



**REGION 4**  
ATLANTA, GA 30303

**ENVIRONMENTAL COMPLIANCE &**

July 31, 2025

SRNS-OS-2025-00216

**JUL 31 2025**

Mr. Matthew Baker, SRS Remedial Project Manager  
Remediation and Deactivation & Decommissioning Division  
U.S. Department of Energy  
Savannah River Operations Office  
P.O. Box A  
Aiken, South Carolina 29802

**AREA COMPLETION PROJECTS**

**Statement of Basis/Proposed Plan for the Early Construction and Operational Disposal Site L-3 (NBN), L-Area Rubble Pit (131-1L), and L-Area Rubble Pit (131-4L) Operable Unit (U) (SRNS-RP-2025-00724, Revision 0, June 2025), Statement of Basis/Proposed Plan Fact Sheet (SRNS-RP-2025-00790, June 2025), Scoping Summary (SRNS-RP-2021-05232, April 2025, Final), and the Draft Public Notice Information, SEMS Numbers: 91**

Dear Mr. Baker,

The U.S. Environmental Protection Agency, Region 4 (EPA), has reviewed the June 5, 2025 R0 draft Proposed Plan for the ECOD, 131-L, and 131-4L for L Area. Our comments are attached, as well as additional attached ARAR table for asbestos to be considered.

If you have any questions or require additional information, please contact me at (404) 431-1340.

Sincerely,

**JON  
RICHARDS**

Digitally signed by JON  
RICHARDS  
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Jon Richards  
FFA Remedial Project Manager  
Superfund & Emergency Management Division

ec: C.L. Bergren, SRNS-ACP  
Susan Fulmer, SCDHEC

## GENERAL COMMENT

1. Section VI (Remedial Action Objectives) states that no remedial action objectives (RAOs) were developed for L-Area Rubble Pit (LRP) 131-1L subunit since there were no problems warranting action identified, and Section IX (Preferred Alternative) lists “no action” as the preferred remedy for LRP 131-1L; however, Section III (Operable Unit Background) indicates that asbestos and transite, a non-friable asbestos containing material (ACM) were disposed of on the surface of LRP 131-1L. Figure 5, Photos of Rubble on the Surface of LRP 131-1L Subunit shows what appears to be transite that has been crushed and crumbled. Since friable asbestos potentially remains at the surface and poses a risk to human receptors it is unclear whether RAOs should be developed for LRP 131-1L for protection of human health. ***Please revise the Statement of Basis/Proposed Plan to re-assess the selected remedy for LRP 131-1L and develop RAOs and prepare the associated detailed cost estimate, or, provide quantitative information demonstrating that the ACM does not pose an unacceptable risk to human receptors.***
2. The sections in the proposed plan do not include all the recommended sections or follow the section order provided in EPA’s guidance on writing proposed plans, A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents, OSWER 9200 1-23P (hereinafter “EPA Proposed Plan Guidance”). For example, the proposed plan is missing a Site Background section but includes an SRS Compliance History section, which provides some information about site background, but is not specifically required in a proposed plan. There is an OU Background Section, but the Site Characteristics section specified in EPA’s proposed plan guidance is missing. The Community Participation Section is at the beginning of the proposed plan, but in EPA’s Proposed Plan Guidance, that section goes at the end. The section entitled Comparative Analysis of Alternatives should be titled Evaluation of Alternatives instead. The specific comments below are intended to address some aspects of this general comment. ***Please address those. Going forward, please ensure that the EPA Proposed Plan Guidance is followed to ensure that PPs written at SRS are consistent with other PPs issues across the DOE complex and at other federal and private Superfund sites.***<sup>1</sup>
3. The SB/PP and future ROD will need to be very clear when remedial actions are warranted that the potential risk is justified for federal or state approvals, for example, potential subsurface contamination [ACM], or if the risk to the receptor is less than 10<sup>-4</sup>, we will need to discuss in the core team the appropriate language justifying the remedial action [e.g.LUCs] is prompted by the state’s lower preference for some type of action if risk is over 10<sup>-6</sup>.

