November 14, 2014

Memorandum

TO: EPA Region 7
FROM: West Lake Landfill CAG
RE: EPA for Dec 8, 2014 meeting (with TASC interpretation comments)

TASC-assisted questions for the December 8 CAG meeting

1. EPA has explained that a baseline risk assessment cannot address major community concerns about the risk of exposure to landfill contaminants in the event of a catastrophic event such as earthquake, flood, and tornado and high winds. The community is concerned about these potential disasters. Can EPA explain how these type of risks will be addressed within the Superfund process? An explanation of when and how EPA will address each of the risks listed would be helpful.

   TASC Comment: These type of risks are typically evaluated during the design of a remedy. For example, at the Midnite Mine Superfund site in the state of Washington, an analysis of the site's seismic (earthquake) potential triggered an evaluation of the planned cover for mine wastes. The result was that the cover material was redesigned to withstand an earthquake. Such an analysis may be required at West Lake Landfill during remedy design, if the final decision is for contamination to be left in place. It is unlikely that EPA will address these type of risks prior to design of a specific remedy, but the CAG might like an answer from EPA about the timing of such types of analyses.

2. The community is concerned that RIM exists in significant quantities outside of the boundaries of OU1, particularly that RIM exists in the areas of the Bridgeton Landfill that are now affected by the subsurface smoldering event. Can EPA review the past investigation results with the CAG that led the EPA to their conclusions? The discussions in past CAG meetings have not been understandable to community members. Also see question # 12 below, requesting an updated map of known RIM locations.

3. The community is concerned about worker safety at the Bridgeton Landfill. In particular, the community is concerned that safety protection from exposure to radiation and radon is inadequate and workers are reluctant to speak up because they fear that asking questions could cause them to lose their jobs. Can EPA assist the CAG in requesting additional OSHA scrutiny of the work at the site? The community would like to hear from OSHA about how workers are being protected and what specific radiation and radon monitoring is required at the site. Can EPA help facilitate this discussion with OSHA?

4. Tragedies such as 9/11, hurricane Katrina and the Fukushima disaster have made US citizens more aware of the importance of proper planning for first responders. The community is concerned about the safety of first responders in the event of a surface fire at OU1. Can EPA provide any resources or planning and training for first responders who may need to respond to a surface fire at OU1? Or, can EPA direct first responders to resources for such planning/training? If this has already been done, the CAG would like to hear a summary of what help EPA has provided for first responders, or the current planning for first responder

WLLFOIA4312 - 001 - 0037066

training that is ongoing.

5. The community is concerned about airborne contamination and odors from the Bridgeton Landfill subsurface fire. Can EPA review and conduct a risk analysis of the air monitoring data that is being collected by Missouri DNR? The CAG would like a summary of the results of any analysis of risk to the community. (adapted from Robin Dailey #1)

6. In a recent e-mail to a Spanish Village Resident, Karl Brooks stated, "The scientific data available to this agency indicate that people living near and working around the Site are not currently being exposed to contaminants released from the Site that are above levels of concern." This statement is contradictory to information published by the Missouri Department of Health. On October 1 and 2, sulfur dioxide levels were reported in Spanish Village ABOVE LEVELS OF CONCERN. What exactly does Dr. Brooks mean when he says we are not being exposed to contaminants above levels of concern? (adapted from Tonya Mason #2)

The relevant information on the Missouri Department of Health website is:

> "Sulfur dioxide concentration readings were recorded above levels of public health concern for several hours on October 1 and 2 in a residential location southeast of the landfill. During this time the monitors were experiencing fluctuations, potentially due to weather conditions including high humidity and changes in pressure from a passing storm. While sulfur dioxide readings were fluctuating, winds were predominantly from the south, rather than from the direction of the landfill. Exposure to the elevated levels of sulfur dioxide may cause respiratory irritation or other short-term symptoms, particularly in asthmatics or other sensitive individuals." [See http://health.mo.gov/living/environment/bridgeton/#oct2-6/]

TASC Comment:
The information in this comment is about how the Missouri Department of Natural Resources handles air monitoring and community notification. While it isn't related to what Dr. Brooks meant in his letter, it might be of interest to CAG members.

The Missouri Department of Natural Resources referred TASC to two documents about how they handle exceedances of levels of public health concern for air emissions from Bridgeton Landfill. The documents are on the Internet at:
http://dnr.mo.gov/env/swmp/bridgeton/bridgetonrespnplan.pdf and
http://dnr.mo.gov/env/swmp/bridgeton/dhssairrespalertprotocol.pdf.

A brief summary is below:

The Department of Natural Resources conducts daily air monitoring. If a contaminant level in air is confirmed to be above the level of public health concern, DNR's Solid Waste Management Program staff 1) contacts members of the Bridgeton Landfill Task Force to coordinate any response actions in the community and 2) issues a stop work order for activities at the Bridgeton Landfill that are causing a level of concern. Response actions/notifications to the community are managed by the local agencies on the Task Force. TASC was referred to the Bridgeton Police Department for information about procedures for local response actions. In responding to TASC, MDNR noted that, "A response has not been triggered that required notification to the community."

On October 1 and 2, the wind was predominantly from the south, and not from the direction of

WLLFOIA4312 - 001 - 0037067

the landfill. Therefore, the detected sulfur dioxide could have been emitted from a different source. For example, coal-fired power plants and industrial equipment using high sulfur fuels can be major sources of sulfur dioxide emissions.

