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Subject: [External]Portland Harbor Highly Toxic PTW Clarification

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Good Morning,

EPA is making a clarification statement due to ambiguity on the appropriate application of highly toxic principal threat waste (PTW) thresholds established in the 2017 Portland Harbor Superfund Site Record of Decision (ROD).

The discussion of PTW in the ROD and in EPA guidance considers a combination of factors to determine the presence of PTW. EPA's 1991 *A Guide to Principal Threat and Low Level Threat Wastes* states that "Determinations as to whether a source material is a principal or low

level threat waste should be based on the inherent toxicity as well as a consideration of the physical state of the material (e.g., liquid), the potential mobility of the wastes in the environmental setting, and the lability and degradation products of the material.” In addition, the 1991 guidance and the Portland Harbor ROD define PTW as “source materials that include or contain hazardous substances, pollutants or contaminants that act as a reservoir of contaminants that can migrate to groundwater, surface water, or air, or act as a source for direct exposure.” However, there are PTW thresholds in the ROD, specifically highly toxic PTW thresholds, that were derived solely on toxicity. This has led to confusion on how to apply the PTW thresholds. Hence, EPA seeks to clarify that highly toxic PTW thresholds in Table 21 should be used as a trigger for an evaluation of whether the material should be characterized as PTW using the definition in the ROD and not to explicitly define material as PTW because they are derived solely on toxicity.

In remedial design, sediment management areas (SMAs) will initially be delineated based on the remedial action levels (RALs) and highly toxic PTW thresholds identified in the ROD. Once highly toxic PTW threshold exceedances are delineated, an evaluation will take place to determine if the material exceeding highly toxic PTW thresholds meets the definition of PTW as stated in the ROD (i.e., a reservoir of contaminants that can migrate, a source for direct exposure).

Please feel free to reach out to me or Project Area RPMs with any questions.

Thank you,

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