

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

APR 04 2014

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Michael P. Rissman
Republic Services, Inc.
18500 North Allied Way
Phoenix, AZ 85054

Dear Mr. Rissman:

This letter will summarize the U.S. Environmental Protection Agency's decisions about the isolation barrier proposal presented by the PRPs; outline the topics intended to be established by the forthcoming Administrative Order on Consent establishing a schedule of pre-construction work required to be undertaken by the PRPs in the near future; and alert the PRPs to this agency's expectations for promptly concluding the isolation barrier survey, design, and location work.

This agency's review of the preliminary isolation barrier design and location proposals from the PRPs has concluded the design and the location neither meet the goal to separate all of the RIM from the Bridgeton Landfill SSE nor present a feasible proven design that can be expeditiously completed. This agency's Office of Research and Development and Region 7's Superfund Division have informed the PRPs that the isolation barrier design will have to reflect successful experiences already established at the Ohio Countywide Solid Waste Landfill. The barrier must be durable enough over the long term to secure its objective: completely separating the SSE from all identified RIM in order both to assure the public safety and to enable this agency to complete long-term remedial studies and remedy selection. This agency expects the PRPs to furnish designs and a work plan promptly and to incorporate recommendations established by ORD.

Survey work to locate the isolation barrier has progressed enough to establish the basis for initiating pre-construction activities. This agency's forthcoming Order will outline a schedule for commencing those activities shortly after May 1, 2014. The statement of work required to be prepared by the PRPs, and approved by the EPA, must include the placement and activation of an air monitoring system, development of a bird mitigation plan to satisfy the St. Louis Airport's legal duty to ensure air safety against bird strikes, and the schedule for completing the final phase of surveys underway to establish both the location of RIM subject to CERCLA authorities and the geo-technical site features needed to permit submission of a feasible isolation barrier design.

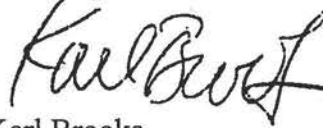
The PRPs' isolation barrier design and work plans must include a clear plan to manage the material that will be excavated during construction. Work plans must, of course, include means of assuring this agency that excavated material has been screened for the presence of RIM before it is transported for storage or appropriate disposal. Once this agency is satisfied that the PRPs have met these requirements, a further Administrative Order on Consent will establish the legal basis for commencing and concluding barrier construction.



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Region 7 believes that discussions to date with the PRPs have established a clear understanding that pre-construction activities can and should start soon. The Interagency Agreement soon to be concluded between the EPA and the Army Corps of Engineers will include a list of these activities, and the PRPs have also been furnished this list. Corps construction management assistance will assure this agency, and the public, that these activities will be consistent with the next phase of the isolation barrier project once this agency has approved a final design and location.

Sincerely,



Karl Brooks

cc: William Beck, Esq., Lathrop and Gage LLP, Kansas City, MO
Jessica Merrigan, Esq., Lathrop and Gage LLP, Kansas City, MO
The Honorable Chris Koster, Missouri Attorney General's Office, Jefferson City, MO
Sara Parker Pauley, Director, Missouri Department of Natural Resources, Jefferson City, MO