UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUN 17 2014

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-084

Certified Mail – Return Receipt Requested

Mr. Shimon Mizrahi
Managing Partner
Rainier Commons, LLC
3317 3rd Avenue South
Seattle, Washington 98134

Re: Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994

Dear Mr. Mizrahi:

I have reviewed the Phase I Individual Phased Work Plan (Phase I IPWP) submitted by Jo M. Flannery on behalf of Rainier Commons, April 3, 2014, the Estimated Catch Basin Sampling Schedule for Phase 1, submitted by Vered Mizrahi on May 14, 2014, the Supplement to Phase I Individual Phased Work Plan, submitted by Jo M. Flannery on June 2, 2014 (Supplemental Response), and the PCB Air Sampling Plan for Phase 1 IPWP submitted by Vered Mizrahi on June 9, 2014 (Air Sampling). These four documents together shall comprise the Phase I IPWP, and are hereby incorporated into the Risk-Based Disposal Approval (RBDA) granted by EPA on December 18, 2013 and become an enforceable condition of the approval, pursuant to the conditions noted below.

One correction shall be made to the Phase I IPWP Supplemental Response- EPA stated in item 20 that the demonstration project showed that soda was not effective. This statement was incorrect. In fact, according to Rainier's Paint Abatement Pilot Testing Preliminary Findings Report, January 12, 2010, soda blasting was found to be "the only product tested that was able to remove the base layer of paint". EPA strongly encourages the use of soda blasting for paint removal, due to the effectiveness previously demonstrated at Rainier Commons.

Conditions:

1. The catch basin sediment and aqueous sampling schedule was submitted by Vered Mizrahi on May 14, 2014. Any modification from this schedule for any reason other than weather conditions shall require prior approval from the EPA Project Manager.
2. The RBDA only approved the use of blasting material identified in the General Workplan, which did not include copper slag or chemical strippers. However, the RBDA does allow the use of different removal media subject to EPA approval. Rainier submitted product sheets and Material Safety Data Sheets for Copper Slag, Green Diamond Sand and Piranha 4 Solvent Gel. These products are approved for use for paint removal at Rainier Commons subject to the following:
    a. Copper Slag and Green Diamond Sand must be analyzed for metals content.
    b. Air samples shall be collected and analyzed for PCBs and metals.

c. Catch basin sediment and aqueous samples collected during and after blasting activities shall include metals analysis.
d. Metals analysis for air, water and sediment shall include all metals identified in the blasting media. If blasting media is not analyzed prior to air monitoring or sediment and aqueous sampling, the following metals must be analyzed in the environmental samples: arsenic, cadmium, chromium, copper, lead, mercury, nickel, silver, and zinc.

3. Air monitoring shall follow the field and analytical methods described in the Phase I IPWP-Supplemental Response and Air Sampling documents, subject to the following:
   a. Rainier proposes to collect air samples and analyze for PCBs. EPA requires that the metals listed in Condition 2.d. of this approval also be analyzed at the same location, frequency and QA standards, so long as blasting media containing metals is used. This results in a total of 4 air sampling pumps each day, 2 outside and 2 inside.
   b. Rainier proposes conducting analysis for three days, and then reducing sample collection to every other day during blasting work if lab results are below the NIOSH REL. EPA does not approve this. Collecting samples every other day does not provide adequate monitoring to ensure protection of human health and the environment. EPA requires Rainier to conduct PCB and metals analysis in air samples every day that blasting occurs.
   c. Rainier may choose to modify the air monitoring approach to continuous dust particulate monitoring instead of daily laboratory analysis. A modification of the air monitoring plan is subject to EPA approval.
4. Clarification is requested regarding prior substrate sampling. In Item 33 of the Supplemental Response Rainier states that "PCBs…have already been shown not to migrate to porous stone or cementitious like substrates, through substrate sampling, and specifically to be at or below 1ppm in brick and cementitious plaster substrates." EPA finds no record that demonstrates cementitious plaster has PCB concentrations < 1ppm. The RBDA provides approval only for brick substrates, and requires all other substrates to be tested. Rainier may seek approval to remove cementitious plaster from analysis under the RBDA by providing documentation that PCBs have been previously demonstrated to be < 1 ppm, subject to EPA approval.
5. Rainier plans to put filter fabric over the roof inlets on roof drains near blasting activity. EPA further requires that filter fabric also be placed over the outlet of the roof drain.

The terms and conditions of this approval are established pursuant to 40 C.F.R. §§ 761.62(c) and 761.61(c) and enforceable under the Toxic Substances Control Act (TSCA). Any actions which deviate from the terms and conditions of this approval may result in administrative, civil, or criminal enforcement in accordance with Sections 16 and 17 of TSCA, 15 U.S.C. §§ 2615 and 2616.

Should you have any questions or comments, please contact me at (206) 553-1616, or Mullin.Michelle@epa.gov.

Sincerely,

Michelle Mullin

Michelle Mullin
PCB Coordinator

cc via email:

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