

COMMENTS ON:

Notice of Intent to Issue an Administrative Order on Consent under Section 7003 of the Resource Conservation and Recovery Act and the Hazardous Waste and Solid Waste Amendments of 1984, August 25, 2008

Introduction

The District has reviewed EPA Region 3's Administrative Order on Consent (AOC), and we appreciate the opportunity to send these comments for EPA Region 3's consideration. We believe the last component listed in the "Background" section should be revised. It states:

"... (5) Installation of individual vapor mitigation systems in homes above the plume where measured indoor air concentrations have exceeded EPA's standards."

This statement indicates that EPA is applying defined "EPA Region 3 standards" that originate, or are based on laws, policy, regulations, and/or guidance developed by EPA. We believe this statement could be misleading. Our analysis of EPA Region 3's Statement of Basis Chevron Gasoline Release at Chillum (SOB), Maryland, August 30, 2007, indicates that the "standards" were derived in an ad hoc manner, and are not based on existing EPA policy, regulation, or guidance. Moreover, even when evaluated within the paradigm EPA has developed for the Riggs Park project, the EPA Region 3 "standard" for benzene has been incorrectly derived. EPA Region 3 has derived a vapor standard for benzene that may *not* be health protective, and incorrect use of this standard may have excluded many homes from the list of homes requiring vapor mitigation. In addition to these concerns, the District believes the risk assessment/management framework EPA Region 3 has developed for the site is inconsistent with—and contradicts—the framework clearly defined in numerous EPA documents.

The following sections provide the technical basis for our comments.

Technical Basis

EPA Benzene "Standard"

The District has carefully analyzed the statistical analysis and risk-based methodology EPA Region 3 used to calculate the "vapor remediation standard" for benzene. We have concluded that EPA's methodology is best described as an ad hoc procedure that does not follow EPA risk assessment guidance or generally accepted scientific procedure. Moreover, even when the derivation of the benzene standard is evaluated within the ad hoc approach EPA Region 3 applied, the benzene standard has been calculated incorrectly. The error in the calculation is important, not just from a technical standpoint, but because it artificially inflates the benzene standard, which means that EPA Region 3 may have eliminated homes from further consideration that pose unacceptable benzene-related risk.

EPA Region 3 has determined the benzene standard is 8 micrograms per cubic meter ($\mu\text{g}/\text{cu.m.}$). That is, EPA has concluded that an indoor air concentration less than 8 $\mu\text{g}/\text{cu.m.}$ in any Riggs Park home is acceptable. In order to determine whether a particular home requires remediation, EPA Region 3 compares the measured indoor air concentration of benzene with the benzene standard of 8 $\mu\text{g}/\text{cu.m.}$ air. When the indoor air benzene concentration is less than 8 $\mu\text{g}/\text{cu.m.}$, EPA Region 3 concludes the home does not require remediation because the cancer risk level is acceptable. EPA Region 3 has performed this comparison on a house-by-house basis.

The problem with this approach is that EPA Region 3 has incorrectly used the wrong statistic in calculating background levels, which EPA has then added to the "risk-based" concentration. As a consequence, EPA Region 3 has artificially increased the benzene "standard." The net effect of EPA's error is that it is only protecting 5 percent of the residents, when EPA Region 3 has stated that its goal is to protect 95 percent of the Riggs Park population.

The 8 $\mu\text{g}/\text{cu.m.}$ benzene standard calculated by EPA Region 3 is actually the sum of two parts, or concentrations: 1) the risk-based concentration (RBC) of benzene (assuming background levels are zero), and 2) the site-specific background concentration in each Riggs Park home.

