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Cc: [Helton, Kelsey](#); [Council, Greg](#); ["Miller, Scott"](#); [Fred Murry \(murryfj@cityofgainesville.org\)](#); [Mitch.Brouman@TRMI.Biz](#)
Subject: ACEPD Comments on Beazer Institutional Control Implementation and Assurance Plan: Cabot/Koppers Site
Date: Thursday, October 03, 2013 6:09:00 PM

Dear Mr. Kestle,

The Alachua County Environmental Protection Department (ACEPD) has the following additional comments and recommendations on the Beazer Institutional Control Implementation and Assurance Plan for the Cabot Koppers site dated August 23, 2013. ACEPD had previously submitted one comment on September 16, 2013 concerning an error in Figure 4 in the Plan.

- 1) Page 2, Section 1.1 Site and Property Description, Paragraph 4—The statement is made” After pretreatment, a portion of the water (that meets Florida drinking-water quality standards) is used for on-Property irrigation....” ACEPD is not aware of data that shows that the treated groundwater being used for irrigation meets all drinking water criteria. We understand that some of the identified contaminants in the groundwater being treated have State of Florida MCLs and that other contaminants are being treated to Florida Groundwater Cleanup Target Levels (FGCTLs). Without supporting data, we would suggest alternate wording that states “meets Florida drinking water quality standards or Florida Groundwater Contaminant Target Levels (GCTLs) for identified groundwater contaminants “ .
- 2) Page 11, Section 3.1 Groundwater Use Restriction, Paragraph 1 – ACEPD understands that treated groundwater is currently being used for irrigation purposes on site to grow grass cover and minimize dust generation from the site. ACEPD requests that with the exception of watering for dust control on the site, once grass cover has been adequately established on the site , the irrigation frequency should comply with St Johns Water Management District and Alachua County landscape irrigation rules on watering days and times of day.
- 3) Page 11, Section 3.1 Groundwater Use Restriction, Paragraph 2—The statement that “Certain exceedances of groundwater cleanup goals east of the Property are attributable to past releases from the former Cabot facility” does not present a complete assessment of the potential source of groundwater contamination east of the site, as there are documented exceedances of groundwater clean-up standards in the Hawthorn and Surficial aquifer that appear to be strongly associated with the former Koppers (Beazer site). It may be more accurate to state that exceedances potentially are due to releases from both sites.
- 4) Page 12, Section 3.2 Land Use Restriction, Paragraph 4-- ACEPD would recommend and believes it would be helpful to include another Figure showing the locations and concentrations of the deeper samples taken in offsite soils to support the statement “ there have been no off-Property exceedances of cleanup goals measured in samples collected from depths greater than 6 inches below the ground surface.” This additional Figure would also serve to provide some certainty to clear up any concerns from residents about potential contamination at depth on the off-site properties.

- 5) Page 13 Section 3.2 Land Use Restriction, Paragraph 2—ACEPD recommends inserting the word “ only” in the statement “ This proprietary control option may **only** be utilized for non-residential properties.....” Also ACEPD recommends rewording this paragraphs to make it clearer and easier to understand by numbering the three options available for non-residential properties 1) clean-up to unrestricted use criteria, 2) institutional controls to limit direct exposure to below the default FDEP Commercial SCTLs or 3) development of alternate SCTLs that are approved by FDEP as protective. This section should also mention that these options are consistent with FDEP rules.
- 6) Page 13 Section 3.2 Land Use Restriction, Paragraph 4– The proposed language for the restrictive covenants that will implement land use restrictions appears to restrict some development that may be suitable under controlled mixed use future development at the former Koppers site. What is the basis for prohibiting hotels, lodging, recreation, parks and museums?
- 7) Page 14, Section 3.3.1, Identification of Parcels for Proprietary Controls , Paragraph 1– Why is the word “ most “ used in the statement “Beazer intends to pursue remediation by surface soil removal and replacement at most if not all affected parcels”? Should this statement be just “all affected parcels”?
- 8) Page 15 , Section 3.3.2, Draft Proprietary Control Packages— We recommend inserting the word “non-residential” in the last bullet as follows : “ For off-Property **non-residential** parcels where alternative soil clean-up goals are being proposed....
- 9) Land Use Restrictions General Comment-- The plan does not clearly describe what actions will be taken by EPA or FDEP or Beazer and what consequences will be if a property owner refuses to approve clean-up of residential property that requires remediation. Also what are the consequences if a property owner of a non-residential property refuses to agree to a Beazer proposed proprietary institutional controls on groundwater or land use on their properties. This should be clarified.
- 10) Page 17, Institutional Control Maintenance –ACEPD recommends and requests that the plan state that Beazer will provide a list of all properties where institutional or proprietary controls have been agreed to and put in place and that this list be provided to the City of Gainesville and ACEPD. This information can be used by the City of Gainesville and ACEPD in their evaluation of parcels during any permitting or land use or development changes they become aware of on these parcels.

ACEPD appreciates the opportunity to comment on this document. Please let me know if you have any questions.