



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 28 2012

DEPUTY ADMINISTRATOR

MEMORANDUM

SUBJECT: Corrective Action Plan for Office of the Inspector General Report No. 12-P-0125, *Use of Unapproved Asbestos Demolition Methods May Threaten Public Health*, December 14, 2011

FROM: Bob Perciasepe

A handwritten signature in black ink that reads "Bob Perciasepe".

TO: Arthur Elkins
Inspector General

Thank you for your February 7, 2012, memorandum requesting a corrective action plan for the Office of the Inspector General Report No. 12-P-0125, *Use of Unapproved Asbestos Demolition Methods May Threaten Public Health*. I appreciate the opportunity to provide a corrective action plan, including specific milestone dates addressing each of the six recommendations in the early warning report. The corrective action plan and the milestone dates are provided below. However, given the nature of the recommendations and the need for further information, the plan and dates are likely to evolve, and we will update the corrective action plan accordingly.

Recommendation 1: The EPA should immediately and clearly communicate National Emission Standards for Hazardous Air Pollutants and Occupational Safety and Health Administration requirements for the demolition of asbestos-containing structures to regional, program and field offices to prevent potentially hazardous asbestos exposure.

Recommendation 2: The EPA should notify these offices that unapproved methods are not to be used without obtaining appropriate waivers.

EPA Response to 1 and 2: The EPA agrees with the recommendations. In conjunction with the Office of General Counsel, the Office of Enforcement and Compliance Assurance, and the Office of Solid Waste and Emergency Response, the Office of Air and Radiation is drafting a memorandum communicating three important points stated in your December 14, 2011, early warning report. First, the memorandum articulates the NESHAP requirements and provides references to OSHA requirements for the demolition of asbestos-containing structures. Second, it states that under the Clean Air Act, unapproved methods are not to be used without EPA approval pursuant to the requirements of the Asbestos NESHAP. Lastly, it describes how the Asbestos NESHAP requirements apply to work conducted under our Superfund removal, remedial and brownfields programs. It also states that, under the Clean Air Act, the EPA has not approved the "Fort Worth" method described in DOE/RL-2010-33, the Alternative Asbestos Control Method referenced in your initial letter or any other method as an alternative to the demolition requirements of the Asbestos NESHAP. As Deputy Administrator, I will send this memo to all EPA offices, regions and field offices by March 30, 2012.

Recommendation 3: The EPA should assess whether any authorizations resulted in potential asbestos exposure of workers or the public and notify them accordingly.

EPA Response: The EPA agrees with this recommendation. OECA and OSWER are working with the regions to determine which sites, if any, did not comply with the NESHAP for asbestos demolitions. To the extent we determine that activities at certain sites did not comply with the NESHAP for asbestos demolitions, we will further seek to ascertain whether such activities were undertaken pursuant to any purported authorization. Once we have reviewed that information, OECA and OSWER, working with the respective federal agencies, will make a recommendation to me regarding whether workers or the public need to be notified and the manner in which such notifications would occur.

Recommendation 4: The EPA should identify all sites, such as Hanford, with work plans that contain EPA authorization to use unapproved methods for asbestos demolitions and retract any such approvals that deviate from the Asbestos NESHAP regulation.

EPA Response: The EPA agrees that all sites with work plans¹ that acknowledge the use of asbestos-demolition methods not approved under the Asbestos NESHAP should be identified. OECA and OSWER are working with the regions to determine which sites did not comply with the asbestos NESHAP. Once the list is compiled, we will determine what needed action should be taken.

The EPA and the Department of Energy have discussed the issues pertaining to the EPA OIG early warning on asbestos-related issues at Hanford. EPA Region 10, including EPA site remedial project managers, has collected information in the form of reports, work plans and other asbestos-related documents for actions conducted at Hanford. EPA headquarters and DOE headquarters environmental management have also discussed the situation at Hanford and continue to review and assess the previous activities related to asbestos removals. In the attached February 2, 2012, bulletin to all Hanford employees, the DOE shared the information known to date and described actions being taken to address the concerns.

In addition, the EPA's Technical Review Workgroup Asbestos Committee has completed its preliminary review of documents on the demolition and removal of buildings 284W, 284E, 384, and the 105KE/105KW reactor facilities containing asbestos at the DOE Hanford Superfund site. A final report will be issued by April 30, 2012.

Recommendation 5: The EPA should identify the workers who were present [during the AACM demolition experiments] and notify them according to OSHA regulations.

EPA Response: The EPA agrees that it should identify the workers who were present during the AACM experiments. At this time, before we have finished identifying and reviewing the relevant documentation, the EPA does not have sufficient information to determine the type of notification and its intended recipients. I have designated a team from OAR and the Office of Chemical Safety and Pollution Prevention, and they are currently reviewing existing documents with information regarding workers who were present to determine whether notification is warranted and to whom. Once that review is complete, the team will make a recommendation to me regarding the need for notification.