### Specific Comments:

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<sup>1</sup> Note FFA Section XXII.G.2 which states that, “[r]eview of any document by the EPA and SCDHEC may concern all aspects of the document (including its completeness) and should include, but is not limited to, technical evaluation of any aspect of the document and consistency with CERCLA, the NCP and any pertinent guidance or policy promulgated by the EPA or SCDHEC.” In addition, FFA Section XXXV states, “[t]he Parties agree that work conducted under this Agreement and any subsequently proposed remedial action alternative(s) and subsequent plan(s) for remedial action at the site arising out of this Agreement shall comply with the public participation requirements of CERCLA, including Section 117 of CERCLA, 42 U.S.C. § 9617, the NCP, RCRA (as applicable), all applicable guidance developed by EPA, and all applicable State laws.” Lastly, before the FFA can be terminated, FFA Section XLIX states that, “The notice shall state that, in the opinion of EPA and SCDHEC, the DOE has satisfied all the terms of this Agreement in accordance with the requirements of CERCLA, the NCP, Section 3008(h) of RCRA, 42 U.S.C. § 6928(h), and related guidance, and applicable State laws and that the work performed by DOE was consistent with the agreed-to remedial actions.”

Comment #1: Section Information and Background, Introduction, p. 9: ***Please revise the Introduction section to specifically state the relationship of the RI/FS to the Proposed Plan as EPA's proposed guidance requires.*** Although this information is somewhat included in the SRS Compliance History section, EPA's Proposed Plan guidance requires a more clear and direct statement. See EPA Proposed Plan Guidance at p. 3-2 (stating that in the introduction "[a] clear statement should be made that the Proposed Plan highlights key information from the RI/FS Report. The Plan should refer the reader to the RI/FS Report and the Administrative Record file for more information regarding the remedial action.").

Comment #2: Section Information and Background, Introduction, p. 9: ***Please revise the Introduction section to clarify that it is important to receive public information on all alternatives, not just the preferred alternative.*** See EPA Proposed Plan Guidance at 3-2 (stating that the introduction should include a statement as to the "[i]mportance to the remedy selection process of public input on *all* alternatives and on the rationale for the Preferred Alternative."). In addition, please direct the public that it can provide "written and oral comments on the proposed plan and the supporting analysis and information located in the information repository, including the RI/FS." 40 CFR 300.430(f)(3)(i)(C).

Comment #3: Section Information and Background, Introduction, first paragraph, p. 9: The Proposed Plan states, "The purpose of this SB/PP is to describe the preferred remedial alternative(s) . . . and to provide for public involvement in the decision-making process." ***Revise this sentence to expressly state that the Proposed Plan is a document that the lead agency is required to issue to fulfill the requirements of CERCLA §117(a) and NCP §300.430(f)(2). In addition, please add to the purposes listed, the purpose of the proposed plan is also to provide basic background information, describe the other remedial options considered, and to solicit public review of and comment on all alternatives described.*** See EPA Proposed Plan Guidance at p. 3-1–3-2 (stating "[t]he public should be informed of the function of the Proposed Plan in the remedy selection process, specifically, its purposes are the following: Provide basic background information. Identify the Preferred Alternative for remedial action at a site or operable unit and explain all reasons for the preference. Describe the other remedial options considered. Solicit public review of and comment on all alternatives described. Provide information on how the public can be involved in the remedy selection process.").