This is expressed as:

$$\text{EPA Benzene "Standard"} = \text{Risk Based Concentration} + \text{Background Concentration.}$$

In this 2-step process, EPA Region 3 first calculated the benzene concentration corresponding to a 1×10^{-5} cancer risk level in a straightforward manner based on risk assessment guidance. The RBC for benzene is $2.3 \mu\text{g}/\text{cu.m.}$ (this is the value presented in the EPA Region 3 Risk Based Concentration table found at: <http://www.epa.gov/reg3hwmd/risk/human/index.htm>). The District concurs that this is the correct benzene concentration that corresponds to EPA's selected cancer risk level of 1×10^{-5} .

The error in the EPA Region 3-derived benzene standard occurs in the second step, when the background concentration at each Riggs Park home should have been added to the RBC to account for "ambient," or background, conditions. That is, since EPA Region 3's assumed goal is establishing only the risk that Chevron-related contamination poses to residents, it is necessary to include the ambient background in the benzene standard to account for the portion for which Chevron is not responsible. The District concurs with the concept that background ambient benzene concentrations not associated with the Chevron contamination should be accounted for, but has concluded EPA Region 3 has made 2 errors in making this adjustment:

- The wrong statistic has been used as the "proxy" background value to represent each Riggs Park home and it has been incorrectly added to the RBC; and
- EPA Region 3 has automatically assumed that no portion of "background" ambient is attributable to the very large groundwater plume.

While the District concurs that background levels not attributable to the Chevron plume should not be added to the RBC, EPA has incorrectly added the wrong "proxy" background concentration to the RBC. A more scientifically appropriate approach in applying EPA Region 3's methodology would be to simply add the background concentration measured at or near each home to the RBC. However, instead of following the simple procedure of adding the background concentration measured in or near each home, EPA Region 3 applied a "proxy" background concentration to "represent" the background concentration for *all* homes. Compounding the error of using a "proxy" background concentration instead of a measured concentration, was that EPA used the wrong statistic to derive the "proxy" background concentration.

In developing a single proxy benzene concentration to represent the entire Riggs Park community, EPA Region 3 used the measured indoor air concentration from homes that were "outside the plume," and calculated a 95th percentile concentration from that population. EPA

then used the 95th percentile concentration as a proxy value to represent the background levels for all Riggs Park homes that were located within the plume. That is, the 95th percentile value was added to the RBC of 2.3 µg/cu.m. in order to derive the EPA Region 3 benzene standard of 8 µg/cu.m.. The SOB states, at p. 9:

“EPA used the indoor air sampling data provided by DOH to identify the background concentrations of benzene and MTBE. DOH collected indoor air samples from 97 homes in 2006; 52 homes are located outside the plume boundaries and 45 homes are located above the plume. Based on statistical analyses of the indoor air data collected from the 52 homes located outside the plume, the mean background concentrations for benzene and MTBE are 2.7 ug/m³ and 2.8 ug/m³, respectively, with standard deviations of 2.7 ug/m³ and 7.2 ug/m³, respectively. Since these 52 homes are located outside the plume, the measured values cannot be affected by the gasoline plume and therefore represent local background concentrations...A 95 percentile value (mean value plus two standard deviations) will provide confidence that the measured value is likely caused by vapor intrusion, and that technology will be available to reduce the elevated concentrations to background concentrations. **Therefore, EPA selects the 95 percentile values; that is, 8 ug/m³ and 17 ug/m³, as the remediation standards for benzene and MTBE, respectively [emphasis added].**”

It should be noted that the EPA Region 3 SOB does not specifically state the calculated 95th percentile benzene concentration, but it is assumed to be approximately 5.7 based on the following relationship equation:

$$\text{EPA Region 3 "Standard" (8 } \mu\text{g/cu.m.)} = 95^{\text{th}} \text{ Percentile Background (5.7 } \mu\text{g/cu.m.)} + \text{RBC (2.3 } \mu\text{g/cu.m.)}$$

