US ENVIRONMENTAL PROTECTION AGENCY - REGION 4
PROPOSED CLEANUP PLAN AND PUBLIC COMMENT PERIOD
CABOT CARBON/KOPPERS SUPERFUND SITE
GAINESVILLE, FLORIDA

This Public Information Meeting came to be heard on

DATE: August 5, 2010
TIME: 6:00 p.m. - 9:00 p.m.
LOCATION: 3800 Northwest 6th Street
Gainesville, Florida

As stenographically reported by:

Cynthia F. Leverett, Court Reporter

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PRESENT ON BEHALF OF USEPA:

L'Tonya Spencer, Community Involvement Coordinator

Scott Miller, Remedial Project Manager

David Keefer, Superfund Remedial Section Chief

Bill Osteen

Kevin P. Koporec

MS. SPENCER: My name is L'Tonya Spencer. I'm the public affairs specialist/community coordinator for the Koppers site. And I'm with the United States Environmental Protection Agency.

The meeting tonight is to talk the proposed plan for the Koppers site. Basically, to talk about how we're proposing a remedy.

A few housekeeping rules. I understand that you have some people that agree to disagree with us tonight, but we want to be as respectful as possible.

And we want to let you know that we do have law enforcement here. And, if someone is asked to be removed, please go silently. Okay?

Second of all, protocol for this, as well, if you did not sign in, please make sure you sign in, so that, if you're not on our mailing list, we can add you to the mailing list for future mailings.

The third thing is, there are people who are audio and visually recording this meeting. So, if there's anyone that has an objection to that, which we don't. As USEPA, we're civil service. So, we just want to make you aware that the

meeting is being taped.

And, also, for the comments, the questions, we do have a court reporter here. So, when we get to the question-and-answer portion of the meeting, if you would please state your name and ask the question clearly, so that we can make sure we get it on record, we would greatly appreciate it.

Last but not least, this is a part of our comment period. This is not the only opportunity that you have to give a comment or to ask a question. The comment period is continuing after this meeting. So, our information is in the proposed plan document. You can send it to myself, L'Tonya Spencer, or to Scott Miller. Our email address and mailing address is in the information.

So, if you don't have an opportunity tonight, please know that there are opportunities available to you.

I'm going to ask that, while Scott is doing his presentation, if you have a question during the presentation, Anna Cornelius in the back will have cards that you can write your question on. We'd like to be sure that he gets through his

whole presentation before we open up question and answer.

So, if you have questions during his presentation, Anna can give you an index card to write your question on, so that we can come back to that.

Scott is going to do introductions of representatives that are here. He's going to give his presentation, and then we're going to open it up for question and answer.

MR. MILLER: Good evening, and welcome to the proposed plan meeting for the Koppers portion of the Cabot Carbon/Koppers superfund site.

Latonya's asked me to identify some local elected representatives. And I notice that Mayor Lowe is here. I see Commissioner Donavan, Commissioner Hodgekins. Anyone else present?

I know the entire commission is here. I'm sorry. Those folks in the back, thank you for coming out this evening.

We've got a presentation here that's brief that allows us to -- it's about 30 minutes, or maybe less, allows us to take a good bit of time to hear your comments and views on the proposed plan.

The Koppers portion of the Cabot/Koppers superfund site is approximately 86 acres in size and encompasses several operable units.

Operable unit one was the Cabot Carbon property, where remediation was done in 1995 with respect to excavations. And now there's a groundwater treatment system actively operating.

And there also was a time when the surficial aquifer system for the Koppers site was installed and has processed 260 million gallons of ground water since that time.

Koppers, Inc., and its predecessors treated utility poles at this site from 1969 -- excuse me, from 1960 to 2009. In March 2010, the property was purchased by the responsible party, that's Beazer East, and they contacted us for the purpose of remediation and for working together with folks on getting the site readings necessary out there once the remediation has taken place.

Here's the site now. On the left-hand side of the screen you see where the former Koppers operation was located, approximately 86 acres in size. On the right-hand side is the Cabot Carbon portion, which has since been re-developed.

Wood treating processes began in 1960, with

the use of creosote to treat utility poles. They began using pentachlorophenol during the time period of 1969 until 1990. Copper chromate arsenate was used from 1990 through 2009.

The former north and south lagoons were used to process waste water. The former north lagoon was active from 1956 to the 1970's. And the former south lagoon was active from 1943 through 1976.

There's been a number of remedial investigations at the site, beginning in 1983 and moving forward. A supplemental remedial investigation was completed 1989, along with a base line risk assessment and final feasibility study to support the 1990 record of decision.

Recent ground water investigations from 2003 to 2010 indicated that dense non-aqueous phase liquids were present in the Hawthorn group, and that site contaminants are present in groundwater in the upper Floridan aquifer.

EPA participated in the collaborative feasibility study process with local stakeholders; the Florida Department of Environmental Protection; and the responsible party, Beazer East, from 2007 to 2010. The final

feasibility study was issued in May of 2010.

There's been significant on-site and off-site soil and groundwater sampling to characterize the nature and extent of contamination at the site. We've done over 350 soil borings, and 1000 soil samples have been collected and analyzed since 1984.

Off-site surface soil sampling is ongoing, and will continue through the remedial design process to support the remedial footprint.

Groundwater monitoring has been routinely done since 1984. And there's been over 3100 wells installed and sampled on site.

The risk assessment that's been done for the site, the human health risk assessment, indicates there are unacceptable risks to on-site workers, future recreational uses, or current or future trespassers. So, the site will require remediation.

The ecological risk assessment showed that there's unacceptable risks of organisms in the sediments.

Contaminants of concern. We define contaminants of concern to be those things, those contaminants that exceed safe drinking water,

Florida groundwater cleanup target levels, preliminary remediation goals, which are soils allowing concentration level for contaminants to Florida groundwater clean up target levels.

The contaminants of concern in the soil are arsenic, dioxins, polycyclic aromatic hydrocarbons, pentachlorophenol are above the soil cleanup target levels of Florida DEP in the source area and off-site soils.

Groundwater contamination of concern in the surficial aquifer are primarily naptholene. Organics are of concern in the Hawthorne group and the upper Floridan aquifer.

Some of the contaminants of concern include PAH's and dioxin TEQ. Dioxin TEQ is a look at dioxins -- or a family of contaminants, growing that up and expressing that as a number in terms of most toxic dioxin, which is 2378 TCDD dioxin. So, it's an equivalence factor that's used as opposed to listing 189 separate contaminants of the dioxin family.

The conceptual site model shows how conditions and site-related constituents move in the environment.

Primarily, at this site, we have wood

treating chemicals that have gotten into the environment from the former process area, the former south lagoon, the former north lagoon, and the former drip track.

From the slide, you can see that these areas were the former -- that's the former north lagoon, the former south lagoon, the former process area, and the former drip track.

What you've got with respect to groundwater aquifer to surficial aquifer is a little over 25 feet. The Hawthorne aquifer is down to approximately 150 feet, and below is the Floridan aquifer.

Site contaminants have come down from approximately around the source areas, down into the surficial aquifer, down into the Hawthorne. And we've got these dissolved phase contaminants in the Hawthorne, as well as the Floridan. Groundwater flows from the southwest to the northeast predominantly.

The nature and extent of contamination. The surface soils on site -- the surficial MCL, maximum contaminant level, and groundwater cleanup target levels are exceeding for certain organisms.

There's been PAH hot spots identified in the five miles of the creek. And in surface water drainage, there's been exceedances of certain metals that are associated with wood treating.

EPA has been involved in several community involvement and outreach things, including three fact sheets.

We've been involved in nine public meetings since 2008. We've worked with the collaborative FS group; the Florida Department of Environmental Protection; the Alachua County EPA; the Gainesville Regional Utilities and their consultants; and the responsible party, Beaver East.

The feasibility study is a document that evaluates alternatives to address remediation of impacted media, and it's based on reasonably anticipated future land use at the site.

What we believe is the expected future land use at the site is a commercial, recreational, or mixed use with a residential use component.

The FS evaluated ten on-site remedial alternatives, four off-site remedial soil alternatives, and three alternatives for the upper Floridan aquifer.

Remedial action objectives drives what we're trying to accomplish out at the site with respect to addressing risks that may be present. Those are the mitigated risks to human health and the environment proposed by site-related contaminants in surface soils, groundwater in the surficial aquifer, the upper Hawthorn group, and the upper Floridan aquifer, subsurface soils, sediments, and surface water to prevent further migration of impacted groundwater, restore groundwater outside the source area for beneficial use, and reduce the mobility, volume and toxicity to the extent it's practical.

Key remedial technologies that were examined as part of the feasibility study for soil sediment were excavation, capping, barrier wall, monitoring actual recovery.

With respect to groundwater, we identified in-situ solidification and stabilization, in-situ biogeochemical stabilization, hydraulic containment, pump and treatment.

In-situ solidification and stabilization is a use of a solidification agent to mix with soil to freeze, in effect, contaminants from getting into groundwater.

In-situ biogeochemical stabilization is the use of inserting a manganate solution with catalysts to react and to -- when it comes into contact with organics -- actually, the organics, it changes them into an insoluable precipitate.

Hydraulic containment is the use of pumping, to take groundwater that's contaminated, and treat it.

Chemical oxidation is the use of chemicals, such as manganate, to change the nature of the chemical that's there, and make it something that is not toxic.

DNAPL recovery is the recovery of dense non-aqueous phase liquids from the environment through manual or through pumping techniques.

Monitored natural attenuation is the use of -- or the environment's natural processes that remove or reduce site-wide contaminants.

As part of the FS, we did evaluate 10 different options, 10 comprehensive remedies to address soils on site, off-site, groundwater, sediment, and surface water.

For on-site remedial alternatives, we looked at several options, ten options in total, of which nine meet the -- several were based on

removal, and that is the concept of removing soil and treating it on-site and returning it to its place. That was evaluated in the surficial aquifer, as well as to the middle clay, which is the middle Hawthorne clay. That's something that is distinct and separate.

In addition, these alternatives include the use of surface covers and capping on site to prevent contact with soils that are in excess of the soil cleanup target levels.

In-situ treatment, solidification and stabilization to the middle clay was evaluated. In-situ treatment, solidification and stabilization, and biogeochemical stabilization was also evaluated.

Containment and treatment with a barrier wall were also included in several of these on-site options above.

And, as you go down the line, what you get is something that is more and more treatment-based, in that, in every aquifer, there is a treatment technology that's evaluated for application. That's in the surficial, upper Hawthorne, lower Hawthorne, and upper Floridan aquifer, as well as off-site.

We split out the upper Floridan remedial alternatives. The upper Floridan is a very important resource. It is the resource for drinking water for this area of Gainesville.

We evaluated the no-action alternative, as required by the statute. We also evaluated hydraulic containment, and coupled that with monitored natural attenuation, which is the use of natural processes to reduce site contamination.

For off-site remedial alternatives, we evaluated no action, removal of impacted soil, institutional and engineering controls, being that use of engineering controls such as a cap, driveway, et cetera, in a voluntary process between a property owner and a responsible party that's available under the State of Florida regulations.

And then we also evaluated a hybrid concept, including removal, institutional controls, and engineering controlled hybrids in combination.

When EPA looks at evaluating remedial alternatives, we have nine different criteria under the national contingency plan regulations that we look at.

We have two that we call threshold criteria. And if these alternatives are not -- if they don't meet these two, then we don't further consider them for evaluation.

And those two threshold criteria are, it has to protect human health and the environment, number one. And, number two, it has to meet all applicable laws and regulations.

Balancing criteria are what we look to when we're looking at evaluating one set of remedial alternatives against another. Long-term effectiveness, implementability, the reduction of toxicity, mobility or volume, short-term effectiveness, and cost are part of the evaluation.

With respect to modifying criteria, which is the other two, we look to the support of the state agencies and community acceptance to possibly vary what may be a preferred alternative as we move forward.

We looked at long-term effectiveness. And that's the ability of the real option that's chosen to, over the long haul, to continue to meet the requirements with respect to not having to come back and revisit a site.

We look at implementability, and that's simply how quickly and how thoroughly something can be done.

We look at the reduction of mobility, toxicity and volume. You can see how we evaluated those for the on-site alternatives, the short-term effectiveness. And cost also plays a role.