7. Can EPA briefly explain its analysis (by ORD) of the potential risks from a subsurface fire at OU1? Is any additional analysis planned? (adapted from Robbin Dailey #2)

8. For planning purposes, the community would like to know what conditions or events at West Lake Landfill would prompt EPA to recommend (order?) an evacuation of Spanish Village/Terrisan Reste Mobile Home Park. Specifically, is there any predetermined set of conditions that would prompt an evacuation, such as elevated subsurface temperatures within a certain distance of RIM? Furthermore, how would emergency notification to evacuate be conducted? Is there a plan in place? Can EPA recommend a list of emergency items that residents should have in their homes in case of a catastrophic event at the landfill? (adapted from Tonya Mason #1 and Carole Parsons)

9. Regarding the 2012 NRRB report/recommendations to EPA. Many people feel that EPA is suppressing this report and prohibiting public access. Can EPA cite a specific reference to clarify by what jurisprudence the EPA is able to keep this report out of the public domain? (adapted from Wendy Lumetta #1)

10. If the USGS Report is still not available for review at the December CAG meeting, please provide the name and telephone number of your contact within the USGS to request expediting the report due to the fire? (Wendy Lumetta #2)

11. In a public meeting, Lois Gibbs told attendees that EPA performs a cost-benefit analysis based on the value of human life, which is tied to the income potential of the residents affected by a Superfund site. To your knowledge, does the 2012 NRRB report or any other internal document have such a cost-benefit analysis of the site and surrounding communities? If so, what are the results? Please explain how cost-benefit analysis is used in the Superfund decision-making process. (adapted from Wendy Lumetta #3)

12. The CAG would like EPA to provide 2 site maps of the Bridgeton and West Lake Landfill area - one map that shows previously designated areas of known RIM and one map that is updated to show where additional RIM is known to be located based on the Gamma Cone Penetration Test performed recently to determine the location for the subsurface fire barrier. (adapted from Wendy Lumetta #4)

13. Regarding the leachate pipes that will be transporting leachate to the Metropolitan Sewer District (MSD), what safeguards have the EPA required of the impacted municipalities regarding ongoing safety? As the leachate is acidic, corrosive and filled with many toxins that could potentially erode the line, what safeguards are in place to assure there are no leaks along the leachate line that could pollute surrounding communities? (Wendy Lumetta #5)

    TASC Comment: CAG members may want to ask Missouri Department of Natural Resources if the leachate piping from the landfill to the MSD is dual containment (jacketed or double-walled).

The July 2014 Incident Management Plan for Bridgeton Landfill can be downloaded from this website: http://www.dnr.mo.gov/bridgeton/BridgetonSanitaryLandfillReports.htm. Page 28 of the document contains this text:
"All leachate conveyance piping is dual containment with the exception of the pressurized well manifolds. This piping lies entirely on top of flexible membrane line and is connected to dual containment sumps. Single walled piping may be used in temporary applications when necessary."

14. The CAG would like EPA to clarify whether capping and leaving contamination in place at West Lake Landfill, as described in the 2008 ROD, is still being considered as a remedial option? (adapted from Wendy Lumetta #6)

15. The CAG would like to formally request that EPA cleanup the West Lake Landfill Superfund site to a minimum excess lifetime cancer risk of 1 in a million ($1x10^{-6}$) for future onsite workers, future trespassers and future offsite residents. We feel that the nature of the combined typical landfill and radioactive contaminants is such that there are too many unknowns to accept a cleanup level to 1 in 10,000 or even 1 in 100,000. Does EPA need additional documentation of this request from the CAG? (adapted from Harvey Ferdman)

16. Are there any laws regarding "Sellers Disclosures" when selling your home within a mile of a Superfund Site (Does this have to be disclosed to potential buyers)? (Tonya Mason #3)

    TASC Comment: We are not aware of any component of the Superfund law that requires nearby landowners to disclose the proximity of a Superfund site. State law may require such disclosure. The CAG may want to contact a real estate professional or real estate lawyer for more information about this topic.

17. Please try to answer questions in plain language using easy-to-read visuals. We frequently don't understand EPA explanations. (adapted from Carole Parsons)

18. MCE submitted nine questions directly to EPA in October, the CAG is interested in EPA's answers to these questions. See addendum.

19. What is the status of the Isolation Barrier project? (R. Steelman)

Addendum (MCE October questions)

Please be advised that EPA Region 7 has not yet responded to MCE's questions submitted before the last CAG meeting in October. Upon receiving the answers to MCE's questions, there may be more follow up questions that MCE would like to have answered at the next CAG meeting. As for now, please find our questions below:

1. Given the recent record-breaking drought in California and recent record-breaking levels of rainfall in Arizona, has the probability of a levee failure in the Earth City District been recalculated, on the basis that increasingly severe weather will be prompted by climate change? Did EPA Region 7 consider climate change in its 2008 ROD and will EPA Region 7 consider climate change in the ROD Amendment?

2. Has the probability of a levee failure ever been calculated over a time frame of more than one hundred years?
3. How can any probabilities of a levee failure be considered valid, when weather patterns thousands of years in the future are impossible to predict?
4. When did EPA Region 7 first learn of the smoldering landfill fire in the South Quarry of OU-2?
5. What circumstances or criteria does EPA Region 7 use to determine if a contractor hired by a PRP should be removed or disapproved?
6. How will the known risks of a smoldering or surface fire be considered in the EPA Region 7 ROD Amendment?
7. Will EPA Region 7 provide a more in-depth qualitative assessment, not conducted by the PRPs, of the risk of a smoldering fire impacting the radioactive wastes? The reason for this question is that EPA Region 7 previous stated the 2 page ORD memo was sufficient for evaluating risk and independent. How can this be true when the ORD memo says, "A SSE may result in increased emissions of radon **and other contaminants** in the air and groundwater, even with annual inspections and proper maintenance of designs discussed in the 2008 ROD and 2011 SFS"? Does EPA Region 7 feel it's necessary to determine what "other contaminants" could be before making a ROD Amendment?