

To: BoRit Asbestos Area Community Advisory Group
From: Melinda Holland, CAG Facilitator
Date: December 11, 2007
Subject: **Summary of the November 28, 2007, BoRit Asbestos Area
Community Advisory Group Caucus Meeting**

Next Meeting

The next BoRit Asbestos Area Community Advisory Group meeting will be held as follows:

Date: **Wednesday, December 19, 2007**
Time: 6:30 - 9:30 p.m.
Location: Senior Adult Activity Center¹
45 Forest Ave.
Ambler, PA

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at melindaholland@alltel.net or 828-894-5963.

CAG Attendees

Attending were: Anne Misak, Clean Water Action; Fred Conner, Whitpain Residents Assoc & Whitpain Planning Comm.; Lynn Hoffmann, Mercer Hill Village Assoc.; Michelle Naps, M.D.; Sharon McCormick, Citizens for a Better Ambler; Steve Ware (for Bud Wahl, Mayor of Ambler); Susan Curry, Ambler Environmental Advisory Committee; Dave Caddick, Caddick Construction Inc.; Roman Pronczak, Whitpain Twp. Deputy Twp. Manager; Sal Boccuti, S. Boccuti Photography; Diane Morgan; Eileen Fournier; Joanne Slade (for Paul A. Leonard, Upper Dublin Township); Joanne Walker, Esq., Whitemarsh Township Residents Assoc.; Lynda Rebarchak, PADEP; and Bob Adams, Wissahickon Valley Watershed Association.

CAG Members not attending (nor represented by an alternate) were: Eddie Curtis; Beth Pilling, Montgomery Co. Planning Commission; Flo Wise, West Ambler Civic Association; and Ron Curtis Jr.; Final Touch Barber Shop.

EPA Participants

Larry C. Johnson, EPA Region 3, Community Involvement Coordinator (CIC); Eduardo Rovira, EPA Region 3 Removal Program; Jack Kelly, EPA Region 3 Removal Program; Francisco Cruz, EPA Region 3; Charles Nance, EPA Region 2 Toxicologist and member of the National Asbestos Technical Review Workgroup; Frank Ehrenfeld, Director of the International Asbestos Testing Laboratories (IATL) (the lab were all the air samples were analyzed); Dawn Ioven, EPA Region 3 Toxicologist; and Karl Markiewicz, ATSDR R3 Toxicologist.

Observers

¹The Senior Adult Activity Center is located at the corner of Forest Ave. and Spring Garden St. In Ambler. Park behind the building, go down four stairs and enter on Spring Garden St. entrance.

Daniel McCormack, Elaine J. Chenega, Harriet Morton, Edythe Marincola, Eleanor Vine, Eno Mortensen, James Patton, Rose Gallo, Mary Maxion, Bill Baker, Tim Hughes, Judy Baigis, Frank Erhenfeld, Mia Fiorvanti, and Joe Carlucci.

Meeting Highlights

- ▶ Introductions;
- ▶ EPA presentation on proposed removal activities;
- ▶ CAG questions and discussion;
- ▶ Opportunity for submission of public comments;
- ▶ Next Steps.

Melinda Holland opened the meeting by reviewing the the documents distributed at this meeting and welcoming the new CAG Co-Chairs Bob Adams and Fred Conner.

The Co-Chairs reviewed the groundrules, agenda and led the participant and observer introductions.

Eduardo Rovira, EPA Region 3 Removal Program, gave a presentation which reviewed the removal activities proposed for the BoRit site. Following this presentation CAG members asked questions regarding the proposed removal actions and related technical issues.

In response to a question about which areas of the site are to be encapsulated, an EPA representative explained that they propose capping the areas with exposed asbestos, but not the entire site. The decision on what to encapsulate will be based on the potential threat to health. A CAG member asked if the entire site is not capped, will that preclude building on the site? An EPA representative explained that a park area or Boys/Girls Clubs may be possible and that the agency will work with Whitpain Township on this issue. In response to another question, he explained that the fence around the site would need to remain, EPA could fence the entire site but maintaining the fence would be up to the property owners. Oversight of the fence and other removal actions would initially be done by EPA and later by PADEP.

