

35th Avenue Superfund Site

Birmingham, Jefferson County, Alabama



Photo courtesy of City of Birmingham

Community Involvement Plan

May 2013

Updated September 2014

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4



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Unless otherwise noted, photos in this document were taken by EPA Contractor



1.0 OVERVIEW OF THE COMMUNITY INVOLVEMENT PLAN

One of the steps required under the Comprehensive Environmental Response, Compensation, and Liability Act*, known as CERCLA or Superfund, is to prepare a community involvement plan (CIP). The U.S. Environmental Protection Agency (EPA) prepared the CIP for the 35th Avenue Superfund Site (the Site) located in North Birmingham, Jefferson County, Alabama in May 2013. The primary objective of EPA's community outreach effort is to promote meaningful communication between residents of the community and the Agency to achieve meaningful community involvement. Proactive community involvement is crucial to the success of any cleanup project. (*items in **bold** appear in the Glossary, Appendix G).

Goals of EPA's community involvement efforts:

- Assist the public in understanding the decision-making process during project design and cleanup and the community's role in that process.
- Give the public accessible, accurate, timely and understandable information about the project as it moves forward.
- Ensure adequate time and opportunity for the community to provide informed and meaningful participation and for that input to be considered.
- Reflect community concerns, questions and information needs.
- Respect and fully consider public input throughout the process as the project moves forward.

This CIP was updated to reflect additional activities and community involvement opportunities since the original publication in May 2013. EPA used several information sources to develop the CIP, including community interviews, research; discussions with residents, local community leaders, and local government officials; and information received at neighborhood association meetings and public meetings. Typically, part of developing a CIP is based on conducting formal interviews with local community members. However, in preparing this CIP, EPA did not conduct formal interviews because EPA has talked one-on-one with hundreds of community members since January 2012 and continues to have conversations with community members today.

The CIP will be revised as community concern warrants or, at minimum, every three years. The revision process could include conducting community conversations, updating mailing lists, auditing the files at the designated information repositories and updating the contacts and resources provided in the appendices of the CIP as necessary. In addition to the overview, this CIP contains the following sections:

- **Section 2.0, Community Background** – This section provides demographic information for Birmingham, Alabama and more specifically for zip code 35207; and describes the history of community involvement in the Site cleanup process.
- **Section 3.0, Community Concerns** – This section summarizes the community's issues and concerns as identified during discussions and meetings with local residents and community and government officials.
- **Section 4.0, Community Involvement Goals and Activities** – This section describes site-specific objectives developed in response to identified community concerns and the activities to be conducted to accomplish these objectives.



- **Section 5.0, Environmental Justice** – This section discusses EPA’s environmental justice commitment.
- **Section 6.0, What is Superfund** – This section discusses the Superfund program and how community members can actively participate in the cleanup process.
- **Section 7.0, Site Description** – This section provides an overview of the Site’s history and operations, as well as site investigations and cleanup work conducted to date.

Several appendices outlined below are included with this CIP. These appendices provide additional and background information that are relevant to the Site. Some of the appendices provide a quick reference for Agency and community residents.

- **Appendix A, Site Contacts** – This appendix provides contact information for Site project personnel, elected officials, community groups and local media.
- **Appendix B, EPA Community Outreach Office and Resources** – This appendix lists the locations of the information repositories, administrative record, website and possible future meeting locations.
- **Appendix C, Community Outreach Plan** – This appendix includes the Community Outreach Plan prepared in October 2012.
- **Appendix D, Community Questions and Concerns** – This appendix presents questions and concerns from community members that were raised at the October, 2012 and December 2013 public meetings and at neighborhood association meetings.
- **Appendix E, Site-Specific Fact Sheets** – This appendix includes fact sheets and handouts provided to community members at various meetings.
- **Appendix F, ATSDR ToxFAQs and Handout**
- **Appendix G, Glossary** – This appendix provides a glossary of terms frequently used. These terms are **bolded** throughout the CIP

If you are interested in submitting comments or have questions or suggestions concerning the CIP, please contact:

Stephanie Y. Brown
Community Involvement Coordinator
EPA Region 4
404-562-8450 or toll free at
877-718-3752, ext. 28450
Brown.StephanieY@epa.gov

EPA Community Outreach Office
1820 7th Avenue North, Suite 100
Birmingham, AL 35203
205-326-8640

For more information on the 35th Avenue Superfund Site, visit EPA’s website at:
<http://www2.epa.gov/north-birmingham-project>.

For more information on Superfund sites in Region 4, visit:
<http://www.epa.gov/region4/superfund/>



2.0 COMMUNITY BACKGROUND

This section describes the composition of Birmingham, Jefferson County, Alabama and demographic information for zip code 35207. Information for zip code 35207 is presented because the Collegeville, Fairmont and Harriman Park neighborhoods are located in this zip code, and EPA believes it is representative of the population in the overall study area of the Site (see Figure 1 on Page 11). EPA considers North Birmingham an Environmental Justice community, which means it is a community that historically is an under-represented minority and low-income area burdened with significant environmental challenges. EPA's commitment to Environmental Justice is discussed in Section 5 of this CIP. The history of EPA's community involvement with the Site is also included in this section.

2.1 Birmingham Community Profile



Photograph by Tim Carr, December 21, 2009.

Birmingham, founded in 1871 after the Civil War, is best known as the birthplace of the civil rights movement. In the 1950s and 1960s, Birmingham was embroiled in civil rights conflicts as it sought to avoid forced integration of public transportation and facilities

In 1815, John Jones and other pioneers established the village of Jonesboro; and in 1819, Jefferson County was formed. Abundant red rock in the area contained high-grade iron ore and by the Civil War two ore-reducing furnaces were operating. These operations were destroyed in 1865 and the development of the valley stopped until 1871 when Elyton Land Company founded and incorporated a city, Birmingham, at the

junction of two major railroads. Elyton Land realized the potential of the abundant iron ore, coal and limestone in the area. Coal and limestone are key ingredients in making steel.

With the railroads expanding, the population of Birmingham grew quickly, from 1,200 in 1871 to 4,000 people in 1873. However, a cholera epidemic and other setbacks in 1875 reduced the population of Birmingham to 1,200 people until 1880 when the Pratt mining operation began making coke. Two coke furnaces began operation in 1880; and by 1885, the population grew to 25,000 people. In 1900, the first commercial shipment of steel was dispatched and mills and other factories began producing finished steel products in Birmingham.

The new model town of Corey, planned by U.S. Steel, was developed and eight suburbs were incorporated into the city. Following World War I, Birmingham grew and new apartment buildings, hotels, homes and businesses were built.

In the 1920s, the Ku Klux Klan, a secrete white supremacist organization, gained considerable influence in the city. Harassment, floggings and violence toward African Americans were unofficially tolerated by local authorities.

When the Great Depression of the 1930s reduced demand for iron and steel products, Birmingham was devastated. President Hoover's administration said that Birmingham was "the hardest hit city in the nation." The federal government supported Birmingham's recovery by investing more than \$350

million in the area to stimulate the economy. The city began to recover, and by World War II, manufacturing plants were busy preparing for the war effort.

Through the end of the 1960s, Birmingham was a primary industrial center in the South, with iron and steel production as major industries. Rails and railroad cars were also manufactured in Birmingham. During the latter half of the twentieth century, Birmingham's economy diversified.

Manufacturing maintains a strong presence; however, banking, telecommunications, transportation, electrical power transmission, medical care, college education and insurance industries have become more prominent. Also, coal mining still ranks as a major industry in the area.

Birmingham, especially the areas around the Collegeville, Fairmont and Harriman Park neighborhoods, is surrounded by industry. The Walter Coke facility, the largest in the area, is located at 3500 35th Avenue in North Birmingham and has been operating for about 90 years. Walter Coke manufactures foundry and furnace coke, as well as coke by-products using 122 coke ovens. A coke plant has been operating on the 400-acre property since 1919. Throughout Walter Coke's history, operations have included a chemical sulfonation plant from 1948 until its demolition in 2002, a blast furnace from 1958 to 1980 and a mineral wool plant from 1949 to 2010. Today, Walter Coke operates a biological treatment facility that began operations in 1973.

In 1974, a structured network of neighborhood associations and community advisory committees were established to ensure public participation in governmental issues affecting the neighborhoods. The 35th Avenue Superfund Site is located in North Birmingham, which includes parts of the Collegeville, Fairmont and Harriman Park neighborhoods.

In 1979, Richard Arrington, Jr., was the first African American elected as mayor of the city of Birmingham. He served until 1999.

Today, Birmingham is governed by a mayor-council form of government; there are nine elected district representatives (see Appendix A). The current mayor is William A. Bell, who previously served as interim mayor in 1999 and then won a special election in 2010 to fill the unexpired term of former Mayor Larry Langford.

By Alabama law, an issue before the city council must be approved by a two-thirds majority vote. The council has weekly meetings on Tuesdays. For more information on the Birmingham city council, visit its website at: <http://www.birminghamal.gov/citycouncil/>.

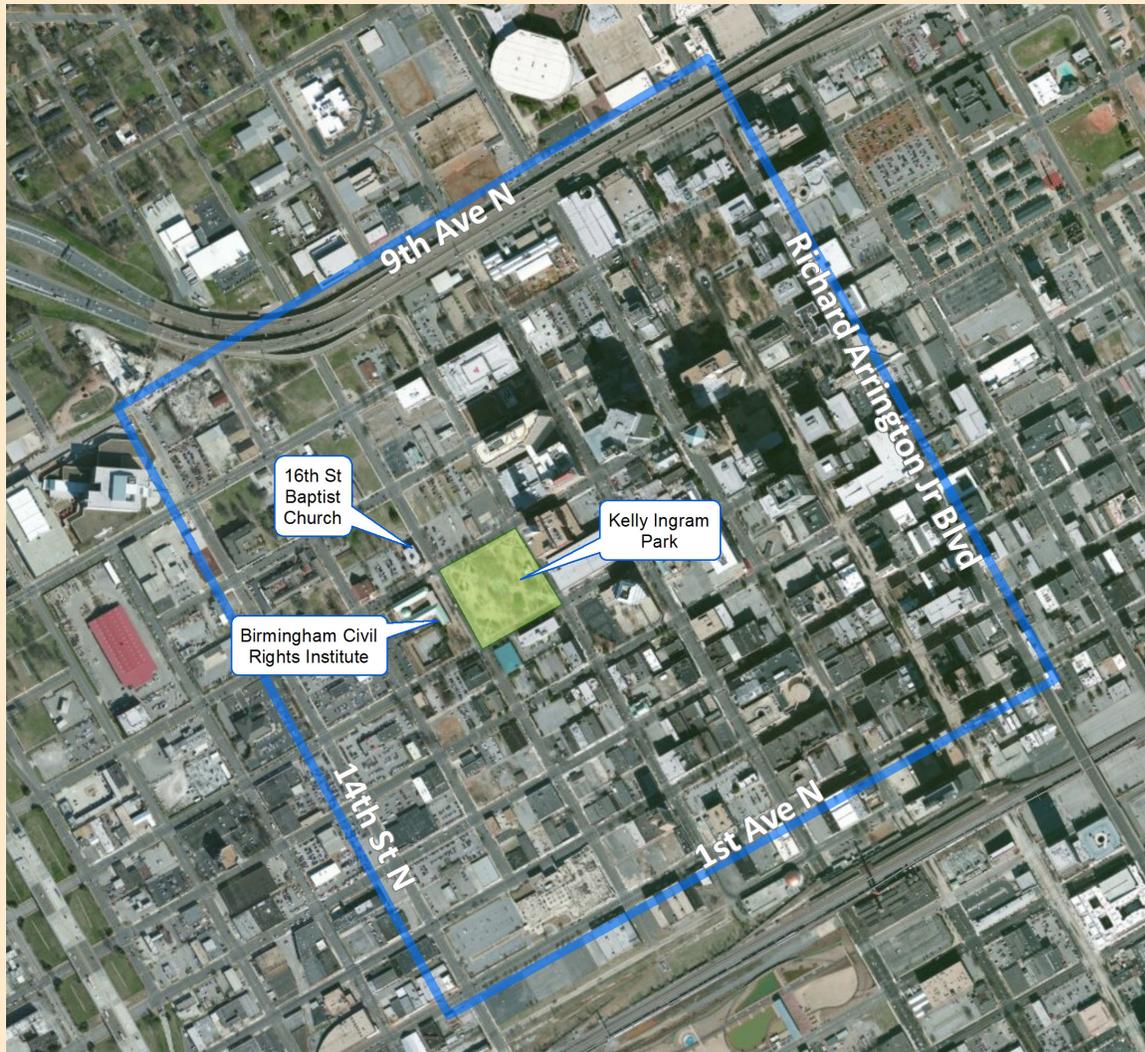
The current system replaced the previous city commission government in 1962. This change was made primarily as a way to remove Commissioner of Public Safety Eugene "Bull" Connor from power.



Industrial site photograph taken by unknown source.



Birmingham – The Birthplace of the Civil Rights Movement



The Civil Rights District, created by the city's leadership in 1992, is an area in downtown Birmingham where several significant events in the American Civil Rights Movement of the 1950s and 1960s took place. The district covers a six block area, which is roughly bounded by 9th Avenue North, Richard Arrington Jr. Blvd, 1st Avenue North and 14th Street North. Landmarks in the district include the 16th Street Baptist Church, Kelly Ingram Park, The Fourth Avenue Business District, Carver Theater, and the Birmingham Civil Rights Institute.



2.0 COMMUNITY BACKGROUND



This statue of Rev. Dr. Martin Luther King, Jr. is located in Kelly Ingram Park. In 1963, Rev. Dr. Martin Luther King, Jr. began leading peaceful demonstrations in the city. African Americans who joined the demonstrations were arrested by the thousands. Also in 1963, Rev. Dr. Martin Luther King, Jr. wrote “Letter From a Birmingham Jail.” This letter was Rev. King’s call to nonviolent activism that inspired people worldwide.





The four girls killed in the bombing (Clockwise from top left, Addie Mae Collins, Cynthia Wesley, Carole Robertson and Denise McNair)

Photo of girls from http://en.wikipedia.org/wiki/16th_Street_Baptist_Church_bombing

One of Birmingham's darkest chapters came to a close in 2002 when jurors delivered a guilty verdict in the case of the 1963 16th Street Baptist Church bombing that killed four African American girls and wounded more than 20 other Sunday church worshippers. On May 24, 2013, President Obama signed into law H.R. 360, a bill that awarded the Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, to commemorate the lives they lost in the bombing.



This plaque is at the entrance to Kelly Ingram Park, the site of many protests in the 1950s and 1960s. Many of these protests resulted in recrimination by Birmingham police, including famous 1963 scenes of policemen turning back young protestors with fire hoses and police dogs. News coverage of the riots and protests in this park brought awareness of the dark times to people outside of Birmingham.



2.0 COMMUNITY BACKGROUND

This statue in Kelly Ingram Park depicts then police chief Eugene “Bull” Connor using attack dogs to disperse young protestors.

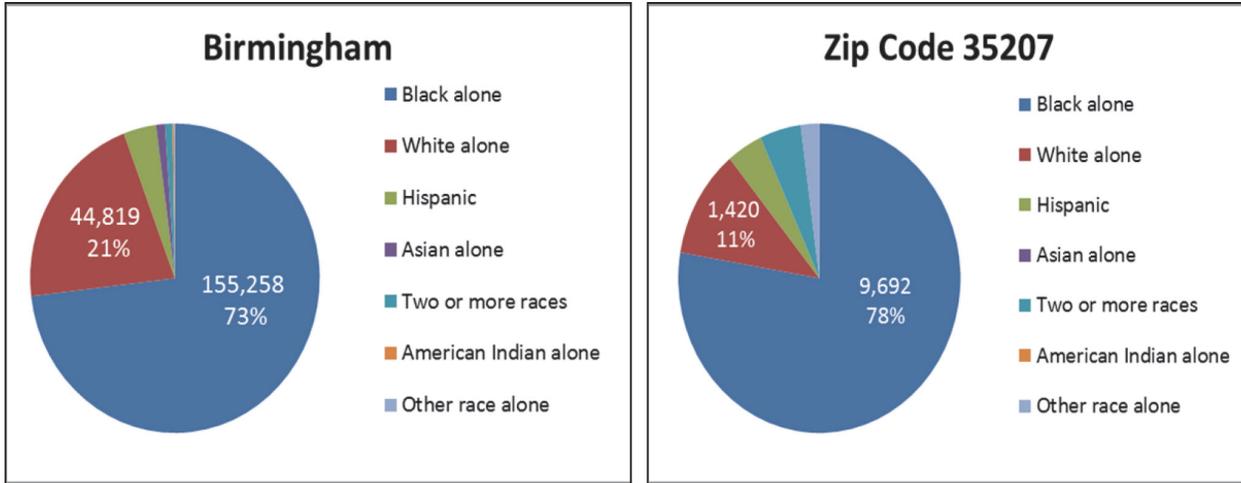


The Civil Rights Institute is a museum and research center that depicts the struggles of the American Civil Rights Movement. The Institute was created in 1992 and is devoted to civil rights activism on local, national and international levels. Visitors to the Civil Rights Institute can journey through the “living institution” which displays events of the past.



2.2 Demographics

The graphics above show the demographics of both Birmingham and zip code 35207. Zip code 35207 was used because it includes the study area and is representative of the population within the 35th Avenue Superfund Site. The demographics information presented in this section was obtained from <http://www.city-data.com/>.



In 2010, the area’s median household income was \$34,666. Thirty-two percent of people living in the area earned incomes below the poverty level. In addition, 38 percent of households within 1.5 miles of the Site earned incomes below the poverty level and the unemployment rate is at 52 percent.

Birmingham Historical populations

Census	Pop.	%±
1880	3,086	—
1890	26,178	748.3%
1900	38,415	46.7%
1910	132,685	245.4%
1920	178,806	34.8%
1930	259,678	45.2%
1940	267,583	3.0%
1950	326,037	21.8%
1960	340,887	4.6%
1970	300,910	-11.7%
1980	284,413	-5.5%
1990	265,968	-6.5%
2000	242,840	-8.7%
2010	212,237	-12.6%



2.3 History of Community Involvement

Local residents, churches, community groups, neighborhood and neighborhood associations and the City government have been actively involved in Site-related issues and efforts to address Site contamination.

When the Superfund Division became involved in the Site, EPA immediately drafted a Community Outreach Plan of Action (see Appendix C). The plan was written as a strategy to foster relationship-building among local elected officials, state and federal regulatory agencies, community leaders and concerned residents of the environmental justice community. Since the EPA Superfund team has been working with the community, EPA opened an Outreach Office, has held several informational and public meetings and attends monthly neighborhood association meetings. EPA assisted and supported the community in organizing a community coalition, which is explained in more detail in Section 2.5.

Section 2.4 below highlights several activities during which EPA has engaged the community.

2.4 Engaging the Community

Successful community outreach depends on being available to the community and working with community members. Below are some of the activities EPA has conducted.

January 2012

- EPA held two availability sessions in the North Birmingham area regarding ongoing and future activities at the 35th Avenue Site.
- Developed a website to host Site information.

September 2012

- Attended Neighborhood Association meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.

October 2012

- Conducted community interviews.
- Hosted a public meeting that over 200 people attended. EPA Region 4 Superfund Division Director Franklin Hill and RCRA Division Director Alan Farmer provided an overview of each Division's involvement with the 35th Avenue Superfund Site. A question and answer period followed the presentations. See Appendix E for a list of questions and comments from this meeting.
- Opened a Community Outreach office in downtown Birmingham for residents to get assistance during the sampling efforts (see Appendix B for location).
- Attended Neighborhood Association meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.
- Prepared a Community Outreach Plan (Appendix C).
- Prepared a timeline of community outreach events (Appendix D).
- Sent out about 1,400 informational letters to residents requesting access for sampling.



A Champion for the Community

Council President Maxine Herring Parker, a champion for the people in her community, passed away on November 12, 2013. Her spirit, her dedication to Environmental Justice and hard work on behalf the residents of North Birmingham will be missed; but her legacy lives on.





Figure 1 – Site Sampling Area. The current sampling area is outlined in blue.

- Established Site Information Repository locations at the Harriman Park Recreation Center and the North Birmingham Public Library.

November 2012

- Attended neighborhood meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.
- Expanded the sampling boundary area.

December 2012

- Sent out an additional 200 letters to residents requesting access agreements from properties in the expanded sampling area.
- Met with local leaders including pastors and neighborhood association presidents to determine the path forward to get access agreements from property owners.



Superfund Division Director Franklin Hill listens to concerns from a community member.





Stephanie Y. Brown, Community Involvement Coordinator explains the access agreement process at a Collegeville Neighborhood Association meeting.

- In conjunction with the City, hosted a public meeting attended by over 200 people to request signed access agreements.

During 2013, EPA continued to receive access agreements and answer questions from residents. EPA representatives also attended many neighborhood association meetings in each of the three neighborhoods to update residents on site activities. In addition to these activities, some highlights are provided below. From February through August 2013, sampling result packages were mailed to property owners. EPA responded to numerous questions about the results and met one-on-one with many residents to explain the results and the next steps.

January 2013

- Worked with the City of Birmingham and Hands On Birmingham and conducted multiple community outreach and door-to-door events to get more signed access agreements.

February 2013

- Attended neighborhood association meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.
- Held a Neighborhood Leaders Informational Meeting regarding the Community Coalition at the Harriman Park Recreation Center.
- Expanded the sampling boundary area.

March 2013

- Attended neighborhood association meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.
- Held a Community Informational Meeting regarding the Community Coalition at the Hudson K-8 School.
- Sent out approximately 400 letters to residents requesting access agreements from properties in the expanded sampling area.

April 2013

- Attended neighborhood association meetings in each of the three neighborhoods to tell residents about the access agreement process and upcoming sampling efforts.



- Mailed out about 700 sampling results packages to property owners and tenants for properties sampled in November and December 2012 and January and February 2013.
- Met with residents who had questions about sampling results.
- Had meetings with neighborhood association members regarding the establishment of the Community Coalition.
- Published noticed in *The Birmingham Times* that the access period was ending May 15, 2013.

May 2013

- Formal access agreement outreach program concluded; EPA will continue to accept access agreements submitted by property owners. A total of 1,188 access agreements were received (out of 2,048 properties in the sampling area).

June 2013

- Developed draft community involvement plan and sent to neighborhood association presidents and other key stakeholders for review and comment.
- Outreach office remains open, but is not continuously staffed, but voicemail is monitored on a daily basis and calls are returned as soon as possible.

July 2013

- EPA collected several types of vegetables from six gardens in the neighborhoods and sent them to a laboratory for analysis. The vegetable sampling was done in response to concerns from residents about possible contamination in their vegetable gardens. The laboratory data indicates that there is little to no uptake of contaminants in the into the plant tissue. The data did show that contaminants in the soil can cling to the outer portions of the vegetables if they are not washed. Based on this data, EPA determined there is no concern for human health from vegetable gardens as long as vegetables are washed before using.
- EPA facilitated the development of The Northern Birmingham Community Coalition (NBCC), who is currently meeting on a monthly basis (see Section 2.5 for more information on the NBCC).
- EPA, Councilwoman Maxine Herring Parker, and Tetra Tech, gave a presentation at the EPA Community Involvement Conference in Boston on the site.



Community members ask questions and voice their concerns about the Site at an informational meeting.



EPA CIC gives direction to volunteers helping get access agreements in the neighborhoods.

November 2013

- EPA produced a sampling assessment update fact sheet and mailed it to residents and stakeholders on the site mailing list. The fact sheet was also made available to neighborhood associations and the information repositories. The fact sheet also announced a December public meeting.

December 2013

- EPA held a public meeting on December 12 to update the community on sampling activities and results and upcoming removal activities.

