation during the time of manage in place to reduce exposure as they remove the windows. There are fines set in place if they do not follow the schedule for removal as well as a plan for secondary sources if found that must be removed. This is nothing like the Environ Plan. This consent agreement is not law, it is only an agreement between two parties and cannot be used as legal precedence nor is it relevant to the Malibu situation.

Then you send me this plan for JFK Middle School and Joseph A DePaolo Middle School in CT. Again, this is not manage caulk in place plan. They have agreed to manage in place only the barrier located between the exterior on interior walls until demo... everything else comes out, including the caulking.

SPS has proposed PCB cleanup plans that include removal of non-liquid products that have PCB concentrations greater than or equal to (≥) 50 parts per million (ppm); removal of PCB-contaminated building substrates, asphalt, and concrete with PCB concentrations greater than (>) 1 ppm; and, in-place management of the ≥ 50 ppm PCB vapor barrier/mastic located between the exterior walls and interior walls, unless a wall will be disturbed or demolished as part of the renovation activities.

With the exception of the post-cleanup verification sampling requirements under § 761.61(a)(6) and removal of the vapor barrier/mastic located between the exterior and interior walls, the proposed PCB cleanup and disposal plan is consistent with the requirements for removal/disposal of *PCB bulk product waste* disposal under § 761.62 and for cleanup and disposal of PCB-contaminated *non-porous surfaces* and *porous surfaces* under § 761.61(a). SPS has proposed a deviation from the verification sampling requirements under § 761.61(a)(6) for *non-porous surfaces* and *porous surfaces*.

EPA also has determined that temporary in-place storage for disposal of the vapor barrier/mastic will not present an unreasonable risk of injury to public health or the environment given its location. EPA may approve the temporary storage for disposal of the vapor barrier/mastic under § 761.62(c).

This is more evidence that Environ is not properly identifying and addressing Malibu High's PCB issue. There plan is empty and does not even address the minimum requirements asked for by you in your Jan 20th letter. Furthermore, inhalation and ingestion both must be considered when doing a health assessment and then proper source testing must be done to understand how high the risk is to students and teachers. Only then and with the soil results, can we evaluate a total risk for MHS and what needs to be done to remediate. Manage in place and do nothing for 15 years is irresponsible and a complete violation of TSCA. The EPA cannot condone this plan.

There is no written plan for removal or demo of building E or the music building no matter what the district says. So banking on a "what if" is again a complete violation of TSCA.

I expect each of my letters as well as our expert comments will be included in your review and rejection of Environ's plan.

Sincerely,
Jennifer deNicola
Malibu Unites

On Jul 10, 2014, at 10:36 AM, Armann, Steve <Armann.Steve@epa.gov> wrote:

Jennifer, Jeff mentioned that you were interested in other primary education facilities where EPA has authorized PCB sources to remain in place. Attached is the approval for Southington that allows them to manage a vapor barrier material containing greater than 50 ppm in place … provided they have a monitoring plan.

This is the same school that recently started renovation and you sent us a newspaper article on.

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<Southington Schools Approval.pdf>