

100315  
MOD

9/26 F. Murry

Submitted via E-mail

**Murry, Fredrick J.**

**From:** Kayla ProtectGainesville [protectgainesville@gmail.com]  
**Sent:** Saturday, September 25, 2010 7:14 PM  
**To:** Hutton, Richard H; Murry, Fredrick J.; jjm@alachuacounty.us; citycomm; boccc@alachuacounty.us  
**Cc:** ta@protectgainesville.org; 'Joe Prager'; 'Robert Pearce'; jdpais@earthlink.net; bmcpeek@cox.net; deidrebryan@cox.net  
**Subject:** Koppers: Request for motion to adopt suggestions regarding LIT Comments

Dear LIT members, City and County Commissioners,

I would like a City and County Commissioner to move adoption, and both Commissions to adopt with LIT input, the following suggestions regarding the LIT's excellent Draft Comments to the EPA, mostly to close linguistic loopholes.

A. Page 14, #10, the 3<sup>rd</sup> bullet point says, "At a minimum, the plan should provide for clean-up of soils in the western 300 ft of the site ..." If this is all the area west of the containment area, ok, but it should also request the same cleanup level north of the containment area. We should not offer them "a minimum."

B. Page 14, #10 goes on to say, "that will allow redevelopment with any residential land use category that is consistent with the adjacent residential land use..." While my understanding is that EPA does not differentiate among residential cleanup levels, if this is going to be mentioned, it should say "all residential land use categories that are consistent..." which would include single family homes with yards. "Any residential land use" could mean multi-family development that is mostly buildings and parking lots, which may require cleanup to commercial, rather than residential levels. (I'm not sure about that, but better safe than sorry.)

C. Page 18, #13, the last bold paragraph requests cost calculations regarding soil contamination "above FDEP... SCTLs and leaching criteria." This should say "or" rather than "and," so the contamination need not be above both criteria to warrant the cost calculations. The second bullet point below does use the conjunction "or."

D. Page 18, #13, 2<sup>nd</sup> bullet point should specify FDEP "residential" SCTLs, unless the LIT has a reason not to do so.

E. Pages 19-20, #15 In each spot where it says "west of NW 6<sup>th</sup> Street" it should say "on and west of NW 6<sup>th</sup> Street," lest they prefer to avoid testing on a higher-traffic street, which might require having to compare contamination levels to other similarly trafficked areas away from Koppers. A particular concern is the home for homeless single mother families, which should be required to meet residential SCTLs.

F. Page 20, #16, the last bold sentence should say "restrict" rather than "consider restricting." The stronger language is used in the last sentence of the next paragraph. This regards EPA allowing residents to choose among excavation, engineering, or institutional controls as a remedy for any contaminated soil. We do not want a patchwork of contaminated and uncontaminated properties in our neighborhood. Residents, future residents, and REALTORS need to be able to sell these properties with confidence, and without concern that some, very likely not known, have not been remediated. To leave the neighborhood in this condition would not only present a health risk and fear thereof, but a deterioration of its desirability and property values. According to USEPA, "the site" includes all contaminated areas, not just the polluter's land, so let's ensure "the site" in its entirety is cleaned up properly, once and for all.

G. Page 22, #17, in the last sentence regarding sampling within the homes, "if appropriate" should be removed. I think someone in EPA has already voiced the view that it's not appropriate for them to be concerned with indoor contamination, so this would offer an easy out for them. Again, in the bold paragraph above it is worded much more strongly that "EPA needs to conduct appropriate investigations ...," so I think consistency, leaning to the stronger side, is warranted.

H. Page 22, #18 addresses EPA facilitating the mobilization of a health survey in the neighborhood. It leaves unmentioned, however, what should be done if adverse health effects are found resulting from Koppers contamination. It should state that Beazer East would bear financial responsibility.

I. Pages 22-23, #19, where relocation assistance is discussed, in three instances it refers to property "adjacent" to Koppers, once adding "or near." In all three cases it should simply say "near," lest they choose adjacent and interpret it literally.

J. Page 24, #20, we should advocate for an underground piped conveyance for stormwater, rather than a ditch. The second to last paragraph requests "an analysis that determines the likely soil particle size to provide transport to site pollutants during storm flows" to "determine the appropriate detention time for the basin(s) needed to capture the majority of those particles." We do not want kids playing in a contaminated creek, nor a fenced creek bisecting the property.

I have emailed typographical errors of no substance separately to members of the LIT. Thank you for your careful consideration of the LIT's comments and these suggestions.

Sincerely,  
Kayla Sosnow