



LEAD SAFE OMAHA COALITION (LSOC)

"Taking the lead in eliminating lead poisoning"

November 1, 2004

Robert Field, OLS Project Manager
EPA Region 7
901 North 5th Street
Kansas City KS 66101

Dear Bob:

Per our telephone conversation, please find our comments, concerns, and questions for the Proposed Plan/ROD.

Synopsis of the Proposed Remedial Action Plan for the OLS:

As presented by the documents, the proposed remedial action has the following essential elements:

- Properties with at least one surface soil sample having a lead concentration exceeding 400 ppm will be addressed. This sample must be outside the "drip line" of the site structure.
- Properties with lead concentrations between 400 and 800 ppm would be treated with phosphorus to "stabilize the lead and make it less bioavailable if ingested."
- Properties having lead concentrations greater than 800 ppm would have the soil excavated and disposed at an off-site location. Full excavation of all soils is not proposed. Partial excavation to remove soil above the "action level" will be implemented. Excavated areas will be restored.
- This is presented as an "interim" plan because the use and effectiveness of Phosphate stabilization is unknown and a full treatability study is required. This study will require three years to complete, and EPA wants to move forward with 5,600 "high priority properties within the Omaha lead site."
- Additional actions will be taken, including public education on the issue of lead contamination.
- The Remedial Action Objective (RAO) for the OLS is to "Reduce the risk of exposure of young children to lead such that an individual child, or group of similarly exposed children, have no greater than a 5% chance of having a blood-lead concentration exceeding 10 micrograms per deciliter ($\mu\text{g}/\text{dl}$)".

It is recognized that the OLS presents difficult problems. The Proposed Plan's approach appears to be that presented in the EPA's "Superfund Lead-Contaminated Residential Sites Handbook". The most contaminated sites will be addressed first while work on a long-term solution continues.

Comments & Questions

Comments are provided on specific elements of the Proposed Plan. Comments are followed by questions. A specific response to each specific question is requested.

- The EPA used its IEUBK model to evaluate site specific conditions. Sampling was undertaken to develop site-specific input parameters, including bioavailability, which is the key factor of this model. Site specific bioavailability (40%) was concluded to be higher than typically found (30%) and used as the "default value" in the IEUBK model. The site-specific data indicates the RAO will be achieved at a lead concentration of "...about 300 ppm." The precise concentration is not stated.

Having established the above cleanup level using site specific data, the FS then proceeds to discount those results based on several factors, including "data collection" and concern regarding the "design of the study." The "generally accepted" lead concentration of 400 ppm is then recommended as the cleanup level. That level, along with other activities such as Health Education, is then presented as being "anticipated" to meet the RAO. In essence, the EPA chose its "standard" lead action level rather than using the site-specific value generated by its own data.

The 400 ppm cleanup level is 33% greater than the site specific cleanup level generated by the IEUBK model.

1. How many properties within the OLS have lead concentrations between 300 ppm and 400 ppm? Or, how many properties, and children, will be excluded by the decision to use 400 ppm?
2. There is a cost differential between the use of 300 ppm and 400 ppm as a cleanup level. Has an assessment of this difference been undertaken? What are the additional costs for including all properties between 300 ppm and 400 ppm? How does this effect the total costs for the alternatives?
3. There were, obviously, expenditures associated with development of site-specific input parameters for the IEUBK model, as well as for running the model and evaluating its output. What were the total costs for this modeling effort? Was there a QA/QC review of the study design before its execution?
4. It is troubling that a significant effort was undertaken to develop site-specific parameters, and that effort was completely discounted in just two paragraphs of the FS.

The conservative approach to the OLS would be to use the lowest cleanup level as a basis for defining the remedial action. The Proposed Plan is based on a general, non-site-specific lead concentration. The PP, as presently configured, appears to leave properties and children behind with weak justification. A detailed explanation of the process should be provided.

- The FS uses the "drip zone" as criteria for selecting a property for cleanup. Soils will be excavated when "... at least one non-drip zone sample (avoiding the influence of exterior lead-based paint) greater than 400 ppm lead..." is present. "Yards where only the drip zone soil exceeds 400 ppm would not be address under this action".