Outreach activities continued in 2014. After identifying the properties with the highest contamination levels above the RMLs (about 52 properties), EPA began meeting with property owners to discuss the cleanup activities required at their properties. EPA ensured that the property owner understood and agreed to the planned cleanup. Pictures of the property were taken to document before and after conditions. These one-on-one visits with each property owner will continue throughout the removal process. Not only do these visits document the cleanup procedures, they have provided opportunities for EPA to talk with residents about their concerns and answer questions in an informal setting.

EPA also continued to meet monthly with the NBCC and attended many neighborhood association meetings. The activities below are some highlights of activities during 2014:

April 2014

- EPA site staff gave a tour of the site to the EPA Regional Administrator. During this tour, EPA officials met with many local residents and discussed their concerns and answered questions.

June 2014

- EPA mailed a Cleanup Update fact sheet to residents on the mailing list and made available to neighborhood associations and the information repositories.



July 2014

- EPA identified the next set of properties that required cleanup. These properties were prioritized based on children living in the home. There are approximately 40 properties in this phase to be cleaned.
- EPA began meeting with these property owners about cleanup activities at their properties.

August 2014

- EPA began cleanup of the next 40 properties.

September 2014

- EPA proposed the 35th Avenue Superfund site to the National Priorities List. The NPL is list of serious uncontrolled or abandoned hazardous waste sites identified for possible long-term cleanup under Superfund. A fact sheet was prepared and mailed announcing a public meeting scheduled for October 9 and the public comment period, which runs from September 22 through November 21. The fact sheet also addressed some of the most frequently asked questions about a NPL listing.

After properties have been cleaned up, EPA has gone back and visited with the homeowners to talk about the cleanup of their property and make sure there are no outstanding concerns. Everyone that has had their property cleaned up expressed how pleased they are with the work done and that EPA is still here helping them.

Future Activities Planned

A public meeting is scheduled for October 2014 to explain the process for listing the site on the NPL and the public comment period.

In October 2014, EPA will be giving small workshops to students at the Hudson K-8 Elementary School.

EPA will continue to meet with residents as requested and attend neighborhood association meetings to keep the community updated on site activities. EPA will also continue to support the NBCC.

2.5 Organizing a Community Coalition

Northern Birmingham Community Coalition

The communities of north Birmingham face many economic, environmental and social challenges. In an effort to bring together residents, community representatives and government agencies to address issues of environmental cleanup, enforcement and community investment EPA Region 4 sponsored the formation of a Community Coalition to plan for the future of the communities of north Birmingham (including the North Birmingham, Fairmont, Collegeville and Harriman Park neighborhoods). Meetings were held to gauge interest in the formation of a community coalition to empower the residents to develop an action plan. As a result of these meetings and the interest of the community, the Northern Birmingham Community Coalition (NBCC) was formed. The NBCC includes

neighborhood representatives as well as business, faith, and community leaders and government agencies.

The NBCC will work to forge a shared vision and action plan to create positive community change. EPA is proud to announce that after a year and six months, the NBCC is formed and operating independently.

During the NBCC's planning process, meetings were convened and facilitated by EPA with support from Skeo Solutions. At the close of the planning process, NBCC members decided to continue meeting in order to guide implementation of the Action Plan. The NBCC selected the following structure and leadership roles by consensus. Other organizational structures, including non-profit status, may be considered as the Coalition gains capacity.

The NBCC will focus on the following priority areas:

Community Revitalization Goals

Improve access to neighborhood-oriented amenities and increase job opportunities for Northern Birmingham residents through:

- **FOOD:** Increase access to grocery stores and healthy, affordable food.
- **FUEL:** Increase access to green fuel service stations.
- **RETAIL:** Increase access to neighborhood-oriented retail.



A Few Members of the Northern Birmingham Community Coalition.



NBCC Structure and Leadership Roles

Coalition Member Responsibilities

Convene monthly to review updates and agree on next steps.

Administrative Responsibilities

Convener: convenes group and develops draft agenda

Facilitator: facilitates the coalition through the agenda

Note-taker: takes notes and distributes to members

Spokesperson: communicates with press and elected officials

Workgroup Member Responsibilities

Meet (during Coalition meetings) to recommend priorities and next steps

Take steps to implement top priority actions

Housing

Robert Hill

Dennis Mallory

Vivian Starks

John Toyer

Chester Wallace

Commercial Revitalization

Robert Hill

Dennis Mallory

Vivian Starks

John Toyer

Chester Wallace

Health

Sandra Brown

Joyce Ray

Chester Wallace

Alberta Weeden

Organizational Development

Rev. E.O Jackson

Chester Wallace

Sandra Brown

John Toyer



Health Goals

Improve health outcomes through:

- HEALTH CARE: Increase access to health care services.
- COMPREHENSIVE WELLNESS: Increase access to social amenities and services that support healthy living.

Housing Goals

Improve access to healthy, affordable housing through:

- REHAB: Promote housing preservation and rehabilitation.
- REBUILD: Increase affordable, workforce housing.
- RECLAIM: Reclaim abandoned properties for residential use.

The NBCC's final draft action plan will be printed to the public early in 2015.



3.0 COMMUNITY CONCERNS

Based on community interviews and hundreds of conversations with local community members, city officials, community interest groups, and information received at public meetings and neighborhood association meetings, the following are the most often asked questions and concerns expressed about the 35th Avenue Site since the EPA Region 4 Superfund Division's involvement. Appendix D contains additional questions from residents and EPA responses at the October 1, 2012 and December 13, 2013 public meetings, and a list of questions and concerns voiced from residents at neighborhood association meetings.

The following information summarizes community concerns EPA has gathered since January 2012.

3.1 Questions about Public Health

1. *Community members have died or are critically sick from illnesses directly linked to the poor water and air quality. What diseases could be caused by pollution in the area – for example, from Walter Coke? When can the communities get a health clinic established?*

The Agency for Toxic Substances and Disease Registry (ATSDR) is currently reviewing soil and air data from the Colleeville, Harriman Park and Fairmont neighborhoods. ATSDR's Health Consultations will determine whether contaminants are at levels that may increase the risk of developing health problems. However, ATSDR cannot know whether a person's health problems were caused by pollution, because there are other factors that can cause health problems. It is not ATSDR's role to determine which facilities caused contamination. There are several sources of arsenic and PAHs (polycyclic aromatic hydrocarbons) in soil in this area.

For information about the potential health effects from contaminants at this Site, go to <http://www.atsdr.cdc.gov/toxfaqs/tf.asp?id=19&tid=3> and <http://www.atsdr.cdc.gov/toxfaqs/tf.asp?id=121&tid=25>. For more information about the potential health effects of hazardous air pollutants, go to <http://www.epa.gov/ttn/atw/hlthef/hapindex.html>.

EPA will check with the Jefferson County Department of Health regarding establishing a clinic.

2. *What are the potential health impacts from pollution that happened in the past? How can we address the impacts from past releases?*

ATSDR is looking at soil data collected in 2005 and 2009, and air data collected in 2005-2006 and 2009. Earlier data are not available. We can only analyze potential health effects based on the available data. Without historical data, we cannot determine if releases in the past would have increased the risk for certain diseases.

People respond to chemical exposures in different ways. Some people may come in contact with a chemical and never be harmed. Others may be more sensitive and get sick. Sometimes illness happens only if you are exposed to a harmful substance for a long time. Even if contaminant levels are high enough to increase the risk of developing a disease, we are unable to say if the contamination caused a person's specific health problem because there are other factors that can increase the risk of getting an illness.

3. *There is a lot of focus on the environmental factors and contamination. What about the human health factors and risks?*

After ATSDR's data analysis is complete, they will release a report on the health findings. ATSDR will visit the community to present the findings and answer any questions you may have. The report will also include information on children's exposures.

The potential impact of environmental exposures on an individual will depend not only on the pollutant concentrations, but also on how the person is exposed (eating, drinking, breathing, or touching) and how long the person is exposed. The health effects may also depend on the person's overall health. The air toxics monitoring that EPA and the Jefferson County Department of Health have done will result in a risk assessment that will estimate the potential for health effects from those pollutants in the three North Birmingham communities of Collegeville, Fairmont and Harriman Park.

4. *What are "long-term" and "short-term" health effects? Why do risk assessments talk about 70 years of exposure?*

Long-term health effects might happen when a person is in contact with a chemical for many years. Short-term health effects might happen after a shorter exposure, such as an hour or a week.

When EPA estimates the risk from long-term exposure to a chemical, we assume that a person is exposed 24 hours a day for 70 years. The intent is to err on the side of overestimating the risk. Risk estimates based on 70 years of exposure are more protective than estimates based on 20, 30, or 40 years of exposure.

Risk assessment is not able to predict actual health effects in the community because of many unknowns. Examples of these unknowns include:

- How long is each person exposed to a chemical?
- What is the chemical concentration? How does the concentration change over time?
- How much of the chemical is absorbed?

5. *Are there past data that you can look at to determine health effects?*

The Jefferson County Department of Health does not have much historical health data. Some researchers have looked at cancers and other diseases in the North Birmingham area. They found that death rates from these illnesses were about the same as in other areas.

6. *A USA Today newspaper article three years ago said that 11 schools in the United States were located in heavily polluted areas. Birmingham had four of the 11 schools. What has been done to fix this problem?*

The article, titled "Chemical Found in Air Outside 15 Schools," was published on September 30, 2009 (http://www.usatoday.com/news/nation/environment/2009-09-30-toxic-chemicals-school-air_N.htm). The article said the pollutant acrolein was found outside these schools at levels "at least 100 times higher than what the government considers safe for long-term exposure." Four of the schools were in or near Birmingham.

Acrolein is a pollutant that is widespread. It primarily enters the air when things burn. There are many sources of acrolein, including fires, vehicle exhaust, wood heating and industrial boilers. Acrolein is also found in cigarette smoke and smoke from cooking animal fats. It can irritate your eyes, nose and throat. Children and adults with asthma and allergies may be more sensitive.



EPA has been working to reduce acrolein in the air since 1990 through regulations that reduce smog and limit air toxic emissions from industries and mobile sources like cars and trucks. EPA is also reducing acrolein through voluntary programs such as diesel engine retrofits, anti-idling programs and woodstove change-out programs.

During the School Air Toxics Monitoring Project, EPA monitored the air outside dozens of schools across the nation for pollutants. Acrolein was one of the pollutants EPA monitored for outside a few Birmingham schools in late 2009. However, the laboratory results for acrolein monitoring were not reliable. As a result, EPA has not analyzed acrolein data as part of the School Air Toxics Monitoring Project. EPA is working with states and localities to improve acrolein monitoring methods.

7. *Are the screening levels for air toxics data a range or a single number? Are you using a one-in-a-million or a one-in-10,000 risk level?*

As the air toxics data come in from the lab, EPA screens them against short-term and long-term screening levels. The long-term screening levels correspond to a one-in-10,000 risk for cancer and a hazard index of 1 for other illnesses. The one-in-10,000 risk means that, out of 10,000 people exposed for a lifetime, there is a potential for one extra person to get cancer. A hazard index above 1 indicates that adverse health effects are possible.

8. *Is it possible for the Alabama Department of Environmental Management (ADEM) or the Jefferson County Department of Health (JCDH) to establish a more stringent acceptable health risk level?*

That is a possibility. Right now, JCDH prefers to use EPA's acceptable risk range for cancer of between one-in-a-million and one-in-10,000.

9. *Can there be testing (such as blood testing) for people in the neighborhood to check for health effects before the risk assessment is completed?*

The JCDH has sponsored health screenings in North Birmingham communities, including blood pressure, blood sugar and lung function testing.

10. *We asked ATSDR to test people in the community. The agency did not give us an acceptable response.*

ATSDR will finish its Health Consultations soon. The first step in the health consultation process is to see if people may be exposed to chemicals at levels that are high enough to cause health problems. If so, ATSDR will make recommendations to protect people's health in the future, and will tell people what they can do to lower their exposure to these chemicals. ATSDR will release the soil findings first, and then the air findings. These reports will help us know whether current contamination levels might cause health problems.

3.2 Questions about Regulations

1. *Who sets the standards or levels for emissions?*

EPA regulates industries that emit toxic air pollutants. EPA has issued rules covering over 80 categories of major industrial sources, such as chemical plants, oil refineries, aerospace manufacturers and steel mills, as well as categories of smaller sources, such as dry cleaners, commercial sterilizers, secondary lead smelters and chromium electroplating facilities. These standards are projected to reduce annual air toxics emissions by about 1.5 million tons nationally.

2. Do you listen to industries in formulating the rules for emission standards?

EPA does a lot of background work before a rule is drafted. We then publish the draft rule for comment by the public. Often, we receive comments from many sources – communities, industry, environmental groups and state and local agencies. We consider all of the comments as we decide whether the draft rule should be changed before it becomes final. It is not unusual for a rule to be modified in light of the information we receive during the comment period.

3. What is being done about the companies causing the pollution in our community? Why are the companies still in operation? Why can't they be shut down?

EPA, the ADEM, Jefferson County and the City of Birmingham all have laws, regulations and policies designed to protect human health. We seek to protect the public by establishing regulations for companies to follow, rather than by trying to shut them down. The regulations establish limitations to protect human health and the environment.

4. Do the companies get punished when they don't follow regulations?

EPA's policy is to respond to every violation in some way. The type of response depends on the seriousness and circumstance of the violation. For example, the JCDH took enforcement actions against the Sloss Mineral Wool Plant a few years ago. There were high levels of carbon monoxide near the plant, across F.L. Shuttlesworth Drive. The company had to fix the problem and pay a fine.

5. Are permits and regulations related?

Yes. Government agencies issue permits to companies based on government regulations.

6. Attainment and nonattainment: Are there companies that are in nonattainment that you are still issuing permits to?

The terms "attainment" and "nonattainment" apply to the air quality in a geographical area like a county or a city, rather than to a company. An area is in "attainment" when the levels of six "criteria pollutants" (lead, carbon monoxide, nitrogen oxides, sulfur dioxide, ozone and particulate matter) meet EPA's national standards. An area is in "nonattainment" when it does not meet one or more of these standards. A permit can still be issued to a company in a nonattainment area, but the permit might have stricter emission controls than it would in an attainment area.

We refer to individual companies as being in or out of compliance with the regulations and their permits.

7. The companies are blaming each other for the problems in the community. Can you identify who is causing the nonattainment?

Pollutants can come from many different sources, including chemical reactions in the atmosphere. When an area is not in attainment, it is probably a result of emissions from many sources, including small and large industries, and mobile sources such as cars, trucks and even lawnmowers. If a certain source seems to be a problem, EPA can take steps to evaluate and reduce the emissions.

8. Do you have the power to regulate mobile sources? Are chemtrails a problem?

EPA regulates emissions from mobile sources, including cars, trucks, aircraft and other engines. Manufacturers have responded to tighter emission standards by improving vehicle technologies.



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Chemtrails, often called contrails, are line-shaped clouds or “condensation trails” created by jet aircraft engines. They are ice particles. Contrails have been a normal effect of jet aviation since its earliest days. Contrails pose no threat to public health.

3.3 Questions about the Cleanup Process

1. *How far is this investigation going to go? What is EPA doing about this problem? When is EPA going to begin its cleanup?*

EPA is planning to sample soils at 1,268 properties in Fairmont, Collegeville and Harriman Park. We will also collect samples from Five-Mile Creek. We are conducting a pilot air toxics study in these neighborhoods, as well as in North Birmingham. EPA will be in a better position to make decisions on future actions after collecting and evaluating these data.

2. *How many meetings must residents attend before changes are made in the community?*

EPA conducts outreach activities to keep the community informed about ongoing and planned activities and to provide an opportunity for the community to participate in the process. We are also interested in exploring options to better serve the community. Having meetings and mailing flyers is a vital way for EPA to keep you informed and to get your input.

3. *Take the millions of dollars being spent to take up the dirt and do this study and redirect it to help the people of the community. Put a facility out here where we can go and be tested. Get the results from people and not from machines.*

EPA is cleaning up the environment to provide a healthier environment for residents. The JCDH has sponsored health screenings in the area, including blood pressure, blood sugar and lung function testing. EPA is working with the community leaders in developing a community coalition that will address ways to improve the quality of life for the residents.

4. *How will EPA address the mineral wool piles (along F.L. Shuttlesworth Drive in Harriman Park) and the release of that dust into our neighborhoods?*

EPA and Walter Coke are negotiating a new cleanup order. The new order will focus on studying conditions inside the fence line and cleaning up pollution. EPA is aware of the public’s complaints about releases from the facility. The negotiations will include the issue of addressing releases (including coal dust) from the facility into neighborhoods. EPA is researching technical and legal issues about this matter.

3.4 Questions about Air Quality

1. *Where can the community go to get information on air quality?*

Air quality information for some “criteria pollutants” (see Question 6, Section 3.2) is posted by the JCDH at <http://www.jcdh.org/EH/AnR/AnR03.aspx> every workday. This website compares the highest value found for each of the pollutants against EPA’s national standards.

“Air toxics” are another category of air pollutant. They include over 180 chemicals such as benzene, asbestos and cadmium. Air toxics, also known as hazardous air pollutants, are known or suspected to cause cancer or other serious health effects. There are no national standards for air toxics.

Instead, EPA has set standards that limit emissions of air toxics from many types of sources. Air toxics are not measured on a daily basis, but have been measured in special studies in Birmingham

and are being monitored in the ongoing North Birmingham Community Pilot Air Toxics Initiative. Results of recent monitoring studies can be found as follows:

- 2005–2006 Birmingham Air Toxics Study Final Report: <http://www.epa.gov/region4/air/airtoxic/2005-2006-Birmingham-Air-Toxics-Study-Final-Report.pdf>
- 2009 School Air Toxics Monitoring Study: <http://www.epa.gov/schoolair>

The data being collected by the North Birmingham Community Pilot Air Toxics Initiative will be released with a community risk assessment at the conclusion of the study. The risk assessment is expected in late 2012. It will address air toxics in Collegeville, Fairmont, Harriman Park and North Birmingham. For more information on this study, call Barbara Newman of the Jefferson County Department of Health at 205-930-1254, or Donnette Sturdivant at EPA at 404-562-9431.

2. *Where does EPA collect the air samples for the North Birmingham Community Pilot Air Toxics Initiative?*

EPA is collecting air samples at four locations:

- The Hudson K-Eight School in Collegeville
- The Riggins School in Fairmont
- Across F.L. Shuttlesworth Drive from Walter Coke in Harriman Park
- Lewis Elementary School in North Birmingham

3. *Have any samples come back from the North Birmingham Community Pilot Air Toxics Initiative? Are they above comparison criteria?*

EPA has analyzed most of the samples from the monitoring. Five chemicals in a few samples were above their long-term screening levels. The long-term screening level is the level that could cause health effects after a person is exposed for a very long time. Of these five chemicals, benzene also exceeded its short-term screening level twice. The short-term screening level is the level that could cause health effects after a person is exposed for a short time. We won't know the potential health risk until we have conducted the risk assessment based on all the data.

4. *When will EPA release the risk assessment for the North Birmingham Community Pilot Air Toxics Initiative?*

EPA completed the air toxics monitoring in late summer 2012. We will release the risk assessment in late 2012.

5. *Why are you doing more studies? We know there is a problem.*

Current air sampling is needed because over the last several years a number of changes have reduced emissions of air toxics in the North Birmingham area. For example, a new national rule went into effect regulating the pushing, quenching and battery stacks at coke plants. Another national rule applying to coke plants was updated. National rules limiting emissions from gas stations and auto body shops went into effect. Federal rules requiring cleaner fuel went into effect, resulting in greatly reduced emissions from diesel engines, such as those used in trucks and construction equipment. The JCDH required more emission controls at some facilities. Other facilities voluntarily reduced the emissions allowed by their permits. Additionally, during the recession, some facilities shut down permanently.

Because of these changes, it is important to measure the current levels of air toxics around North Birmingham to determine whether current levels pose a health risk. The year-long North



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Birmingham Community Pilot Air Toxics Initiative completed air sampling at four locations in summer 2012. EPA will conduct a risk assessment based on these data. EPA will provide the risk assessment to the communities in late 2012.

6. *Would EPA's soil removal affect the samples for the air testing? Would the soil removal make the air study inadequate?*

Air monitors will record more dust when soil removal is occurring. Although such a measurement would be accurate, it would not represent the area's normal air quality. These measurements are usually excluded during the analysis of data for an air study.

7. *Will EPA be conducting any more air monitoring in my community?*

EPA will be conducting some air monitoring during our investigation of the soil contamination in your community. The purpose of the sampling will be to improve our understanding of what affects the air quality in each community.

8. *Can the City take over air monitoring from Jefferson County?*

EPA put the JCDH in charge of local Clean Air Act programs. Therefore, JCDH carries out all the Clean Air Act programs in Jefferson County. EPA made sure JCDH has the infrastructure, expertise and personnel it needs. EPA also regularly reviews JCDH's work to make sure the program is being properly run.

9. *Are the companies' permits and air testing results public? How do we locate them?*

The JCDH can provide information about permits and air monitoring. Contact Barbara Newman at 205-930-1254.

10. *Has EPA determined the distance the pollution has traveled [air deposition]?*

EPA has just started (October 2012) with the first three areas adjacent to the Site so the extent that contamination has travelled has not been fully determined. Some modeling has been done to assist with determining the extent of contamination and we will investigate further.

3.5 Questions about Soil Cleanup

1. *What areas are EPA testing?*

EPA will be testing the same area that was sampled in 2009, with an emphasis on being complete. We may sample more areas later, if the data show that more sampling is needed. We plan to sample all properties in our study area (see Page 11 for a map showing the study area).

2. *Will EPA collect samples inside my home?*

EPA does not currently plan to collect samples inside homes. We are focused on determining the location and source of the contamination.

3. *How will EPA test yards?*

Using a hand tool, EPA will dig small holes in the front and back yards of each home and remove a small amount of the soil. EPA will collect separate samples from gardens, play areas and drainage pathways. Depending on the size of the property, EPA will collect composite or grab samples. Grab samples are collected from one location. Composite samples are samples from multiple

locations that are mixed, combined to form one sample, and then mixed again to ensure that the composite samples represent the specified area. After mixing, the samples will be placed in a laboratory certified clean sample container then shipped to the laboratory for analysis. The sampling results will be available in about 60 days after the sampling was completed.

4. *Where does the contaminated dirt go after it is taken from my yard?*

The contaminated material is taken to the soil staging area at the old Carver High School and is further sampled before being disposed of at an approved landfill. Once the material is resampled, it is hauled away and taken to the Jefferson County Landfill #1 in Gardendale, Alabama, which is about a 20-minute drive from Collegeville. All trucks, whether they are hauling in clean soil or taking out contaminated soil are covered to prevent soil from spreading or spilling onto roadways.

5. *Will EPA release all of the data to the public?*

Yes, after we review the data to make sure they are accurate. You will be able to find the data at <http://epa.gov/northbhamproject>. EPA will also send a letter to each household explaining the findings and what they mean.

6. *If EPA's testing reveals contamination, what is the next step?*

EPA will evaluate the sampling data based on cleanup goals and take appropriate action should it be warranted. Usually, the appropriate action is to remove contaminated soil and replace it with clean soil.

7. *How are cleanup goals determined?*

We will set cleanup goals that reduce the health risk to a certain acceptable level.

8. *If EPA finds that my property needs to be cleaned up, how soon will that happen?*

After EPA completes sampling, we will determine the proper course to clean your property. This may involve negotiations with the parties responsible for the pollution.

9. *Community members are concerned that digging up part of a yard will not effectively clean up the community. The community wants a better understanding of the sampling process and how it is complete and effective.*

As a part of EPA's community involvement efforts, we will conduct several workshops for the community. One of the workshops, "Community 101: An Overview of the Superfund Program," will give the community an overview of EPA's Superfund, community involvement and environmental justice programs.