A CAG member questioned whether the stream bank restoration/stabilization methods would withstand a major flood event. An EPA representative explained that the method proposed would include re-vegetation techniques wherein the plant roots increase the stability of the stream banks. In response to a question about the 'bag' technology for stream bank restoration, an EPA representative explained that this technique is one of the most natural and stable restoration methods. Another CAG member remarked that running Tannery Run through a culvert may not be the best technology from an environmental perspective, as it will prevent light from reaching the stream which is good for the aquatic life in the stream.

A CAG member noted that during floods in the Mercer Hill area some house decks have washed away in the stream illustrating the need for highly stable stream banks in that area. She questioned who will monitor the stability of the restored creek banks over time. An EPA representative stated that monitoring will initially be done by EPA and later by PADEP. A CAG member expressed concern about PADEP's limited enforcement authority under the National Emission Standards for Hazardous Air Pollutants (NESHAPS) regulations. In response to another question, an EPA

representative explained that the EPA monitoring would be at least through one growing season.

In response to another question, an EPA representative explained that they will only remove asbestos pipe segments which are visible on the surface of the ground.

An EPA representative explained that the time-line for the proposed removal action starts with submission of an Action Memorandum from Removal Program staff to EPA Region 3 management. The results of the public comment opportunities will be considered. After management approval, funds must be allocated and the work can begin.

In response to a question about what type of institutional controls are available, an EPA representative explained that deed restrictions are just one type of institutional control and may include placing a notice of risk in the property deeds. He noted that state and local governments may have the most authority to enforce deed restrictions. A CAG member noted that the use of institutional controls is a topic where the CAG may be able to have the most influence. An EPA representative offered to ask the EPA attorney with expertise on institutional controls to contact a CAG member to discuss the possibilities for institutional controls.

In response to questions, an EPA representative explained that the proposed actions will be taken by EPA's removal program over the next year or so. He further explained that the agency's remedial program is currently evaluating the BoRit site to see if it scores high enough for listing on the National Priorities List (NPL). A CAG member asked what types of information are considered in site scoring. An EPA representative explained that this question would best be answered when Ms. Charlene Creamer from EPA's remedial program is able to participate in a CAG meeting, which he hopes will be at the January CAG meeting.

In response to a question about the difference between EPA's removal and remedial programs, an EPA representative explained that the removal program is authorized to respond to an immediate or potentially immediate threat ("imminent and substantial endangerment"). The remedial program may only take action on sites which have been listed on the NPL. Remedial actions begin with a Remedial Investigation and Feasibility Study (RIFS) and are usually more comprehensive and expensive than removal actions. The activities proposed for the BoRit site are somewhat unique as they are more permanent than the usual removal action. Another EPA representative noted that scoring a site for the NPL takes months, and there is always the possibility that a site like BoRit would not score high enough to be included on the NPL. The BoRit site will be scored for possible inclusion on the NPL during or after completion of the proposed removal actions. A CAG member asked if the CAG supports the proposed removal actions, is it precluded from asking for more work in the future? An EPA representative explained that additional work may always be requested/performed based on risk.

A CAG member asked if EPA would conduct another round of air sampling after the removal actions are complete to test their effectiveness at preventing asbestos from becoming airborne. An EPA representative stated that they had not planned on another round of sampling, but the CAG could include this suggestion in its comments.

In response to a question regarding how risk is evaluated, an EPA toxicologist explained that the highest concentrations from the air samples was analyzed in association with the most conservative exposure scenarios (24 hr./day, 350 days/yr., for 30 years). From these calculations an estimated risk of asbestos related cancer is developed. For the BoRit site they estimate that the increased risk of cancer is 9 in 100,000. She further explained that as the amount of asbestos measured in the air increases, so would the estimated risk increase. When asked if smokers and children were considered in the calculations, she explained that they do consider high-risk populations in these calculations.