EPA's preferred remedial alternative is on-site remedial option 5C, with elements of 5F. And what that means is a vertical barrier wall encompassing all four source areas, drilled to the Hawthorn clay layer, on-site soil that exceeds the commercial and industrial SCTL's.

(Inaudible comments made by audience members.)

MR. MILLER: Okay. It's the vertical barrier wall encompassing all four source areas to the Hawthorn clay layer; on-site soil that exceeds the commercial and industrial SCTL's.

It will be addressed by both soil-consolidation cap inside the vertical barrier wall and a soil cover outside of the vertical barrier wall. It would be an on-site surface cap that covers approximately 83 of 86 acres.

In-situ biogeochemical stabilization treatment in the surficial aquifer zone at the four source areas, surficial groundwater extraction at the four source areas, and an eastern boundary until the ground water cleanup target levels of Floridan are met.

It also requires solidification, stabilization in the upper Hawthorn at the four source areas. Targeted chemical oxidation injections to existing wells in the lower Hawthorn group, remove the source area footprint, chemical oxidation wells installed and dedicated at the eastern boundary, as well as an on-site surface water retention base.

For the upper Floridan, we chose the hydraulic containment and monitored natural attenuation to address areas of the upper Floridan that are on the site that have constituents in excess of cleanup target levels.

We chose off-site remedial option 4, which is to remediate the most stringent standard consistent with current land uses. So, if there's currently a residence there, it would be remediated to residential Florida SCTL's, soil cleanup target levels. If there's a commercial

venture there, then it will remediated to those levels.

Off-site in the creek sediments, we'll remediate to the probable effect concentration level. That will be hot spot removals of sediments in Hogtown and Springstead Creeks, with modern natural recovery to where there's no threshold effects until we reach the threshold effect concentration or background.

In addition, we'll also have institutional controls on the sites that will dictate what to be done with respect to groundwater and site use over time. This is a pictorial of that.

The surficial aquifer here, we're proposing to institute biogeochemical re-stabilization injected here to 25 feet. Site consolidation, with surface cover areas throughout the site.

A slurry wall that runs from the site surface to the middle Hawthorn clay layer, treatment inside the four source areas, stabilization and solidification in these areas.

In the lower Hawthorn, chemical oxidation injections in the lower Hawthorn.

And in the Floridan, extraction of groundwater with contaminate levels greater than

the Florida groundwater cleanup target levels.

There's an over-fly view of the same thing I just went over. It's coming over the surface. And with that, I'll open up for questions.

MS. SPENCER: We're going to start the question-and-answer period. And, Robert, you can do your presentation. I'm sorry I don't have the visual opportunity for you to show it, but you can feel free to come to the mike and discuss your comments.

Just so you'll know, after Robert finishes his comments and presentation, we have a list of people that I'm going to call.

I'd ask that you keep your comments short so that we can open it up to other people in the audience that would like to make a comment or ask a question.

So, as soon as Robert finishes, I'll call down the list, and then we'll open it up for people in the audience to listen to your comments and to ask questions.

ROBERT PEARCE: My name is Robert Pearce. I'm speaking only for myself. I've been working with Protect Gainesville Citizens. As I had to interrupt, I apologize, some of you have a four-

sheet set of diagrams that were part of the Power Point presentation that I had asked to be able to present, but I was told no. So, at the last minute we printed some copies, we printed a hundred copies. Thank you, Diedre. But I wish we'd printed, maybe, like 200.

I'm going to try to give a little bit of an overview. I live in the Stephen Foster neighborhood. And Springstead Creek runs through my back yard.

The remedy in the proposed plan is not the type of remedy the community wants, which is a cleanup, rather than a cover-up. I'm sorry that wasn't illustrated a little bit better. This diagram does illustrate it a little bit better. I'll get into that.

It will adversely impact the long-term economic health and vitality of surrounding neighborhoods. It will continue to threaten the regional drinking water supply, and it will not accommodate the future uses desired by the community.

If the site was far removed from civilization and the wellfield, using covers and caps might be an appropriate remedy. But the site is

integrated well within the developed area of the city. It shares a three-quarter mile long boundary with a residential neighborhood, and it is directly upgrade from the Murphy wellfield.

The contaminated soils throughout the site should, therefore, be excavated and appropriately disposed and/or excavated and cleaned, on or off site, and be replaced. But the site, itself, should not be used as a hazardous waste landfill.

The Beazer-Koppers alliance is responsible for contaminating the land and the Springstead and Hogtown Creek ecosystems for almost 100 years with impunity. They are guilty of unconscionable environmental disrespect and abuse, which continued almost for 30 years, even after being placed on the national priorities list as a superfund site. And they are responsible for stigmatizing the surrounding neighborhoods for decades.

It's time the responsible parties are held accountable. And EPA should require a proper cleanup, not just a cover-up, which is what this plan is.

The groundwater is most threatened by the

heavily contaminated soils deep within the four primary source areas. The remedy should, therefore, significantly reduce toxicity and volume of the contaminants.

Much of the contamination is believed to lie within the surficial aquifer above the Hawthorn group clay layer. At minimum, the source areas should be excavated at least down to the upper clay in conjunction with a slurry wall and demonstrated proven in-situ remediation at lower levels.

If discovery warrants, the source areas should be excavated to the middle clay. Excavation to the upper clay could be accomplished within a moderate time frame, and it will eliminate a great majority of the threat to the wellfield.

The surface soils both inside and outside the source areas are also severely contaminated, and also to unknown depths and quantities. Contaminants have been dripping and leaking onto these soils unrestrained and with no containment.

Soil testing has shown dioxin levels up to 13,000 times higher than Florida residential soil

standards even well away from the four primary source areas. And, yet, EPA's proposed surface soil remedy is to surficially scape an un specified amount of soil to a non-specific depth outside the primary source areas, that's the green area. We produced these diagrams, too, by the way, not EPA. I lost my place here.

All right. Dump those scrapings into a 30-acre corral sitting on top of the even more contaminated source areas -- that's this area -- capping the pile, and covering the scraped area with some top soil.

EPA's soil cleanup at the surface would be to commercial/industrial target levels, and the contaminated soil below the covering would remain unremediated. This is not an appropriate cleanup remedy for a 90-acre piece of land setting in the middle of the city.

A proper surface soil remedy would be to Florida default residential soil cleanup target levels over as much of the site as possible, rather than the proposed commercial/industrial target levels, which are four to twelve times higher, and which would restrict residential uses. And soil should be cleaned thoroughly and

as deeply as necessary to remove contaminants, not just a surficial scrape and a cover-up.

A proper remedy will result in a clean site, will eliminate the long-standing stigma associated with the site, and will correspond with the types of future uses desired by the city and community, which the proposed remedy does not.

The community's input is supposed to play a crucial role in the decision-making process on superfund sites. EPA is required to vigorously engage and integrate the community throughout the remedial process, and is required to place heavy emphasis on community input in the selection of the cleanup remedy.

EPA has been severely deficient in following both federal law and its policy directives in this regard.

EPA is required to establish a community involvement plan as soon as possible after a site is placed on the national priorities list. And EPA is required to update and revise that plan every three years, which never happened.

The community involvement plan process identifies the community's desired remedies and

desired future uses for the site.

EPA is charged to protect human health and the environment. Together, with guidance from the community, are intended to drive the remedy selection, but that did not happen. Instead, EPA made its remedy selection in a virtual vacuum.

MS. SPENCER: One minute, Robert.

ROBERT PEARCE: Koppers was placed on the national priorities list in 1984. According to the administrative record, EPA drafted one community involvement plan in 1989. The community involvement plan is intended to be an integrated and active program throughout the process from the actual placement on the NPL to its deletion.

According to the administrative record, EPA has not updated or revised the community involvement plan since 1989, 21 years ago. And it wasn't until last month that EPA initiated a new community involvement plan, just one week prior to the announcement of the selected remedy.

EPA's policy directives emphasize the community's desired future uses and remedy selection. Re-use is inexplicably tied to the

cleanup remedy, which must be protective of future uses.

In 2008 the Gainesville City Commission passed a resolution stating the site should be cleaned to Florida residential soil cleanup target levels. And, yet, EPA's proposed plan states, quote, the selected cleanup goals are for the commercial/industrial soil cleanup target levels for on-site soil sediments.

In early 2010, the Gainesville City Commission initiated a land use change petition with strong emphasis on desired future residential uses on the site. And, yet, EPA's feasibility study states, quote, on-site residential exposure scenarios are not applicable based on the expanded commercial/industrial and/or recreational use of the property.

MS. SPENCER: Robert, your time's up.

(Inaudible comments made by audience members.)

MS. SPENCER: Okay. I just want you to know that we're on a time constraint. He can finish by your suggestion.

All right. Finish, Robert.

ROBERT PEARCE: And so that there is no

misunderstanding, when EPA mentions future recreational uses, recreational uses are associated with commercial/industrial cleanup target levels because risk of exposure to contaminants is theoretically less than residential uses.

All of this has lead to a proposed plan with an inappropriate remedy. And it makes a sham out of what Congress intended to be an integrated community-guided remedial endeavor.

Although everyone is anxious to begin the remedial process, the remedial actions that are taken need to prove an actual cleanup.

The record of decision should put on hold and EPA should provide a proposed plan that actually corresponds with the type of cleanup the community wants and with the types of uses the community wants.

Thank you for your time.

MS. SPENCER: The next person to give comment will be Claire Marcussen.

UNIDENTIFIED AUDIENCE MEMBER: I'd like to point out that Mr. Pearce spoke for more than ten minutes.

MS. SPENCER: It's noted. But it was at the

request of more than one person.

UNIDENTIFIED AUDIENCE MEMBER: I request everyone get more than ten minutes. Anyone second that?

CLAIRE Marcussen: I'll get started, so everybody has a chance.

My name's Claire Marcussen. I've lived in Gainesville since 1988. I'm an environmental consultant, and I have 20 years of superfund experience. And I'm assisting the technical team and the citizens group to understand some of the issues at the site.

Specifically, I have concerns regarding the target cleanup levels supplied to the site. The preferred remedy is supposed to be supported by evaluations completed previously in the FS.

Although it is deemed final, the FS does not provide summary tables of cleanup goals in soil sediment and groundwater. This is required, according to EPA guidance.

The soils, the FS only states that, upon completion of the remedy, post cleanup risks will be estimated to see if they meet the Florida target risk level of 10 to -6.

For groundwater, the FS references a summary

table of cleanup levels. However, this table, 2-4, is not included in our administrative file.

As a result of these inconsistencies, it's very unclear how the various remedies could even be screened and evaluated properly. So, the cleanup levels were not identified as a basis for estimating the amount of cleanup at the site.

It appears that the proposed plan attempted to address these deficiencies by including a table of cleanup levels. For on-site soils and sediment, this table indicates that there's three possible cleanup levels for each chemical, to include the Florida default industrial/commercial cleanup levels, default leachability levels, or the possible application of site specific leaching data. However, the table has only one column of numbers, without specifying which of the three cleanup levels these numbers correspond.

Upon a more detailed review of this table, several errors were noted. None of these levels for on-site soil represent leachability levels. Some of the levels are residential levels for some of the chemicals, but the remaining chemicals having only industrial levels.

As a result, it's very unclear of the applicability of these values to each remedy, since they have never been discussed with respect to the documentation of the remedies to date.

Let me give you an example of our confusion. As Robert was pointing out, in the green area on this figure, it's unclear how much of the green area soils will be removed, if any, as a figure has not been included in the FS to illustrate how deep or wide the soil contamination is relative to the cleanup goals.

The only figure presented in the FS is Figure 1-9, which is right here. This figure shows average soil concentrations for three compounds in only shallow surface soil, and does not address subsurface soil.

Based on this figure, it appears that a vast majority of the surface soils exceed cleanup goals for commercial and industrial use across the entire site.

Since Florida's residential cleanup goals are far more stringent, the current planned cleanup will not be protective of future residential use of the property, thus, you need to restrict the property. This limits the use of the property.

Finally, EPA has classified nationally one of the main chemicals that was used at the site as a carcinogenic via breathing, inhalation, back in September of 2008. This was not considered in the risk assessment or in the selection of cleanup goals. This oversight results in less protective cleanup levels in soil and groundwater for this chemical.

In addition, this issue may have implications for areas where currently you may focus only on the leaching, when, in fact, maybe vapors are a problem.

