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**From:** Evangelista, Pat  
**Sent:** Wednesday, January 29, 2020 8:39 AM  
**To:** Vaughn, Stephanie; Donovan, Betsy  
**Cc:** Carpenter, Angela; Prince, John  
**Subject:** FW: Rolling Knolls Follow Up

FYI

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**From:** Woolford, James <Woolford.James@epa.gov>  
**Sent:** Wednesday, January 29, 2020 8:36 AM  
**To:** william\_lodder@ios.doi.gov  
**Cc:** Evangelista, Pat <Evangelista.Pat@epa.gov>; Wilson, Eric <Wilson.EricJ@epa.gov>; Prince, John <Prince.John@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Schaaf, Eric <Schaaf.Eric@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Carpenter, Angela <Carpenter.Angela@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; DeLeon, Rafael <Deleon.Rafael@epa.gov>  
**Subject:** Rolling Knolls Follow Up

Good Morning Bill:

This email follows up on the April 25, 2019, meeting that discussed DOI's concerns related to the Rolling Knolls Superfund site's remedy selection.

I apologize for the delay in responding to you as the issues raised regarding the FS and applicability of the Wilderness Act have required significant deliberations within EPA.

Relative to the Feasibility Study, following our meeting I directed my staff to review DOI's April 2019 "Feasibility Study Assessment" report, which DOI's consultants developed independent of the ongoing Superfund remedial investigation/feasibility study process (RI/FS). EPA Region 2 also reviewed the report. Generally, both HQ and Region 2 reviewers found the report's data assessment methods to be inconsistently applied and not thoroughly documented. This inconsistency and lack of robust documentation required the reviewers to guess or make assumptions regarding the assessment's data and data source(s) as well as the process followed to evaluate the data and to draw conclusions.

More specifically, EPA concluded that DOI's approach to evaluate the refuge is inconsistent with EPA's 1997 Ecological Risk Assessment Guidance for Superfund. The DOI document describes impact (*not* risk) as an exceedance of a benchmark and/or a trend of increasing analytical values over space (i.e., distance from a source). This approach lacks the rigor of a Superfund screening or baseline ecological risk assessment (BERA) and does not provide a basis for making risk-based decisions. Therefore, the impact determination offered represents only the first steps in a screening ecological risk assessment.

While the report's introduction briefly described proposed removal or remedial alternative modifications, it did not provide specific design elements. Moreover, the report did not include an explanation of how DOI's suggested changes to the proposed cleanup alternative would reduce ecological risk (e.g., risk reduction through reduced concentrations and/or exposure to contaminants).

After considering the report and analysis of it, OLEM/OSRTI agrees with Region 2's approach and we believe efforts should continue to move the remedy towards a proposed plan.

EPA also acknowledges the different views on what aspects of the Wilderness Act are potential ARARs for the Site. EPA appreciates DOI's perspective on this matter. However, my Office, the Office of Site Remediation Enforcement, and the Office of General Counsel have considered the issue and are in agreement with EPA's response in the August 22, 2018 letter from the Assistant Regional Counsel.

DOI, through the Fish and Wildlife Service (FWS), has been involved throughout the site's RI/FS process--reviewed documents, participated in the BERA's development, attended meetings, and commented on the work plan and draft reports. As appropriate, EPA addressed FWS comments on the BERA in the final document.

The Region, the state and others are very interested in moving forward with proposing a remedial cleanup plan. We all share the common goal of achieving a remedy that is protective of human health and the environment that is consistent with CERCLA statutory requirements. I encourage DOI to collaboratively work with everyone within the Superfund framework to address concerns it may have, or to seek alternate means of achieving your goals, such as through the natural resource damage assessment and restoration process or others.

Sincerely,

Jim Woolford, Director  
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Office of Land and Emergency Management  
US Environmental Protection Agency  
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