

HALE AND DORR LLP
C O U N S E L L O R S A T L A W

1455 PENNSYLVANIA AVENUE, N.W., WASHINGTON, DC 20004

202-942-8400 • FAX 202-942-8484

April 8, 1998

VIA FEDERAL EXPRESS AND FACSIMILE

Dr. R. L. Mullins, Jr., P.E., AICP
U.S. Army Corps of Engineers- St. Louis District
9170 Latty Avenue
St. Louis, Missouri 63134

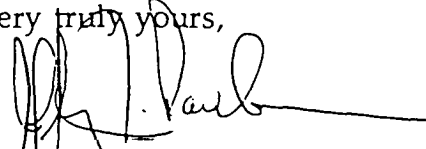
Re: 9150 Latty Avenue, Hazelwood, Missouri
Public Comments on the USACE HISS EE/CA, dated March 1998

Dear Mr. Mullins:

Hale and Dorr LLP represents First Management Group, Inc. ("First Management") in environmental matters regarding the management of the General Investment Funds Real Estate Holding Company ("GIFREHC") property located at 9150 Latty Avenue, Hazelwood, Missouri. First Management's comments, on behalf of GIFREHC, are hereby presented in Attachment A to the U.S. Army Corps of Engineers ("USACE") on the USACE's Engineering Evaluation/Cost Analysis ("EE/CA") for the Hazelwood Interim Storage Site ("HISS"), dated March 1998. These comments are based upon currently available information and do not reflect issues not expressly addressed by the HISS EE/CA. First Management and GIFREHC expressly reserve all rights, including, but not limited to, the updating of comments as further information develops.

Please do not hesitate to contact me at (202) 942-8409 with any questions.

Very truly yours,



Jeffrey J. Davidson

cc: John Katkish
Dale Holmes, Esq. (USACE)
Thomas W. Rigby

Attachment

/netuser17/tomrig/ap/321.66.133/pub-comm-ltr.wpf

ATTACHMENT A
First Management/GIFREHC
Public Comments on the HISS EE/CA
April 8, 1998

1. **Generally.** In all of its decisions and actions relating to the HISS and the property located at 9150 Latty Avenue, Hazelwood, Missouri ("Latty VP No. 2"), the USACE must incorporate the provisions, agreements and data set forth in the following documents previously provided to the Department of Energy ("DOE") and the USACE:
 - a. Agreement dated June 1994 between the United States Department of Energy and General Investment Funds Real Estate Holding Company.
 - b. Letter from the United States Department of Energy (by David G. Adler, Site Manager) to John Katkish, dated December 13, 1996.
 - c. Letter from the United States Department of Energy (by Ed Valdez, Site Manager) to John Katkish, dated February 24, 1997.
 - d. Letter from John Katkish to Col. Thomas J. Hadgini (USACE) and Ed Valdez (DOE) dated November 24, 1997.
 - e. Site Management Plan for 9150 Latty Avenue, Hazelwood, Missouri, by Haley & Aldrich, Inc. June, 1994.
 - f. Radiological Status of the Site at Completion of the 1997 Program, 9150 Latty Avenue, Berkeley, Missouri - March 1998, by BHE Environmental, Inc.
 - g. Decontamination of the West Side in 1996 - Radiological Status at Completion of the Heavy Vehicle Parking Area - 9150 Latty Avenue, Berkeley, Missouri - March 1998, by BHE Environmental, Inc.
 - h. A Description of the Large Soil and Debris Stockpile (Pile 1) - 9150 Latty Avenue, Berkeley, Missouri - March 1998, by BHE Environmental, Inc.
 - i. A Supplementary Description of the Large Soil and Debris Stockpile (Pile 1) - 9150 Latty Avenue, Berkeley, Missouri - March 1998, by BHE Environmental, Inc.
 - j. A Description of the Small Soil and Debris Stockpile (Pile 2) - 9150 Latty Avenue, Berkeley, Missouri - March 1998, by BHE Environmental, Inc.

