

ADMINISTRATIVE RECORD

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 Comments: Comments
on proposed plan

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Scott Brown
 U.S. Environmental Protection Agency
 Region VIII, Montana Office
 10 West 15th Street, Suite 3200
 Helena, MT 59626

Subject: Comments on the Proposed Plan for Residential Soils and Undeveloped Lands at the East Helena Superfund Site

Dear Mr. Brown:

Thank you for the opportunity to provide input on the above-referenced Proposed Plan. As a resident of the East Helena community and the mother of a toddler (with a baby on the way), I think it is important to take note of this issue. I have thoroughly reviewed the Proposed Plan and have some major issues with the chosen alternative for residential yards. I also believe there are issues with the chosen alternative for undeveloped land, but as it has less impact on my family, I will not provide many comments associated with that portion of the Proposed Plan.

Overall, I appreciate that EPA has taken the time and effort to ensure that Asarco is not able to ignore its responsibility to cleanup the mess it has left in the East Helena area. That being said, I feel that EPA is attempting to take the easy way out with its proposed cleanups of both residential yards and undeveloped lands. As a person who deals with these types of issues in my job, I feel somewhat disappointed that EPA has chosen to pursue a remedy that I believe is not as protective as it should be, and is assuring the public that the basis for the chosen remedy is sound science. It is my opinion that EPA has chosen to ignore science altogether in hopes of pushing something through that will be quick, easy, and relatively inexpensive (in the grand scheme of things), at the potential expense of human health.

Specifically, I have the following comments that I would like to see taken into consideration in EPA's Record of Decision:

1. EPA chose to input "regional data" from the Butte and Anaconda Superfund sites in its IEUBK model to come up with a site-specific risk-based cleanup level for East Helena. Data from another Superfund site is not specific to East Helena and therefore is inappropriate to use in the model. Default values should be input for all variables for which site-specific data is not available.
2. The lead model resulted in a risk-based cleanup level of 520 ppm lead in soils. It appears that EPA is completely disregarding the model in choosing a preferred remedy that has a "trigger" value of 1,000 ppm. If EPA feels it is important to cleanup soils to 500 ppm in soils that are "triggered" by a 1,000 ppm concentration, then why not use a "trigger" of something closer to 500 ppm in the first place?

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3. The statement in the proposed plan that “the model derived predictions are but one aspect, of several equal or more important aspects, that were considered...” is interesting. It appears that the “more important” aspects that were considered are the blood lead studies conducted on children in the East Helena area. The EPA Superfund Lead-Contaminated Sites Handbook (August 2003) states that blood lead studies should not be used for establishing cleanup levels. However, it appears that EPA is giving these studies (which are conducted on a completely voluntary basis by people who choose to bring their children in to be tested, and are therefore not representative of the population of the area) more importance than the lead model, which is used across the nation to calculate risk-based cleanup levels.

4. The two alternatives that require action be taken are completely different and cannot be accurately compared. The action alternative that was not selected is based on a yard average, which in itself is completely inappropriate, as EPA’s lead handbook referred to in the previous comment specifies that yard averages should not be used. Additionally, the costs for this alternative are going to be much higher, as the soil removal will inevitably be much larger given that the entire yard would have to be removed. It would be more useful, and more accurate, to simply change the cleanup level and leave all other aspects of the remedy the same. I expect that this would result in a much lower dollar figure for overall cleanup costs. I would like to see EPA consider what the costs would be for cleanup based on the lower cleanup level from the model (520 ppm) leaving all other aspects of the chosen remedy the same.

5. The idea that landowners who currently have undeveloped land should be responsible for paying cleanup costs should they decide to develop the property is outrageous. Not only that, but those who currently have a home on property that may later be subdivided may end up in a situation of having to cleanup their undeveloped property to a more stringent level than where they currently live. Again, this brings up the issue of the cleanup level. If EPA feels that 500 ppm is protective for future development, then why should those of us who already live in the East Helena be less important?

I understand that something needs to be done to cleanup the East Helena Superfund Site and that Asarco is in bankruptcy and money is an issue. I also understand that the East Helena City Council would like to move forward with cleanup to help expand the economy of the town. However, I think that more emphasis must be placed on the risks to the people (specifically the children) of the community and ensuring that the cleanup is done correctly the first time. That is really the most important thing.

I appreciate your consideration of my comments and look forward to the future cleanup of my community. I hope that EPA will choose to do the right thing and make sure that the people of East Helena are adequately protected.

Sincerely,

Moriah Bucy