10. *Are the locations where new soil is being put in above health standards?*

These areas had high levels of arsenic or PAHs (polycyclic aromatic hydrocarbons). We removed contaminated soil to a depth of 1 foot from residential yards and to a depth of 2 feet in gardens and play areas. We replaced all of the removed soil with clean soil. At the Hudson and Riggins schools, we removed soil to a depth of 2 feet. All replacement soil was tested for contamination before it was used.



11. *Where is the website that has the map of Walter Coke showing areas to be cleaned up, as well as the report for the 2009 residential sampling event?*

You can get these and other documents at http://www.epa.gov/region4/foia/readingroom/rcra_community/walter.html.

12. *I received a letter from an attorney stating I should contact them before allowing EPA to sample my property. If I am involved in a lawsuit, should I allow EPA to sample my property?*

EPA is not associated with any lawsuits. If EPA asks to sample your property, it is because we need that information to know if there is a health concern. If you don't provide access, you will slow down the investigation and you might be exposing your family to a harmful situation. The process required to gain access is long and costly. Your cooperation will save time and money. More importantly, your cooperation will help EPA protect your health.

3.6 Questions about Water Quality

1. *How clean is the water in Five-Mile Creek?*

The ADEM has water quality standards for over 120 pollutants. The water quality standards for a body of water depend on how the water is used. ADEM classifies Five-Mile Creek as "fish and wildlife." EPA conducted its initial sampling in Five-Mile Creek in April 2012. There were elevated levels of PAHs and arsenic downstream of Walter Coke. However, EPA has not completed its assessment and plans to conduct further testing later in 2012.

2. *Is Walter Coke meeting its water permit requirements?*

EPA is currently investigating whether the facility is meeting all of the water permit requirements.

3.7 Questions about Community Involvement

1. *The community needs more explanation of the EPA process in "plain language."*

EPA aims to provide information in plain language. If you have questions, or need us to clarify an EPA document, please call EPA's contact person for that document. We will keep the community informed about our activities. Our community involvement coordinator is Stephanie Y. Brown. You can reach her by email at brown.stephaniey@epa.gov, by telephone at 877-718-3752 (toll-free) or 205-326-8640 (local).

2. *Below are comments about communicating with the community:*

- If the government agencies notify only the community leaders, then other community members may not be able to provide information.
- If the community does not know about the public hearings, their opinions cannot be heard.
- There is a community website to put the public notices on.
- Buy bigger ads in the newspaper. They will be more noticeable.
- Advertise in all media outlets.
- The City used to send out notifications about events in the community. Why has that stopped?
- Send emails and/or postcards to notify the community about public hearings.
- Some community members do not prefer a breakout session format for meetings. They prefer that the different EPA divisions and agencies address the entire audience.

3.8 Questions about NPL Listing

1. *What is the National Priorities List?*

The NPL is a list of serious uncontrolled or abandoned hazardous waste sites identified for investigation and possible long-term cleanup under Superfund. The list serves as an information and management tool for the Superfund cleanup process as required under the Superfund law. The NPL is intended primarily to guide EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a site. The EPA is required by law to update the NPL at least once a year (EPA is currently updating the NPL two times a year). Placing a site on the NPL does not assign liability to any party or to the owner of any specific property; nor does it mean that any cleanup action will necessarily be taken.

2. *How are sites listed on the NPL?*

There are three ways a site is eligible for the NPL:

Scores at least 28.50: A site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (HRS), which is a mathematical formula that serves as a screening device to evaluate a site's threat to human health or the environment. As a matter of EPA policy, those sites that score 28.50 or greater on the HRS are eligible for inclusion on the NPL. This is the most common way a site becomes eligible for the NPL. The 35th Avenue site scored a 50 on the HRS.

State Pick: Each state and territory may designate one top-priority site regardless of score.

ATSDR Health Advisory: The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Department of Health and Human Services issues a health advisory that recommends removing people from the site and the EPA determines that the release poses a significant threat to public health.

3. *What happens to sites on the NPL?*

The NPL listing allows the EPA to access additional public funding to clean up a site if the EPA cannot find a viable responsible party to pay for the work. This is in addition to the money that the EPA is spending on the removal actions. Listing a site on the NPL signals the start of the long-term Superfund investigation and cleanup process at a site, known as the **Remedial Process**. A site remains on the NPL until all cleanup is completed and cleanup goals have been achieved. A site can be deleted from the NPL after all cleanup goals are met.

4. *How many NPL sites are there and where can I find more information on the NPL?*

To date, the EPA has proposed 1,755 sites to the NPL. Of those, 383 have been deleted from the NPL. You may obtain additional information on the NPL, including a list of the sites and updated information by visiting: www.epa.gov/superfund/sites/npl/

5. *How do I review the information that the EPA used to support the NPL listing?*

Materials compiled by the EPA to propose the 35th Avenue site to the NPL can be obtained in several ways:

1. www.regulations.gov

Under "enter key word or id" type in **EPA-HQ-SFUND-2014-0623**, which is the docket number for the 35th Avenue site.



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Hit “search” to see all documents

2. Contact the Region 4 NPL Coordinator, Jennifer Wendel, whose contact information is on the last page, to have an electronic copy mailed to you (the materials are too extensive to print). You may also make an appointment to view hard copies of the EPA records at the Regional office in Atlanta (address on the last page).

6. *What happens after the public comment period is closed?*

The EPA will compile all comments received and prepare a response to those comments. This support document must be completed before the site is made final on the NPL. This usually occurs the next time the NPL is updated, and in this case would be the spring of 2015. However, if EPA receives significant comments the finalization of the site may be delayed to allow the EPA time to prepare a response.

7. *How might my community benefit from being on the NPL?*

Listing a site on the NPL allows EPA to access additional resources to support community involvement in the Superfund process. These include formation of a Community Advisory Group (CAG) and providing Technical Assistance Grants (TAG), which help communities hire trained professionals to interpret the EPA technical documents. The EPA has also introduced the Superfund Job Training Initiative (SuperJTI), which encourages the employment of trainees at local Superfund cleanups. Finally, through the Superfund Redevelopment Initiative, the EPA partners with communities to return Superfund sites to productive reuse.

8. *When will the next phase, the long-term Remedial process, start at the site?*

The EPA is already planning the next phase of investigation work for the 35th Avenue site. Additional community meetings and fact sheets are planned for the near future to discuss the Remedial process and outline a timeline for Remedial activities.

EPA will continue to track the questions and concerns that are provided in order to ensure the Agency is capturing the needs of the community throughout the project.

4.0 COMMUNITY INVOLVEMENT PROGRAM GOALS AND ACTIVITIES

When establishing the objectives for a site-specific community involvement program, several factors are considered, including federal requirements that assess the nature and extent of known or perceived site contaminants and known community concerns and requests.

To be effective, the community involvement program must be designed to meet the community's need to know, give information in a timely manner and accommodate the community's interests and its willingness to participate in decision-making processes. Information must be provided in language the public can understand.

To meet the needs of the community; to respond to information obtained during discussions with residents and information gathered at various meetings since January 2012; and to meet federal requirements; the following objectives have been established for community involvement efforts:

- ***Enlist the support and involvement of local officials and community leaders.***
- ***Regularly monitor community interest in the Site and respond accordingly.***
- ***Keep the community well informed of ongoing and planned Site activities using a variety of communication tools.***
- ***Provide follow-up explanations about technical Site activities and findings in plain language.***
- ***Provide opportunities for public input on key decisions.***

EPA has implemented, or will implement, the activities described below to meaningfully and actively engage the community in decisions regarding the cleanup of the Site. These activities are intended to provide opportunities for communication between the community and EPA and address key concerns and questions raised.

One EPA Approach. The EPA is engaged in a coordinated approach to evaluate the environmental conditions and potential environmental impacts, in certain areas of the North Birmingham, Fairmont, Collegeville, and Harriman Park neighborhoods, as well as portions of Five-Mile Creek and Harriman Park ditch, located in and around Birmingham, Jefferson County, Alabama. This coordinated effort, which includes air, water and waste issues, is known as the **Northern Birmingham Environmental Collaboration Project**. Led by the Superfund Division, the collaborative includes representatives from all regional media programs including, Resource Conservation and Recovery Act (RCRA), Superfund (SF), Air, Water, Environmental Justice and National Environmental Policy Act (NEPA) Programs. The Agency plans to characterize and assess environmental concerns in the northern Birmingham communities and continue to provide environmental education opportunities to help community members understand the risks associated with exposure to identified pollutants in the area, as well as the regulations governing them. As part of this process, EPA will provide periodic updates on all media activities to include a number of public meetings focusing on the community's environmental issues.

Maintain Point of Contact. EPA has designated points of contact for the project (see Appendix A). Contact information will be updated as necessary and will be provided on all written and electronic information. The community will be notified of any contact information changes.

Establish a Toll-Free Number For Residents To Ask Questions And Receive Information. Residents can call 877-718-3752 as questions or concerns arise, rather than waiting for a public meeting or to receive written information. EPA publishes this general toll-free number periodically in local



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newspaper advertisements and includes the toll-free number on the EPA website, in all fact sheets and other EPA communications with the public. The Outreach Office local number is 205-326-8640.

Maintain Communication with Local Officials, Agencies and Community Residents. EPA attends neighborhood association meetings and provides updates on Site activities, as well as answers questions from residents. An Outreach Office was opened in October 2012 to give residents and other community members a place to come to ask questions and get updates (see Appendix B for location and hours). EPA meets regularly with local officials from the City of Birmingham and will continue to maintain communication with them throughout the Superfund cleanup process.

Update and Maintain the Site Mailing List. A mailing list of local residents, organizations, businesses and officials has been established for the Site. This list is used for mailing fact sheets, site updates, invitations to public meetings and events and other site-related information to the community. The list will be updated regularly to reflect address changes, changes in elected officials, and to add new people interested in Site activities. An email list will also be established for people wanting to receive information through e-mail and regular updates will be provided as appropriate.

The Site mailing list is used to ensure that those that do not have access to the Internet or other information sources still have a way to receive Site information (via the U.S. Postal Service) and be notified about important meetings. If a community member is interested in being placed on the email or mailing list they can contact the current CIC, Stephanie Y. Brown (see Appendix A for contact information).

EPA will continue to use the local neighborhood associations, churches and robo-calls to distribute information to residents as these have been successful ways of communicating information to the residents. When the Community Coalition is active, EPA will use this organization as a means of getting information out to the community as well.

Prepare and Distribute Fact Sheets, Newsletters and Site Updates. Fact sheets, newsletters, and Site updates summarizing current information about the Site and describing upcoming activities may be prepared and distributed to those on the Site mailing and email lists. These documents are written in non-technical language and are typically prepared to coincide with important Site activities.

EPA uses these types of documents to provide the community with detailed information in a relatively quick, simple and easy-to-understand manner. In addition to being distributed to individuals on the email or mailing lists, fact sheets and Site updates are also placed in the information repository.

Establish and Maintain a Site-Specific Information Repository. EPA has set up local information repositories at the Harriman Park Recreation Center located at 4347 F.L. Shuttlesworth Drive, Birmingham and at the North Birmingham Public Library located at 2501 31st Avenue North, Birmingham. Documents include fact sheets, technical reports, the CIP, general Superfund information, and other documents. New documents about the Site will be added as they become available. Information repositories provide residents with local access to Site information in forms that can be easily read and photocopied for future use.

Establish and Maintain the Administrative Record. Copies of the Administrative Record for the Site can be found at Harriman Park Recreation Center located at 4347 F.L. Shuttlesworth Drive, Birmingham and at the North Birmingham Public Library located at 2501 31st Avenue North, Birmingham. EPA will update the Administrative Record as necessary. The Administrative Record provides residents with all documents EPA uses and considers to make decisions about the Superfund Site cleanup.

Conduct Public Meetings and Information Sessions. Public meetings and information sessions are typically held to communicate information and to solicit questions and input from the community. The purpose of the meeting or session should dictate the forum and frequency. The achievement of



certain project milestones or discovery of new information may warrant a more formal public meeting with presentations of technical information by EPA personnel. During ongoing Site work, less formal information sessions may be needed to keep the community informed of Site progress, answer resident questions about ongoing work, and obtain information about the resident perceptions and concerns. EPA will also continue to attend monthly neighborhood association meetings in Collegeville, Fairmont and Harriman Park to update and inform community members of site activities.

Develop and Distribute News Releases and Public Notices. EPA will prepare and release announcements to local newspapers and television media such as the The Birmingham Times and CBS Channel 42 to provide information about events such as opportunities for public input, significant Site investigation findings, completion of major milestones, important scheduling information, and other pertinent Site-related information.

News releases allow EPA to reach large audiences quickly. News releases and public notices are typically published to announce major events such as comment periods, public meetings, and major milestones such as the selection of a cleanup plan. Copies of the news releases and public notices will also be available in the Information Repository and on the EPA website.

EPA also uses robo-call outreach when it needs to get information to community members quickly and effectively.

Solicit Community Input During Public Comment Periods. EPA will hold public comment periods to give community members an opportunity to review and comment on key decisions. Before a final cleanup plan is selected for the Site, a public comment period will be held to allow interested residents an opportunity to review and comment on its proposed plan. EPA will consider the community's input before selecting a final cleanup plan.

Evaluate Community Involvement and Outreach Efforts and Make Adjustments as Necessary. This CIP was designed to consider Site- and community-specific factors as well as to comply with federal requirements. Community concerns, the objectives of the community involvement program for the Site, and specific activities to address these concerns in this CIP were based to a large extent on information obtained during discussions and meetings with local residents and officials. EPA recognizes that changes in areas such as community perceptions, information needs, and population demographics can occur over time and that such changes may necessitate a revised approach to conducting community involvement activities. For this reason, as well as to determine whether the activities described in this CIP are achieving their intended objectives, periodic reviews will be done to determine whether additional activities are warranted or whether changes to current methods of implementing the activities outlined in this CIP are necessary.

Site Specific Website and Social Media Connections. EPA has developed an internet website that provides community members with on-demand access to information (i.e., 7 days a week and 24 hours a day). The website has been established at www2.epa.gov/north-birmingham-project/. The website includes address and contact information for EPA local and regional office and staff, background information on the Site, notice of all public meetings/availability sessions with dates, location, time and topics, archives of EPA press releases, technical reports and updated schedules of EPA activities and progress. The website also provides links to regional Facebook and Twitter accounts as well as a "contact us" email link where messages are sent directly to the site CIC. In order for the website to be an effective tool for informing the community of EPA activities, the site content must be reliable, informative, easy to find, and up to date. EPA will notify the web developer of necessary updates, and efforts.

Table 4.1 on the next page provides a list of community involvement activities and the status of the activities from the EPA community action plan developed in October 2012. Where appropriate, comments or other information is provided for each of the activities.



Table 4.1 Status Summary for Community Involvement Activities

Community Involvement Activities	Status	Notes
Establish and Maintain Point of Contact	Completed	See Appendix A
Establish a Toll-Free Number for Residents To Ask Questions and Receive Information	Completed; publish on written materials	877-718-3752
Local Number in Outreach Office	Completed; publish on written materials	205-326-8640
Maintain Communication with Local Officials, Agencies, and Community Residents	Ongoing as needed	
Update and Maintain Site Mailing and Email Lists	Completed; update as needed	
Prepare and Distribute Fact Sheets, Newsletters, and Site Updates	Ongoing as needed	
Establish and Maintain a Site-Specific Information Repository	Completed; audits of the information repository will be performed, at minimum, every three to five years or as needed.	See Appendix B for locations
Establish and Maintain the Administrative Record	Completed; update as needed	See Appendix B for location
Provide Site and Superfund information on the Internet	Completed; update as needed	www2.epa.gov/north-birmingham-project/ www.epa.gov/region4/superfund/
Conduct Public Meetings and Information Sessions	Ongoing as needed	Public meetings and informational sessions have been held; EPA attends neighborhood neighborhood association meetings to provide updates to the community
Develop and Distribute News Releases	Ongoing as needed	
Solicit Community Input During Public Comment Periods	When proposed cleanup plan is completed	
Evaluate Community Involvement and Outreach Efforts and Make Adjustments to the CIP as Necessary	Periodically throughout the cleanup process (at least every three years)	



5.0 ENVIRONMENTAL JUSTICE

EPA defines environmental justice as **fair treatment** and **meaningful involvement** of all people--regardless of race, color, national origin or income -- with respect to development, implementation and enforcement of environmental laws, regulations and policies.

Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, or commercial operations, or the execution of federal, state, local and tribal programs and policies.

Meaningful involvement means that potentially affected community residents have an appropriate opportunity to participate in decision-making about a proposed activity that will affect their environment and/or health.

The Environmental Justice Act of 1992 obligates federal agencies to make environmental justice part of their overall mission by “identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Following this order, the Office of Environmental Equity within EPA became the Office of Environmental Justice. EPA’s Office of Environmental Justice ensures that all people, regardless of race, color, national origin, or income, enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process for a healthy living, learning, and work environment. Ensuring environmental justice means not only protecting human health and the environment for everyone, but also ensuring that all people are treated fairly and are given the opportunity to participate meaningfully in the development, implementation and enforcement of environmental laws, regulations and policies.

When making decisions about a cleanup and planning its community involvement initiative for a community, environmental justice issues must be taken into account. As part of this effort, EPA will improve collaboration between federal and state agencies and representatives from the city of Birmingham, neighborhood associations, religious groups and concerned residents, and address environmental challenges in more effective, efficient and sustainable ways.

Federal Interagency Working Group on Environmental Justice (EJ IWG)

The Regional **Federal Interagency Working Group on Environmental Justice (EJ IWG)** was convened to bring federal support and technical assistance to the myriad of needs facing the City of Birmingham and the citizens in the area that makeup the North Birmingham Environmental Collaboration Project. The EJIWG was held on August 4, 2014 at the Vulcan Park and Museum, Birmingham, Alabama with a focus to work with other federal agencies to assist with revitalization efforts towards making a visible difference in the communities impacted by potential environmental concerns, blight and degradation. The meeting included representatives from the communities, Congresswoman Sewell, Mayor William A. Bell, Sr. and Councilor William Parker, along with other City of Birmingham officials, ADEM, ALDOT and Federal Agency heads and their staff. Federal agencies in attendance included HUD, COE, DOT, DOL DOJ, HRSA, HHS, ATSDR and EDA.

EPA considers North Birmingham an environmental justice community, which means it is a community that historically is an under-represented minority and low-income area burdened with significant environmental challenges.



6.0 WHAT IS SUPERFUND?

Superfund is an environmental cleanup program enabled by a federal law enacted in 1980 known as the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA. In 1986, another law, the Superfund Amendments and Reauthorization Act (SARA), reauthorized CERCLA to continue Superfund cleanup activities. The CERCLA law gives EPA the authority to require those parties responsible for creating hazardous waste sites to clean those sites up or to reimburse the government if EPA cleans up the site. EPA requires responsible parties to clean up hazardous waste sites through administrative orders, consent decrees and other legal settlements. EPA is authorized to enforce the Superfund laws in all 50 states and in U.S. territories. Superfund site identification, monitoring, and response activities are coordinated with state, tribal and territorial environmental protection or waste management agencies.

The Superfund program encourages active dialogue between communities affected by the release of hazardous substances and all of the agencies responsible for carrying out or overseeing cleanup actions. EPA follows a step-by-step process to determine the best way to clean up a polluted site and protect human health and the environment. EPA considers community involvement to be an important part of the Superfund program and opportunities for community involvement occur throughout the process. Figure 2 on the next page outlines the stages of the Superfund process and highlights opportunities for community involvement at each step of the process.



EPA will conduct activities at the Site in accordance with CERCLA.

If the site poses an immediate threat to public health or the environment, EPA can intervene with an emergency response action. In October 2012, staff from EPA's Superfund Emergency Response and Removal Program began overseeing the activities concerning the 35th Avenue Superfund site. The Access Period began in October 2012 and formally concluded in May 2013, though EPA will still accept access agreements. Sampling activities began in November 2012 and were finished in June 2013. Based on sampling results, approximately 52 properties were identified as having contamination at levels greater than 10 times EPA's removal cleanup levels. In February 2013, EPA began cleaning up these yards. This first phase was completed in August 2014. The second phase of cleanups by the removal program continued in August 2014. This phase will clean up additional properties with soil contamination exceeding the EPA removal management levels and where children or pregnant women are present.

EPA's Emergency Response and Removal Program is to protect the public and the environment from immediate threats posed by the release or discharge of hazardous substances. In this case, that involved removing contaminated soil from properties with contamination levels above EPA's RMLs. These removal activities were the first steps in stopping the potential for exposure to contaminants that posed risks to people and the environment.

Visit these EPA websites for more information on the Superfund process.

Superfund

www.epa.gov/superfund

Cleanup Process:

www.epa.gov/superfund/cleanup/index.htm

Community Involvement

www.epa.gov/superfund/community/index.htm

6.0 WHAT IS SUPERFUND?

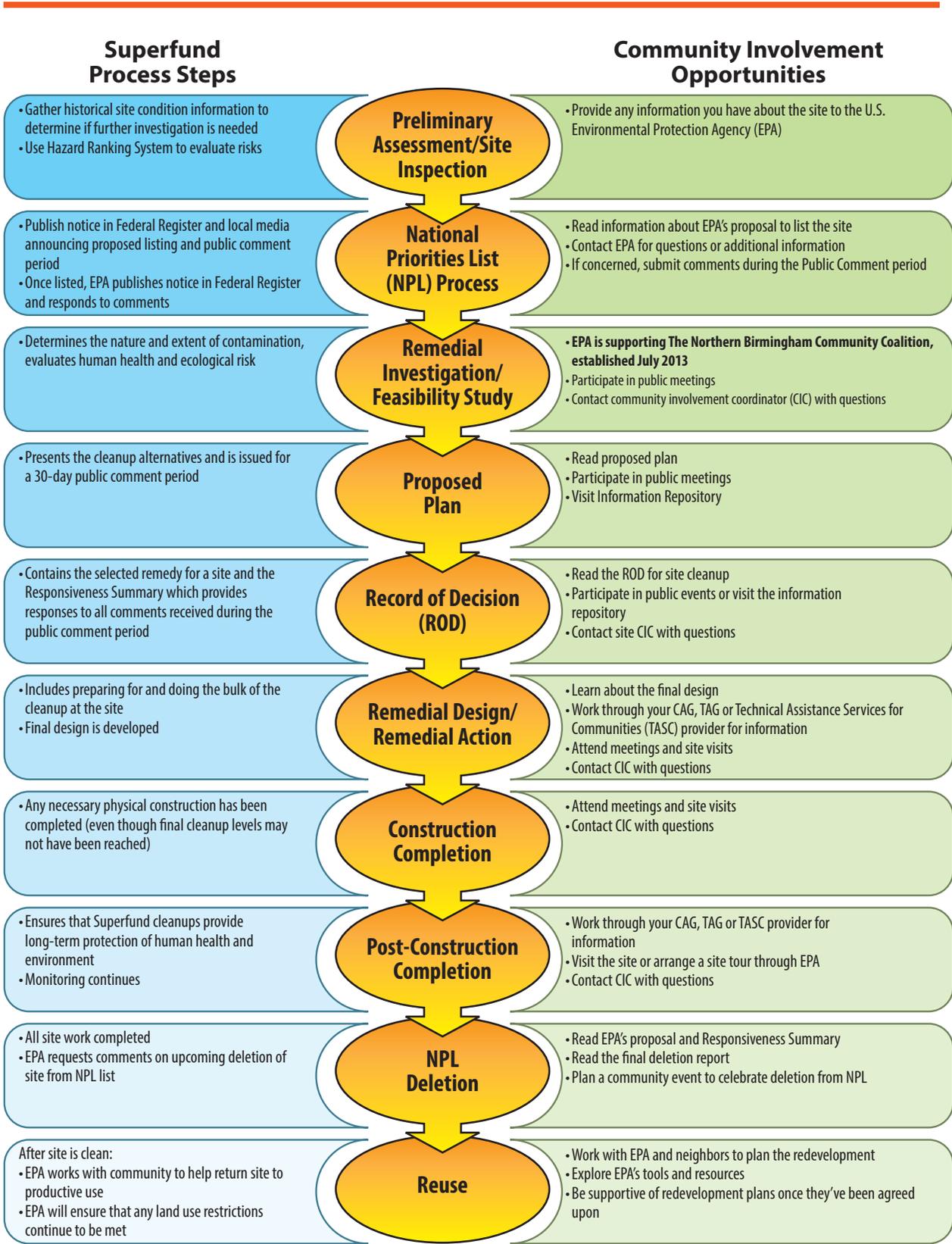


Figure 2 – Community Involvement Opportunities During the Superfund Process



7.0 SITE DESCRIPTION

This section provides the location, description and background of the 35th Avenue Superfund site and summarizes the investigation and cleanup activities conducted to date at the Site.

