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Summer 7-29-2022

**RE: Butte Priority Soils Operable Unit (BPSOU) Revised Final Residential Metals Abatement Program (RMAP) Plan**

Mike McAnulty

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**July 29, 2022**

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**RE: Butte Priority Soils Operable Unit (BPSOU) Revised Final Residential Metals Abatement Program (RMAP) Plan**

Agency Representatives:

On behalf of Atlantic Richfield Company and Butte-Silver Bow (BSB), response to Agency comments received on January 20, 2022, to the Butte Priority Soils Operable Unit (BPSOU) Revised Final Residential Metals Abatement Program (RMAP) Plan are provided for review. Upon Agency approval of the responses to the comments, the Plan will be revised to include these responses and a Final RMAP Plan will be distributed.

### **Specific Comments:**

**Comment #1:** Section 1, Introduction, 1st paragraph, last sentence – Please include indoor air (e.g., Hg) and basements/crawlspaces.

**Settling Defendants Response:** Indoor air monitoring for mercury is only performed by RMAP if a mercury exceedance in solid media has been identified.

**Comment #2:** Section 1, Introduction, 2nd paragraph, last sentence – Please also include mention of the medical monitoring program and how it fits into the RMAP.

**Settling Defendants Response:** Medical monitoring is conducted as a sister program to evaluate the effectiveness of the RMAP. Individuals participating in the RMAP are offered environmental assessments and participation in the medical monitoring program if an elevated blood lead level is identified. Any contaminant of concern (COC) exposures identified through the environmental assessment are remediated. The results of blood lead

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testing for all program participants are documented in a Blood Lead Database (maintained by the BSB Health Department), and the outcome of the environmental assessment is documented in the RMAP Database. This Plan will be revised to include to text described above.

**Comment #3:** *Section 1.1, Program Development, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence – “the Adjacent Area”, Please provide a footnote describing this area and include a map to illustrate this area.*

**Settling Defendants Response:** The Adjacent area is a reference to the expanded attic area. The Northwest thumb is an area identified in the 2011 Unilateral Administrative Order (UAO) to evaluate residences in the Moulton and Bull Run Gulch Road areas to determine if potential exposure was occurring in this area which is located outside BPSOU and within the vicinity of contaminated dumps. The Plan will be revised to describe this area and a new figure will be provided to include this detail.

**Comment #4:** *Section 1.1, Program Development, #3: - “The 2011 ESD required 3 attempts to perform assessments of all residential yards within the BPSOU to occur in 10 years and all contaminated residential yards within the BPSOU to be remediated in 20 years, except for those properties for which access cannot be obtained”. Please explain the tracking program/process for properties where remediation access was denied or there was no response. Please also explain the process and tracking program for when property ownership changes within the next 10 years and the new owners are interested in being assessed/remediated.*

**Settling Defendants Response:** Monitoring involves a comprehensive approach to track participation from individual inquiry to remediation completion. The RMAP Database uses various elements to keep track of program participation and property status. For example, any time a resident in the community contacts the RMAP program or RMAP performs proactive outreach to a resident, an entry is made in the database. This creates an identification number for the address which allows BSB to assign qualifiers to the property (e.g., sensitive population or refusal to participate in the program). This enables BSB to routinely seek participation, three times at a minimum, and identify reluctant participants and initiate a new outreach effort if the property has changed owners.

The Reclamation Department will review ownership changes annually. The RMAP Database will be queried to identify all properties refusing to participate in the program. This list will be compared to recorded property transactions to identify whether the property has a new owner. If the property has changed hands, then a new outreach attempt will begin the process again and will be tracked in the database. Three attempts to seek participation of the new owners will be made. In the event the property does not change ownership and the owner continues to refuse participation, BSB will work with U.S. Environmental Protection Agency (EPA) to obtain access as described in the 2020 BPSOU Consent Decree, Appendix E – Institutional Controls Implementation

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and Assurance Plan (ICIAP).

**Comment #5:** Section 1.1, Program Development, #4 – Please correct typo, change “Ordnance” to “Ordinance”.

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**Comment #6:** Section 3, Sensitive and Affected Populations, 1<sup>st</sup> Paragraph, 2<sup>nd</sup> sentence – “Sensitive populations . . .”. Please add “. . . for lead exposures.”

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**Comment #7:** Section 3, Sensitive and Affected Populations, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence: “pregnant or nursingmothers...”. There is only a 1–2-year window when a woman is pregnant/nursing. Please explain how women of pregnant/nursing women are identified, tracked, and prioritized.

