UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 1 3 2010

REPLY TO THE ATTENTION OF:

LU-9J

CERTIFIED MAIL: 7001 0320 0006 0192 4957
RETURN RECEIPT REQUESTED

Graham Crockford
RMT, Inc.
3754 Ranchero Drive
Ann Arbor, Michigan 48108

RE: Off-Site Soil Gas Sampling
Tecumseh Products Company, Inc.
Tecumseh, MI 49286
MID 005 049 440

Dear Mr. Crockford:

This letter is in response to Mr. McClure's email dated August 31, 2010 addressed to Michelle Mullin and Susan Perdomo concerning Ms. Mullin's August 24, 2010 letter regarding Tecumseh Products Company, Inc. (TPC) off site soil gas sampling results.

Under the Environmental Protection Agency's RCRA 3008(h) Consent Order issued March 30, 2010, TPC agreed to undertake actions required by the Order in compliance with RCRA and consistent with all EPA guidance documents, as appropriate to the facility. In developing an Environmental Indicator (EI) Report under paragraph 13.A. of the Order, TPC is required to demonstrate that all current human exposure to contaminants at or from the facility are under control. In addition, in preparing the EI Report, TPC is required under paragraphs 14. a.and b. to determine appropriate risk screening criteria under current use scenarios and to determine any current unacceptable risks to human health and the environment. Finally, any risk assessment TPC conducts under the Order shall follow appropriate EPA guidance and use appropriate conservative screening values when screening to determine whether further investigation is required, as required under paragraph 20.f.

Between April and May 2010, TPC conducted off-site soil gas investigation activities in the vicinity of the former TPC manufacturing facility for purposes of investigating the nature and extent of releases of hazardous waste and hazardous constituents from the facility. In calculating a soil gas screening criteria, which is used to establish whether additional sampling is necessary to determine if exposure pathway exists in homes near the sampling points, TPC reported in its July 15, 2010 quarterly report that it used an attenuation factor (α) of 0.003, based on generic site conditions. Applying this soil gas screening criteria to the samples collected in April/May 2010, TPC concluded that no further sampling near or in homes close to the sampling sites is

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necessary because the soil gas sample results fell below TPC's screening criteria, indicating that there is no exposure pathway of concern.

EPA disagrees with TPC's conclusion and concludes that the attenuation factor TPC employed is not sufficiently protective of human health and the environment. Instead, EPA maintains that the appropriate attenuation factor TPC should use to calculate the soil gas screening criteria is 0.1, which is supported by US EPA's Vapor Intrusion Database: Preliminary Evaluation of Attenuation Factors. EPA independently applied the 0.1 attenuation factor in calculating its own soil gas screening criteria and concluded that further sampling is required at certain residences located near sampling points SG-06, SG-07 and SG-09 in order to establish whether an exposure pathway exists. Specifically, EPA believes that sub-slab and indoor air sampling should be taken at the two residential properties around SG-09 on Mohawk Street (parcels 325-0323-00 and 325-0330-00) as well as the two residential properties north of SG-07 and SG-06 (parcels 325-0190-00 and 325-0129-00).

Accordingly, I recommend that TPC provide to EPA an Environmental Indicators Report that demonstrates that TPC employed an attenuation factor of 0.1 in calculating the soil gas screening criteria used to determine the extent of human exposures to contamination at or from the facility, as required under paragraphs 13 and 14 of the order. Please be advised that if TPC does not recalculate the soil gas screening criteria in accordance with EPA's recommendation, the Agency is likely to determine that the Environmental Indicators Report is deficient and that TPC has not complied with the requirements of the Order. At that time, EPA will likely require additional sampling points to comply with the terms of the Order and, evaluate its enforcement response options, including the assessment of stipulated penalties as provided for under Section X of the Order.

While enforcement options are available to EPA under the Consent Order, we prefer to work cooperatively with TPC. Indeed, failure to work cooperatively and to address EPA's clearly stated requirements in the Consent Order will only waste time and resources for TPC and EPA. Therefore, EPA is prepared to assist TPC with the development of a strategy for conducting the sampling described above and for and performing community outreach. Optimally, we would like to see indoor sampling beginning no later than January 31, 2011. Please contact me at (312) 353-2470 to discuss this matter further. I look forward to your response.

Sincerely,

Michelle Mullin

Michelle Mullin
Corrective Action Project Manager