7.1 Site Location and Description



Photo taken from the Harriman Park Recreation Center showing the Walter Coke facility (in the background on the left).

The Site is comprised of parts of the Collegeville, Fairmont and Harriman Park neighborhoods, Five-Mile Creek and Harriman Park Creek, located in North Birmingham, Jefferson County, Alabama (see Figure 1 on page 11). Industrial facilities surround the communities that comprise the Site. The Walter Coke facility, located at 3500 35th Avenue N, Birmingham, is situated at the center of the neighborhoods that make up the Site. To the south of the Walter Coke facility is the Collegeville Neighborhood; to the east is the Harriman Park Neighborhood; and to the west is the Fairmont Neighborhood. Five-Mile Creek runs along the

northern edge of the Walter Coke property and receives runoff from the facility. In addition, Harriman Park Creek runs through Harriman Park and receives runoff from the former chemical plant area of the Walter Coke facility. There are or have been other coke manufacturing facilities, foundries, chemical plants, and other industrial facilities in the area that also may be responsible for releases of hazardous substance that are impacting residential properties.

7.2 Site Background

In a report dated March 17, 2011, the Superfund Technical Services Section determined that a time-critical removal action was warranted to address potential human health risks in the communities within the Site. Elevated levels of benzo(a)pyrene (BaP) and arsenic are present at the Site and are classified as carcinogenic materials. The communities surrounding the facility are classified as EJ Communities. Aerial deposition of ash from stacks at the plant is a reoccurring event that continues to impact the surrounding communities. A full characterization of the extent of the BaP deposition needs to be conducted in the surrounding communities as the 2009 sampling only addressed a limited number of properties surrounding the facility.

Other concerns are the historical deposition of the materials that may have migrated offsite through storm channels and into Five-Mile Creek and Harriman Park ditch, both of which cut through residential areas. Coal tar has been found in Five-Mile Creek and arsenic in Harriman Park ditch.

Analytical results reveal that elevated BaP and arsenic levels are present at or near the surface creating a potential for migration to off-site locations. A major source of the migration of the hazardous materials is via wind deposition. The surrounding community will continue to experience deposition

from the plant unless controls are put in place. The Jefferson County Health Department is conducting air monitoring at the fence line of the facility and continues to detect arsenic, benzene, and BaP in samples. EPA Air Toxics and Monitoring Branch in conjunction with Jefferson County has been collecting data from a recent study began in the spring of 2011 and found benzene, total chromium, lead, and manganese about long-term chronic human health screening levels.

RCRA referred the Site data to Superfund for consideration under the Removal Program. Alabama Department of Environmental Management (ADEM) is knowledgeable about the Site and is aware of the on-going enforcement efforts by RCRA.

7.3 Site Investigations and Cleanup Activities

RCRA Activities

Under an agreement between EPA and Walter Coke, Walter Coke sampled several residential properties and schools in the summer of 2009 and again in 2010. Based on the sampling results, 52,000 cubic feet of contaminated soil were removed and replaced with clean soil at the Hudson K-8 School on June 8, 2011.

Superfund Activities



Soil being mixed before being put in sampling jars.

In late 2010/early 2011, EPA conducted a study in the area and determined that a removal assessment was warranted to address potential human health risks in the communities within the Site. Analytical results revealed that elevated benzo(a)pyrene (BaP) and arsenic levels were present at or near the surface creating a potential for migration to off-Site locations. Historically, the drainage from the Walter Coke property flowed through open channels directly to Five-Mile Creek. There is also a drainage pathway from the former chemical plant that eventually empties into Harriman Park Creek. Both Five-Mile and Harriman Park creek cut through residential areas. Coal tar has been found in Five-Mile and Harriman Park creeks. EPA collected: (1) surface soil from residential

properties; (2) sediment and surface water in distinct drainage pathways located on residential properties, as deemed appropriate by the On-Scene Coordinator; and (3) surface soil, sediment, and surface water on the Walter Coke property and in and along the banks and drainage areas within the Site boundaries.

From November 2012 until June 2013, EPA collected samples including: (1) surface soil from residential properties and churches; (2) sediment and surface water in distinct drainage pathways located on residential properties, as deemed appropriate by EPA; and (3) surface soil, sediment, and surface water on the WC property and (4) in and along the banks and drainage areas of the ditch that flows through Harriman Park. The samples were analyzed for semi-volatile organic compounds that include polycyclic aromatic hydrocarbons, or PAHs and metals. A limited number of samples were also analyzed for PCBs. All samples were collected and analyzed in accordance with an EPA-developed quality



Field team taking soil sample from property.



assurance project plan. Over 1,188 properties have been sampled. Currently there are more than 2,000 properties in the Site study area (see Figure 1 on Page 11). From February through August 2013, sampling results were mailed to property owners and tenants as the results were received from the laboratory.

Residents were encouraged to contact EPA if they had questions about the results. Overall, approximately 400 properties contain concentrations of various contaminants higher than EPA's Removal Management Levels (RMLs). RMLs are levels of concern or values used by EPA to help determine if any future removal actions may be needed. A determination that a sample result is higher than a RML by itself does not imply that an adverse health effects will occur.

In response to concerns from residents about possible contamination in their vegetable gardens, in June 2013, EPA collected several types of vegetables from six gardens in the neighborhoods and submitted them to an EPA laboratory for analysis.

In mid-September 2013, EPA conducted additional soil sampling in 20 yards within the communities using a direct push technology (DPT) drill rig. The DPT drill rig allowed EPA to collect soil columns from 1 to 10 feet below ground surface to help determine if soils were native to the area or potentially brought in as fill. Visual evidence indicates that in most cases, the top 12 inches or so of soil were probably brought onto the properties as fill dirt. Under the top 12-inch layer appeared to be native clays that do not appear to be affected by local industrial activity.

After sampling results were reviewed, EPA determined that approximately 400 properties contain concentrations of various contaminants higher than the EPA's Removal Management Levels (RMLs). Of these properties, approximately 52 have the highest concentrations of contamination (over 10 times the RML) and EPA is currently cleaning up these properties under a removal action.

Between January and July 2014, EPA visited property owners where the highest contamination was found to discuss cleanup process at their properties. EPA explained what area(s) of their property would be cleaned up and how the cleanup would occur. This first phase of the removal action was completed in August, with all properties but three being cleaned up (three property owners refused cleanup). The second phase in the removal effort continued in August as EPA prioritized the next set of properties to be cleaned up by concentrating on properties where children are present. There are about 40 properties in this group and EPA is currently meeting with property owners and cleaning up the properties. This phase is expected to be completed at the end of this year or beginning of 2015. Also, EPA is developing a plan to address the remaining contaminated properties.



EPA meets with property owner to discuss cleanup of her property.

EPA has set up a "command post" and soil staging area at the old Carver High School. Clean soil being used for backfill is stockpiled on one side of the school building and contaminated material removed during cleanup activities is stockpiled on the other side for further sampling before final disposal at an approved landfill. During the first week of May, approximately 2,000 cubic yards of contaminated material was hauled away and taken to the Jefferson County Landfill #1 in Gardendale,



Soil stored on site is covered with a tarp to prevent dust from blowing.

Alabama, which is about a 20-minute drive from Collegeville. It took approximately 100 tri-axle dump trucks to remove this material. All trucks, whether they are hauling in clean soil or taking out contaminated soil, are covered to prevent soil from spreading or spilling onto roadways.

EPA plans to haul away the contaminated soil on a weekly basis, provided enough contaminated soil is generated. The weekly schedule is to minimize the amount of contaminated soil stored at the old Carver High School. For safe management of the contaminated soil, the load-out area at Carver is graveled to prevent soil from being tracked

onto roadways. Also, the removal contractor applies water to the soil, as needed, to keep it moist and reduce the release of dust into the air. EPA has air monitoring stations both upwind and downwind and so far dust levels have been very low. The stock pile that is stored at Carver is covered with a tarp when not in use. This protection also manages the release of any dust into the air.

Enforcement Activities

On September 20, 2013, EPA mailed letters to potentially responsible parties (PRPs) notifying them of the sampling results and the planned removal action, as well as their potential liability at the Site. These letters offered all identified PRPs an opportunity to (1) conduct a time-critical removal at approximately 50 residences that exceed the higher risk levels and where children are present, (2) to conduct the cleanup at the additional identified properties with higher contamination levels, and (3) meet with EPA to discuss the Agency's Site management plan. The letters also included a list of the PRPs identified at this time for the 35th Avenue Site. EPA will discuss respective responsibilities with each of the PRPs.

Other Activity

EPA discovered high lead contamination on the ball field at Maclin Park during sampling in the Collegeville community. It is believed that the lead contamination originated from a separate source and is not related to the local industrial activities. EPA immediately notified the Birmingham Parks & Recreation Department. Birmingham quickly hired an environmental consultant to excavate the lead-contaminated soil and prepare it for disposal.





APPENDIX A

SITE CONTACTS

The following is a listing of the contact information for the 35th Avenue Superfund Site. The information is current as of September 2014.

U.S. EPA Region 4 Project Contacts	
Region 4 Headquarters EPA Region 4 Superfund Division 61 Forsyth Street, SW Atlanta, GA 30303-8960	Local EPA Outreach Office 1820 7 th Avenue North Suite 100 Birmingham, AL 35203-2217 205-326-8640
Stephanie Y. Brown 404-562-8450 877-718-3752 brown.stephanieY@epamail.epa.gov	Rick Jardine 404-562-8764 jardine.richard@epa.gov
Greg Harper 404-562-8322 harper.greg@epa.gov	Keriema Newman 404-562-8859 newman.keriema@epa.gov
Subash Patel 404-562-9217 patel.subash@epa.gov	
Alabama Department of Environmental Management	
Birmingham Field Office 110 Vulcan Road Birmingham, AL 35209 205-942-6168 www.adem.state.al.us/default.cnt	
Federal Elected Officials	
Senator Jeff Sessions III 1800 5th Avenue North 341 Vance Federal Building Birmingham, AL 35203 -2171 205-731-1500 326 Russell Senate Office Building Washington, DC 20510 202-224-4124 http://www.sessions.senate.gov/public/index.cfm?FuseAction=ConstituentServices.ContactMe	Senator Richard Shelby 1800 5th Avenue North 321 Federal Building Birmingham, AL 35203 205-731-1384 304 Russell Senate Office Building Washington, DC 20510 202-224-5744 http://shelby.senate.gov/public/index.cfm?p=EmailSenatorShelby
Representative Terri A. Sewell Two 20th Street North, Suite 1130 Birmingham, AL 35203 205-254-1960 1133 Longworth HOB Washington, DC 20515 202-225-2665 http://sewell.house.gov/	



State Elected Officials	
<p>Governor Robert Bentley Office of the Governor 600 Dexter Avenue Montgomery, AL 36130 601-359-3150 info@governor.alabama.gov</p>	<p>State Senator Linda Coleman, District 20 926 Chinchona Drive Birmingham, Alabama 35214 205-798-1045</p> <p>Capitol Address Room 735 State House 11 South Union Street Montgomery, Alabama 36130 334-242-7864 www.senatorlindacoleman.com/</p>
<p>State Representative Mary Moore, District 59 1622 36th Avenue, North Birmingham, AL 35207 205-322-0254</p> <p>Capitol Address Room 539-D 11 South Union Street Montgomery, AL 36130 334-242-7608 www.legislature.state.al.us/house/representatives/housebios/hd059.html</p>	
Local Officials	
<p>Jefferson County Department of Health 1400 Sixth Avenue South Birmingham, AL 35233 205-933-9110 http://www.jcdh.org/</p> <p>Barbara Newman 205-930-1254</p>	
<p>City of Birmingham 710 N. 20th Street Birmingham, AL 35203 205-254-2283 www.informationbirmingham.com/</p> <p>William A. Bell, Sr. Mayor</p>	

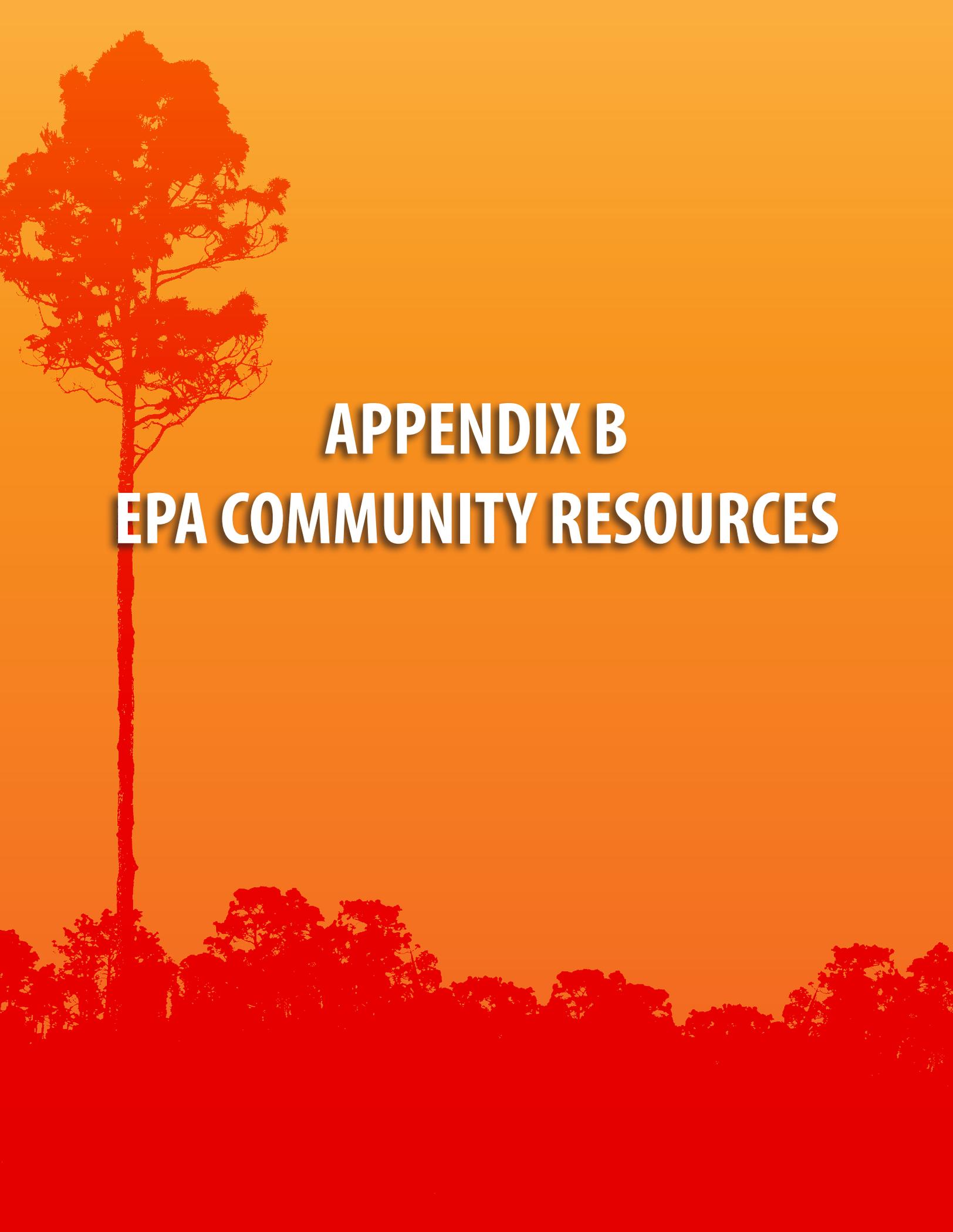


Council Members 205-254-2294 www.birminghamalcitycouncil.org	
<p>Lashunda Scales, District 1 205-254-2349 lashunda.scales@birminghamal.gov</p> <p>Kim Rafferty District 2 205-254-2038 kim.rafferty@birminghamal.gov</p> <p>Valerie Abbott, District 3 205-254-2355 valerie.abbott@birminghamal.gov</p> <p>William Parker, District 4 <i>(Councilor for neighborhoods impacted by EPA activities)</i> 205-254-2464 william.parker@birminghamal.gov</p> <p>Johnathan Austin, District 5 205-254-2679 johnathan.Austin@birminghamal.gov</p>	<p>Sheila Tyson, District 6 205-254-2358 sheila.tyson@birminghamal.gov</p> <p>Jay Roberson, District 7 205-254-2418 jay.roberson@birminghamal.gov</p> <p>Steven Hoyt, District 8 205-254-2304 steven.hoyt@birminghamal.gov</p> <p>Marcus Lundy, District 9 205-254-2302 marcus.lundy@birminghamal.gov</p>
Neighborhood Associations	
<p>Collegeville Neighborhood Association Meeting Dates and Location: First Monday of every month 6:30 p.m. Trinity Christian Episcopal Church 3013 F.L. Shuttlesworth Drive President: Vivian Stark 205-841-6502</p> <p>Fairmont Neighborhood Association Meeting Dates and Location: First Tuesday of each month 6:00 p.m. Northside Church of God 2873 41st Avenue North President: Ronald Mitchell 205-478-6575</p> <p>Housing Authority of the Birmingham District Central Office 1826 3rd Avenue, South Birmingham, Alabama 35255 (205) 324-0641</p>	<p>Harriman Park Neighborhood Association Meeting Dates and Location: Fourth Thursday of every month 6:30 p.m. Harriman Park Recreational Center 4345 F.L. Shuttlesworth Drive President: Jones Monday 205-849-7715</p> <p>North Birmingham Neighborhood Association Meeting Dates and Location: Second Monday of each month 6:30 p.m. North Birmingham Library 2501 31st Avenue North President; Sandra Brown 205-251-1840</p>



Newspapers	
<p>The Birmingham Times 115 3rd W Avenue Birmingham, AL 35204 205-251-5158 www.birminghamtimesonline.com</p>	
Television Stations	
<p>CBS-42, CBS affiliate, Channel 42 2075 Golden Crest Drive Birmingham, AL 205-322-4200 www.cbs42.com/default.aspx</p>	<p>WBRC-TV, Fox affiliate, Channel 6 1720 Valley View Drive Birmingham, AL 35201 205-322-6666 www.myfoxal.com</p>
<p>WVTM-TV, NBC affiliate, Channel 13 1732 Valley View Drive Birmingham, AL 35209 205-933-1313 www.alabamas13.com/</p>	<p>ABC 33/40, ABC affiliate, Channel 40 PO Box 360039 Birmingham, AL 35236 205-403-3340 www.cbs42.com/default.aspx</p>
Radio Stations	
<p>WAGG 610 AM CMG Birmingham 2700 Corporate Dr., Suite 115 Birmingham, AL 35252 205-322-2987 www.610wagg.com/</p>	<p>WBHJ 95.7 FM CMG Birmingham 2700 Corporate Dr., Suite 115 Birmingham, AL 35252 205-322-2987 www.957jamz.com/</p>
<p>WATV 900 AM PO Box 3206 Tupelo, MS 38803 205-780-2014 www.900goldwatv.com/</p>	<p>WBHK 98.7 FM CMG Birmingham 2700 Corporate Dr., Suite 115 Birmingham, AL 35252 205-322-2987 www.987kiss.com/</p>
<p>WJLD 1400 AM PO Box 19123 Birmingham, AL 35219 205-942-1776 http://www.wjldfm.com/</p>	<p>WENN 102.1 FM CMG Birmingham 2700 Corporate Dr., Suite 115 Birmingham, AL 35252 205-322-2987 www.power1021.com/</p>





APPENDIX B

EPA COMMUNITY RESOURCES

35th Avenue Superfund Site

The information below provides the locations of facilities designated for public review of all Site documents, possible locations to host meetings and vendor information for audio visual needs and equipment rental.

EPA Community Outreach Office

1820 7th Avenue North, Suite 100
 Birmingham, AL 35203
 205-326-8640



The EPA Outreach Office is located in the Legal Services Building.

Information Repositories and Administrative Record



Harriman Park Recreation Center
 4345 F.L. Shuttlesworth Dr.
 Birmingham, AL 35207



North Birmingham Public Library
 2501 31st Avenue North
 Birmingham, AL 35207

EPA Project Website

<http://epa.gov/northbhamproject>



Meeting Locations



Hudson K-8 School
3300 F.L. Shuttlesworth Dr.
Birmingham, AL 35207
205-231-3000

Harriman Park Recreation Center
4345 F.L. Shuttlesworth Dr.
Birmingham, AL 35207
205-841-6939

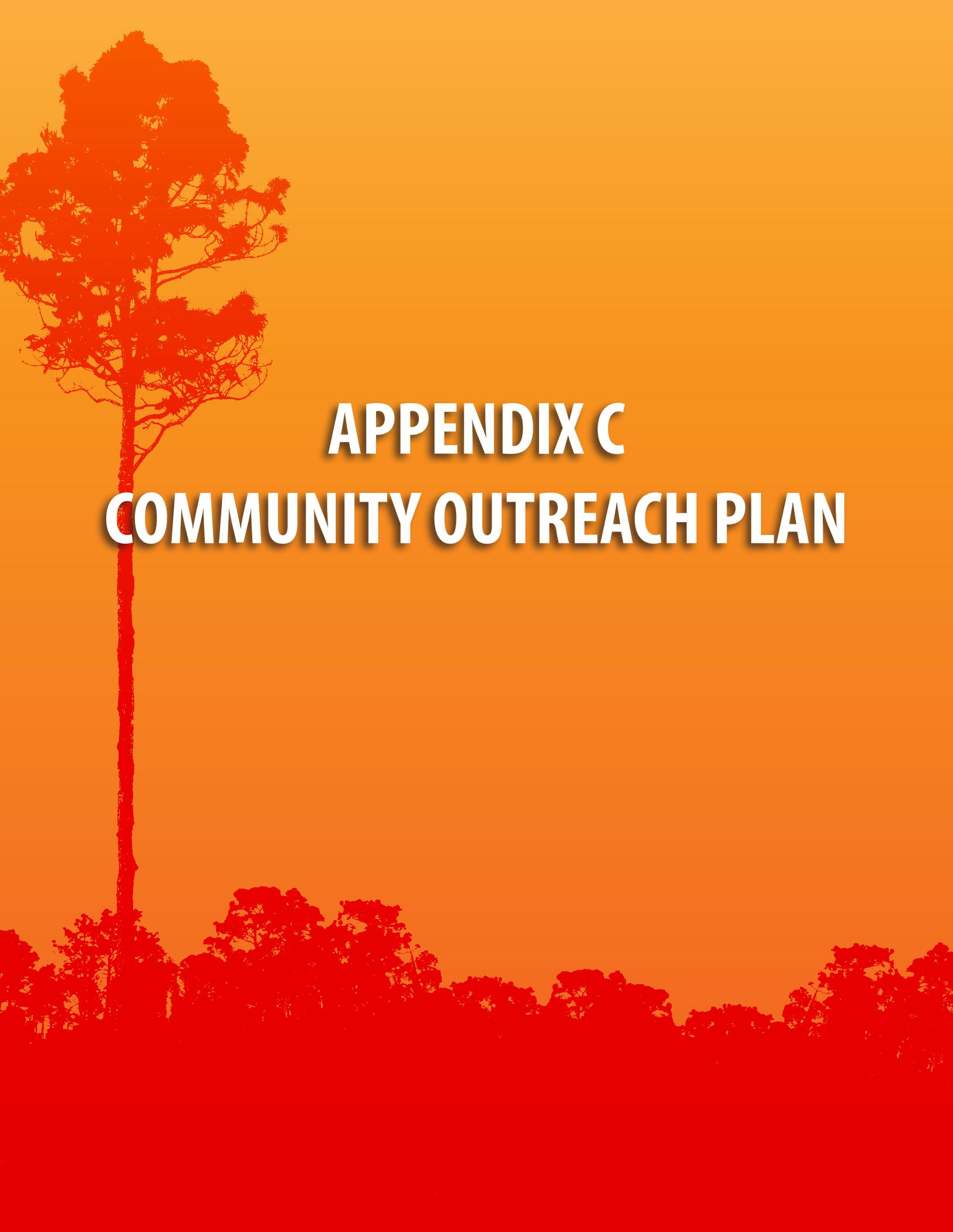
Vendor Support for Meetings

Vulcan Audio Visual LLC
2616 3rd Avenue South, Suite B
Birmingham, AL 35233
James Thorn
205-323-6935
thornsound@gmail.com

Event Rentals Unlimited
201 Distribution Drive
Birmingham, AL 35209
Peggy Lee
205-545-9500
plee@erulld.com

AABCO Rents
2612 7th Avenue South
Birmingham, AL 35233
205-252-9858





APPENDIX C

COMMUNITY OUTREACH PLAN

Community Outreach Plan

35th Avenue Superfund Site

October 2012



This document presents the Community Outreach Plan for the 35th Avenue Superfund Site
Ninety Day (90) Access Period in Birmingham, Alabama.



