

#100672
R. Pearce
3/7/13

March 7, 2013

Re: City Comments on Koppers Consent Decree/Suggested Revisions

Mr. Mayor and City Commissioners:

I respectfully request the City Commission consider amending its Comments to US DOJ regarding the Koppers Consent Decree as submitted below.

Thank you,
Robert Pearce

3. On-site Surface Soil Remediation

We request the USEPA seriously consider input from the City, the LIT and neighborhood organizations including Protect Gainesville Citizens, Inc. on possible alternative design approaches to implementing the ROD remedy for contaminated on-site surface soils outside the Groundwater Containment Zone/Soil Consolidation Area. This area involves about 2/3 of the 90-acre site.

For example, the Statement of Work, Appendix B of the Consent Decree, indicates that in a few highly contaminated areas surface soils will be excavated to meet only where certain contaminants exceed groundwater leaching performance standards. Less soluble contaminants such as dioxin, though highly toxic, would not trigger excavation. ~~However, it~~ It appears that for the majority of this area, a surface cover of 2 feet of clean soil will likely be used to meet clean-up goals. We believe that merely covering these types of contaminants with 2 feet of soil will not be sufficiently protective of human health and the environment over time.

The anticipated future land uses on the site include both residential and commercial uses. We believe that covering contaminated soils in the majority of the site, without applying both leachability and direct contact standards first, would place undue restrictions on the future development of this site. An alternate design approach which removes a few feet of contaminated surface soils from this area and moves those soils into the consolidation area prior to application of clean fill surface covers is feasible and consistent with the remedy described in the ROD.

ROD: 11.2.1.3 Surface grading and covers:

In summary, the potential components of the final grading and covering plan may include (but will not be limited to) one or more of the following:

- Excavation with a two-foot soil cover;

This alternative would allow for more unrestricted development of this large area of the site and should be considered by USEPA to meet its requirement for to implement a remedy which allows for appropriate will accommodate the future land uses of the land, desired by the community. A more rigorous evaluation of soil data can lead to a balance of excavation and cover in the Remedial Design.