

**Benning RI/FS Project – Landside Feasibility Study Report
Response to Public Comments
February 2024**

Number	Commenter/ Representative	Comment	Response
1	Janet Phoenix	<p>I have read the plans for remediation of the soil on the site of the Pepco Benning Plant. The remedial actions that have been proposed seem reasonable for safeguarding the health and safety of workers on the site of the plant. I continue to be concerned about the potential impact of these contaminants on residents who live near the plant. If these soil contaminants were to be resuspended, subsequent to future actions taken on the site, those contaminants could become airborne and travel to surrounding neighborhoods.</p> <p>The neighborhoods surrounding the plant are vulnerable because of a variety of characteristics. There are more people with preexisting illness and higher numbers of the old and the young, populations at increased risk because of their age. The risks to neighboring community members have not been factored into assumptions about the health risks and were not part of the human health risk assessment that was performed.</p> <p>During the community meeting held on December 9th, assurances were made that the TCE plume would undergo further assessment with a focus on the potential for community members (especially those living in River Terrace) to be affected. I hope that this promise will be kept.</p>	<p>1) The risk assessment found that there were no completed pathways by which off-site residents would be exposed to on-site contaminants. In particular, areas of contaminated soil at the site are covered either by impervious material, such as concrete or asphalt, or by hard-packed gravel or vegetation, which restricts the potential for contaminants to be airborne under existing conditions. As a result, the institutional controls under Alternative LSS-V-2 are sufficient to address actionable risk from potential exposure to vanadium in soils. Nonetheless, in response to concerns expressed in public comments regarding potential exposure to vanadium in airborne dust, DOEE has required Pepco to include additional protective measures for dust control. Pepco has revised Alternative LSS-V-2 (preferred for vanadium contaminated soils) to incorporate several additional protective measures. These additional measures include enhancement of existing gravel cover to meet a minimum thickness of three inches, implementation of an inspections and maintenance program to ensure the integrity of gravel cover over time, and stipulation of additional legal controls as part of Deed Restrictions requiring implementation of a permanent, non-containment-type remedy (such as excavation) prior to completing the transfer of any portion of the area of vanadium impacted soils to a new owner and excavation and removal of impacted soils from the site in the event Pepco plans to construct a permanent structure over the vanadium-impacted soils.</p> <p>2) Contaminated soil particles could become airborne when it is disturbed as in the case of excavation. Pepco will develop and enforce a Soil Management Plan to monitor and control dust generation during excavations to minimize impacts on the surrounding community and workers.</p>

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February 2024**

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			<p>3) The Human Health Risk Assessment followed the Environmental Protection Agency (EPA) guidance on risk assessment and was performed in accordance with a work plan approved by the District Department of Energy and Environment (DOEE). In particular, the risk assessment found that there were no completed pathways by which off-site residents would be exposed to on-site contaminants. As a result, there was no need to consider existing health status of nearby off-site residents in assessing risk associated with on-site contaminants.</p> <p>4) Pepco may perform some further assessment as part of the remedial design process to ensure plume stability; however, there is no reason to believe that the onsite plume poses any risks to River Terrace residents as the general direction of groundwater flow is west towards the Anacostia River and therefore away from River Terrace.</p> <p>DOEE will be conducting further investigation to identify any off-site PCE sources. This investigation would be separate from the Benning facility actions.</p>
2	Trey Sherard	<p>PCB Impacted Soils ARK applauds the decision to excavate the PCB contaminated soils for off-site treatment and/or disposal, but the more stringent alternatives for this method should be pursued, at least using Alternative LSS-PCB-4 and preferably LSS-PCB-5. The PCBs in the soil on Pepco's property are Pepco's responsibility and should be fully removed and disposed of now, not left to be dealt with even farther in the future.</p>	<p>DOEE intends to select LSS-PCB-5 for the PCB-impacted soils. This alternative targets the removal of the maximum quantity of PCB-contaminated soil, subject to excavation implementability in tight spaces and in the vicinity of the Kenilworth Avenue retaining wall structure.</p>
3	Trey Sherard	<p>Vanadium Impacted Soils Given the plan to excavate and properly deal with the PCB contaminated soils, ARK does not understand why Pepco/Exelon is content to rely only on institutional controls for the Vanadium</p>	<p>Remedial alternatives were evaluated and scored in accordance with the EPA's Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) criteria. Alternative LSS V-2 scored two points higher than Alternative LSS V-3, reflecting the</p>

