To: Whitley, Christopher[Whitley.Christopher@epa.gov]
From: Emshwiller, John
Sent: Thur 12/5/2013 10:48:32 PM
Subject: FW: WSJ FOLLOW-UP QUESTION RE REMEDY REVIEW BOARD

This chairperson's memo/letter I referred to could also be known as a consultation memo.

Thanks and regards,

John

From: Emshwiller, John
Sent: Thursday, December 05, 2013 2:43 PM
To: 'Whitley, Christopher'
Subject: WSJ FOLLOW-UP QUESTION RE REMEDY REVIEW BOARD
Importance: High

I also have some follow-up questions to the EPA's response to my question 10. My questions are:

1. I have been told that the Remedy Review Board never issued a formal board letter or memorandum regarding West Lake. Instead, the board's chairperson issued a letter/memorandum regarding West Lake. Is this accurate? If it is accurate, what was the reason for the chairperson issuing a letter/memorandum rather than the board?

2. I have been told a formal board review letter/memorandum would be public while a chairman's letter/memorandum isn't. Is that true?

3. Has the Remedy Review Board issued any public document regarding West Lake? If so, where can I find a copy?

4. Has the board or its chairperson issued any non-public document, memorandum or opinion regarding West Lake?

Thanks and regards,

John

From: Whitley, Christopher [mailto:Whitley.Christopher@epa.gov]
Sent: Thursday, December 05, 2013 1:35 PM
To: Emshwiller, John
Subject: Responses to Questions about West Lake Landfill Superfund Site

John,

With apologies for our unforeseen delay, here are EPA Region 7's responses to your questions concerning the West Lake Landfill Superfund Site in Bridgeton, Mo. Please feel free to contact me if you need anything further from us. Also please note that I will be out of the office on Friday, December 6, for a medical issue, but I expect to be back at my desk on Monday, December 9.

Thanks for your patience,

Chris Whitley

Public Affairs Specialist

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1. Was the radioactive material illegally dumped at West Lake as some that I have interviewed have argued?

A: There were no applicable environmental laws administered by EPA at the time this material was placed at West Lake Landfill in 1973.

2. How did the EPA end up as the federal agency responsible for deciding what to do with the radioactive waste? Given that the waste appears to have been the result of work in the atomic-weapons program, why isn't it under the purview of the Department of Energy or the Army Corps of Engineers, through the FUSRAP program?

A: The Nuclear Regulatory Commission officially deferred regulatory oversight of the West Lake Landfill site to EPA in September 1995.

3. Some people have argued to me, pointing to past documents from the Atomic Energy Commission and other bodies, that the material taken from Latty Avenue and buried at West Lake was far more radioactive than the EPA has acknowledged. Specifically, they argue documents show the soil that mixed with the leached barium sulfate was highly contaminated, making the waste at West Lake more dangerous than initially believed. Does the EPA have any comment on this matter?

A: EPA is relying on the Nuclear Regulatory Commission's report for an accounting of this material. It is likely that the soil removed from the Latty Avenue site and mixed with the barium sulfate residue contained residual amounts of the other radiological wastes stored there. EPA has analytical results for the materials actually present in West Lake Landfill. This information, along with additional information gathered through the ongoing reassessment, will inform EPA's decision.

4. What, if any, comment does the EPA have about assertions from some outside observers that radioactive contamination several times background has shown up in groundwater samples at the perimeter of the site?

A: No groundwater data assessed through 2012 has established the existence of any groundwater contaminant plume at the site. To establish more accurate information about groundwater at the site, EPA has tasked the potentially responsible parties (PRPs) to conduct four additional rounds of groundwater sampling in 2013. The U.S. Geological Survey (USGS) will study this new data to better inform EPA's decisions. It should be emphasized that drinking water for the community is drawn from separate sources, and through monitoring is consistently found to be safe and in compliance with all relevant laws.

5. What, if any, comment does the EPA have about assertions that extremely high levels of thorium 230 and prospect that radium levels will rise significantly over the next several thousand years make the radioactive material too dangerous to leave in a landfill that is in a populated area and isn't designed or licensed to hold such radioactive waste?

