

March 11, 2010

Hello everyone,

The next meeting of the MTCA/SMS Advisory Group is right around the corner. We have a number of topics on the agenda. Based on our discussions at the January 11th meeting, it makes sense to organize the day as follows:

- Update to the Roadmap – what to expect over the next 4 months

- Topic 1: Cleanup levels and risk-related issues
- Topic 2: Early life exposure to chemical carcinogens
- Topic 3: Lead-Contaminated Soils

- Recap of Ecology feedback on previously discussed topics, an update from the Sediment Workgroup, and a preview of issues for the next (April 26, 2010) meeting

Meeting Materials

To go with these topics, we have prepared several documents to facilitate discussions. Attached (and soon available on the Ecology web site) please find the following.

- Preliminary Review of Method A Cleanup Levels for Groundwater and Soil
- Early-Life Exposure to Chemical Carcinogens: Looking at Benzo[a]Pyrene as an Example for Updates to the Model Toxics Control Act Cleanup Regulation
- Updating Cleanup Levels for Lead-Contaminated Soils

Also attached are notes from our last (January 11, 2010) meeting. Please take a few minutes to review these and let me know if you have any corrections.

Below are questions to think about as you review the meeting materials.

Topic 1: Cleanup levels and risk-related issues – Updating cleanup levels using new scientific and regulatory information

Frequently encountered chemicals: The MTCA Cleanup Regulations include a series of tables that specify cleanup levels for contaminants that are frequently found at Washington sites. Ecology is currently evaluating new scientific and regulatory information to determine whether we need to make changes to these tables.

We have focused on these chemicals because they provide a mechanism for discussing both chemical-specific issues (e.g., new cancer slope factors, new drinking water standards) and broader scientific policy choices that potentially affect multiple chemicals (e.g., early life stage adjustments).

Ecology has completed an initial review of new toxicological information. This evaluation is summarized in the attached discussion paper, *Preliminary Review of Method A Cleanup Levels*. Based on our initial review, Ecology has reached some preliminary conclusions:

- Revisions are not needed for most of the 30 chemicals that appear in one or more of the Method A tables.
- Cleanup levels for two chemicals need to be revised based on new federal and state drinking water standards.
- We want to discuss potential changes to cleanup levels for 10 of the chemicals that appear in one or more of the tables. (Ecology plans to discuss the issues with each of these chemicals during the next several meetings.)
- Ecology will need to review the total petroleum hydrocarbon (TPH) levels after we discuss some of the chemical-specific issues.

As you review the discussion materials, please consider the following questions:

- Ecology has concluded that revisions to cleanup levels for many chemicals are not necessary. Did we miss something important?
- Ecology has heard concerns that changes to cleanup levels create uncertainty and confusion. How big of a change in a risk-based cleanup level warrants revisions to the Method A Tables?
- Ecology generally bases cleanup level calculations on toxicological information published in the EPA Integrated Risk Information System (IRIS) database. How should Ecology select toxicity parameters when values are not included in the IRIS database? (Substantive criteria for making this determination? Procedural steps for providing peer review/transparency?)
- How should Ecology deal with chemicals identified as carcinogens by other scientific groups (IARC/NTP) when those classifications are not reflected in the IRIS database? (Substantive criteria that Ecology should use? Process suggestions?)

Topic 2: Early-Life Exposure to Chemical Carcinogens

Consistent with new technical information and regulatory guidance, Ecology is proposing to change the MTCA Cleanup Regulation to account for early-life exposure for the carcinogenic polycyclic aromatic hydrocarbon, benzo[a]pyrene, B[a]P.

Preliminary analysis by Ecology suggests that the risk-based cleanup levels for B[a]P will be reduced when early-life exposure age adjustments are made to account for early-life susceptibility to B[a]P. Information on this analysis is provided in the attached document: Early-Life Exposure to Chemical Carcinogens: Looking at Benzo[a]Pyrene as an Example for Updates to the Model Toxics Control Act Cleanup Regulation.

Ecology is asking for your feedback on the risk management decision to change the MTCA Cleanup Regulation to account for early-life exposure to B[a]P. As you review the discussion materials, please consider the following questions:

- Do you believe that early-life exposures to carcinogens has been sufficiently vetted to prompt a MTCA Rule revision to account for early-life exposures to carcinogens?
- What additional factors should Ecology consider in revising the MTCA Cleanup Regulation to account for early-life exposures to carcinogens?
- Should early-life exposure age adjustments be applied to all carcinogens or a limited suite of chemical carcinogens that operate via a mutagenic mode of action?

Topic 3: Updating Cleanup Levels for Lead-Contaminated Soils and Other Media

The current MTCA Method A soil cleanup standards for lead are 250 mg/kg for unrestricted land use and 1000 mg/kg for industrial properties. Ecology published this standard in 1991, when cleanup standards were first published.

Ecology adopted the current Method A ground water standard for lead (15 ug/L) in 2001. Ecology also reviewed the Method A soil cleanup standards for lead during the 2001 rule revision process, but elected not to revise them.

There have been numerous scientific and regulatory developments since the 2001 rule revisions. Ecology is now evaluating that information to determine whether to revise the cleanup levels for lead. The attached discussion paper, *Updating Cleanup Levels for Lead-Contaminated Soils*, summarizes the current status of that review.

I know that the discussion paper is rather long. It does, however, include a two-page summary (right after the table of contents) highlighting key points.

Ecology has not reached a final decision on the nature and scope of changes (if any) for the cleanup levels for lead. Consequently, we are very interested in committee viewpoints on this issue.

As you review the discussion materials, please consider the following questions:

- Do you believe this is an issue that Ecology should tackle in this rulemaking? (Is the timing right given the evolving federal policies on this issue?)
- Do you have opinions on the policy choices? (For example, the probability that measured blood lead levels will be greater than target concentrations.)
- What implementation issues and concerns do you see arising if we change the method A cleanup level?
- What other rule changes might be needed or appropriate to support changes in cleanup levels? (For example, the flexibility to consider other land uses when using the IEUBK model to establish site-specific cleanup levels; questions of soil size fraction; the possibility of model remedies.)

Yes, this is a full agenda. Thank you in advance for your continuing participation in this process.

Martha Hankins

Attachments:

1. Meeting notes from Jan 11, 2010
2. Preliminary Review of Method A Cleanup Levels for Groundwater and Soil
3. Early-Life Exposure to Chemical Carcinogens: Looking at Benzo[a]Pyrene as an Example for updates to the Model Toxics Control Act Cleanup Regulation
4. Updating Cleanup Levels for Lead-Contaminated Soils

Meeting materials will be located at:

<http://www.ecy.wa.gov/programs/tcp/regs/2009MTCA/mtcaAmend.html>

Go to MTCA/SMS Advisory Group (on the left side of the window).