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		contaminated soils when they should be excavated and properly disposed of. Pepco/Exelon should select Alternative LSS-V-3.	fact that it offers equivalent protection against exposure risks at substantially lower cost while avoiding implementability concerns, including worker health and safety risks associated with a large scale excavation effort, making LSS V-2 the preferred alternative. While the Institutional Controls are sufficient to address actionable risk from potential exposure to vanadium in soils, DOEE has required Pepco to include additional protective measures that would require excavation and removal of vanadium contaminated soils under certain conditions. Pepco has revised Alternative LSS-V-2 (preferred for vanadium contaminated soils) to incorporate additional legal controls as part of Deed Restrictions requiring implementation of a permanent, non-containment-type remedy (such as excavation) prior to completing the transfer of any portion of the area of vanadium impacted soils to a new owner and excavation and removal of impacted soils from the site in the event Pepco plans to construct a permanent structure over the vanadium-impacted soils. See Response to Comment #1 for additional information.
4	Trey Sherard	PCE Impacted Groundwater “Natural Attenuation” often turns into “Do Nothing”. Given that Pepco and Exelon are already in the process of selling a portion of the site to Prologis, as of the public comment period for this FS, how has that impacted the plans for remedies? We understand from the January CAG meeting that no part of that ~10 acres to be sold to Prologis overlaps with any of these areas with actionable risk but it would seem that the Prologis parcel is immediately or very nearly adjacent to both the former PCB Excavation Area and the Vanadium Area. With the flow of groundwater in that direction on the site, is the PCE plume expected to enter the parcel to be bought by Prologis?	There is currently no need for any active remediation on the portion of the property that has been sold to Prologis (“Lot 800”). PCB and vanadium contaminated soils are located within shallow soils that are not in contact with groundwater and therefore do not pose a risk of migration to Lot 800 via groundwater. As discussed in Section 6.6.2 of the Feasibility Study, alternative LGW-GR-2 involves ongoing groundwater monitoring (MNA, Groundwater Monitoring, and ICs) to collect data that will be evaluated to: (a) confirm that no on-site PCE source exists (b) evaluate whether plume is stable or shrinking (c) confirm that risks to human and ecological receptors are controlled (d) evaluate whether concentrations of PCE and daughter products continue to exhibit downward trends

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Response to Public Comments
February 2024**

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		Pepco/Exelon should clean up all the PCE on their site with Alternative LGW-GR-6. If they can track down the original source they are welcome to pursue that entity in court to recoup their expenses but the source of the PCE does not matter now that it's been documented on this site.	(e) evaluate the progress of MNA in reducing CVOC concentrations in on-Site groundwater. As discussed under Section 7.4.3, the performance of LGW-GR-2 will be evaluated based on the groundwater monitoring data as part of the periodic reviews. If deemed necessary to accelerate the achievement of RAOs, additional alternatives (such as LGW-GR-4, LGW-GR-5, LGW-GR-6, or components thereof) would be evaluated to enhance natural attenuation under LGW-GR-2. In the meantime, the groundwater use restrictions to be implemented as part of the ICs for LGW-GR-2 would be fully protective of human health.
5	Trey Sherard	<p>Outfall 101 ARK submitted a notice of intent to sue Pepco over significant metals contamination in stormwater outflows to the Anacostia River from this site via Outfall 013. While those violation were settled between the federal government and Pepco with ARK engaged, the FS itself mentions that historical sampling there has documented “[PCB] concentrations ... above the National Recommended Water Quality Criteria for aquatic life (14ng/L) and for human health from fish tissue consumption (0.064 ng/L).” The remaining FS language about Outfall 101 includes many relative statements about Outfall 101’s drainage and flow compared to Outfall 013, but does not describe conclusively why Outfall 101 is not better addressed in the FS.</p> <p>“Lower contribution than Outfall 013” is not the same as “no risk”.</p>	Risks from conditions in the river associated with historical and ongoing discharges from Outfall 101 and Outfall 013 will be addressed as part of the evaluation of remedial actions for the Waterside Investigation Area.
6	Trey Sherard	<p>Stormwater and Groundwater Assumptions and Climate Change Were predictions for future storm intensity, duration, and frequency used in this study? Were</p>	The evaluation of landside remedial alternatives did not require predictions of future storm intensity, duration, or frequency. Tidal studies conducted during the Remedial Investigation did not indicate a significant change in groundwater levels with tide. These factors are not