**Settling Defendants Response:** BSB may track pregnant or nursing mothers as participants of Women, Infants, and Children (WIC) as this is the only available source of data but remains sensitive to being intrusive into personal lives. BSB proposes to develop additional outreach materials to be provided to affected populations through local medical offices and hospitals.

**Comment #8:** Section 3, Sensitive and Affected Populations, 7<sup>th</sup> bullet – *The following text was not included in this revision as recommended...“...with one or more sources (paint, water, soil, house dust) with a lead concentration that exceeds the 95th percentile as determined by the Butte-Silver Bow (BSB) Environmental Health Lead Study (University of Cincinnati, 1992).” Please revise as originally requested.*

**Settling Defendants Response:** The proposed bullet (now bullet 8 in the revised Plan) will be revised as follows: “Residential properties with no children, but with one or more sources (soil and/or house dust) with a lead concentration that exceeds 0.95 of the action level, i.e., 1,140 mg/kg.” Any soil or dust within plus or minus 95% of action levels will be eligible for remediation.

Note, the previous bullet did not make sense in suggesting use of a 95<sup>th</sup> percentile of the action level. Similarly, the data in the 1992 University of Cincinnati have no relevance for current conditions.

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**Comment #9:** *Section 3, Sensitive and Affected Populations, 8<sup>th</sup> bullet - “no children...”. Please include “or othersensitive populations.” Also, please add a footnote to clarify why the 1940 date is significant.*

**Settling Defendants Response:** The 8<sup>th</sup> bullet will be revised to include “or other sensitive populations” as requested. In addition, a footnote will be added to clarify that the 1940s date only identifies the period when the use of lead in paint was prevalent; it will also note that evaluation of paint in the residential program is not required under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) law but performed as a component of the multi-pathway approach to identify sources of lead when investigating elevated blood lead.

**Comment #10:** *Section 3, Sensitive and Affected Populations, 3<sup>d</sup> footnote – Please remove repeated “Butte-SilverBow” and revise to BSB.*

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**Comment #11:** *Section 3, Sensitive and Affected Populations, 4<sup>th</sup> footnote: Please clarify if daycares or schools qualify as a secondary residence, who collects information on primary/secondary residences, and where/how this information is tracked.*

**Settling Defendants Response:** Daycares and schools are not included in the definition of secondary residences. Schools and daycares are already being investigated under RMAP as a separate effort.

The information on secondary residences is collected by the environmental assessor and is tracked in the RMAP Database. Determinations of secondary residences is based upon verbal conference with the client. There is a note left in the database that a sampling rationale is documented (e.g., secondary residence or elevated blood level [EBL] investigation).

**Comment #12:** *Section 4, Environmental Justice, 1st paragraph, 2nd sentence: “...of any property owner”, For EJ communities, the residents may not be the property owners. Please clarify the process for participation in the program for properties where sensitive or affected populations are present but the property owner (landlord) does not choose to participate.*

**Settling Defendants Response:** Sampling cannot be performed without permission from the property owner. The BPSOU ICIAP Appendix H includes templates for Agency enforcement letters which may be implemented as means of acquiring permission to access properties when the property owner chooses not to participate. Implementation of the letters provided in Appendix H of the ICIAP will require enforcement from the Agencies.

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**Comment #13:** *Section 4, Environmental Justice, last paragraph: “EJSCREEN tool”, Please add explanation describing what the EJSCREEN tool is. Suggested language is:*

*“EJSCREEN is an environmental justice mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators. EJSCREEN users choose a geographic area; the tool then provides demographic and environmental information for that area. All of the EJSCREEN indicators are publicly available data. EJSCREEN simply provides a way to display this information and includes a method for combining environmental and demographic indicators into EJ indexes.”*

**Settling Defendants Response:** The suggested text will be included in the revised document. Note: the EJSCREEN 2.0 is being modified. Prior to implementation of the EJSCREEN tool, training from the Agencies is requested by the Settling Defendants.

**Comment #14:** *Section 5 – The change in the remediation timeframe was a significant element of the 2011 ESD. Therefore, retain the first sentence of EPA replacement text which read: “The 2011 ESD modified the time allotted for assessment and abatement of all residential properties soils within the BPSOU.” The remaining changes made to EPA’s text are acceptable.*

**Settling Defendants Response.** The text will be revised to state “The 2011 ESD modified the time allotted for assessment and abatement of all residential soils within the BPSOU.”

