



Florida Department of Environmental Protection

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May 26, 2010

Mr. Scott Miller
Remedial Project Manager
United States Environmental Protection Agency
Region IV, Superfund North Florida Section
61 Forsyth Street, SW
Atlanta, Georgia 30303

RE: Review of the May 2010 *Evaluation of Potential Theoretical On-Site Human Health Risks Associated with Soils and Sediments at the Koppers Inc. Wood-Treating Facility in Gainesville, Florida.*

Dear Scott:

DEP has completed its review of the most recent revised human health risk assessment (HHRA) for onsite soils and sediments at the Koppers facility Superfund site. I have enclosed comments from Drs. Roberts and Stuchal, who have assisted the Department by providing technical review for this and previous risk assessments for the site.

Some of the concerns raised by DEP with regard to previous versions of the HHRA have been addressed in the current revision, principally the absence of evaluation of risk from a future, more generic commercial/industrial land use scenario. With the decision by Koppers to cease operations at the site and ambiguity regarding future site use, the need to evaluate potential risks from general commercial/industrial land use is indisputable, and we are pleased that this has now been incorporated into the HHRA. However, most of the DEP concerns with technical aspects of the HHRA remain. These are essentially the same objections raised in my December 11, 2009 letter to you regarding the previous HHRA, and are explained in detail in the attached letter from Drs. Roberts and Stuchal. Examples include:

- Arcadis has used the *median* potential excess lifetime cancer risk (PELCR) rather than an upper percentile for comparison to the DEP risk threshold of 10^{-6} . Use of median risk estimates to make management decisions at contaminated sites is inconsistent with EPA guidance, the intent of the Florida legislature as reflected in Section 403, Florida Statute, and risk management practices in Florida. Protection based on 50% of the population is not acceptable.

- Risks are calculated considering the entire 90-acre site as a single exposure unit. While we understand the difficulty in predicting future land use, assuming that individuals are exposed equally and randomly over the entire site is unrealistic.

Once redevelopment details are known, a reassessment of potential risk using appropriate exposure units must be conducted and additional engineering/institutional controls or other corrective measures implemented as necessary to ensure the protectiveness of the remedy for that specific land use.

- Some of the distributions used in the probabilistic risk assessment are not adequately substantiated, are inappropriately calculated, or reflect use of median or lower percentile values which are not adequately protective.
- A site-specific downward adjustment in exposure and risk estimates is made based upon bioavailability considerations without benefit of any site-specific bioavailability information. DEP requires that site-specific data from a suitable *in vivo* bioavailability study be obtained in order to modify the default assumption of a relative bioavailability of 1 (or in the case of arsenic, 0.33).

The technical issues are not trivial, and as a result of the many problems with the current HHRA as submitted, DEP does not consider it sufficiently reliable to use as a basis for decision-making at this site. I would be pleased to go over our comments and concerns with the HHRA at the earliest opportunity. Please call me at 850-245-8969 when you are available to discuss.

Sincerely,



Kelsey Helton
Bureau of Waste Cleanup

Enclosure

cc: Ligia Mora- Applegate, DEP