1.0 INTRODUCTION

This document presents the Community Outreach Plan for the 35th Avenue Superfund Site (Site), in Birmingham, Alabama. The Site is comprised of the North Birmingham, Fairmont, Collegeville, and Harriman Park neighborhoods, Five-Mile Creek, and Harriman Park Creek, located in northern Birmingham, Jefferson County, Alabama. Industrial facilities surround the communities that comprise the Site. The Harriman Park, Collegeville and Fairmont communities surround the Walter Coke (WC) facility, which is located at 3500 35th Ave N in Birmingham, Alabama. The WC facility is situated at the center of the neighborhoods that make up the Site. To the south of the WC facility is the Collegeville Neighborhood; to the east is the Harriman Park Neighborhood; and to the west is the Fairmont Neighborhood. Five Mile Creek runs along the northern edge of the WC property and receives the runoff from the facility. In addition, the Harriman Park Creek runs through Harriman Park and receives runoff from the former chemical plant area of the WC facility. There are or have been other coke manufacturing facilities, foundries, chemical plants and other industrial facilities in the area that also may be responsible for releases of hazardous substance that are impacting residential properties.

The purpose of the plan is to supplement the forthcoming Community Involvement Plan by providing specific implementation details for the community outreach component of the Residential Soil Sampling and future Cleanup activities.

1.1 Definitions

The Outreach Plan defines a number of terms that are used in this plan. The definitions of those terms are as follows:

Residential Properties: properties containing single and multi-family dwellings, apartment complexes, vacant lots in areas zoned residential by local authorities, schools, churches, day-care centers, community centers, playgrounds, and parks, but not Undeveloped Vacant Lots.

Community Outreach Period: a period of 90 consecutive days, commencing on a date determined by EPA during efforts to identify Residential Properties at the Site.

Sampling: sampling and analysis consistent with the procedures set forth in the Sampling plan.

1.2 35th Avenue Site Sampling

EPA will collect and analyze: (1) surface soil from Residential Properties; (2) sediment and surface water in any distinct drainage pathway located on Residential Properties, as deemed appropriate by the OSC; and (3) surface soil, sediment, and surface water on the Walter Property and in and along the banks and drainage areas of the 34th Street North Ditch, for PAHs and target analyte list (“TAL”) metals concentrations, as well as for semi-volatile organic compounds (“SVOCs”) on ten percent (10%) of collected samples, in accordance with the Sampling and Analysis Plan (SAP). In addition to assessing surface soil, sediments, and surface water for



concentrations of SVOCs, a BaP TEQ shall be calculated from the concentrations of the seven carcinogenic PAH (“cPAH”) compounds.

1.3 Community Outreach

This plan describes the approach that EPA will use to implement community outreach, in support of the Residential Soil Sampling. Community outreach will inform residents about the sampling and provide information on how they can have their property sampled.

The Community Outreach Period starts on October 15, 2012 and ends on December 14, 2012. Several different approaches will be used to provide information to the community about the outreach activities related to the Site. The combination of these various approaches will provide all owners and tenants within the Site with readily available access to information about the Site and the Sampling.

2.0 COMMUNITY OUTREACH PERIOD

The primary purpose of the Community Outreach Period is to inform property owners and tenants whose property has been identified for sampling an opportunity to sign and return access agreements for Sampling of that property. The start date for the Community Outreach Period is October 15, 2012. The 90-day Community Outreach Period will include the following activities:

- Establishment of a Telephone information line (“hotline”), email address, and informational website;
- Radio and newspaper announcements, distribution of flyers, and public meetings/availability sessions within the first 60 days.

This section describes these requirements in greater detail and explains how they will be implemented during the Community Outreach Period.

Community outreach efforts will include the establishment of a website, local office, email access, and telephone information hotline. Sections 2.1 through 2.3 describe how EPA will operate and implement these elements of the community outreach during the Community Outreach Period. After the Community Outreach Period, EPA will continue to maintain and operate the website, office, phone lines, and email access in a similar manner to the extent that EPA believes that they provide an effective means of obtaining access agreements (described in Section 4) or communicating EPA’s progress and other information to the community.

2.1 Website

An internet website will provide community members with on-demand access to information (i.e., 7 days a week and 24 hours a day). The website has already been established at <http://epa.gov/northbhamproject/>.

At a minimum, the website will include:

- Address and contact information for the EPA local and regional office and staff
- Background information regarding the Site
- Notice of all public meetings/availability sessions with date, location, time and topics
- Description of the EPA Sampling process
- Archive of EPA press releases regarding the Site
- Archive of EPA Site technical reports
- Updated schedule of EPA activities and progress.

In order for the website to be an effective tool for informing the community of EPA activities, the site content must be reliable, informative, easy to find, and up to date. EPA community outreach staff will notify the web developer of necessary updates, and efforts.

2.2 Local Office, Telephone and Email

The EPA has established a temporary Community Outreach Office that is currently located at 1820 7th Avenue North, Suite 100, Birmingham, AL. Normal business hours have been set to facilitate the community outreach action. Hours are 9:00 a.m. to 4:30 p.m. Monday through Thursday and 9:00 a.m. to 2:00 p.m. Friday.:

During the Community Outreach Period, EPA community outreach staff will attempt to respond to all inquiries, questions, and comments sent via phone, email, or fax to the office. Voice mail, fax, and email messages will be generally checked every business day. All such inquiries will be recorded in a communication log maintained at the EPA office and the EPA responses will also be tracked using the Community Outreach Database (Section 8.0). EPA will generally respond within one business day and will always respond within five business days provided that the caller/sender includes their contact information. Frequently asked questions (FAQs), and their responses, may also be included on the EPA website. Information repositories will be established at three locations, including the local EPA office. The other two information repositories will be at the: (1) Harriman Park Recreation Center located at 4347 F.L. Shuttlesworth Drive, Birmingham and (2) the North Birmingham Public Library located at 2501 31st Avenue North, Birmingham. EPA will provide a copy of community outreach materials and EPA-approved documents to the information repositories for review by the community. New materials will be included within one month of their availability.

2.3 Telephone Hotline

A telephone “hotline”, with both local **205-326-8640** and toll-free number **877-718-3752**, has been established. These telephone numbers will be included in EPA outreach materials,



including newspaper advertisements and radio announcements. The hotline is staffed during the normal business hours of the local EPA office. At other times, calls to the hotline are answered by a recorded message, and callers may leave voice messages for the office staff. Incoming calls, including voice mail messages left by callers, will be recorded in a communication log.

During the Community Outreach Period the EPA will maintain more than one incoming line for their local and toll-free numbers. Voice mail messages will be checked and logged periodically throughout each business day. The office staff will also clear the voice mail box at the end of each business day.

2.4 Public Meetings/Availability Sessions

Two public meetings and three public availability sessions (neighborhood meetings) will be scheduled and held during the initial 60 days of the Community Outreach Period. The purpose of the first public meeting will be to (1) provide an explanation of EPA's sampling activities and; (2) solicit access to eligible Residential Properties for, Sampling (if applicable). The final public meeting will be held within 15 days of the close of the access period to solicit any remaining/outstanding access agreements. Three availability sessions will be held, one each in Colleville, Harriman Park and Fairmont during the outreach period.

EPA will prepare formal presentations with maps and other visual aids that allow the tenants and property owners to understand how their homes/properties fit into the activities planned by EPA. Involvement from other community leaders will be sought and community members will be encouraged to recruit others to attend on behalf of their community organizations (e.g., neighborhood associations, civic groups, and church representatives).

Each session will include a question/answer period. Property owners and tenants will also have an opportunity to complete access agreements for Sampling, as applicable. Access agreements for Sampling at a given property will require the signatures of owner and tenant, or their legal representatives.

2.5 Local Media Announcements

Local media will be used to announce the start of residential soil sampling actions within the Site and to inform property owners and tenants of the process for participating.

At the start of the Community Outreach Period, EPA will develop and then publish four (4), quarter-page newspaper announcements (with collaboration from Office of External Affairs). The announcements will be placed in a section of the newspaper that is widely read and readily viewed, and they will run once per week for a period of eight weeks. The announcements will also advise residents regarding ways to contact the EPA and provide EPA's telephone and fax



numbers and email address. The announcements will be published in a local newspaper widely read by residents at the Site.

At the same time, radio announcements will be prepared and placed on each of the following three local AM radio stations (WAGG AM 610, WATV AM 900, WJLD AM 1400) and the following four local FM radio station (WBHJ FM 95.7, WBHK FM 98.7, WENN FM 102.1, and WYGT FN 107.7). The announcements will run between the hours of 8 am and 9 pm. All of the announcement spots will run daily during the first 60 days of the Community Outreach Period. Each announcement will request property owners and tenants to provide signed access agreements during the outreach period. EPA's local and toll-free telephone numbers and email address will also be announced. The content of newspaper and radio announcements will be developed by EPA CIC and Office of External Affairs Staff prior to publication. Newspaper and radio announcements will run during the first 60 days of the Community Outreach Period.

2.6 Distribution of Informational Flyers

EPA will also distribute informational flyers to churches, libraries, and public meetings halls (e.g., municipal buildings, community and recreation centers) in the Collegeville, Fairmont, and Harriman Park communities. The informational flyers will explain EPA activities and solicit for signed access agreements. EPA will distribute these educational/informational materials during the first 60 days of the Community Outreach Period.

3.0 ACCESS AGREEMENTS

Prior to conducting Sampling an individual Residential Property, EPA will obtain an access agreement for Sampling, signed by the owner and tenant of the property or their legal representative. The access agreement (see Appendix A) grants EPA permission to sample the property and then report the data collected to the property owner and tenant. EPA will not schedule or perform Sampling at a given property until receiving a signed access agreement from the property owner and tenant (or their legal representative) for that property.

- Send initial mass mailing to tenants and owners in each community requesting access for Sampling.
- Make phone contact with those property owners/tenants who have not granted access within 15 days of mailing.
- If phone contact is successful, determine if the individual is going to mail the access agreement or if it is necessary to schedule and complete a property visit to obtain signed access agreements.
- If phone contact is not successful, make an unscheduled property visit to obtain a signed access agreement for Sampling. If needed, there may be two separate property-visit attempts for contacting owners and tenants in person.



- For properties where either the owner and tenant have not been successfully contacted by phone or in person or the owner and tenant has not granted access, EPA will send a final request to both for Sampling access via certified mail.

4.0 SCHEDULING WITH RESIDENTS

Once a resident or property owner has provided a signed access agreement, general information about the property will be gathered using a standard questionnaire (the questionnaire form that will be used is attached as Appendix B.) This information will typically be obtained by phone but may also be obtained in person during a property and/or office visit.

The purpose of the survey form is to collect information about the family and their residence while providing information about EPA's sampling activities. The information obtained through the phone survey will be used to prioritize properties for Sampling. The standard survey questionnaire requests the following information:

- Physical address of property and owner mailing address (if different)
- Ownership of dwelling and contact information for owner
- Telephone number(s) of resident
- Number and age of children residing at property
- Number of children under seven years old residing at or frequently visiting (visits 4 or more days per week) property
- Pregnant or nursing woman residing at property
- Any potential scheduling conflicts with residents
- Any special landscaping or other property features to be considered during either Sampling.

Sampling activities will be implemented in a manner that minimizes disruption and inconvenience at each residential property. EPA will generally schedule Sampling during normal business hours; however, these hours may be extended to later daylight hours if the tenant does not object. EPA will inquire whether the owner or tenant wants to be present during Sampling and accommodate such requests. Whenever possible, Sampling will be performed during a single visit, although the collection of soil samples will also be dependent on suitable weather conditions. Owners and tenants will be informed that none of the Sampling procedures cause any damage to structures or solid surface materials within the yard. Although Sampling may cause minimal disturbance of soil and vegetation over a very limited area, any sod or other soil covering will be replaced where samples have been collected. Residents will also receive specific instructions to secure pets and remove yard debris from the Sampling team. Other specific instructions may also be given depending on the conditions at an individual Residential Property.



5.0 COMMUNITY AWARENESS AND EDUCATION ACTIVITIES

Educational materials will be developed for several different target groups. The materials that will be developed in support of the project will include:

- Initial mailing for all property owners and tenants will include a “Fact Sheet” with background information about the Site and the residential soil Sampling activities.
- Supplemental information to assist in requesting access from property owners and tenants, such as an explanation of the time-frame (90 days) for returning access agreements.

6.0 COMMUNITY OUTREACH DATABASE

A Community Outreach Database will be developed and maintained to allow the EPA staff to track communications with property owners and tenants, log receipt of access agreements, document sampling, and track scheduled Sampling and reporting activities.

For each Residential Property, the relevant communications that will be logged using the Community Outreach Database are as follows:

- Date of initial mailing
- Date(s) of phone contact attempts and date(s) of successful phone contact
- Date(s) of site-visit attempts and date of successful site visit, certified mail date and date of delivery receipt
- Date signed access agreement received
- Scanned, signed access agreement
- Completion of phone survey
- Denial of access by owner (refusal)
- Inability to obtain access
- Request for Sampling (date and type of request)
- Individual requesting Sampling (including name, address, relationship to property and owner, date of request)
- Date Sampling notification provided to property owners and/or tenants
- Date of successful follow up phone contact after Sampling
- Date that sample-result report issued to property owners and/or tenants



APPENDIX A
ACCESS AGREEMENT PACKAGE
Informational Letter
Access Authorization Form
Frequently Asked Questions




U.S. ENVIRONMENTAL PROTECTION AGENCY

 REGION 4
 ATLANTA FEDERAL CENTER
 61 FORSYTH STREET
 ATLANTA, GEORGIA 30303-8960

URGENT LEGAL MATTER
PROMPT REPLY NECESSARY

 [Name]
 [Address]

 Re: Sampling and Cleanup Activities 35th Avenue Superfund Site, Birmingham, AL
 Property Located at (address) (Property)

Dear _____:

This letter is to provide you with information on upcoming environmental sampling planned for certain properties in Collegeville, Fairmont, and Harriman Park neighborhoods, and to ask that you grant the U.S. Environmental Protection Agency (EPA) with access to the Property at the above address to conduct sampling. To enable the EPA to conduct the sampling on the Property, the EPA requests that you sign the enclosed Access Agreement.

The EPA will collect soil and, where appropriate, sediment samples and/or surface water samples for laboratory analysis. This sampling will be performed at specified properties in the Collegeville, Fairmont, and Harriman Park neighborhoods and is being performed to determine whether soil, sediment, or surface water at these properties contains hazardous substances at levels of concern that may need further cleanup action.

All sampling will be conducted outdoors, so EPA we will not need to come indoors. This sampling will be at no cost to you (unless you wish to collect split samples, as is discussed in the enclosed Frequently Asked Questions (FAQs). After the samples are analyzed, the EPA will provide you with a written explanation of the laboratory results for the Property. Once the sampling is completed on all properties, the EPA will hold a meeting with the owners and tenants of the Properties sampled and discuss the sampling results.

To enable the EPA to sample the Property, you must sign the enclosed Access Agreement. Please return the signed Access Agreement using the enclosed, self-addressed stamped envelope within fifteen (15) days of the date of this letter. You may also hand deliver the signed Access Agreement to EPA's Community Outreach Office located at the address stated below during business hours between 9:00 a.m. and 4:30 p.m. Monday through Thursday and from 9:00 a.m. and 2:00 p.m. Friday. Your prompt response would be greatly appreciated.



Many questions that you may have about the sampling that will be conducted are discussed in the FAQs enclosed in this letter. You should read the FAQs carefully before signing the Access Agreement. Also, if you would like additional information about the sampling, including how the sampling will be performed, an Administrative Record has been established at the Harriman Park Recreation Center, located at 4347 F.L. Shuttlesworth Drive, Birmingham, Alabama 35207 and at the North Birmingham Branch Library located at 2501 31st Avenue North, Birmingham, Alabama 35207.

If you would prefer to speak with someone regarding this letter or have any additional questions, you may contact:

Stephanie Y. Brown, EPA Community Involvement Coordinator
Community Outreach Office:
1820 7th Avenue North, Suite 100
Birmingham, AL 35203
205-326-8640
Email: Brown.StephanieY@epa.gov

In addition, you are invited to visit EPA's local Community Outreach Office from 9:00 a.m. to 4:30 p.m. Monday through Thursday and from 9:00 a.m. and 2:00 p.m. Friday for more information.

Thank you for your attention to this important matter.

Sincerely,



Jeff Crowley
On-Scene Coordinator

Enclosures

FAQs

- ***Why is sampling being conducted?*** Prior EPA-approved sampling in the neighborhoods has shown that the potential exists for certain hazardous substances to be present in soils at elevated levels, possibly as a result of the century-long history of industrial operations and other activities in and around this area. Most pertinently, that prior sampling indicated that some (but not all) of the sampled properties had elevated levels of arsenic and/or certain polycyclic aromatic hydrocarbons (PAHs). The EPA has decided that further sampling is appropriate, and the EPA will collect soil and, where appropriate, sediment samples and/or surface water samples for laboratory analysis.
- ***How will the sampling be conducted?*** Sampling will be conducted by hand, with a small shovel, spoon, or hand auger. Only the top 4-6 inches of soil of your Property will be affected by the sampling, and samples will be taken at up to 15 locations throughout your Property. At each sampling location, we will only be collecting enough soil to fill several small jars. There may be some need to move items located in your yard to access sampling locations. The areas disturbed by the sampling will be restored to their pre-sampling state, to the maximum extent possible.
- ***How will I know when the samples have been collected from my Property?*** The EPA will provide a receipt to you or your representative or leave a receipt posted to your door if you are not home to let you know that samples have been collected on your Property. You may also call, email, or come in to the local Community Outreach Office (address on the next page) and talk with staff.
- ***How will I know if my Property needs to be cleaned up?*** The EPA will contact you in writing with an explanation of the laboratory results and schedule a meeting with all Property owners and tenants.
- The EPA will notify you of the results of the sampling and if cleanup activities are needed on your property, you will be given an opportunity to sign a separate access agreement for the cleanup to be performed.
- ***If I sign this access agreement but later change my mind, what can I do?*** You may contact the EPA, at either the phone number or email address provided to you in this letter, and explain that you would like to revoke access.
- ***What if I am not the owner of the Property or do not reside at the Property?*** If you are a tenant, the EPA will also seek permission from the Property Owner. If you rent the Property to others but do not live there, the tenant's permission may also be requested, particularly if the Property is a single family residence.



- ***What are split samples? Can I get split samples?*** An owner or occupant may, but is under no obligation to, collect what are known as “split samples” at the time that sampling is conducted. A split sample is created by dividing the soils or other materials that have been collected, properly preparing them, and providing you or your representative a portion. Obtaining a split sample would allow a person to obtain a chemical analysis (in addition to the analysis that will be obtained by the EPA) from a separate laboratory. If you decide that you want a split sample, you will be solely responsible for having appropriate containers available at the time that sampling is scheduled, for arranging any laboratory analysis you may wish to have conducted, and to arrange any other technical advice on handling the split sample, at your own expense. The EPA will be collecting split samples on a percentage of the collected samples to verify the accuracy of the data. If you want to collect split samples, you must indicate that on the enclosed Access Agreement by checking the “box” on the Access Agreement in paragraph 4, and providing the telephone number where you can be contacted regarding the date and time when your Property will be sampled. You or your representative must be present on the date and at the time that the sampling will occur in order to obtain the split sample. Sampling will not be delayed if you or your representative is not present and prepared to take the Split Sample.
- ***Are there procedures for properly handling split samples?*** Yes, there are handling requirements that must be followed to obtain valid results. Laboratories require a number of technical and record-keeping procedures, including, but not limited to, using appropriate sterilized containers, proper handling (including for example keeping samples at specified temperatures), and observing holding time limitations. There are also appropriate laboratory methods that must be followed. It is important to understand that the EPA cannot provide you any specific advice or direction on these procedures and cannot guarantee the accuracy or validity of any results you may obtain from any split sample, and in fact may dispute the validity of any such results. You may contact a laboratory for technical advice. A copy of the Sampling and Analysis Plan can be found in the Administrative Record, located at the Harriman Park Recreation Center, located at 4347 F.L Shuttlesworth Drive, Birmingham, Alabama 35207 and at the North Birmingham Branch Library located at 2501 31st Avenue North, Birmingham, Alabama 35207.
- ***Am I required to take split samples?*** No. You are under no obligation to collect split samples. By signing the Access Agreement and allowing the EPA to sample the Property, you automatically will receive the results of the sampling performed on the Property, free of charge to you. However, if you decide that you would like to take split samples, that sampling will be at your own expense.

What if I have questions? You may contact any of the representatives identified in the letter. Property owners can also call EPA’s Community Outreach Office at 205-326-8640 or visit us at 1870 7th Avenue North, Suite 100, Birmingham, AL 35203 from 9:00 a.m. to 4:30 p.m. Monday through Thursday and from 9:00 a.m. to 2:00 p.m. Friday.