Due to the lack of clarity in the FS with respect to the different types of cleanup levels, the basis for each remedy and the preferred remedy are unsupported.

To be fully transparent, an evaluation of soil sediment remedies using all three cleanup levels, as well as residential levels, should be conducted to demonstrated that they are protective of human health and the environment under the different land use scenarios. Note, this is also required to ensure the maximum beneficial use of the site.

So, in conclusion, the public requires

answers to the following questions with respect to the proposed plan. And I will hand you this, so you have it.

How does EPA intend to correct the errors noted and clearly communicate in the public documents what cleanup levels were used for each medium; how these cleanup criteria were used to estimate the amount of contamination that needs to be cleaned up; how and where each remedy will achieve the various cleanup levels, as this has not been presented in the FS or the proposed plan. And, finally, how will you demonstrate that, once you do clean up, that the cleanup has actually achieved those cleanup levels?

Thank you.

MS. SPENCER: At this time we're going to ask the mayor of Gainesville, Craig Lowe, to come and speak.

CRAIG LOWE: Thank you. I'd like to thank everyone for being here. I would like to point out that, actually, tonight is a regularly scheduled city commission meeting on a schedule that we set up over two years ago. We did actually take a long recess in order to be here tonight.

Unfortunately, we do have to return to city hall in not too long, because we do have items that we cannot put off on our agenda.

We did actually notify EPA of our regular meeting scheduled, and did request a rescheduling of this particular meeting, but that was not granted.

The City of Gainesville is in the process of reviewing the proposed remediation plan, and staff does have serious concerns, and we will be filing the detailed objections, and we are listening to the community's concerns.

We have filed for all 60-day extension for the public comment period. We have received a 30-day extension. And we will be seeking another 30-day extension of the public comment period.

I will be asking for a continuation of tonight's meeting, because, as you see, we have a large number of citizens here who would like to voice their concerns. And I'm sure that the allotted time will not be able to accommodate all of those comments. And we would hope that the continuation would be at a time when elected officials can hear the concerns of their citizens.

Again, I would like to thank everyone for being here. And, hopefully, we can work together in letting the Environmental Protection Agency know about our concerns with the plan and work constructively to resolving these issues.

Again, thank you so much for being here.

MS. SPENCER: The next person will be David Pace.

DAVID PACE: My name is David Pace. I've been a resident of the Steven Foster neighborhood for over 15 years. I've been attending these meetings for over a decade. It is not at all clear to the public or to myself how the proposed remedy will actually reduce the mobility, toxicity or volume of the contamination at the site. Those are EPA's words in your mission.

More specifically, the two technologies that are indicated for the source areas, the most heavily contaminated areas with the DNAPL, which is this goo of creosote and all this other toxic junk, the two technologies, ISBS and ISS -- and note, the "BS" is appropriate in both contexts.

I want to know how the EPA can demonstrate to the community that these are proven technologies. How they will provide safe, long-

lasting, and permanent remedies? How will they actually reduce the amount and the mobility of the toxicity of the contaminants on the site?

I've done a brief review of the literature. And, from what I can tell, these are new technologies without any proven track record. Actually, during the joint city/county commission meeting in April, an expert witness testified that there's no scientific evidence that these are proven to reduce the downward mobility of the DNAPL compounds, and shook his head when he looked at one of the proposed remedies on the feasibility study.

So, it's my contention that we really need to re-examine these two technologies and demonstrate scientifically that they will protect the citizens from the downward migration of DNAPL compounds into the Hawthorn layers, which are like a big sponge. They're not exactly a clay layer. They're like a sponge, which is setting right above the Floridan aquifer.

So that is my contention, and I would like a response.

MS. SPENCER: You want a response today?

DAVID PACE: Yes.

MR. MILLER: Well, with respect to -- you went through a lot, Mr. Pace.

With respect to in-situ solidification, it's been a demonstrated technology. It's been in use for over 20 years on sites that have not only been cleaned by other parties other than EPA, but also by EPA. It's in use.

In-situ biogeochemical stabilization is a relatively new technology that's been piloted at this site, as well as other sites. It's been used at one site, a Denver Koppers plant, former Koppers plant in Denver, Colorado, where it has been shown to reduce, scientifically to reduce those contaminate concentrations.

But, Mr. Pace, that brings up a good point. We don't simply install or have installed these technologies. We require that they be demonstrated prior to their installation.

That proposed plan document is a large piece of work. And if you go and look in that, you will see in the plan, itself, for both of those, there's a required performance test prior to both of those being implemented at the site.

In addition, there will be continual groundwater monitoring nearby these

technologies. And we will see over time if, indeed, it does reduce the contamination there. In the past, it most certainly has through in-situ solidification, and that has been demonstrated over time.

UNIDENTIFIED AUDIENCE MEMBER: Has it been demonstrated where the aquifer is setting right below a contaminated clay layer and contaminants are seeping down? That's my question.

MR. MILLER: It has been demonstrated in that exact situation in the southeast.

UNIDENTIFIED AUDIENCE MEMBER: What particular site?

MR. MILLER: Brunswick Wood is one. I tell you what. We can provide you specific sites. That's a reasonable question.

MS. SPENCER: The next person to speak is Diedre Bryan.

DIEDRE BRYAN: I have a question. It's about that land use thing. It's my understanding that citizens and the city commission have repeatedly expressed their preference for residential land use soil cleanup levels. And you've got, in your proposal, commercial/industrial.

So, why did you choose that one, when you're

supposed to get all this community input, and you seem to ignore it?

So, if you could explain how you chose that commercial/industrial use.

MR. MILLER: Okay. Ms. Bryan, let's address that. For starters, there are terminologies used that are different in the environmental field versus the zoning field, or the land use field.

Okay. Residential use means unrestricted use in the environmental world. So, when you say unrestricted use, this is virtually no hazardous waste site around that has unrestricted use. And that's what that terminology means in the environmental world. Okay?

So, if you're speaking to the standard, what we look at in the standard, when we make this determination, is we look at anticipated future land use based on what's happened there, and some other criteria with guidance that I'll be more than happy to provide you when we look at making those types of decisions.

But what we're not saying with respect to that is that that site cannot be used in some form or fashion for residential use in the future. And, in fact, there are many sites that

have been cleaned up to commercial/industrial standards, where there's been exposure barriers deployed at the site, and there's now residential use. Okay? People live there. Townhomes. That would be also appropriate for this site.

DIEDRE BRYAN: But why did you use industrial, when we know that's not what anyone wants?

MR. MILLER: What we do is look at a set of criteria based on, among other things, what the folks who own the land say they're going to look to use it for in the future. We also look at other criteria.

But one of the things that has not been thought of and is not being planned for in the future by the current site owner is unrestricted residential use, three-bedroom, two-bath houses with no restrictions whatsoever. And I think the reality of it is, is there's not a big demand for unrestricted residential use on a former industrial site. And --

DIEDRE BRYAN: (Inaudible.)

MR. MILLER: I think what she asked was could you do residential with limited restrictions.

DIEDRE BRYAN: Minimal. I'm sorry.

Minimal.

MS. SPENCER: Do you have another question before I go on? Okay.

I'm going to call one more person off of this list, and then I'm going to open it up to everyone else, and then I'm going to come back to the list so that it can be fair and equitable for everyone to respond.

The next person is Jerry Steinberg.

JERRY STEINBERG: My name is Jerry Steinberg. I'm an environmental engineer with Water and Air Research, a local environmental consulting firm. And, as a matter of fact, there's about four environmental people from Water and Air Research here tonight.

I'm a licensed professional engineer in Florida, and have worked at superfund and regular sites over much of my 30 years as an environmental engineer consultant.

I'm a member of the technical team that is assisting the citizens group. And I've been involved with the group only since last week. So, recognizing, folks from the EPA, that I really haven't had a lot of time, I am going to throw a few comments and questions at you.

The time is limited. I want to give other people time to speak. But I'm trusting that the answers to these questions will be coming forth during the comment period.

The next comments that I'm going to make address the soils above the Hawthorn. Basically, in the surficial aquifer. It is not clear whether or not all soils at the site will be required to meet ARAR's.

I'm going to use a lot of acronyms to get through this. And I apologize if I lose a few people. But the folks up front should understand the questions.

Does the plan require that all soils not contained within the blue area here, in other words, in the green area, are going to meet ARAR's? Or might there be soils above ARAR's left without any active remedial action?

There seems to be more information provided by soil cleanup in the blue area than in the green area.

While I've only been working on this matter for a few days, I looked briefly in the feasibility study for a clear depiction or picture of soil contamination in the green area

and I did not find much information.

For example, I would've expected sketches of contaminant concentration, isopleths at several depths.

So, having reviewed the proposed plan and briefly looking at the feasibility studies, I can't tell how the soils in the green area will be cleaned up.

Is there a description or depiction of soils above ARAR's in three dimensions for the green area in the feasibility study?

Are there engineering calculations of volume of soil not meeting ARAR's? What is the remedial strategy for these soils?

Again, addressing soils at the site. I cannot tell how much attention was given to on-site treatment of soils above ARAR's. While I saw mention of this remedial approach in the feasibility study, where it was identified as a viable option, I did not find any engineering calculations of soil volumes and costs that could be treated on site, that soils could be treated on site and replaced there. Were such calculations and costs derived? Were they derived respectfully for the green areas and

again for the blue areas? Were they based on testing results showing soils above ARAR's? And, if so, can you provide these calculations and costs?

The preceding question specifically addressed on-site treatment of soils. We have not had sufficient time to fully review the evaluation of other technologies that may have been excluded. In other words, I've sort of tried to look at what might not have been considered in the feasibility study, but time has been a limitation.

It is important that those technologies that may more aggressively treat the waste or actually reduce the volume or mass of contamination be fully considered with respect to all feasibility criteria.

Technologies that achieve the most reliable and permanent solution, especially with respect to future land use objectives, must be thoroughly evaluated prior to the plan acceptance.

The criteria in the plan for what will guide cleanup of soil is not easy for me to understand. At one place I believe I read that soil ARAR's will be no less stringent than State

of Florida soil cleanup target levels.

So, the question is: Is that correct? Are the leachability SCTL's applied as a cleanup criteria to all soil contamination at the site if it is the lowest ARAR?

There is a recognition that certain types of contamination, if taken off site, must be managed at a hazardous waste facility. The plan is not clear whether all the contaminated soil taken off site must be managed as hazardous waste.

What does the feasibility study specify as the requirement for soils in the blue area versus the contaminated soils in the green area? How did or would different requirements affect the engineering cost estimates?

Now, quickly switching over to deeper groundwater soils. Deeper soils in the groundwater contamination above the Floridan aquifer, it appears that the preferred remedy includes the use of stabilization and ISBS. I'd like to more comment, and hopefully we'll get a little bit more comment, on the effectiveness and performance of the ISBS. We've just had some of that.

But, more importantly, what I did not hear in

the response to the lady's comment earlier was how do you plan to monitor to determine its effectiveness, and what data will be gathered to enable the final remedial action implementation?

The plan states that the Florida Department of Environmental Protection supports the preferred alternative. I believe we have some FDEP representatives here. So, I'll be addressing you for just a minute.

The citizens group would like to learn more about the FDEP technical review, and specifically the FDEP environmental engineer's and hydrogeologist's comments on the feasibility study. Where can the details of the FDEP engineer's and geologist's reviews and comments be found?

And my last comment is, the proposed plan document seems vague, or at best uncertain, with respect to how soils and groundwater will be cleaned up to meet all the ARAR's.

A record of decision must be a more detailed decision document and much less a list of things that might be done. And that record of decision really must be based on evaluations completed in prior studies like the feasibility study.

It's really not possible for the affected parties and the stakeholders to effectively comment on the acceptability of the remedies without this additional detail.

Thank you.

MS. SPENCER: Before we move forward, Scott, I don't know whether or not you want to address at least one or two of those questions. I'm not sure you can address all of them tonight.

(Inaudible comments from the audience members.)

MS. SPENCER: Okay. Well, what we're going to do is, I have a list for the Protect Gainesville's Citizens Group. And I promise that I'm going to allow each of you an opportunity to speak. But I do realize that there are people here who are not a part of Protect Gainesville's Citizens that may want the opportunity to speak. So, I'm going to call a couple that have given me cards, and then I'm going to get back to the list. And then I'm going to go back to those people that are not on this list. Is that fair enough?

