To: Cohen, Nancy[Cohen.Nancy@epa.gov]; Wells, Suzanne[Wells.Suzanne@epa.gov]; Dreyfus, Melissa G.[Dreyfus.Melissa@epa.gov]
From: Gartner, Lois
Sent: Fri 12/18/2015 3:57:04 PM
Subject: RE: Quick turnaround Fwd: WSJ John Emswhiller inquiry

I'm checking

From: Cohen, Nancy
Sent: Friday, December 18, 2015 10:47 AM
To: Gartner, Lois <Gartner.Lois@epa.gov>; Wells, Suzanne <Wells.Suzanne@epa.gov>; Dreyfus, Melissa G. <Dreyfus.Melissa@epa.gov>
Subject: RE: Quick turnaround Fwd: WSJ John Emswhiller inquiry

Lois: R7 is asking if they need to wait for HQ approval. What say you?

Thanks, nancy

Nancy Cohen

U.S. EPA OLEM

202.566.0171

From: Cohen, Nancy
Sent: Friday, December 18, 2015 7:51 AM
To: Gartner, Lois <Gartner.Lois@epa.gov>; Wells, Suzanne <Wells.Suzanne@epa.gov>; Dreyfus, Melissa G. <Dreyfus.Melissa@epa.gov>
Subject: Quick turnaround Fwd: WSJ John Emswhiller inquiry

Lois: per your request, R7 sent their responses for the WSJ, nancy

Sent from my iPhone

Begin forwarded message:

From: "Carey, Curtis" <Carey.Curtis@epa.gov>
Date: December 17, 2015 at 5:16:34 PM EST
To: "Cohen, Nancy" <Cohen.Nancy@epa.gov>, "Whitley, Christopher" <Whitley.Christopher@epa.gov>
Cc: "Purchia, Liz" <Purchia.Liz@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Harrison, Melissa" <Harrison.Melissa@epa.gov>, "Brees, Angela" <Brees.Angela@epa.gov>, "Peterson, Mary" <Peterson.Mary@epa.gov>, "Vann, Bradley" <Vann.Bradley@epa.gov>, "Juett, Lynn" <Juett.Lynn@epa.gov>
Subject: RE: WSJ John Emswhiller inquiry

Nancy,

Here are the Q&A we'll be sending back to John E.

Reading through the BMAC reports you sent links for, I notice that the final pre-CERCLIS report chose to cite (on page 9, Table 4) a remediation level in the soil for Lead-210 of 33.5pCi/g, which it said was the PRG for a 1 in 10,000 additional risk level. Some questions related to these numbers:

1. Why did the EPA choose the 1-in-10,000 risk range when, as I understand it, the agency's own guidelines (and perhaps federal law) requires getting as close as can be reasonably done to get down to a 1 in a million additional risk. Using a 1-in-a-million risk standard, wouldn't some of the Lead-210 readings at the BMAC exceed the PRG? If so, wouldn't that suggest remediation is needed?

EPA generally sets remediation goals in the risk range of 1-in-10,000 to 1-in-1,000,000. The need for a response action is site specific but generally is triggered by a cancer risk exceeding the 1-in-10,000 risk level. For further discussion about how EPA uses the risk range, see "*Radiation Risk Assessment at CERCLA Sites: Q & A*." May 2014, and OSWER Directive 9355.0-30, "*Role of the Baseline Risk Assessment in Superfund Remedy Selection Decisions*". These documents can be found under the tab *Superfund Risk Assessment Guidance:*

http://www.epa.gov/superfund/radiation-superfund-sites

The "Radiation Risk Assessment at CERCLA Sites: Q & A." also discusses how levels of each constituent of potential concern at a site are typically compared with background levels for those constituents to determine whether site activities have resulted in elevated levels. Remedial site risk-based cleanup levels for individual radionuclides generally are not set below site-specific background levels. It should be noted that some ARARs specifically address how to factor background into cleanup levels. For example, many radiation standards are established at increments above background levels. For further information regarding background, see the Role of Background in the CERCLA Cleanup Program and the section "Background Contamination" in OSWER Directive 9200.4-18.

Specifically for BMAC, the Region's explanation for our decision is explained in our August 27, 2014 West Lake Update, which can be found at this link:

http://www3.epa.gov/region07/cleanup/west_lake_landfill/pdf/west-lake-update-08-27-2014.pdf

2. In the clean-up of the federal complex at Fernald, Ohio, the EPA's Record of Decision (a copy of which is attached) set the offsite remediation level for Lead-210 in the soil at 2.2 pCi/g. (See Table 9-3). It would appear from the BMAC report that the EPA isn't using that remediation level related to West Lake or contamination generally in the St. Louis area. If the agency isn't using that level, why not?