2. **Generally.** The USACE has identified Alternative No. 2 as the preferred alternative (see below). First Management and GIFREHC object to the use of contaminated soil or other contaminated material as fill at Latty VP No. 2. Any such fill should allow future unrestricted access to and management of said soils by typical contractors and lay people. Only such fill should be used based upon, but not limited to, the following reasons: the difference in estimated or actual cost does not justify the use of contaminated soil as fill; the reuse of contaminated soil will require identification, sampling, segregation and stockpiling of contaminated soil, which may be a more complicated and costly course of action than using clean fill; the federal government is contractually obligated to remediate Latty VP No. 2 and so should not re-contaminate areas with below-criteria contaminated fill where previously contaminated soil has been removed.
3. **Generally.** The USACE should remediate to appropriate unrestricted use levels the areas underneath and adjacent to the piles at Latty VP No. 2, the areas along the shared fence line with the HISS and other areas, if any, which potentially could cause recontamination, during the process of removing those piles. The federal government is obligated to remediate this area and has recognized the need of the owner of that property to make improvements to the property. That area is needed for expansion of the facility for continued beneficial commercial use.
4. **Generally.** The EE/CA does not specifically identify site surface drainage designs and/or plans for revegetation of areas where soil will be disturbed.
5. **Generally.** The USACE should make available to GIFREHC, in a timely manner, all testing and/or monitoring data generated or used during the implementation of its actions under the HISS EE/CA and any other related removal actions or remediation with respect to Latty VP No. 2.
6. **Generally.** In all of its decisions and actions relating to the HISS and Latty VP No. 2, the USACE must consider and account for the fact that available data on the HISS and the Vicinity Properties, including, but not limited to, the data cited in Comment No. 1, above, which is incorporated herein by reference, indicate that the subject radiological contamination is not in secular equilibrium.
7. **Generally.** The owner of Latty VP No. 2 and its agents should have the right to provide comments on health and safety procedures used by the USACE in the implementation of its actions under the HISS EE/CA and any other related removal actions or remediation.
8. **Generally.** The USACE does not address any non-soil contamination, e.g.,

potential contamination of roofing and related materials and/or insulation in or on the building at the Latty VP No. 2 property.

9. p. ES-1, paragraph 1, "...one interim storage pile at the Stone Container property..."
 - A. Stone Container Corporation is the lessee of the property at 9150 Latty Avenue, Hazelwood, Missouri. To be consistent with the USACE's system of references to other Latty Avenue Vicinity Properties, this property should be referred to as "Latty VP No. 2."
 - B. There are two (2) temporary soil and debris stockpiles located at Latty VP No. 2.
10. p. ES-1, paragraph 3, "In 1966, Continental Mining and Milling Company of Chicago, Illinois, purchased the wastes stored at SLAPS and began moving them to a property at 9200 Latty Avenue for storage."
 - A. There is evidence that the deposit of waste materials was partially located on the western perimeter of Latty VP No. 2.
11. p. ES-1, paragraph 3, [shipment of material to Canon City]
 - A. Higher levels of contamination than previously reported by DOE that were identified on the western perimeter of Latty VP No. 2 provide evidence that materials were not efficiently and/or completely removed and shipped to Canon City. See Comment No. 1, above.
12. p. ES-1, paragraph 6, "In 1996, the owner of the property to the east of the HISS, Stone Container Corporation, expanded its facility and stockpiled approximately 8,000 yd³ of soil on the south western corner of the property. This material is known as the Stone Container pile."
 - A. Stone Container is not the owner of the referenced property.
 - B. The owner, in consultation with DOE, made reasonable and essential commercial parking and drainage improvements on the property, temporary stockpiles were necessitated because DOE had yet to commence their remediation of the property. The stockpiles were created in a manner consistent with the NCP and DOE's anticipated plan for remediation of Latty VP No. 2.
 - C. There are two (2) temporary soil and debris stockpiles located approximately in the south western portion of the property.