Recommendation 6: The EPA should notify the surrounding public of potential asbestos exposure during these AACM experiments.

¹ These sites refer to those where the EPA has been involved with the work plans (e.g., Federal Facilities sites on the NPL).

EPA Response: At this time, before we have finished identifying and reviewing the relevant documentation, the EPA does not have sufficient information to determine what type of notification, and to whom, may be appropriate. Once the team from OAR and OCSPP has reviewed the relevant materials we will be able to assess whether the surrounding public was potentially exposed. Once the team determines whether there was potential exposure, the team will make a recommendation to me regarding the need for notification.

Attachments

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| | | <p>and clearly communicate NESHAP and OSHA requirements for the demolition of asbestos- containing structures to regional, program, and field offices to prevent potentially hazardous asbestos exposure.</p> |
| <p>1. The Deputy Administrator will send a memo to the regional, program and field offices by March 30, 2012.</p> | <p>Deputy Administrator</p> | <p>Recommendation 2: The EPA should notify these offices that unapproved methods are not to be used without obtaining appropriate waivers.</p> |
| <p>1. Develop a list of sites if any, which did not comply with the Asbestos NESHAP. April 30, 2012. 2. Of those sites determine which if any, engaged in asbestos demolition pursuant to any purported authorization by July 2, 2012. 3. Determine next steps regarding notification of workers/public as appropriate by July 2012.</p> | <p>Deputy Administrator</p> | <p>Recommendation 3: The EPA should assess whether any authorizations resulted in potential asbestos exposure of workers or the public, and notify them accordingly.</p> |
| <p>1. Comments with the DOE regarding Hanford Conventions started December 2011 and are ongoing. 2. DOE issued a bulletin on February 2, 2012. (It is attached.) DOE stopped</p> | <p>Deputy Administrator</p> | <p>Recommendation 4: The EPA should identify all sites, such as Hanford, with work plans that contain EPA authorization to use unapproved methods for asbestos demolitions, and</p> |

| Recommendation | Office Responsible | Action Item and Date |
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| <p>Recommendation 1: The EPA should immediately and clearly communicate NESHAP and OSHA requirements for the demolition of asbestos-containing structures to regional, program, and field offices to prevent potentially hazardous asbestos exposure.</p> | <p>Deputy Administrator</p> | <p>1. The Deputy Administrator will send a memo to the regional, program and field offices by March 30, 2012.</p> |
| <p>Recommendation 2: The EPA should notify these offices that unapproved methods are not to be used without obtaining appropriate waivers.</p> | <p>Deputy Administrator</p> | <p>1. The Deputy Administrator will send a memo to the regional, program and field offices by March 30, 2012.</p> |
| <p>Recommendation 3: The EPA should assess whether any authorizations resulted in potential asbestos exposure of workers or the public, and notify them accordingly.</p> | <p>Deputy Administrator</p> | <p>1. Develop a list of sites, if any, which did not comply with the Asbestos NESHAP. April 30, 2012.</p> <p>2. Of those sites, determine which, if any, engaged in asbestos demolition pursuant to any purported authorization by July 2, 2012.</p> <p>3. Determine next steps regarding notification of workers/public as appropriate by July 2012.</p> |
| <p>Recommendation 4: The EPA should identify all sites, such as Hanford, with work plans that contain EPA authorization to use unapproved methods for asbestos demolitions, and</p> | <p>Deputy Administrator</p> | <p>1. Communicate with the DOE regarding Hanford. Conversations started December 2011 and are ongoing.</p> <p>2. DOE issued a bulletin on February 2, 2012. (It is attached.) DOE stopped</p> |

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| <p>retract any such approvals that deviate from the Asbestos NESHAP regulation.</p> | | <p>work when the early warning report came out.</p> <p>3. Ask EPA's Technical Review Workgroup Asbestos Committee to review documents on the demolition and removal of Buildings 284W, 284E, 384 and the 105KE/105KW Reactor Facilities. The draft report was completed on February 10, 2012, and the final report will be issued by April 30, 2012.</p> <p>3. Identify all sites with work plans that contain unapproved methods for asbestos demolition by April 30, 2012.</p> <p>4. Determine next steps at that point by July 2, 2012.</p> |
| <p>Recommendation 5: The EPA should identify the workers that were present [during the AACM demolition experiments], and notify them according to OSHA regulations.</p> | <p>Deputy Administrator</p> | <p>1. The Deputy Administrator assembled a team from OCSPP and OAR who are reviewing the IG's documents. The team began on February 14, 2012. The team will finish their initial review by March 15, 2012.</p> <p>2. Meet with the Deputy Administrator and discuss next steps at that point.</p> |
| <p>Recommendation 6: The EPA should notify the surrounding public of potential asbestos exposure during these AACM experiments.</p> | <p>Deputy Administrator</p> | <p>1. The Deputy Administrator assembled a team from OCSPP and OAR who are reviewing the IG's documents. The team began on February 14, 2012. The team will finish their initial review by March 15, 2012.</p> <p>2. Meet with the Deputy Administrator and discuss next steps at that point.</p> |

