



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

AUG 27 2019

Mr. Paul V. Rosasco
Project Coordinator
Engineering Management Support, Inc.
25923 Gateway Drive
Golden, Colorado 80401

Dear Mr. Rosasco:

On July 3, 2019, Parsons, on behalf of the West Lake OU-1 Respondents, submitted the Emergency Response Plan, West Lake Landfill Superfund Site Operable Unit 1, or the ERP, and the Site Management Plan, West Lake Landfill Superfund Site Operable Unit 1, or the SMP, to the U.S. Environmental Protection Agency. These two documents were prepared and submitted to fulfill Sections 5.7(b) and 5.7(c) of the May 6, 2019 Remedial Design Statement of Work, Operable Unit 1, West Lake Landfill Superfund Site, or RD SOW.

The EPA has completed its review of these two documents and is disapproving both of them as submitted. Please revise the documents in accordance with the enclosed comments and re-submit them within 30 days of receipt of this letter, as required in Section 5.6(b) of the RD SOW.

If you would like to discuss these comments prior to submitting a revised version, please contact me to schedule a conference call.

Please feel free to contact me with any questions or concerns by phone at (913) 551-7141 or by email at jump.chris@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris R. Jump".

Christine R. Jump
Remedial Project Manager
Site Remediation Branch
Superfund and Emergency Management Division

Enclosures

cc: Mr. Ryan Seabaugh, MDNR



**EPA Comments on the July 2019 Emergency Response Plan,
West Lake Superfund Site, Operable Unit 1 Remedial Design**

- 1. Introduction, page 1.** In the sentence in the third paragraph, add the phrase, “if approved by EPA” after, “This ERP may be revised as necessary”.
- 2. Emergency Response Roles and Responsibilities, page 4.** Add the Role of the “Support Contacts” from Table 1 to this section.
- 3. Plan Development and Revisions, page 5.**
 - a.** This section states that the Emergency Response Plan, or ERP, was developed based in part on the current Incident Management Plan, or IMP, and then goes on to discuss how the IMP was developed and how it is revised. Make revisions such that the discussion is focused more on the ERP and includes discussion of remedial action activities in addition to remedial design activities that could potentially impact the actions of emergency responders.
 - b.** Paragraph four discusses OU-1 personnel still attending quarterly IMP meetings “when possible”. Remove discussion of IMP meetings and revise this paragraph to discuss OU-1 ERP meetings, which should be regularly attended by OU-1 personnel. Include information about the frequency and location of ERP meetings and the individuals or agencies that will be invited or expected to attend. This section should include a provision for notes from the ERP meetings to be compiled and distributed to invitees. Note that ERP and IMP meetings may occur consecutively for attendees needing to attend both.
 - c.** Please clarify when the ERP will be submitted to authorities listed in Table 1. Indicate how and when comments will be requested from local authorities and emergency responders and which site personnel will be responsible for coordinating with authorities regarding comments or the need for additional meetings.
 - d.** Expand the discussion regarding the revision or amendment process in this section to include more specific information about when and why the ERP will be revised and the process that will be used for proposing and approving revisions or amendments to this plan, similar to that on page 20 of the IMP.
- 4. Emergency Assessment and Response Strategy, page 6.**
 - a.** Revise this section to include a discussion of how the Emergency Response Manager, or ERM, will be notified of a potential emergency event. Include information such as whether landfill facility personnel (OU-1 or others) have been educated as to when and how to notify the ERM, whether the appropriate contact information is listed in existing and future Health and Safety Plans, whether local authorities have been informed whom to notify, or whether there are placards on the perimeter fence to indicate whom to contact in an emergency.

- b. Discuss whether there will be OU-1 specific or other staff at the West Lake Landfill property 24/7 during remedial design (RD) and/or remedial action (RA). Also discuss how coordination may occur with on-site landfill personnel during an emergency event. Specify whether the facility has staff "on call" in case of emergencies.
- c. Clarify whether the ERM will perform the initial emergency assessment from on-site, and if not, discuss how this person will receive the information to perform the assessment. Indicate when and who will mobilize to the site to evaluate the emergency and the response and, if necessary, coordinate with emergency responders or incident commanders.