**Comment #15:** *Section 6 – Although the recommended “Section 6.5 BPSOU Properties with Incompatible Uses” was omitted in this plan and included within the SMMP, EPA still recommends this section be added to the RMAP plan as originally recommended due to its relevance to access and this plan.*

**Settling Defendants Response:** Incompatible uses have not been previously included in the RMAP as “Properties with Incompatible Uses” does not appear to fit the scope of the Program. As described in Section 1 of the RMAP Plan, the multi-pathway RMAP is designed to protect residents within the Silver Bow Creek/Butte Area Superfund Site from potentially harmful sources of lead, arsenic, and mercury contamination. Beginning in 2021, assessment, sampling, and related remediation at schools, parks, play areas, and daycares in parallel with the BSB residential assessment process was added to the RMAP. These areas have clearly defined uses and potential exposure pathways to sensitive populations. Examples of properties with incompatible uses include pasturing of animals on or near reclaimed areas and/or industrial activities that may compromise cap integrity. These cases do not appear to be appropriate for RMAP and will be referred to EPA/Department of Environmental Quality (DEQ) and addressed on a case-by-case basis under the appropriate solid media program.

**Comment #16:** *Section 6.1, BPSOU Residential Property Access – Please clarify and add*

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*additional details to explain the time duration of reinitiated assessments (i.e., within the 20-year completion window).*

**Settling Defendants Response:** Reinstating the outreach process will begin upon identification of new ownership, but three attempts within the new outreach timeline will not be completed within any particular timeframe. Proactive monitoring of all reluctant participants will continue until the residence is evaluated and, if necessary, remediated.

**Comment #17:** Section 6.3, Schools, Dormitories, Playgrounds and Play Areas Access – *Please clarify if this includes the 2020 RMAP Area.*

**Settling Defendants Response:** Yes, the 2020 expansion area includes schools, playgrounds and play areas. A definition for parks and play areas proposed as follows will be included in the revised Plan. “The site is frequented by children and is, “a generally accessible public area,” meaning that the public can use the site and its facilities for recreational purposes, within normal operating hours, at their discretion.

In addition, only dormitories associated with Montana Technological University campus will be included in the revised Plan. Section 6.3 will be edited as requested in the revised Plan to reflect these clarifications.

**Comment #18:** Section 6.4, BPSOU Rental Property Access, 3<sup>rd</sup> Sentence - “...particularly if children may be impacted.” *Please explain how this information would be known and whether this information is tracked in the project database or by the WIC program.*

**Settling Defendants Response:** Property owner and resident status information is initially collected during the inquiry for an environmental assessment as a portion of the program questionnaire. If the request is made by a tenant, BSB will advise the tenant to participate in the medical monitoring to determine if a tenant is impacted. A property cannot be accessed by BSB if an owner refuses to participate or notify the property owner of the health status of any one tenant. If an EBL occurs, the tenant/guardian can notify the property owner of their child’s health status, and BSB can use the tenant’s health status as leverage to gain access to the property to perform an assessment and remediation, if necessary.

**Comment #19:** Section 7.1, Sampling Procedures – *Please include a statement that individual field sampling plans developed to supplement the RMAP QAPP will be generated and reviewed by agencies.*

**Settling Defendants Response:** Non-residential Field Sampling Plans (FSPs) will be provided to the Agencies for review and approval prior to implementation. Residential sampling implemented by BSB will be performed as described in the Agency-approved Residential RMAP Quality Assurance Project Plan (QAPP). The comprehensive nature of the approved QAPP, with

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individual yard sampling maps and locations meet the functional requirements of an individual FSP. Individual yard sampling maps and sampling locations are documented in the database will be provided to the Agencies in the annual Construction Completion Report (CCR).

**Comment #20:** *Section 7.1.1.1, Residential Yards, 2<sup>nd</sup> paragraph – Please clarify the re-sampling methodology and revise. Presumably there are properties where only a portion of the property needed remediation. Please clarify whether the determination of re-sampling is done on a property-specific or location-specific basis.*

**Settling Defendants Response:** Resampling is performed on a property-specific basis. Attempts for a revisit are rolled into the normal process for acquiring access and will be implemented to address data gaps. For example, in the instance a portion of a yard has been remediated, then resampling will omit the remediated portion of the property.

