

10 APR 19 AM 3:07

U.S. DEPARTMENT OF JUSTICE
BUREAU OF LAND MANAGEMENT
HOLLISTER, CA 95023

April 19, 2010

Rick Cooper
Field Office Manager
Hollister Field Office
20 Hamilton Court
Hollister, CA 95023

Rick,

Please find attached an additional comments regarding the CLEAR CREEK MANAGEMENT AREA RESOURCE MANAGEMENT PLAN & ENVIRONMENTAL IMPACT STATEMENT dated November 2009.

Please direct any questions about these comments to my e-mail address: edtobin@sbcglobal.net or to my home address at 490 Ferris Ave., Marina, CA 93933.

Please regard these comments to be co-signed by the Salinas Ramblers Motorcycle Club, PO Box 541, Salinas CA 93902, an organization of which I am a member and which I am representing in providing these comments.

Sincerely,



Ed Tobin

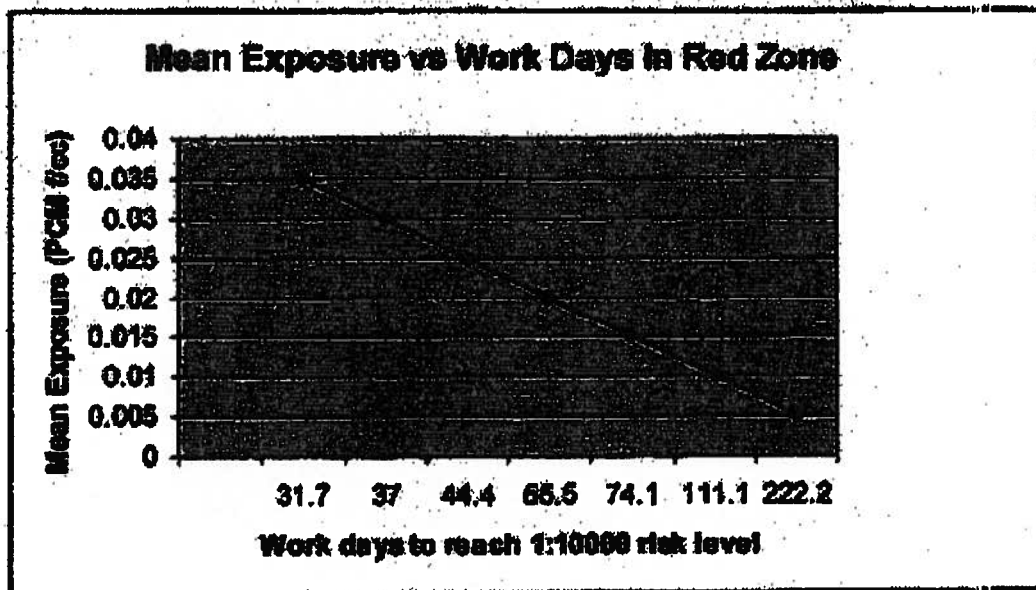
Comments of Ed Tobin

Comment #51:

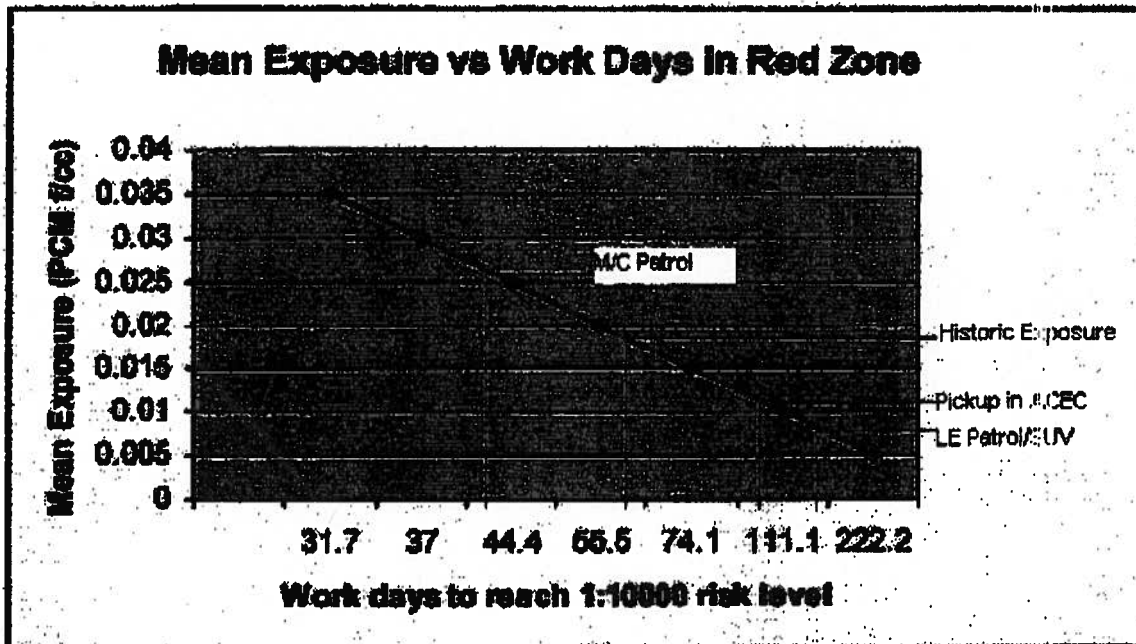
Regarding: 3.2.3.1 Naturally Occurring Asbestos

