A Summary of Major Stakeholder Comments Regarding

DWM Minimum Mitigation and Sampling Requirements for Reuse.

January 2024

1) **Comments regarding that the Document does not mention policy related to engineered ventilation VIMS (aka "sweep" systems) as opposed to depressurization VIMS.**
   The BRS does recognize the difference and that pressure differential is not necessarily a performance measurement for ventilation systems. BRS will incorporate more information/policy clarity about these systems as being active systems without pressure differential requirements. We will consult with appropriate stakeholders on this matter.

2) **Comments about what defines a detection of TCE that triggers TCE site designation, including if j-values fall under this designation.**
   A J-value is a detection at a level which cannot be quantified. However, we are looking at clarifying this issue and will be making more specific language based on the quantitation limit that was achieved at the site. One possible solution under consideration is establishing a minimum quantitation limit below which BRS would not consider it a TCE site. Regardless, we believe that the BRS has shown flexibility on the issue in its site processing thus far.

3) Comments about how this guidance does not mention sampling density.
   This guideline was not meant to do so. This Guidance is meant as a supplement to, not a replacement for, the *DWM Vapor Intrusion Guidance*, in which these types of technical policies are already established. Regardless, we believe that the BRS has shown flexibility on the issue in its site processing and this flexibility is in everyone's best interest.

4) **Comments on the need for clarity of whether future sampling events can be used to modify which decision table is used.**
   BRS recognizes that this is not outlined in the tables and will make this more clear in the next version. The BRS intent is to use the best science to make that decision. For example, the BRS has been interpreting the guidance to include trends in preoccupancy subslab data as the best data to make the decision as to what table to use. In certain cases, this has resulted in using this data to move down to lower risk tables or up to higher risk as warranted by the preoccupancy data, so long as it is from subslab instead of exterior soil gas. We hope our interpretations on the guidance in this manner have allayed any fears that using these tables will cause runaway costs at sites from using the initial data set without further data being considered. This also includes comments about using or retaking data of poor quality where the reporting limit exceeds the

residential VISL. We will make it clear that End Note #1 does not mean to require the use of poor-quality data for making these decisions, and yes, resampling in such a situation is always possible.

5) **Comments on the need for methods to distinguish vapor intrusion from indoor air contaminants sourced from things other than environmental releases.**
The BRS concurs with this comment and aside from conducting surveys of existing chemical usage, it believes one the best methods to do this is to conduct simultaneous subslab and indoor air sampling to determine the ratio of subslab to indoor air levels and/or the ratio of individual chlorinated solvents to each other in the subslab vs. indoor air results. In fact, we have eliminated VI from consideration as the major source from multiple sites by doing this. If this can be accomplished with real-time data, it can be all the more compelling. There may also be methodology under development at the U.S. EPA to establish whether differences between indoor and outdoor radon results could be a potential screening technique or additional line of evidence. Some of these methods are outlined in Section 4.5 and 4.7.1 of the *DWM Vapor Intrusion Guidance*.

6) **Comments about the use of hazard index (HI) below 1 for setting sampling requirements.**
Changing site conditions that affect vapor intrusion (e.g. construction of buildings) often changes the vapor levels and risk results, something which this guidance must consider. An HI below 1 based on initial pre-construction data does not always stay below 1 after redevelopment. Slab placement can cause higher risk levels as soil vapor equilibrium beneath slabs is reached. This is why we recommend, but not require, VIMS when there is an HI greater than 0.1. Within this risk range, we also have set forth sampling schedules less onerous than that where the HI is above 1, but more than if the HI were less than 0.1.

7) **Comments relating to systems with Telemetry having decreased requirements including reducing the 4-pascal goal.** The BRS has always incorporated this into our decision making, and it is included on End Note #4. But we can make this point more explicit and will consult with appropriate stakeholders to gather information that will be used to modify the Guidance regarding telemetry to include any revision to requirements.

8) **Comments relating to changes in requirements for systems with "significant" pressure differential.** The BRS is discussing approaches to include this and will be consulting with the appropriate stakeholders on this question. We are looking at possible modifications such as separate policy for systems with an order of magnitude greater pressure differential than the 4 pascal goal at all extents, especially at large continuous slabs of a commercial nature with a lower density of potential preferential pathways.

9) **Comments on clarifying the meaning of the statement in the End Notes that all slab pours will require a sampling event.**

This was always intended to be more about pour back areas. We never intended for this statement to mean a sampling event after each pour if there are multiple slab pours in a particular use area. We believe that clarifying this by use area rather than individual pour will clarify this question in the next version.

10) **Comments on clarifying the meaning of spaces "where children frequent".**

The BRS recognizes this was unclear and intend to clarify our meaning by restating this using the same language contained in the DWM VI Guidance (Section 2.3) which refers to, "structures where children (under 18) are the primary occupants".