

Superfund NEWS

October 2016

**COMMENTS
DUE BY
NOV. 28
See Sample
Letters on
Page 2**

**OPPORTUNITY
FOR COMMENT**

**Submit Written
Comments
Public Comment
Period:
September 29 -
November 28, 2016**

**The EPA will accept
written comment on
the Proposed plan
during the public
comment period.
you may submit your
comments to:**

**Online:
www.epa.gov/
tx/forms/sjrwpc-
comments**

**Email:
R6_San_Jacinto_
Waste_Pits_
Comments@epa.gov**

**Written comments may
also be postmarked no
later than November
28, 2016 and addressed
to:**

**Remedial Project
Manager
U.S. EPA Region 6
1445 Ross Avenue
(6SF-RA)
Dallas, Texas 75202**

COMMENTS & OPINIONS ON WASTE PITS REMOVAL SOUGHT BY EPA

EAST HARRIS COUNTY - A packed house of residents and government officials met Thursday night October 20 at the Highlands Community Center for an update from the federal EPA (Environmental Protection Agency) on plans to remove the toxic waste from the storage pits in the San Jacinto River.

The EPA also wanted to hear comments from the audience on their opinions about the Proposed Plan for removal. The meeting lasted 2 1/2 hours, with Gary Miller of the EPA making a slide presentation, followed by about 35 local residents and interested parties expressing their positions on the plan.

The meeting opened with remarks from Congressman Gene Green, who was instrumental in getting the waste pits put on the federal Superfund Priority List in 2008. He said dioxin is in the sediment, and needs complete removal. He was concerned about barges that might strike the pits and release the dioxins.

Harris County attorney Vince Ryan, who successfully sued the Responsible Parties and received \$30 million for remediation, spoke about the black oozing dioxins evident when he walked on the site. He said "If capped, the poison will be their for 700 years. A permanent capped could be breached by a hurricane."

Statements were also read into the record from EPA District 6 Director Ron Curry and a written statement from Pct. 2 Commissioner Jack Morman, who called "Removal the only solution that will protect the public long-term."

Gary Miller of EPA reviewed the history of the Waste Pits site, since its start in the 1960s, and its rediscovery forty years later. He detailed how the proposed plan called for a 19 month removal of 152,000 cubic yards of material on the north impoundment, and the backfill with 2 feet of clean soil. On the south impoundment, 50,000 cubic yards will be removed, and a building removed and replaced.

Regarding the 6 plans outlined in



The EPA held a public meeting at the Highlands Community Center on Oct. 20, to hear comments, and ask the public to submit additional written comments on the Proposed Plan for removal of the Waste Pits. Seen above are Project Manager Gary Miller at left, and Community Involvement representative Donn Walters at right.

the Corps of Engineers study, he said "None of them are reliable for All Storm Events" except the final 6N which EPA adopted. He detailed the problems that have continually plagued the current cap, and the needed constant repairs and monitoring.

Miller revealed that even this month, a new "scour" or erosion 8 feet deep had been discovered in the river bed along the East side of the cap.

He said that the proposed solution will be safe, with sheet piling retaining the wastes, monitoring during the work, and contingency plans in case of storms or floods.

He also revealed a disappointing schedule for the balance of the work. A Record of Decision (final) will be made early in 2017, then 1 year of negotiation with the PRPs, 2 years of design and engineering, and finally the removal work would commence in 2020 and continue for 19 months.

The EPA is now soliciting comments from the public, until November 28th. They may be submitted in writing to the Remedial Project Manager, US EPA Region 6, 1445 Ross Ave. (6SF-RA),

Dallas TX 75202, or by email to R6_San_Jacinto_Waste_Pits_Comments@epa.gov.

Many comments were received at the meeting, including residents from Highlands, Lynchburg, and Channelview. Only a few or the 400 present opposed the complete removal. Many of the speakers expressed personal stories of poor health resulting from the environment.

Speaking in favor of removal were Baytown City Manager Rick Davis, John Banks, Pam Bonta, Alma Pennington, Linda Barnes, Anna Holt, Josephine Tittsworth, Scott Jones of the Galveston Bay Foundation, Kathlene Garland of U. of H. Clear Lake, Brant Manchen of the Sierra Club, Sam Slade, Deborah Rothers, Pamela Marr of Channelview, Eddie Williams, Jim Silverstein of Lee College, Bud Hall, Melannie Scruggs, James Frederick of McNair, Kathy Dubler, and many others.

EPA deputy director Sam Coleman ended the meeting, promising to read and respond to all comments that were made.

Who is involved in the San Jacinto River Waste Pits Superfund?

US EPA

The federal Environmental Protection Agency is the lead in dealing with the Superfund site. Congress has designated them with the responsibility to solve the problem.