When the activity-based sampling asbestos concentrations were applied into typical use scenarios and excess lifetime cancer risks were estimated, the EPA report found that using the EPA Integrated Risk Information System (IRIS) toxicity value for asbestos, making five or more visits to CCMA per year over a 30-year period to participate in recreational scenarios of Weekend Riding, Day Use Riding, Weekend Hunting, or Combined Riding/Fence Building could put recreational users at an excess lifetime cancer risk above EPA's acceptable risk range of 1×10^{-4} (1 in 10,000)

Comment: The BLM failed to inform the public about the OSHA report that was prepared by Department of the Interior industrial hygienist Tim Radtke in May of 2008 in which he developed a risk assessment tool to allow the BLM to identify when the cumulative activities performed by employees would cause them to exceed the EPA's 1:10,000 threshold. Below is the table Tim developed that appears on page 17 of the report "BLM Employee Exposure to Naturally Occurring Asbestos at the Clear Creek Management Area and the Knoxville Management Area (known to the BLM).



Below I have overlaid activities that are common to BLM employees and visitors including motorcycle riding (lead and training) and driving in the ACEC in a pickup truck or SUV.



There is a tremendous difference in allowable usage between the EPA risk model and the OSHA model as shown in the following table:

	OSHA	IRIS	OEHHA
Motorcycle riding/patrol	> 44 Days	1 Day	0 Days
Hiking	> 74 Days	< 12 days	< 5 Days

Why is there such a large difference? I identified a number of issues with the EPA report in Comment 3 contained in my comments submitted on March 5, 2010. Here are two significant additional reasons:

Sampling Dates

OSHA: Sampling was conducted on four occasions during differing environmental conditions. According to the work descriptions, most work activity at Clear Creek takes place in January through April. Visits were spread over the course of the year and in differing moisture conditions. No sampling was performed during the dry season closure. (Open use season is October 15 through May 30)

EPA: More than 60% of EPA's air samples were taken during the dry season. Only 29 were taken in February and none in January, March or April.

Sample Duration:

Additional Comment of Ed Tobin to the CCMA Draft Resource Management Plan & Draft EIS
April 19, 2010

OSHA: Full shift sampling provides exposure information for all activities performed during the work-shift. For example, during motorcycle patrol, the rider will have different exposure situations such as whether they are leading or trailing a vehicle. This full-shift sampling gives a time-weighted average of all the exposure components during the work-shift and does not rely on piecing together exposures for individual activities. It is the accepted method of measuring occupational exposures and is the basis for occupational exposure limits.

EPA: For the EPA risk assessment report, the EPA pieced together short, generally 1-1.5 hours activity based exposures to build their models. This was done because the EPA sampling was not done in a manner resembling the way that people normally recreate.

The data in the OSHA report and EPA report clearly conflict. The risk numbers in the OSHA report show that 1 day, 5 days (reasonable maximum exposure), and 12 days (high estimate) worth of activities such as motorcycle riding, ATV riding, SUV driving and hiking fall well below the 1:10,000 threshold. Supporting this conclusion is the 18 years of samples collected by BLM employees. The mean of this data set is .018 f/cc and this is depicted on the overlay on page 3.

Recommendation:

Base on this information the BLM should either retract the DEIS or select Alternative A, and immediately reopen the CCMA.