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

JUN 24 2014

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-084

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Shimone Misrahi
Managing Partner
Rainier Commons, LLC
3317 Third Avenue South
Seattle, Washington 98134

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

Dear Mr. Misrahi:

This letter is notification of a modification to the Phase I Individual Phased Work Plan (Phase I IPWP) dated June 17, 2014, for the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility located at 3100 Airport Way South in Seattle, Washington (EPA ID No. WAD 05123 9994). This letter is in response to the email dated June 20, 2014, to the EPA project manager for the Rainier Commons Facility. The email requested EPA approval a change to the air monitoring under the Phase I IPWP approval from the original constituent-specific sampling and analysis requirement (daily laboratory analysis) to a continuous dust particulate approach. The option to make this change, subject to EPA approval, is included in Condition 3(c) of the June 17, 2014, Phase I IPWP approval. Per the email and follow-up conversations between Davie Bartus and Vered Misrahi, the Rainier Commons Project Manager, EPA understands that Rainier Commons is interested in a quick response from EPA in order to acquire the needed instrumentation to conduct continuous dust particulate monitoring.

Due to the need for a prompt decision, and that there does not appear any record as to what decision criteria or action levels might be associated with continuous dust particulate monitoring, EPA has not been able to conduct a detailed analysis of appropriate performance standards for continuous dust particulate monitoring. Therefore, EPA is providing interim approval for the requested change, effective as of the date of this letter through July 7, 2014. During the period of this interim approval, EPA will further review the proposed change, develop final decision criteria/action levels, and affirm or modify this interim approval, or reject the requested change. This interim approval is subject to the following conditions:

1) Continuous particulate monitoring will be accomplished using the EPAM-5000 instrument documented in the email dates June 20, 2014.
2) Particulate measurements will be based on PM-10 criteria.
3) Particulate measurements will be taken over an 8-hour period, consistent with the existing "PCB Air Sampling Plan for Phase 1 IPWP."

4) Upon exceedances of an action level of 0.05 mg/m^3 PM-10 particulates, Rainier Commons must report within 24 hours such exceedances to the EPA Project Manager according to Condition 22 of the December 18, 2013, risk-based disposal approval. Based on this information, the EPA Project Manager will evaluate the significance of the reported exceedances, and direct Rainier Commons to take such steps as appropriate according to Condition 21 of the RBDA.

The 0.05 mg/m^3 action level specified in Condition 4 is based on the existing 0.001 mg/m3 NIOSH REL standard for PCBs in the air, and an assumed upper bound of 20,000 mg/kg PCBs in dust particulate, generally consistent with the documented maximum concentration of PCBs at the Rainier Commons facility. Due to the lack of opportunity to complete a more detailed review and analysis of the proposed change, EPA is electing to establish this limit as an action level, without any detailed specification of specific response actions. Depending on EPA's review of the action level exceedances, EPA may require Rainier Commons to verify the exceedances, conduct an evaluation of potential causes of the exceedances, or take such other measures, including but not limited to requiring temporary cessation of media blasting activities, as necessary to ensure no unreasonable risk of injury to health or the environment. Because this action level is a conservative bounding limit, air monitoring indicating total particulate levels below the action level will not pose an unreasonable risk of injury to health or the environment.

If you have any questions or comments, please feel free to contact Michelle Mullen at 206-553-1616 or by email at mullin.michelle@epa.gov.

Sincerely,

for Kelly McFadden, Manager
Pesticides and Toxics Unit

cc via email: Dan Cargill, Washington State Department of Ecology

Jo M. Flannery, Ryan, Swanson, Cleveland, PLLC

Arnaud Girad, King County Industrial Wastewater Program

Vered Misrahi, Rainier Commons, LLC

Michelle Mullen, U.S. Environmental Protection Agency

Beth Schmoyer, Seattle Public Utilities

Richard Thomas, Washington State Department of Ecology

Bruce Tiffany, King County Industrial Wastewater Program