

Appendix R
River Terrace Contained-in Determination
River Terrace Site Feasibility Study



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue
Seattle, WA 98101

March 2, 2000

Reply To
Attn Of: WCM-127

Max Schwenne
OASIS/Bristol JV
807 "G" St., Suite 250
Anchorage, AK 99501

Rich Sundet
Alaska Department of Environmental Conservation (ADEC)
Contaminated Sites Program
555 Cordova
Anchorage, AK 99501

Re: River Terrace Contained-in Determination
EPA ID No. AKR 00000 2790

Dear Messrs Schwenne and Sundet:

Thank you for your letter of November 22, 1999 requesting a contained-in determination for a investigation-derived wastes (IDW) that have been and will be generated during remedial investigation work associated with the Kenai River Terrace site, 44761 Sterling Highway in Soldotna, Alaska by ADEC or at ADEC's direction. This letter serves as EPA's determination that certain IDW soils generated and managed at this site no longer contain hazardous waste and do not need to be managed as such. This determination also applies to soils previously generated pursuant to removal actions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as described in the action memorandum, August 5, 1997, "Request for a removal action at River Terrace RV Park in Soldotna, AK." All soils subject to this contained-in determination may be managed on-site as non-hazardous remediation waste subject to the conditions of the determination pending final remedy selection. The basis for this determination and the specific terms and conditions are described below.

Background

According to your letter, a laundry and dry-cleaning facility operated on the site from the late 1960s to the late 1980s. Perchloroethene (PCE) was used as a dry-cleaning solvent, although the volumes used and disposal practices are not well documented. Contamination at the site consists of PCE and breakdown products, carrying one or more of the hazardous waste codes F002, D028, D029, D039, D040 and/or D043. Contamination exists in both soils and groundwater.

Environmental responses to date have included a time-critical removal conducted by the EPA Office of Environmental Cleanup, Emergency Response, Site Cleanup Unit to address excavation and treatment of contaminated soils. This work established site-specific risk-based cleanup levels for soils managed on-site.

Additional work is being conducted by the Alaska Department of Environmental Conservation as part of a state-lead cleanup under the Alaska Contaminated Sites program. Investigation-derived contaminated soils from these state activities are the subject of this contained-in determination.

Contained-in Levels

Under EPA's contained-in policy, environmental media containing listed hazardous wastes must be managed as hazardous wastes until they have been determined to no longer contain hazardous wastes. Levels at which this determination may be made should be health-based, assuming direct exposure, and should reflect environmental receptors. Although contained-in determinations should be site-specific, EPA generally makes conservative assumptions based on residential exposure, and risk levels of 10^{-6} excess cancer risk for carcinogens, and a health index of 1.0 for toxics. Other exposure scenarios may be used if justified on a site-specific basis.

Rather than conduct a separate analysis to develop contained-in levels for IDW soils, this determination is based on the site-specific risk assessment developed by the CERCLA removal action to establish cleanup levels at the River Terrace site. These cleanup levels are considered protective of human health and the environment by both EPA and ADEC considering reasonably expected human health and environmental exposure pathways at this site. This coordinated approach will insure that comparable environmental results are achieved by the federal and state-lead response actions, and is consistent with established cleanup program parity policy.¹ Based on Table 6-1 of the CERCLA risk assessment², the following contained-in levels are established, based on total constituent concentrations:

¹"Coordination between RCRA Corrective Action and Closure and CERCLA Site Activities," Steven A. Herman and Elliott P. Laws to RCRA/CERCLA National Policy Managers, Regions I-X, September 24, 1996.

²"Development of Alternate Cleanup Levels Report, River Terrace RV Park, Soldotna, AK," Ecology and Environment, Inc., August, 1997.

Constituent	Contained-in level (mg/kg)
tetrachloroethene	11.5
trichloroethene	300.
<i>cis</i> -1,2-dichloroethene	72.1
<i>trans</i> -1,2-dichloroethene	87.3
1,1-dichloroethene	105.
vinyl chloride	2.16 ³

To be exempt from RCRA Subtitle C regulation, soils must also be shown not to exhibit any hazardous characteristic under 40 Code of Federal Regulations (CFR) Part 261 Subpart C. While various hydrocarbon constituents (benzene, toluene, xylene and total petroleum hydrocarbons) have been detected at the River Terrace site, there is no documentation that they originated from listed waste sources, and thus are not considered as part of this contained-in determination.