Stephen Boyes.

STEPHEN BOYES: I'm Stephen Boyes,

Geosolutions. I'm a hydrogeologist. I've worked in the Gainesville area for a long time.

A few questions I have, or concerns I have, is cut straight to the model. The clays are indicated to be continuous on the models. They've consistently indicated that, yet they're not.

I've raised this concern at numerous meetings, and they still continue to be represented in the documents, in the designs, as being continuous across the site. These are lenses that are discontinuous, they're not connected.

GRU in its excavation on South Main Street has gone through the top of that first clay, and it's not there in some of the places on site. It's discontinuous. These are lenses that are not connected. That applies also to the second clay bed.

In Florida we have licensure requirements for engineers and geologists. Geologists are required, when they present something like this, to put their seal on it. And, in order to submit plans to the State of Florida, an assessment requires sealing by professionals, as well as

design plans for environmental cleanups that require professional engineers. I've seen no professional seals on any documents developed for work on this site.

That pretty well covers it, other than the one question I have. How much money is available from Beazer to clean up this site?

MS. SPENCER: Okay. Jeanette Hinsdale.

UNIDENTIFIED AUDIENCE MEMBER: Do we get an answer?

MS. SPENCER: Scott, do you have an answer at this time for the last question?

MR. MILLER: You asked me how much money that Beazer East has for the cleanup? I don't know that. We don't address that. We just specify cleanup.

JEANETTE HINSDALE: Good evening. My name is a Jeanette Hinsdale. I'm a lover of Alachua County. And I thank everyone for being here tonight.

There's no heavier burden than the great potential. And I don't think this plan is heavy enough to deal with the potential that we have to offer.

This plan is addressing the Koppers, not the

Cabot site. And there's 1989 CIP, Community Involvement Program, the Citizen Involvement Program, that state citizens' concerns relating to the creek. They're also talking about the shopping center parking lot, the auto dealership, as well as the impact on the creeks that goes beyond this site. And we're 20 years later. There's actually documentation of this CIP. And I'm wondering what are your plans to address those concerns? What happened to those previous concerns?

We understand -- well, Steve said this, but I want to say it again. We understand it's the state statute that remedial investigations and feasibility studies need to be signed by a Florida registered professional so that someone takes responsibility for the contents of these documents. And I want to know a why has this not been done? Who's responsible for the technical accuracy and the quality of these documents? Who's to be held responsible for these documents? Like the geologist who came up with the plan is a professional who signed off on the design.

From what I've heard from Steve, it's an

illegitimate proposal, presentation, it's bogus, because of the continuous clay, it's not there, it's discontinuous. There's no seals.

I'm suspicious of the bath tub, the slurry wall. It's not really a bath tub, because it doesn't have a bottom. The bottom is the clay, Hawthorn clay formation.

I'm really suspicious of this not having a bottom. I'm afraid it won't prevent the contaminants from seeping further, because the ideal is that you're going to have this bath tub with the Hawthorn clay formation for the bottom and a cap on top. And the idea is that the rain water's going to come down, and it's not going to through the cap, so it's not going to go through the contaminated soil area and it's not going to reach out to the groundwater.

But, in reality, what really happens is the rainwater falls on the cap and it also runs off and falls where the rest of the rainwater's falling, on the ground. And us here in Florida know the groundwater levels rise and fall. And sometimes during hurricane season, they're right there, you know, beneath the surface or above the surface. And, so, it's like steeping tea. When

the water rises up, it's steeping the contaminated soil, and then the level goes down, falls down, and the contaminated water goes with it.

So, you know, it's just, like, what professional came up with that plan was my question. How are you going to monitor the bottom, the water quality, the water level?

You know, also, if you do put that in place and it works, what type of an event would cause you to come back and have to do more? Do you have a plan in place for that?

Also, I'm not a professional, but I was wondering about the Floridan aquifer. Because you say that you're monitoring the superficial aquifer and the upper aquifer. So, I'm just wondering how much of the Floridan aquifer you're really monitoring.

Thank you very much. That's my comments for the evening.

UNIDENTIFIED AUDIENCE MEMBER: Where can we find answers to these questions?

MS. SPENCER: The answers to these questions will be in a summary that will be made public.

DAVID KEEFER: Good evening, I'm David

Keefer. I work with Scott Miller. I'm also in the superfund program. And I'm here tonight to listen to the community. Obviously, there's great community interest in this site and the cleanup plan. So, one of the things your mayor has asked for was an additional opportunity to make sure everybody's voice can be heard. And that's something that we're considering.

When this meeting is over, we're going to sit down and look at something to put together to ensure that everybody has a chance to speak.

Several people have asked for information that we can provide in short order, and can do that through our website.

Overall, the public comments are addressed through a document called responsiveness summary, which is part of the record of decision. And, you know, we need to work on -- yes, ma'am.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

DAVID KEEFER: That's what I was trying to address earlier, is we clearly need to have a longer dialogue with this community about this cleanup plan. We may also have lots of legitimate questions that we need to do a good job answering and clarifying.

And I don't have an answer for you to tonight as to when we can get together again and talk. That's -- we're going to have to figure out when we can get that scheduled and coordinated with the mayor and city commission's office. But we will get back to everybody on the mailing list, make sure your name's on the mailing list, and let you know how we're going to continue this conversation

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: Her question is whether or not there's going to be a place that the public will be able to read the questions and the answers to the questions.

UNIDENTIFIED AUDIENCE MEMBER: Or challenge your answers.

MS. SPENCER: Or challenge the answers.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: Again, I think David mentioned we're going to have to get back together, not just with EPA, but also the city to determine how we can further this conversation. So, I don't think there's an answer to that, but it should be forthcoming is what I'm hearing.

Okay. I'm going to go back to the list.

Kayla Sosnow.

KAYLA SOSNOW: I want to make a suggestion, L'Tonya, that you call two or three people at a time, so we don't have to waste all this time with people getting up out of their chairs and coming down here.

I have two comments. One is that the EPA originally had a list of 33 chemicals of concern at this site. And I've heard that you're now only concerned about remediating five chemicals.

So, my question is: Does that mean that you're not looking for the other 28 chemicals? So, if they're present, they're just going to be left there?

And my second question is: You state that some soils would be removed during re-grading and placed in the consolidation area. Is there a process determining which soils, what areas they're in, and how deep you'll be going, so that most of the site outside the source area would have few restrictions for redevelopment, and was that evaluated in the feasibility study?

MS. SPENCER: Okay. The next person is going to be Sharon Sheets. And after Sharon, we'll have Sharon Woodruff.

SHARON SHEETS: Hi, folks. For a long time we've lived right next to Koppers, three doors away. Been to a lots of these meetings since '83 exactly. And I'm glad that we're all here tonight. And I hope that EPA can see how concerned we are and that maybe we need a little bit more time and EPA needs a little bit more work on this plan.

Being a resident -- and I have signed to have my soil studied. I've had fugitive dust sampling done. I've got CCCA's in the yard. So, I've got a toxic yard. Supposedly, not hugely toxic, but I don't trust to eat out of my yard, have my hens in the yard. I keep my windows closed. Breathing the dust, just fugitive dust is toxic. So, I signed on to have deeper soil testing going on.

And I didn't see anything in this document that we have that addresses what's going on with off-site soil testing. How many of us are -- or what's the extent of the off-site soil testing? When can we expect it to be completed? How does this fit in with what offer that we've already been given to treat the site? What about off-site and how all of us are being affected?

How long do you expect for it to take? And will we, as residents, immediately, or pretty immediately, get the results of whatever's going on, so that we can effectively take care of ourselves? Because we've been trying to do this without very much cooperation. I've been asking for years.

Second -- and I flyered the neighborhood up and down the Koppers line for years and years and years for all the meetings that we've ever had. There are people that live right on the line who swear to me that there are lagoons and barrels that are still planted and have not been identified on the perimeter of the property. And I really do believe that we have the technology that some of this could be looked into. I don't know that anybody has actually done any, I want to say -- and I know it can be done, I mean, it's possible. If there's any more in-depth study having been done, particularly along the perimeter of Koppers, where many of the people who have been affected health-wise with various forms of cancers, and what have you, swear that they have witnessed lagoons being plowed under and barrels being buried. So, I'm still curious

about that and whether or not there has been any effort to identify those. It seems that they could very easily be found. So, my question is mostly for us property owners.

And then, really, what kind of remediation can we expect, given that -- seems like the plan is just to bury the worse of it, leave the green area pretty much as is. And those of us that are right on the periphery, we're SOL, you know, can't sell our houses, can't rent our houses, and where do we go, what do we do? And we're not in good health. Thanks.

MS. SPENCER: Sharon Woodruff.

SHARON WOODRUFF: I'm Sharon Woodruff. I have lived four to nine blocks from the property line of Koppers for most of the last 40 years. So far, only one of my family has died of cancer, and two of our blessed dogs. I hope that's going to be the end. But tonight I want to address something that no one else has addressed. The potential land use.

The premises of the feasibility study are so flawed, so imaginary, so erroneous, so negligent, so inadequate, and totally false in so many way. It does not take a scientist to look at it and

say: Whoa, let's start over here. Who is going to say that?

Since the imaginary tenants for future land use were composed by persons totally unfamiliar with the neighborhood and its processes, major changes have made even the stupid original postulates even more unrealistic.

First, the railroad is now a recreational trail south of the site. And the only natural use of the railroad space to the east of Koppers is to extend the recreational trail now that the captive use by Koppers is now a moot point.

Second, the feasibility study states that recreational access is present in the neighborhood at Stephen Foster School and at Sidney Lanier School. Go look again. That's been purely imaginary for years.

In truth, chain link fences and "keep out or be arrested" signs greet all who attempt to enter the school grounds.

Third, the Walmart store on Northwest 13th Street will close forever in two years. The potential for commercial use in the Northwest 23rd Avenue strip is purely imaginary by someone who does not live in Gainesville, and probably

has spent very little time here.

There are so many more things that are just totally wrong in the beginning. Studies that test the top one to six inches of soil? What about below that?

What about the combinations of poisons? Somebody's mentioned that already.

What about capillary action? We have such intense dry spells, and then such heavy wet spells.

What about the runoff? That has still not been adequately dealt with. You've killed two creeks already, Springstead and Hogtown. That has not been properly addressed. We want our creeks back and healthy.

In the 1970's I learned a computer term which basically describes this whole process. I can tell there's some other programers here. GIGO. Garbage in equals garbage out. That is what this feasibility study is. And it needs to be started over and done right.

MS. SPENCER: Okay. I'm going to do a quick time check. It is now 7:30. I'm going to call two people from the list, and I'll check the time at that point. Because, before the meeting ends,

I want to introduce the technical advisor for the Protect Gainesville's Citizens, Dr. Pat Kline. And I also want to introduce to you the person who applied for the grant and received the grant for Protect Gainesville's Citizens, Cheryl Crowe.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: The meeting can be extended, but it will not go on public record, because we will not at that time have a person to record it.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: By law, we have to our own person, court reporter. And before you get started, we are going to talk -- okay. Hold on. Wait.

Before we get started, we are going to discuss possibly having another meeting or other ways to get your comments. So, the comment period is not over. So, please, don't expect this to just be the last time that you have an opportunity to give a comment. Please be reminded this is not the only way and it's not the last way.

I'm going to call Kim Popejoy and Gina Hawkins.

KIM POPEJOY: I'm Kim Popejoy, and I'm chair

of the Superfund Art Project.

Scott, I also own a piece of property that's stuck right in this little corner. You have this large green area here in which the surface soil concentrations, particularly of dioxin, are way above the target levels.

As I read the proposed plan, one of the ways that you could deal with this is by leaving the contaminants on-site, and then covering it with two feet of soil. What would that do to potential future uses? And does that mean that you don't really have to refine and further characterize the other possible sources in this area?

So, those are a couple of questions. And the other things are more broad and general questions.

And I ask all of you to take a look around yourself and look at each other, and realize that you being here tonight do have an impact on this process.

So, Scott, how can we change the record of decision? How can we affect the proposed plan? And, as far as this proposed plan is concerned, how can we change your mind?

GINA HAWKINS: Some of you may remember me as Director of the Cleanwater Action Project back in 1983 that began work on this site. Others of you know me as your neighbor in the Stephen Foster neighborhood since 1986.

