

**From:** [Scott Miller](#)  
**To:** [Sweigard, Kimberly A.](#)  
**Cc:** [Hutton, Richard H](#); [John Mousa](#); "[Kelsey.Helton@dep.state.fl.us](mailto:Kelsey.Helton@dep.state.fl.us)"; [Murry, Fredrick J.](#)  
**Subject:** Re: FW: Enforce State Laws Requiring Warning Signage in Neighborhoods Surrounding Cabot/Koppers Superfund Site  
**Date:** Friday, July 29, 2011 5:37:40 PM

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Ms. Sweigard,  
Greetings, EPA has not, nor will it, provide a map where State of Florida disclosure requirements related to real estate matters are required. The map that Ms. Kennedy is referring to is a map of sampling locations and contaminant concentrations that was submitted by Beazer East in its April 6, 2011, submittal entitled "Off-Site Data Summary and Fingerprinting Evaluation, Cabot Carbon/Koppers Superfund Site Gainesville, Florida." EPA provided this information to an auctioneer that auctioned several homes in the Stephen Foster Neighborhood recently at his request.

As was related to the auctioneer, EPA regulations and statutes do not provide the Agency authority to address real estate disclosure items related to State of Florida or local laws.

I trust this meets your needs. For additional information, feel free to contact me.

Thank you,  
Scott Miller  
Remedial Project Manager  
Superfund Division  
Superfund Remedial Branch  
Section C  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303  
Phone (404) 562-9120  
Fax (404) 562-8896

From: "Sweigard, Kimberly A." <[sweigardka@cityofgainesville.org](mailto:sweigardka@cityofgainesville.org)>  
To: Scott Miller/R4/USEPA/US@EPA,  
"[Kelsey.Helton@dep.state.fl.us](mailto:Kelsey.Helton@dep.state.fl.us)"  
<[Kelsey.Helton@dep.state.fl.us](mailto:Kelsey.Helton@dep.state.fl.us)>  
Cc: "[JJM@alachuacounty.us](mailto:JJM@alachuacounty.us)" <[JJM@alachuacounty.us](mailto:JJM@alachuacounty.us)>, "Hutton, Richard H" <[HUTTONRH@gru.com](mailto:HUTTONRH@gru.com)>, "Murry, Fredrick J." <[murryfj@cityofgainesville.org](mailto:murryfj@cityofgainesville.org)>  
Date: 07/28/2011 08:19 AM  
Subject: FW: Enforce State Laws Requiring Warning Signage in Neighborhoods Surrounding Cabot/Koppers Superfund Site

Please provide a response to Mr. Murry regarding the concerns expressed in the email below; specifically the statutory authority to post warning signs. Also please provide a copy of the map she refers to. Please feel free to contact me if you have any questions. Thank you for your assistance.

Kimberly Sweigard

Senior Executive Assistant  
City of Gainesville  
City Manager's Office  
(352) 393-8674

OFFICE HOURS: Monday thru Thursday 7 AM to 6 PM CLOSED on Fridays

FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your email communications may be subject to public disclosure.

From: Chase, Todd N.  
Sent: Wednesday, July 27, 2011 4:40 PM  
To: Murry, Fredrick J.  
Subject: FW: Enforce State Laws Requiring Warning Signage in Neighborhoods Surrounding Cabot/Koppers Superfund Site

From: Sandra Watts Kennedy [<mailto:sfna.inc@gmail.com>]  
Sent: Tuesday, July 26, 2011 10:55 AM  
To: Chase, Todd N.  
Subject: Enforce State Laws Requiring Warning Signage in Neighborhoods Surrounding Cabot/Koppers Superfund Site

July 26, 2011

Dear Commissioner Chase,

As promised, here are the state regulations mandating that very specific warning signage be placed throughout neighborhoods surrounding Superfund Sites in Florida:

Florida Statutes, sections 403.704 and 403.7255, and FDEP Rule 17-736.

According to the map that USEPA has provided to local realtors to indicate the area in which they must disclose the presence of the Cabot/Koppers Superfund Site to potential buyers and renters, this zone extends from the Site north past NW 39th Avenue, east past NW 17th Street, south to NW 8th Avenue, and west past NW 16th Street.

To satisfy the noted state regulations, signs warning of the presence of Cabot/Koppers must be posted throughout all of the neighborhoods in this zone. No Trespassing signage placed on the fence around Cabot/Koppers does not meet these legal requirements, which again, are very specific, down to the information that must be provided, the verbiage that must be used, and the size of the signs.

As I stated at the July 21, 2011 City Commission Meeting where I formally requested that you enforce compliance with Florida Statutes and FDEP Rules in this matter, these laws written to protect Florida's citizens have never been complied with nor enforced here by any government agency, despite repeated requests over the years from concerned residents of neighborhoods adjacent to Cabot/Koppers.

Had the law been respected and enacted expediently, countless illnesses and deaths would have been prevented. Posting the legally required warning signage will help to break the cycle of suffering of innocent

residents and their children. Your prompt action to see these regulations swiftly enacted is deeply appreciated by your constituents.

Thank you,  
Sandra Watts Kennedy  
President, Stephen Foster Neighborhood Association, Incorporated