



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

**DEC 09 2015**

Mayor Tim Woerther  
City of Wildwood  
16860 Main Street  
Wildwood, Missouri 63040

Dear Mayor Woerther:

Thank you for your letter dated August 25, 2015, in which you raised a series of questions, and for the follow-up telephone conversation on December 2, 2015, which helped clarify your request for information. We have always appreciated the dialogue we have established with you and community leaders, and look forward to continuing the conversation in order to resolve these matters.

Below are responses to the questions you raised. Some of these responses reiterate positions established through our previous discussions, or that have been communicated in previous public meetings.

Response to "General Comments"

**1. Please provide an opportunity for a public meeting, to allow citizens and other interested parties to provide public comments regarding the EPA/MDNR long-term strategy.**

As you may recall, the EPA presented information to the public regarding the status of current and future actions at the site on September 8, 2014, which roughly coincided with the completion of the soil removal action that occurred during 2014. That public meeting, held during one of your city council meetings, was held at the request of the city administrator to provide a summary of the actions performed, provide a summary of the path forward at the site, and provide an opportunity for the community to ask questions and make comments. The September 2014 meeting was one in a series of public meetings, open houses, and related events we have held over the past few years. At this time there is no new information to present that has not already been discussed previously. Instead of another public meeting that would likely restate the positions previously communicated to the public, we suggest reconvening the dialogue group to discuss long-term stewardship. Completion of the long-term stewardship plan will provide the next best opportunity to hold a public meeting.

**2. Please further investigate the surface and subsurface contamination, which remains in the creek bed area at the northeast corner of the Claymont Development property, as identified in the December 2, 2014 Removal Action (RA) Report. Additionally, please analyze the archived Sampling Units (SU) samples for Decision Units (DU) 39, 47 & 48 because: 39 & 48 overlap (this area under Covenant); and, 47 (1.5 acres) and 48 (1.8 acres) are too large to be reduced to a 4 ounce jar and yet retain an Upper Confident Limit (UCL).**



The EPA has no current plans to further investigate areas at the Ellisville Superfund site, as site conditions are reasonably well understood. However, the EPA is willing to discuss limited surface soil sampling in the "creek bed area" if that is still a concern. In addition, as we have stated in past discussions, the areas related to decision units 47 and 48 were sampled to simply get a general idea of soil conditions in those areas, not a full characterization, as these areas were extensively cleaned up in the past.

- 3. Please further investigate the concerns previously identified by Mundell & Associates, which were not addressed as part of the 2012 Removal Action on the Callahan property. These concerns are set out on the attached pages numbered 6-8, items 7 through 10.**

With respect to items 7 through 9 in the Mundell & Associates comments:

The areas that are referenced (DU-1 and "soil impacts in the area of MW-C-1") were addressed (i.e., soil was excavated in these areas) as part of the 2012 removal action. Therefore, it would seem that items 7 through 9 have effectively been addressed.

With respect to item 10, "Impacts Downslope of Excavated Drum Fill Area," the comment given by Mundell & Associates is that "Potential soil/water impacts downslope of the excavated drum area above conservative residential LOCs may be present." The EPA analyzed five sampling events that took place from 1982 to 2012 to characterize current conditions, including the fill and drum staging areas, drainage ways and other areas of the property. Based on this analysis, the EPA has concluded that the current conditions of the Callahan property are adequately characterized and that all dioxins and furans, metals, polychlorinated biphenyls, semi-volatile organic compounds, and volatile organic compounds remaining in surface and subsurface soil are below a level of concern for all potential users of the property, including residents.

- 4. Please provide an update on the establishment of a trust to facilitate any Long Term Stewardship issues that may surface in the future at any of the sub-site properties.**

There is no substantive update on the establishment of a trust to facilitate any long-term stewardship issues at any portion of the Ellisville site. The EPA's focus with respect to these matters is in pursuing additional environmental covenants at affected properties at the site.

Environmental covenants are allowable under our authority, promote federal/state/local collaboration, and maintain long-term institutional controls in areas within the Bliss sub-site that may require it. The advantages of a collaborative effort between private landowners, the EPA, the Missouri Department of Natural Resources, and the cities of Wildwood and/or Ellisville are compelling and were made possible the past several years under the Missouri Environmental Covenants Act. The private landowner is legally bound, the EPA and MDNR have oversight and enforcement power, and even the local governments can enforce the covenant if they choose to participate in this endeavor. This creates a long-term relationship between all of the necessary parties at the Bliss sub-site. This modern template for collaboration, coupled with MDNR groundwater monitoring activities, provides the best opportunity for a long-term stewardship concept.

5. **Please provide an update on further characterization of groundwater contamination and the potential for indoor air intrusion into area residences.**

The Missouri Department of Natural Resources plans to release an updated report on their groundwater and related investigations sometime within the next year.

