Message

From: Lane, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=97214D7E5F7C4062B45B404F22C7C6DA-JLANE]
Sent: 5/4/2018 8:25:41 PM
To: Yogi, David [Yogi.David@epa.gov]; Hiett, Richard [Hiett.Richard@epa.gov]; Lynn Keller [keller.Lynn@epa.gov]; Keller, Lynn [Keller.Lynn@epa.gov]
CC: michele Huitric, EPA [huitric.michele@epa.gov]; Rusty Harris-Bishop (Harris-Bishop.Rusty@epa.gov) [Harris-Bishop.Rusty@epa.gov]; Maier, Brent [Maier.Brent@epa.gov]
BCC: Pickens, Tammy@DTSC [Tammy.Pickens@dtsc.ca.gov]
Subject: FW: Aerojet Area 40 OU-10 - Community Outreach and Fact Sheet

Importance: High

Hi David, Rich, and Lynn: I received a copy of following e-letter to Barbara Lee, DTSC from Janis Heple, Aerojet CAG following the release of DTSC's Aerojet Area 40 - OU 10 Draft RAP fact sheet by mail. I am including Michele, Rusty and Brent since Janis also copied a congressional staffer. FYI, Jackie

-----Original Message-----
From: Janis Heple [mailto:jaheple@dcn.org]
Sent: Friday, May 4, 2018 11:08 AM
To: Barbara.Lee@dtsc.ca.gov
Cc: Philip.Norton@Mail.House.Gov; MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>; Jerilyn.LopezMendoza@dtsc.ca.gov; Lane, Jackie <Lane.Jackie@epa.gov>; Stephen Green <gsg444@sbcglobal.net>
Subject: Aerojet Area 40 OU10 - Community Outreach and Fact Sheet

Dear Director Lee,
My name is Janis Heple I am the Chair of the Aerojet Superfund Community Advisory Group (AJ-CAG). The CAG has been meeting every other month for the past 17.5 years while I have been the Chair. We have worked with the various state and federal regulator agencies, local agencies, elected officials, environmental organizations and the community on the cleanup of Aerojet. To date, we have formally commented on two operational units, OU5 and OU6. Area 40 is the third formal cleanup document that opened on May 1, 2018 for a 30-day public comment period.

Area 40 was moved from US EPA to DTSC during the post RI/FS portion of the cleanup process. The CAG was pleased to have DTSC take the lead.
However, there has been little public participation and community outreach since this change. While there is a technical individual attending AJ-CAG meetings regularly, no Public Participation Specialist has reached out to the AJ-CAG or community. I did not learn that Ms. Tammy Perkins was the assigned Public Participation Specialist until April 16, 2018, fifteen days before the official start of the comment period for Area 40.

Knowing that the cleanup document was being readied for public comment, I initially requested 45 days verbally on behalf of the AJ-CAG to DTSC project manager, Peter MacNicholl. After reviewing the calendar and considering the amount of community coordination with interested environment groups, elected officials, water agencies and community members, I formally requested a 60-day comment period for Area 40 in writing. The request was sent April 16, 2018. My formal request has gone unanswered and I was not even given the courtesy of a reply from DTSC. I learned of the 30-day comment period by receiving the public notice/fact sheet in the mail.

The AJ-CAG has several concerns regarding community outreach and the fact sheet regarding Area 40. Our comments regarding the cleanup will formally be submitted to DTSC.

At the January 17, 2018, CAG meeting it was explained that:

"Over the last few CAG meetings we've discussed the Area 40 ambient air investigations and investigations to evaluate extent of chemical impact.
We've worked with the City of Folsom since 2006-2007 to assist with reuse of the property. One of the things contemplated in the Environmental Impact Report (EIR) was use of Area 40 as a park.

"The development schedule for City of Folsom has a requirement that the City begins construction of the park when the 1200th residential permit is issued for the Park neighborhoods. No one is sure when that will occur, but the City can't start development or design the park until Agency approval is received that the land can be used as a park. We need to decide with the agencies if the land can be used as a park, a portion used as a park, or none be used as a park. The decision needs to be made before City of Folsom can do its planning."

The AJ-CAG felt strongly that one of the public meetings should be held in Folsom because of the above issue. In April DTSC recommended using the CAG meeting as the public meeting and in Rancho Cordova. We strongly disagreed with this decision and discussed it with Mr.
MacNicholl. We are pleased that DTSC recognized the importance and knowledge of the CAG's input on this issue: DTSC put in place the public meeting scheduled for May 17 in Folsom, and the AJ-CAG meeting will be held the night before, in Rancho Cordova.

On April 26, 2018, I was interviewed by DTSC to update public interest in the clean up of Aerojet. I requested at that time to see the list of individuals/agencies being interviewed to assist DTSC in their outreach.
I was informed that yes I could see who was scheduled for an interview or who had been interviewed. To date, I have not received anything from DTSC.

On April 30 I sent an email to Peter MacNicholl and Tammy Pickens, the Public Participation Specialist assigned to Aerojet, thanking Mr.
MacNicholl for the interview, and noting that the AJ-CAG would be willing to review the community outreach plan and review the interview list. Neither has replied to my email.

