

Kmet, Peter

From: Kmet, Peter
Sent: Monday, September 11, 2000 3:44 PM
To: Yee, Chung K.
Cc: Fitzpatrick, Kevin
Subject: New Method A Soil Cleanup Levels

See table

Here are a series of tables showing the calculations for the new Method A soil cleanup levels and providing a comparison to the current Method A values.



TABL740g.XLS

As I noted in our phone conversation, one point I didn't include in my earlier comments was ground water monitoring. I still think it would make sense to require that given the magnitude of the fill.

You asked whether I thought the Method A values could be used as a basis for defining clean fill. I understand there are some concerns about whether this can be done legally. Putting aside that issue for the moment, as I look at the Method A cleanup values in light of this use, several thoughts come to mind:

We believe the current standards are not protective for several chemicals. That is why we are proposing new values. You should require them to use the new standards (assuming we end up adopting them).

One exception is arsenic. I think you need to look carefully at that value as the calculations indicate the current Method A arsenic soil cleanup level may not always be protective. We plan to revisit that value in a future rule-making. In the interim, you may want to use a background value instead of Method A. The statewide study we had the USGS do found background in uncontaminated areas at 7 PPM.

As I re-look at this attachment in the context of defining clean fill, the other values that jump out are those for diesel, heavy oil and mineral oil. The proposed values may be protective but they by no means define clean fill. You may want to go with the current Method A value of 200 PPM for those.

Also, all of these values are based on human health exposure pathways and do not take into account ecological concerns. I assume that will be an issue at this site since it will take several years for the fill to be completed and the soil will be exposed during that time and, even after completion, some soil could be exposed. For those reasons, you may want to use the values cited for terrestrial ecological protection in table 2 in the attachment (I would use the ecological indicator concentrations).

As for the legal question, you would need to ask an AG for an opinion on that. My own feeling is that, regardless of the legal answer, you need to have a basis for the standards. If they happen to coincide with the MTCA standards, so be it.

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12:19 PM
Kmet