**Comment #21:** *Section 7.1.1.2, Earthen Basements – “pathway assessment”, Please define/describe this term. Recommend adding a footnote.*

**Settling Defendants Response:** Basement pathway assessment involves determining if the potential to transport contaminants from the basement area is possible through the property owner routinely accessing the basement and/or a Heating, Ventilation, and Air Conditioning (HVAC) system located in the basement. The revised Plan will be edited as requested to describe the assessment as requested.

**Comment #22:** *Section 7.1.1.2, Earthen Basements – “if an action level...”, Please specify basis of action level(i.e., residential soil action level).*

**Settling Defendants Response:** The appropriate action level will reference Table 8.1 in the Plan.

**Comment #23:** *Section 7.1.1.3, Large Lot Sampling – Please clarify what, if any, tracking of land use for large lots is performed.*

**Settling Defendants Response:** Changes to a property will be monitored as part of the Excavation and Dirt Moving permit process. If/when a large lot property undergoes further residential development, the property will be assessed during excavation activities and the new property will be eligible for a RMAP environmental assessment after the development is completed. The annual parcel review process will also identify properties that may require environmental assessments. Any residential development will be identified during the annual parcel review process and become eligible for a RMAP environmental assessment. Properties described in Section 7.1.1.3 are only relevant to areas in the expanded area outside of BPSOU.

A new section will be included in the revised Plan to address new residential development.



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**Comment #24:** Section 7.1.1.4, Playgrounds and Play Areas – Please clarify what is meant by “...appropriate sampling requirements”. Also, please detail any differences in sampling density or depth requirements for these areas.

**Settling Defendants Response:** The Plan will be revised to provide references to the appropriate quality documents.

**Comment #25:** Section 7.1.2.2, Residential Property Attics and Crawl Spaces, 2<sup>nd</sup> paragraph, last sentence – Please describe how changes in exposure pathways would be assessed and tracked.

**Settling Defendants Response:** Potential triggers for reassessment based on changes in exposure pathways will include property owner outreach and periodic RMAP assessments of residential permits. Section 7.1.2.2 will be revised as follows. “Properties that exceed action levels but are not remediated (due to lack of property owner consent or lack a completed exposure pathway) will be documented in the Program tracking and database system over the long-term to provide future opportunity to remediate the property.”

**Comment #26:** Section 7.1.2.3, School and Dormitory Interior Sampling – Please clarify if a list of dormitories has been compiled and consider if these dormitories should be evaluated as part of the non-residential indoor dust school assessments. Additional clarification from EPA, what is a dormitory. Final lists to be located into the appropriate QAPPs.

**Settling Defendants Response:** Dormitories associated with Montana Technological University campus will be included in the RMAP.

**Comment #27:** Section 7.1.2.3, School and Dormitory-Interior Sampling, 1<sup>st</sup> paragraph – Please replace the first paragraph of this section with the following: “An environmental assessment will be completed at non-residential schools, preschools, daycares to determine appropriate interior sampling requirements. This assessment includes both public and privately owned facilities. All schools and daycares will undergo an indoor dust sampling regimen (i.e., entrance floor mats, floor, and other surface sampling in accessible areas) without regard to age of building construction, remodeling status/timing, or outdoor soil results. Accessible areas are defined as classrooms, hallways, bathrooms, and other areas (e.g., cafeterias) that would be frequently used by students/daycare children. In addition, sampling of surfaces in inaccessible areas and attics/crawlspaces will also be performed for all schools and daycares unless the building was constructed or remodeled after historic mining and smelting operations were terminated in 1980 or if the building has had an interior remediation. Inaccessible areas are defined as locations that would not be frequented by students/daycare children but may be used by teachers or administrative/janitorial staff (e.g., staff lounges, supply closets, boiler rooms, crawl spaces, attics, rafters, and other areas only periodically accessed for maintenance).”

**Settling Defendants Response:** Section 7.1.2.3 in the Plan will be revised to include Agency-

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recommended text provided above. In addition, the BPSOU ICIAP will be referenced in the revised Plan.

