



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

9355.4-26

MAY 29 1997

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: Lead Site Response Decisions:
Formation of the Lead Sites Consultation Group

FROM: Stephen D. Luftig, Director /s/
Office of Emergency and Remedial Response

TO: Director, Office of Site Remediation and Restoration
Regions I
Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Regions III, IX
Director, Waste Management Division
Region IV
Director, Superfund Division
Regions V, VI, VII
Assistant Regional Administrator, Office of Ecosystems
Protection and Remediation
Region VIII
Director, Environmental Cleanup Office
Region X

PURPOSE

This memorandum requests your assistance in establishing the National Superfund Lead Sites Consultation Group to promote national consistency in decision-making at lead sites across the country. The primary purpose of this group is to review and exchange information on key response decisions at lead sites nationally.

BACKGROUND

OSWER Directive 9355.4-12/Jul 94, "Revised Interim Soil Lead Guidance for CERCLA and RCRA Corrective Action Facilities," provides EPA's basic framework for lead risk assessment and remedial response. In particular, this directive outlines a streamlined approach

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for determining protective levels for lead in soil and provides a plan for soil-lead cleanup at CERCLA sites and RCRA Corrective Action facilities. Our approach to lead site cleanups has been the subject of much subsequent discussion over the last two years. These discussions have focused on the importance of achieving public health and environmental protection as well as national consistency in Superfund lead sites cleanup decisions.

In August 1996, OERR formed the Lead Sites Workgroup (LSW) consisting of regional project managers, toxicologists and representatives from EPA Headquarters. The group's charge has been to identify and resolve key issues on lead response decisions and provide updated guidance for addressing lead sites in a nationally consistent manner. We anticipate that this group will continue to serve in this same capacity in identifying and resolving key issues related to lead sites nationally.

The LSW presented five issue papers on lead response decisions to the Superfund Lead Policy Group (including Headquarters Office Directors and Regional Division Directors) at meetings on November 22, 1996 and February 6, 1997 (teleconference). The Policy Group endorsed the issue papers and asked the LSW to solicit State input on these papers. A memorandum and the papers were sent to the Regions on May 7, 1997, requesting that regions seek State comments.

The Lead Policy Group also decided to establish a lead sites consultation process, whereby the interested Policy Group members would periodically review sites which could potentially be precedent setting in terms of lead response decisions. This memo follows up on this recommendation by the Policy Group.

DISCUSSION/PROCESS

This national consultation group will be comprised of senior managers from both the Regions and Headquarters. Each Region will have one management-level representative on this group. Headquarters representatives will include senior OERR managers and senior staff with expertise on lead. Other EPA headquarters offices may be requested to participate on an as-needed, basis.

The focus area memorandum of June 1996, discusses routine review of lead related proposed plans, Situations which would potentially be addressed by the national consultation group may include:

1. Residential contaminated lead sites with cleanup levels outside the 500 to 1200 ppm soil-lead level.
2. Sites which envision actions to address non-soils lead contaminated media (e.g., lead paint)
3. Routine LSW deliberations which identify an unique or precedent setting site issue(s).

In terms of process, the regional representative whose site triggers a consultation will present a two-three page document on the rationale for why the site triggers one of the three situations identified above. This document would briefly describe the site, provide background, describe the risk, and provide the site-specific situation that triggered the national review. This information will be forwarded to the other regions at least one week in advance of the scheduled conference call. All information needs should be satisfied prior to the call. The call itself will be limited to two hours. We hope that the conference call will clearly communicate decision rationale and be used as a technical information exchange between the regions. This is an informal consultation process; no minutes nor record of the call will be maintained.

The lead sites consultation group will *only review lead site decisions* triggered by the three criteria identified above. The purpose of this group is separate and does not impact nor conflict with the review of high cost sites by the National Remedy Review Board.