13. p. ES-2, second full paragraph, "The primary purpose of this action is to restrict the release of contaminated materials, thereby minimizing the potential for human health and environmental impacts. Specifically, it is desired to eliminate migration of contaminated materials from these properties to off-site soils, surface water, groundwater, or air."
- A. First Management and GIFREHC object to the use of contaminated fill in Alternative No. 2 on the additional grounds that use of such fill may thwart the stated primary purpose of this action in that the migration of contaminated materials from these properties to off-site soils, surface water, groundwater, or air may occur as a consequence of the proposed action through the construction of new stockpiles and/or from the contaminated backfill after it is placed in the ground.
14. p. ES-2, second full paragraph, "A secondary objective of this action is to restore the contiguous property and portions of the two Latty Avenue VPs to productive use."
- A. The federal government is contractually obligated to remediate and thereby "restore...to productive use" all of Latty VP No. 2.
15. p. ES-2, third full paragraph, "...soils from the three interim storage piles..."
- A. There are a total of four (4) temporary soil stockpiles at the HISS and Latty VP No. 2.
16. p. 1-1, first paragraph, "All actions by the USACE are governed under..."
- A. Actions by the USACE and/or the federal government are additionally governed under the agreement between DOE and GIFREHC executed by DOE on June 28, 1994 (above), the Site Management Plan dated April 1, 1994 (above), the letter agreements dated December 13, 1996 and February 24, 1997 (above).
17. p. 1-1, last paragraph, "...one interim storage pile at the Stone Container property..."
- A. Comment No. 7, above, is incorporated herein by reference.
18. p. 1-1, last paragraph, "This document outlines several alternatives for management of these materials, which would be consistent with the anticipated final cleanup strategy for the site."

- A. The "anticipated final cleanup strategy for the site" has not been provided.
19. p. 2-1, paragraph 1, "the Stone Container property...The Stone Container site..."
- A. Comment No. 7, above, is incorporated herein by reference.
20. p. 2-1, paragraph 1, "The vicinity properties addressed in this document include...areas on the Stone Container property along Latty Avenue and adjacent to HISS...Figure 2-1 shows the location of these properties."
- A. The USACE should address and remediate contamination on all areas of Latty VP No. 2.
- B. Comment No. 7, above, is incorporated herein by reference.
21. p. 2-2, paragraph 5, "In 1996, the owner of the property to the east of the HISS, Stone Container Corporation, expanded its facility. The owner stockpiled approximately 8,000 yd³ of soil on the south western corner of the south western corner of the property. This material is known as the Stone Container pile (or the Latty Vicinity Property No. 2 pile)."
- A. Comments on identical language on p. ES-1, above, are incorporated herein by reference.
22. p. 2-2, Figure 2-2, Location of HISS and Latty Ave Vicinity Properties
- A. The federal government is obligated to remediate all areas of Latty VP No. 2.
23. p. 2-4, Figure 2-2, [designation of Latty VP No. 2 as "Utility/Industrial Maintenance, Warehouse"]
- A. The legend for this figure does not have defined terms, therefore we cannot comment on whether this is an accurate description of Latty VP No. 2.
24. p. 2-9, paragraph 1, [references to HISS piles above 100 year floodplain]
- A. The Latty VP No. 2 piles are elevated above the 100 year flood plain. See Comment No. 1 (h-j), above.

25. p. 2-13, Table 2-1, "Radiological Result Summary for the HISS Piles"
- A. No reference or source is specified for this data; therefore, we cannot comment on its accuracy.
26. p. 2-14, Table 2-2, "Chemical Results Summary for the HISS Piles"
- A. No reference or source is specified for this data; therefore, we cannot comment on its accuracy.
27. p. 2-14, heading for, and first sentence of, paragraph 1, "*Stone Container Pile*" and "Limited data is available regarding the characteristics of the Stone Container pile."
- A. Comment No. 7, above, is incorporated herein by reference.
- B. The USACE is in receipt of comprehensive data that characterizes these piles. See Comments No. 1, above.
28. p. 2-14 to 2-15, sentence under Section 2.4.2, "...8,000 yd³ for the Stone Container pile, and 47, 850 yd³ for the Latty Avenue VPs and the contiguous property..."
- A. Comment No. 7 is incorporated herein by reference.
- B. The subject statement regarding soil volumes is ambiguous because the USACE had previously defined Latty VP No. 2 as being one of the Latty Avenue VPs.
29. p 2-15, first full paragraph, "Portions of Coldwater Creek indicate contaminant concentrations above background. Coldwater Creek may have been impacted by site residues via runoff from HISS and the Latty Avenue VPs."
- A. We have no evidence that measurable or significant contamination has entered Coldwater Creek from water drainage from Latty VP No. 2.
30. p. 2-16, Figure 2-4, "Areas of Elevated Radionuclides at HISS and Latty Avenue Vicinity"
- A. No data source is specified on which these values are based. Please see Comment No. 1 regarding data on Latty VP No. 2.
- B. This figure does not specify the depth at which the data purports to

indicate contamination levels.