6. **Please provide a current assessment of the Rosalie property.**

To the best of my knowledge, the status of the Rosalie property is unchanged from its status when it was cleaned up; no additional investigation is being contemplated by the EPA.

Response to "Additional Citizen Comments/Questions"

1. **The 2008 MDNR geo-probe investigation has been omitted from EPA reports, even though there were 8 borings on or adjacent to the northeast corner and all contained soil gas. The Covenant includes this area and since soil gas can rise into the ambient air as toxic vapors, how does the EPA intend to control this current and future health risk?**

Potential vapor intrusion is being investigated by MDNR. MDNR will be providing a summary of these efforts, as well as conclusions/recommendations, in future report(s). Such report(s) will include the 2008 MDNR geo-probe investigation information.

2. **In 1987, to address all Missouri (MO) dioxin sites, the EPA established the cleanup guidelines that were concurred with the Centers for Disease Control and Prevention (CDC). Regardless of the land zoning or land usage, the presence of a stream (on or adjacent) requires residential standards, not only to the streambed but also to surrounding surfaces that drain into the stream. Since water/erosion still transports dioxin, has the CDC concurred with the change to the guidelines?**

The presence of a stream, in and of itself, does not require residential standards under Superfund guidelines.

3. **The Bliss Covenant area applies to only the 2014 RA area, while the Strecker Forest Covenant includes the streambed and northeast corner which were not part of the RA area. Please explain this discrepancy.**

The Strecker Forest Covenant was executed so that the northeast area of this development property could be efficiently captured in a post-removal, one-time transaction. This means that areas that may have trace amounts of dioxin could all be captured in one legal instrument since development could occur there in the shorter term. In contrast, the Bliss Covenant pertained to the actual dig area since it is a family farm and residence area under no such time pressures. The larger Bliss parcel is also a previously remediated acreage that requires further work and discussions between the EPA and the landowner. In light of these factors, the agency confined the Bliss covenant area to that portion of property where the removal action actually impacted that landowner.

4. **What standards are being applied to the monitoring well data?**

MDNR will be discussing monitoring well data in their report.

**5. Other than possibly delisting properties off the National Priorities List (NPL) and applying Covenants, what specifically would be the difference between future and past monitoring?**

The establishment of additional covenants would likely not change future or past monitoring strategies.

**6. In reference to the Removal Action Report for the Claymont Development property, please address the following:**

**a. The Pollution Reports (POLREPS) mentioned possible Potentially Responsible Parties (PRP) – were any named?**

Questions on enforcement aspects of the removal action can be directed to the site attorney, Shawn Grindstaff, at [grindstaff.shawn@epa.gov](mailto:grindstaff.shawn@epa.gov).

**b. What were the pre-and-post excavation dimensions for each Excavation Area (EA)?**

Dimensions of each excavation area were not recorded. A survey, performed after the excavation areas were backfilled, was conducted to record the surficial extent of the removal. An estimate of the excavation areas is as follows:

EA-1: 2,430 ft<sup>2</sup>  
EA-2: 1,520 ft<sup>2</sup>  
EA-3: 7,020 ft<sup>2</sup>

**c. What were the dimensions and volume capacity of the retention pond? Since EA-1 was still open, why did water have to be pumped out of only EA-3? Was perched water encountered?**

The dimensions of the retention pond were not surveyed. A reasonable estimate of the volume would be 40'x 40'x 4' or approximately 6,400 ft<sup>3</sup>.

EA-3 was the first area excavated. A portion of the excavation fell within a local drainage ditch and was within the area of influence of drainage of the former Mid-America Arena roof line. To manage surface water, a berm was constructed across the drainage ditch upgradient of EA-3. The retention basin was constructed downgradient. Water was pumped from EA-3 to dewater the excavation due to precipitation events. This water consisted of local runoff and runoff from the roof of the adjacent building.

Water was only pumped from EA-3 because accumulations of water in EA-3 hampered the operational schedule. No significant water accumulated in EA-1.

Perched water, or water entering the excavations from the vadose zone, was not observed.

**d. Did any workers need to upgrade their protective gear to include a respirator?**

Level C was the primary level of personal protective equipment (PPE) used to protect workers from chemical and physical hazards while excavating within each excavation area. Level C

protection included respiratory protection, disposable gloves and disposable coveralls. In all other phases of operation, Level D, or standard work clothes were required.

There was no decision to upgrade the level of PPE during the project.

- e. **Seven samples from roll-off boxes and 4 soil samples from EA-3 were submitted for disposal profile sampling. Please extract that lab data and submit it under separate cover. Were landfill standards applied to data?**

Table 4 of the 2014 Removal Action report summarizes the 73 dioxin waste profile samples submitted for laboratory analysis. These samples were used to categorize the dioxin contaminated waste into one of two waste streams as described in the report.