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February 2024**

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		higher future high tide and groundwater levels considered?	necessary for consideration at the feasibility evaluation stage but may be considered during the remedial design if deemed necessary.
7	Trey Sherard	<p>Subsistence Fishing Populations The “stringent” limits for PCBs mentioned in the FS are likely not protective enough for subsistence anglers who are not starting from zero exposure, but are in fact already burdened by exposure to PCBs and other toxic materials from this site and/or others in the watershed. Knowing that some of the most vulnerable community members in this region subsist on fish caught from the Anacostia River, and that the current District and federal regulations do not fully protect those individuals, what have Pepco, Exelon, and their contractors done to ensure that contaminants from this site will not continue to raise subsistence anglers’ risks further?</p>	Risk to anglers from ingestion of fish contaminated with PCBs is not within the scope of the Landside Feasibility Study, which is focused on addressing risks from exposures that may occur within the landside area. Risks to subsistence anglers are being managed under the Anacostia River Sediment Project (ARSP).
8	Kathy Henderson	Since the site meets Superfund criteria and is eligible for mitigation resources, does the status continue upon sale of the site?	The Site does not meet Superfund criteria and is not a listed Superfund site. The site is being addressed under DC law.
9	Kathy Henderson	Will Pepco retain any easement rights for follow up soil testing or mitigation for the affected site?	As documented in the Landside FS, no remedial actions have been identified as necessary within Lot 800. Nonetheless, Pepco has retained certain easement rights at Lot 800 to conduct investigation or remediation if necessary. Similarly, Pepco would retain easement rights over any other lot that is sold for development.
10	Kathy Henderson	What is the plan for soil drifting/disturbance when the site is sold for development?	There are currently no actionable risks identified in the portion of the site proposed to be transferred for development (Lot 800). Any soil disturbance arising from redevelopment of Lot 800 (or any other lot that is sold for development) would be subject to Department of Consumer and Regulatory Affairs (DCRA) and DOEE permit requirements. In addition, as part of the institutional controls for the soil remedial actions, Lot 800 (or any other lot that is sold for development) would be subject to the requirements of a Soil Management Plan to monitor and control dust generation during

**Benning RI/FS Project – Landside Feasibility Study Report
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			excavations to minimize impacts on the surrounding community and workers. See also the response to Comment #1.
11	Kathy Henderson	What is the risk level of adverse impact to workers on-site and the public, particularly nearby neighborhoods when the site is disturbed?	See response to Comment #10.
12	Kathy Henderson	Will the site developer assume all potential and actual risks associated with PCB and other identified contamination?	No remedial actions are identified on Lot 800. Pepco will retain all remedial obligations arising from the RI/FS for any lot sold for development.
13	Kathy Henderson	Has Pepco committed or is willing to commit to providing a reserve fund for any contamination associated with the former site use that is likely attributable to the cooling tower?	As described in Section 2.3 of the FS, Pepco has already implemented remediation to address contaminated structures and subsurface soils at the former cooling towers. No further remediation is required in this area. Thus, a reserve fund is not needed.
14	Billy Friebele	Stormwater and Groundwater Assumptions and Climate Change How did Pepco/Exelon account for increased, more severe stormwater runoff due to the increase in storm intensity in future years? Were higher future high tide and groundwater levels considered?	Please see response to Comment #6.
15	Billy Friebele	PCB and Vanadium Impacted Soils Pepco/Exelon should physically remove all contaminated soils and dispose of them in a proper off-site facility. The PCBs and vanadium in the soil on Pepco's property are Pepco's responsibility and should be fully removed and disposed of now, not left to be dealt with even farther in the future.	Please see responses to Comment #2 and #3.
16	Billy Friebele	PCE Impacted Groundwater Pepco/Exelon should pump and treat the PCE contaminated groundwater, taking special care to monitor the water discharged from treatment and ensuring proper disposal of the filtered out contaminants. "Natural attenuation" is often code for "do nothing" and is not acceptable.	Please see response to Comment #4.