In response to another question, the EPA toxicologist noted that at this time there is no way to quantify non-cancer health risk from asbestos. She further noted that cancer risk usually outweighs non-cancer risk. In response to a question regarding why smaller asbestos fibers are not counted, an EPA representative explained that currently only the long fibers are considered a health threat, but the risk from shorter fibers is being investigated. However, the Agency for Toxic Substances and Disease Registry (ATSDR) is developing a health consultation that will in part attempt to address non-cancer health issues. She also stated that asbestosis is not a 'reportable disease' in the health data bases so they cannot analyze it without during surveys to collect data.

Public Comment Period

Larry Johnson, EPA Region 3 Community Involvement Coordinator, stated that while EPA does not usually have a public comment period for removal activities, the agency has decided to open a 30 day comment period for the proposed BoRit site removal activities starting with tonight's meeting and ending on December 30th. He also stated that EPA plans to hold a public meeting in January on the proposed removal activities. EPA is sending the removal action fact sheet (which the CAG has received) to the Ambler mailing list. Mr. Johnson explained that submissions to EPA may be via email or regular mail. However, he noted that they should be written as comments or suggestions, not questions because the agency may only respond to comments and suggestions in its response to public comments document (known as a Responsiveness Summary). Questions should be submitted separately to Mr. Johnson and he will forward them to the site team. Mr. Johnson also noted that health related comments (or questions) should be directed to the health agencies. He explained that the CAG may submit comments as a group and individual members may also submit their own comments separately.

Mr. Johnson noted that the NPL process is still continuing and that Charlene Creamer of the Site Assessment branch plans to attend the January CAG meeting to present preliminary NPL information. He explained that the project being proposed by the Removal branch does NOT preclude the site continuing on to NPL listing if it scores high enough. These are parallel processes and one does not exclude the other. He asked the CAG to remember that the Removal Program and the Remedial Program have somewhat distinct priorities.

Co-Chair Fred Conner suggested that the CAG form a work group to develop the first draft of comments. He noted that the goal would be for the CAG to reach consensus on a set of comments in time to submit them by December 30th. If consensus cannot be reached, the CAG's Operating Procedures provide for a majority and minority report. The CAG members who volunteered for the work

group include: Eileen Fournier, Sharon McCormick, Joanne Walker, Michele Naps, Lynn Hoffman, Sal Boccuti, Roman Pronczak, Bob Adams, and Fred Conner (who will chair the work group).

Next, each CAG member was asked for their suggestions/comments to be included in the work group's first draft. These comments/questions are summarized below:

- "encapsulate exposed areas", fear will not be enough to make safe; want cap of entire site, entire site has asbestos;
- What are the options for Institutional controls (IC)? The EPA attorney will be asked to speak with a CAG member to provide more info on IC. IC may be designed for each site, are flexible. May come from local government level and may be more stringent, may cross municipal boundaries;
- Why were those streambank controls chosen? Why culvert? Enclosing stream will be difficult to sell to the community unless they understand the need for an enclosed system;
- Concerned over lack of consideration of non-cancer health data. Real risk is airborne asbestos. Why is a culvert needed? What IC will be proposed?
- Haven't used worst case health scenarios in all cases. Want continued sampling and analysis for non-cancer asbestos disease. EPA authority over land owners regarding IC? Who has authority over which type of IC? (Answer, EPA can obtain a warrant if serious threat, less authority otherwise);
- Pleased to see EPA action proposed. CAG role in overall future use is important to keep in mind;
- Hear distrust of government among CAG members. Trusts EPA to do this removal, at least it is a starting point. Lets do something now, not talk it to death;
- PADEP supports this removal proposal;
- Thanks to EPA. Glad stream bank restoration is included and that are of the environmentally sensitive type [except culvert]. Restoration needs to be able to withstand floods also. Need way to stop trespass on site, need adequate fence all way around site and need adequate maintenance of fence. Want list of possible IC; Whitpain will need to focus on the Park area. Don't use deed restrictions which prevent a better idea in the future. Be open to reopen the remedy if better technology becomes available in the future;
- Future use is not addressed by removal. "Clearing, grubbing, grading" for creek restoration - how much asbestos will be stirred up and released to the air? How will release of asbestos to air be prevented during these activities? Need to encapsulate more areas than just those bare of vegetation. Existing vegetative cover may die, be uprooted, etc. exposing asbestos in future. Need better fence, need criteria for more human proof fence all the way around the site. Tell us what IC's have been used at other sites to give ideas. Regret use of culvert due to cover up stream. What will be the environmental and health impacts of the cleaning/clearing that will happen to install the culvert? Concerned that this proposal will not prevent future degradation. May the CAG have input to Ms. Creamer's decision on NPL listing?
- EPA has construction/safety techniques they always use. Trust their knowledge. Need to get something done - don't just keep talking. Must trust and move ahead with Cleanup;
- Can accept and agree on need for short term removal action, but not as the ultimate solution for the site - try for NPL also;