Lead-210 is a decay product of radon-222 and uranium-238. The 22-year half-life provides opportunities for naturally occurring buildup of lead-210 and progeny in sediments and low-lying areas. Rain acts to scavenge radon progeny from the air, and areas where rain collects and concentrates can result in elevated levels of lead-

210 and progeny over time. EPA concluded that the levels of Lead-210 found at BMAC were consistent with what is expected to be naturally occurring.

Additional information regarding BMAC, Lead-210 can be found on an archived *West Lake Update* from August 27, 2014:

http://www3.epa.gov/region07/cleanup/west_lake_landfill/

http://www3.epa.gov/region07/cleanup/west_lake_landfill/pdf/west-lake-update-08-27-2014.pdf

From: Cohen, Nancy
Sent: Wednesday, December 16, 2015 8:32 AM
To: Carey, Curtis <Carey.Curtis@epa.gov>; Whitley, Christopher <Whitley.Christopher@epa.gov>
Cc: Purchia, Liz <Purchia.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Brees, Angela <Brees.Angela@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>; Vann, Bradley <Vann.Bradley@epa.gov>; Juett, Lynn <Juett.Lynn@epa.gov>
Subject: RE: WSJ John Emswhiller inquiry

Thanks, Curtis.

Nancy Cohen

U.S. EPA OLEM

202.566.0171

From: Carey, Curtis
Sent: Wednesday, December 16, 2015 9:31 AM
To: Whitley, Christopher <Whitley.Christopher@epa.gov>; Cohen, Nancy <Cohen.Nancy@epa.gov>
Cc: Purchia, Liz <Purchia.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Brees, Angela <Brees.Angela@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>; Vann, Bradley <Vann.Bradley@epa.gov>; Juett, Lynn <Juett.Lynn@epa.gov>
Subject: RE: WSJ John Emswhiller inquiry

Nancy,

Once we get our responses drafted I'll share a copy. Sounds like Emshwiller is fast-tracking the story. Would be interested in hearing HQ's technical recommendation vis-à-vis the Ohio case numbers.

Sent from my iPhone

On Dec 15, 2015, at 3:43 PM, Cohen, Nancy <Cohen.Nancy@epa.gov> wrote:

> Thanks, Curtis. Can we take a look at your proposed response before responding to Emswhiller? Thanks, nancy
>
> Nancy Cohen
>
> U.S. EPA OLEM
>
> 202.566.0171

From: Carey, Curtis
Sent: Tuesday, December 15, 2015 2:26 PM
To: Purchia, Liz <Purchia.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Cohen, Nancy <Cohen.Nancy@epa.gov>
Cc: Whitley, Christopher <Whitley.Christopher@epa.gov>; Brees, Angela <Brees.Angela@epa.gov>
Subject: WSJ John Emswhiller inquiry

FYI, I wanted to give you a heads up that John Emswhiller at WSJ is working on a story regarding WLL. Not sure yet of his story angle. He's asked questions about our response to the FUSRAP congressional bill and about Lead 210 sampling in and around the landfill. In particular, he's asking wither the Bridgeton Municipal Athletic Complex remediation level for Lead-210 was consistent with other sites. Here are the questions FYI. Superfund is working on responses with Chris Whitley.

Reading through the BMAC reports you sent links for, I notice that the final pre-CERCLIS report chose to cite (on page 9, Table 4) a remediation level in the soil for Lead-210 of 33.5pCi/g, which it said was the PRG for a 1 in 10,000 additional risk level. Some questions related to these numbers:

1. Why did the EPA choose the 1-in-10,000 risk range when, as I understand it, the agency's own guidelines (and perhaps federal law) requires getting as close as can be reasonably done to get down to a 1 in a million additional risk. Using a 1-in-a-million risk standard, wouldn't some of the Lead-210 readings at the BMAC exceed the PRG? If so, wouldn't that suggest remediation is needed?

2. In the clean-up of the federal complex at Fernald, Ohio, the EPA's Record of Decision (a copy of which is attached) set the offsite remediation level for Lead-210 in the soil at 2.2 pCi/g. (See Table 9-3). It would appear from the BMAC report that the EPA isn't using that remediation level related to West Lake or contamination generally in the St. Louis area. If the agency isn't using that level, why not?

Curtis D. Carey, Ph.D.

Region 7 Public Affairs Director

U.S. Environmental Protection Agency

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