



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 21 2010

Dan Smith and Helen Waldorf
ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19428 - 2959

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Re: ASTM E50 Green and Sustainable Site Assessment and Cleanup Standard Guide Draft Outline (March 2010)

Dear Mr. Smith and Ms. Waldorf:

The purpose of this letter is to provide you with the EPA Office of Solid Waste and Emergency Response's (OSWER's) key issues and concerns and recommendations pertaining to the ASTM Green and Sustainable Site Assessment and Cleanup Standard Draft Outline (March 2010). EPA supports collaborative efforts to develop environmental solutions and appreciates the benefits of participating with consensus bodies in the development of voluntary standards. The recommendations provided below are offered in the spirit of strong OSWER support for reducing the environmental footprint of contaminated site cleanup while ensuring protection of human health and the environment.

When OSWER initiated the green remediation effort in 2008, our objective was to optimize the performance of cleanups by promoting greener cleanup practices within existing statutory and regulatory frameworks across all of our cleanup programs. We anticipated guidelines that would support measureable results such as pounds of materials recycled, kilowatts of renewable energy used to power a cleanup, and numbers of "certified" green cleanups. EPA believed a Standard could build on local and State government incentives to propose cleanup activities that meet the Agency's mandate of protecting human health and the environment while reducing the overall environmental footprint of the cleanup. EPA's objectives have not changed since this effort was initiated, and they were reiterated in the Greener Cleanup Principles released in August 2009 (see Enclosure). The Principles align with and complement the Agency's broader sustainability goals and operate within our regulatory framework for the cleanup of contaminated sites. These Principles set an overall context for our efforts and the positions the Agency may take as the Standard evolves.

ASTM initiated the Standard development process last summer and representatives from several OSWER programs, the Office of Site Remediation and Enforcement (OSRE), the EPA Regions and States are participating in ASTM's task group. However, the task group does not include representation from all our stakeholders. More specifically the group lacks representation from communities, environmental justice groups and local governments. It is critical to EPA that all stakeholders have an opportunity to provide input during the development of this Standard. ASTM's task group needs to make a concerted effort to secure participation by these under-represented constituents and develop a specific process to secure their feedback. EPA representatives on the task group will contribute to this effort.

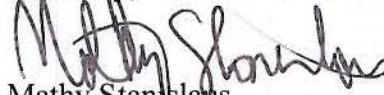
The direction reflected in the Draft Outline (March 2010) includes not only environmental considerations, but also social and economic considerations. This is typically referred to as the “triple bottom line” or the “three legs of sustainability.” While this concept may be attractive, OSWER believes a more iterative approach, starting with the environmental impacts of cleanups, is more prudent and in line with the original vision for a green cleanup standard.

The Standard’s current scope and format would require additional changes to align with OSWER’s green cleanup goals and avoid compromising program-specific responsibilities and priorities. For example a Green Cleanup Standard may have limited applicability in time critical removals, especially emergency response situations. We recognize and appreciate the changes you already made to the structure of the Standard to address OSWER’s concerns. To assist the ASTM task group and the team leads in understanding OSWER’s objectives for a Standard and to facilitate our efforts together, this letter enumerates them as follows:

- Satisfy statutory and regulatory requirements for human health and environmental protection;
- Be consistent with established regulatory and program implementing guidance;
- Focus on decreasing the environmental footprint within the scope of the assessment, investigation, cleanup and post-cleanup activities;
- Provide technical criteria that set a credible bar and provide measurable results;
- Provide a framework that facilitates robust and verifiable documentation; and
- Create a Standard that offers an incentive to reduce environmental footprints at site cleanups.

Successful green cleanup practices can reduce the environmental footprint during all phases of site investigation and cleanup. This can be achieved in a manner consistent with statutes and regulations governing OSWER cleanup programs and without compromising cleanup objectives, community interests, the reasonableness of cleanup timeframes, or the protectiveness of the cleanup actions. OSWER welcomes the opportunity to continue to work collaboratively with ASTM to develop a standard that supports OSWER’s Greener Cleanup Principles. We appreciate the considerable effort ASTM has devoted to the Standard’s development to date. Questions regarding this letter should be directed to Carlos Pachon at (703) 603-9904 or Patricia Overmeyer at (202) 566-2774.

Sincerely,



Mathy Stanislaus
Assistant Administrator

Enclosure: OSWER Greener Cleanup Principles

cc: Carol Baker, Chevron
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