

Pine River Superfund Citizen Task Force
P.O. Box 172
St. Louis, MI 48880

November 22, 2002

Thomas V. Skinner, Esq., Regional Administrator
Region 5 Office
U.S. Environmental Protection Agency
77 West Jackson Blvd
Chicago, IL 60604-3590

Dear Mr. Skinner,

The Technical Advisory Committee (TAG) of the Pine River Superfund Citizen Task Force (Velsicol Superfund CAG) in St. Louis, MI has reviewed EPA's and MDEQ's progress of the Pine River cleanup and investigation of the former Velsicol/Michigan Chemical plant site. As a TAG, we are given the responsibility of reviewing technical and scientific data that address the cleanup status as it pertains to the health and security of the citizens of this region as well as the health of the environment. The full membership of the CAG voted unanimously to present to you the facts and concerns outlined in this letter.

Below is a list of important aspects of the cleanup project we feel have changed in relation to the actual cleanup and plant site investigation over the past year-and-a-half as compared with the Record of Decision (ROD) drafted in 1998. In general, we believe there are some issues that pose real and potential risk for further contamination of the environment as well as real and potential risks to human health.

- After Phase I of EPA's cleanup and Phase I of MDEQ's investigation of the former plant site, we now know that contamination from inside the plant site has migrated vertically through the bottom "till" material as well as horizontally through the slurry wall. It has leaked vertically over 40 feet below the till layer impacting the lower aquifer. Several contaminants have been found in this aquifer at levels above MDEQ 201 residential cleanup criteria (including benzene at levels 100 times over 201 cleanup criteria). This lower aquifer is also the same aquifer in which the City of St. Louis obtains a good portion of its drinking water.
- We now know that there is a highly toxic chemical cocktail, petroleum-based non-aqueous phase liquid (NAPL) that is migrating and has migrated from the plant site through the slurry wall, under the slurry wall and through what could be a complex system of sand lenses, or a single sand seam and has even seeped into the low permeability till material itself. This cocktail of concentrated chemical compounds such as DDT (28%), chlorobenzene, toluene and range of heavy metals is diverse and highly toxic, the origin and extent of which has not been definitively determined.
- The nature of this NAPL is such that it plays an important (and limiting) role in where and how EPA can excavate or otherwise address contamination. The till underlying the river sediment acts as a confining layer over a lower aquifer which is under hydrostatic pressure. EPA has expressed concern over breaching the till and intersecting and potentially further contaminating the lower aquifer as well as liberating NAPL "pockets" or "channels" contained in sand seams within the till. For this reason, EPA has installed collection trenches in order to collect NAPL seeps as an interim measure. These trenches contain 6" piping and have been covered and capped along with till material that contains significant levels of DDT and other contaminants. Though EPA acted in response to dynamic conditions in the field, the nature of the cleanup has changed significantly. With the presence of the NAPL and capped contamination in the till, the site poses a threat to the success of reuse and restoration of the local environment and ecosystem.

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Because of these facts, the nature of cleanup has changed and we feel strongly the measures taken by the U.S. EPA and MDEQ in addressing the cleanup should change as well. This may involve amending the original ROD to specifically identify and address these newly discovered problems and risks. It may also mean that U.S. EPA investigate alternative means of remediation other than dry excavation and capping. The TAG has developed specific recommendations for the U.S. EPA and MDEQ to consider before embarking on Phase II of the river cleanup and before developing a remedial action for the plant site from MDEQ's remedial investigation/feasibility study (RI/FS).

RECOMMENDATIONS

The following must be addressed before continuing with Phase II as described in the existing ROD.

1. The discovery of and investigation of the NAPL is easily the single most important issue facing the success of the cleanup and any future use of the plant site. For this reason, we support EPA and MDEQ in continuing their efforts to investigate the NAPL, its chemical nature, its occurrence, its ultimate source and the manner in which it is migrating.
2. We feel that the plant site, as identified as the main (and perhaps only) source for the NAPL and source of the contamination reaching the lower aquifer should undergo a remediation that is commensurate with the mission of the EPA and MDEQ: that is to conduct remediation that is protective of human health and the health of the environment. With the continual migration of contamination through the slurry wall (where it has compromised the integrity of the slurry wall), underneath the slurry wall and through the till layer that underlies the plant site, it is difficult for us to imagine a remedy that meets EPA and MDEQ mission criteria that does not require removal of at least a large portion of the contaminated source material from the plant site.
3. We feel that any short-sighted remediation plan that leaves source contaminant material in place may prove to be a less expensive option initially, but will soon become a lengthy and much more costly long-term monitoring project. This will also leave the community, again, without the use of the Pine River as a natural resource or the use of the plant site for commercial and recreational redevelopment as currently being evaluated by our Brownfield Redevelopment Authority.
4. The existing ROD needs to be evaluated in light of the presence of and migration of NAPL discovered by MDEQ and EPA.

The TAG and CAG are extremely concerned that the initial hopes we had for a successful cleanup that would leave this environment recreationally and economically usable will be dashed because of a lack of sufficient funding to do the job correctly. With Congress failing to reauthorize funding for Superfund, the announced shutdown of various Superfund Sites around the country and report of partial funding for others, we are seriously concerned not only about continued funding for this site but for *adequate* funding that will leave this community with a usable resource, not an environmental liability.

Before U.S. EPA and MDEQ meet to discuss next season and before a remedy is selected for the plant site based on MDEQ's RI/FS, we would like to sit down with the EPA, MDEQ and federal and state representatives and discuss the barriers that need to be overcome to conduct a comprehensive, complete cleanup of the Pine River and former Velsicol/Michigan Chemical plant site. Central to this discussion will be future use of the plant site and the Pine River.

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Although we have many concerns outlined above, we want to be clear that we appreciate the dedication that has been shown by U.S. EPA, specifically Stephanie Ball, the remedial project manager and her on-site team as well as MDEQ's Scott Cornelius. Their devotion and commitment to this site and this community has been exemplary and should serve as a model for all sites around the country.

Please let us know when a meeting can be arranged.

Sincerely,

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Cc: Stephanie Ball, Remedial Project Manager
Scott Cornelius, MDEQ Project Manager
U.S. Senator Carl Levin
U.S. Senator Debbie Stabenow
U.S. Congressman Dave Camp
Governor John Engler
Governor-elect Jennifer Granholm
State Senator Mike Goschka
State Representative Scott Hummel
Trustee director Jay Steinberg (Custodial Trust of Fruit of the Loom/NWI settlement agreement)
Sam Washington, Executive Director, MUCC