PRP

Potential Responsible Parties include successors to the perpetrators of the Waste Pits. These include International Paper, and Waste Management.

US CONGRESS

Most legislators whose district includes the San Jacinto River, have expressed the need to remove the Waste Pits. This includes Congressmen Gene Green, Brian Babin, Ted Poe and others.

HARRIS COUNTY

County Attorney Vince Ryan led a lawsuit to make the Responsible Parties pay for remediation of the site. He won a \$29.2 million dollar judgement to be spent on environmental improvements in the area.

SJRC/THEA

A Citizens movement, led by previous Highlands resident Jackie Young, has been the leading voice to have the Waste Pits totally removed. She heads San Jacinto River Coalition, and the new Texas Health and Environmental Alliance, Inc.

KEEPITCAPPED

A Citizens Group named San Jacinto Citizens Against Pollution located in Baytown has a web site espousing its belief that a permanent cap is the best solution. Thomas Knickerboker is their attorney, but the leadership is anonymous.

Residents' Comments

SUBMIT YOUR COMMENTS & OPINIONS TO THE EPA SOMA SUS COMENTARIOS Y OPINIONES A LA EPA

Below is a sample letter suggested by the San Jacinto River Coalition. You may use part or all of it, or add your own wording. You are also encouraged to express alternate opinions.

Below is a sample letter suggested by the Galveston Bay Foundation. You may use part or all of it, or add your own wording. You are also encouraged to express alternate opinions.



Date: _____

Mr. Ron Curry
Region 6 Administrator
U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Re: San Jacinto River Waste Pits

Dear Mr. Curry,

I, _____, am requesting full remediation of the San Jacinto River Waste Pits. We need the EPA to require full removal of the Waste Pits in a controlled and engineered effort before Mother Nature or a barge strike causes an uncontrolled release. The San Jacinto River is our backyard; a source of seafood, revenue, and recreation that bonds our community together. An uncontrolled release would devastate our property values, health, and Galveston Bay's fishery.

As long as the Waste Pits remain in the River, the risks to public health and the environment will remain.

I appreciate your help in this process and you taking the time to consider this letter. I look forward to guaranteed protection of human health and the environment by full removal of the Waste Pits.

Sincerely,

ADDRESS

ADDITIONAL COMMENTS:

<Date>

Mr. Gary Miller
Remedial Project Manager
U.S. EPA Region 6 (6SF-RA)
1445 Ross Avenue
Dallas, Texas 75202-2733

Dear Mr. Miller-

I am writing you to state my support for the U.S. EPA's proposal to remove the dioxin wastes at the San Jacinto River Waste Pits Superfund Site (SJRWP). I agree with EPA that removal is the only correct and permanent cleanup solution for this site. I also agree with EPA that containment alternatives cannot be shown to reliably contain the waste over a long-term basis, subjecting the community to the continued risk of a catastrophic release of dioxin.

Galveston Bay and its tributaries have already suffered due to the past release of dioxin from this site. It still poses a major threat today, 50 years after the wastes were first placed here. Those who enjoy recreating on the river and Bay and eating local seafood face a threat to their health due to the presence of dioxin in sediments, fish, and crab. This source of dioxin at the SJRWP needs to be removed now, once and for all, so it no longer poses a threat to our community.

Instead of forcing future generations to deal with this mess, we need to take care of it now. Thank you again for your proposed plan to remove the wastes!

Sincerely-

<Your name, address,
and if you desire, other contact info>

We encourage you to add your own personal story and/or concerns with the waste pits. You can also download a Word version of the sample comments from the Galveston Bay Foundation website.

Who is involved in the San Jacinto River Waste Pits Superfund?

USArmy COE

The Army Corps of Engineers has completed Technical Studies on the Environmental impact of 6+ strategies to Cap or Remove the toxic wastes. Their recommendations are included in a 237 page report, favoring a modified cap over removal, but stating either is possible.

TPWD

Texas Parks and Wildlife Department was designed by the Legislature, with the help of Representative Wayne Smith, to administer \$10 million of the lawsuit settlement funds for environmental projects along the River.

HC PCT 2

Pct. 2 received \$10 million of the \$29.2 million settlement, and plans to use it for environmental projects within 5 miles of the Waste Pits, according to Commissioner Morman.

HARRIS COUNTY

Various departments are involved, including Grants Administration, Pollution Control, and Public Health.

GBF

Galveston Bay Foundation maintains a website with information on all of the Waste Pits parties actions, and other matters of interest to the environmental health of the River and Galveston Bay.

OTHERS

-- TCEQ
-- US Coast Guard
-- Private Attorneys
-- Houston Chronicle
-- City of Baytown