

From: Randy_Merchant@doh.state.fl.us
To: mjc@ufl.edu
Cc: leahajcohen@gmail.com; [John Mousa](mailto:John.Mousa@epa.gov); Anthony_Dennis@doh.state.fl.us; Miller.Scott@epamail.epa.gov; Kelsey.Helton@dep.state.fl.us; Susan_Skye@doh.state.fl.us; Lu_Grimm@doh.state.fl.us; David_Krause@doh.state.fl.us
Subject: RE: Comments on proposed Springstead Creek restoration plan
Date: Friday, August 27, 2010 10:19:35 AM

Mr. Cohen:

Thank you for the follow up e-mail.

3. In a June 17, 2010 report, FL DOH concluded that based on June and December 2009 tests, incidental ingestion (swallowing) very small amount of dioxin-contaminated surface soil along Stephen Foster roadsides is not expected to harm children or adults. Adults accidentally swallowing very small amounts of this soil over a lifetime are at a "very low" increased theoretical risk of cancer. We also concluded that testing has been inadequate to determine the full extent of the contamination and recommended additional soil testing.

Under EPA's oversight, the responsible party is testing more soil in the Stephen Foster neighborhood. FL DOH will evaluate the results. FL DOH is also considering an evaluation of area cancer rates.

Like most regulatory standards, the state residential soil cleanup target level of 7 ng/g for dioxins has large built-in safety factors. Large safety factors take into account uncertainties about contaminant toxicity and ensure the safety of sensitive individuals. Under the proposed cleanup plan, the responsible party will clean Stephen Foster soil to the state residential soil cleanup target level of 7 ng/g.

4. Although dioxins are relatively insoluble in water, they are not associated with the tarry waste in Springstead and Hogtown Creeks. I apologize for the misstatement and the resulting confusion.

Please contact me if I can be of any further assistance.

Randy Merchant, Environmental Health Florida Dept. of Health (850) 245-4299

Mission: To promote and protect the health and safety of all people in Florida through the delivery of quality public health services and promotion of health care standards. Florida has a very broad public records law. Most written communication (including e-mail) regarding state business are public records available to the public and media upon request.

"Many attempts to communicate are nullified by saying too much." Robert K. Greenleaf (1904-1990)

From: Cohen,Matthew J [mailto:mjc@ufl.edu]
Sent: Thursday, August 26, 2010 3:14 PM
To: Merchant, E Randy
Cc: leahajcohen@gmail.com; jjm@alachuacounty.us; Dennis, Anthony D; Miller.Scott@epamail.epa.gov; Kelsey.Helton@dep.state.fl.us; Skye, Susan A; Grimm, Lu S; Krause, David
Subject: RE: Comments on proposed Springstead Creek restoration plan

Randy,

Thank you for taking the time to respond to my questions. I appreciate your clarity.

1) I will attempt to follow up with Scott, though I am sure that he's quite busy these days.

3) I remain a little perplexed about what prompts further evaluation in this regard. I simply don't understand how exceeding the state residential clean up standard isn't a rationale for further inquiry. Is it true that values above 7 ng/g are regulated? Is this a state vs. federal issue?

4) In a follow up email from John Mousa, he makes the opposite assertion...namely that the dioxins are NOT associated with the tar deposits, and more associated with sediments that were and still are being mobilized from the Koppers site. I sincerely appreciate your collective attention to the indoor testing, since no other issue elicits more intense alarm.

5) I also want to thank you for considering the chicken question. I will follow up separately with Ms. Skye.

Again, my thanks for clarifying, and for cc'ing the additional people that you did.

Sincerely,
Matt

From: Randy_Merchant@doh.state.fl.us [Randy_Merchant@doh.state.fl.us]

Sent: Monday, August 23, 2010 1:50 PM

To: Cohen,Matthew J

Cc: leahajcohen@gmail.com; jjm@alachuacounty.us; Anthony_Dennis@doh.state.fl.us; Miller.Scott@epamail.epa.gov; Kelsey.Helton@dep.state.fl.us; Susan_Skye@doh.state.fl.us; Lu_Grimm@doh.state.fl.us; David_Krause@doh.state.fl.us

Subject: RE: Comments on proposed Springstead Creek restoration plan

Mr. Cohen:

I apologize for the delay in responding.

1. The role of the Florida Department of Health (DOH), working with the Alachua County Health Department, is to assess the health risk from the Cabot Carbon/Koppers hazardous waste site and make recommendations to protect public health. Our role is advisory not regulatory. The US Environmental Protection Agency (EPA) is the lead regulatory agency. EPA is overseeing the testing and cleanup of this site. Scott Miller, the EPA remedial project manager (404 562-9120), can provide details of the planned Springstead/Hogtown Creek sediment cleanup: priority contaminants, clean up mechanism, schedule, confirmation testing, etc.

2. As above, EPA is overseeing the testing and cleanup of the creek sediments.

3. These two number have different purposes. 50 ng/kg is the US Agency for Toxic Substance and Disease Registry value FL DOH uses to screen soil or sediment dioxin (TCDD-TEQ) test results for further evaluation. Although the highest concentration of dioxins in creek sediments (41 ng/kg) was less than this screening guideline, FL DOH retained dioxins for further evaluation, because they are possible carcinogens.

On the other hand, 7 ng/kg is the state residential soil cleanup target level for dioxins, not a screening guideline for further evaluation.