5. Emergency Response Infrastructure and Equipment, page 8.

- a. Second Paragraph - Figure 3 appears to show a bulk storage Frac Tank within the Area 1 fence. Revise the text or figure, accordingly.
- b. Site Entrances, first paragraph - Figure 3 also shows a 20-FT Gate (S.E.) in Area 1 along St. Charles Rock Road that is not discussed in the text. Resolve this discrepancy between the text and Figure 3.
- c. Site Entrances, third and fourth paragraphs – The third paragraph states that primary and secondary gates will be kept closed and padlocked when not in use and the fourth paragraph states that workers will exit through the nearest secondary gate if egress is not possible through the primary gate. It is unclear how workers will exit from secondary gates in an emergency if they are kept padlocked. Provide additional explanation regarding how personnel will exit OU-1 during an emergency.
- d. Roads, page 9 - The road types are clear if Figure 5 is printed in color; however, if it is printed in black and white they are not identifiable. The EPA recommends using different line weights or patterns in addition to colors to differentiate roads passable by different types of vehicles.
- e. Roads, page 9 - During RD and RA, roads may be designed and constructed for heavy hauling purposes in and around OU-1. Since infrastructure may change during the RD and RA, add text to indicate this ERP will be revised (see comment 3d) in consideration of any new infrastructure, including roads, and a determination will be made about their suitability for use by emergency response personnel and equipment.
- f. Emergency Communication, page 9 - It is unclear how personnel on-site will be accounted for in the case of an emergency, especially one that requires personnel to exit through secondary or multiple gates/exits. Additional detail to handle this situation, such as sign-in and out requirements and centralized meet-up locations during an emergency event, should be added to this document. Also, if facility personnel on-site are expected to help coordinate access to areas or equipment, how that coordination will occur should be discussed in this section.
- g. On-Site Emergency Resources, page 9 - This section references Table 2. Table 2 states that the OU-1 resources listed are available in Area 1 and Area 2 office trailers. It also indicates that one Ludlum Model 12 Survey Meter and one Ludlum Model 2360 Data

Logger are available emergency resources for OU-1. Clarify whether one of each instrument is in each office trailer, or one of each instrument is available for all of OU-1. If there is only one of each for OU-1, state which office trailer they will be located in.

- 6. Radiation Safety During Emergencies, Priorities During Emergency Response, page 10.**
 - a.** State specifically whether radiation personal protective equipment, or PPE, will be available to emergency responders prior to the OU-1 Radiation Safety Officer arriving on site. Clarify whether the office trailers outside of Area 1 and Area 2 will be kept locked while not in use and, if so, discuss how emergency responders are expected to gain access to equipment in the trailers.
 - b.** Provide a description/discussion of appropriate procedures for frisking emergency personnel and equipment if they enter OU-1, and decontamination procedures for personnel and equipment, if radiation contamination is identified. If it is necessary to transport an individual impacted by radiation to the hospital, indicate whether the hospital will be notified, and if so, who will be responsible for contacting the hospital.
 - c.** Emergencies Requiring Air Monitoring, page 10 - The OU-1 air monitoring program referenced in this ERP will need to be updated in accordance with EPA comments on the existing program which are being submitted under separate cover. Also, the revised air monitoring plan, once approved, should be incorporated into the OU-1 Site Management Plan, or SMP, and the reference in this document should be revised accordingly.
 - d.** Emergencies Requiring Water Application, page 10 - Straw wattles are not necessarily sufficient for mitigating potential soil transport via water. Revise this section to reflect the process described in the IMP on page 17 including: construction of temporary berms; potential construction material for berms; retention of water on site; and subsequent pumping of accumulated water (including fire suppression water) into storage tanks for testing, management and ultimately disposal of the water. This section should state that any materials proposed for use in constructing the temporary berms should be stored on site in a designated location.
- 7. Post-Response Reporting, page 11.**
 - a.** Add a description of the type of emergency to the second bullet (e.g. fire, explosion, injury, etc.).
 - b.** Add a bullet for evaluating the potential cause of the emergency event and recommendations for preventing such an event in the future, if possible.
 - c.** For purposes of record keeping, state where the report will be maintained on-site and what the retention time will be.
 - d.** Add language to this ERP to indicate that any breach in the NCC cover that is caused by an emergency event or the response to such an event will be repaired to its original specifications unless otherwise approved by EPA.
- 8. Figures.** Add Lot 2A2 to figures 1, 4 and 5.