The problem with using the 95th percentile benzene concentration is that, by definition, the 95th concentration means that 95 percent of the homes had a benzene concentration *less* than the 95th percentile concentration, and only 5 percent had more than the 95th percentile. That is, solely based on the definition of the 95th percentile, EPA Region 3 has significantly overestimated the benzene background concentration for 95 percent of the Riggs Park homes located over the contamination plume. Simply put, it is impossible for the 95th percentile to accurately represent the vast majority of the Riggs Park homes. In assuming the background benzene concentration for each Riggs Park is the 95th percentile concentration, when it is a fact is that vast majority must

have lower background concentrations, EPA Region 3 has significantly and artificially inflated the benzene standard, which EPA then relies upon to make home-by-home comparisons and ultimately decide whether a particular home requires remediation. EPA Region 3 does not provide any rationale or scientific support for why it added the 95th percentile benzene background concentration to the risk-based concentration in making home-by-home comparisons.

It should be stressed that using a statistically derived background benzene concentration may be scientifically defensible, but only for those sites where it is being compared to another population of sites and only when the correct statistical descriptor is being applied. For example, it is common to set the target remediation for soils on the 95 percent upper confidence level of the arithmetic mean (95UCL) when the human health risk is also based on the 95UCL. However, in making a determination about installing a vapor mitigation system for each Riggs Park home, EPA Region 3 is basing its decision on the actual measured indoor air concentration of benzene for each home. It is not making a remedial decision based on the population of Riggs Parks homes located within the plume. Artificially inflating the benzene standard by incorporating a 95th percentile background result into each comparison results in a benzene “standard” that is not health protective. In fact, a simple comparison of the indoor air benzene concentration measured in the homes inside the plume to the “proxy” background concentration indicates that the proxy concentration does not accurately represent the Riggs Park homes. If the proxy background concentration is indeed representative for most homes inside the plume, then most of those homes should indeed have at least a minimum indoor air concentration of approximately 5.7 ug/cu.m.. That is, if 5.7 ug/cu.m. is truly the “ambient” background level for the Riggs Park homes, then most of those homes should have indoor air levels of around 5.7 ug/cu.m, with some having slightly higher and slightly lower levels. The fact is that most homes located above the plume have do not have concentrations approaching 5.7 ug/cu.m.. This would be impossible if 5.7 ug/cu.m were truly the general “ambient” background level.

To correct this error, EPA Region 3 should modify its technical approach and make correct and appropriate comparisons for each Riggs Park home. The only scientifically tenable approach for comparing an EPA benzene standard with the indoor air concentration for each home is to subtract the background benzene concentration from the measured indoor air benzene concentration in each home. That is, the indoor air concentration measured for each Riggs Park home should be adjusted by subtracting the background benzene concentration measured outside the home from the concentration measured inside the home. EPA should then compare this

background-adjusted indoor air concentration with its risk-based benzene concentration of 2.3 µg/cu.m. (that corresponds to EPA's cancer risk level of 1×10^{-5}). It should be noted that this correction does not require that any additional data be collected and requires very little computational effort since it is a simple matter of subtracting the benzene measured outdoors (after making an adjustment so as to distinguish between outdoor benzene concentrations resulting from a home's location over the plume, and those concentrations that are attributable to entirely external sources, such as automobiles) from the concentration measured indoors. Outdoor ambient samples were collected for each round of Riggs Park indoor air samples and therefore represent the ambient background conditions for that group of homes. EPA guidance (RAGS) regarding background analyses requires that background comparisons be made on a site-specific basis. Furthermore, because the outdoor and indoor samples (for closely grouped homes) were collected at the same time, the outdoor sample would closely represent the ambient background benzene concentration measured inside the home on that particular day. Adjusting the benzene concentration measured indoors by subtracting the measured concentration outdoors is the only way to accurately apply site-specific background levels in home-by-home comparisons.

It should also be noted that the home-specific background level should also be used to determine when the vapor mitigation systems are no longer required. That is, the target remediation level for each home should be set to match the outdoor air concentration, as EPA correctly notes that it is impossible to remediate below ambient levels. However, once again, the site-specific (home-specific) background level should always be used to represent the background ambient conditions—not an upper-bound 95th percentile concentration derived from another distant population of homes in the general area.