As defined in the EPA "Superfund Lead-Contaminated Sites Handbook," Drip Zones are areas where lead contamination from roofs may concentrate, and these should be target areas for cleanup as they may often be play areas for children. The OLS FS appears to be attributing Drip Zone lead concentrations solely to lead based paint, and using that to limit the area requiring clean up. That is contrary to our reading of the Handbook. The atmospheric conditions that lead to elevated lead concentrations in soil would have also deposited that lead on a property's roof. Drips zones should be anticipated to have elevated lead levels and should be targeted for cleanup, not excluded.

1. Is there a site-specific technical basis (i.e. data) for concluding the Drip Zone lead concentrations are due to lead-based paint and not atmospheric deposition? Where is the assessment of that data?
2. Why is the PP ignoring an area known to typically contain elevated lead concentrations?
3. How many properties, and children, are being ignored due to this Drip Zone Criteria?

- The PP is based on using phosphate stabilization to reduce the bioavailability of the lead in those soils having a lead concentration between 400 and 800 ppm. The FS acknowledges this approach may not work for a number of technical reasons, including a failure of the process to reduce bioavailability of lead, but the FS does not provide any discussion of alternatives for these soils.
 1. What remedial action would be undertaken in lieu of phosphate stabilization if the treatability study results are unacceptable?
 2. What is the total cost for the treatability study (including all associated studies and work)? And how does that compare to the present cost for excavation and off-site disposal of the soils between 400 ppm and 800 ppm?

Questions and comments received from the community (respond requested). Bob and Debbie, some of the questions were asked several times over so have tried to not to duplicate, however, may have overlooked one or two. As you are well aware, there was much concern regarding the phosphate treatment so we just lump them together in a couple of questions..

1. If there are 5600 yards with 800ppm or above being considered to conduct a three-year study to evaluate the phosphate treatments risk?
2. Currently \$8 million has been spent on approximately 200 yards this year alone. There is an interest and need to involve the community in this project to properly see this project come to a feasible conclusion. How do you see this being accomplished?
3. Is it possible for one property to be lead containment and the soils of the property next-door not have any lead contamination?
4. How accurate are the soil samples?
5. How long does it take to analyze the samples?
6. Will there be a test site selected to conduct the proposed phosphate testing or will the phosphate treatment be used on all yards without sufficient data collection?
7. Has the EPA considered contacting the county to gain potential testing sites (these properties have been vacate for sometime and would provide an ideal site for this study)?
8. What types of scientific evaluations have been conducted in order to validate that the Proposed Plan/ROD is a good choice of clean up decision for the Omaha Lead Site?
9. Was the property where the new Druid Hill Elementary is currently located tested prior to the new construction?
10. What costs would be associated with the proposed clean up treatment?

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11. Is the EPA soil testing a volunteer offer or does the EPA conduct testing without the permission of the homeowner? Will the EPA forced homeowners to have their property tested if they do not sign up voluntarily?
12. How is the EPA making information available to the public at large; contingency plan will there be enough funding to take care of the problem?
13. Is the year 2009 a realistic time frame for the completion of this Superfund project?
14. How soon are the soil test results available to homeowners after samples are taken?
15. How can a person find out if their property has been tested or not?
16. If I were to build in the Superfund area how would the value of the property be affected?
17. In project areas of non-profit new home construction within the Superfund boundaries, have those properties been tested and how would a citizen find out if the property has or has not been tested?
18. How does EPA know if the phosphate treatment method that is being proposed as a possible treatment for the lead contamination in Omaha, will work or nor?
19. How are you going about letting the community know about the problem on a wide scale?
20. Will we continue to get the funding needed for the Omaha Superfund clean up? Is there a possibility that the funding won't be granted to finish what has already been started?
21. When will the funds come in from Asarco? How much will the Omaha site get?
22. Has there been any soil remediation done by the EPA west 42nd St?
23. Has there be an investigation done on the soil in Carter Lake or Council Bluffs IA?
24. What proof does EPA have that the lead found in the soil came from Asarco and not other sources?

Bob thanks for the extension, your cooperation and assistance.

Sincerely,

Cheryl Weston
President
Lead Safe Omaha Coalition