ACCESS AUTHORIZATION FOR 35th AVENUE SUPERFUND SITE
JEFFERSON, COUNTY, ALABAMA

1. I, _____, am the owner or tenant of the Property and as such I have the authority to sign this authorization.
2. I **__ grant or __ deny authorization** to the United States Environmental Protection Agency (EPA), its officers, employees, contractors, and other authorized representatives to enter the property located at:

_____ Property Address

(The "Property"). This authorization allows the EPA, its officers, employees, contractors, and other authorized representatives to have access to the Property to conduct sampling. The EPA's sampling activities at the Property will include, but not be limited to, the following:

- a. collecting soil, surficial water, and/or air samples as may be determined to be necessary;
- b. performing confirmation soil, water, and/or air sampling; and
- c. taking photographs of the Property;
- d. transporting equipment onto and about the Property as necessary to accomplish the above activities; and
- e. restoring areas disturbed by the sampling activities to their pre-sampling state to the maximum extent practicable; and

I __ grant or __ deny authorization to the EPA, its officers, employees, contractors, and other authorized representatives, to have access to the Property to conduct cleanup activities. The EPA's cleanup activities at the Property may include, but not be limited to, the following:

- a. removing contaminated soil, sediment, and/or surface water;
- b. performing confirmation sampling and treating or disposing of soil, sediment, and/or surface water;
- c. transporting equipment onto and about the Property as necessary to accomplish the above activities;
- d. taking photographs of the property; and
- e. restoring areas disturbed by the cleanup to their pre-cleanup state to the maximum extent practicable.

I understand that if soil removal is determined to be appropriate and if I have granted authorization for such work, a portion of my yard may be marked off and will be inaccessible during the soil removal, for the period of time needed to undertake and complete the removal and restoration work.



- 3. The consent for access and use granted herein will commence upon date of owner/tenant signature and will continue through the performance of all activities for which access is granted. I understand that the anticipated timeframe for completion sampling may exceed 12 months and that the anticipated timeframe for completion of sampling and cleanup combined may exceed 24 months.

- 4. I have been informed that I may request to obtain a portion of each sample taken on the Property (Split Sample). If I request to take a Split Sample, I agree to the following:
 - i. I am solely responsible for obtaining the appropriate sampling bottle for the Split Sample, contacting a laboratory to analyze the Split Sample, and for all costs associated with obtaining and analyzing the Split Sample. I understand that a description of how the sampling will be performed is in the "Sampling Methodology Summary" that is available to the public at the Harriman Park Recreation Center, 4347 F.L. Shuttlesworth Drive, Birmingham, AL 35207.

 - ii. I will receive notification of the date and time Sampling Activities will occur on the Property. If I am not or my representative is not present at this date and time to take the Split Sample, I forfeit the opportunity to do so.

By initialing here _____, I request to obtain a Split Sample. Contact me at the following telephone number (____) _____ or email address at _____, regarding the date and time on which samples will be collected on the Property.

- 5. I realize that these actions by the EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. & 9601 et seq., as amended.

Date _____, 2013

Printed Name of Owner: _____

Signature: _____

Mailing Address: _____

Phone Number: _____

Or (if applicable)

Date _____, 2013

Printed Name of Tenant: _____

Signature: _____

Mailing Address: _____

Phone Number: _____



APPENDIX B
COMMUNICATIONS FORMS
Access Verification Form
Record of Communication Form



Access Agreements Verification Form

Date reviewed:	
Review completed by:	
Is the address in the database?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, is the address in the sampling area? (Check on map)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are access boxes checked?*	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is information on back completed?*	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is Split Sample section completed?	<input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, see follow-up procedure below)
Write name of neighborhood on top right corner of access agreement.	

*If answers to these questions are No; you will need to contact person on the access agreement for follow-up information.

Follow-Up Contact Information

Date of follow-up:	
Follow-up completed by:	
Name of person contacted:	
Phone number of person contacted:	
Split Sample Follow-up: Verify that they understand that if they want a split sample, it will be their responsibility to get it to an appropriate lab and at their expense. If they change their mind, just put an XX through that section.	
Do you live at the property address?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a renter at the property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Inform owner/renter that an access agreement from both renter and owner is needed)	
If yes, renter name and contact information:	

Comments/Notes:





RECORD OF COMMUNICATION

GENERAL		
Completed by	Date:	Property ID No.
PROPERTY INFORMATION <input type="checkbox"/> TENANT		
Last Name	First	
Street Address		Apartment/Unit #
City Birmingham	State AL	ZIP
Home Phone	Mobile Phone	
E-mail address		
Does property owner reside at this property? YES <input type="checkbox"/> NO <input type="checkbox"/> If no, complete owner mailing information below.		
OWNER MAILING INFORMATION		
Last Name	First	
Street Address		Apartment/Unit #
City	State	ZIP
Phone	E-mail Address	
IS OWNER REPRESENTED BY ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/> FIRM:		
SURVEY INFORMATION		
1.	Number of residents in household.	
2.	Are there children living in house? YES <input type="checkbox"/> NO <input type="checkbox"/> Ages:	
3.	Number of children under 7 years old residing at or frequently visiting property (visits 4 or more days per week): ___ NONE <input type="checkbox"/>	
4.	Are there pregnant or nursing women residing at property? YES <input type="checkbox"/> NO <input type="checkbox"/>	
5.	Are there any pets? YES <input type="checkbox"/> NO <input type="checkbox"/> TYPE:	
6.	Any special landscaping or other property features to be considered during sampling?	
SAMPLING SCHEDULE		
Date	Time	
Confirmed appointment with:		Phone
Split sampling? YES <input type="checkbox"/> NO <input type="checkbox"/>	Explained split sampling procedure? YES <input type="checkbox"/> NO <input type="checkbox"/>	
COMMENTS/NOTES:		



COMMUNITY INVOLVEMENT TIMELINE

Activities	Due Date (on or before)	Status/Comments
<ul style="list-style-type: none"> • First Public Meeting 	10/1/2012	
<ul style="list-style-type: none"> • Monthly Meetings with Homeowners Association (HOAs) and Community Action Panel (CAP) 	October, November, December January <i>(Dates to be determined based on dates of HOA and CAP regularly scheduled meetings)</i>	<ul style="list-style-type: none"> ○ Fairmont- 10/2/2012 ○ Collegeville- 10/8/2012 ○ Harriman- 10/11/2012
<ul style="list-style-type: none"> • Access Period (90 days) 	10/15/2012 – 1/15/2013	
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Harriman Park. • Hold small group informational meeting with Harriman Park HOA to discuss/explain access. 	Week of 10/15/2012	
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Fairmont. • Hold small group informational meeting with Fairmont HOA to discuss/explain access. 	Week of 10/15/2012	
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Collegeville neighborhood. • Hold small group informational meeting with College Park HOA to discuss/explain access. 	Week of 10/15/2012	
<ul style="list-style-type: none"> • Begin Door to Door Outreach in all Neighborhoods 	10/29/2012 - 12/7/2012	
<ul style="list-style-type: none"> • Sampling Begins (6 months) <ul style="list-style-type: none"> ○ Harriman Park ○ Fairmont ○ Collegeville 	11/1/2012 - 4/30/2013	
<ul style="list-style-type: none"> • 2nd Public Meeting 	11/19/2012	
<ul style="list-style-type: none"> • 3rd Public Meeting 	12/17/2012	
<ul style="list-style-type: none"> • Letters to property owners regarding data (60 days after sampling activities) 	1/1/2013 – 6/30/2013	

Project Contact Information

Community Involvement Coordinator

Stephanie Y. Brown
 U.S. EPA Region 4 Office of Superfund
 61 Forsyth Street, SW
 Atlanta, GA 30303-8960
Brown.StephanieY@epamail.epa.gov
 (404) 562-8450 or (877) 718-3752

Community Outreach Office

1820 7th Avenue North
 Birmingham, AL 35203
 Phone: (205) 326-8640



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APPENDIX D
COMMUNITY QUESTIONS
AND COMMENTS

October 2012 Public Meeting

On October 1, 2012, EPA held a public meeting at the Hudson K-8 School. A summary of the meeting and questions from residents is provided below.

In Attendance

- 202 people signed in; approximately 250 in attendance
- CBS TV
- Agency Personnel
- Contractor Support

Overview. The meeting began at 6 p.m. and was held at the Hudson K-8 School. Sheryl Good, EPA Region 4 Office of Environmental Justice was the moderator for the evening. After the presentations by Alan Farmer, Resource Conservation and Recovery Act (RCRA) Division Director and Franklin Hill, Superfund Division Director, there was a question and answer (Q&A) period. Three stations were set up in the room, one for each neighborhood (Fairmont, Harriman Park, and Collegeville). Following the Q&A session, EPA invited the attendees to check in at their appropriate neighborhood station to see if their property was in the study area.

- Alan Farmer provided an overview of the RCRA Division's involvement with the Walter Coke facility and the new RCRA Order (on-site activities).
- Franklin Hill provided an overview of the Superfund Division's involvement and the plan for upcoming activities off site.
- Mr. Hill gave the community his commitment to assess and characterize contamination at off-site properties, determine the sources of contamination, and determine the extent of contamination in the surrounding communities.
- Mr. Hill committed up front to transparent and honest communication, community engagement, and providing resources to conduct the work that needs to be done.
- Mr. Hill asked for the community's patience with the process, and help in the form of granting access for sampling and removals if/when necessary.
- The ATSDR will be engaged to provide assistance to the community on health concerns.
- EPA's role is related to human health and the environment, not economic.
- EPA has opened, and is in the process of setting up, a community involvement office to serve the community.
- Smaller meetings at neighborhood association monthly meetings have been scheduled.

Question and Answer Period.

Has EPA determined the distance the pollution has traveled [air deposition]?

The assessment of the areas adjacent to the site has just begun so the extent that contamination has traveled has not been fully determined. Some modeling has been done to assist with determining the extent of contamination and will be investigated further.

Resident asked various questions regarding the cleanup levels that will be used for the North Birmingham project: (1) cited various numbers from 0.013 to 37 ppm, (2) questioned why EPA only gave 24 hour notice for the Monday night community meeting, (3) indicated that he would like to offer assistance with the sampling; (4) determined that 3.9 ppm is about what the background levels for arsenic is in Birmingham.

The time for the notice was primarily due to the group EPA wanted to target: the community. The cleanup levels that will be used will be consistent with cleanups at other residential sites, between 10E-4 and 10E-6, which will be protective. Director Hill indicated that the process will be transparent and results will be provided.

How did you come up with the number of 1,283 properties to be sampled? Expressed concerned about residents who have moved away or those who own properties, but live out of town.

The preliminary number of properties was determined based on an air deposition study that was conducted, and represents properties that are within 1.0 mile of the Walter Coke facility. The property ownership information was obtained from the Tax Assessor's office. EPA wants to hear from the residents – a door-to-door survey will be done in an attempt to get access agreements for sampling. Residents can call EPA to help with property identification. In addition, people who live out of town are still on the tax roll as the owners and they will receive an access agreement at the mailing address listed at the tax assessor's office, as well as at the property address.

Concern was expressed about the boundary that has been drawn for the area of the study – Areas like 29th Street, 34th Street, and Shuttlesworth Drive, and the park are not included. Resident said it is a travesty. Many senior citizens still live in those areas.

We will address the boundary as more areas are discovered.

The resident said there is contamination, but wants to know what is in the ground, water, and air. The residents need to be informed on what is in the ground. What contaminants are of concern, what is being cleaned up? They know that there is contamination, but do not know what the contaminants are. What levels are of concern? Is there a short-term process.

Based on past sampling, there are several contaminants on site, including benzene, toluene, arsenic, vinyl chloride, and polynuclear aromatic hydrocarbons (PAHs). Off-site contaminants include the same, as well as lead. The levels will be covered more specifically in later meetings.

The community is sure that there is contamination – resident has lived in the community for about 15 years and has COPD and other respiratory issues. Whom should residents talk to about health issues?

Director Hill expressed sympathy for residents' health issues. EPA has engaged the Agency for Toxic Substances and Disease Registry (ATSDR) and the Jefferson County Health Department to assist with interpreting the data as it relates to health issues.

It is understood that sampling is needed. What effects does the contamination have on the people? What contaminants have they been exposed to? How will EPA address the contamination: parcel-by-parcel or geographic areas.

The assessment is not limited to a parcel-by-parcel approach, several options will be explored. EPA supports redevelopment of properties and will work with the community.



35th Avenue Superfund Site

There are many things that are unknown, but many are known. Resident discussed the formation of EPA and its purpose to protect public health without considerations of economic issues. Resident asked whether the limits will be raised when the permit for Walter Energy is renewed in 2014. Resident also asked whether residents of Collegeville, Fairmont, and Harriman Park would have the opportunity to have input, along with attorneys, doctors, and scientists.

The goal is to identify all sources of contamination. EPA will relay concerns regarding the air permit to the appropriate department.

Is there an agency that can come in and do a people assessment, to examine folks and their diseases?

A health assessment is standard and the ATSDR have been here working towards that goal.

Should residents be concerned about growing vegetables in gardens?

That is a good question. Director Hill indicated that it is unlikely that there will be uptake. He knows that an answer is needed and he does not have one at this time, but will pursue this issue to get a final answer.

70-year resident of Collegeville was diagnosed with multiple myeloma and doctor said that resident's condition is the result of the environment and air that resident breathes. Resident also said that her home cannot be sold.

Mr. Farmer indicated that EPA takes resident health concerns seriously. EPA is working on cleaning up contamination both on and off site. And health risks will be pursued through ATSDR.

What are we going to do when you get the data from the sampling and the research you are doing is done?

EPA will take recommendations from multiple sources regarding ways to mitigate the releases and contain the pollution, and the responsible parties will be engaged to fund these efforts. Engineering controls and permit requirement reviews will be considered.

Resident stated soil was checked and found to be contaminated. In the event the property gets checked again, what happens? Are you checking soil at every property or just sections?

EPA will be checking every property within the study area.

In October 2012, EPA staff attended Neighborhood Association meetings in Collegeville, Fairmont and Harriman Park. EPA attended these meetings to explain the access agreement process and the sampling process. At each meeting, residents were encouraged to ask questions and voice their concerns. Listed below are the questions and concerns from each meeting.

Collegeville

- Please explain the split sample process. Is it true that if you want a personal sample, I have to pay, but if EPA does it, then there is no charge?
- I was at the meeting at Hudson school. If you are tax exempt, then how does EPA get my address, because my address was not in the database.
- If you give permission to go on the property, do you have to sign for both [sampling and cleanup]?
- When you do sampling, how much soil do you take from the front and back yard? What do you do to replace the soil?
- How would you determine if contamination is on the property under a structure? You are sampling around the yard, but do you give consideration to the soil under a structure?
- Are you saying that if you are contaminated on the outside of a church and you clean it up, then there is no possibility of contamination under the church?
- What about water running under the building (from rain) – won't that bring the contaminated soil up from under the building?
- Will Hudson School be part of the assessment?
- What about air contamination? I know contamination comes through vents, open doors and there should be consideration for the property inside. You need to do indoor sampling because we are living in the homes and breathing this bad air. Resident stated he will put a note on the access agreement requesting indoor air sampling.
- Can you elaborate on what you did in Anniston? When you found lead, what was the result?
NOTE: There was a lot of discussion about the Anniston project. Stephanie Brown explained to the group that the two projects are completely different. Anniston has a court order for Monsanto on the PCB site and an AOC for the Lead site with Foothill Community Partnership to pay costs. This project is a fund-lead site, which means EPA will use its resources to pay for the project.
- Concern was again expressed about the property not being contaminated under a building/structure. Resident stated that properties were vacant at one time and the contamination got into the soil and then the house was built on top so it doesn't seem feasible to clean up just around the house.
- What about crawl spaces, many of the houses in the area are not built on slabs.
- You said you were digging down. How can about 6 to 8 inches tell you anything? When EPA first came out in the 1980s, EPA had to go down 150 feet to dig out bad soil, then put in clean dirt and wait 50 years. How can 6 inches tell you anything?
- There is a mine shaft underground and there is gas coming out of the ground, not from the plant [Walter Coke] but from the mine shaft. The golf course was dug down 10 feet.



- Resident discussed the split-sample process. He said the lab won't take a mason jar. He has done sampling all over Jefferson County and was told by EPA that his samples don't count because of the way it was done. He wants to make sure that people are using the right lab so they don't waste money.
- Resident said this was the second meeting she went to and asked the same question at the first meeting, but did not get an answer. She said that you [EPA] say Walter Coke is responsible for the contamination but we still haven't been told what we are contaminated with. How much are we affected by it? What is it doing to me right now? She understands that EPA is testing now but said that if they knew what they are fighting, they could go to ATSDR and get specific information.
- Is there a medical model that is available from Monsanto? Something that shows the way health deteriorated and what the solution was? We would like to arrive at a model as it relates to the health of this community.
- Our church had to move. The Pastor was diagnosed with cancer in his blood. You talk about 1,200 pieces of property but we know there is more than that. All citizens should be protected. Why don't you test every property within the three communities so when a child leaves one property and plays on another, they could get toxin in them from the property you didn't test. Please hear me – if there is any way possible, test every property, for the children.
- You said you are going to reach out to those responsible, have you reached out in the past and are you looking now?
- I am confused. We have Jefferson County, ADEM [Alabama Department of Environmental Management] and EPA who is responsible for the entire operation. What are you going to do for the community at the end of the day? What is EPA going to do for us?
- A resident said that he has listened to everyone in the room and that EPA can only do certain things. We need to talk with the Mayor as a group and get him to hire Judge Clemmons. EPA can only give us results. We need someone like Judge Clemmons who has the know-how and power to get things done.
- It will take the community to get together. Is Judge Clemmons representing us now? Ms. Starks said we could use him, but the Mayor made the statement that he did not know where the money would come from. She said that whenever they go to city hall there are not enough people with them (only 4-6) and if you want something done, you have to go in numbers.

Fairmont

- So, after all the samples are taken, at the end of the day, what is EPA going to do for the people in the affected area? I am concerned about medical clinics, relocations, and payouts.
- What is EPA looking for in the soil? Is there something the community should be aware of or concerned about?
- What is the split sampling process?
- Who is responsible for the contamination?
- Where can you find the results of previous samples done by RCRA?
- What is the website for the RCRA reading room?
- What happened with the previous cleanups?



- Explain why the arsenic level was moved up to 40 instead of the 37 used for the RCRA cleanup?
- What is background sampling?
- If you only scrape the surface of the soil 3-4 inches will you really get the correct results?
- One resident asked if Walter Coke is monitoring the site now. She explained that her deck turns black everyday even after she sweeps?
- Resident says he has poisonous trees in his yard. He wants to know why this situation is just in this area.
- A teacher from a local Headstart explained that the number of children affected by asthma has grown increasingly over the years.
- Is this an official Superfund site?
- Is this time critical?
- What is the difference between site assessment and time critical?

Harriman Park

- You say you found out a year ago.
- We do know properties are affected by US Pipe and ABC. We had a group that did sampling before. They came out here to get money. They were supposed to pay us. When you collect your samples, how are we going to get assistance for all the damages out here. Is EPA going to try to sue US Pipe, etc. to get money? With the children, smelling stuff – how are you going to get us out of here? Why don't they buy us out? Can you give us information on that?
- We want to get bought out – we want out of here. You can't just keep taking samples, and not do anything. We should get paid for samples. Someone said they are going to pay us.
- We need someone to pay us off, not do testing. We want US Pipe and all other companies to pay us off so we can get out off here.
- If you determine that people need to move out, because EPA has the last word, if you [EPA] say we should move out, then can we go get an attorney?
- What about people that lived here years ago and moved away? I know you are talking about soil sampling, but what about those that used to have property in the area, but moved. Relatives that have died, sick. No one cared about us. First you took samples before, that should have been enough. Now you are getting more samples and there are no results yet. Why not? We are children of the parents that lived here. We remember not breathing and getting respiratory infections. Someone has to be accountable. We want some justice. Justify soil samples, don't leave us hanging. We are here and you have to deal with us.
- Resident stated about stuff on roof, windshields, clothes that were hung on line. Stuff falls like snow. We know whats out here, don't need to do samples.
- Based on samples in 2009, what feedback was given back to community. If you are partnering with health care agencies, why is it that we don't set up something. Rather than spend so much money on samples, they should test us and give residents a chance to get evaluations. Go to a clinic to find out why we have so many illnesses. We are human beings and care enough about our health. Let us be tested.



- Most of the homes have been devastated from the blasting – cracks in foundations. Someone needs to check into that as well. Feels like we have earth quakes. See cracks in the houses.
- Neighbors should get together as a team and work with you so we can get to the right folks. City of Birmingham has a health department and they should have done something about it a long time ago. Our parents died.
- How long will the process take?
- You talked about the cleanup – how can you stop them from giving food away from gardens?
- When you get through the yards, then what?
- Is the health department moving slow? Do they need a fire put under them?
- For residents that are no longer here and the houses are gone, how do you get access?
- Can we get federal grant money to help us with what we need to get done. Find someone that has knowledge and lets go to work – can we get assistance in getting this together?
- Our interest is still the neighborhood at large. Relatives/parents sold property and the fight still goes on even though we don't live here and our parents are gone. How do you know about us – no one has contacted us. The land was sold; property changed hands.
- Big companies pay off – are they going to pay you off too?
- Why would you even start with them or go that route. Money won't ever trickle down here. They did the testing first- the money is going over there. Why deal with them at all? You are not trustworthy. Why would you let them build the school over there? Don't blame you- it is the community. Why do you have to have so many meetings?
- So many [people] didn't know anything. Walter Coke has a lot of money. You should just close it down. Are you testing their soil too?
- We need attorneys and other resources.
- Water is a concern. We have a lot of ditches out here where the water is real dark; [such as] the stream on 41st.

December 2013 Public Meeting

On December 12, 2013, EPA held a public meeting at the Hudson K-8 School. A summary of the meeting and questions from residents is provided below.

Overview. Approximately 200 people were in attendance. This included residents, Agency personnel, contractor support and media. The Reverend E.O. Jackson welcomed the community and opened the meeting. He introduced William Parker and congratulated him on his recent appointment as Councilman for District 4. Reverend Jackson also recognized Councilwoman Maxine Parker, who recently passed.

Stephanie Brown, Community Involvement Coordinator then thanked the community for coming to the meeting and informed attendees that questions would be at the end of the meeting. She then introduced Franklin Hill, Superfund Director.

Franklin Hill welcomed everyone and said that at the October 2012 meeting he had committed EPA staff to fulfill responsibilities to the community regarding the investigation of contaminated yards in the North Birmingham community. He said that EPA is still committed to putting people on the ground to do the work that still needs to be done. He recognized the organization of the coalition that was in the process and said that the coalition would bring opportunities, promises and growth to the community and would bring the local government and community together.

During the presentation, a map of the study areas (Collegeville, Fairmont, and Harriman Park) was shown; the areas go back to the 1800s with the industrial uses in the community. A resident asked if the contamination could be from past/present use and the answer was yes, based on the geographic location. Mr. Hill explained that soil sampling was extended in certain areas and that EPA has received about 1,100 access agreements and though the formal access agreement period has ended, EPA will continue to receive access agreements and sample yards.

Photos of garden and wipe sampling were shown and Mr. Hill explained that wipe sampling was done on some houses. Eaves showed amounts of contaminants of concerns such as lead, arsenic and PAHs, but in low amounts and there is a low level of risk but there is some degree of deposition.

Mr. Hill also reported that vegetables were sampled and the sampling results showed that vegetables grown in home gardens are safe to eat when washed. Unwashed ones have low levels of lead, but not at levels to be of harm. People should continue to wash vegetables from gardens before eating.

EPA has sent letters to five potentially responsible parties and is talking with them about the cleanup strategy for the site. They are working on identifying more PRPs and it could be as high as 76 or more. EPA is expecting the PRPs to step in and take responsibility, but EPA will not wait for them. They will talk to the PRPs at the same time as EPA conducts the cleanup.

About 400 properties have been identified for cleanup; these properties have contamination higher than the removal levels. Of these 400, there are 52 properties that were identified with having the highest levels. Letters were sent to these 52 home owners and EPA is in the process of contacting them to meet with the owners to discuss the next steps. EPA plans to begin the cleanup in February 2014 and start work on the first 52 properties. They are not sure how long it will take because they may run into issues on the residential properties, such as trees, utilities, driveways, fences, etc. Once they have started and have a better idea of how long the work will take, EPA will update.

