



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 30 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: National Remedy Review Board Recommendations for the St. Louis Downtown Superfund Site

FROM: Bruce K. Means, Chair
National Remedy Review Board 

TO: Michael J. Sanderson, Director
Superfund Division
EPA Region 7

Purpose

The National Remedy Review Board (NRRB) has completed its review of the proposed remedial action for the St. Louis Downtown Superfund Site. This memorandum documents the NRRB's advisory recommendations.

Context for NRRB Review

As you recall, the Administrator announced the NRRB as one of the October 1995 Superfund Administrative Reforms to help control remedy costs and promote consistent and cost-effective decisions. The NRRB furthers these goals by providing a cross-regional, management-level, "real time" review of high cost proposed response actions. The Board will review all proposed cleanup actions where: (1) the estimated cost of the preferred alternative exceeds \$30 million, or (2) the preferred alternative costs more than \$10 million and is 50% more expensive than the least-costly, protective, ARAR-compliant alternative.

The NRRB review evaluates the proposed actions for consistency with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP, 40 CFR part 300) and relevant Superfund policy and guidance. It focuses on the nature and complexity of the site; health and environmental risks; the range of alternatives that address site risks; the quality and reasonableness of the cost estimates for alternatives; Regional, State/tribal, and other stakeholder opinions on the proposed actions, and any other relevant factors.

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Generally, the NRRB makes "advisory recommendations" to the appropriate Regional decision maker before the Region issues the proposed plan. The Region will then include these recommendations in the Administrative Record for the site. While the Region is expected to give the Board's recommendations substantial weight, other important factors, such as subsequent public comment or technical analyses of remedial options, may influence the final Regional decision. It is important to remember that the NRRB does not change the Agency's current delegations or alter in any way the public's role in site decisions.

NRRB Advisory Recommendations

The NRRB reviewed the informational package for the site and discussed related issues on June 9, 1998, with EPA site manager Dan Wall, Region 7 Federal Facilities Branch Chief Gene Gunn, and the State of Missouri's Mimi Garstang and Bob Geller. Based on this review and discussion, the Board offers the following comments.

Extent of Cleanup

- The information presented to the Board did not demonstrate that the site had been sufficiently characterized. In addition, the action addresses only radiologic contamination and/or co-located non-radiological contamination (i.e., MED/AEC soils), even though there is other non-radiologic contamination on site. The Board recommends that EPA Region 7 and the State work with the Corps and other potentially responsible parties to thoroughly characterize the site and address all contaminants of concern (COCs), MED/AEC or otherwise, revealed by that characterization, including those that may affect ground water and/or subsurface soils.
- The Corps should consider simple modeling/evaluation of the subsurface soils and contaminated ground water to evaluate the potential effects of COCs that would remain after the planned excavation. The Region should consult the "Soil Screening Guidance: Technical Background Document" (EPA/540/R-95/128) Section 2.5 (in particular, the discussions on dilution/attenuation and equations (22) and (24) for determining soil-water partitioning) for further guidance.
- There are several parties and jurisdictions involved in the site cleanup, and both RCRA and CERCLA authorities apply to portions of the site. Recognizing this, EPA should take special care to ensure that all contaminant threats are addressed under the appropriate statutory authorities in appropriate sequence.

Cleanup Approach

- The Corps' cleanup action proposes a radiological contamination cleanup level of 15 pCi/g below a six inch soil depth. OSWER Directive 9200.4-25 "Use of Soil Cleanup Criteria in 40 CFR 192 as Remediation Goals for CERCLA Sites" (February 12, 1998) recommends that, for situations such as those encountered at this site, cleanups achieve soil levels of 5 pCi/g at depth. This guidance, however, acknowledges that it may be appropriate in certain situations to use supplemental standards or waivers of "applicable or relevant and appropriate requirements" (ARARs) to deviate from the 5 pCi/g goal. The Board recommends that the Corps describe fully its rationale for selecting a remediation

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goal other than 5 pCi/g in the context of Directive 9200.4-25 and the NCP to demonstrate that its cleanup levels are protective.

- The cleanup strategy as presented to the Board relies extensively on Nuclear Regulatory Commission (NRC) rule 10 CFR part 20, subpart E, and the "as low as reasonably achievable" concept contained therein. It also relies on surface soil cleanup criteria based on DOE guidance. Both the NRC rule and DOE guidance employ dose limits that EPA generally has found to be not protective (see OSWER Directive 9200.4-18 "Establishment of Cleanup Levels for CERCLA Sites with Radioactive Contamination" (August 22, 1997)). The Board recommends that the Corps instead develop the cleanup strategy using the nine remedy selection criteria presented in the NCP.
- It is important for Records of Decision to address all remedy components necessary to maintain protectiveness over time (e.g., operation and maintenance, monitoring, institutional controls). The material presented to the Board was incomplete in this regard. The Board recommends that the EPA, state, and Corps clarify how these components will be addressed in this and other cleanup actions at the site to ensure long-term protectiveness.

Use Of Treatment Technologies

- The NCP sets forth program expectations to treat principal threats wherever practicable. Another expectation is to contain low level threats, because treatment for these wastes may not be cost effective or practicable. The NCP also states that, for many sites, EPA will use a combination of treatment and containment. The Board recommends that the Corps include in the decision documents for this site information indicating whether wastes at the site constitute principal threats (e.g., radiological hot spots), and an assessment of whether treatment would be practicable for any such wastes.
- The Board encourages the Corps to continue to explore ways to reduce the volume of contaminated waste to be excavated, thus reducing the costs of offsite disposal.

The NRRB appreciates the Region's efforts to work closely with the Corps, the State, and community to identify the current proposed remedy. The Board members also express their appreciation to both the Region and the State of Missouri for their participation in the review process. We encourage Region 7 management and staff to work with their Regional NRRB representative and the Region 5/7 Accelerated Response Center at Headquarters to discuss any appropriate follow-up actions.

Please do not hesitate to give me a call if you have any questions at 703-603-8815.

cc: S. Luftig
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