

# CUMMINGS RITER CONSULTANTS, INC.



## Environmental

Remediation • Compliance/Permitting  
Brownfields • RCRA/CERCLA • O & M  
Voluntary Cleanup • Health & Safety

## Human Resources

## GIS/GPS

PITTSBURGH • ALTOONA • DELAWARE VALLEY

The response to our first newsletter was very positive & we thank you! A few asked, "Why the boxer shorts?" Well, we're the firm that covers your behind, literally with boxers (our "giveaway") & figuratively with our consulting services. Questions & comments are most welcome. Send to: [crc@cummingsriter.com](mailto:crc@cummingsriter.com).

## Vapor Intrusion:

### The answer, my friend, is blowin' in the wind...

Vapor intrusion (VI) -- the migration of volatile organic compounds (VOCs) from subsurface sources into overlying buildings -- has become a major pathway of concern for site cleanup. Although more than a dozen states have published documents addressing VI, opinions still vary on its impact. On one hand, NY's guidance document acknowledges their goal of determining if VI impacts "actually exist". However, most agree that health risks linked with VOC inhalation are greater than those of drinking comparably contaminated water, and even groundwater concentrations at MCLs can result in indoor air (IA) concentrations exceeding  $10^{-6}$  cancer risk level.

Those who are or have been involved in remediation of VOCs in soil or groundwater, whether as a PRP, owner, buyer, developer or lender, are likely to find that regulators increasingly require more investigation where the potential for VI exists, and questions abound: Do sample results confirm Johnson & Ettinger model estimates? What's preferable: modeling or sampling? IA or soil gas? Does that change for sites with preferential pathways, closed sites or voluntary cleanups? The answers, my friend, are — well, you know — so we've stuck a moistened finger into the air to see which way the wind is blowing, at least for now...

- ◇ Sample results show the J-E model is a good *indicator*, but there are too many variables for decisions to hinge solely on its use.
- ◇ At the moment, EPA prefers generic, conservative modeling using soil and groundwater data first, soil gas sampling second, and IA sampling as a last resort. However, NJ, MA, CO and TX prefer IA data and CA, SC, CT, NY and LA prefer soil gas data.
- ◇ In the last 120 days...
  - NYDEC introduced draft policy that received swift criticism about its apparent impact on cleanup volunteers;
  - PADEP received a subcommittee evaluation of its guidance suggesting IA impacts from contaminants in soil or groundwater within 5 feet of a building foundation can be evaluated using the J&E model based on site data, and that sampling can be conducted anytime, not only in winter and spring; and
  - A MODNR Vapor Subgroup issued a memo on their concern with low, risk-based target levels for indoor inhalation of specific compounds, including benzene, and said on some points "despite much discussion...consensus could not be reached."
- ◇ Agency contacts cite lab data used to evaluate a VI pathway as a recurring problem, noting that adherence to proper methods is critical to ensuring sufficiently low detection limits.

Final EPA guidance is expected this fall and state guidance continues to evolve, but the seasoned professionals at Cummings/Riter have the expertise to oversee sampling, assess pathways and develop a defensible technical argument...*even* in these changing winds.

**Favorite acronym: CACA - Corrective Action Consent Agreement**

Submitted by Matt Valentine. Submit your favorite acronym to [crc@cummingsriter.com](mailto:crc@cummingsriter.com)

## What's Happening

### C/R Opens New Office

We are pleased to announce the opening of a new office in New Jersey to better serve clients in the Delaware Valley. Details next issue.

### 50+ Attend MOA Seminar

On January 26, 50+ attendees heard about the One Cleanup MOA from key EPA & PADEP staff members at a seminar given by Cummings/Riter & the law firm of Babst, Calland, Clements & Zomnir.

### Happy Anniversary!

Cummings/Riter celebrated its 12th anniversary on January 19.

## • People • People •

**Kevin Gawason** has joined our staff as Eastern Regional Business Development Manager, bringing 18+ years of experience in the environmental industry. • Our own **Bill Baughman, P.G.**, published an article in the Jan/Feb 2005 issue of *Bowhunter* magazine about the skillful pursuit of an Iowa whitetail by Bill & his brother. See the article link on our website: [www.cummingsriter.com](http://www.cummingsriter.com)

## Project Profile

### Former Smelting Operation

It is suspected that lead from a former smelting operation migrated via air to the nearby community, including 2,400 residential properties, playgrounds and ballfields. Although our main goal was to address environmental issues, the suspected contamination raised concerns in the community, and Cummings/Riter recognized the importance of addressing that aspect of the project as well. Our first step was to implement a community relations program centered on a unique storefront operation where our staff provided information, encouraged citizen participation, and listened to the community's concerns.