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17	Marie Mokuba	<p>Stormwater and Groundwater Assumptions and Climate Change How did Pepco/Exelon account for increased, more severe stormwater runoff due to the increase in storm intensity in future years? Were higher future high tide and groundwater levels considered?</p>	Please see response to Comment #6.
18	Marie Mokuba	<p>PCB and Vanadium Impacted Soils Pepco/Exelon should physically remove all contaminated soils and dispose of them in a proper off-site facility. The PCBs and vanadium in the soil on Pepco's property are Pepco's responsibility and should be fully removed and disposed of now, not left to be dealt with even farther in the future.</p>	Please see responses to Comment #2 and #3.
19	Marie Mokuba	<p>PCE Impacted Groundwater Pepco/Exelon should pump and treat the PCE contaminated groundwater, taking special care to monitor the water discharged from treatment and ensuring proper disposal of the filtered out contaminants. "Natural attenuation" is often code for "do nothing" and is not acceptable.</p>	Please see response to Comment #4.
20	Jan Nowak	<p>Stormwater and Groundwater Assumptions and Climate Change How did Pepco/Exelon account for increased, more severe stormwater runoff due to the increase in storm intensity in future years? Were higher future high tide and groundwater levels considered?</p>	Please see response to Comment #6.
21	Jan Nowak	<p>PCB and Vanadium Impacted Soils Pepco/Exelon should physically remove all contaminated soils and dispose of them in a proper off-site facility. The PCBs and vanadium in the soil on Pepco's property are Pepco's responsibility and should be fully removed and disposed of now, not left to be dealt with even farther in the future.</p>	Please see responses to Comment #2 and #3.
22	Jan Nowak	<p>PCE Impacted Groundwater</p>	Please see response to Comment #4.

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		Pepco/Exelon should pump and treat the PCE contaminated groundwater, taking special care to monitor the water discharged from treatment and ensuring proper disposal of the filtered out contaminants. "Natural attenuation" is often code for "do nothing" and is not acceptable.	
23	Janet Phoenix	What ongoing monitoring of the site will be conducted by DOEE or other DC agencies after remedies for past contamination are implemented?	Pepco will be responsible for developing a remedial design and a post-construction operation and maintenance plan, which will include a long-term monitoring plan. DOEE will provide quality assurance by reviewing these plans and will oversee the long-term monitoring plan, which will include groundwater sampling and air/dust monitoring. In addition, EPA continues to monitor Pepco's stormwater outfalls through their National Pollutant Discharge Elimination System (NPDES). DOEE continues to review and evaluate the Pepco stormwater outfall along with EPA and shares these reports and data with other District agencies. In addition, Pepco will also continue to evaluate and monitor stormwater impacts to the river as part of the forthcoming Waterside Investigation (refer to Comment #5).
24	Anonymous	What quality assurance measures does DOEE intend to implement to verify Pepco's monitoring to mitigate any conflict of interest surrounding the regulated entity conducting its own testing?	Refer to Comment #23.
25	Alexis Kurtz	How can Pepco and the DOE [sic] provide transparent documentation and proof of the allocation and utilization of the \$57 million settlement for addressing the environmental damage caused by the dumping of toxic waste in the Anacostia River, specifically for using on the cleanup efforts in Ward 7 to ensure accountability and visible improvements in water quality and surrounding areas?	This comment is outside the scope of Pepco's Landside FS document. Additional information regarding the settlement is available on the following link: Attorney General Schwalb Secures \$57 Million from Pepco for Anacostia River Contamination and Cleanup, Largest Environmental Settlement in DC History
26	Alexis Kurtz	How will Pepco and the Department of Environment (DOE) [sic] address the environmental justice concerns related to poor air	Refer to comment #25

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		and water quality in marginalized Black communities in particular in Ward 7, ensuring that the 57 million settlement for toxic waste dumping in the Anacostia River clean up is publically [sic] documented with evidence of substantial improvements in both environmental conditions and overall well-being of these underserved communities?	
27	Danielle Duncan	With these many [projects] in measurement now [sic], will there be community engagement to help assist with completion of these project [sic] in a time management [sic], i.e. new hire, grant programs for cost management in completion of innovation [sic]?	Pepco is strongly committed to community engagement and encourages our contractors (including remediation contractors) to work with local businesses and resources with the right skills.
28	Ruth Gonzalez	Given the behavior of asphalt and concrete that they contribute to heat-island effects and intercept rain absorption addition to water volume in storm drains, I am very concerned about the use of those as potential Institutional Controls. The neighborhood is already in an area with heightened flood risk, low tree coverage and lots of heat absorbing surfaces such as roads, highways and parking lots.	The proposed remedies in the Feasibility Study do not involve adding any new asphalt or concrete pavements. The remedies would only replace any existing paving that is disturbed to facilitate remediation.