



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 26 2017

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

Mr. Stephen P. Risotto  
Senior Director  
American Chemistry Council  
700 Second Street, NE  
Washington, D.C. 20002

Dear Mr. Risotto:

Thank you for meeting with the Office of Land and Emergency Management (OLEM) representatives on June 22, 2017, and your follow-up letter of June 28, 2017. In both the meeting and your letter, you raised concerns regarding the U.S. Environmental Protection Agency's (EPA) recommendation to consider early or interim cleanup actions to address indoor air exposure to trichloroethylene (TCE) at contaminated sites. Specifically, your concerns involved the scientific data behind and the implementation cost associated with the Office of Superfund Remediation and Technology Innovation (OSRTI) August 27, 2014, memorandum, *Compilation of Information Relating to Early/Interim Actions at Superfund Sites and the TCE IRIS Assessment*. Based on these concerns, you requested that the EPA suspend implementation of the 2014 memorandum and related regional memoranda until the completion and consideration of an ongoing TCE risk evaluation by EPA's Office Chemical Safety and Pollution Prevention (OCSPP).

With respect to use of toxicity information in support of OLEM risk assessments, OLEM's use of the TCE Integrated Risk Information System (IRIS) assessment, first issued in 2011 and reaffirmed in 2016, is consistent with longstanding OLEM policy as reflected in the OSRTI memo cited above. Following the Office of Solid Waste and Emergency Response Directive 9285.7-53, when available, IRIS assessments are the preferred source of human health toxicity values. Consistent with OLEM policy, the 2014 memorandum did not direct regions to utilize a chronic reference concentration for short-term exposure. Rather, the 2014 OSRTI memorandum restated the findings of the 2011 IRIS evaluation and cited existing guidance about the use of early or interim actions and consideration of non-cancer health effects. We are aware of the ongoing hazard assessment for TCE that is currently being conducted by OCSPP which may incorporate additional data not considered by the IRIS program. When that assessment becomes available, OLEM will consider whether it would be appropriate to update our assessments for TCE to reflect the findings of the OCSPP assessment.

After canvassing EPA's regional offices, we have been unable to confirm that there has been a significant increase in remediation costs at TCE-contaminated Superfund sites as a result of the 2014 policy. A review of removal actions for sites with TCE, as recorded in EPA's Superfund Enterprise Management System (SEMS) database, failed to find any difference in the number of removals in the three years preceding the memorandum and the three years since the memorandum was issued (an

average of 11 per year). Additionally, the EPA is not aware of an increase in the costs of employing engineered exposure controls (e.g., slab depressurization systems) as an interim response action for vapor intrusion.

While OLEM appreciates your concerns regarding EPA's approach for indoor air exposure to TCE from vapor intrusion, our 2014 memorandum is simply a compilation of existing information and guidance. We failed to find evidence of any significant cost impact associated with the memorandum. Since it is consistent with longstanding OLEM guidance and provides information useful to EPA regions, we currently plan to keep the 2014 memorandum and related regional memoranda in place. If new information becomes available, we will consider whether updates are appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Davis', written in a cursive style.

Patrick Davis  
Deputy Assistant Administrator