It should be noted that in adding the 95th percentile background benzene concentration to each home, EPA is only protecting 5 percent of the residents instead of the 95 percent of Riggs Park residences. Under EPA risk assessment/risk management laws, policies, regulations and guidance, the Agency is required to protect the reasonable maximum exposed (RME) individual. Although few EPA documents specifically define the RME receptor with regard to the exact upper-bound percentile, the RME receptor is generally assumed to be the 95th percentile individual in a population. One of the EPA guidance documents that does define the RME is *Risk Assessment Guidance for Superfund: Volume III - Part A, Process for Conducting Probabilistic Risk Assessment* (RAGS; OSWER 9285.7-45, Dec. 2001), which states:

“The point estimate approach to risk assessment does not determine where the CTE or RME risk estimates lie within the risk distribution. For example, the RME risk estimated with the point estimate approach could be the 90th percentile, the 99.9th percentile, or some other percentile of the risk distribution...The central tendency of the risk distribution (e.g., arithmetic mean, geometric mean, 50th percentile) may be characterized as the CTE risk estimate. Similarly, the high-end of the risk distribution (e.g., 90th to 99.9th percentiles) is representative of exposures to the RME individual.”

In other words, because remediation is based on the RME individual in a population and the RME individual represents the 95th percentile individual, EPA’s expressed risk management goal is to derive an acceptable exposure level that will protect approximately 95 percent of the population (which is fairly standard practice in all public health fields). Because the EPA Region 3 benzene standard of 8 µg/cu.m. is based on the 95th percentile background concentration, rather than the 5th percentile concentration, the standard effectively only protects 5 percent of the Riggs Park homes.

As noted above, by definition, the 95th percentile benzene concentration means that 95 percent of the homes have background levels *less* than the 95th percentile and only 5 percent of the homes have a background concentration greater than the 95th percentile. To protect 95 percent of the Riggs Park residents, which is EPA Region 3’s stated risk management goal, the Agency at minimum should have used the 5th percentile background concentration (instead of the 95th percentile) because that concentration would, at least in theory, ensure the background concentration would not be overestimated for 95 percent of the homes.

EPA’s Risk Assessment Approach

In addition to overestimating background levels for most Riggs Park residences, the District continues to believe the risk assessment approach EPA Region 3 has applied is inconsistent with EPA risk assessment guidance. Although EPA Region 3 defends its approach by stating it is simply following UST guidance, the fact is that there is no UST guidance for evaluating the risks posed by contaminants once the contamination migrates into homes where people are actually living and breathing the vapors. That is, the EPA UST methodology for characterizing releases into ground water works well for the purpose of defining site conditions. However, once the

toxic vapors migrate into the resident's homes, EPA Region 3 should follow the vapor intrusion risk assessment guidance detailed in RAGS. Failing to follow RAGS (or any other similar and applicable health-based approach) and simply comparing measured indoor concentrations with a risk-based concentration for each chemical falls far short of a robust analysis of cumulative risk. Residents are not exposed to each chemical individually and independent from all other contaminant vapors. RAGS requires that all chemicals of concern (COCs) associated with a chemical release be evaluated for both carcinogenic (cancer causing) and noncarcinogenic (noncancer, or systemic) health effects (U.S. EPA 1989 and U.S. EPA 1986), as well as the calculation of the cumulative risks and health hazards associated with all contaminants.

To quantify the health hazard posed by a chemical, a hazard quotient (HQ) is calculated for each COC. The HQ is defined as the ratio of the average daily chemical intake from inhalation of a single COC to the safe level of exposure, which is represented by a safe concentration, or "reference concentration" (RfC). The RfC is a toxicity value derived by EPA that is based on the assumption that there is a level of exposure (i.e., RfD or RfC) below which it is unlikely for humans to experience adverse health effects. However, when the inhalation exposure exceeds the safe level (RfC), toxic effects may occur. In other words, when the ratio of the inhalation intake exposure in a home exceeds unity, or 1.0, there may be concern for noncancerous health effects if more than one contaminant targets the same body organ (such as the liver or kidney).

