

BENNING ROAD RI/FS PROJECT FREQUENTLY ASKED QUESTIONS

Benning Consent Decree

What is the Benning "Consent Decree?"

The Benning Consent Decree is a formal agreement between the District of Columbia's Department of the Environment (DDOE) and Pepco that obligates Pepco to conduct an assessment of environmental conditions at the Benning Road facility and adjacent areas of the Anacostia River. The assessment - known as a Remedial Investigation and Feasibility Study (RI/FS) - will proceed in two stages:

- **Stage One: "Remedial Investigation"** to determine whether Pepco's historical operations at its Benning Road facility have contributed to pollution of the sediments of the adjacent portions of the Anacostia River, and whether current conditions at the Benning Road property present any continuing threat to the river; and
- **Stage Two: "Feasibility Study"** to identify and evaluate potential cleanup actions. DDOE will use the results of the assessment to determine, with input from the public, what, if any, cleanup actions should be undertaken at the Benning Road facility or adjacent areas of the River.

How did the Consent Decree come about?

The Benning Road facility was identified by District of Columbia and federal government agencies as one of six sites potentially contributing to contamination of the Lower Anacostia River. As part of its larger effort to clean up and protect the Anacostia River, DDOE asked Pepco to assess whether and to what extent the Benning Road facility has contributed to problems in the river. Pepco agreed to perform the assessment, and that agreement is memorialized in the Consent Decree. The Consent Decree was initially signed in January 2011. Pepco and DDOE afterwards agreed to revise the Consent Decree to address certain concerns raised in comments received from the public, and they signed a revised Consent Decree in July 2011. On December 1, 2011, the U.S. District Court for the District of Columbia approved and entered the Consent Decree, which officially commenced the RI/FS Project.

Is the Consent Decree a legally enforceable agreement?

The Consent Decree is a judicially approved settlement between the District Department of the Environment (DDOE) and Pepco that is enforceable by the parties.

Who will conduct the Remedial Investigation and Feasibility Study?

Pepco has hired an independent firm of expert environmental consultants, AECOM, to perform the RI/FS.

What experience does AECOM have with conducting environmental investigations?

AECOM has more than 40 years' experience in environmental consulting, and has conducted RI/FS work at hundreds of sites. AECOM also has extensive experience working with the electric utility industry, having worked with over 160 electric utility, generation and transmission companies in more than 14 countries, and having served as a major contractor on health risk, regional haze, vapor intrusion, model validation and acid rain issues for the Electric Power Research Institute.

What is DDOE's role in the RI/FS Project?

The RI/FS project will be overseen by DDOE, which is responsible for reviewing and approving the various work plans and reports submitted by Pepco. The RI/FS will be performed in accordance with USEPA's Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA, Office of Solid Waste and Emergency Response (OWSER) Directive 9355.3-01, dated October 1988, and other applicable USEPA and DDOE guidance documents.

Is the Benning Road Power Plant closing as a result of the Consent Decree?

No. In 2007, Pepco Energy Services, a Pepco-affiliated company which owns and operates the Benning Road Power Plant, announced its intention to close the plant based on past and planned upgrades to Pepco's transmission grid that would eliminate the need for electricity generated by the plant. This decision long predated the Consent Decree.

Has the plant closed?

As of June 1, operations at the Benning Power Plant have ceased as scheduled. The power plant decommissioning proceeds during the course of the next several months.

Will the plant's closure impact the Remedial Investigation and Feasibility Study?

No. The RI/FS project is proceeding on schedule and is not affected by the closing of the Power Plant.

Remedial Investigation and Feasibility Study

What is the purpose of the RI/FS?

The purpose of the RI/FS is to: 1) characterize the environmental conditions at the Benning Road facility and adjacent areas of the Anacostia River; 2) investigate whether and to what extent past or current conditions at the Benning Road facility have caused or contributed to contamination of the river; 3) assess current and potential risk to human health and environment posed by conditions at the Benning Road facility and adjacent areas of the Anacostia River and 4) develop and evaluate potential remedial actions.

Is there a plan that identifies what work will be performed as a part of the RI/FS?

After seeking public comments, DDOE approved a Scope of Work that outlines the tasks to be performed in completing the RI/FS. In addition, Pepco prepared a draft RI/FS Work Plan and submitted it to DDOE on July 17, 2012. The draft RI/FS Work Plan describes the RI/FS work in greater detail, including the specific sampling methodology and the location of sampling points, and the framework and criteria for analyzing sampling data and evaluating potential remedial options. DDOE is reviewing the draft Work Plan which is available for public comment until September 17, 2012.