During the Q&A session Ms. Brown explained residents will have two-minutes to make a comment or ask a question in order to give everyone who wants to an opportunity to speak. The following is a summary of the Q&A session.



35th Avenue Superfund Site

Will residents stay at the property until February 2014 and through the cleanup?

Mr. Hill answered yes. ATSDR has provided information about the contamination in the soil: if people are not ingesting or inhaling, there is minimum risk.

Does EPA pay for relocation?

Relocation has occurred at other sites. If during excavation relocation is needed, EPA will consider it. They are concerned about levels of lead in kids.

Was there a study of wiping the side of a building if a person lives in the house?

Yes, EPA took wipe samples at numerous homes and the results showed that levels of contaminants were very low; below RMLs.

The resident stated they have lived in Birmingham for 65 years and feels that there is contamination in the dust, soot, and soil, and EPA should know if it has an impact.

It is difficult for EPA to know the impact on individuals. If residents have concerns, they should go to the doctor and have blood lead testing done. There is the possibility of exposure to dust, but the health impacts from the dust are undetermined.

A resident stated that he arrived at his property shortly after sampling was done and believes that sampling was not done according to the sampling plan; that it was done incorrectly.

Mr. Hill said he would have EPA managers follow up with the resident to discuss the situation.

Where will the contaminated soil be disposed of or stored? Resident wanted specific location.

It has not been determined yet where contaminated soil will be taken but it will be a certified landfill. There may be a staging area established for the soil before it goes to the landfill. EPA will let the community know where this will be and EPA will follow the best management practices in regards to the disposal of contaminated soil.

Where was the contaminated soil from Hudson School taken to?

Mr. Hill said he did not have that information as EPA did not conduct the cleanup of the Hudson School property.

Resident said he had two properties at higher risk and wouldn't it be better to move the people to a new home? What is the definition of high-risk?

Ms. Brown said that one of the properties is in the sampling area and the other is not.

The definition for high risk is 400 ppm for lead. One of the properties was 12 times higher.

Mr. Hill stated that EPA is here to help. They are here to try and clean up and they're talking collaboratively on what needs to be done.

How will the owner know if his other properties aren't contaminated?

EPA had to identify a boundary to focus on, make the study manageable, and hold people accountable. Therefore, the study is focused on the three communities.

Why not get all facilities and make them pay?

EPA is working on identifying potentially responsible parties and will be negotiating with them.

People are not happy with their properties not being sampled.

EPA sampled over 1,100 properties; if EPA did not receive an access agreement the property was not sampled. If someone wants to turn in an access agreement now, EPA will accept it and schedule their property to be sampled.

EPA tested 52 properties? In what areas? Collegeville, Harriman Park, and Fairmont?

EPA expected to find a clear path of contamination, but if the 52 properties are sporadic, which means the contamination most likely resulted from different pathways.

What is the possibility for the property to be re-contaminated?

Based on the sampling results, the data shows that the contamination most likely resulted from historical contamination than from current releases.

There is a smell that comes early in the morning. The resident records the date and time of the odors. One such event was on 12/10/13 at 1:00 pm.

The OSC Jardine wrote down the information provided. He will look into situation; the EPA Air Program also will look into this situation. There is a full house of the EPA Programs (personnel) available to provide answers to the community.

There are multiple technologies from industries available but not being used here. What active the steps being taken to monitor industry use and to protect people?

The air program responded that it is EPA's goal is to hold the facility accountable. EPA's Air Division and ADEM are working to ensure compliance. The question deals with more than compliance. We want the industry to use new technologies.

The air program responded that levels are in acceptable range – There is a study to identify COCs; the process compares the results in on area to industry in other areas of the community. The industry has to meet permit requirements.

People believe EPA's acceptable risk is low (1/10,000-). It should be 10-5 or 10-6. We would like to encourage a change.

A resident commented that EPA is not the enemy. With the 52 properties, will it be a spot cleanup or the entire property cleaned up?

The goal is to clean up the contaminated parts of the property, which can be either the front or back yard or both. It depends on the sampling results.

In a revitalized community, people should be given a choice to relocate because they don't get a choice for contamination (on their property).

Mr. Hill talked about the Community Improvement District that was formed and encouraged residents to communicate with the CID. If you know about contamination, tell EPA.



35th Avenue Superfund Site

We are concerned rain will wash away any attic contamination. However, most people spend more time inside their houses. Residents can do a thing to limit time spent outside, but not inside. People are living inside. The homes are 70 to 80 years old. Residents are not here to fight but to get answers. No one is in the area at night and facilities release emissions. Residents feel it might cause heart attacks and blood clots; they feel the issues come from the chemicals.

There is ongoing monitoring in the community.

The resident feels that 41st Avenue North location is all contaminated. He wants the responsible party (RP) RPM Walter Energy to come to the meeting and talk about contamination. The resident wants to be relocated.

The contamination is not what EPA thought and property values go down. Now EPA says properties are okay. Who will adjust properties back up? Residents want the value of the homes to be recalibrated.

EPA can't say what the property value should be.

Is there a contingency? Is there a plan for future work in the areas? Work has been done before, but it's not adequate.

EPA has identified residential cleanup in its commitment. It won't make everyone happy, but there will be resources available to do EPA's best. We won't start work and leave the community hanging. EPA is here to finish the work that is needed.

EPA will also look at lessons learned to do things differently and improve.

After going to the doctor to test for lead, what do we do if we have high blood lead levels?

EPA doesn't have authority to address health issues.

CDC representative indicated that doctors at the Centers for Disease Control and Prevention (CDC) and Alabama and Jefferson County Department of Health target lead (Pb) – lead mostly affects children, pregnant women, and elderly. It doesn't have much effect on adults.

What should the resident do with high lead results?

She can arrange for the doctor to talk to a toxicologist. Bob can set up for a medical toxicologist to contact her doctor. Her doctor will then discuss her results with her based on discussions with the toxicologist.

A resident not from the community but who lives nearby and works in the area asked if the contamination is coming from beneath. Has EPA addressed groundwater contamination and how it affects people?

Groundwater contamination is being addressed at the site.

Comments

- Birmingham is number one in [Washington] DC on the Environmental List. EPA is here because it's time for Birmingham, time to help the Birmingham community. EPA has tested and has done all that has been asked. It's not a big deal to some people, they didn't have to come, but they are here and everyone has benefited. The community is safer. The community learned a lot of things about soil and contamination on properties. The meeting improves the coalition because they are being taught and trained on how to bring their community back.



- Some people pretend, some write grants; and the community doesn't get help.
- EPA is here to clean up the soil. EPA sampled Maclin Park. The City contaminated the park and the community did not know. EPA is the community's salvation right now; the community is more contaminated than other areas.
- Without EPA, people in the community will be in bad shape. Community members need to go to the coalition meeting, every meeting you can learn something new.
- Some people do not want to live here anymore. They feel that Walter Coke can keep their property and just give them their money. People who want to move need help from EPA to get to the table with the PRPs.

Conclusion. Stephanie Brown thanked everyone and gave the address to the outreach center. CIC Brown also let the community know that there are tables set up and EPA personnel from various program are available to answer questions. Franklin Hill thanked everyone for having confidence in EPA and welcoming EPA personnel. Rev. Jackson closed the meeting. He indicated that next week he will be going to Spartanburg to learn about what they did in their community.





APPENDIX E

SITE-SPECIFIC FACT SHEETS



U.S. Environmental Protection Agency

FACT SHEET

North Birmingham Environmental Collaboration Project

No. 1

January 2012

INTRODUCTION

The Region 4 Office of the United States Environmental Protection Agency (EPA) will use a multi-media approach that includes the EPA Resource Conservation and Recovery Act (RCRA), Superfund, Air, and Water Divisions to address environmental issues in the Collegeville, Fairmont, Harriman Park and North Birmingham communities

EPA will continue to provide information to ensure that the community, local, state, and federal officials are informed and aware of the EPA's response activities, as well as provide opportunities for involvement.

BACKGROUND

EPA is currently addressing residential neighborhoods surrounding the Walter Coke facility and at the Walter Coke facility itself, in a multi-media manner with the involvement of RCRA, Superfund, Air and Water programs. The Walter Coke facility is regulated under RCRA, the Clean Water Act (CWA), and the Clean Air Act (CAA). RCRA intends to enter an Administrative Settlement Agreement and Order on Consent (AOC) to address compliance issues identified on the Walter Coke property.

EPA conducted a multi-media inspection of the Walter Coke facility in the fall of 2011 and is currently evaluating those findings.

The Air Division is conducting a Pilot Community Air Toxics Initiative in North Birmingham. The local government and communities in the area have expressed concerns regarding safety and health impacts, sampling of residential soil for contamination, as well as ongoing and historical releases of contamination to the air, soil and water.

SUPERFUND DIVISION UPDATE

EPA has determined that certain areas surrounding the Walter Coke facility meet the criteria for a time critical removal action. EPA is conducting a search for potentially responsible parties (PRPs). EPA will pursue a settlement agreement with Walter Coke and other industries identified as PRPs that will include environmental assessments and/or cleanup activities at community properties.

RCRA DIVISION UPDATE

The RCRA Corrective Action/Cleanup Program is focusing on the "inside-the-fence line" Walter Coke environmental areas of concern. Upcoming activities include the following:

- Continue to address on-site areas requiring further environmental attention at the 400-acre Walter Coke facility; and
- Draft a Cleanup Order negotiated with Walter Coke to ensure the environment and public health are protected.

The RCRA Division will continue to keep the community engaged and informed on issues relating to on-site assessment and cleanup activities.

AIR DIVISION UPDATE

The Jefferson County Department of Health (JCDH) and EPA will conclude the year-long North Birmingham Pilot Community Air Toxics Initiative in the Collegeville, Fairmont, Harriman Park, and North Birmingham communities in the summer of 2012. A risk assessment, based on data collected from the study, will be prepared and made available to the public in the fall of 2012.

Periodic updates will be provided to the community regarding the progress of the Pilot

Air Toxics Study. EPA and JCDH will provide workshops and discussion opportunities for the community on topics of interest, including asthma, radon, air permitting, mold, lead, and risk assessment.

During 2012, EPA will partner with several agencies to offer education and outreach activities to youth at public schools, daycares, and head start centers in North Birmingham.

WATER DIVISION UPDATE

The Water Division's National Pollutant Discharge Elimination System (NPDES) Permit Section overviews and comments on surface water discharge permits written by the State of Alabama (Alabama Dept. of Environmental Management [ADEM]) and also performs enforcement inspections. In coordination with ADEM, EPA is working to address any point source discharges that may impact water quality of the receiving water body.

The Walter Coke facility has a NPDES permit (number AL0003247) for the discharge of various treated process wastewaters, storm water runoff, treated sanitary wastewater, and treated groundwater from Arichem LLC to Five Mile Creek, which is classified as "Fish and Wildlife" at the point of discharge from the plant. This classification is intended to preserve aquatic life from adverse environmental impacts

The NPDES permit contains technology-based limits based on the effluent guidelines as well as water-quality based limits. Parameters addressed in the permit include metals, organic substances and nutrients that are present in the discharge and that might affect fish and other aquatic life in Five Mile Creek. The current permit expires in November 2014, at which time the facility will have to apply for a new permit.

CONTACT INFORMATION

Superfund

Jeff Crowley, On-Scene Coordinator
Crowley.Jeffery@epa.gov
1-877-718-3752

Stephanie Yvette Brown
Community Involvement Coordinator
Brown.Stephaniey@epa.gov
404-562-8540 or 1-877-718-3752

RCRA Division

Brian Holtzclaw
Community Engagement Coordinator
Holtzclaw.Brian@epa.gov
404-562-8684

Air Division

Earl Bozeman, Chief, Air Toxics Section
Bozeman.Earl@epa.gov
404-562-8545

Water Division

Karrie-Jo Robinson-Shell, P.E.
Shell.Karrie-jo@epa.gov
404-562-9308

Environmental Justice

Cynthia Peurifoy
Regional Environmental Justice Coordinator
Peurifoy.Cynthia@epa.gov
404-562-9649

Media/Press Inquiries

James Pinkney
Public Affairs Specialist
Pinkney.james@epa.gov
404-562-9183

Find more information on our website at:

<http://epa.gov/northbhamproject/>



U.S. Environmental Protection Agency
35th Avenue Superfund Site
Community Outreach and Sampling Activities
Birmingham, Alabama

Number 2

October 2012

INTRODUCTION

The U.S. Environmental Protection Agency (EPA) Superfund program is developing a Community Outreach Plan to keep the community informed about site activities at the 35th Avenue Superfund Site (Site) in Birmingham, Alabama. The Site encompasses portions of three neighborhoods --- Harriman Park, Collegeville, and Fairmont located in northern Birmingham, Jefferson County. Also included are Five-Mile Creek and the drainage ditch which runs through Harriman Park and receives runoff from the former chemical plant area of the Walter Coke (WC) facility. Industrial facilities surround the communities that comprise the Site. The Harriman Park, Collegeville, and Fairmont communities surround the WC facility, which is located at 3500 35th Ave N in Birmingham, Alabama. The WC facility is situated at the center of the neighborhoods that make up the Site. To the south of the WC facility is the Collegeville Neighborhood; to the east is the Harriman Park Neighborhood; and to the west is the Fairmont Neighborhood. There are or have been other coke manufacturing facilities, foundries, chemical plants and other industrial facilities in the area that also may be responsible for releases of hazardous substance that are impacting residential properties.

Meetings to be Held

Monthly meetings will be scheduled with Homeowners Associations (HOAs) and Community Action Panels (CAP). Below are the locations, dates and times for the October meetings.

Fairmont Neighborhood Association

Northside Church of God
2873 41st Avenue North
Tuesday, October 2, 2012 at 6 p.m.

Collegeville Neighborhood Association

Trinity Church
3313 Shuttlesworth Dr.
Monday, October 8, 2012 at 6:30 p.m.

Harriman Park Neighborhood Association

Harriman Park Recreational Center
4345 Shuttlesworth Dr.
Thursday, October 11, 2012 at 6:30 p.m.

ACCESS PERIOD

The purpose of the Access Period is to provide property owners and tenants whose property has been identified for sampling an opportunity to sign and return access agreements allowing sampling of that property. The 90-day Access Period begins October 15, 2012 and will continue until January 15, 2013. Several activities will take place during this period including holding public meetings, small group informational meetings within each neighborhood, distributing Access Agreements and sampling properties. During the week of October 15, 2012 access agreements will be distributed via regular mail to residential property owners in the Harriman Park, Collegeville, and Fairmont communities. Small group informational meetings are being held within each of these communities (see box above for locations, dates and times for October meetings).

SAMPLING ACTIVITIES

Beginning November 1, 2012, EPA will collect and analyze (1) surface soil from residential properties; (2) sediment and surface water in any distinct drainage pathway located on residential properties, as deemed appropriate by EPA; and (3) surface soil, sediment, and surface water on the WC property and in and along the banks and drainage areas of the ditch that flows through Harriman Park, for semi-volatile organic compounds (SVOCs) which include PAHs, metals and limited PCB sampling, in accordance with an EPA developed Sampling and Analysis Plan (SAP). Sampling activities are expected to continue until April 30, 2013. Property owners/tenants can expect to receive the sampling letters about 60 days after the property was sampled.

35th Avenue Superfund Site Community Outreach Timeline

Activities	Due Date (on or before)
<ul style="list-style-type: none"> • First Public Meeting 	10/1/2012
<ul style="list-style-type: none"> • Monthly Meetings with Homeowners Association (HOAs) and Community Action Panel (CAP) 	October, November, December January <i>(Dates to be determined based on dates of HOA and CAP regularly scheduled meetings)</i> <i>(See box on Page 1 for October meeting dates)</i>
<ul style="list-style-type: none"> • Access Period (90 days) 	10/15/2012 – 1/15/2013
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Harriman Park. • Hold small group informational meeting with Harriman Park HOA to discuss/explain access. 	Week of 10/15/2012
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Fairmont. • Hold small group informational meeting with Fairmont HOA to discuss/explain access. 	Week of 10/15/2012
<ul style="list-style-type: none"> • Begin distribution (via mail) of access agreements in Collegeville neighborhood. • Hold small group informational meeting with College Park HOA to discuss/explain access. 	Week of 10/15/2012
<ul style="list-style-type: none"> • Begin Door to Door Outreach in all Neighborhoods 	10/29/2012 - 12/7/2012
<ul style="list-style-type: none"> • Sampling Begins (6 months) <ul style="list-style-type: none"> ○ Harriman Park ○ Fairmont ○ Collegeville 	11/1/2012 - 4/30/2013
<ul style="list-style-type: none"> • 2nd Public Meeting* 	11/19/2012
<ul style="list-style-type: none"> • 3rd Public Meeting* 	12/17/2012
<ul style="list-style-type: none"> • Letters to property owners regarding data (60 days after sampling activities) 	1/1/2013 – 6/30/2013

*All public meeting dates are tentative and subject to change.

FOR MORE INFORMATION

EPA Community Involvement Coordinator

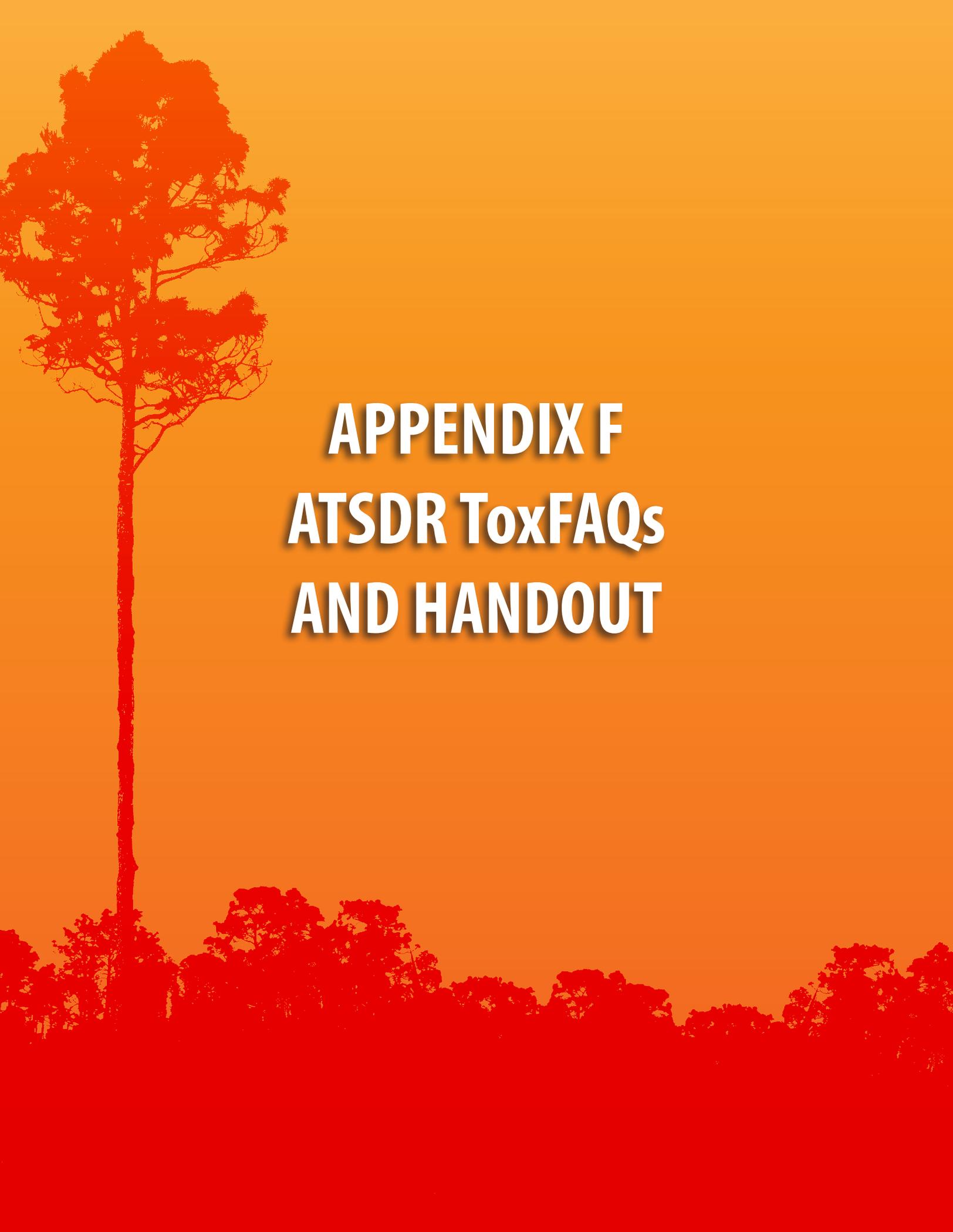
Stephanie Y. Brown,
 (678) 575-8505 or (877) 718-3752
 or by email to Brown.StephanieY@epa.gov

EPA Community Outreach Office

1820 7th Avenue North, Suite 100
 Birmingham, AL 35203

Information Repository

Harriman Park Recreational Center
 4347 F.L. Shuttlesworth Drive
 Birmingham, AL 35207



APPENDIX F
ATSDR ToxFAQs
AND HANDOUT

This fact sheet answers the most frequently asked health questions (FAQs) about arsenic. For more information, call the ATSDR Information Center at 1-800-232-4636. This fact sheet is one in a series of summaries about hazardous substances and their health effects. It is important you understand this information because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Exposure to higher than average levels of arsenic occur mostly in the workplace, near hazardous waste sites, or in areas with high natural levels. At high levels, inorganic arsenic can cause death. Exposure to lower levels for a long time can cause a discoloration of the skin and the appearance of small corns or warts. Arsenic has been found in at least 1,149 of the 1,684 National Priority List sites identified by the Environmental Protection Agency (EPA).

What is arsenic?

Arsenic is a naturally occurring element widely distributed in the earth's crust. In the environment, arsenic is combined with oxygen, chlorine, and sulfur to form inorganic arsenic compounds. Arsenic in animals and plants combines with carbon and hydrogen to form organic arsenic compounds.

Inorganic arsenic compounds are mainly used to preserve wood. Copper chromated arsenate (CCA) is used to make "pressure-treated" lumber. CCA is no longer used in the U.S. for residential uses; it is still used in industrial applications. Organic arsenic compounds are used as pesticides, primarily on cotton fields and orchards.

What happens to arsenic when it enters the environment?

- Arsenic occurs naturally in soil and minerals and may enter the air, water, and land from wind-blown dust and may get into water from runoff and leaching.
- Arsenic cannot be destroyed in the environment. It can only change its form.
- Rain and snow remove arsenic dust particles from the air.
- Many common arsenic compounds can dissolve in water. Most of the arsenic in water will ultimately end up in soil or sediment.
- Fish and shellfish can accumulate arsenic; most of this arsenic is in an organic form called arsenobetaine that is much less harmful.

How might I be exposed to arsenic?

- Ingesting small amounts present in your food and water or breathing air containing arsenic.
- Breathing sawdust or burning smoke from wood treated with arsenic.
- Living in areas with unusually high natural levels of arsenic in rock.
- Working in a job that involves arsenic production or use, such as copper or lead smelting, wood treating, or pesticide application.

How can arsenic affect my health?

Breathing high levels of inorganic arsenic can give you a sore throat or irritated lungs.

Ingesting very high levels of arsenic can result in death. Exposure to lower levels can cause nausea and vomiting, decreased production of red and white blood cells, abnormal heart rhythm, damage to blood vessels, and a sensation of "pins and needles" in hands and feet.

