Dec. 13, 2013. Dear government leaders and journalists: As I’m sure you agree, the dangerous West Lake Landfill challenges that are facing our region, and beyond, need your continuing attention and leadership.

The messages printed below, forwarded to the Pattonville Fire District yesterday, outline requirements designed to protect workers at hazardous sites such as West Lake Landfill. Please help.

Sincerely, Kay Drey

From: Kay Drey
Sent: Thursday, December 12, 2013 7:15 PM
Subject: West Lake --- need for a Health Hazard Evaluation.

To: Fire Chief Terry Loehrner, Assistant Fire Chief Matt Lavanchy, and other members of the Pattonville Fire Protection District.

From: Kay Drey

I hope you will find the following concerns and information of interest regarding the West Lake Landfill. They have been prepared by Robert Alvarez, an internationally
recognized expert on radioactive waste who lives in the Washington, D.C. area, and who has been studying documents and continuing to keep informed about the landfill.

As dictated to me today, Bob Alvarez believes: “There are too many uncertainties to rule out the possibility of imminent danger to workers at the West Lake site, and there is growing evidence to indicate that such an imminent hazard may exist. In the interest of caution and conservatism, further work at the site should be halted and a Health Hazard Evaluation should be performed by the National Institute of Occupational Safety and Health.”

I received the following two emails from Bob Alvarez this week:

(1) From: Robert Alvarez  
Sent: Monday, December 09, 2013 12:34 PM  
Subject: NIOSH Health hazard evaluation

The National Institute of Occupational Safety and Health has the authority to perform health hazard evaluations when asked by active employees, their bargaining units or public health agencies. http://www.cdc.gov/niosh/hhe/

NIOSH sends its own experts to review worker health and safety conditions and issues a public report. While working for Sen. [John] Glenn, we often urged workers and their representatives to take advantage of this service. NIOSH has done such evaluations at nuclear sites including Hanford.

After discussing this with a colleague, he suggested that the fire-fighters who are going on to the site and/or the local health department can make a legitimate request to NIOSH. I subsequently learned that the Teamsters, who go on to the site to provide portable toilets, may also be eligible.

Assuming the full-time workers for Republic at West Lake are immigrants, it seems that the local health department might be the best to request an HHE [Health Hazard Evaluation], so that all workers are covered.

(2) From: Robert Alvarez  
Sent: Tuesday, December 10, 2013 11:43 PM  
Subject: Worker protection under CERCLA [the Comprehensive Environmental Response Compensation and Liability Act --- that is, the Superfund Act.]
Under CERCLA, the EPA and the Occupational Safety and Health Administration are required to ensure “written (site-specific) occupational safety and health program, that includes a safety and health plan, be in place for remedial activities at all Super-fund sites.” http://www.epa.gov/superfund/cleanup/pdfs/rdra/health.pdf

"The party responsible for the HASP [health and safety plan] should be identified in the work plan. It is usually developed and implemented by the prime contractor’s site coordinator, and reviewed and accepted by the construction manager for Fund-Lead projects and by the RPM and oversight official for enforcement lead projects."

"The plan should not be generic, but should be based on specific site characterizations, anticipated hazards and expected work conditions at the site. OSHA requires the plan address the following elements: (1) A safety and health risk or hazard analysis for each site task and operation found in the workplan. (2) Employee training. (3) Personal protective equipment for each task or operation. (4) Medical surveillance. (5) Frequency and type of air monitoring, personal monitoring, environmental sampling techniques, instrumentation, and methods to be used. (6) Site control measures. (7) Decontamination procedures. (8) An Emergency Response Plan. (9) Confined Space entry procedures. (10) Spill containment program."

West Lake has large, spreading pockets of highly radiotoxic materials, with a great deal measured on and in the near surface. As I've said, if this landfill were on a DOE or NRC licensed site, an occupational health physics program would be mandatory. My bet is that is not the case. OSHA is moribund; and very likely EPA and OSHA have not performed proper due diligence to ensure the HASP for the West Lake Landfill has necessary hazardous waste and radiological protection/monitoring/decon, for employees and others, such as local fire fighters.

Someone might want to visit the federal OSHA office in St. Louis to find out what, if anything, they are doing about the West Lake landfill (1222 Spruce Street, Room 9.104 -- St. Louis, Missouri 63103 (314) 425-4249).

At the minimum, this plan should be a public document and any employee of a bargaining unit or emergency responders (i.e., firefighters) should be able to review this plan.