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THE CITY OF Kalamazoo

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April 4, 2013

Ms. Susan Hedman
Regional Administrator
U.S. EPA-Region 5
77 West Jackson Blvd.
R-19J
Chicago, IL 60604-3507

RE: Request for Delay in Officially Proposing Remedy by USEPA-Region 5 for Kalamazoo River Superfund Site OU-1 (Allied Site Landfill)

Dear Ms. Hedman:

Thank you for allowing staff from your office to meet with me and other City staff recently in Kalamazoo as a follow up to a September 2012 meeting with Richard Karl, Division Director, USEPA-Region 5. At this March 12, 2013 meeting, the City of Kalamazoo was informed by USEPA-Region 5 staff that they are recommending that the proposed remedial action (identified as "Alternative 2B") under the soon-to-be released draft Feasibility Study (FS) for the Allied Landfill Site (OU-1) will leave all 1.5 million cubic yards of PCB contaminated "waste-in-place" in an unlined and unconfined disposal area.. Selection of this option is clearly unacceptable to the City of Kalamazoo because it is not protective of the City's drinking water supply and it leaves a 45 acre wasteland in the middle of the City's most densely populated neighborhoods. I find it incomprehensible and unacceptable that the USEPA-Region 5 is proposing that the Allied Site property be used as an inadequately designed landfill for toxic pollutants that USEPA would not allow to be constructed under current standards anywhere else in the country. The ultimate re-use of an adequately cleaned up Allied Site property is essential to the ongoing viability of these neighborhoods and the City.

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In addition to being one of the major sources of PCBs in the Kalamazoo River, the Allied Landfill Site was originally placed on the National Priorities List (NPL) on August 30, 1990 largely due to the potential for groundwater migration and public health impact due to its proximity to the City's main Central wellfield which currently supplies up to 40% of the potable drinking water for 120,000 city and surrounding jurisdictions' residents including Kalamazoo, Oshtemo and Texas Charter Townships. The City has continued to closely monitor the Allied Site especially since 1999 when a time-critical removal action (TCRA) was conducted on the Allied mill pond. At that time, City officials were reassured by the USEPA that the TCRA was only a "temporary action" before the Allied Site would be adequately cleaned up. City Commissioners, City staff and citizens of Kalamazoo are perplexed as to how this recommended remedial action will be protective of the City's drinking water supply. Residents are also baffled as to why another remedy, total removal of the PCB-contaminated waste, was not selected. Leaving all of the waste in place is not the best option for the citizens of Kalamazoo.

USEPA, through your own research, have identified PCBs as toxic compounds. Specifically they are categorized as being probable human carcinogens as well as disruptive to animal and human reproductive processes. How can leaving such toxic materials in the middle of densely populated neighborhoods and in contact with groundwater be truly protective of the health of current and future generations of the Kalamazoo community? Anecdotal evidence supplied to the City indicates that there is past and ongoing health concerns in the neighborhoods adjoining the Allied Disposal Site. Further epidemiological studies are warranted to determine how extensive these health concerns may be and what long-term effects they have on City residents.

I am also perplexed as to why EPA Region V staff now seems to be in a rush to publish the draft FS and rapidly move forward with this proposed remedy. This concern is heightened given numerous outstanding questions that remain as to other possible contaminants that may be present on the site, lack of information regarding what remains in the bankruptcy trust fund as well as why the EPA Region 5's estimate for total removal jumped by over $100 million from previous estimates. This is especially confusing given the City's estimates for total removal is around $120 million. These, along with many other questions, have been forwarded to USEPA-Region V staff and City staff are awaiting detailed answers. I am confused as to why USEPA staff would proposed leaving 1.5 million cubic yards of PCB-contaminated waste immediate upstream of significant areas of Portage Creek recently cleaned up of contaminated PCB sediments for several million dollars under a time-critical removal action (TCRA) by the USEPA.

When questioned, USEPA staff have not been clear as to how the proposed remedy will take into account future flooding concerns along Portage Creek that could seriously compromise the integrity of the proposed remedy and cause tons of contaminated sediments to wash downstream and re-contaminate Portage Creek.

I am respectfully requesting at this time that there be a postponement of the publication of the draft FS, including the USEPA's proposed remedy, as well as the proposed public comment period and associated public hearing. The City has significant questions and concerns that need to be addressed prior to issuance of the draft FS. Without adequate time and responsible dialogue regarding these questions and issue, I am at a loss to see how the USEPA can move forward with the draft FS in a responsible manner. Such a postponement will also allow for further investigation into the viability of total removal of the PCB-contaminated waste from the Allied Site.

I am available to meet with you and your staff as well regarding this issue.

Sincerely,

Bobby J. Hopewell
Mayor

c: U.S. Senator, Carl Levin
U.S. Senator, Debbie Stabenow
U.S. Representative, Fred Upton
State of Michigan Governor, Richard Snyder
State of Michigan Senator, Tonya Schuitmaker
State of Michigan Representative, Sean McCann
Kalamazoo Charter Township Supervisor, Ronald Reid
Kalamazoo Charter Township Clerk, Donald Thall
Oshtemo Charter Township Supervisor, Libby Heine-Cogswell
Oshtemo Charter Township Clerk, Deb Everett
Texas Charter Township Supervisor, Greg Pendowski
Texas Charter Township Clerk, Linda Kerr
Kalamazoo County Board Chairman, David Buskirk
Kalamazoo County Administrator, Peter Battani
Kalamazoo County Environmental Health