And I want to say, in 28 years of experience working on solid and hazardous waste management issues, I've never seen the State of Florida ever allow the construction of a permanent storage facility for PAH's, copper, chromium, arsenate, let alone an uncontained mound covered with a tarp. No municipality would ever be permitted to store waste in this manner. Therefore, I find it reprehensible that you're proposing this as a permanent storage site of these materials under a tarp.

Finally, my last question. The regulations require that the extent of contamination be defined typically during the remedial investigation. Why, 20 years after the initial ROD, is this not complete?

I've been involved for a quarter of a century. I'm going to be living there another quarter century. So, I can wait you out.

When will you consider your identification of

the extent of the contamination complete? And I want to know a date, and at least include a year, if you will.

MS. SPENCER: Okay. We're going to have Dwayne Mundy and then Joe Prager.

DWAYNE MUNDY: Thank you. And my question is kind of along the line of Gina's. Are there any other communities in Florida that have an unlined toxic waste landfill in the aquifer protection zone of their primary source of drinking water?

Thank you.

JOE PRAGER: You. I'm Joe Prager. I publish a website called Ban CCA dot org about CCA treated wood. Many of you have seen me speak on this issue before and about the superfund site. I'm going to try to be brief.

The plan should be rejected, marked "return to sender," and mailed back to Scott.

I am glad to see Mr. Keefer's here, and also Mr. Osteen's here. I've read some of Mr. Osteen's letters, and I'm going to mention them tonight. So, I'm glad he's here, so I'm not talking about him without his being present.

I'm very concerned about the fast track process that this has undergone, where Beazer is

treated with kid gloves. I asked the question the other day if they were being given de minimus status. Apparently, that's not quite true. But I can't really tell the difference. That's a legal term for when you get out of paying for things or pay the least possible cost.

So, I think removal of the contaminated source area, the blue there, would be a better option. If we can dig down to 40 feet at Depot Avenue, we can dig down to 40 feet here and get rid of the bulk of the contaminants.

I'm concerned that we've picked one of the bottom three cheapest options. Again, who is paying for this? Beazer. Are you guys getting stock options? Because we may want to get in some of that action ourselves.

The Cabot site is an example of what can go wrong when you use the method that's used on this site plan. And I'm going to mention your letter, Mr. Osteen.

There's a letter on the administrative record that talks about how Well HG29 on the Cabot site, about right there, has perplexingly purple water. We may be drinking that someday. And Mr. Osteen was smart enough to realize that

that's not just chemicals, you know, that water's actually purple for some reason. So, we need to study it more.

And when you read letter after letter, whether it's something from Kelsey Helton that was written in November about testing the schools that are south of this site, or whether they're letters from our own county officials, city officials, toxicologists, they all say we need to study this more.

So, my question is: Why are we coming to a plan when the remedial investigation is incomplete?

Why haven't the yards been tested?

I'm also concerned that we got something called the administrative record index, it's on a CD. Now, you guys know how big CD's are. There are 220 PDF files on that. This site has been on the NPO list for 26 years. I think there should be more than 220 PDF files. Where are the rest of the documents?

Contaminants are already leaving the site, folks. There's a naphthalene plume that heads north already now. So, it's about right here. Okay? It's underground, and there are

residential lots there, like Mr. McGee's, if he's here, and other people.

And, so, Mr. McGee here has naphthalene underneath his yard. Now, if I had naphthalene under my yard, I'd want somebody to come clean it up because of vapor infiltration.

Homes in Florida are built on a slab. And naphthalene rises up through sand and soil and limestone, rises right through concrete slabs, and you breathe minute amounts of it. That is why the floor tiles in the back of the Kmart peeled off on the Cabot site.

So, we also have possible surficial aquifer contamination on the western side that Roy was going to talk about, if he got the opportunity, including residential wells that were bought by Beazer and Top Kill. We know what means now; right?

So, if the wells that are close to the site in the residential area are contaminated, I think that's a concern, because the horse is out of the barn.

We know that the soil on the streets in that western area are contaminated. How do we know that? We know that because the city is concerned

about it, and they generate this map with these little yellow stars. It's on the administrative record I just mentioned. You see all the those little stars? That's where dioxin is above seven parts per trillion, the Florida SDTL. That means the dioxin levels are going to give you cancer eventually. And it's a concern for the city that got mentioned to Mr. Miller, because they're concerned about their workers' health. So, if they're going to re-pave these streets, they're worried about the dioxin levels that are underneath the street.

I'm worried the dioxin levels that are in those people's front yards. Okay. If it's too toxic on the workers, it's too toxic for our residents.

And with regard to that toxic dust, we are now in the Stephen Foster Elementary School, we are point .6 miles, as the crow flies, from the site. We've tested some of the homes in this area as part of the 500-million-dollar lawsuit. We know that the dioxin dust levels are really, really high. Some are 1100 parts per trillion compared to 7. You guys know how much that is.

So, what are the dust levels in this school,

or the one that's directly south of the site, or any of them within three quarters of a mile? And why aren't we checking that? I would think that would be the responsibility of the EPA.

On-site sources are not being addressed either, folks. And it's not like they haven't been informed. And like somebody brought up, we've had 26 years.

Here's an aerial photo. Here's the aerial photo of the Koppers site, circa 1965. This is the northern most area. So, it's the area at the top of the rectangle area. See all the woods? Here's the same area in 1971. Notice the trenches. You see the six parallel trenches? They're a couple hundred feet long. See them? They don't exist, folks. Forget about it. We don't know what they were used for. I've been asking those questions.

I've been asking about buried drums, because there are people saying that they saw that, and those issues have not been addressed in this work plan.

So, why is the EPA tone deaf? You guys can hear me, but I guess they can't. I'm sorry. It's just a fact.

With regard to the possible buried drums, there's a multi-level well, number FW-12B, and it's on some diagrams you have. Now, a multi-level well has four sensors. So, there's a sensor here, one here, one here, one here. That well is real close to where the eye witness said the drums are buried, and it detects contaminants at the first, third, and fourth levels, which is highly unusual. Okay. So, why aren't we doing ground penetrating radar, like Ms. Sheets suggested? It's real inexpensive to do that.

Two more points, and I'm going to wrap.

There's been no proper health study done. People have had 10 cancer victims in a single household. Pets are dying. Birds are dying. Why did the ATSDR rubber stamp the FDOH's report and say there's no problem? I don't understand that.

But I do understand the Pottery Barn rule. You go in the Pottery Barn, you break a vase, you pay for it. So, I think Beazer should follow the Pottery Barn rule. They broke it. They should pay for it.

Thank you very much.

MS. SPENCER: Okay. At this time I'm going

to ask the technical advisor for Protect Gainesville's Citizens to come forward.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: Okay. I'm going to repeat her question, because in absolutely 10 minutes I am going to close the meeting.

She wants to know, for the record, why there has been no indoor sampling.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: Okay. But we have two other people that have the right to speak, as well. And I have used your whole list.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: I'm not going to argue with you. Excuse me, please. Don't argue with me.

Dr. Kline, would you please come forward for your comments, please?

PAT KLINE: This is a hard group to follow. And I'm Pat Kline. And I have been -- recently the Protect Gainesville's Citizen selected team to help clarify some of the technical issues and help communicate your issues to EPA to the extent I can, or clarify things to you.

And, you know, this is a really impassioned community and engaged community. And I want

everybody to recognize, from EPA, that the people who are brave enough to come up and say these things reflect only a few of the people that have these kinds of feelings. Obviously, there's a number of people that want to talk.

Some of you know me because I've been involved in this because of the city. And I've been reviewing some documents, and you probably already know what I'm going to say, because I'm typically consistent, at least, whether or not that's good.

And I appreciate the City of Gainesville also allowing a continued collaboration with our group. Because, to address some of these issues, takes a lot of depth and breadth of technical expertise. And I need to work with you on that.

Now, one thing, I'm personally --

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

PAT KLINE: Pardon?

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

PAT KLINE: Oh, well, we'll see. For myself, personally, and most people I talk to, we want something to move forward. We want the site cleaned quickly. We don't want to go another five years doing a bunch of studies. So, to the

extent we could do things that makes sense, that are acceptable and adequate and transparent, we want to go there.

So, some of the purpose of my comments right now are to make sure that we fill these gaps the extent we can --

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MS. SPENCER: Okay. I have asked that you all be respectful. And I'm trying to give people, who have requested the opportunity to speak, to speak to the extent possible.

Again, this meeting will end at 8:00. And I know some of y'all are angry about that. But there are other opportunities to send in comments.

So, if you're going to continue to be disrespectful, we can end the meeting now.

Thank you.

PAT KLINE: I'm going to shorten my comments, because many people were very effective at making these, but I want to draw your attention to a couple things.

One, the green area. The green area, because of the fact we have Dr. Elmer Acorn. And if you want to know exactly how to do an FS and look at

areas and volumes, please talk to him also. We'll bring him in. But the idea is you can't take some vague, well, we'll re-grade, we'll do some covering, we'll do something else.

You've never done a document with leachability comparisons or with leachability criteria. You've never done a map with data saying where the exceedences are.

We have no idea if and where any place on that site you could actually remove dirt and have no cover and have it protective from the standpoint of soils. And I think we deserve to know that.

And I personally sat at a meeting and asked that, in the subsequent FS, you look at risk assessment, but I asked to look at looking at the volume of soil you'd have to remove to get to commercial/industrial and residential. And the reason for that is, we have had a lot of language barriers here, but sometimes those may be the exact same volumes. And at least we have the right to know what it would cost.

Now, I have previously looked at the consolidation thing. But after talking to so many people, I realize that we would also like a

cost estimate for off-site disposal of these contaminated soils.

Now, I want to be clear that there's a distinction here between what you guys can evaluate quickly. I know other people here that can evaluate the cost to 22 acres off site. We can do those. But you guys have the data.

You never presented the subsurface data in the FS, and you never estimated the volumes and did the comparison. And I think that's a deficiency in the document. And when you go to the ROD, you need to be able to say that in the ROD. So, some place you have to present it.

So, give us an addendum that shows us these numbers. It's not rocket science. It will not take you that long. You can probably do it in a couple weeks. Then we would at least understand what we're arguing about.

The other thing, as a technical advisor, I would say, in addition to the vagueness -- and I do -- oh, two things. One is, Scott, thank you for very much for giving us SDTL's, particularly off-site. But, you know, I think this whole green thing is kind of a camouflage, making us feel it's all going to be clean. And that's not

at all the case.

That entire 90 acres of that site could be covered with contamination every place across that whole site, and that's pretty unacceptable.

As the technical advisory team, we come in, and I'm going through the record and I'm trying to figure out things that I have not worked on very much before, like groundwater. And what I'm finding is,

Here's a report with some Floridan wells, and here's a report with some Hawthorn wells. It is a big disconnected mess of things. I have not seen any comprehensive groundwater data summary that lets us know what is where in groundwater.

I would really appreciate, since the data's there, I know you have it, I know you know the wells, I know you've got the coordinates for these things and the data and databases, I think you need a data summary report. In fact, I think that should have been in the FS also.

But I think having all these segmented reports that I've seen makes it very difficult for anybody -- I don't know if it's intentional or what, for anybody to really have a good understanding of what's going on.

And when you say something like you can do leachability, we'll either use the numbers or we will maybe make up our own. How do we sign off on a plan we have no idea what that means?

Do the evaluation now. Let us know what it is. And if we want to fight that fight, at least we know what we're fighting.

I will be more formal with my request. But I'm telling you that some of the data isn't there. It's not in the FS. I think you can do it in the next few weeks, allow us a chance to review, then we can give you more meaningful input and support your ROD when you get there so we can go through that process.

And I want to think the rest of the team members for getting out, and the community. Great job. Thanks.

CHERYL: Hi, I'm Cheryl. I'm from Protect Gainesville's Citizens. I know you've heard this request a couple times tonight, but we're all here to meet and come to the table with you guys and discuss this thing. I'd like to ask you to maybe take five minutes to 8:00 and talk among yourselves. Even if the court reporter goes home, we have a videotape, even if it doesn't get

on the official record, roll up your sleeves, sit here, and listen to this community. Give everyone in this room that want an opportunity to speak an opportunity to speak. Just show us that you care, that you want to hear, and it really makes a difference to you what we have to say.