Excavating lead-contaminated soil at playground.



Pin flag shows typical proximity of contamination to homes.

The project team collected samples to identify properties requiring soil removal. Closely situated homes made accessibility a major challenge, so creativity was required to avoid hitting utility lines and structures while excavating soil. Where a bobcat did not fit, a rototiller was used to loosen soil, then a vacuum truck removed it. There was also plenty of hand shoveling, followed by backfilling and landscaping, and one wetland was encountered and addressed. Dust from interior floors and draperies was sampled with a small vacuum pump, and cleaned with a HEPA vacuum. Ultimately, 179 exteriors and 20 interiors will be remediated.



HEPA vacuuming a home.

#### WHO KNEW?

"There's a world market for maybe five computers." Thos. Watson, IBM, 1943  
"640K ought to be enough for anybody." Bill Gates, 1981

"You ain't goin' nowhere son. You ought to go back to drivin' a truck." Jim Denny, Grand Ole Opry, firing Elvis Presley after his first performance

#### THE CONSULTANT

A shepherd herds his flock in a remote pasture when suddenly a shiny BMW appears through a dust cloud. The driver, a man in an Armani suit, Gucci shoes & Ray Ban glasses, leans out the window & says, "If I tell you exactly how many sheep are in your flock, will you give me one?" The shepherd looks at the man, then at his peacefully grazing flock & answers, "Sure, why not?"

The man parks, whips out a laptop, connects it to his cell phone, calls up a GPS satellite navigation system to get his location which he feeds to another satellite that scans the area in an ultra-high resolution photo. He exports the photo to an image processor in Germany & in seconds an email on his Palm Pilot says it's processed & the data is stored. He then accesses a MS-SQL database thru an ODBC connected Excel spreadsheet with hundreds of complex formulas & uploads the data on his Blackberry. Finally he prints a full color, 150-page report on a portable printer, turns to the shepherd & says, "You have exactly 1,586 sheep." "That's right...well, I guess you get one of my sheep," says the shepherd. He looks on amused as the man picks one & stuffs it in his car.

The shepherd adds, "Hey, if I can tell you exactly what your business is, will you give my sheep back?" The man thinks a moment & says, "OK, why not?" "You're a consultant," says the shepherd. "Wow! That's right! How'd you guess?" "No guessing," says the shepherd, "You showed up when nobody called you, wanting to be paid for an answer I already had to a question I never asked & you don't know nothin' about my business...now gimme back my dog."

## Regulatory Ch-Ch-Ch-Changes

**ACT 2:** PADEP requests (optional for now) that final reports be submitted on paper *and* as a pdf file. **RCRA:** EPA is now evaluating requested changes to hazardous waste regulations. Top requests: 180-day accumulation time; satellite point flexibility; a uniform manifest; abolish LDR forms; & define "small quantity" as 12,000 kg/yr versus 1,000 kg/mo. **SUPERFUND:** EPA has established an official reference dose (RfD) of 0.0007 mg/kg/day for perchlorate — a drinking water equivalent level of 24.5 ppb — and will use it to determine Superfund cleanup levels. **POLLUTION PREVENTION:** EPA issued an 18-month extension to comply with Spill Prevention Control and Countermeasure (SPCC) amendments. Changes are significant & dates are: amend plans by Feb. 17, 2006 & implement by Aug. 18, 2006. Our staff develops and certifies SPCC plans.

### Bird's Eye View

Just like vapor intrusion guidance, (see article, pg. 1) times are changing! Last quarter we did our first newsletter. That was tough to beat, but I think we've done it: Cummings/Riter has opened a Delaware Valley office to better serve clients in eastern Pennsylvania, Delaware & New Jersey. Although this was not part of our 2005 plan (Pat, we do have a 2005 plan...don't we?) an exciting opportunity arose in January. It's always been our policy that, when a chance to hire someone who demonstrates our corporate values and shares our goal of exceptional responsiveness to clients presents itself, we seriously evaluate the opportunity. This one didn't take long: it was a no-brainer for Kevin Gawason to join us out east. Many of our clients & staff have known Kevin as a teammate and competitor for over 12 years. Kevin, with our staff's support, will be expanding Cummings/Riter's presence throughout the mid-Atlantic. If you think this is exciting...just wait till next quarter!



Ken Bird, VP