



City Comments on USEPA / Beazer East Cabot-Koppers Consent Decree

Legislative ID #100672A

Record of Decision (ROD)

Issued by USEPA in February 2011

- EPA's final decision on how site will be cleaned up
- EPA's formal response to comments received on proposed plan
- Federal law does not provide for further comments on selected remedy

City and County made extensive comments on Proposed Plan, many of which were incorporated in Record of Decision

Consent Decree

Consent Decree between Beazer and EPA (Feb. 2013)

- Requires performance of remedial Design and Action, time schedules, administrative procedures, financial assurance, etc.
- Conditions of ROD cannot be changed in the Consent Decree negotiation
- Consent Decree review limited to determination that “the settlement is reasonable, fair (both procedurally and substantively), and consistent with the purposed that CERCLA is intended to serve.”

Comments on USEPA Consent Decree

- Additional Recommendations
- Expedite Offsite Soil Remediation
- Household Dust Health Concerns
- On-site Surface Soil Remediation
- In-situ Solidification / Stabilization Depth
- On-going Involvement of LIT and Community

Priority Recommendation

Staff:

- Move forward as quickly as possible with entering the proposed Consent Decree

Recommendations

City Commission:

- Hear a presentation from staff
- Discuss the US Environmental Protection Agency's Proposed Consent Decree for the Cabot-Koppers Superfund Site
- Authorize the Mayor to transmit a letter to the Department of Justice with the City of Gainesville's comment regarding the Proposed Consent Decree