In addition to that, we'd like to ask for a second 30-day extension, giving us from September to October for public comment. Of course, I put out there the caveat, if you decide when you go home that you need to re-write this proposed plan, you can just postpone the public comment period and let us know when the new proposed plan is ready.

If we're going to continue forward, we'd also like to reiterate, we want a second public meeting held further towards the end of the public comment period so that we have more time to have this discussion.

We would like the transcript and responsiveness summary for us to review at least 30 days prior to the end of the public comment period.

We've asked a lot of questions tonight. There's no way that we can actually respond

effectively to this proposed plan without the answers to those questions. Giving us the answer to those questions along with the record of decision is not acceptable. We need the questions now, so that we can actually work with the information that you give us.

I think you've heard this already. We're in the process of reviewing the administrative record. At this time it does appear that some of the documents that are referenced in this, the documents that are there are missing. Our technical advisors are working at preparing a list of those documents. So, again we need those documents before we can prepare our complete response to this proposed plan.

And I think that's probably about it. Oh, here we go. The last one I wanted to ask for.

There's a lot of technical data that's referred in these documents. It's very scattered. We'd asked for this before. We would like a complete set of the data and the data summaries that this document that the proposed plan and the feasibility study are based on. Every one that did some piece of this has their data. We'd like it in some kind of database

format. Whatever format you want to give to us is fine, but we'd like the data so that we can review it.

SANDRA WATTS KENNEDY: Test the inside of our homes that have been tested already that show (inaudible). We have children. Hello. There are -- I don't want to talk about all the miscarriages, the birth defects that go on. When you start going door-to-door in our neighborhood and getting these anecdotes, it's horrifying. Almost anybody here will testify to that.

I can't believe you're even human, when you won't even look at us when we've asked for this before very politely. Please, I'm begging, come confirm. Or, better yet, if it turns out that there's something wrong with the data, let us know. People live inside their houses.

This is a human factor, and it is your mandate. It is the EPA's mission statement, after all, to protect human health and safeguard the natural environment upon which life depends to ensure that all Americans are protected from significant risks to human health and environment, where they live, where they learn, and where they work.

I'm Sandra Watts Kennedy. I represent Stephen Foster Neighborhood Association, Incorporated. Thank you.

MS. SPENCER: Okay. What we are doing, we're checking with the school to see if it's okay, that they have someone that will lock the school until we're done. And we will proceed until 9:00.

UNIDENTIFIED AUDIENCE MEMBER: I have a key, and I will stay until the meeting is over.

MS. SPENCER: So, we will proceed until 9:00, for those people who would like to stay. I still have a list of names here for people who want to give comments, as well as a list from Protect Gainesville's Citizens. I'm going to start with the list that -- for those people that are leaving, can you leave quietly so that we can continue with the meeting, please.

I have an Armondo that had a comment. Is Armondo back here?

UNIDENTIFIED AUDIENCE MEMBER: Mr. Miller, I'm going to address this question to you. Although, I don't see you. My question is going to be -- it's unfortunate that we don't have Beazer's representative here. I'm sorry.

Hopefully, I'm loud enough.

Two things, we don't have the Beazer's representative and we don't have the administrator or the Obama appointee from Jacksonville here.

But my question would be: Is there any way that we can get some clarification, once we have clarification, about how much Beazer will actually contribute to the infrastructure? Because if this has gone on for approximately 30 years, there's going to be a possibility that we need to build new infrastructure for water to actually treat a lot of these chemicals.

And being in the economic downturn that we all know we're in, and where our city and county governments are, how much is Beazer going to give the City of Gainesville, GRU, or what have you, to help build water infrastructure to treat? Not to mention how much the federal government and the superfund will also contribute. That's one question.

Second question is: There was a CNN report, I don't remember when approximately it was, I remember seeing it on television, that talked about dioxin and how long it takes to break down,

not just in the soil, but also in the air. That is probably -- I don't want my child looking like a regular child, and then looking like the Ukrainian president or the president that blew up with dioxin poisoning. It is scary. It is frightening.

It's not just a City of Gainesville issue, it is public enemy number one, it is an Alachua County issue. And, if it gets to the Floridan aquifer, I'm sorry, dilution is not the solution to pollution.

I don't want any claps, please. I'm being real serious.

I would like a real answer from that, if you could. I think those are pretty significant, easy-to-follow questions. And if you could answer -- I believe, Scott Miller, if you could answer that, I'd appreciate it. Thank you.

MR. MILLER: In brief, with respect to infrastructure concerns, I think it's important to note that there's been no detection of site contaminants at the Murphy wellfield or at the sentinel wells that have been installed between the site and the Murphy wellfield. And that's why we're implementing a remedy to make sure that

never happens.

So, with respect to that, that's the answer to your question.

And, I'm sorry, I can't talk to you about the Ukrainian president, other than he got a dose that's 50 thousand times the level --

MS. SPENCER: Is Lee Norris still here? Next I'm going to call from the card. It will be Cindy Harrington.

LEE NORRIS: My name's Lee Norris. I moved to Stephen Foster in 1971. My question's very simple.

If it's 26 years before we get it cleaned up, it won't matter to about half of this crowd. We'll be gone. Can you give us some time line? We're at 26 years, and we're at the proposed cleanup. When can we expect a cleanup? You know, if it's 26 years, look at the white haired people in here, it won't matter to us. We'll be gone. Please give us some kind of answer of what can we expect in a time frame.

MS. SPENCER: Cindy.

CINDY HARRINGTON: I'm Cindy Harrington. I'm a resident of the Stephen Foster neighborhood. And until the feasibility study holds those

responsible for polluting our city truly accountable and requires them to fully clean it up, I will never agree with its findings.

Anyone with a middle school education can see the injustice of allowing a polluting party a proverbial pass by capping a portion of the site, and then throwing a couple of feet of topsoil on some other affected areas.

We have the culprit. We know who the culprit is. This is not an abandoned site. We know who the culprit is; correct? They know who the culprit is. They are morally responsible, they are legally responsible, and they are financially capable of cleaning up the site and cleaning up the residential area around the site.

And it is the duty of the EPA to hold them to task, not to find the path of least resistance, not to find the cheapest way out. It is their duty to find the right path and the right remedy. The EPA should not be their advocates, but, rather, their worse nightmare. Which leads me to question number one.

It concerns us that agencies who are supposed to protect the community are not doing what is required by law. For example, why was it the

citizens who had to bring up the signage issue or the lack thereof around the Koppers neighborhood?

And, more recently, I don't know if this was required by law, but I did receive a feasibility study in the mail. But I understand that many citizens closer to Koppers than me never received this in the mail.

So, how can we trust what you say you're going to do you're going to do, when we can't even get mailings straight? It really concerns me.

And what are the plans to protect residents in the neighborhood during remediation activities, either on or off site? Are they going to be trucking contaminants through our neighborhoods? How are we going to be protected and not be further polluted?

And once this cleanup is complete, what will be the responsibility Beazer East to provide remediation if any of the institutional controls are violated and contamination is exposed?

Now, am I hearing this right? Are you going to tell me that I'm not allowed to plant a garden in my yard or I'm not allowed to excavate in my

backyard to build a pool or to put in a decking, where I might have footings beyond two feet in depth? And if I do put in a pool, and all of a sudden this pollution comes up, am I now going to be held liable while Beazer walks away? Are you going to tell me that I'm going to be liable if these dioxins come up in my yard and expose my neighbors to pollution?

And, last, but not least, people are abandoning properties left and right in our community. Our values -- and I'm also, by the way, a local realtor. Our values are -- I have a little sign that says: My house is worthless. It is worthless. Who is going to buy a house in a neighborhood that's polluted? And who, I ask, is going to make us whole? Who is going to make us whole? It better be Beazer.

Thank you.

MS. SPENCER: Okay. We have Sally Shatner. And after Sally, we have Tia Mall.

SALLY SHATNER: Hi. I'm Sally Shatner. I've lived in the Stephen Foster neighborhood and right off the creek for 18 years. I was actually diagnosed with an autoimmune thyroid disease. My cat was diagnosed two years after me with the

same disease.

I received a certified letter from Florida EPA stating that my property is contaminated. Now, it's a certified letter, so it's on file. I won't ever be able to sell my house, even though I'm within about 12 years of paying it off. So, great. Now I'm stuck with contaminated property and health problems.

The other thing is, too, on the creek, back in 1980 I have an article from The Alligator, stating that there were signs all through the creek, saying there was excessive phenol concentrations, do not go in the creek. Those signs have all been removed. They have not been up since my husband moved in the neighborhood in '89. They were not there in '92, when I first started going through the creek. So, where were these signs and why haven't we known that there are phenols in the creek? Now we're just finding out that they are in the creek?

The dioxins that they found on our property were 33 percent higher than what the state levels are.

Thank you.

MS. SPENCER: Karen Eppel. And after Karen,

we'll have Christy Smith.

KAREN EPPEL: Hi. I'm part of Protect Gainesville's Citizens, and I'm also a resident within about a mile of the site.

Actually, I have three questions. Some of us do not want the high concentration of toxic materials heaped into a pile that leaves us with toxins here forever. We don't feel this is an adequate solution.

What other technologies are available that would be more aggressive in removing the contamination from the site? Can you get it out of there and take it someplace else?

Also, have you done testing far enough into the surrounding neighborhoods to determine where contamination returns to ground levels? Have you figured out the boundaries of the contamination? And, if not, why? If you haven't, why not? Has that been done?

MR. MILLER: There's ongoing testing planning to take place in mid-September to begin -- to get towards the end of answering your question, to outline the footprints as we go.

KAREN EPPEL: And I have another question in somewhat the same vein. What about groundwater

levels in other directions besides towards the wellfields? Will you be going in a circular way? Because, believe me, water here just doesn't flow in one direction. When the rain comes down, it goes everywhere.

MR. MILLER: Yes, ma'am. We have extensive wells on site. There's over 300 wells. There's 86 monitoring points in the Floridan aquifer around the site, in the northern and western and eastern side, and wells on site below the former source areas.

So, we are collecting a lot of data as we move forward.

KAREN EPPEL: All directions?

MR. MILLER: Yes, ma'am.

KAREN EPPEL: Okay. One more. The remedy supposedly supports commercial land uses. Wouldn't digging down below the tops of the covers into the contamination conflict with the institutional controls?

If the remedy supposedly supports commercial land uses, wouldn't digging down below the specified levels into the contamination to build foundations conflict with the institutional controls? If so, how would this area be

developed?

MR. MILLER: It could conflict with the institutional controls. But the institutional control, when people come and develop a site, they work with the environmental agencies to look at how -- what effects will take place there, and then soils are managed in accordance with that site soil management plan that will be part of an institutional control.

So, it can be re-developed, it's just re-developed in a way that's consistent with protecting human health and the environment.

KAREN EPPEL: Okay. What about my first question, that we would really rather that the materials were removed from the site. We really don't want a toxic waste dump in our city.

MR. MILLER: Removal has been part of the evaluation. We'll continue to take a look at that.

KAREN EPPEL: Thank you.

MS. SPENCER: David Gold. Is David Gold here?

Did I call Christy Smith?

David Gold, is he here?

Okay. Darryl Beach.

DARRYL BEACH: How far away is the testing in September going to be from the site?

MR. MILLER: Right now the testing is -- the testing has been done on a progressive basis as we go away from the site. And what we're looking to do is to find out where the soils are in compliance with the state residential standards on that side of the site, the western side of the site. Or, if it's a commercial piece of property, if it's in compliance with the commercial standards that the State of Florida has. We're doing that on a phased basis.

We're doing that to the city right-of-ways. And then, once we do that, we come back and request access to people's yards, because we can't simply just walk in their yard and take a soil sample.

Once they give us their written permission, then we go into their yard at 0 to 6 and 6 to 24, and sample it. It's going to be done on all areas, all sides. And that's also part of what we hope to do in September. But that is somewhat controlled by how quickly we get access agreements back, because we do have to get written permission from folks to do that to their

property.

MS. SPENCER: The next two names are Barbara Ruth and Kate Ellison.

KATE ELLISON: My name is Kate Ellison. I'm a resident of Gainesville. And these questions have sort of been asked before, but I want to just state for the record the amount of concern in the neighborhood for so many of these questions that we don't have answers for yet.

Why do you assume that the creosote was limited to this blue area? We believe that there are source areas not identified that remain outside the area. Will the proposed remedy require that these be remediated, if identified, and not simply covered up?