31. p. 2-17, paragraph 3, "The estimated risk to the industrial worker under present conditions is approximately $6 \times [1.0\text{E-}4]$, therefore, above the EPA risk limit of $3 \times [1.0\text{E-}4]$. The predicted dose to a maximally exposed future industrial worker at the Latty Avenue VPs and the contiguous properties (in the absence of cleanup) is approximately 56 mrem/yr, excluding radon. This dose estimate is over twice the NRC decommissioning limit of 25 mrem/yr. (Dose and risk to residence would be higher.) At HISS, the pile would be maintained (assuming no removal) precluding exposure to future industrial workers at that site."
 - A. The risk level to persons at Latty VP No. 2 has been and is currently maintained at a level below the recommended EPA limit through adherence to the Site Management Plan, above. The fact that current activities at Latty VP No. 2 can continue to be conducted safely is further supported by documentation incorporated herein by reference to Comment No. 1, above.
 - B. The USACE's statement does not specify a source for this data and does not identify what activities the USACE contemplates.
32. p. 2-17, paragraph 4, "Chemical data for the Latty Avenue VPs and the contiguous property are limited, resulting in an inability to draw reasonable conclusions on nature and extent."
 - A. Comment No. 1, above, is incorporated herein by reference. Available data on Latty Avenue VP No. 2 leads to the reasonable conclusion that current use of the property poses no additional risk from chemical exposure.
33. p. 4-1, paragraph 1: "The objective of the proposed removal action is to ensure protection of human health and the environment and to facilitate preparation of the property for development to benefit the community."
 - A. The objective of the removal action regarding Latty VP No. 2 should be to ensure protection of human health and the environment and to take such actions that are consistent with and fulfill the federal government's obligations, at its sole cost and expense, to remove the piles, remediate the property and reimburse the owner for response costs incurred by the owner pursuant the Site Management Plan.
34. p. 4-2, first full paragraph, "Access Controls"

- A. The USACE does not state whether access controls may be part of actions taken under this EE/CA and/or future cleanup or other plans for the HISS and the Latty Avenue Vicinity Properties. What access controls are planned, contemplated or considered possible by the USACE for Latty VP No. 2, if any? Please identify locations on Latty VP No. 2 and time periods for any access controls identified by the USACE in response to this comment.
35. p. 4-2, second full paragraph, **"Deed and Land Use Restrictions"**
- A. The USACE does not state whether deed and/or land use restrictions may be part of actions taken under this EE/CA and/or future cleanup or other plans for the HISS and the Latty Avenue Vicinity Properties. What deed and/or land use restrictions are planned, contemplated or considered possible by the USACE for Latty VP No. 2, if any? Please state time periods of effect for any deed and/or land use restrictions identified by the USACE in response to this comment.
- B. The federal government should clean up Latty VP No. 2 such that deed and/or land use restrictions, if any, do not adversely or unfairly burden or impact the commercial value and/or use of the property.
36. p. 4-2, third full paragraph, **"Monitoring"**
- A. Comment No. 4, above, is incorporated herein by reference.
37. p. 4-3, paragraph 4, **"The Stone Container pile is covered with a protective vegetative layer."**
- A. Comment No. 7, above, is incorporated herein by reference.
- B. Specifications on the design and construction of these piles are provided in documents cited in Comment No. 1, above.
38. p. 4-5, third full paragraph, **"Groundwater subsurface barriers using a variety of methods is retained as a possible component of the action alternatives."**
- A. What groundwater subsurface barriers are planned, contemplated or considered possible by the USACE for Latty VP No. 2, if any? Please identify locations on Latty VP No. 2 and time periods of effect for any groundwater subsurface barriers identified by the USACE in response to this comment.
39. p. 4-6, fifth full paragraph, **"...methods are available to handle most**

construction-related problems expected to occur in excavating and handling excavated materials."