**Comment #28:** *The following replacement text is recommended: “An environmental assessment will be completed at non-residential schools, preschools, daycares, and dormitories to determine appropriate interior sampling requirements. This assessment includes both public and privately owned facilities. All schools, daycares, and dormitories will undergo an indoor dust sampling regimen (i.e., entrance floor mats, floor, and other surface sampling in accessible areas) without regard to age of building construction, remodeling status/timing, or outdoor soil results. Accessible areas are defined as classrooms, hallways, bedrooms, bathrooms, and other areas (e.g., cafeterias and kitchens) that would be frequently used by students/daycare children. In addition, sampling of surfaces in inaccessible areas and attics/crawlspaces will also be performed for all schools, daycares, and dormitories unless the building was constructed or remodeled after historic mining and smelting operations were terminated in 1980 or if the building has had an interior remediation. Inaccessible areas are defined as locations that would not be frequented by students/daycare children but may be used by teachers or administrative/janitorial staff (e.g., staff lounges, supply closets, boiler rooms, crawl spaces, attics, rafters, and other areas only periodically accessed for maintenance).”*

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**Comment #29:** *Section 7.1.3, Paint – EPA’s use of the term “action level” in its comment was inappropriate. What was intended was that definition of lead-based paint, as cited in AR’s and BSB’s response, be incorporated into this section to help guide the evaluation of lead-based paint. Please include the HUD definition or similar language to this section: “Lead-Based Paint: Paint or other surface coatings that contain lead equal to or exceeding 1.0 milligram per square centimeter or 0.5 percent by weight or 5,000 parts per million (ppm) by weight.”*

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**Comment #30:** *Section 7.1.5, Mercury Vapor – “...then the crawlspace or earthen basement of the structure will be remediated”, Please specify the potential remediation of exterior soils as the first sentence states “contamination in any soil”.*

**Settling Defendants Response:** A mercury exceedance in any media will be followed up with mercury vapor analysis. The Plan will be revised to state, "Interior air monitoring for mercury vapor will be performed if mercury contamination in basement soil, interior dust, or attic dust sample exceeds residential action levels."

**Comment #31:** *Section 8 – It is noted at the end of the paragraph that the decision logic for determining if remediation of an eligible property “is provided in the annually revised RMAP QAPP.” This RMAP Plan is also an appropriate location for this decision logic. Please provide the*

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*decision logic like that in the RMAP QAPP into the RMAP Plan.*

**Settling Defendants Response:** The decision logic will be included in the Plan as requested.

**Comment #32:** *Section 8.3.5, Seeding – Please specify residential requirements with respect to sod/seed maintenance.*

**Settling Defendants Response:** Covenants associated with the residential access agreement include residential requirements with respect to sod/seed. Additional lawn maintenance education literature will be included as an attachment in the revised Plan, and will be distributed to residents upon completion of yard remediation. Implementation and enforcement of lawn maintenance is not a component of the RMAP.

**Comment #33:** *Section 8.4.2, Attics and Crawl Spaces – Please provide additional discussion about what is evaluated as part of the “pathway assessment” and provide examples of when a pathway is/isn’t complete.*

**Settling Defendants Response:** A pathway is the ability to regularly access an area where contamination is present which can include visible cracks, water damage, location of the HVAC systems, and any construction plans that could cause migration of contamination into the residential space. Evaluation consists of visual examination of the ceiling condition, location of the entry points, type of use, frequency of use, and planned work that might impact the space.

**Comment #34:** *Section 8.4.3, Residential Remodels, Page 21 – Please clarify the process for property owners voluntarily notifying Program representatives of their intent to renovate and whether or not residents would be provided a summary of previous assessment results.*

**Settling Defendants Response:** If an owner notifies BSB RMAP of their intent to renovate property where a previous assessment is available, BSB will provide assessment results to the property owner along with educational materials related to contaminant safety, which are regularly distributed by the RMAP program.

**Comment #35:** *Section 8.4.3, Residential Remodels, Page 21 – Please clarify if a resident’s actions would change an incomplete pathway to a complete one, where dust is known to be greater than the action level, would constitute no further action being done by the program.*

**Settling Defendants Response:** If a resident’s actions would change an incomplete pathway to a complete one, where dust is known to be greater than the action level, would constitute further action being done by the program.

**Comment #36:** *Section 8.4.3, Residential Remodels, Page 21 – Please describe what is meant by “Emergency XRF field sampling protocol”.*

**Settling Defendants Response:** Emergency sampling protocol is utilized only in instances when an obvious exposure pathway is identified, and immediate identification of contamination is necessary to facilitate repair. "Emergency XRF field sampling protocol" will be revised to Emergency Dust Sampling for consistency with the text in the RMAP QAPP – Residential Parcels.

**Comment #37:** *Section 8.7, Mercury Vapor – "...remediation of interior areas.", Please clarify if there is an evaluation of other potential non-soil sources prior to performing soil remediation.*

**Settling Defendants Response:** The multi-pathway approach is only applicable to potential lead exposure. Additional clarification from the Agencies is requested.

