

From: [John Mousa](#)
To: [Randall H. Reid](#); blackburnrd@cityofgainesville.org; [Murry, Fredrick J.](#)
Cc: [Gus Olmos](#); [Robin Hallbourg](#); [Chris Bird](#); ["Rick Hutton"](#)
Subject: Key Issues and ACEPD Recommendations Regarding Proposed Beazer USEPA Risk Assessment Approach for Soils at Koppers Superfund Site
Date: Thursday, July 10, 2008 11:42:00 AM
Attachments: [Key Issues Summary and ACEPD Recommendations Regarding Koppers Superfund Site Soils Risk Assessment Approach 7-10-2008.doc](#)

On June 30, 2008, staff from the Alachua County Environmental Protection Department (ACEPD) (Dr. John Mousa and Robin Hallbourg, PG.) attended a meeting with representatives of the United States Environmental Protection Agency Region 4 (USEPA), Florida Department of Environmental Protection (FDEP), Beazer East, Inc. (Beazer), Gainesville Regional Utilities (GRU) and the City of Gainesville to hear a presentation and discuss the proposed approach that Beazer, the responsible party for clean-up of the Koppers Superfund site, is planning to use to determine the risks to human health and the environment posed by on-site soil and sediment contamination at the Koppers site. Mr. Fredrick Murry, Asst. City Manager City of Gainesville and Ms. Pat Cline, consultant representing GRU, also attended the meeting.

At the meeting, Beazer's consultants presented an overview of the main assumptions to be used in their risk assessment for the surface soils (top 2 ft) at the site. This was followed by a preliminary discussion of the technical approach and issues with FDEP risk assessment experts.

The results of the final soil risk assessment, which is scheduled to be completed by the end of August 2008, will be used by Beazer to determine what specific areas of the surface soil (top 2 ft) and sediments at the Koppers site pose a significant enough cancer or toxicity risk that will require some type of remediation. The remediation plan for these high risk areas will be developed and evaluated in the Feasibility Study and presented in the Record of Decision which are expected later this year and early next year respectively.

Beazer's approach to the risk assessment, the exposure and toxicity factors used in their models and the assumptions about future land use for the Koppers property were discussed and raised some questions and concerns with FDEP, ACEPD and City of Gainesville and GRU representatives. There was a discussion of the request from the Gainesville City Commission for USEPA to remediate this site to residential standards and the conflict of this request with Beazer's and USEPA's current plan to use industrial risk assumptions based on the current Koppers operations use for identifying areas of the site that will require remediation. Beazer has indicated an unwillingness to remedy the site to unrestricted residential standards due to cost and liability considerations. USEPA and Beazer indicated that potential rezoning of this property to residential use may actually prevent sale and re-development of this property in the future. In addition there were a number of questions raised about the toxicity and exposure assumptions used to determine risk. A more detailed summary of some of the key issues raised in the meeting are included in **Attachment 1** to this e-mail.

Based on the discussions at this meeting, ACEPD believes that a strong unified response from the County and City detailing our concerns and objections about aspects of Beazer's and USEPA's current approach to determining risks is required and a better understanding of the strategic issues involved in our recommendations needs to be acquired. Therefore ACEPD has the following

recommendations:

- 1) The City of Gainesville should get the advice of a risk assessment consultant who is familiar with the technical and the strategic implications of the proposed Beazer soil risk assessment and an environmental/ land use attorney familiar with federal superfund law to assist City of Gainesville , ACEPD and GRU staff in better understanding of the issues involved and develop a unified approach and comments to submit to USEPA and FDEP that will have the best chance of achieving the most environmentally and human health protective standards possible for soils on the site and that maximizes the potential for desirable future land uses. This should involve discussions about the strategic and practical implications of asking for “residential” clean-up standards, the difference between “residential standards” and “unrestricted residential use” on a property and other implications for future land use of the property. This activity should be completed within the next few weeks to allow a response from the City and County by the first week of August at the latest.
- 2) Comments and concerns should be submitted by the City of Gainesville and ACEPD to USEPA about this risk assessment approach by the first week of August. Emphasis should be placed on minimizing the risks to surrounding neighborhoods, making sure that adequate and appropriate data and factors are used in the risk assessment and making sure that future land use is not unduly restricted by the assessment approach selected. The technical details of this review could be based on the consultants experts recommendations.
- 3) After getting the advice of a risk assessment expert and an environmental/land use attorney, the City of Gainesville should solicit further clarification from FDEP and USEPA about the potential clean-up scenarios and land restrictions that may be needed on the site after clean-up and their implications for future redevelopment of the site. USEPA representatives have indicated to ACEPD that the City of Gainesville may have misunderstood the level of clean-up that USEPA had approved on previous superfund redevelopment sites. This communication from USEPA should be obtained within the next 30 to 45 days.

If you have any questions please contact me at 264-6805 or via e-mail at jjm@alachuacounty.us

John Mousa