9. Emergency Response Strategies, Appendix A.

- a. Call to 911/Spill Line.** The response listed for this scenario is to call OU-1 personnel to notify them of the situation. This implies that the 911 or spill line operator will contact OU-1 personnel. Document how this has been arranged and confirm that it can/will occur, or revise this strategy to indicate how OU-1 personnel will be notified.
- b. Call to 911/Spill Line.** The diagram needs to identify responses for two situations, one for if the call originates from within the facility and one for if the call originates outside the facility.
- c. Personal Injury/Man Down/ Personnel Contamination.** There is no information in this flow diagram pertaining to personnel contamination. Revise this strategy to address decisions and actions if an injured person is contaminated.
- d. Sudden Waste Movement / Exposed Waste.** This strategy includes hot (steaming) or burning waste exposed. A scenario that includes exposed burning waste also falls under an emergency strategy for Fire. Revise this strategy appropriately and add language to the ERP that states if an emergency incident involves a scenario that falls under more than one of the outlined strategies, the most responsive strategy that addresses all issues will be used (e.g. burning waste exposed).
- e. All Emergency Strategies** that list the initial assessment being performed by the Emergency Response Manager should have a specific line item added in the Response box to contact the OU-1 emergency response manager, and that position should be specified in the contact information box.
- f. Add:** Chris Jump cell 816-398-1965 to the contact list for Region 7 in the Emergency Strategies.

**EPA Comments on the July 2019 Site Management Plan,
West Lake Superfund Site, Operable Unit 1 Remedial Design**

1. Introduction, page 1.

- a. First Paragraph - Add the following phrase to the last sentence “and monitoring actions that will apply to OU-1 during the RD.”
- b. Second Paragraph – This paragraph states that the plan has been prepared in accordance with the requirements of the RD SOW. However, the Section 5.7(c)(3) of the SOW also requires that the descriptions of environmental monitoring include items 1-6 listed under Section 5.7(f) of the RD SOW. This level of detail for the monitoring actions was, in general, not included and needs to be added to this plan.
- c. Third Paragraph – Revise the sentence by replacing the word “may” with “will” and by adding the phrase “or required monitoring activities.”
- d. Third Paragraph, General – Add a section or sub-section that describes and discusses the revision or amendment process for the SMP. Include more specific information about when and why the SMP will be revised and the process that will be used for proposing and receiving EPA approval of revisions or amendments to this plan, similar to that on page 20 of the IMP.

2. Site Description, pages 2-3. The last sentence of this section states that security provisions and pollution prevention measures described in this SMP are only applicable to OU-1. Lot 2A2 of the Crossroads properties is listed as part of OU-1 on page 2; however, it is not mentioned again during discussion of things such as access, visual inspections or storm water control. Lot 2A2 should be addressed in the pertinent sections of this plan or provide the rationale for why it is handled differently.

3. Site Access, Area 1 Entrances, page 5. Figure 3 also shows a 20-FT Gate (S.E.) in Area 1 along St. Charles Rock Road that is not discussed in the text. Resolve this discrepancy between the text and Figure 3.