Ingesting or breathing low levels of inorganic arsenic for a long time can cause a darkening of the skin and the appearance of small "corns" or "warts" on the palms, soles, and torso.

Skin contact with inorganic arsenic may cause redness and swelling.

ToxFAQs™ Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>

Almost nothing is known regarding health effects of organic arsenic compounds in humans. Studies in animals show that some simple organic arsenic compounds are less toxic than inorganic forms. Ingestion of methyl and dimethyl compounds can cause diarrhea and damage to the kidneys

How likely is arsenic to cause cancer?

Several studies have shown that ingestion of inorganic arsenic can increase the risk of skin cancer and cancer in the liver, bladder, and lungs. Inhalation of inorganic arsenic can cause increased risk of lung cancer. The Department of Health and Human Services (DHHS) and the EPA have determined that inorganic arsenic is a known human carcinogen. The International Agency for Research on Cancer (IARC) has determined that inorganic arsenic is carcinogenic to humans.

How can arsenic affect children?

There is some evidence that long-term exposure to arsenic in children may result in lower IQ scores. There is also some evidence that exposure to arsenic in the womb and early childhood may increase mortality in young adults.

There is some evidence that inhaled or ingested arsenic can injure pregnant women or their unborn babies, although the studies are not definitive. Studies in animals show that large doses of arsenic that cause illness in pregnant females, can also cause low birth weight, fetal malformations, and even fetal death. Arsenic can cross the placenta and has been found in fetal tissues. Arsenic is found at low levels in breast milk.

How can families reduce the risks of exposure to arsenic?

If you use arsenic-treated wood in home projects, you should wear dust masks, gloves, and protective clothing to decrease exposure to sawdust.

- If you live in an area with high levels of arsenic in water or soil, you should use cleaner sources of water and limit contact with soil.
- If you work in a job that may expose you to arsenic, be aware that you may carry arsenic home on your clothing, skin, hair, or tools. Be sure to shower and change clothes before going home.

Is there a medical test to determine whether I've been exposed to arsenic?

There are tests available to measure arsenic in your blood, urine, hair, and fingernails. The urine test is the most reliable test for arsenic exposure within the last few days. Tests on hair and fingernails can measure exposure to high levels of arsenic over the past 6-12 months. These tests can determine if you have been exposed to above-average levels of arsenic. They cannot predict whether the arsenic levels in your body will affect your health.

Has the federal government made recommendations to protect human health?

The EPA has set limits on the amount of arsenic that industrial sources can release to the environment and has restricted or cancelled many of the uses of arsenic in pesticides. EPA has set a limit of 0.01 parts per million (ppm) for arsenic in drinking water.

The Occupational Safety and Health Administration (OSHA) has set a permissible exposure limit (PEL) of 10 micrograms of arsenic per cubic meter of workplace air (10 µg/m³) for 8 hour shifts and 40 hour work weeks.

References

Agency for Toxic Substances and Disease Registry (ATSDR). 2007. Toxicological Profile for Arsenic (Update). Atlanta, GA: U.S. Department of Public Health and Human Services, Public Health Service.

Where can I get more information? For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology and Environmental Medicine, 1600 Clifton Road NE, Mailstop F-32, Atlanta, GA 30333. Phone: 1-800-232-4636, FAX: 770-488-4178. ToxFAQs Internet address via WWW is <http://www.atsdr.cdc.gov/toxfaq.html>. ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.



This fact sheet answers the most frequently asked health questions (FAQs) about lead. For more information, call the ATSDR Information Center at 1-800-232-4636. This fact sheet is one in a series of summaries about hazardous substances and their health effects. It is important you understand this information because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Exposure to lead can happen from breathing workplace air or dust, eating contaminated foods, or drinking contaminated water. Children can be exposed from eating lead-based paint chips or playing in contaminated soil. Lead can damage the nervous system, kidneys, and reproductive system. Lead has been found in at least 1,272 of the 1,684 National Priority List sites identified by the Environmental Protection Agency (EPA).

What is lead?

Lead is a naturally occurring bluish-gray metal found in small amounts in the earth's crust. Lead can be found in all parts of our environment. Much of it comes from human activities including burning fossil fuels, mining, and manufacturing.

Lead has many different uses. It is used in the production of batteries, ammunition, metal products (solder and pipes), and devices to shield X-rays. Because of health concerns, lead from paints and ceramic products, caulking, and pipe solder has been dramatically reduced in recent years. The use of lead as an additive to gasoline was banned in 1996 in the United States.

What happens to lead when it enters the environment?

- Lead itself does not break down, but lead compounds are changed by sunlight, air, and water.
- When lead is released to the air, it may travel long distances before settling to the ground.
- Once lead falls onto soil, it usually sticks to soil particles.
- Movement of lead from soil into groundwater will depend on the type of lead compound and the characteristics of the soil.

How might I be exposed to lead?

- Eating food or drinking water that contains lead. Water pipes in some older homes may contain lead solder. Lead can leach out into the water.

- Spending time in areas where lead-based paints have been used and are deteriorating. Deteriorating lead paint can contribute to lead dust.

- Working in a job where lead is used or engaging in certain hobbies in which lead is used, such as making stained glass.

- Using health-care products or folk remedies that contain lead.

How can lead affect my health?

The effects of lead are the same whether it enters the body through breathing or swallowing. Lead can affect almost every organ and system in your body. The main target for lead toxicity is the nervous system, both in adults and children. Long-term exposure of adults can result in decreased performance in some tests that measure functions of the nervous system. It may also cause weakness in fingers, wrists, or ankles. Lead exposure also causes small increases in blood pressure, particularly in middle-aged and older people and can cause anemia. Exposure to high lead levels can severely damage the brain and kidneys in adults or children and ultimately cause death. In pregnant women, high levels of exposure to lead may cause miscarriage. High-level exposure in men can damage the organs responsible for sperm production.

How likely is lead to cause cancer?

We have no conclusive proof that lead causes cancer in humans. Kidney tumors have developed in rats and mice that had been given large doses of some kind of lead compounds. The Department of Health and Human Services

ToxFAQs™ Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>

(DHHS) has determined that lead and lead compounds are reasonably anticipated to be human carcinogens and the EPA has determined that lead is a probable human carcinogen. The International Agency for Research on Cancer (IARC) has determined that inorganic lead is probably carcinogenic to humans and that there is insufficient information to determine whether organic lead compounds will cause cancer in humans.

How can lead affect children?

Small children can be exposed by eating lead-based paint chips, chewing on objects painted with lead-based paint, or swallowing house dust or soil that contains lead.

Children are more vulnerable to lead poisoning than adults. A child who swallows large amounts of lead may develop blood anemia, severe stomachache, muscle weakness, and brain damage. If a child swallows smaller amounts of lead, much less severe effects on blood and brain function may occur. Even at much lower levels of exposure, lead can affect a child's mental and physical growth.

Exposure to lead is more dangerous for young and unborn children. Unborn children can be exposed to lead through their mothers. Harmful effects include premature births, smaller babies, decreased mental ability in the infant, learning difficulties, and reduced growth in young children. These effects are more common if the mother or baby was exposed to high levels of lead. Some of these effects may persist beyond childhood.

How can families reduce the risks of exposure to lead?

- Avoid exposure to sources of lead.
- Do not allow children to chew on mouth surfaces that may have been painted with lead-based paint.
- If you have a water lead problem, run or flush water that has been standing overnight before drinking or cooking with it.
- Some types of paints and pigments that are used as make-up or hair coloring contain lead. Keep these kinds of products away from children
- If your home contains lead-based paint or you live in an area contaminated with lead, wash children's hands and faces

often to remove lead dusts and soil, and regularly clean the house of dust and tracked in soil.

Is there a medical test to determine whether I've been exposed to lead?

A blood test is available to measure the amount of lead in your blood and to estimate the amount of your recent exposure to lead. Blood tests are commonly used to screen children for lead poisoning. Lead in teeth or bones can be measured by X-ray techniques, but these methods are not widely available. Exposure to lead also can be evaluated by measuring erythrocyte protoporphyrin (EP) in blood samples. EP is a part of red blood cells known to increase when the amount of lead in the blood is high. However, the EP level is not sensitive enough to identify children with elevated blood lead levels below about 25 micrograms per deciliter ($\mu\text{g}/\text{dL}$). These tests usually require special analytical equipment that is not available in a doctor's office. However, your doctor can draw blood samples and send them to appropriate laboratories for analysis.

Has the federal government made recommendations to protect human health?

The Centers for Disease Control and Prevention (CDC) recommends that states test children at ages 1 and 2 years. Children should be tested at ages 3–6 years if they have never been tested for lead, if they receive services from public assistance programs for the poor such as Medicaid or the Supplemental Food Program for Women, Infants, and Children, if they live in a building or frequently visit a house built before 1950; if they visit a home (house or apartment) built before 1978 that has been recently remodeled; and/or if they have a brother, sister, or playmate who has had lead poisoning. CDC considers a blood lead level of 10 $\mu\text{g}/\text{dL}$ to be a level of concern for children.

EPA limits lead in drinking water to 15 μg per liter.

References

Agency for Toxic Substances and Disease Registry (ATSDR). 2007. Toxicological Profile for lead (Update). Atlanta, GA: U.S. Department of Public Health and Human Services, Public Health Service.

Where can I get more information? For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology and Environmental Medicine, 1600 Clifton Road NE, Mailstop F-32, Atlanta, GA 30333. Phone: 1-800-232-4636, FAX: 770-488-4178. ToxFAQs Internet address via WWW is <http://www.atsdr.cdc.gov/toxfaq.html>. ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.



This fact sheet answers the most frequently asked health questions (FAQs) about polycyclic aromatic hydrocarbons (PAHs). For more information, call the ATSDR Information Center at 1-888-422-8737. This fact sheet is one in a series of summaries about hazardous substances and their health effects. This information is important because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

SUMMARY: Exposure to polycyclic aromatic hydrocarbons usually occurs by breathing air contaminated by wild fires or coal tar, or by eating foods that have been grilled. PAHs have been found in at least 600 of the 1,430 National Priorities List sites identified by the Environmental Protection Agency (EPA).

What are polycyclic aromatic hydrocarbons?

(Pronounced pŏl'ī-sī'klīk ār'ə-măt'īk hī'drə-kar'bənz)

Polycyclic aromatic hydrocarbons (PAHs) are a group of over 100 different chemicals that are formed during the incomplete burning of coal, oil and gas, garbage, or other organic substances like tobacco or charbroiled meat. PAHs are usually found as a mixture containing two or more of these compounds, such as soot.

Some PAHs are manufactured. These pure PAHs usually exist as colorless, white, or pale yellow-green solids. PAHs are found in coal tar, crude oil, creosote, and roofing tar, but a few are used in medicines or to make dyes, plastics, and pesticides.

What happens to PAHs when they enter the environment?

- PAHs enter the air mostly as releases from volcanoes, forest fires, burning coal, and automobile exhaust.
- PAHs can occur in air attached to dust particles.
- Some PAH particles can readily evaporate into the air from soil or surface waters.
- PAHs can break down by reacting with sunlight and other chemicals in the air, over a period of days to weeks.

- PAHs enter water through discharges from industrial and wastewater treatment plants.
- Most PAHs do not dissolve easily in water. They stick to solid particles and settle to the bottoms of lakes or rivers.
- Microorganisms can break down PAHs in soil or water after a period of weeks to months.
- In soils, PAHs are most likely to stick tightly to particles; certain PAHs move through soil to contaminate underground water.
- PAH contents of plants and animals may be much higher than PAH contents of soil or water in which they live.

How might I be exposed to PAHs?

- Breathing air containing PAHs in the workplace of coking, coal-tar, and asphalt production plants; smoke-houses; and municipal trash incineration facilities.
- Breathing air containing PAHs from cigarette smoke, wood smoke, vehicle exhausts, asphalt roads, or agricultural burn smoke.
- Coming in contact with air, water, or soil near hazardous waste sites.
- Eating grilled or charred meats; contaminated cereals, flour, bread, vegetables, fruits, meats; and processed or pickled foods.
- Drinking contaminated water or cow's milk.

ToxFAQs Internet address via WWW is <http://www.atsdr.cdc.gov/toxfaq.html>

- ❑ Nursing infants of mothers living near hazardous waste sites may be exposed to PAHs through their mother's milk.

How can PAHs affect my health?

Mice that were fed high levels of one PAH during pregnancy had difficulty reproducing and so did their offspring. These offspring also had higher rates of birth defects and lower body weights. It is not known whether these effects occur in people.

Animal studies have also shown that PAHs can cause harmful effects on the skin, body fluids, and ability to fight disease after both short- and long-term exposure. But these effects have not been seen in people.

How likely are PAHs to cause cancer?

The Department of Health and Human Services (DHHS) has determined that some PAHs may reasonably be expected to be carcinogens.

Some people who have breathed or touched mixtures of PAHs and other chemicals for long periods of time have developed cancer. Some PAHs have caused cancer in laboratory animals when they breathed air containing them (lung cancer), ingested them in food (stomach cancer), or had them applied to their skin (skin cancer).

Is there a medical test to show whether I've been exposed to PAHs?

In the body, PAHs are changed into chemicals that can attach to substances within the body. There are special tests that can detect PAHs attached to these substances in body tissues or blood. However, these tests cannot tell whether any

health effects will occur or find out the extent or source of your exposure to the PAHs. The tests aren't usually available in your doctor's office because special equipment is needed to conduct them.

Has the federal government made recommendations to protect human health?

The Occupational Safety and Health Administration (OSHA) has set a limit of 0.2 milligrams of PAHs per cubic meter of air (0.2 mg/m^3). The OSHA Permissible Exposure Limit (PEL) for mineral oil mist that contains PAHs is 5 mg/m^3 averaged over an 8-hour exposure period.

The National Institute for Occupational Safety and Health (NIOSH) recommends that the average workplace air levels for coal tar products not exceed 0.1 mg/m^3 for a 10-hour workday, within a 40-hour workweek. There are other limits for workplace exposure for things that contain PAHs, such as coal, coal tar, and mineral oil.

Glossary

Carcinogen: A substance that can cause cancer.

Ingest: Take food or drink into your body.

References

Agency for Toxic Substances and Disease Registry (ATSDR). 1995. Toxicological profile for polycyclic aromatic hydrocarbons. Atlanta, GA: U.S. Department of Health and Human Services, Public Health Service.

Where can I get more information? For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology, 1600 Clifton Road NE, Mailstop F-32, Atlanta, GA 30333. Phone: 1-888-422-8737, FAX: 770-488-4178. ToxFAQs Internet address via WWW is <http://www.atsdr.cdc.gov/toxfaq.html> ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.

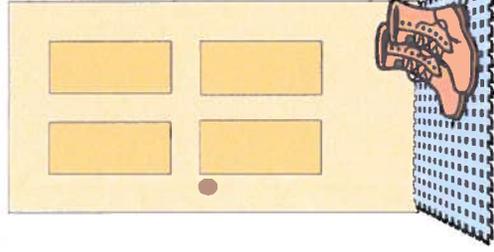


Ways to protect your health

By keeping dirt from getting into your house and into your body



Wash and peel all fruits, vegetables, and root crops



Wipe shoes on doormat or remove shoes



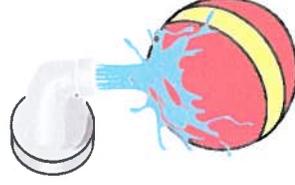
Don't eat food, chew gum, or smoke when working in the yard



Damp mop floors and damp dust counters and furniture regularly



Wash dogs regularly



Wash children's toys regularly



Wash children's hands and feet after they have been playing outside



APPENDIX G

GLOSSARY

The following list provides definitions of commonly used terms in the Superfund process and environmental work; these terms appear as bolded text in the Community Involvement Plan for the 35th Avenue Superfund Site.

Administrative Record:

A file that is maintained for the public and contains information used to make a decision about a site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The file is available for public review at a central location, such as the EPA Regional office. A copy the administrative record is usually placed in the same location as the site information repository.

Agency for Toxic Substances and Disease Registry (ATSDR):

Superfund created ATSDR within the federal Public Health Service to work with other government agencies to initiate and implement a variety of health-related responsibilities. ATSDR develops toxicological profiles, prepares site-specific health assessments, establishes formal registries of persons exposed to hazardous substances, develops and disseminates health education information, establishes and maintains literature inventories on hazardous substances, helps prepare health and safety programs for workers at Superfund sites and workers responding to emergency releases, and provides health-related support in public health emergencies.

Arsenic:

A highly poisonous metallic element that is usually yellow, black or gray. The gray brittle, crystal-like form is most common. Arsenic is used in wood preservatives, alloys, and semiconductors.

Benzo(a)pyrene (BaP):

A member of a class of compounds known as polycyclic aromatic hydrocarbons that usually occur as complex mixtures and not as single compounds. BaP is primarily produced by incomplete burning of organic materials such as coal, coal tar, and petroleum. BaP does not break down easily in the environment and is suspected of causing cancer in humans.

Cleanup:

Actions taken to deal with a release or threatened release of hazardous substances that could affect public health or the environment. The term is often used broadly to describe various response actions or phases of remedial responses, such as the Remedial Investigation/Feasibility Study (RI/FS).

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): Federal Law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act (SARA) to investigate and cleanup abandoned or uncontrolled hazardous waste sites. CERCLA is commonly known as Superfund because the Act created a special tax that goes into a Trust fund. EPA either pays for the site cleanup when the responsible parties cannot be located or are unwilling or unable to perform the remedial actions, or takes legal action to force responsible parties to clean up the site or reimburse EPA for the cost of the cleanup.

Community Involvement Plan (CIP):

The goals of the CIP are to inform the public of planned and ongoing site activities; maintain open communication about site remediation; ensure concerns are acknowledged and addressed; provide interested parties with useful information; provide citizens with opportunities to comment on and be involved in technical decisions; and encourage and assist local citizens in providing input to agency decisions that will have long-term effects on their community.

Consent Decree:

A legal document, approved by a judge, that formalizes an agreement reached between EPA and potentially responsible parties (PRP) through which PRPs will conduct all or part of a cleanup action at a Superfund site; cease or correct actions or processes that are polluting the environment; or otherwise comply with regulation where the PRP's failure to comply causes EPA to initiate regulatory



enforcement actions. The consent decree describes the actions PRPs will take and may be subject to a public comment period.

Feasibility Study (FS):

The second part of a two-part study called an RI/FS. The feasibility study involves identifying and evaluating the most appropriate technical approaches to addressing contamination problems at a site. Alternatives are evaluated for their effectiveness in protecting human health and the environment.

Federal Interagency Working Group on Environmental Justice (EJ IWG):

The EJ IWG was established in 1994 under Executive Order (EO) 12898 to guide, support and enhance federal environmental justice and community-based activities. The EJ IWG is comprised of 17 federal agencies and White House offices.

Ground Water:

Water found underground that fills pores between materials such as sand, soil, or gravel. In aquifers, ground water often occurs in quantities where it can be used for drinking water, irrigation, and other purposes.

Hazard Ranking System (HRS):

A numerical screening system used by EPA to evaluate the relative potential risks to public health and the environment from releases or threatened releases of hazardous substances from contaminated sites. Data from preliminary site investigations is used to develop a site score from 0 to 100 indicating the potential for substances released in ground water, air, surface water, or soil to affect people on or near the site. The HRS score is the principal factor used to determine if a site qualifies for the National Priorities List.

Hazardous Substance:

Any material that poses a threat to human health and/or the environment.

Hazardous Waste:

Waste that is dangerous or potentially harmful to human health or the environment, especially when improperly treated, stored, or disposed. Hazardous substances are usually found in hazardous wastes.

Information Repository:

The information repository is usually located in a public building that is convenient for local residents, such as a public school, city hall, or library, and contains current information, technical reports, reference documents, and other information regarding a Superfund site. As the site proceeds through the remedial process, the file at the information repository is updated.

Lead:

Lead is a soft bluish-white dense metallic element that is used to make pipes, solder, and bullets. Lead is a poor conductor of electricity, resists corrosion, but tarnishes easily when exposed to air.

National Priorities List (NPL):

A list generated by EPA depicting the uncontrolled or abandoned hazardous waste sites that are priorities for long-term remedial investigation and response. The list is based primarily on the score a site receives using the HRS. A non-federal site must be on the NPL to receive money from the Trust Fund (Superfund) for remedial action. Federal properties listed on the NPL do not receive money from the EPA Trust Fund, but EPA takes a more formal role in the cleanup process. EPA is required to update the NPL at least once a year.

Northern Birmingham Environmental Collaboration Project:

This coordinated effort, which includes air, water and waste issues, is lead by the Superfund Division. The collaborative includes representatives from all regional media programs including, Resource



Conservation and Recovery Act (RCRA), Superfund (SF), Air, Water, Environmental Justice and National Environmental Policy Act (NEPA) Programs.

Polycyclic Aromatic Hydrocarbons (PAHs):

PAHs are a group of organic contaminants that form from the incomplete combustion of hydrocarbons, such as coal and gasoline. PAHs generally occur as complex mixtures and not as single compounds. PAHs are an environmental concern because they do not break down easily, are toxic to aquatic life, build up in humans and animals, and several PAHs are suspected to cause cancer in humans.

Potentially Responsible Party (PRP):

The parties (e.g., individuals, companies, or government agencies) potentially responsible for, or contributing to, the release of hazardous substances into the environment. Whenever possible, EPA requires PRPs or RPs (responsible parties), through administrative and legal actions, to clean up hazardous waste sites they have contaminated.

Proposed Plan:

A public participation requirement of CERCLA in which EPA and/or the PRP summarize for the public the preferred cleanup strategy, rationale for the preference, and alternatives presented in the detailed analysis of the RI/FS. The proposed plan may be prepared as a fact sheet or a separate document. In either case, it must actively solicit public review and comment on all alternatives under consideration.

Public Comment Period:

The time during which the public can review and comment on various documents. A 30-day minimum comment period is held to allow the community time to review and comment on the document.

Remedial Investigation (RI):

A study designed to collect the data necessary to determine the nature and extent of contamination at a site.

Resource Conservation and Recovery Act (RCRA):

This law was passed in 1976 and is the principal Federal law governing the disposal of solid and hazardous waste.

Responsiveness Summary:

A summary of oral and written comments received by EPA during a public comment period on key site-related documents, with EPA's responses to those comments. The responsiveness summary highlights community concerns to be taken into account by the Group in making decisions on a site and is a key part of the ROD.

Semi-volatile organic compounds (SVOC):

An organic compound which has a boiling point higher than water and which may vaporize when exposed to temperature above room temperature. SVOCs tend to bind to organic materials in soil and sediment particles. Some SVOCs can build up in animals and humans, and some cause cancer in humans. PAHs are a sub-set of SVOCs.

Superfund:

The Trust Fund established under CERCLA to pay for cleanup of abandoned hazardous waste sites if PRPs cannot be identified. Superfund is the common name for CERCLA and is often used as an adjective for hazardous waste sites and the investigation and cleanup process directed by EPA.

Superfund Amendments and Reauthorization Act of 1986 (SARA):

SARA established standards for cleanup activities and stipulates the conditions for off-site disposal of wastes. The amendments also clarified many public participation questions and made federal facilities accountable under the statute.

Target Analyte List:

A list of metals that are commonly analyzed for in environmental samples. The list also identifies detection limits for each metal in soil and water samples.

Total Suspended Solids (TSS):

TSS refers to particles that are suspended or dissolved in water or wastewater. A high level of TSS in a water sample is related to turbidity, and the sample usually appears cloudy. Water samples with low levels of TSS are usually clear.

Toxicity Equivalent (TEQ):

Expresses the toxicity of dioxins, furans, some PAHs, or PCBs in terms of the most toxic form for each group of compounds. The TEQ can express the toxicity of a mixture of compounds in a single number.





UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4