ANNOUNCEMENT

Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

RL No.: 12-0062

Issued: 2/02/2012

To: ALL HANFORD EMPLOYEES

Subject: BULLETIN ON ASBESTOS CONCERNS

Recently, many employees have expressed concerns related to asbestos, asking that certain Deactivation and Decommissioning (D&D) sites and existing facilities/steam lines in the Central Plateau be inspected for Regulated Asbestos-Containing Material (RACM), any asbestos material identified be contained and/or cleaned up, and any adverse health effects be determined.

We thank those employees for raising these concerns. Raising concerns and acting on those concerns is essential to a strong safety culture. We are sending this message to Hanford Site employees to share the information we know at this point in time and to describe actions we are taking to address the concerns.

First, we are looking into the concerns and gathering information.

- DOE and contractor senior management, safety personnel, and Hanford Atomic Metal Trades Council (HAMTC) Safety Representatives have walked down the sites with some of the employees who raised questions and discussed their concerns.
- Additional teams were sent out to sites where buildings that contained asbestos were demolished. Those teams evaluated the condition of the soil cover that had been installed over some of the areas where the D&D work was done. They looked for any asbestos materials on the surface and evaluated the need for site controls. They also evaluated other potential sources of asbestos, including steam lines and existing buildings that have siding or roofing containing asbestos.

A team of industrial hygienists from CH2M HILL Plateau Remediation Company (CHPRC) and Mission Support Alliance (MSA), along with asbestos experts from across the Hanford Site reviewed monitoring data from hundreds of samples taken during demolition activities (both personnel and area monitoring). The team verified that monitoring and sample analyses were performed in accordance with approved analytical methods. **All samples were below the OSHA permissible exposure limit (PEL), which is set to protect workers' health.** Additional sampling will be conducted to ensure there are no harmful levels of asbestos currently at these sites and adjacent facilities of concern.

We are taking these actions:

- Barriers are being placed around D&D sites identified in the walk downs to restrict access to the sites.
- Fragments of material suspected to contain asbestos in and around the areas of concern will be cleaned up.
- Concrete slabs that contain asbestos will be removed, or a protective cover constructed of gravel or a protective liner will be installed over the slabs.
- Soil cover will be added to the 200 East power house D&D site, similar to what was done for the 200 West power house.
- Relocate a CHPRC “lay down” area in the old “Industrial 7” sites in the 200 West Area, including washing equipment.
- A manhole cover in the 200 East Area and other access to underground piping or structures near the D&D sites that could contain asbestos will be evaluated and posted.
- The post-D&D site cleanup process will be reviewed and revised as needed, to include periodic checks of D&D sites after demolition
- A lessons-learned analysis of the D&D work will be conducted to ensure future D&D projects use controls that are rigorous and ensure contaminated water and asbestos-containing materials are controlled during and after demolition.
- Additional surveillance and maintenance of buildings/structures that contain asbestos will be conducted, and we will assess accelerating the schedule for vacating and demolishing facilities of most concern.

The team of industrial hygienists, HAMTC Safety Representatives, and asbestos experts will evaluate additional data as appropriate and will help determine whether or not any further actions are needed. As we know more about this issue, we will likely be taking additional actions. We will provide information on those actions as it becomes available.

If employees have concerns about exposure to asbestos, they should contact their management, as well as the Hanford Site occupational medical services provider (CSC) or their personal medical provider so that any health concerns may be evaluated and documented.

Concerns raised by employees have provided an opportunity to communicate more information about asbestos-containing material on the site. It’s also given us an opportunity to look at the D&D sites, controls that are in place after demolition is done, and existing facilities that still have asbestos-containing materials.

Thank you for the feedback you provide every day as we conduct our work. We appreciate employees raising this issue and working with us to address the concerns.

If you have any questions, please contact your supervisor, HAMTC Safety Representative, or management.

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| <p>J. Frank Armijo President and General Manager Mission Support Alliance, LLC</p> | <p>John G. Lehw III President and Chief executive Officer CH2MHILL Plateau Remediation Company</p> |
| <p>Dave Molnaa, President Hanford Atomic Metal Trades Council</p> | <p>Carol A. Johnson President and Project Manager Washington Closure Hanford LLC</p> |
| <p>Frank M. Russo Project Director Waste Treatment Plant</p> | <p>M. D. Johnson Acting President & Project Manager Washington River Protection Solutions</p> |
| <p>Matt S. McCormick, Manager Richland Operations Office</p> | <p>Scott L. Samuelson, Manager Office of River Protection</p> |

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Thank you for the feedback you provide every day as we conduct our work. We appreciate employees raising this issue and working with us to address the concerns.

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