4. Site Access, Entry Procedures, pages 5-6.

- a. The discussion in this section should include the basic requirements that would be included in any Radiation Work Permit for entry into OU-1. Include information such as whether personnel are required to sign in and out of OU-1; whether personnel are required to read and sign a Health and Safety plan or other similar document; what the minimal PPE requirements are for entry; whether dosimetry badges are required; and whether frisking, and if necessary, decontamination is required prior to exiting. Include information about who has access to the keys to Area 1 and 2.
- b. This section references a Radiation Safety Plan and discusses Radiation Work Permits. Provide additional information about who prepares these documents; when and how

compliance is maintained with these plans; and where these documents are maintained on site.

5. **Site Conditions Monitoring, page 7.** This section states that the two procedures described will be used to monitor site conditions during RD/RA. Conditions are expected to be significantly different during RD and RA. Expand this section to include discussion of procedures that will be used to monitor site conditions during RD and that may be used to monitor site conditions during RA, to the extent known at this time. Also, add a statement to this section that the plan will be updated throughout the various stages of the RD process, e.g. 30% design, 90% design, and 100% design, as more details pertaining to the RA are developed.
 - a. **Daily Visual Inspections, page 7.** Provide additional information regarding the training of people designated to conduct the visual inspections, the frequency at which the inspections are conducted, and the documentation and follow-up actions associated with visual inspections. A description of the inspection procedures should be added to this document, rather than referencing a document not associated with or reviewed for the OU-1 West Lake Landfill site.
 - b. **NCC Inspections, page 7.** Delete the text in the second sentence after the semicolon, and revise the rest of that sentence to read, "The Inspection and Maintenance Plan was originally presented in the NCC Installation Work Plan (EMSI 2017)." Revise the last two sentences of this section by combining them into one sentence that states, "Full details on the NCC inspection program are presented in Appendix B. (i.e. delete "can be found in the aforementioned plan. A copy of this program")"
 - c. **General -** Add a description and discussion of video Surveillance for OU-1 to this section.
6. **Environmental Monitoring, page 8.**
 - a. **Air -** EPA's response to the April 12, 2019 request to suspend air quality monitoring has been provided under separate cover. Since it is anticipated that the revised, ongoing air monitoring will be performed under the RD, revise this document to state that "the final approved OU-1 air monitoring plan for RD and the associated quality assurance project plan or QAPP will be incorporated into this SMP by attaching them as appendix ___."
 - b. **Stormwater –** Revise this section to reflect any changes necessary based on EPA's June 27, 2019 comments on the storm water monitoring program and add the following statement, "the final approved stormwater monitoring plan, associated QAPP, and storm water pollution prevention plan, or SWPPP, will be incorporated into this SMP as appendix ___."
 - c. **Groundwater –** Delete the first sentence of this Section. Revise the third sentence of this paragraph, to state, "As indicated in Footnote 1 to SOW Paragraph 5.7(f)(1), a groundwater monitoring program will be developed as a part of the RD and this program will be used to support evaluation of the OU-1 remedy's performance." The September

27, 2018 OU-1 ROD Amendment, or RODA states, “The groundwater monitoring program will include routine sampling and analysis of groundwater, as well as statistical evaluations of groundwater data to assess groundwater quality and identify trends.” In accordance with the RD SOW, this long-term groundwater monitoring program will be developed in the Site-wide Monitoring Plan, or SWMP. In order to perform the groundwater evaluation as required by the RODA, a baseline of the groundwater quality and contaminant concentrations associated with OU-1 before the Remedial Action, and contaminant concentrations during and after Remedial Action must be determined. Work to determine the baseline groundwater conditions will be required during the RD. This section must specifically discuss how baseline groundwater quality, prior to implementation of the RA, will be established for OU-1 and generally discuss how groundwater performance monitoring will be conducted for OU-1. If data from the OU-3 remedial investigation is intended to support this effort, the specific goals and requirements of that effort must be clearly documented in this section. Any specific coordination needs, and relative timing based on anticipated milestones for the Operable Unit 3 (OU-3) should be assessed and included in this SMP or the OU-1 RD Work Plan.