When multiple noncarcinogenic COCs are detected in a house, as in the case of gasoline vapors, RAGS instructs that the HI be calculated by summing the individual HQs for each COC.

With EPA Region 3's approach (presented in the decision document), health hazards associated with noncarcinogens are simplistically evaluated by a simple comparison with tabulated chemical-specific concentrations corresponding to an HQ of 1.0. Inherent in this approach is the assumption that residents are exposed to each contaminant "one-at-a-time." This can lead to significantly underestimating the cumulative contaminant-induced organ damage from multiple toxic constituents. For this reason, RAGS requires that the hazard index (HI) be calculated, stating:

“...one must assess potential health effects of more than one chemical (both carcinogens and other toxicants). Estimating risk or hazard potential by considering one chemical at a time might significantly underestimate the risks associated with simultaneous exposures to several substances.”

In addition to the HI, RAGS requires that cumulative cancer risks must be calculated as well. If EPA Region 3 were to follow that approach, the preceding discussion pertaining to developing chemical-specific EPA Region 3 “standards” would become moot. This is because, when the cumulative cancer risk and HI are calculated for each Riggs Park residence (after correctly subtracting the background contribution), the final estimate is simply compared with the EPA Region 3-defined acceptable risk level.

Groundwater Remediation Technology

In its decision-making documents, EPA has stated that an “innovative independent remediation system” would be employed in Area B. District staff were very impressed with the presentation provided at the Region 3 Corrective Action Workshop held at Rocky Gap Maryland, of advanced and accelerated remediation by EPA’s invited contractor. This technology employs a combination of remediation techniques, such as air stripping, vapor extraction, air sparging, and recirculation of groundwater pumping – all of these taking place below ground with minimal disruption to the impacted community.

The District firmly requests that this advanced and innovative technology be employed on behalf of the Riggs Park residents.

Comments from Walter and Francis Reeder

September 23, 2008

Mr. Andrew Fan, Project Manager
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103

Dear Mr. Fan:

Re: Response to Region 3 EPA's AOC to Chevron for the Clean Up of
The Gas Spill in the Riggs Park Community - Washington, D.C.

We are objecting to the proposed final remedy in AOC as presented by EPA during the Informational Session held September 4, 2008.

Why is Area B (alley south of Eastern Avenue) the only area to have an installed remediation system" How will the system clean up and protect the community? Why did EPA not know that the upgraded dual phase extraction system installed in 2005 is ineffective? The system's mission is to prevent any new releases from migrating into the District. Yet Gannett Fleming's (subcontractor of Chevron) maps for Years 2007 and 2008 show an increase of benzene in MW25A which is at least 15 properties away from Area B and at least 270 feet from the gas station (source). Where is the source for the release? Is EPA providing documents to the community that the old non-effective extraction wells in Area A were free of contaminations in 2005? Were the wells removed? What were the contaminants? In 2001 and 2002 Chevron was only required to submit the analytical results for compounds found in gasoline, BTEX and MTBE to the residents. The community became aware with the emerging of the Superfund Program.

Why is EPA rushing their proposed remedy? What data is EPA using for the final remedy? Have the latest results from the testing conducted by the District Government's subcontractor been analyzed and considered in the final remedy?

Where the documents to support the gas station (former Chevron) are is cleaned of gasoline contamination? EPA made the statement at the Informational Session. Why did EPA allow Chevron to "clean up" its source and further contaminated DC?

How will angle recovery wells protect the community? The gasoline has already migrated into the District.

Whose standard (MD, DC, EPA) will EPA use for the final remedy? The question (along with many others) was asked at the Informational Session. Promises were made to answer all residents' questions. Were promises kept?

