

## MEMORANDUM

FROM: Bob Palmer  
TO: EPAC Members  
SUBJ: Summary of EPA/Community Meeting on Koppers – August 5, 2010

### Summary

Community feelings continue to run high after the three-hour August 5 meeting on EPA's approach to cleaning up the Koppers Superfund site. Robert Pearce, a Stephen Foster neighborhood resident, captured the sense of the citizens best when he said, "The EPA plan is a cover-up, not a clean-up". The public comment period, currently slated to expire in mid-August, may be extended until mid-October. There seemed to be a consensus among citizens present that the community would be better served by a re-working and significant overhaul of the clean-up plan, even if that should lead to delays with the clean-up. It is doubtful that EPA or Beezer's (the responsible party) shares this view. The final decision on the clean-up plan lies with EPA, and the agency may make an effort over the next several weeks to respond to some of the concerns expressed by local citizens and local agencies like ACEPD. However, I don't expect to see major changes in the plan, especially since it does not appear that there has been or will be any effective political pressure applied by local, State, or Federal elected officials.

### Participants at the August 5 Meeting

- Scott Miller, EPA/Atlanta Superfund Program
- David Keefer, EPA/Atlanta Superfund Program
- Latanya Spencer, EPA
- Approximately 200 citizens, including Mayor Lowe. From what I observed and heard from others, all City Commissioners except Scherwin Henry were present; no County Commissioners were present except for Lee Pinkoson.

### Process To Date

On July 15, EPA released its "Proposed Clean-up Plan for the Koppers Superfund Site", which attempts to deal with contamination of surficial and deep groundwater, on-site and off-site soils, and stormwater. Here is a link to EPA's report:

<http://www.alachuacounty.us/Depts/EPD/Pollution/Pages/CabotKoppersSuperfund.aspx>

There are many contentious aspects of the clean-up plan, but the biggest problem, from the perspective of local residents, is EPA's decision not to treat or remove the most toxic soils, but to confine and cover them in and around the four most concentrated "hot-spots".

We are currently in the midst of a 30-day public comment period, which is likely to be extended. At the conclusion of this period, EPA will issue a "Record of Decision" – essentially the final clean-up plan. The ROD won't be legal until a consent decree is issued by a court, presumably Gainesville's U.S. District Court.

### Concerns Raised

Local citizens raised many concerns about EPA's clean-up plan, including:

- The "cover-up" strategy essentially leaves a hazardous waste landfill adjacent to densely populated neighborhoods

- At a minimum, the most polluted areas should be excavated down to the upper clay areas, or if needed to the lower clay areas, and the toxic soils hauled to an appropriate landfill
- Clean-up should be to “residential” rather than “industrial” standards in as large an area as possible
- EPA was woefully remiss in meeting its mandate of ensuring community engagement
- Put EPA’s “Record of Decision” on Hold
- EPA’s plan has no clear cleanup goals so it’s unclear how options discussed in the plan could have been fairly evaluated
- The division of the site into “blue” (highly polluted) and “green” (presumably less polluted) areas is very misleading – the entire site is in fact polluted. What are the goals for cleanup of soils in the green areas?
- The technologies to prevent migration of pollutants into groundwater are not well demonstrated
- There is no discussion of costs or methods for treating contaminated soils on site, no doubt because EPA has already decided not to require Beezer’s to use this more costly option
- The proposed methods to protect groundwater assume that clay layers under the site are continuous when in fact they’re not
- What are the schedule, extent, and methodology for dealing with contaminated soils in nearby neighborhoods?
- Are you going to investigate allegations of buried toxic barrels and buried lagoons? Are there buried sites you’re not aware of that could be out-gassing toxics (e.g. naphthalene, creosote), which is currently happening in the Depot Park project?
- How can you have a clean-up plan when testing and monitoring are not even complete?
- There are many holes in data-collection. At what areas on-site could soils be removed to yield safe levels? What are your leachability criteria? Are there cost estimates for off-site disposal? Is there a place where data for the entire report are summarized?
- What will you do about contaminated houses in the area? Why aren’t you requiring Beezer’s to purchase nearby homes which have no re-sale value as you did at a similar site in DeSoto County?
- A proper epidemiological study of the nearby neighborhoods has not been done
- Where are the old deep-water wells on the Koppers and Cabot sites which constitute direct links to the Floridan aquifer?
- If the “green” areas on the map are covered over with fill dirt, who will own the liability if these areas are developed in the future?

### Next Steps

EPA is expected to produce a summary of responses to the many questions and comments raised in the August 5 meeting. Ideally the summary will be available soon, before any future meetings involving EPA, the City and County Commissions, or local citizens. In any event, the summary clearly needs to be available well before the ROD is issued – that is, sufficiently early that citizens have a meaningful opportunity to digest and respond to EPA’s answers.

While we can be reasonably confident that EPA will distribute a summary of responses at some point, we don't know when, nor do we know if and when there will be further meetings with citizens or local elected bodies. In short, the final ROD could be issued within 6 weeks, the process could drag on for a few more weeks after that, or it could be extended for months or even years if EPA is directed to re-do its plan. My best guess is that a ROD will be issued by EPA this fall, which means that now is an appropriate time for EPAC members to bring Koppers issues to the attention of County Commissioners.