T r i – V a l l e y C A R E s

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September 1, 2011

Claire Holtzapple
U.S. Department of Energy
Livermore Environmental Programs Division
Lawrence Livermore National Laboratory
P.O. Box 808, L-574
Livermore, California 94551

RE: Tri-Valley CAREs' Comments on the Building 812 Draft Baseline Risk Assessment Work Plan at the Lawrence Livermore National Laboratory (LLNL) Site 300

Dear Ms. Holtzapple:

Thank you for the opportunity to comment on the Draft Baseline Risk Assessment Workplan, which deals with human and ecological risk. We support EPA's Comments on the document, dated August 24, 2011.

In general, while we appreciate that this is a complex undertaking, the document itself is overly dense and difficult to understand. We request that the document's contents be made more accessible. One step toward clarity might be accomplished by a Table in the Introduction listing (1) all the documents to which this Work Plan refers, (2) all agency, Tri-Valley CAREs, and/or other comments that led DOE/LLNL to make changes to the original Screening –Level Risk Assessment (SLRA) and/or the Draft Remedial Investigation/Feasibility Study (RI/FS) – noting in particular the changes made, and (3) other issues to be addressed by this Work Plan.

For example, in this current draft, neither a regulatory agency nor any other reader can track the comments on the Draft RI/FS that led to revisions in the Work Plan, nor is the reader made aware of changes that were made to the original SLRA in response to comments. This information needs to be transparent in the Work Plan.

In sum, we believe that all documents of this nature, no matter how complex, should be understandable to the public.

Specific Comments

1. Referring to Section 2.1.1, it is not clear how a contaminant moves from a Contaminant of Potential Concern (COPC) to a Contaminant of Concern (COC) to a Preliminary Contaminant of Concern (PCOC). In fact, the term Preliminary Contaminant of Concern is new to us. At a minimum, we request a sentence defining this term as distinct from the other two, more commonly used, terms. Indeed, all three of these terms need to be better defined, particularly in

reference to each other. The third paragraph in this section of the Draft Work Plan suggests that if a COPC (Contaminant of Potential Concern) does not have an MCL-based threat to groundwater, then a risk-based screening level was used to determine whether they are PCOCs (Preliminary Contaminants of Concern). This is less than clear. We are assuming that the risk-based screening levels are the Preliminary Remediation Goals (PRGs) or Regional Screening Levels (RSLs). Is this correct? In any event, please clarify in the next iteration of the Work Plan.

2. Regarding the last paragraph in 2.1.1, there is a statement that "The role of Regional Screening Levels and Preliminary Remediation Goals in site screening is to help identify areas, contaminants, and conditions that do not require further attention." We think that this statement is misguided and is contrary to EPA's use of RSLs and PRGs.

For example, the 2011 Users Guide states the following" [R]SLs should not be used as cleanup levels for a CERCLA site until the other remedy selections identified in the relevant portions of the National Contingency Plan (NCP), 40 CFR Part 300, have been evaluated and considered. PRGs (Preliminary Remediation Goals) is a term used to describe a project team's early and evolving identification of possible remedial goals. PRGs may be initially identified early in the Remedial Investigation/ Feasibility Study (RI/FS) process (e.g., at RI scoping) to select appropriate detection limits for RI sampling. Typically, it is necessary for PRGs to be more generic early in the process and to become more refined and site-specific as data collection and assessment progress. The SLs identified on this website are likely to serve as PRGs early in the process--e.g., at RI scoping and at screening of chemicals of potential concern (COPCs) for the baseline risk assessment. However, once the baseline risk assessment has been performed, PRGs can be derived from the calculator using site-specific risks, and the SLs in the Generic Tables are less likely to apply. PRGs developed in the FS will usually be based on site-specific risks and Applicable or Relevant and Appropriate Requirements (ARARs) and not on generic SLs."

Therefore, we suggest that the afore-mentioned statement in the Draft Work Plan be removed because it mischaracterizes the intent of the RSLs and gives the implication that DOE/LLNL is looking to eliminate contaminants from further consideration.

3. As Tri-Valley CAREs noted in the Superfund TAG meeting of August 23, 2011, one source document that should be considered by DOE/LLNL in compiling its list of Contaminants of Potential Concern and/or Preliminary Contaminants of Concern is the 2007 LLNL reapplication package to the San Joaquin Valley unified Air Pollution Control District. Open-air detonations at Site 300, including specifically at the Building 812 firing table, are the subject of the permit reapplication. The reapplication package lists scores of hazardous and/or radioactive materials that were to be either the source material for - or caused by reactions in - open-air detonations. While this particular permit was never issued, the materials listed in the reapplication package are in whole or in part the same as those historically used in open-air detonation at Building 812. Therefore, the lists of contaminants in this reapplication package should be considered, along with other source documents and site sampling results, in determining what further characterization is needed (and for which contaminants) and what all may have found its way into the soil and water in the Building 812 Operable Unit. For your convenience, we have appended the LLNL reapplication package to this comment letter. And, we can send additional documentation o request.

4. Section 2.1.2.2 states that because surface water is potentially impacted from uranium discharging into Elk Ravine southeast of the Building 812 Canyon confluence, surface water southeast of the confluence may be negatively impacted from runoff during rainfall events. Therefore, uranium is added as a Preliminary Contaminant of Concern in surface water. How far

southeast is the potential impact? Is this area outside of the Building 812 Operable Unit, and are there any plans to remediate uranium in surface water beyond this area? In addition to answering these questions in the text of the next iteration of the Work Plan, a figure would be helpful.

5. As we have stated for many years, we believe that standards for human health should not be limited to adult onsite worker. We understand that this group is the population at present, but there is little for us to rely upon that this will not change in the near or distant future, especially considering the financial dilemma that the U.S. is in right now, and previous studies that have indicated the possibility of closing Site 300 from testing activities.

6. Referring to Section 3.1.1, please define a Preliminary Contaminant of Ecological Concern (PCOECs).

7. Please add a column in Table 3-12 that indicates the Contaminants of Potential Ecological Concern (COPECs) as well as the PCOECs. Please add a second column indicating what the difference is and why there is a difference, if at all. It is not clear if this is work to be completed in the upcoming Baseline Risk Assessment or whether the analysis was already done – and if so, where.

Again, thank you for this opportunity to comment on the Draft Baseline Risk Assessment Work Plan. Tri-Valley CAREs believes that the Building 812 Superfund cleanup is one of the key challenges in remediating the soil and groundwater at Site 300. We look forward to working together to ensure that the community's perspectives are fully considered and that the outcome is a successful cleanup.

Sincerely,

Marylia Kelley, Executive Director, Tri-Valley CAREs
and
Peter Strauss, Superfund Technical Advisor, PM Strauss and Associates