**Comment #38:** *Section 9, Health and Safety, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence – Please add citation for BSB health and safety plan.*

**Settling Defendants Response:** Section 9 will be removed from the document.

**Comment #39:** *Section 9.2, Best Management Practices and Controls, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence – "...will be performed as necessary during soil remediation.", Please clarify when dust control needs are determined, by whom, and how it is evaluated.*

**Settling Defendants Response:** The plan will be revised to include "Dust control and mitigation will be performed during soil remediation activities when dust is visible due to traffic or weather events. Fugitive dust emissions because of construction activities will be controlled using water trucks. Periodic wetting of the non-paved roads and surface materials placed in the grading areas will be performed by construction personnel."

**Comment #40:** *Section 9.2, Best Management Practices and Controls, 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence – "...Montana DEQ General Permit for Construction Activities", Please add citation or link.*

**Settling Defendants Response:** The reference will be removed from the revised Plan. Remedial activities performed by BSB are exempt from permit requirements.

**Comment #41:** *Section 9.2, Best Management Practices and Controls, 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence – "...BSB Excavation and Dirt Moving Protocol", Please add a citation or link.*

**Settling Defendants Response:** The reference will be removed from the revised Plan. Remedial activities performed by BSB are exempt from permit requirements.

**Comment #42:** *Section 10.1, Data Summary Reports, 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence – Please remove "...upon request" as DSRs are required to be submitted to the Agencies for review and approval.*

**Settling Defendants Response:** The Plan will be revised to clarify Data Summary Reports (DSR) will be incorporated into the annual CCR and provided to the Agencies for review and approval.

**Comment #43:** *Section 10.1, Data Summary Reports, 1<sup>st</sup> paragraph, 4<sup>th</sup> sentence – Please revise to clarify that both residential and non-residential DSRs are required to be submitted and approved by the Agencies.*

**Settling Defendants Response:** The Plan will be revised to clarify both residential and non-residential DSRs are required to be submitted and approved by the Agencies as requested.

**Comment #44:** *Section 10.2, Construction Completion Reports, page 26, 6<sup>th</sup> bullet – Please clarify if the QA summary includes data collected for monitoring and testing and whether a DSR is prepared for that specific data.*

**Settling Defendants Response:** The 6<sup>th</sup> bullet referenced will be removed from the revised Plan.

**Comment #45:** *Section 11.2, Field and Laboratory Quality Control, 2<sup>nd</sup> paragraph – Please update to reference the most recent version (2020) of the EPA National Functional Guidelines for Inorganic Superfund Methods Data Review.*

**Settling Defendants Response:** The reference will be updated in the revised Plan as requested.

**Comment #46:** *Section 12, Long-Term Tracking and Database Management, 1<sup>st</sup> paragraph – “All residential soil and attic dust...”, Please include mercury vapor and paint.*

**Settling Defendants Response:** Mercury vapor and paint results are only tracked when required as a component of the multi-pathway assessment (i.e., mercury exceedance in soil, EBL investigation, etc.). When mercury sampling is performed, results will be recorded in the project database.

**Comment #47:** *Section 12, Long-Term Tracking and Database Management, Page 28, 8th Bullet – This bullet was not modified as recommended in the January 2021 comment letter to SDs. Please include “record flags to indicate if there is any medium (i.e., soil, dust, vapor, paint, drinking water) that was not abated.”*

**Settling Defendants Response:** The text will be edited in the revised Plan to clarify items will be flagged if they exceed the action level for CERCLA-relevant COCs.

**Comment #48:** *Section 12, Long-Term Tracking and Database Management, Page 28, 9th Bullet –*

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*Please clarify the terms "Roll/Card".*

**Settling Defendants Response:** The term "Roll/Card" will be modified to Land Records Office in the revised Plan.

**Comment #49:** Section 12, Long-Term Tracking and Database Management, Page 29, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence – "...Management System Plan will be updated in 2021 to address...".  
*Recommend removing the update year and make a general statement that the updated plan will address 2020 UAO requirements if this plan was not completed during the 2021 calendar year.*

**Settling Defendants Response:** The text will be edited as requested in the revised Plan.

**End of Comments.**

If you have any questions or comments, please call me at (907) 355-3914, or Eric Hassler at (406) 497-5042.

Sincerely,



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Chris Greco / Atlantic Richfield – email  
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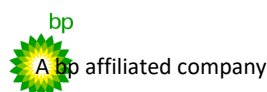
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