- Need to address ongoing monitoring. What type controls on release of asbestos will be used while work is underway?
- There is a concrete dam on site now, water finds its way around it. The proposed 'socks' are a better approach, create a stable, natural vegetative cover. At some point we must trust the process and let EPA move ahead;
- Hope municipalities will work cooperatively on solution and future use (green ribbon trail, etc.). Now CAG must focus on the removal action. Need to investigate local govt. authority for IC's.

Observer Comments

An observer asked why the air samples showed low numbers. An EPA representative explained that the activity based sampling did show higher numbers. He further stated that the ambient air samples would not be expected to show high readings unless something had disturbed the asbestos on the site. The observer further noted that there is no knowledge of the exact contaminants and even more importantly the extent of contamination, especially in regard to ACM. He stated that there were geological conductivity/resistivity tests conducted on the 6-acre BoRit site in a previous study for the MontCo Housing Authority, which indicates that the piles on BoRit site are as high as 30-feet and as deep as 40-feet, an estimated 150,000 cubic yards of a relatively high concentration of ACM. He stated that recommendations from this report as well as a summary issued in EPA's own documents, all recommend against development of this site. He stated that a geological conductivity/resistivity test is essential to ascertain the extent and seriousness of the situation, and that IC's are not adequate to address and anticipate the unknown. He recommended that EPA not leave this site until a full understanding of the content, extent, and seriousness of the situation, which has not yet been done. He stated that an accurate assessment can only be obtained by conducting a full RIFS, yet a RIFS can only be conducted if the site were to be listed under NPL. He further noted that IC's are modifiable due to financial and political influences. He stated that the entire site really needs to be properly covered with a geo-barrier along with the appropriate amount of soil, which is typically the method of choice and the most effective method of containment for asbestos sites, and is the only good and effective solution to remedy the current and potential threats in Ambler.

Another observer asked if the stream bank remediation will raise the elevations along the creek in the Mercer Hill area, and whether culverts will be adequate to handle the highest flood flows. He also asked that EPA perform air testing after the removal actions are complete to see if the actions solve the problems. An EPA representative responded that as there is very little asbestos showing up in the air samples currently, thus they would expect no releases after the removal activities are complete.

In response to an observer question about mis-diagnosis of asbestos related deaths, an EPA representative explained that risk assessment does not include investigation of medical records, but is a mathematical calculation based on sample results. ATSDR commented that the state health department (PADOH) or ATSDR will complete a Health Consultation in 2008, which will be similar to a risk assessment plus it will include a section on health outcome data.

CAG Meeting Action Items

Action	Assigned To	Due Date
EPA Attorney to provide information on institution controls (IC)	E. Rovira	12/5/07
WVWA attorney will be asked to look into IC	Bob Adams	12/5/07
Email web link to EPA guidance on IC	Jack Kelly	12/5/07
Email summary of CAG member comments to CAG work group	M. Holland	12/1/07
Organize process/schedule for work group drafting of comments	Fred Conner	12/1/07

Documents Distributed

Document Subject	Document Description	Date; Generated by (if known)
Meeting Agenda	Agenda	11/24/07; Holland
EPA Presentation on proposed actions	Presentation	11/28/07; Rovira
Summary of the October 22 nd CAG meeting	Summary	11/23/07; Holland
Summary of the October CAG meeting	Summary	11/06/07; Holland
EPA Community Update Fact Sheet	Fact Sheet	November 07; EPA