Comment #4: Section SRS Compliance History, p. 10, first paragraph: After the reference to the RCRA, ***please provide the citation 42 U.S.C. Ch. 82 or 42 U.S.C. §§ 6901–6992k.***

Comment #5: Section SRS Compliance History, p. 10, second paragraph: ***In the sentence starting with "[i]n accordance with Section 120 of CERCLA," cite 42 U.S.C. § 9620(e)(2) instead of 42 U.S.C. § 9620.***

Comment #6: Section SRS Compliance History, p. 10, second column: A sentence states "[p]ublic participation requirements are listed in . . . Sections 113 and 117 of CERCLA 42 U.S.C. § 9613 and 9617." ***Revise to state "Sections 113 and 117 of CERCLA, 42 U.S.C. §§ 9613(k) and 9617(a)" instead.***

Comment #7: Section SRS Compliance History, p. 11, first incomplete paragraph: ***Revise to state that USDOE and EPA will select the remedial alternative in consultation with SCDES. See 42 U.S.C. § 9620(e)(4)(A).***

Comment #8: Section Community Participation, p. 11: ***This section is usually located at the end of the proposed plan. Consider relocating this section to improve document flow.*** See EPA Proposed Plan

Guidance at Highlight 3-1 on p. 3-2 and section 3.3.10 Community participation on p. 3-10.

Comment #9: Section Community Involvement, p. 11: ***The dates of the public comment period should be specified in the proposed plan.*** See EPA Proposed Plan Guidance at p. 3-10.

Comment #10: Section Site Characteristics (missing from proposed plan): ***EPA Proposed Plan Guidance provides that there should be a Site Characteristics section in a proposed plan that describes information including the physical characteristics of the site, geographical or topographical factors that had a major impact on remedy selection, the nature and extent of contamination, the source materials on the site that constitute principal threats, etc.*** See EPA Proposed Plan Guidance at 3-3, Recommended Outline and Checklist for a Proposed Plan at 3-14. Some of the information that should go in the Site Characteristics section is scattered elsewhere in the proposed plan like the Introduction and Operational Unit Background Section, but not all the required information is present.

Comment #11: Section Operable Unit Background, ECODS L-3 subunit, p. 12, column 2, last paragraph: The document states “[a]ll samples were analyzed for the complete list of Target Analyte List (TAL) and Target Compound List (TCL) constituents and the data was validated to definitive level.” What does “definitive level” mean? Is it a term of art? ***Consider providing a definition for the term definitive level or using a more general wording.*** See, e.g., EPA Proposed Plan Guidance at 3-5 (explaining that in the summary of remedial alternatives, for example, “[t]echnology terms used to describe remedy components that are likely to be unfamiliar to the public, . . . should be explained in the remedial description or glossary. Where possible, use general terms to describe cleanup technologies . . .”).

Comment #12: Section Operable Unit Background, ECODS L-3 subunit, p. 12, column 2, last paragraph: The document states “[b]ased on the site evaluation report (SER) and in accordance with Section 300.420(b)(1)(I) of the NCP . . .” There is a typo in the citation. ***Revise to cite either Section 300.420(b)(1) or Section 300.420(b)(1)(i) of the NCP.***

Comment #13: Section Operable Unit Background, LRP 131-4L Subunit, p. 14, second complete paragraph: The second sentence of the second complete paragraph begins with “[b]ased on the SER, in accordance with 300.420(b)(1)(I) of the NCP . . .” There is a typo in the citation. ***Revise to cite either Section 300.420(b)(1) or Section 300.420(b)(1)(i) of the NCP.***

Comment #14: Section Scope and Role of Operable Unit or Response Action, p. 15: ***The information in the subsections ECODS L-3 Subunit, LRP 131-1L Subunit, and LRP 131-4L Subunit should go in the Summary of Site Risks and Summary of Remedial Alternatives sections, not in the Scope and Role of Operable Unit or Response Action section.*** The discussion of the refined constituents of concern and future land uses of the sites should be placed in the Summary of Site Risks section. See EPA Proposed Plan Guidance at p. 3-4 and proposed plan checklist at 3-15 (noting that key information from the baseline risk assessment that should be covered in the proposed plan, Summary of Site Risks section includes land use and groundwater use assumptions and major chemicals of concern in each medium).

