

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

JAN 17 2014

OFFICE OF THE
REGIONAL ADMINISTRATOR

The Honorable Chris Koster
Attorney General of Missouri
P.O. Box 899
Jefferson City, Missouri 65102

Dear Mr. Koster:

Your letter of January 8, 2014, gives me the opportunity to reaffirm the U.S. Environmental Protection Agency's commitment to addressing the conditions you described at the Bridgeton and West Lake Landfills as promptly as possible. We agree the state of Missouri and the EPA should keep each other well informed, and that our agencies' commitment to protecting public health and the environment requires frequently sharing updates with the public. The information below serves both goals.

The EPA has been fully engaged in overseeing the work that Republic Services is performing to identify the best location for the proposed subsurface isolation barrier. Region 7 staff have been at the site during all field work and this agency continues to review and comment on work plans. The EPA and the State have understood that a prerequisite to constructing an isolation barrier is to test the soils to identify its appropriate location. Gas cone penetrometer testing performed by Republic indicated radiologically impacted material in areas not previously identified. This finding requires further testing, which is consistent with the Missouri Department of Natural Resources' July 24, 2013, letter to Republic. MDNR specified that "no portion of the isolation barrier required to be installed in Part 2 of the Plan may be implemented until an evaluation of the barrier's final location is approved by the department and the U.S. Environmental Protection Agency." That letter further states: "To determine the presence or absence of any radiologically impacted material within the proposed excavation lines, the plan must incorporate sufficient sampling/monitoring to ensure identification of such radiologically impacted material and must include a waste characterization component, i.e. types of waste present and quantities." The EPA is committed to collecting the necessary information to make these determinations. The EPA will continue to require Republic to accelerate its work schedule as long as this agency obtains the required information.

The EPA appreciates the public interest in a schedule for completing the comprehensive radiological survey and constructing the isolation barrier. However, a definitive schedule for these events cannot be provided until the EPA, with state participation, resolves these issues: sampling for undiscovered radiologically impacted material, the specific barrier technology to be used and its specific alignment along the edge of the North Quarry Landfill cell. Setting an arbitrary schedule and attempting to force the isolation barrier project to adhere to that schedule in the face of these uncertainties could compromise the integrity of the information required to install the barrier safely and effectively. I assure you, as I regularly do the public and their elected representatives, that this agency will continue to do its work at West Lake as promptly and prudently as possible.



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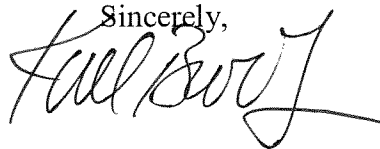
Your January 8 letter asked the EPA to make public its contingency plan “in the event that the construction of the isolation barrier becomes infeasible.” Installation of the subsurface barrier is itself the contingency plan required by your order with Republic. MDNR’s September 18, 2013, comments to the EPA on the draft North Quarry Contingency Plan – Part 2 noted: “The intent of this comment was to state that regardless of the results of the GCPT investigation, a location for the isolation barrier must be chosen that separates Operable Unit 1, Area 1 from the Bridgeton Sanitary Landfill North Quarry.” The EPA will continue to oversee work by Republic to find such a location for the isolation barrier.

Your letter makes the important point that the EPA Region 7, MDNR and your office need to keep each other fully informed about this important and complex project. Once the isolation barrier location is chosen, the EPA must cooperate closely with your office and MDNR to ensure that construction of the isolation barrier meets Republic’s obligations under both the State and the EPA’s orders.

I appreciate your office’s efforts to protect the health and safety of Missourians concerned about the subsurface smoldering event at the Bridgeton Landfill, as well as your excellent questions about the EPA’s efforts to site and construct an isolation barrier between Bridgeton Landfill and the West Lake Landfill.

Thank you for your letter. Please feel free to contact me at (913) 551-7006.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Brooks", written in a cursive style.

Karl Brooks