

SIERRA CLUB



Rocky Mountain Chapter
777 Grant Street Suite 606 Denver, Colorado 80203 303 • 861 • 8819

Ms Carol Browner, Administrator
Environmental Protection Agency
Washington, DC 20460

May 15, 1994

Dear Ms Browner:

We are very confused by Mr. Luftig's response (dated Feb. 2, 1994) to our concerns regarding the Off-Post area of the Rocky Mountain Arsenal. The RMA Subcommittee of the Rocky Mountain Chapter of the Sierra Club voiced its concern about unacceptable risk levels in drinking water, soil and sediments in this area in a letter to you dated September 15, 1993. The response we received did not address our concerns regarding human health in the RMA Offpost area.

The letter we received stated EPA policy supports clean-up levels at superfund sites for cancer risk to be from 10^{-4} to 10^{-6} , which are the standards established by CERCLA. However, the U.S. Army proposal to clean-up the Off-Post area to a standard of 2×10^{-3} is well below that standard. We understand that the clean-up proposals for both the Off-Post and the On-Post areas are not yet submitted in final form. Decisions for the Off-Post area are to be made this year, however, and we would like to see modifications up to CERCLA standards proposed by the EPA before the final decisions are made. We cannot understand why the environmental regulatory arm of the U.S. government must wait for the responsible party (i.e. the U.S. Army) to submit a final document in order for policy decisions to be made. This seems to us to be a bit late, especially in light of the human health and environmental issues involved.

Additionally, we would like to address several points brought up in Mr. Luftig's letter.

1. According to the "Role of the Baseline Risk Assessment in Superfund Remedy Selection Decisions", it was stated that a response is generally not warranted if a site as a whole is less than 10^{-4} cancer risk unless contaminant levels are exceeded in potential drinking water supplies. This scenario is the case for the Off-Post area of RMA since 2×10^{-3} is 5 times larger than 10^{-4} . What is the EPA's stand regarding this?
2. The NCP policy states that an upper boundary of 10^{-4} risk is not discrete. However, we believe 2×10^{-3} is significantly above the acceptable upper limit for cancer risk. We would like to see a modification of acceptable risk levels on the Off-Post if the EPA follows the current NCP standard. Why has 10^{-4} not been achieved by proposed clean-up levels? If this standard is supposed to be met, then why is action not being taken to guarantee it?

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3. We agree with the EPA's superfund policy that states that risk alone is not the only grounds for taking an action. Especially in this case, we would point to the exceedances of the carcinogenic hazard quotient, exceedances of ARAR's, and detection of mutagenic chemicals in ground water at several Off-Post sites as further reasons for action. Has the EPA considered these factors in their analysis?
4. Although the letter points out that a ground water exchange system is in place on the Arsenal, it is public knowledge that the chemical plumes which it intends to catch extend beyond both the current and planned exchange systems. Also, this exchange system does not treat inorganics or metals. How will future EPA policy correct this situation?
5. Mr. Luftig's response that the RI/FS for Offpost reveals that "most of the risk to human health originates from contaminated ground water which flows from RMA". However, according to the "Proposed Plan for the Rocky Mountain Arsenal Offpost Study Area: Citizen's Study" published by the Army, one quarter of the contamination risk in the Offpost area is with the soil. This risk factor is well above the 10^{-4} . Why is soil remediation not being factored into the Offpost cleanup?
6. We are confused by the concluding statement in the letter that "a site-wide cumulative excess cancer risk level of 5×10^{-4} conceivably could be used to define a level above which action must be taken". This seems to be in conflict with the previous statements made on the first page of the letter (second and third paragraphs) reiterating the EPA's support of levels between 10^{-4} and 10^{-6} . Because of this confusion, we wish you to clarify exactly which level of risk is acceptable to the EPA under the NCP in the Offpost cleanup.

The RMA Subcommittee is concerned that issues at the Arsenal are complicated by one legal counsel representing both the responsible party for the clean-up (the Army) and the remediation/enforcement agency (the EPA). We recognize the dilemma this poses for your agency as there is a definite conflict of interest. However, the fact remains that the Off-Post area proposals so far do not provide a clean-up to the standards that we all support. We hope that you will address these problems before the Record of Decision is finalized.



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We would like to receive a response from your agency answering our concerns as outlined in this letter. We hope the EPA will reconsider the values proposed by the Army in the Off-Post clean-up and take into account the protection of human health and the environment.

Yours truly,

Sandra A. Horrocks
Chairperson, RMA Subcommittee

Steve Farley

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Committee Members

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