Comment #15: Section Scope and Role of Operable Unit or Response Action, p. 15: The document discusses the preferred alternative for the remedy, i.e. no action or LUCS, in this section. ***This identification of the preferred alternative should be placed in the Summary of Remedial Alternatives Section rather than the Scope and Role of Operable Unit or Response Action section.*** See EPA Proposed Plan Guidance at p. 3-5 (discussing the Summary of Remedial Alternatives section and stating

that “[t]he alternative that is recommended as the preferred alternative should be identified as such at the beginning of this section”).

Comment #16: Section Summary of Site Risks, Problems Warranting Action, ECODS L-3 Subunit at p. 17, third bullet point: The document states “PCBs are present in surface soil (0 to 0.3 m [0 to 1 ft]) that exceed the Toxic Substance Control Act Applicable or Relevant and Appropriate Requirements threshold of 1 mg/kg for high occupancy (i.e., unrestricted land use).” **Provide a citation to 40 CFR § 761.61(a)(4)(i)(A) of the TSCA, which is the source of this cleanup level.** In addition, it may be useful to use the examples of “high occupancy” and “low occupancy” used in the TSCA regulations, so that public knows that the distinction between these uses is more than just “residential” versus “industrial.” For instance, at 40 CFR 761.3, “high occupancy” contains the following text: “Examples could include a residence, school, day care center, sleeping quarters, a single or multiple occupancy 40 hours per week work station, a school class room, a cafeteria in an industrial facility, a control room, and a work station at an assembly line.” “Low occupancy has the following text: “Examples could include an electrical substation or a location in an industrial facility where a worker spends small amounts of time per week (such as an unoccupied area outside a building, an electrical equipment vault, or in the non-office space in a warehouse where occupancy is transitory.” Please ensure that the exposure factors in the regulations have been used in evaluating the self-implementing TSCA regulations.

Comment #17: Section Summary of Site Risks, Conclusion, at p. 17: This Conclusion paragraph does not conform with the standard language explaining the basis for taking action in EPA’s Proposed Plan Guidance. **Please revise.** See EPA Proposed Plan Guidance at Highlight 3-2 on p. 3-4 (“The risk section of the Proposed Plan should conclude with the standard statement in Highlight 3-2 (unless a “No Action” alternative is being proposed).”).

Comment #18: Section Remedial Action Objectives, Applicable or Relevant and Appropriate Requirements, at p. 18: The document states “ARARs are cleanup standards, standards of control, and other substantive requirements, criteria or limitations promulgated under federal, state, or local environmental laws.” **Please revise as follows: “ARARs are Federal and more stringent, promulgated State environmental or facility siting requirements in a law or regulation that a selected remedy must attain, which vary from site to site.”** Cf. to CERCLA Section 121(d)(2).

Comment #19: Section Summary of Remedial Alternatives, at p. 19: **At the beginning of this section, the preferred alternative should be identified.** See EPA Proposed Plan Guidance at p. 3-5 (discussing the Summary of Remedial Alternatives section and stating that “[t]he alternative that is recommended as the preferred alternative should be identified as such at the beginning of this section”).

Comment #20: Section Preferred Alternative, p. 26, last paragraph: The last paragraph states that the alternatives “satisfy the preference for treatment as a principal element.” This is not an accurate statement. There is no treatment in the preferred alternative, any treatment in the excavation alternative would likely not be a principal element of the remedy. **Please correct this text in #5 to note that neither action alternative satisfies the statutory preference for treatment as a principal element of the remedy.**

Comment #21: Section Glossary, Applicable or Relevant and Appropriate Requirement (ARARs), at p. 27: **Please use the following definition for ARARs, “Federal and more stringent, promulgated State environmental or facility siting requirements in a law or regulation that a selected remedy must**