We've given you maps that show the source areas outside of this blue area. Do you have a plan for these?

Why do you emphasize the two feet in places in your proposed plan? What if taking a little more of the soil would leave no contamination in some areas above the levels protected for commercial or residential criteria?

And are you going to test the soil or the water to the south side of the Koppers site?

Thank you.

MS. SPENCER: Okay. Off of the list we have Mia Garna. And, after Mia, we have Renee Pinault.

MIA GARNA: My name Mia Garna. I'm an Alachua County resident and business owner. I just wanted to say it was sort of unclassy to open this community meeting by alerting us to police presence. That was really unwelcoming and sort of set the tone a little bit off and not in our favor.

Basically, a lot of my questions have been answered. But with the recent dispersant discoveries, if this, which it should not, but if your plan passes, what do the stabilization compounds contain? What are they composed of? And what are the safety of these compounds that are intended to remove these chemicals? Will they just leave more chemicals? Will they cause a hazard during groundscaping? Will there be a dust impact? These are the questions that I have.

MS. SPENCER: Renee.

RENEE PINAULT: Some of the proposed plans that were sent to my home included some off-site

soil remediation, but the plan that you've chosen doesn't address this.

Can you please address why this decision was made? What's going to be done with the soil in the neighborhoods that lie on the perimeter of the site? And what are the health risks during the cleanup?

My home is located right here. If the soil here is contaminated, what leaves me to believe that my soil here is fine?

Thank you.

MS. SPENCER: Okay. We're going to have Ken Kay and Kia.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

MR. MILLER: Okay. With respect to the question with off-site soil cleanup, that is part of the proposed plan. And there are three options in there. But, presumptively, what would happen is, soils would be removed from residential yards and taken away from residential yards in the zero to two foot range.

And the way that would work is, before that would happen, we'd have to, naturally, get the people's permission. We'd sit down and talk to them about their specific yard. And there may be

certain areas or trees that they don't want us to get near. And, so, we'll take that, take that soil, basically, away from the property, and then replace it with clean fill.

That's the essence of that, unless there's a voluntary agreement reached between property owners and Beazer East to something different.

KEN KOPCZYNSKI: Good evening. For the record, my name is Ken Kopczynski. I'm a resident of Tallahassee, Florida. I first became involved in this site in 1984, was not happy with the way things were going there in regard to the research that is being done.

We did finally get the EPA to acknowledge the fact that there was a lagoon under North Main Street. There's some issues with that.

I spent six years of my life prior to moving to Tallahassee to try to get in the record the history and the extent of the contamination of this site. And I'm sorry to say, we're still in that position 26 years later, including this document that was handed out tonight.

I will use an example. Page three: The site was originally two sites, Cabot Carbon in the southeast portion of the site, and Koppers on the

western portion of the site.

Ladies and gentlemen, this site was originally three parcels. The Cabot, the Koppers, and the area north of the Cabot site. And, in fact, if you go to the property records of Alachua County and look at the property records for the two parcels just north, you will find that it says, specifically, superfund site.

Okay. So, anyway, the question becomes what is the superfund site? And I'm tired of hearing on-site and off-site. If it's polluted off-site, it's part of the superfund. I mean, the map in here shows the property lines of Cabot and Koppers.

We know that northeast lagoon, which is now in contention in terms of who's responsible for it, is highly polluted. Guess what, folks? It ain't on the superfund site. It's on these two pieces of property to the north.

Process wastewater contain -- this is still on page three: Process waste water containing residual pine tar was discharged to three unlined lagoons as early as 1937.

Folks, if you look at the aerial photographs in 1937, there is one lagoon, and it's under

North Main Street. Those three unlined lagoons were not built until between 1949 and 1956. You look at the aerials.

The Koppers site -- again, on page three: The Koppers operated as a wood treating facility from 1916. Folks, I've got an article from the Gainesville Sun that this site was built in 1911. I've got a sand born map of the site from 1913. Yet, here's a document today saying that it was in operation in 1916.

Still on page three: Wood treating processes at the Koppers site began with the creosote impregnation process in 1916. Well, we've already decided that's not true. Well, it could be true. It could be true that in 1916 is when they actually started this creosote impregnation. I wonder what the children looked like.

The treatment processes -- and I apologize to you all, and I apologize to you all. And I know that you guys are targets and everything. Don't take this personally.

The treatment processes were modified over the years to include two additional processes: One, using CCA, beginning in 1960's; and the

another using pentachlorophenol, beginning in 1969.

Folks, I've got an article from the Gainesville Sun that they started using what are called Wilson salts in 1936. 1936, they were treating the lumber with -- it's not quite CCA, it's another chemical composition. I can tell you what it is.

The other problem I have is on page 11, it says: The proposed remedy is intended to be the final cleanup for the Cabot Carbon/Koppers site.

Folks, if you don't have the history, you don't know what the extent of the pollution is, how can you have a final site?

One of my pet peeves has been the Winn Dixie floor. Back in 1980-something or another, 1984, Winn Dixie was experiencing floor tiles buckling. Okay. And they had a consultant come in, bore six holes in the floor. And guess what they discovered? Polyaromatic hydrocarbons coming, plasticizing the floor tiles, and eroding the vapor barrier, eating the damn concrete.

So, what did Winn Dixie do? And what did our authorities do? Well, you know, we're having other problems in Winn Dixie stores. And, well,

we don't really trust the results. Now, did they go back out and test? Hell no.

Now, this map right here is a blueprint, which I don't know exists anymore. I was lucky enough to make a copy of it, probably, before it disappeared, of the Cabot site.

What I've done is I've superimposed on top of this map the location of the roads, the location of the building. And guess what, folks? Winn Dixie is setting on top of a pine tar pit.

Now, do you think that pine tar pit had anything to do with those floor tiles buckling? No. They had problems elsewhere.

I would like to give this to you all to put it in the damned record that you have it. And, tell me, have you all looked around and tested these retorts?

Did you see all the tanks that they have? Have you all looked at these tanks here? Have you looked for them? What about this irrigation pond?

Now, I know y'all went out and tried to find this deep water well. Well, folks, they had a deep water well at Cabot, and they had a deep water well at Koppers, which is a direct conduit

to the Floridan aquifer. Find those. I asked y'all in 1984 to find these goddamned wells.

So, anyway, thanks a lot.

UNIDENTIFIED AUDIENCE MEMBER: (Inaudible.)

KIA IDEKER: For the record, my name is Kia Ideker. I have a lot of questions that didn't get asked. I'm going to read them really quickly. We'd like these in the response summary.

The feasibility does not address an alternative for off-site sediment at all. In fact, it states that, generally, they believe risk is low or attributed to Cabot. We just had a little Cabot education.

Why does it matter whether it is attributed to Koppers or Cabot? Do we have multiple operational units that need investigation?

Please clarify -- and I'd like an answer to this now. Please clarify what institutional controls will be required across the site following the implication of this remedial design and plan? Specifically, what would be done to the source areas? And what restrictions would be needed to develop outside the source areas in the future?

If development occurs on the green area, which is deceiving, because that's not going to be green in this plan, who holds the liability if those institutional controls are broken?

If Beazer sells the land or allows development, and somebody comes in and digs beyond that 22 feet of top clean fill, who holds that liability? Is the small business owner or the Winn Dixie or somebody that goes there going to have to pay for those source areas that you didn't find, that they find? Because we know that's what's going on at Carbon.

Everyone keeps telling us that's an example of a good cleanup. We do not believe that to be an example of a good cleanup. I'd like to invite you to stay tomorrow until the temperature hits 86 to 96 degrees, and drive over by that site and smell the creosote coming out of the earth.

We have vapor intrusion in this town and in those buildings and off that site. You can smell it. We know where it's coming from. So, who pays for the liability? Who holds that liability? You can't put a foundation in without penetrating through the soil.

We'd like that removed. And we'd like

confirmatory testing done once the top two feet is removed. Whether you remove it and clean it on site, which I think is a good idea, because we can just use the clean dirt that's already there. It's just less money to haul it away.

We want confirmatory testing underneath there. We believe there are source areas all over that place. Thank you.

As currently summarized, it is possible that the contaminants across the entire site will remain and be entombed. A layer of clean soil on the top will be brought in. Is it possible that that will limit future land use and lead to a big fence with a guard and no development?

That's it. Thanks.

MS. SPENCER: Jan Ambrose Carter.

UNIDENTIFIED AUDIENCE MEMBER: We need to state for the record that our mayor and city commissioners have had to leave and will not be here to hear all of the rest of the citizen comments.

MS. SPENCER: It's supposed to be recorded that the city commissioners have left the building. Is there anybody else?

The camera is gone, so there's no video

recording at this time. The court reporter is still here, taking comments for EPA.

JAN AMBROSE CARTER: And that will be just fine for this comment, if somebody could write down at the end a question that I have.

My name is Jan Ambrose Carter. And I spent the early part of this year working with Protect Gainesville's Citizens to write the proposal for the EPA's technical assistance grant. And I'm grateful that our community has been awarded that 50 thousand dollars to hire our technical advisor.

Since the funds were only received a few weeks ago, I'm concerned that we haven't had sufficient time to use the money as it needs to be used, to educate the community about the technical details of the current proposed plan.

Foreseeing that this might happen, I contacted our county DEP last February and explained the situation. And, with their blessing, on March 3rd of this year, I wrote a formal request to Scott Miller and his supervisor, requesting an extension of the period of public comment that we're in now to allow time for grant funds to be issued and utilized before

a record of decision was issued for the site. That request was denied. But I understand that more requests have been made. And I appreciate you considering those.

In the meantime, I started educating myself on the process that occurs before a cleanup plan becomes final. I spoke with other communities who have been dealing with superfund sites, including the one in Brunswick, Georgia.

The proposed plan that we're discussing tonight will, with or without changes made to accommodate our concerns, eventually become a record of decision, or ROD.

And, while that sounds like the final word, my understanding is that ROD will not actually be legal and binding until a consent decree is issued by a court of law.

We expect that EPA will respond to our community comments on the proposed plan and on the record of decision before filing for a consent decree. And we expect that the EPA's responses to our comments will be made part of the site's administrative record before the consent decree is filed with the court. We expect the EPA will notify our community when the

consent decree is filed.

So, my questions tonight are these. In which court will the consent decree be filed? And I would like the address, if you have it, or the city and state.

CAROLINE HINSON: Good evening. My name's Caroline Hinson. It's the Federal Court for the Northern District of Florida, which I believe is here in Gainesville. I don't have the address with me, but I can get that to you. It will be filed there after several months of negotiation. Of course, that comes out quite a number of months after the ROD, so that all the comments responding to ROD are incorporated into the record.

JAN AMBROSE CARTER: My second question. How will the community be notified? I'm sorry. Will the EPA notify our community when the consent decree is filed?

CAROLINE HINSON: The consent decision also has a public comment period. So, that will -- we'll have more public comments between the filing of the consent decree and between when the court enters it.

Quite often the court also has a hearing, so

that it's open, and people can come and comment at that time.

JAN AMBROSE CARTER: And then my last question is, for the people here tonight, by show of hands, who are willing to go to court where the consent decree is filed and represent our concerns of the community that are not addressed in the record of decision? Thank you.

CAROLINE HINSON: I'm sorry. Just one more comment. When we say you'll be notified, it will be published in a local newspaper. So, it won't be -- it will also be published in the federal register. So, it won't be hidden away somewhere. It will be in your local newspaper.

MS. SPENCER: And, if Caroline lets me know, I'll let Cheryl know.

One thing that I need to clarify. I don't have a list of groups. Cheryl is the person that I contact, because she has the technical assistance grant. And I have asked on several occasions, if there are other, quote, unquote, groups, if you will give me your name and your address, you can be notified as well.

JOHN KING: Thank you. I'm John King. I'm president of Water and Air Research,

environmental engineering consulting firm here in town. We're part of the team supporting Dr. Kline and the neighborhood association through the grant.

One, I'd like to thank EPA for the funding that you provided the neighborhood association to buy the technical advisors, particularly the quality of Dr. Kline.

However, the grant did come through in late June, or whatever. They went through a selection process. And, as you heard tonight, the teams have just come on board in trying to analyze 228 PDF's in the last 10 days. And some of my team has only had the opportunity in the last two or three days to engage on some of these issues.