Later in the day on Monday, April 30, I received the "Community Update"
in the mail. It had been mailed on April 26th, the day Peter did the interview with me. He did not mention that the fact sheet was going into the mail that day nor did he tell me that my request for an extension to 60 days was denied.

I am aware of three individuals who received the fact sheet in the mail.
Most AJ-CAG attendees have not received any information regarding the May 1, 2018, start of the comment period. A consulting firm works closely with the EPA to facilitate meetings and minutes for the Aerojet Superfund CAG, and sends regular emails to that email list. Peter MacNicholl and I did discuss what mailing lists would be used, but he did not know what mailing lists would be used at the time (the day the fact sheet went into the mail), and I have no information on how many fact sheets were mailed.

The fact sheet on the Area 40 Remedial Action Plan received includes a map of a site in the middle of the main Aerojet property – not a map of the actual Area 40, OU10. A recipient in Folsom would see absolutely no reason for concern about a site located in the middle of the main hazardous waste site, many miles from the city of Folsom. We request that this be corrected.

No where in the Area 40 fact sheet does it state where the cleanup plan documents can be seen. A simple link to Geo Tracker would be valuable, especially since I discovered on May 3 that Geo Tracker has posted the full Remedial Action Plan and CEQA addendum produced for Aerojet, thanks to the uploading by Alex Macdonald of the RWQCB. The fact sheet is posted to the Envirostor website, and a map is posted in a separate file on that site.

There are a large number of typos in the fact sheet, for example:
- excavation and disposal and/or treatment of approximately "31,1000
tons of contamated" soil . . .

There is confusion within the fact sheet: Page one notes "The draft RAP is a proposed cleanup plan for the Site, which is required before planned future use (park and open space with residential and commercial
uses) at the Site." Page two notes that "Area 40 will remain a Controlled Open Space with no plan development at this time." And finally, listed under Proposed Remedial Action Plan on page two: LUCs will restrict the use of groundwater, and limit the use of Area 40 to Park or Open Space.

Information on the high levels of contaminants were not included in the fact sheet, nor was there information on the risk to human health. The levels of TCE in indoor air pose a risk to human health if buildings were to be built on the site. A community member provided the CAG with information they felt should have been included, and said "they should have stated that levels of TCE in outdoor air pose a risk to human health on portions of the site, but there was no indication of the levels of these contaminants or the risks to human health in the community update."

The fact that this continues to be on the National Priorities List (NPL) under EPA purview must be noted. EPA plans to release a Record of Decision (ROD) in the future, and will continue to have oversight of the cleanup process.

A Public Notice appeared in the Sacramento Bee on May 1. It is in an extremely small font (in pale ink), and was difficult to read in both the print and online editions.

In summary:

1) The AJ-CAG's request for a 60-day public comment period remains. We
would like a formal response to this request and the reason it cannot be granted from DTSC if the answer is no. Over the seventeen plus years that the Aerojet Superfund CAG has been meeting there have been few decision points where public comments are weighed, and this is one of those moments. The AJ-CAG understands that people are interested in the Aerojet site.

2) Secondly, the public participation plan must be revisited. How is

DTSC reaching AJ-CAG members? How many fact sheets were mailed? What mailing list(s) were utilized? AJ-CAG members must provided with the fact sheet, and made aware of the beginning of the comment period. DTSC indicated that Folsom would post information on their website, but, to date, there is no information on Area 40 or the hazardous waste cleanup on that website.

3) The community update fact sheet must be reprinted. The map must show the actual Area 40, OU10, close in proximity to Prairie City Road. The fact sheet must be reviewed for errors, particularly in the case of factual information. Links to both Envirostor and Geo Tracker with their respective documents must be clearly noted. EPAs oversight role should be included on the fact sheet as well, with the fact that Area 40 is an official Superfund site. An effort should be made to articulate the risks to human health on the site.

4) With the above augmentations, a readable Public Notice would announce the more appropriately worded information on the Remedial Action Plan, public meeting, and request for comments.

Congressman Ami Bera has taken an interest in this cleanup, made clear by his letter to Scott Pruitt of the EPA regarding the steps he would like to see taken in order to expedite the cleanup and provide development to the region. Stephen Green, President of the Save the American River Association (SARA), and myself, representing the AJ-CAG, met with an aide of Congressman Bera on April 25 to make his office more fully aware of the many facets of this project, and our perspective as representatives of public groups with long-standing involvement with the evolving cleanup. We are continuing to communicate with Congressman Bera's office, and, as you will note, we are cc'ing the congressman on this email.

Thank you very much,
Janis Heple
Aerojet Community Advisory Group Chair

PS I have just received another email from a community member who is unable to find information on Area 40 on either Envirostor or Geo Tracker.

cc:
Congressman Ami Bera
Peter MacNicholl, DTSC
Jerilyn Lopez Mendoza, DTSC
Jackie Lane, EPA
Stephen Green, SARA
AJ-CAG