- A. Please identify all construction-related problems expected to occur in excavating and handling excavated materials under this EE/CA.
 - B. Please identify the methods available to handle construction-related problems expected to occur in excavating and handling excavated materials under this EE/CA.
40. p. 4-10, third full paragraph, "The site specific alternatives for the three interim storage piles..."
- A. There are a total of four (4) temporary soil stockpiles at the HISS and Latty VP No. 2.
41. p. 4-10, last paragraph, "...8,000 yd³ from the Stone Container pile..."
- A. Comment No. 7, above, is incorporated herein by reference.
42. p. 4-10, last paragraph, "...the three storage piles..."
- A. There are a total of four (4) temporary soil stockpiles at the HISS and Latty VP No. 2.
43. p. 4-11, Table 4-1, "Summary of General Response Technology Screening"
- A. Above comments on the text from which this summary is made are incorporated herein by reference.
44. pp. 4-10 to 4-12, "Alternative 2 - Excavation and Disposal with Potential Reuse of Below Criteria Soils"
- A. The USACE does not state whether below criteria soils will be used as part of actions taken under this EE/CA for Latty VP No. 2. Please identify whether use of below criteria soils as backfill is planned, contemplated or otherwise a possibility for actions under this EE/CA regarding Latty VP No. 2.
 - B. Please identify the quantity, storage location and proposed storage structure for any such use of below criteria soils as backfill at Latty VP No. 2, if any.
 - C. Please identify all plans and/or procedures that will be implemented by

the USACE to protect human health and the environment during the process of excavation, segregation, storage and use of below criteria soils as backfill at Latty VP No. 2, if any.

- D. Comment No. 3, above, is incorporated herein by reference.
 - E. Does the figure of 47,850 yd³ include soil from Latty VP No. 2 not otherwise in the Latty VP No. 2 piles? If so, please identify a breakdown of the location and quantity of soil to be removed from Latty VP No. 2 other than soil from the piles.
45. p. 4-12, first, second and third full paragraphs, **"...Stone Container pile..."**
- A. Comment No. 7, above, is incorporated herein by reference.
46. p. 4-12, **"...three storage piles..."**
- A. There are a total of four (4) temporary soil stockpiles at the HISS and Latty VP No. 2.
47. p. 5-1, paragraph 4, **"There are currently no protection measures being taken for the Stone Container pile..."**
- A. Above comments regarding the appropriate name and number of piles at 9150 Latty Avenue are incorporated herein by reference.
 - B. There are currently appropriate protection measures being taken for the Latty VP No. 2 piles. Specifications on the design and construction of these piles are provided in documents cited in Comment No. 1, above. In addition, adherence to the Site Management Plan provides appropriate and safe protections at the property.
48. 5-2, paragraph 2, **"The ingestion pathway contributes the highest portion of the total dose..."**
- A. Please confirm that the USACE means "ingestion pathway" and not "inhalation pathway."
 - B. If "ingestion pathway" is the intended meaning, please identify the basis for this statement.
49. p. 5-3, paragraph 1, **"The potential exists for increased risks in the future associated with site changes undertaken by the owners."**

- A. Site changes undertaken by the owner of Latty VP No. 2 were made pursuant to the Site Management Plan, in consultation with DOE and in compliance with applicable law and regulation. No increased radiological risks have been associated with those actions. Comment No. 1 is incorporated herein by reference.
50. p. 5-4, first full paragraph, **"Under Alternatives 2 and 3, contaminated material would remain in the HISS subsurface and possibly under the buildings on the Latty Avenue VPs, therefore, these properties would remain under USACE controls pending final action at the St. Louis site."**
- A. Please confirm that the above statement means that no contaminated material would remain at the Latty Avenue VPs, specifically including Latty VP No. 2, other than that which "possibly" could exist under buildings. If this is not the meaning of the above statement from the EE/CA, please explain.
- B. Please identify what evidence, if any, does the USACE have that there is possibly contaminated material under buildings at the Latty Avenue VPs.
- C. Please identify what residual contamination levels will be used by the USACE regarding building structures and subsurfaces below buildings at Latty VP No. 2.
- D. Please identify and explain under what "USACE controls" the Latty Avenue VPs could remain under pending final action at the St. Louis site.
51. p. 5-4, last paragraph, **"Alternatives 2 and 3 are technically feasible. Similar projects have been done in the past and have presented no special difficulty."**
- A. Please specifically identify all "similar projects [which] have been done in the past."
52. p. 5-5, first paragraph, **"Temporary stockpiling of soils below the selected criteria under Alternative 2 has been done in the past and presents no special difficulty."**
- A. The process of excavation, identification and segregation of below criteria soil and then construction, monitoring and maintenance of interim stockpiles of those soils is an unnecessarily complicated plan given even the estimated cost difference (which may be too low). The

USACE should dispose of all contaminated soils and use only clean soil as backfill.