An initial sample (SFRA-4) was collected and submitted to the Lone Mountain waste management facility. The facility screened this sample to ensure the soil could be accepted as waste. This sample was collected as a representative sample of soil conditions at the site. Sample results of SFRA-4 are included in Appendix D of the 2014 Removal Action report (enclosed).

Additional sampling was conducted in EA-3 when stained soil was encountered. The stained soil represented a change in conditions and additional waste profile samples were required. These included SFRA-25, SFRA-34, SFRA-35, and SFRA-36. This data is included in Appendix D of the Removal Action report (enclosed).

- f. **The 9-26-13 Site Action Memo did not state a limitation regarding depth. EA-1 has six areas of subsurface exceedances. Please explain why excavation was terminated before attaining the 2,460 ppt standard.**

The primary objective of the removal action, as described in the 9-26-13 Action Memorandum, was to excavate soils within individual Sample Units that were determined to exceed 820 parts per trillion at the surface. This objective was met. As work progressed at EA-1, it became apparent that the excavation in this area (1) was exceeding or beginning to exceed the limits described in the 9-26-13 Action Memorandum (i.e., the Sample Units at EA-1 that exceeded 820 parts per trillion at the surface had been completely excavated), and (2) was bordering or encroaching upon the removal action conducted in the 1990s, an action which included leaving some dioxin-contaminated soils at depths of one foot or greater.

Therefore, the decision was made to cease excavation at the boundaries indicated in the removal action report, as the primary objective of the response had been met.

- g. **Fig. 2 Pre-Excavation**  
i. **Please add a triangle illustrating EA-1.**  
ii. **Soil Boring table is illegible.**

A revised Removal Action Report is now available on the EPA's Region 7 website: see "Strecker Forest Environmental Review" tab on the EPA Region 7 main page. The polygon illustrating EA-1 is indicated on the post-excavation area of the figure. The soil boring table can be magnified in adobe acrobat.

**h. Fig. 2 Post-Excavation**

- i. Please illustrate NPL line in bright color.**
- ii. Please add the 4 cell letters to EA-2.**
- iii. Please clarify EA-1 with Table 3 since it's an odd shape with 4 north walls.**

The NPL boundary is indicated in Figure 3, and in other reports, including the 2012 "Site Reassessment Report for an Expanded Site Review." EA-2 was not separated into smaller cells during the removal action; it was considered one cell/area during the removal action. Additional clarifications to EA-1 can be found in the main text, including Table 3.

**i. Fig. 3**

- i. Please illustrate NPL line in bright color.**
- ii. Please add the 4 cell letters to EA-2.**
- iii. Please clarify EA-1.**
- iv. Please add all property lines.**

The NPL boundary is indicated in Figure 3, and in other reports, including the 2012 "Site Reassessment Report for an Expanded Site Review." EA-2 was not separated into smaller cells during the removal action; it was considered one cell/area during the removal action. Additional clarifications to EA-1 can be found in the main text, including Table 3. The 2012 Site Reassessment Report includes an overall estimation of property lines.

**7. Please provide the original application to the Superfund for the Bliss/Ellisville Site.**

There is no "original application" that I am aware of. If this question speaks to documentation of site boundaries, site history, and other related items, a good starting point would be the 1986 Record of Decision (enclosed).

**8. Please provide the 1986 Record of Decision for the Bliss Site.**

Enclosed (on compact disc) is the Record of Decision document you requested.

**9. Please provide the 8-22-91 letter from EPA to DNR regarding groundwater monitoring.**

Enclosed (on compact disc) is the document you requested.

**10. Please provide the 1996 EPA Region VII Emergency Response and Removal, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Removal for the Bliss-Ellisville Site, Wildwood, MO, prepared by Ecology and Environment.**

Enclosed (on compact disc) is the document you requested.

**11. Please provide the amendment (or change) to CERCLA Law that permits a Covenant to substitute for 5-Year Reviews.**

There is no amendment or change to CERCLA that specifically permits a covenant to substitute for a 5-year review.

We continue to appreciate the open communications and discussions we have had on these matters, and we believe the dialogue group has provided an effective forum for reaching resolution. We remain committed to continuing the dialogue in order to get the long-term stewardship plan in place. Feel free to contact me at (913) 551-7625 if you have additional questions.

Sincerely,



David P. Williams

Chief

Planning and Preparedness North Section  
Superfund Division

cc: Dennis Stinson, Missouri Department of Natural Resources (w/o enclosures)

Enclosure: Compact disc containing

- (1) Letter from EPA to MDNR dated August 22, 1991;
- (2) CERCLA Removal: Bliss-Ellisville Site, Wildwood, Missouri, November 18, 1996;
- (3) EPA Superfund Record of Decision: Ellisville Site, 1986.
- (4) Appendix D of 2015 Removal Action Report