*attain, which vary from site to site.” Cf. to CERCLA Section 121(d)(2).*

## MINOR COMMENTS

1. Throughout the document, the word “data” is not followed by plural verbs (i.e., “data are or were,” not “data is or was”). Please revise the Statement of Basis/Proposed Plan to correct this discrepancy.
2. **Section I., Information and Background, Page 1 of 46:** The fourth paragraph states that the ECODS L-3, LRP 131-1L, and LRP 131-4L OU are shown on Figure 1; however, the location of these OUs are better illustrated on Figure 2 (Location of the ECODS L-3, LRP 131-1L, and 1314L OU within the Savannah River Site). Please revise this section with the updated figure reference.
3. **Section V., Summary of Site Risks, Page 9 of 46:** There are two issues on this page with the second bullet under ECODS L-3 Subunit: 1) In the first sentence on the left-hand column, the unit “m” is missing after 0.3 (there is only a comma there); and 2) In the second sentence on the right-hand column, the words “risk of” are doubled. Please revise this section accordingly.
4. Section LRP 131-1L Subunit, p. 13, last paragraph: The document states “Based on observation of soil core during sampling activities, it was determined no waste material was placed below ground surface at the LRP 131-1L subunit.” Unless only one soil core was taken, it should be soil cores.
5. Section Summary of Site Risks, Problems Warranting Action, ECODS L-3 Subunit at p. 17, second bullet point: The document states “PCBs are present in the surface soil (0 to 0.3 , [0 to 1 ft]) that pose a risk greater than 1.0E-06 . . . .” Should the “0 to 0.3” be “0 to 0.3 m”?
6. Section Comparative Analysis of Alternatives, Implementability, p. 24: The first sentence states “No implementation is required Alternative B-1; therefore, this alternative was ranked the highest.” There is a typo and a word such as “for” is missing in the first part of the sentence.
7. ***The residential screening level for lead is 100 mg/kg not 400 mg/kg.***

For lead in soil, the CERCLA value of 400 mg/kg was set by the USEPA Office of Solid Waste Emergency Response and adopted as a TBC for the screening process. At the ECODS L-3 subunit, one (1) of the 61 REG81 total soil samples from all soil depth intervals within the subunit boundary was above this concentration. The maximum detected concentration of lead is 1,300 mg/kg from location EL3-06 (0 to 0.3 m [0 to 1 ft] interval). The ARAR TBC screening threshold corresponds to the residential RSL of 400 mg/kg. The 95% UCL in surface soil is 214 mg/kg and the residential HQ is 0.54 (RSL 400 mg/kg). The all-depths soils mean concentration is 49.5 mg/kg. The isolated lead hotspot is not deemed significant enough to warrant a remedial response, and lead is not identified as an ARAR RCOC.

**Asbestos Waste In Place**

Standards for inactive asbestos waste disposal sites	<p>Must comply with one of the following:</p> <ul style="list-style-type: none"> <li>• Either discharge no visible emissions to the outside air from an inactive disposal site subject to this paragraph; or</li> <li>• Cover the asbestos-containing waste material with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, and grow and maintain a cover of vegetation on the area to prevent exposure of the asbestos-containing waste material; or</li> <li>• Cover the asbestos-containing waste material with at least 60 centimeters (2 feet) of compacted nonasbestos-containing material, and maintain it to prevent exposure of the asbestos-containing waste</li> </ul>	Closure of an area that received asbestos-containing waste materials – <b>relevant and appropriate</b>	40 CFR § 61.151(a)(1)-(3)
Deed notice for asbestos waste disposal site	<p>Record, in accordance with State law, a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:</p> <ul style="list-style-type: none"> <li>• The land has been used for disposal of asbestos-containing waste material; and</li> <li>• The survey plat and record of the location and quantity of asbestos containing waste disposed of within the disposal site required in § 61.154(f) have been filed with the Administrator; and</li> <li>• The site is subject to 40 CFR part 61, Subpart M.</li> </ul> <p>NOTE: Recordation of deed notice that informs potential purchaser on the waste disposal site is considered a substantive requirement for post-closure.</p>	Closure of an inactive disposal area that received asbestos containing waste materials – <b>relevant and appropriate</b>	40 CFR § 61.151(e)(1)-(3)