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COMMENT FOR EPA-EAST HELENA LEAD-SOIL CLEANUP PLANS
ADMINISTRATIVE RECORD
March 12, 2007

MONTANA OFFICE

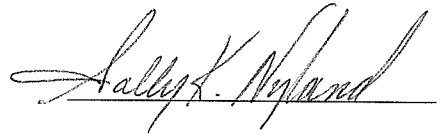
I am strongly **opposed** to the "preferred cleanup alternative (2R)" recommended by the EPA" and I favor Alternative R3 for the following reasons:

1. The State MDEQ has raised sufficient concerns and questions over the 1000 ppm limit as opposed to the 500 ppm in that lead blood level tests in children are based on a biased sampling of participants rather than a random sampling. The use of biased sampling is not scientific and does not lead to reliable test results.
2. The EPA by their own analysis has presented a different standard for "Clean up Goals for Undeveloped Lands" and is setting the requirement for remediation of undeveloped/residential-use land at a maximum level of 500 ppm not 1000 ppm. These two standards are in contradiction with one another.

The difference between the two standards (residential versus undeveloped/future residential) appears to be related to availability of funding for cleanup. In other words, there is just enough money available in the ASARCO reclamation fund to implement 2R and nowhere near enough to support 3R. In the case of undeveloped lands, however, since funding will likely be paid out of the developer's pockets, the level for remediation is set at 500 ppm. This reasoning ignores the actual health issues.

The plan that the EPA implements should require a uniform standard regardless of whether it involves developed or undeveloped land. Implementation of the 500 ppm level (i.e. 3R) is the safest plan and would stand the test of time. ASARCO should be required by the EPA to meet this standard (just like private developers will be required). Because of ASARCO'S current shaky financial condition they may not be around to resolve recurring issues in the future. They need to be held accountable now while there is still opportunity!

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