



U.S. Environmental Protection Agency Region 4

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FAX COVER SHEET

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Comments:

HAVE A NICE WEEKENDS

From:

BRYAN MYERS - 404 562 9603

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 19 2009

The Honorable Bill Nelson
United States Senate
Washington, D.C. 20510-0905

Dear Senator Nelson:

Thank you for your May 20, 2009, letter to the Environmental Protection Agency's (EPA) Administrator, Lisa Jackson. Your letter regarding the Cabot Carbon/Koppers Superfund Site (Site) located in Gainesville, Florida, was forwarded to Region 4 for a response. EPA shares your concern related to the health and safety of the residents of Gainesville. We will continue to work closely with your staff to provide updates on site activities and answer any questions.

Since the recent soil sampling in the Stephen Foster neighborhood, EPA has taken several concrete steps toward limiting potential human exposure to contaminated off-site soil. As you are aware, the soil sampling results revealed exceedences of the Florida Department of Environmental Protection (FDEP) residential soil cleanup target levels in both near-fenceline samples and in the samples collected 100 feet from the fenceline in the neighborhood. There also was one sample along the fenceline that exceeded EPA's remedial residential cleanup level of one part per billion for dioxin. However, there were no exceedences of EPA's remedial residential cleanup levels for arsenic or benzo(a)pyrene.

Immediately following receipt of the data, EPA began discussions with the Agency for Toxic Substances and Disease Registry, Florida Department of Health, Alachua County Environmental Protection Department, and Beazer East, the potentially responsible party. Beazer East agreed to quickly install temporary construction fencing and warning signs around the City of Gainesville right-of-way, near the fenceline, where the highest concentrations of soil contamination were found. On May 29, 2009, Beazer East was prepared to install the fencing, but the City of Gainesville identified some issues to be addressed prior to allowing fencing to be installed. Recently, temporary construction fencing was installed and Beazer East contractors and City of Gainesville public works staff installed warning signs at right-of-way entrances, and both are now working on plans for a permanent chain link fence.

EPA is confident that the short-term measures of issuing a public health advisory, installing signs, and constructing fencing will address the risk to human health posed by the off-site soil contamination while a final remedy is being selected and implemented. The risk posed by possible off-site soil contaminated by benzo(a)pyrene, arsenic, and dioxin do not pose an imminent or substantial endangerment to the residents of the Stephen Foster neighborhood. In your letter you asked if there were levels for dioxin, arsenic, and benzo(a)pyrene that would trigger an emergency response. EPA does have established removal action levels for the

contaminants on site (1 part per billion for dioxin, 39 parts per million for arsenic, and 1.5 parts per million for benzo(a)pyrene). However, soil concentrations found at these levels do not alone trigger an emergency response. Instead, EPA considers a number of site-specific factors that include: an actual or potential exposure to nearby human populations; the presence of high levels of hazardous substances or pollutants at or near the surface; and a determination by EPA or the Agency for Toxic Substances and Disease Registry that the volume of the release (or, in some cases, the concentration of the chemical in the environment) poses an immediate threat to human health. Based on the data that only one off-site soil sample exceeded EPA's remedial residential clean up level for dioxin, that arsenic and benzo(a)pyrene levels were below EPA's clean up standards, that short-term measures are being implemented, and that progress is moving toward selection and implementation of a final remedial response at the Site, EPA has determined that an emergency response is not warranted at this time.

In order to verify the possible extent of soil contamination, on May 29, 2009, Beazer East submitted a proposed plan for additional off-site sampling locations at 150, 200, 250 and 300 feet west of the Koppers property boundary. EPA requested feedback on this proposed sampling plan with representatives of Alachua County Environmental Protection Department, the City of Gainesville, FDEP, and Florida Department of Health in a May 19, 2009, conference call prior to its submittal and has provided this proposal to these same stakeholders requesting additional comment. On June 11, 2009, EPA participated in a public information session sponsored by the Department of Health and City of Gainesville to discuss both the previous off-site soil sampling results and the additional off-site soil sampling. This session was well attended by community members and productive.

EPA is moving forward with both the additional off-site soil sampling and the remaining risk assessment and feasibility study activities as quickly as possible. The additional off-site soil sampling will take place by the end of this month, and the results will be available in late July or early August 2009. Remedial action will not be delayed as a result of the additional off-site soil sampling. The interim remedial actions for soil, sediment, and groundwater contamination on-site have been implemented, and these will continue while EPA completes the Remedial Investigation/Feasibility Study in support of a final remedy decision for the site.

If you have questions or need additional information from EPA, please contact me or the Region 4 Office of Congressional and Intergovernmental Relations at (404) 562-8327.

Sincerely,



A. Stanley Meiburg
Acting Regional Administrator

cc: Mike Sole, FDEP