- B. On p. 5-6, below, the USACE states that Alternative 2 "...has some barriers to technical implementability as the need to segregate these soils during [sic] could complicate the excavation removal action." The temporary stockpiling of soils below the selected criteria under Alternative 2 therefore may present special difficulty. The owner of Latty VP No. 2 reiterates its position that the USACE should remediate and dispose of all contaminated soils at Latty VP No. 2 and use only clean soil as backfill.
53. p. 5-5, second paragraph under Section 5.2.2, **"Excavation activities on the VPs will require coordination and scheduling to meet the current occupants' requirements."**
- A. Excavation activities on the VPs will require coordination and scheduling to meet the requirements of the current owner of Latty VP No. 2 as well.
 - B. The owner of Latty VP No. 2 reserves all rights regarding any proposed action by USACE on that property.
54. p. 5-6, second full paragraph, **"The estimated costs for Alternatives 2 and 3 are \$70 million and \$73.5 million, respectively. Alternative 2 provides a cost savings as less material is shipped off site for commercial disposal."**
- A. The potential for error in these estimates, especially concerning estimates for costs regarding segregating and stockpiling of below criteria soil, makes this estimate of cost savings a poor and/or invalid basis for choosing Alternative 2 over Alternative 3.
55. p. 5-6, last full paragraph, **"Alternative 2...has some barriers to technical implementability as the need to segregate these soils during [sic] could complicate the excavation removal action."**
- A. Comments on p. 5-5, above, are incorporated herein by reference.
 - B. Please identify all potential barriers to technical implementability regarding the segregation of soils during the proposed implementation of Alternative 2.
56. p. 7-1, paragraph 3, **"Under Alternative 2, soils from the three interim storage piles, the two Latty Avenue VPs, and the contiguous property that exceed**

the selected criteria of 5/15/50 pCi/g for Ra-226, Th-230, and U-238, respectively would be excavated and removed. Soils below the 15 pCi/g for Ra-226 and Th-230, and 50 pCi/g for U would be placed in interim storage at HISS potentially awaiting backfill in the HISS subsurface."

A. The first and second sentences of this paragraph are logically inconsistent. As stated, soils with Ra-226 and/or Th-230 at levels between 5 and 15 pCi/g "would be excavated and removed" and at the same time "would be placed in interim storage at the HISS" for potential use as backfill in the subsurface.

57. p. 7-2, last bullet point, ". Verification of cleanup goals."

A. Please identify the cleanup goals and how they will be verified.

58. pp. A-1 through A-9, **Appendix A - Applicable or Relevant and Appropriate Requirements**

A. Please confirm that the citations to "CSR" are not meant to be to "CFR" (the Code of Federal Regulations).

59. p. A-9, citation to 19 CSR 20-10.040 and description of "**Maximum Permissible Exposure Limits for Radiation**"

A. Both the citation to and the description of current federal Maximum Permissible Exposure Limits for Radiation are incorrect.

60. **Appendix C, "Radiological Risk and Dose Detriment"**

A. Insufficient data is provided to verify the USACE's RESRAD computations. We reserve the right to provide further comments when sufficient data is presented for verification.

61. p. C-1, second full paragraph, multiple references to "**Stone Container piles**"

A. Comments Nos. 1 and 7, above, are incorporated herein by reference.

62. p. C-1, third paragraph, "**Remedial alternatives for HISS subsurface soils (including both stockpiled soils and non-pile soils) will be evaluated at a future date.**"

A. No mention is made in the introductory or background information in this EE/CA of the stockpiling of soils in the subsurface at HISS. Please identify the location, volume and radiological characterization data for

all subsurface stockpiled soils at HISS.