What is the general scope of the Remedial Investigation?

The field investigation will be designed to characterize conditions in soil, groundwater, surface water, hydric soils in wetlands, and sediments at the Benning Road facility and adjacent areas of the Anacostia River and collect data to support a risk assessment and a Natural Resource Damage Assessment (NRDA). In general, the investigation will include the following elements:

- A landside investigation will include collection and analysis of soil and groundwater samples at the Benning Road facility to identify areas that have potential to contribute to surface water or sediment contamination. This aspect of the investigation will include an analysis of the Benning Road facility and select adjacent properties to which access is provided (e.g., the District Department of Public Works Solid Waste Transfer Station and National Park Service Kenilworth Maintenance Yard), and will address existing landside soil and groundwater conditions, and their effects on the Anacostia River.
- A waterside Investigation will primarily address sediment conditions within a segment of the Anacostia River adjacent to the Benning Road facility.
- Additional sampling outside of the initial investigation area may be conducted if warranted by the results of the initial investigation.
- The investigation will focus on PAHs, PCBs, and metals, with limited screening samples for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, and dioxins/furans based on knowledge of past operations.

Will the investigation include an ecological assessment and analysis on the potential impact to the environment?

Yes, Pepco will conduct an Ecological Risk Assessment (ERA) based on the findings of the waterside and landside field investigation to evaluate potential ecological risks associated with exposure to environmental media within or along the Anacostia River adjacent to the Benning Road facility.

Will the investigation include an assessment of health risks related to conditions at the Benning Road facility and the Anacostia River?

Yes. AECOM will conduct a health risk analysis to quantify the potential health risks arising from exposure to contaminants in the Anacostia River sediments and surface water. The findings of the health risk analysis will be documented in the Remedial Investigation Report and will be made available to the public for comment prior to approval by DDOE.

When the Remedial Investigation is completed, how will the findings be reported?

Upon completion of field activities and receipt of the analytical data, Pepco will prepare a draft RI Report for submittal to DDOE. The RI Report is subject to review and approval by DDOE. DDOE also may solicit comments from other regional and federal agencies. In addition, DDOE will solicit public comments on the draft RI Report. Pepco will revise the RI Report as appropriate to address comments from DDOE, other regulatory agencies, and the public.

What is the Feasibility Study?

The Feasibility Study is an evaluation, based on the results of the Remedial Investigation, designed to (a) identify remediation requirements and establish cleanup levels as necessary to eliminate or prevent unacceptable risks to human health and the environment, and (b) identify, screen and evaluate potential remedial alternatives.

What are the objectives of the Feasibility Study?

For the areas where remediation is identified as necessary, Pepco will develop remedial action objectives (RAOs) and preliminary remedial goals (PRGs) in consultation with DDOE. The PRGs will be developed based on risk factors specific to the Benning Road facility and will take into account existing institutional, administrative, and engineering controls. The FS Report will describe the rationale for any cleanup levels established. The FS Report is subject to review and approval by DDOE. DDOE also may solicit comments from other regional and federal agencies. In addition, DDOE will solicit public comments on the draft FS Report. Pepco will revise the FS Report as appropriate to address comments from DDOE, other regulatory agencies, and the public.

Community Involvement

How will Pepco provide the community with the opportunities to learn about and provide input to the RI/FS project?

Pepco is committed to establishing an ongoing dialogue with the public concerning the RI/FS project. Pepco wants to hear the community's concerns and share with them information about the assessment of environmental conditions at the Benning Road facility and about any necessary cleanup activities in and adjacent to the facility. Pepco has created a Community Involvement Plan (CIP) to describe the program for facilitating communications with the public and providing opportunities for public participation with respect to the RI/FS project. The CIP, which was prepared following the U.S. Environmental Protection Agency's Community Involvement Plans guidance, outlines a series of actions to provide meaningful opportunity for public involvement in the RI/FS project. These actions include the formation of a Community Advisory Group, the development of a website for dissemination of project information, development of Fact Sheets and responses to frequently asked questions about the project, development of a project mailing list to include any persons expressing interest in the project, and public meetings to solicit community input and provide project updates.

What is the Community Advisory Group?

The CAG is a broad-based representative group comprised of members from community organizations in the vicinity of the Benning Road facility. The CAG was formed to ensure that there would be consistent community engagement and participation throughout the implementation of the RI/FS project. DDOE and Pepco are committed to providing regular updates to the CAG and responding to community questions and concerns to assist the members of the CAG in their review of related activities concerning the RI/FS project.