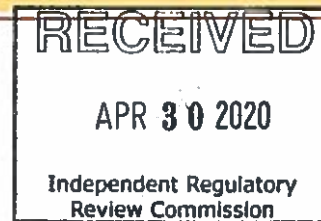


Stephen Hoffman

#3251

From: ecomment@pa.gov
Sent: Thursday, April 30, 2020 3:12 PM
To: Environment-Committee@pasenate.com; IRRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov
Cc: c-jflanaga@pa.gov
Subject: Comment received - Proposed Rulemaking: Administration of the Land Recycling Program (#7-552)

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Re: eComment System

The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Administration of the Land Recycling Program (#7-552).

Commenter Information:

Martina Jacobs
Retired, Carnegie Mellon University (martina.magenau@gmail.com)
115 Lang Ct
Pittsburgh, PA 15208 US

Comments entered:

Please Maintain the Direct Contact Numeric Value for Lead in Nonresidential Soil

I oppose your proposed 150% increase in a lead cleanup level for contaminated surface soil at nonresidential sites (from 1,000 ppm to 2,500 ppm). I strongly urge that the 1,000 ppm level be kept in place.

The cleanup level is supposed to be protective of a fetus of a pregnant worker at the site. You made a flawed assumption about the lead blood concentration in a fetus, which is an important factor in determining what the lead concentration in soil would have to be to adequately protect the fetus. This target blood concentration is double the reference value that the Centers for Disease Control and Prevention uses to address lead in children. The state should be using the current science to set cleanup levels. The proposal would not be protective of public health.

I understand that the Department believes this proposed cleanup level is irrelevant because a soil-to-groundwater numeric value will apply instead. However, the regulations only make the soil-to-groundwater numeric value applicable if specific requirements are met. In addition, the Department's claim is flawed because that soil-to-groundwater numeric value would apply only if the lead concentration in the soil is less than that soil-to-groundwater numeric value. If the lead concentration is higher, a property owner would have an incentive to develop a site-specific

standard, which it would be allowed to select under the law. In the case of lead, a site-specific standard would be around 2,500 ppm if the property owner uses the same incorrect target blood concentration that the Department used. This happened at the Philadelphia oil refinery in 2015, when the Department approved a high standard of 2,240 ppm.

Lead is a highly toxic chemical that causes harm to the central nervous system. Please do not increase this threat to public health for Pennsylvania residents. Thank you.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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PA Department of Environmental Protection
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