IMPLEMENTATION

Please designate a representative from your region to this important national consultation group on lead sites. Shahid Mahmud of my staff is responsible for compiling the regional participant list. Please send your nominations to him by June 6, 1997. If you have any questions, please call him at 703-603-8789.

cc: Tim Fields
Mike Shapiro
Cliff Rothenstein
Barry Breen
Sandra Connors
Elizabeth Cotsworth
Jim Woolford
Larry Reed
OERR Regional Center Directors
Larry Zaragoza
Steve Hoffman
Steve Jones, ATSDR
Mark Maddaloni, Region II
Fred MacMillan, Region III
Kevin Koporec, Region IV
Brad Bradley; Region V
Noel Bennett, Region VI
Mark Doolan, Region VII
Ken Wangerud, Region VIII
Loren Henning, Region IX
Nick Ceto, Region X

LEAD SITES CONSULTATION GROUP

Purpose of Group:

The Lead Sites Consultation Group is an “advisory” group which will review and exchange information on key response decisions at lead sites in order to promote national consistency in decision-making at Superfund lead sites across the country. A primary purpose of this group is to share and communicate key decision-making factors at selected lead sites and to provide peer advice or “sense of the group” feedback to the Region requesting a site review.

Group Members:

The principal group members are Regional Superfund Division Directors or their designees and senior OERR managers. Advisors to the group will vary but at a minimum will include the co-chairs of the Lead Sites Workgroup (LSW) and Technical Review Workgroup (TRW). Other advisors may include the Office Director from Federal Facilities Restoration and Reuse Office (FFRRO), senior Office of General Counsel and other Headquarters and Regional staff as needed. *Only the principal group members will engage in or participate in the site discussion.* The principal members and advisors include:

Principal Members:

Dennis Gagne	(Region I)
Richard Caspe	(Region II)
Abe Ferdas	(Region III)
Dick Green	(Region IV)
Wendy Carney	(Region V)
Myron Knudson	(Region VI), Pam Phillips and Carl Edlund (alternates)
Gene Gunn	(Region VII)
Max Dodson	(Region VIII)
Dan Opalski	(Region IX)
Randy Smith	(Region X), Mike Gearhard (alternate)
Steve Luftig	(OERR)
Larry Reed	(OERR)
Dave Bennett	(OERR)
Bruce Means	(OERR)
Tom Sheckells	(OERR)

Advisors:

Jim Woolford	(OSWER - FFRRO)
Nick Ceto	(Region X- LSW Co-Chair)
Shahid Mahmud	(OERR- LSW Co-Chair)
Paul White	(ORD- TRW Co-Chair)
Pat VanLeeuwan	(Region V - TRW Co-Chair)

Roles and Responsibilities of Group

The Lead Sites Consultation Group will review summary documents on selected lead sites submitted by the requesting Region. The group will review the documents from a national consistency perspective and how a particular site decision would impact the efforts underway at other sites across the country. Sites or situations that would be reviewed by the consultation group include:

1. Residential contaminated lead sites with cleanup levels outside the 400 to 1200 ppm soil-lead level.
2. Sites which envision actions to address non-soils lead contaminated media (e.g., lead paint)
3. Unique or precedent setting site issue(s) raised by the LSW or TRW.

Members of the group will evaluate all site-specific and national consistency factors and provide advice to the requesting Region. There will be no formal voting or concurrence and no written correspondence or proceedings will result from this review.

Process/Procedures:

The requesting Region will submit a 5-6 page document on the rationale for why the site triggers one of the three situations identified in the May 29, 1997, memorandum entitled "Lead Site Response Decisions: Formation of the Lead Sites Consultation Group." This document would include the following:

- B Site Description/Background
- B Risk characterization
- B Remedial options considered and costs
- B Mitigating factors which led to site review to include:
 - ! Technical/Scientific
 - ! Risk Management
 - ! State, Community or other political influences
 - ! Other site-specific factors

This information will be forwarded by the requesting Region to the other regions at least one week in advance of the scheduled conference call.

In order for this group to function effectively, participants must read the material in advance and be fully prepared for the conference call. All information needs should be satisfied prior to the call. The call itself will be limited to two hours. It is hoped that the call will clearly communicate rationale and be used as an information exchange between the regions.