Again, we respect and appreciate that you've already said that you will provide a fairly extended review period here. I think we need that. The train's moving fast right now. We need to kind of step back and make sure that what we're doing is right.

It's been 30 years. It's good to be here now, but we need to make sure the decisions are right.

I really only have one question I want to

pose to you and put in the record. Region 4 EPA, as recently as 2009, dealt with a site in south Florida, DeSoto County. It was a creosote plant started in 1911. It was closed, supposedly, in 1952. It has many of the same problems that we have here. Actually, if you read the EPA record and go through it, you'll find tremendous similarity.

You've heard a lot tonight about vapor intrusion. The vapors do not know that that's where Beazer's property line ends.

And, so, to that point, in your documents, your responsive summary, which is effectively the same document we will get from this meeting, and all of the questions that are turned in to this group will be published in this summary, in the summary that you did for that site, you reference that there are -- and I'm going to just quote a very small piece here -- that the surrounding properties or certain properties in that area were required by a responsible party, the residents have been relocated, and all of the potential for exposure eliminated. Those are your words.

Now, I would hold out to you in question,

will you please respond to this community what your plan is to force the responsible party to procure the properties that will have the level of contamination or the vapor intrusions of these contaminants that we're talking about, and/or deal with the relocation issues? Thank you.

MS. SPENCER: Okay. I have two cards here. If the people are not here, I want to read their statements, so it can go on record.

Ann Lowry.

ANN LOWRY: My name is Ann Lowry. And I've lived in the Stephen Foster neighborhood for 16 years. I was a director of nursing in a hospital and participated within the community and contributed to the community. However, five years after I moved, I got MS.

Well, my neurologist, when she found out I lived in the Koppers neighborhood and saw what the pollutants were, she said: Oh, well, you know, oh, my God, you know, no wonder, no wonder.

I am not the only one that has MS that lives in the Stephen Foster neighborhood. Other people have gone and civilly sued Beazer and won a judgment against them for their pollution causing

the MS.

Ten years ago I was started on interferon, a 32-hundred-dollar-a-month drug, one of 23 medications I take every day. Interferon is also used to treat malignant melanoma. It's a pretty strong treatment. Well, five years ago, I got malignant melanoma and had to have surgery two times.

How many times have we asked to have the insides of our homes checked? How many times have we gone door-to-door and noticed that there's been at least one person on two blocks in every household that has cancer or has died of cancer?

Now, we need to do epidemiological studies. Maybe the next time, in five years, when y'all decide what you're going to do to fix this, I hope you're all not standing, like I am, with my dog and my braces, waiting to go home to my wheelchair.

I hope that the EPA will clean this up, will take all the carcinogens out, move it away. Don't cap it over, waiting for it to vaporize back into your homes, because I don't want you to look like me.

MS. SPENCER: Okay. Phyllis Tanner and Mike Turturro.

MIKE TURTURRO: I'm Mike Turturro. I'm a citizen in Gainesville. Somebody already thanked you for acknowledging that we need more of a dialogue here. So, I thank you for letting the meeting run late. I'll try not to make it run much later.

It seems part of that, while I hope you can find some modification to the so-called normal processes, since the processes have already been modified, and the way the community involvement plan, for lack of a better, word has been botched because there was this plan, and it's old, and now there's this new thing, then we're -- after 25 years, it's a little ironic, now we're in a hurry and only have a certain number of days.

It seems like things have changed in the past year or so. So, maybe it's a time to take it -- not slow it way down, but, basically, find just the right speed for this thing.

And I got to say, I don't think I've heard anything tonight that I've disagreed with. Seems like everybody had really good questions, and it goes on and on.

I have two specific questions, one of them about the on-site. Several people have mentioned the possibility of hidden drums and various contamination. Have you guys considered any plans to do any search for buried treasure, so to speak, penetrating radar, something like that?

MR. MILLER: Yes, we have. And there's going to be a work plan coming forth that we'll share to address concerns with buried drums on-site

MIKE TURTURRO: Thank you. The other thing is this issue about institutional controls is a little confusing. I think I get the picture for the on-site. But, if it's dealing with somebody's residential property, are you going to be putting institutional controls on residential property?

MR. MILLER: That is included as a voluntary option between two private parties, the person who owns the house, for instance, and Beazer East.

If, for some reason, instead of having soil removed from the yard, you prefer or reach an agreement, for instance, to sell the home or to come up with another approach that works, such as, you know, installing a driveway and keeping

it up, or anything like that that keeps the situation in such a way that people don't come into contact with these soils that are in excess of these levels that are the state levels, it allows you to work together to make that happen.

It's strictly voluntary between two parties.

MIKE TURTURRO: I'm not a property owner. It just seems like it keeps coming up. It seems obvious, if something like that happens, there would have to be some kind of an addendum to the deed or something that would carry through. And, in that case, wouldn't there have to be some sort of compensation to the property owners?

MR. MILLER: Yes

MIKE TURTURRO: The third thing I have to say isn't really a question so much, but you might want to tackle it.

When I looked at this plan, and in particular the off-site part of it, it's a bunch of: We don't really know yet, so we're going to consider these options. And the plan itself -- like the FS was a consideration of a whole bunch of options, and then, even for on-site was a combination of options, which is sort of another option -- and I'm not trying to be too pedantic

here, but it seems like, you know, what's the plan?

And for the off-site, it seems like this plan is to make a plan. And I don't know how we can actually comment on a plan to make a plan. Thanks.

MR. MILLER: The answer to your question is this. What we do in the next phase here, once we get a record of decision, we have the data available to come up with a plan of how to address the contamination.

As part of that plan, and what you see ongoing, is we're collecting data so we know what the footprint of the remediation will be off-site.

We do not know the specific entirety of the footprint of what the remediation will be off-site. We do not believe that will prevent us from making a decision with how we go with that. So, that's why we're pushing forward with off-site soil sampling, regardless of how we go forward with the proposed plan, because we think it needs to be an expedited approach.

MR. KEEFER: Just to clarify, too, the footprint of the off-site or off-property cleanup

will be to the most stringent Florida DEP cleanup target levels that is applicable to whatever land use. If it's residential, it's residential. If it's commercial, it's commercial.

So, they're going to continue sampling until they find the edge of the impact. And then all the those properties will be remediated, or, as Scott tried to explain before, if the landowner and Beazer reach some other arrangement, such as Beazer wanting to buy them out, there's provisions for that, as well.

The point is that we want to be in a position to move forward with the off-property cleanup as quickly as possible. It's pretty simple. It's a binary decision. If contamination is in your yard, it needs to be removed. Okay. That's done by excavation.

So, we don't want to wait for a long design period or any other delays that might occur, because we know how that's going to work. So, that's the point of that of the approach, is to get your properties cleaned up first.

UNIDENTIFIED AUDIENCE MEMBER: What about the contamination in the house?

MR. KOPOREC: I've heard you bring it up

tonight. I don't have an answer to that. We'll discuss it, and I'll get back to you.

MS. SPENCER: I'm going to call three names. George Papatti. Susan Fairforest, and Roy Hale.

GEORGE PAPATTI: My name is George Papatti. And I live in the duck pond neighborhood, right next to one of the county commissioners, Cynthia Chestnut.

Most people are not aware that, years ago, when Koppers was using creosote, that the odors occasionally wafted into our neighborhood. And after several times experiencing this, I called the plant up at midnight and intentionally tried to catch the employees off guard. And I said: Why did you turn off your scrubbers? And the gentleman who answered, apparently, was one of the workers. Well, apparently wasn't paid very well, judging from the way he was speaking. He said that he was told to turn the scrubbers off.

So, for the record, I'd like to remind people that industries that are heavy polluters generally play hardball and are very much in denial of things that in public they make statements: Well, we're responsible citizens, we care about the community that we operate in.

That is apparently not true.

There are companies that are progressive, and then there are companies that know full well that it's going to be a huge, costly, uphill battle to operate responsibly, and they play dirty. And Koppers was like that.

Regarding one of the residents who just talked about multiple sclerosis. In looking at adverse health impact data, I unmasked a lot the of materials. And one of the papers that I found identified the high incidents of neurological disorders associated with EPA superfund sites.

It's easy to find this now. Back when I got this information, I had to spend until the wee hours of the morning at the university library, when I could stay there, and gather this information. Now, with the Internet, it's open for everyone to get. So, be aware about MS and neurological issues.

My question -- one of my questions about capping the toxic source area on the property with soil and concrete seems -- I find it impossible to imagine that the EPA would want to do this, knowing now, with recent information that there are fissures in the Hawthorn groove.

There's no tub. It's just a barrier wall has been mentioned. I'd like to voice that concern.

I also want to remind them, before they proceed any further, that they need to devote an equal amount of time to the concept of relocation of residents. Because, if they don't, it's a violation of the law regarding feasibility studies.

And my last comment regards a memorandum submitted or circulated July 22nd of 2010 by the EPA. It was an EPA form, and it stated that achieving environmental justice is an agency priority and should be factored into every decision.

The memorandum defines environmental justice as the fair treatment and meaningful involvement of all people, regardless of race, national origin, or income, in the formulation of rules and implementation of cleanup processes.

This cleanup process, of course, has taken well over 20 years. In response to learning of this fact, the director of EPA's superfund, when asked by (inaudible) commented, and I quote: Community residents should be angry for how long this is going on and how long they have waited

for their cleanup, end of quote.

That failure is unfair treatment, I might add. That shows a complete lack of meaningful involvement, and our Region 4 EPA administrators are not only failing to follow their own directives on environmental justice, they're not acting in a way that -- they're acting in a way that contradicts the spirit of that mandate.

Final question. I ask the Region 4 EPA administrators to request from Mr. Stancil an in-service workshop to remind them about their obligations.

SUSAN FAIRFOREST: Hello. My name is Susan Fairforest. And I'm a board member with the Stephen Foster Neighborhood Protection Group.

The Stephen Foster Neighborhood Protection Group would like to remind the EPA that neighboring residents, you refer to us as recipients, I guess we're the recipients of the poison, that neighboring residents had no part in contributing to, endorsing or encouraging the hazardous pollution that now lies within our yards and inside our homes adjacent to the site.

The feasibility study and all tasks leading to its creation failed to recognize the degree to

which residents have been impacted by this contamination.

Mr. Miller, I wish you'd look at me when I talk to you. Thank you.

Stephen Foster Neighborhood Protection Group implores the EPA to take the concerns of the community seriously and factor them into their remedial alternative selection.

The Stephen Foster Neighborhood Protection Group expects the EPA to use its full authority under the law to protect the environment and the health of the citizens most impacted by this ongoing tragedy.

The responsible party should be required to step up to the plate and return some of the profits made at the expense of a wounded community, and pay for the cost to clean up our contaminated homes, the insides, as well as the outsides. This must be a priority over the pondering of soil cleanup methods that are inherently deficient, such as an approach that will not address the immediate issue of protecting our health and welfare.

We want our way overdue environmental justice now. Enough is enough. Gainesville residents

deserve better from our environmental protection agency.

No dioxins or permanent hazardous waste site for Gainesville. Relocate affected residents.

And this part is my personal comments. Digging up my gardens and trees, destablizing my house on the creek bank and letting it slide into the creek by removing two feet of soil, and leaving the inside of my home with toxic levels is not a satisfactory remedy.

I want to be compensated for the value of my property so that my family can be relocated. And I don't think leaving it up to Beazer to cut a deal with me over relocation is going to work in my benefit. Relocate affected residents. You make sure it gets done.

Dig it up, clean it up, and haul it away. Thank you.

MS. SPENCER: Our court reporter is out of tape. We also have no audio/visual. So, the additional comments, if there are more additional comments, please note that you can email Scott or you can email me. You can mail them into the environmental protection agency. Their address and information is in the proposed plan.

And, please, remember that the end of the comment period is not over. So, you still have a opportunity to comment.

Thank you guys for being respectful tonight. Thank you for coming.

(Whereupon the meeting concluded.)

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Court Reporter, do hereby certify that I was requested to and did attend the public information meeting on the aforementioned date for the purpose of stenographically recording the proceedings.

I further certify that the foregoing pages, numbered 1 through 122, are a true and accurate record of the meeting as derived from my stenographic notes taken at the time and place indicated herein.

Dated this 28th of September, 1020.

Cynthia F. Leverett, Court