



Missouri Department of dnr.mo.gov

NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

April 10, 2018

Mr. Benjamin Washburn
Office of Public Affairs
United States Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219

RE: Comments on Proposed Record of Decision (ROD) Amendment, West Lake Landfill Superfund Site, Operable Unit 1

Dear Mr. Washburn:

The Missouri Department of Natural Resources appreciates the invitation to provide comments on the Proposed Record of Decision Amendment for the West Lake Landfill, Operable Unit 1, located in Bridgeton, Missouri. The Department will consider all alternatives and public comments prior to taking a final position (State Acceptance) on the Proposed Plan.

Before commenting on the Proposed Plan, I would like to thank the U.S. Environmental Protection Agency (EPA) for providing opportunity for the public to review drafts of the voluminous and complex remedial documents prior to finalization, and providing more than the required 30-day time period for the public to review the updated administrative record and submit comments.

In addition to the comments provided below, the Department previously provided feedback on the proposed plan and record of decision signed in 2008. This feedback described the need for the then-presumptive remedy to incorporate a robust and durable long-term stewardship plan. We will continue to pay close attention to the impacts of any selected remedy on long-term stewardship and financial assurance needs that may be necessary to ensure long-term protectiveness for RIM at the site.

The Department requests availability of all comments on the proposed ROD amendment that were submitted to EPA during the comment period so that we may be able to consider them for our State Acceptance response.

Thank you for the opportunity for public comment. If you have any questions pertaining to this letter, please contact me by phone at (573) 751-8628, or by written correspondence at the Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

HAZARDOUS WASTE PROGRAM

Ryan Seabaugh, P.E.
Federal Facilities Section

RS:rl

c: Christine Jump, EPA Region 7

**Comments on EPA Corrected Proposed Record of Decision Amendment
West Lake Landfill Superfund Site, Operable Unit 1
Dated February 6, 2018**

1. General Comment: Please clarify in the Record of Decision (ROD) if it has been determined that continuation of North Quarry Actions are necessary for protectiveness for any of the remedial action alternatives.

2. Section 2.4 Air:

Comment: Please make all air monitoring reports available in the Administrative Record.

3. Section 2.6 Stormwater and Sediment Sampling: *“The PRPs, the EPA, and the MDNR have collected and analyzed sediment samples from multiple locations near the perimeter of the Site (Figure 5). While one of the collected samples met the definition of RIM, confirmation sampling at and around that location did not detect RIM.”*

Comment: Figure 5 does not appear to include any Department sample results, and it is unclear why the Department is referenced. If the same or similar language will be put in the ROD, please clarify what information is being presented and why.

4. Section 3.0 Site Characteristics: *“As a part of the remedial design process, additional characterization of RIM locations and volume may need to be performed.”* and Section 4.0 Scope and Role of the Response Action:

Comment: Consistent with our January 25, 2018 letter on the Remedial Investigation Addendum, data gaps remain in regards to the nature and extent of contamination. Please include language in the ROD that identifies these data gaps and describes how and when they will be addressed. If the data gaps will be a part of a separate Operable Unit, please acknowledge that in the ROD. Data gaps include, but may not be limited to:

- Uncharacterized areas of interest including Lot 2A2, historical deposition in the North Surface Water Body, routes into and out of the historical waste staging/disposal areas, etc.
- Historical information and aerial photo analysis of relevant time periods suggest that additional sampling may be necessary to further delineate RIM in the southern boundaries of Area 2 or other historical landfill areas.
- Based on recent stormwater monitoring data, runoff from the site contains radiological material. Some of this runoff is channelized and directed through constructed conveyances toward outfalls. Characterization of the soils, including historical deposition, around conveyance systems should be performed to ensure sediment/soil has not been impacted.

5. Section 4.0 Scope and Role of the Response Action, and Section 6.0 Remedial Action Objectives:

Comment: Please clarify the limits of the scope and role of the response action in the ROD with regard to where OU1 ends and OU3 begins, and ensure groundwater related RAOs accurately reflect the scope and role of OU1.

6. Section 4.0 Scope and Role of the Response Action, and Section 8.2 Compliance with ARARs:

Comment: It should be clearly stated that Financial Assurance requirements are not considered by EPA to be ARARs, and that financial assurance will need to be negotiated with the PRPs in a Consent Decree.

7. Section 4.0 Scope and Role of the Response Action and 6.0 Remedial Action Objectives:

Comment: Please include in the ROD appropriate contingencies for additional response action for source material depending on findings of OU3 investigation.

8. Section 5.1 Human Health Risks: *“Consistent with the EPA guidance, future risk estimates were developed to determine a reasonable maximum exposure.”*

Comment: In the ROD, please clearly describe the Reasonable Maximum Exposure (RME) scenario for restricted industrial use, and describe all assumptions and presumed restrictions used to calculate the risk. This will ensure that appropriate institutional and engineering controls can be developed in the RD/RA to restrict use at the site.

9. Section 12.0 Request for Comment: *“The EPA is specifically soliciting comments related to the depth and concentration criteria, (16 feet depth limit and the 52.9 pCi/g concentration) established as a baseline for Alternative 4. The EPA is also soliciting comments related to the selection of different depths and concentration criterion between Area 1 and Area 2. Therefore, the EPA encourages the public to provide comments on the depth and concentration criteria selected in the EPA’s preferred alternative that results in increased long-term protectiveness while maintaining the balance of the other NCP criteria.”*

Comment: EPA is soliciting comments specifically relating to activity concentration and depth selection, but there is no quantified comparison of incremental effort per benefit of removing different activity concentrations of RIM at different intervals. Development of some incremental benefit table or chart may provide a better tool for the public to make more informed comparisons and comments for these solicitations.