Has EPA formed a partnership with the District of Columbia Government on remediating Riggs Park? The DC agencies present had no voice during the Informational Session.

Again we are not convinced EPA has and will protect Riggs Park's human health and the environment.

Sincerely,

/s/ Walter and Frances Reeder
5884 Eastern Avenue, NE
Washington, D.C. 20011-2721

Comments from Delores Ford

Delores Ford
740 Oglethorpe Street, NE
Washington, DC 20011
202-269-3004

September 23, 2008

RE:Comments September 2008 Consent Order/Chevron-Chillium Gasoline Investigation

To whom This May Concern:

I am a resident of Lamond/Riggs Parks Community. I have lived at my address since September 1993, and have owned operated a licensed child care facility at this address since September 1997. These are my comments to the EPA September 2008 Consent Order to Chevron, as both a resident and a business owner.

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5. Let it be recorded in this Consent Order and stated clearly that the Respondent/Chevron was aware that in 1989 the release of the gasoline from Underground Storage Tanks (USTs) and the presence of gasoline products in the ground water under the facility had already begun trespassing onto the District of Columbia's line, thus contaminating the property of residents in that community. Had this matter been brought to my attention, I would not have purchased my property, nor would I have invested my life's work, efforts and dreams in owning my home and operating a child care business.

6. Let it be recorded in this Consent Order and stated clearly that in the 1990 through 1994, the District of Columbia residents were not informed of the installation and the operation of a skimmer system at the facility for the purpose of recovering leaking gasoline products, containing hazardous and other cancer causing chemicals from the ground water.

7. Chevron had a moral obligation to come forth and identify all of the chemicals that were present at the facility, and did not do so. EPA has not policed, nor investigated this matter to the fullest degree. Perc was not documented as being another harmful toxin that has harmful health effects to mothers pregnant with children, which can cause disabilities within the womb of the fetus; mental and physical delays, harmful to the mother's breast milk, low birth rate.

Clearly let the American people know that Chevron has been policing themselves since on this project for decades. Since they have been doing just that you want to continue to give them continued control over exactly how this project will be ran. Why? Why would a United States Governmental agency to continue to allow the responsible party in

continue to police themselves when they never showed any regard for human life from the very beginning of this contamination? Why? Our prisons aren't relinquishing control of its prisons to their prisoners. As far as I am concerned this community has been, and still is being threatened by the chemicals that Chevron released upon us. It is a strong belief that many residents are simply silently waiting for their death sentences because they are living with the results of the health effect caused by the many combined toxins, chemicals that were released decades ago by Chevron.

Page 6 Interim Measures

b. Interim Measure work plan for vapor sampling and mitigations at resident homes at a minimum of 8 times per year; at the beginning, and during and end of each seasonal change for each home.

b. Medical monitoring should be made available to each member of each residence for the rest of their lives, especially those that may have stayed a consistent period of time in either of the homes since the gasoline spill occurred.

c. A private consulting contractor independent of Chevron should monitor and check for new releases, identify and immediate or potential threat to human health, or the environment at or from the facility. This should occur 3 times each quarter. A written report should be presented to the Riggs Park Committee, City Counsel Representative, DOE, DOH and a source considered by the committee. Chevron part in this is to pay the cost for each process for the duration. Otherwise, Chevron and EPA give the appearance that Chevron can legally police themselves. A written schedule of these events should be provided to the Riggs Park Committee for the year for acceptance and approval.

IV

B. The resident of this site, especially the residents on Oglethorpe Street, disagree pending;

- The residents have not received their test results of the TO15. This question has been asked at the last Public meeting at the Rigg Park residents. To date the residents have not this information.

This Consent Order should be delayed until all questions have been satisfactory answered to the residents, as well as they should receive their results.

Residents are not in agreement with Section III Final Remediation of the FDRTC .

