

ADMINISTRATIVE RECORD

City of East Helena

Scott
Final Report
draft
1.07.06.00
PZE

Thompson
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November 28, 2006

ENVIRONMENTAL
PROTECTION AGENCY

DEC - 4 2006

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Region VIII
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Dear Mr. Wardell:

The City of East Helena recently received the revised "Plan for Final Cleanup of East Helena's Residential Soils and Undeveloped Lands", which is the predecessor of the Record of Decision. We have some concerns with this plan. The City of East Helena and its residents have been working with EPA for many years to correct the environmental contamination brought about by ASARCO. For nearly 15 years the action level for remediation on residential soils was at 1,000ppm lead. If there was any quadrant of a residential lot that measured 1,000ppm or greater, that yard was cleaned in all areas that had lead levels of 500ppm. This was deemed an adequate measure of cleanup by the EPA and appears to be so as evidenced by the continued success of the blood lead screenings of local children. Our children's blood lead levels are well below the national average. I attribute this success to a number of things, obviously the cleanup of soils, and education of children and their parents, along with making everyone in the community aware of the hazards. The proposed plan has one alternative, 3R, that recommends remediation which there is a measurement of 500ppm lead in the soil. Since 1991 there have been 570 residential lots cleaned up using the trigger action level of 1,000ppm. How will this new plan affect yards that have already been remediated? Will some residences be seen as "contaminated" even though their yards have been remediated under the initial regulations? It seems like a poor plan to begin remediation under one set of regulations and then to change the standards when the end of the cleanup and a Record of Decision is in sight. This has the potential to create conflict within the community and has legal ramifications as far as citizens purchasing property through a realtor and being assured, not only by the realtor, but also by the Lewis and Clark Lead Abatement office, as well as Hydrometrics that their yard has been cleaned up to the designated standards. The City of East Helena has done it's best to maintain a great place for families to live, work, recreate and attend school. We have lived through the troubles of

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being named a Super Fund Cleanup Site and then with the closure of ASARCO. We have been able to maintain the standard of service for our residents, but have begun to use our cash reserves due to the lack of tax dollars from ASARCO. The City and our residents need to see this come to closure. We want to be able to attract new commercial businesses to replace our tax base. If the remediation is too onerous, we will not be able to do this. We want to see the Record of Decision with the continuation of the remediation level at 1,000ppm. The statistics that the Lead Abatement office has, will support this.

We have worked well with the Lewis and Clark County Lead Abatement office and would like to see funding in place for them to continue with the blood testing and education of citizens of the community. They have blended into the community well and they continue to aid the community with site visits to day cares, educating children and parents in nutrition and good hygiene habits. They currently are the handlers of institutional controls (which are voluntary, due to no Record of Decision) and are the most reasonable entity to continue to do so. They work in conjunction with the Lewis and Clark Department of Health, East Helena City Council, and Lewis and Clark County Health Department.

The City of East Helena has worked with the EPA in the past and expects to continue to do so in the future. We need some help. We have a city to continue to operate, the health of the residents is in better condition with the changes that have been implemented over the years. We want the Record of Decision to continue with the level of remediation that was originally put in place so we can move on. The Council and I are available to meet with you to discuss this letter and any concerns you may have. Thank you.

Sincerely,



Terrie Casey, Mayor

Cc: Scott Brown – EPA
Richard Opper – DEQ
Jan Williams – Lead Abatement Office
Deb Tillo – Lead Abatement Office