

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

November 6, 2009

LU-9J

Via E-mail and Certified Mail 7001 0320 0006 0188 1588
Return Receipt Requested

Mike Slenska
Beazer East, Inc.
One Oxford Center, Suite 3000
Pittsburgh, PA 15219-6401

Re: Conditional Approval EA SAPs
*"Work Plan for Additional
Investigations,"* dated October, 26 2009
Administrative Order on Consent
U.S. EPA ID NO. ILD 000 819 946
Beazer East, Inc., Carbondale, IL

Dear Mr. Slenska:

EPA has reviewed the Beazer, East Inc. (Beazer) "Work Plan for Additional Investigations" ("Work Plan"), dated October 26, 2009. (For purposes of continuity, it should be noted that in former correspondence and discussion the Work Plan has been referred to as "Evaluation Area Sampling and Analysis Plan" (SAPs) and "Exposure Area" SAPs). Although the Work Plan is not as comprehensive as EPA had requested (see EPA letter dated December 18, 2009), the information obtained from the sampling will serve to further the characterization of the nature and extent of polychlorinated dibenzo-p-dioxins/polychlorinated dibenzofurans (PCDDs/PCDFs) and, to a limited degree, other constituents at the Site.

Additionally, for the South Drainage Ditch area (Evaluation Area 1), the sampling will serve to identify up to 3,000 cubic yards of contaminated soil requiring remediation for placement into the Site CAMU. This volume of material would fill the unit so that it can be closed with a final cover (replacing the temporary cover). The original goal was to complete the CAMU in 2009. Based on information conveyed by Beazer last spring and summer, Beazer may already have sufficient information to identify 3,000 cubic yards of contaminated soil in this area so that the CAMU can be completed without waiting for the analytical results from this sampling event. Please identify your plans for closing the CAMU in the schedule required by Condition 2, below.

EPA discussed the Work Plan with Beazer during several meetings and teleconferences beginning in January 2009. EPA concurred with the current set of sampling locations during teleconferences with Beazer in September 2009. The information to be obtained from this sampling event is anticipated to be sufficient such that EPA can make a decision regarding 1) whether there are sufficient data to evaluate the PCDDs/PCDFs

contamination at the Site, or 2) whether additional on-site and/or off-site characterization is needed.

While EPA's issues with the Work Plan have been mostly resolved (see EPA letters September 24, 2009 and August 10, 2009), EPA has some residual concerns. However, these concerns do not justify postponing the execution of the Work Plan. The concerns are described below in Section A as *General Concerns and Comments* and in Section B as *Conditions for Approval of the Work Plan*.

Section A General Concerns and Comments

- 1) An uninformed person reading the descriptions of the 2005 sampling events (EPA's off-site sampling in the adjacent neighborhood and Beazer's surface cover pre-design sampling) could mistakenly infer that the analyte lists for these events included PCDDs/PCDFs. Any future description of these events should clearly indicate that PCDDs/PCDFs concentrations were not analyzed in the samples.
- 2) EPA is requesting that Beazer communicate the results of this PCDDs/PCDFs characterization event and the prior characterization events to interested parties, consistent with its February 2003 *Public Information Plan (PIP)*. A "Community Update" fact sheet as described in the PIP should be sent to the parties on the mailing list, including but not limited to, the City of Carbondale, the Jackson County Health Department, the neighboring Northeast Side community of Carbondale, and the neighboring farms and others in the vicinity of the Site. Please coordinate this effort with EPA beginning in January 2010.
- 3) One stated purpose of the Work Plan for EAs 1, 2, 3, and 5 is to provide data to support future human health and ecological risk evaluations. It must be noted that the data set from this sampling event may not be sufficient to complete the risk evaluations, but could become a subset of the data used for the evaluations.
- 4) One stated purpose of the Work Plan for EAs 2, 3, and 5 is to determine the need for sampling in downgradient locations. While not identified as a purpose of sampling in EA 1, it must be noted that the data from EA 1 may indicate that the extent of the contamination has not been identified and further sampling may be needed. EPA will evaluate the data from all the EAs to determine whether additional sampling is needed within and/or outside EAs 1, 2, 3, and 5.
- 5) If further sampling is needed, EPA will likely require a statistically-based grid sample design for the remaining characterization efforts both on-site and off-site.

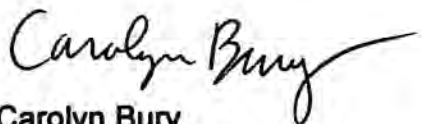
Section B Conditions for Approval of the Work Plan

The Work Plan is conditionally approved as follows:

- 1) Beazer must submit a schedule to EPA for completing the Work Plan, the CAMU-related soil remedy including the CAMU final cover installation, within two weeks of receipt of this letter (by November 20, 2009). As stated in the Work Plan schedule, the field work should begin approximately two weeks following EPA approval (however a one-week delay due to the Thanksgiving holiday is acceptable).
- 2) The Functional QAPP approval (signature) page (Attachment/Appendix E) must be expanded to include signatures from the representatives of the laboratories completing the analytical work (Test America and Vista Analytical Laboratory). In the interest of saving time, these signatures can be added to the bottom of the current approval page or added as a second page to Beazer's current approval page. The approval page(s) may be routed as .pdf files using e-mail, followed by transmittal of the original document using a routine mail service. EPA assumes that obtaining the laboratory signatures will require only a matter of days, per a November 4, 2009 discussion with your contractor. The revised approval page(s) should be sent to EPA within two weeks of receipt of this letter (by November 20, 2009). *The field work should not be postponed based on a delay in obtaining the laboratory signatures.*

This letter encompasses a conditional approval of the Work Plan. The conditions do not require rewriting or resubmitting the Work Plan. Beazer may not delay the execution of the Work Plan based on a response to the concerns, comments, or conditions in this letter, although a response can be provided. Please call me at 312-886-3020 if you have any questions.

Sincerely,



Carolyn Bury
Project Manager

electronic cc: Jim Moore, IEPA
Jeff Holden, Arcadis
David Bessingpas, Arcadis
Allen Debus, EPA CAS2
Bhooma Sundar, EPA CAS2
Tom Williams, EPA ORC