4. Because they are relatively insoluble, dioxins in Springstead/Hogtown Creek sediments are associated with the tarry waste released from the Cabot Carbon site in 1967 and 1977. EPA is overseeing the on-going surface soil testing in the Stephen Foster neighborhood west of Koppers and would determine if soil testing is required in other areas. The issue of indoor dust is being discussed.

5. Homegrown fruits and vegetables don't concentrate appreciable amounts of arsenic, benzo(a)pyrene, or dioxins. EPA would determine if soil testing adjacent to Springstead/Hogtown Creeks is required. Susan Skye, FL DOH exposure investigation coordinator, is looking into the possibility of testing eggs from your chickens. She will follow up with you.

Please contact me if I can be of any other assistance.

Randy Merchant, Environmental Health Florida DOH (850) 245-4299

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"Many attempts to communicate are nullified by saying too much." Robert K. Greenleaf (1904-1990)

From: Cohen,Matthew J [mailto:mjc@ufl.edu]
Sent: Tuesday, August 17, 2010 11:23 PM
To: Merchant, E Randy; Dennis, Anthony D
Cc: Leah Cohen; John Mousa
Subject: Comments on proposed Springstead Creek restoration plan

Dear Randy,

My wife (Leah Cohen, cc'ed to this message) contacted you regarding the certified letter that we received on July 23rd from FDEP reporting that elevated levels of arsenic, benzo(a)pyrene and dioxin (all above the residential soil contamination testing level in at least some of the samples) were found in the creek sediments near our house at 512 NW 36th Ave, Gainesville FL 32609.

I have reviewed the documents that you sent her, including the proposed plan (Weston Solutions for Cabot Corporation) to remove tar deposits from the creek, mostly downstream of our house. I have several questions and comments.

1) While it's clear from the report on the creek sediment quality that all three compounds (arsenic, BaP and TADD dioxin) exist at levels above the residential clean up standards, it is not clear which of these DOH is prioritizing for clean-up, how that clean-up will be done, when that clean-up will be done, and what mechanisms would exist following clean-up to ensure that the reservoirs of toxic sediments in the creek are indeed removed. In short, the report provides details on potential levels of risk, but no guidance on remediation. I would like to know when that remedial plan will be proposed (if it hasn't already), and when the clean-up is expected to occur.

2) The proposed tar removal proposed by Weston Solutions focuses on the removal of tar-like deposits from the creek bed. Since I am not aware of any findings of these deposits near our house, I presume this plan is NOT intended to achieve the required remediation of the contaminated sediments further upstream. Moreover, I am unclear how the geographic scope of the remedial activity was selected. Was a comprehensive survey of creek sediments for tar deposits done, from which "hot-spots" were identified? If not, how can we be sure that the proposed remedial action will be sufficient? While I have not personally seen tar deposits in the creek near our house (far upstream of the proposed remedial activities), I am not convinced that such deposits can be ruled out. I note that the ACEPD study contends that the area between 6th street and the Koppers ditch, which is the area where we live, showed no tarry deposits because of active incision/erosion. However, this is also where elevated levels of other contaminants were more recently found. This means either that there is active transport of contaminated sediment (suggesting, troublingly, a continuing source and potentially significant downstream sink) OR that there are stable contaminated deposits in the creek bed that warrant investigation for tar deposits as well.

3) My understanding is that the state residential contaminant levels for TCDD-TEQ are 7 ng/kg, but the threshold value used in the report is 50 ng/kg (more than 7 times higher). Why the difference?

4) Since dioxins are relatively water insoluble, it remains unclear to me the pathway for them to reach the creek sediments. Clearly one is adsorbed to particles, but it seems premature to rule out atmospheric deposition given the plume of dioxin observed nearby. Given the finding of high levels in the creek sediments, does DOH have plans to perform additional soil testing in the upland soils adjacent to elevated creek samples to ascertain if concentrations in those soils are also elevated? Are there plans to do any indoor testing? My understanding from recent samples done in the area are the indoor dust samples from dioxin indicate exceedingly high levels (in excess of 1,100 ng/kg) in homes adjacent to the creek in locations where the creek sediments are elevated. In the interests of public safety in

general, and my family in particular, I believe that DOH has an obligation to pursue this additional testing or compel the responsible parties to do so.

5) While the report makes clear that ingestion at the maximum observed concentrations are likely quite low risk, the fact is that elevated concentrations in the soils adjacent to the creek may pose a more significant risk because of, for example, the presence of home gardens and fruit trees that may concentrate the toxins. Are there plans to test the soils adjacent to the elevated creek samples to confirm that the contamination is ONLY in the creek (as appears to be assumed)? If not, why not? I am particularly concerned because we keep several chickens for eggs, and there is a possibility of biomagnification of these contaminants. In the interests of protecting my family's health, it seems reasonable to request follow-up investigations to better understand the actual scope of toxicity exposure given reasonable residential activities and the possibility of other routes of exposure than just ingestion of creek sediments.

I appreciate your time in addressing my questions. I have cc'ed Mr Mousa if any of the questions that I've raised are better handled by ACEPD. I am not clear who in USEPA to contact regarding questions about the scope of testing, but if there are personnel that I should contact, your help in identifying them would also be much appreciated.

Sincerely,
Matt Cohen

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