Because the CERCLA risk assessment is based on site-specific exposures, this contained-in determination is conditioned on soils determined to no longer contain hazardous wastes be managed exclusively within the property boundaries of the River Terrace Recreation Vehicle site. More specifically, soils shall be placed within an area defined as a 120-foot-wide strip beginning 100 feet uphill from the ordinary high water mark of the Kenai river, extending from the AA gridline⁴ a distance of 550 feet to the southeast. Protectiveness of soils placed within these boundaries is supported by modeling documented in the February 24, 2000 letter from Max Schwenne, OASIS/Bristol JV, to Dennis Harwood, ADEC Technical Services and Risk Assessment.

The following additional conditions also apply:

Soil placement shall be in lift(s) totaling no more than two (2) feet in depth.

Soil placement shall occur during late spring/early summer or other such time that minimizes exposure to rainfall and erosion potential.

Soils must be placed within effective runoff/runoff controls included but not limited to silt barriers, and shall be re-vegetated to minimize airborne dispersal.

Sampling and Analysis

Analytical data used to demonstrate compliance with the above contained-in criteria must

³The cleanup/contained-in level for vinyl chloride is established on the basis of human carcinogenicity due to lack of a water quality criteria in "Quality Criteria for Water, 1986," EPA 440/5-86/001.

⁴Referenced gridlines are defined in "Work Plan for PCE Soil Removal, River Terrace RV Park, Soldotna, Alaska, September 10, 1997" prepared by Hart Crowser.

be of suitable quality for their intended use. All data must be gathered pursuant to the approved sampling and analysis plan "Final Workplan River Terrace RV Park RI/FS," June 21, 1999 or equivalent. Documentation of analytical results and QA/QC validation shall be maintained as part of the facility operating record.

Land Disposal Restrictions (LDR)

Contaminated soils generated prior to obtaining sampling and analysis data demonstrating that the soils do not contain hazardous waste according to the above contained-in criteria are considered prohibited contaminated media subject to applicable Land Disposal Restriction (LDR) treatment standards in 40 CFR Part 268. Compliance with these treatment standards must be demonstrated prior to placement on the land for such soils notwithstanding this contained-in determination. For soils that carry solely the F002 waste code, compliance must be demonstrated with 10 times the constituent-specific treatment standards for F002 appearing at 40 CFR 268.40 as allowed under 40 CFR 268.49. For soils that also exhibit a hazardous characteristic, treatment standards must also be demonstrated with 10 times the Universal Treatment Standard (UTS) for each principle constituent(s) which causes the soils to exhibit a characteristic, and for any Underlying Hazardous Constituents.

Limitations

This hazardous waste contained-in determination is based upon only the information provided to EPA from by OASIS/Bristol JV on behalf of the Alaska Department of Environmental Conservation and other referenced documents. Any new or different information pertaining to this request which has not been submitted by OASIS/Bristol JV or ADEC, and which has not been evaluated by EPA pursuant to this request, may require Region 10 to reevaluate this determination.

This determination can only be applied to contaminated soils identified in the referenced contained-in request generated pursuant to ADEC-approved cleanup actions, and cannot be applied to management of other media contaminated under similar circumstances, with similar constituents, or at different locations.

The management of this media, both prior to and after receipt of this determination, must be done in compliance with all applicable federal, state and local regulations. This determination does not substitute for, nor relieve the generator of contaminated media at the River Terrace site from full compliance with the waste designation requirements of 40 CFR Part 261 and generator requirements of 40 CFR Part 262 prior to demonstrating compliance with contained-in requirements of this determination.

If you have any questions regarding this determination, please contact me at (206) 553-2804.

Sincerely,



Dave Bartus, Senior Policy Analyst
Office of Waste and Chemicals Management



Matt Carr, Federal On-Scene Coordinator
Alaska Operations Office

cc: Diane Richardson, EPA AOO
Kim Ogle, EPA