1. Prior to implementing this system the process of which this remediation system is based on is not factual;

a. The information regarding the current status of this contamination is not factual. In 2001 Marcus Aquino, EPA told the residents of this site that this was the largest site in the history of these United States of America. In that same conversation March also said that this site would not be cleaned up for 50 to 70 years. He further said that our grandchildren's children would not see this site cleaned up. So why did Andrew Fan tell us at the last public meeting that the ground water is clean when there is not remediation system in place on the DC side?

Comments from Judith Mills

Judi2Mill@aol.com

09/23/2008 05:03 PM

To: Andrew Fan/R3/USEPA/US@EPA

cc

Subject: Implementation of EPA' Final Decision

Good evening Mr. Fan,

Why isn't DC Standards being used for this Riggs Park Site. Respectfully. Judith Mills

You stat only homes with measured indoor air concentrations exceeding EPA's indoor air standards are qualified for installation of individual vapor mitigation systems. Currently, only five homes above the plum have measured indoor air concentrations exceeding EPA standards.. How many plumes are there? Respectfully, Judith Mills

Comments from Cleo Holmes

Cleo Holmes <cholm7777@yahoo.com>

09/23/2008 04:28 PM

To: Andrew Fan/R3/USEPA/US@EPA, Abe Ferdas/R3/USEPA/US@EPA

Cc: chevtex20011@yahoo.com

Subject: Comments on implementation order

Comments on the EPA implementation order dated August 23, 2008

1. Why does EPA appear not to disclose the remediation system is being installed in the Riggs Park residential community in the District of Columbia?
2. Is the District an EPA approved RCRA C and RCRA I state?
3. Why did EPA decide the District of Columbia will not have any input in the implementation order on behalf of the residents of the District of Columbia?
4. Why is the remediation system not designed to clean up the groundwater?
5. Why is the remediation system not designed to address soil contamination on Oglethorpe St?
6. With some homes on Oglethorpe St. being 3.5 ft. to 9 ft from the water table why does this remediation system offer no protection for the residents of Oglethorpe St.?
7. What protection does the additional remediation system being installed in the District of Columbia offer all the residents of Eastern Ave in the District of Columbia?
8. Why did EPA Superfund not investigate the used oil and used fuel tank pits located at the suspect service station for chemicals that are affecting the residents of the District of Columbia?
9. Why didn't EPA under RCRA C investigate the used oil and used fuel tank pits for hazardous waste that may be affecting the residents of the District of Columbia as a part of implementation order?
10. Why is the EPA and Chevron doing a sub-standard investigation and not offering the District of Columbia any oversight?
11. What power is EPA enforcing over the District of Columbia that causes the District back away from the RCRA C and RCRA I authorities in protection of District residents?
12. Why didn't EPA require Chevron to remediate the soil in residential areas to the District's Tier 0 Standards for soil as adopted under DCMR Title 20, 6208?
13. Why didn't EPA require Chevron to remediate the groundwater in residential areas to the District's Tier 1 standards for ground water quality as adopted under DCMR Title 20, 6209?
14. Why didn't EPA require Chevron to remediate Upper Concentration Limits for benzene in ground water as adopted under DCMR Title 20, 6210.1?
15. Why would EPA author an Implementation Order to remediate property within the District of Columbia that does not require responsible party, Chevron, to adhere to District standards DCMR Title 20, 6206 thru 6207?
16. After District residents complained Chevron did not provide residents full disclosure of test results of samples taken from resident properties, why would EPA issue an

implementation order to remediate residential properties without residents having full disclosure of chemicals that are affecting their properties?

17. Why did EPA not properly enforce RCRA Subtitle C "cradle to grave" tracking and management priorities related to the used oil and used fuel tank pits buried at gasoline station off which the RCRA Administration Order is based?

18. Will EPA require Chevron through MDE release all documents relating to historical installation, sampling, complete lab reports, and maintenance records available for the used oil and used fuel tank pits buried at the service station?

Cleo L. Holmes