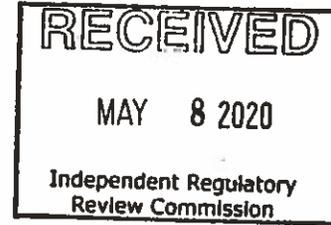


#3251

Form Letter B 23-25

Stephen Hoffman

From: Edinger, Laura <ledinger@pa.gov>
Sent: Friday, May 8, 2020 2:52 PM
To: IRRC
Cc: Laura Campbell
Subject: Updated form letter numbers for EQB #7-552



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Good Afternoon,

As previously reported, two form letters were received for Proposed Rulemaking – Administration of the Land Recycling Program (EQB #7-552).

Form Letter A received a total of 97 email messages.

Form Letter B received a total of 25 email messages.

Thank you,
Laura

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Form Letter: Please Maintain Nonresidential Standard

Proposed Rulemaking: Administration of the Land Recycling Program (#7-552)

Dear Environmental Quality Board,

I oppose the Department of Environmental Protection's (the Department) 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 the Department to keep the 1,000 ppm level in place.

The cleanup level is supposed to be protective of a fetus of a pregnant worker at the site. The Department 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 one-half 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.