A: EPA is aware that thorium 230 is present in the landfill, and that radium levels in the waste mass will rise over the next several thousand years. These issues are being considered as part of EPA's reassessment of the remedy options for this site.

6. Are workers being allowed to work at or near where the radioactive burial site locations at the landfill without protective clothing? If so, does the EPA have any concerns about such workers possibly being exposed to harmful levels of radiation? If not, why not?

A: Under detailed Health and Safety Plans established specifically for the site, remediation workers inside Operable Unit 1 of the site are required to use appropriate levels of personal protective clothing and equipment, depending on their tasks. Other workers (such as trash truck drivers, workers constructing a leachate collection system, and others operating at the landfill but outside of OU-1) generally are not required to use the same types of protective clothing and equipment because they do not face the same exposures.

7. What kinds of risks, if any, does the EPA believe could be posed to the public if the subsurface smoldering event—referred to by some as an underground fire---in the south part of the landfill area reaches the radioactive material in the north part of the landfill? Have any contingency or emergency plans been made for such a possibility? Some people I have talked with argue that the underground fire could cause radioactive material to become airborne and pose a threat to people in the area, possibly requiring people to be moved out of the area. Does the EPA have any comment on that claim?

A: EPA is committed to protecting the public by ensuring that the subsurface smouldering does not come in contact with any radiologically-impacted material at the site. EPA is currently overseeing an engineering study funded by the PRP group that

will help determine the proper placement and inform the design of an isolation barrier to prevent such contact from occurring.

8. Does the EPA believe that any radioactive material from the landfill is currently getting airborne?

A: Current air monitoring conducted by the Missouri Department of Natural Resources and analyzed by the Missouri Department of Health and Senior Services establishes there is no radiological contamination reaching the community from the site.

9. I understand the EPA is currently reviewing its 2008 decision that called for leaving the radioactive waste in the ground along with making certain protective improvements at the site. When does the EPA expect that review to be completed and made public? Can the EPA give me any idea what the review has determined so far?

A: : In response to public comments received in response to its 2008 Record of Decision for the site, EPA agreed to further investigate and re-evaluate alternative remedies for the site. That investigation and gathering of more recent data is nearing its conclusion, and the re-evaluation of the alternatives will continue. In the meantime, EPA is continuing to make public the results of the ongoing investigation through the posting of various documents and reports online at http://www.epa.gov/region7/cleanup/west_lake_landfill/index.htm

10. Was pressure brought to bear on members of the Remedy Review Board by either EPA regional officials or those at headquarters to modify its recommendations regarding West Lake in order to bring any such recommendations more in line with the decisions in the 2008 ROD?

A: No.

11. Some critics in the local community contend that the EPA hasn't done enough to protect the public from the dangers posed by the radioactive waste at West Lake. One

such critic asserts that actions by officials resemble an “amateur hour.” Does the EPA have any comment about criticism that it hasn’t done an adequate job handling the issue of radioactive waste at West Lake and protecting the public?

A: As with all Superfund sites, EPA recognizes that not all citizens will be completely satisfied with its actions or decisions. In the face of unsupported and unscientific allegations about risk and danger, EPA is working on completing a thorough and prompt reinvestigation and reassessment of remedies for West Lake Landfill. The Agency is committed to following science and the law as it arrives at its decisions and takes its actions. Likewise, the Agency will continue to keep the public informed of its progress, and will consider the public’s concerns as it makes its decisions. EPA takes seriously its mission of protecting human health and the environment.

12. Does the EPA believe that the radioactive waste at West Lake has harmed any members of the public? Does the agency believe that waste poses a threat to the public?

A: EPA’s assessment is that the waste at West Lake Landfill does not currently pose a threat to public health or safety. Two key facts must be emphasized: (1) The area where this material is situated remains within a fenced, secured portion of the site that is inaccessible to the public. (2) Contractors and EPA staff working at the site are following detailed health and safety plans that provide for their protection while they do their jobs, and work plans include safeguards and protocols to prevent the public from being exposed to harmful risks. While EPA is aware of unsupported and unscientific allegations about risk and danger at the site, EPA is unaware of any actual harm that the site has caused the community.