- d. A paragraph discussing evaluation and monitoring of the seep located on Area 2 should be added to this section.

7. Pollution Control and Mitigation, page 9. This section states that it describes the procedures that will be used to control and mitigate environmental impacts during RD/RA, yet it only appears to address activities under the RD. This section and subsections need to be expanded to discuss the type of actions that will be taken during the RA to control and mitigate pollution (e.g., loading and sorting building, daily cover, diversion, storage and testing of storm water, etc.) and state where and when that information will be updated to include the actual plans and details (e.g. Site-wide monitoring plan, 30% RD, etc.)

a. Air Impact Control and Mitigation –

- i. Revise the second sentence of the first paragraph to indicate that the NCC Inspection and Maintenance Plan is attached to the SMP as appendix B, rather than citing the 2017 EMSI document.
- ii. Delete the last sentence of the first paragraph.
- iii. Revise the first sentence of the third paragraph to state: “The air monitoring program for OU-1 provides continual monitoring of potential radionuclides associated with OU-1.”
- iv. Revise the second sentence of the third paragraph by deleting “(subject to revisions approved by EPA)” and add the following sentence at the end of the paragraph, “The approved, air monitoring program will be incorporated as an appendix to this SMP and conducted under the May 6, 2019 Amendment to the Administrative Settlement Agreement and Order on Consent (ASAOC).”

b. Stormwater Impact Control and Mitigation, page 9-10.

- i. Delete the third sentence in the first paragraph starting with The NCC and associated....

- ii. Revise the last sentence of the first paragraph to read, “As noted above, the approved NCC inspection and maintenance program during the RD is presented in appendix B to this SMP.
 - iii. Revise this section regarding the stormwater monitoring program in accordance with the June 27, 2019 EPA comments on Storm Water Documents and indicate that, the approved stormwater monitoring documents will be incorporated into the SMP as an appendix and performed pursuant to the ASAOC.
 - iv. As stated above, expand this section to include general stormwater impact control mitigation measures that will be taken during RA.
 - c. General - Add discussion of actions that will potentially be used to monitor and control, or mitigate potential migration of contaminants to groundwater during the RA.
- 8. **Secure Waste Management, page 11.**
 - a. Describe the methods that will be used to manage vegetation cuttings and debris in this document rather than describing it as consistent with methods described in another document.
 - b. It should be assumed that investigation derived waste, or IDW, whether it is drill cuttings, cores or some other material, will be generated during the OU-1 investigation and this section should be expanded to describe and discuss the methods that will be used to manage and secure the IDW (not just citing previous documents).
 - c. This section is supposed to describe procedures used to manage, stage, and/or dispose of waste generated from OU-1 during RD and RA; however, this document includes no information related to secure waste management during RA. Revise this document to discuss procedures that will be used during RA (e.g., loading into containers that are sealed before leaving the site, testing and disposal of contained storm water etc..) and state where and when that information will be updated to include the actual plans and details.
- 9. **Appendix B. NCC Inspection and Maintenance Plan.**
 - a. Page A2-1 - Delete the words “to be” from the first sentence on this page.
 - b. Section II. Location information - Delete the word “proposed” from the second sentence in this section.
 - c. Page A2-2, First full Paragraph, second sentence – After the phrase “may be reduced”, add the words, “if approved by EPA”. Make an equivalent change to the fifth paragraph on this page related to reducing the frequency of surface water system inspections.
 - d. Page A2-3 – Revise the first paragraph on this page by adding a sentence before the last sentence that states the results of the Inspections documented on Tables 1A and 1B will be included in the RD progress reports as described in Section 4.1 of the RD SOW.

- e. **Based on the minor changes requested above, revise the title and footer on this plan to reflect that it is part of the RD SMP rather than the NCC Work Plan. Upon approval, this plan may also be used as an attachment to the NCC Construction Completion Report.**