63. p. C-2, first full paragraph, "To assess potential risks and doses to industrial and remediation workers, the St. Louis site database was queried to estimate exposure concentrations. For this assessment, data from the piles (collected in a 1997 characterization effort) and other properties was aggregated into three subsets of radionuclide concentrations."
- A. At p. 2-14, this EE/CA states that "Limited data is available regarding the characteristics of the Stone Container pile [Comments on data concerning Latty VP No. 2, above, are incorporated herein by reference]." Please identify what data from which piles is referenced in the subject passage, above.
- B. Please state how the USACE's "Data Evaluation" identified on p. C-2 would differ, if at all, in light of the data contained in the materials provided to the USACE regarding the characterization of the Latty VP No. 2 piles (see Comment No. 1, above).
64. p. C-2, first full paragraph, "3. The third subset included an aggregate of the concentrations in the other properties and the HISS and Stone Container piles soil that exceed the SOR > 1 criterion."
- A. Comments on p. C-2, above, are incorporated herein by reference.
- B. Comment No. 1, above, is incorporated herein by reference.
65. p. C-3, paragraph 1, "[The industrial worker] inhales 8,400 m³ of air per year, ingests 36.5 grams of soil per year, and receives water from a municipal source."
- A. Please provide the source for this data.
66. p. C-3, first full paragraph, regarding dose estimates for Industrial Workers
- A. Comments on p. 2-17, above, are incorporated herein by reference.
67. p. C-3, paragraph 2, "The remediation worker's inhalation and soil ingestion rates are assumed to be 12,300 m³ per year and 175 grams per year, respectively."
- A. Please provide the source for this data.
68. p. C-3, second full paragraph, regarding dose estimates for Remediation

Worker[s]

- A. Empirical data on radiological risk during excavation activities at Latty VP No. 2 during 1996 and 1997 is provided in documents cited in Comment No. 1, above, and are incorporated herein by reference.
 - B. Comment No. 1, above, is incorporated herein by reference.
69. p. C-3, fourth paragraph, **"Potential radiological [sic] to the industrial worker and remedial worker are summarized in Table C-3."**
- A. It is assumed that the word "risk" was unintentionally omitted from this sentence.
 - B. Comments on Table C-3, below, are incorporated herein by reference.
70. p. C-4, second full paragraph, **"Indoor radon concentrations are estimated to be approximately 0.02 working level (WL) assuming no action is taken at the Latty VP and adjacent properties. Any remedial activities would reduce indoor concentrations to below 0.02 WL, and would thus meet EPA criteria for indoor radon concentrations."**
- A. We are aware of no data regarding Latty VP No. 2 that demonstrates exceedance of EPA criteria for indoor radon concentrations.
 - B. This EE/CA provides no data, calculations, mechanism or plan that supports the proposition that implementation of any of the proposed Alternatives would reduce indoor radon concentrations.
71. p. C-5, Table C-1, **"RME Concentrations of Radionuclides in the Source Term"**
- A. Comment No. 1, above, is incorporated herein by reference.
72. p. C-6, Table C-3, **"Risk and Dose Contributions by Radionuclide and Pathway (mrem)"**
- A. Comments on p. 2-17, above, are incorporated herein by reference.
73. p. D-2, fourth full paragraph, **"As another example, WBS 1.1.1.3.1.4, Excavation and Backfill is based on excavation volume as well as site specific complexities."**

- A. Please identify all site specific complexities for Latty VP No. 2.
 - B. Comments on p. 5-5, above, are incorporated by reference herein.
74. pp. D-5 to D-6, Table D-2 "HISS EE/CA - Remedy 2" and Table D-3 "HISS EE/CA Remedy 3"
- A. These tables do not address potential non-soil contamination at the Latty VP No. 2 property.
75. Appendix D "Engineering Evaluation/Cost Analysis (EE/CA) for the Hazelwood Interim Storage Site (HISS)"
- A. The difference in the estimated costs for Alternatives 2 and 3 is negligible because the actual total cost of the segregation and stockpiling plan will likely subsume that amount. This difference is therefore an insufficient basis for choosing Alternative 2 over Alternative 3.

/netuser17/lorrig/op/321.66.133/pub-comm-final.wpf