

NORTH BIRMINGHAM ENVIRONMENTAL COLLABORATION PROJECT

U.S. Environmental Protection Agency

October 2014

Introduction

The Region 4 Office of the United States Environmental Protection Agency (EPA) is using a One EPA or 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.

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



Background

The EPA is currently evaluating environmental impacts to the residential communities of Collegeville, Fairmont, Harriman Park, and North Birmingham. In addition, the EPA is conducting facility inspections and addressing compliance issues at several industrial facilities which are regulated under RCRA, the Clean Water Act (CWA), and the Clean Air Act (CAA).

Superfund Division

From November 2012 until June 2013, the EPA collected soil samples from approximately 1,100 residential properties in Collegeville, Fairmont and Harriman Park. Sampling results were mailed to property owners and tenants as results were received from the laboratory. Approximately 350 properties contain concentrations of various contaminants higher than the EPA's Removal Management Levels (RMLs).

The Superfund Removal Program began Phase I of the soil removal activities in mid February 2014. The Phase I activities were completed at the end of August 2014 and approximately 50 properties were addressed as Phase I of the removal action.

Phase II of the removal action is currently underway. Phase II will address yards where the RML is exceeded and children or pregnant women are present. Approximately 40 parcels will be addressed. To date 67 properties have been completed in both Phases I and II. The efforts of the removal action at both Phase I and II focused on the properties where highest health risk were identified during soil sampling. The EPA staff and contractors are stationed at the Old Carver High School, where a site office trailer, staging area for equipment, stock pile for contaminated soil and a stock pile of clean backfill soil has been established. The contaminated stockpiled soils are routinely sampled and sent to an approved landfill for disposal.

As part of our regional Superfund Reuse Initiative, the EPA Region 4 sponsored the formation of the Northern Birmingham Community Coalition (NBCC, Coalition) to plan for future revitalization of the communities of northern Birmingham (including the Collegeville, Fairmont, Harriman Park and North Birmingham neighborhoods) in tandem with an EPA led removal and clean-up process currently underway near the 35th Avenue Superfund site. The Coalition includes neighborhood representatives as well as business, faith, academic and non-profit groups, community leaders and government agencies. The NBCC has been having monthly contractor facilitated meetings since March 2013, and over the past year has identified the following priorities for further exploration in this planning process:

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- Increased access to health care and health facilities to improve health outcomes;
- Promote commercial revitalization with a particular focus on access to grocery stores and affordable, healthy food, and neighborhood-oriented shopping and Service stations;
- Improving housing conditions, with a particular focus on rehab of existing housing and stemming housing demolition.

Currently, the NBCC is in the process of reviewing and revising their action plan. The end result will be a NBCC action plan presentation, identifying recommendations for revitalization to the wider community in late 2014 or early 2015. The NBCC is working closely with the Greater Birmingham Regional Planning Commission to ensure that their Action Plan complements the City of Birmingham's Comprehensive Plan.

Air Division

A draft Community Response Plan has been developed with input from local responders in North Birmingham and Walter Coke in response to community concerns about emergency evacuations. The plan has been reviewed by EPA and slated to be discussed at the upcoming Jefferson County Local Emergency Planning Committee (LEPC) meeting. EPA has requested that the community be allowed to review and comment on the plan prior to release and has committed to assisting the LEPC with outreach and distribution of the plan within the community. The next Jefferson County LEPC meeting will be held on November 6, 2014 at 1:30 CST at the Jefferson County Emergency Management Agency. The EPA staff will be in attendance.

The Toxics Release Inventory Pollution Prevention Analysis (TRI-P2 Analysis) for the North Birmingham area was posted to the EPA website (<http://www2.epa.gov/toxics-release-inventory-tri-program/tri-analysis-community-scale-pollution-prevention-activities>) on Friday, August 22, 2014. Notice of the upcoming release of the analysis had been sent to members of the North Birmingham Community Coalition prior to EPA's posting on the website. The analysis was discussed with the community at an "EPA Clean Air Act Rulemaking and Permitting Training for Community Stakeholders" which was held in North Birmingham September 16 and 17, 2014. The analysis presents information about on-site releases, off-site transfers, P2, waste management, and pollution control activities for three key industries in North Birmingham: coke plants, iron and steel pipe and tube manufacturing, and iron and steel mills. A two-page snapshot/fact sheet on the North Birmingham TRI analysis was distributed at the training.

RCRA Division

In accordance with the 2012 Administrative Order on Consent (AOC), EPA continues to work with Walter Coke to cleanup contamination inside the fence line and to address contamination that is migrating off-site.

Five geographic areas within Walter Coke have been targeted for cleanup decisions. Each area is being studied to identify protective cleanup goals and to evaluate cleanup options that can achieve these goals. Due to the size and complexity of the site, the EPA is phasing its review process. The Agency is currently focused on making a cleanup decision at the geographic area termed the Biological Treatment Facility and in implementing interim measures at another geographic area termed the Former Chemical Plant.

Interim Measures – Former Chemical Plant: Interim measures are actions designed to more quickly address significant environmental concerns before a final cleanup decision is made. Since April 2013 and with EPA oversight, an interim measures system has been pumping contaminated groundwater out of the ground, and treating and disposing of this groundwater properly. The purpose of this system is to "pull" the contaminated plume back onto the property and to begin removal of contaminants from the groundwater. As part of this interim measures effort, a vapor intrusion study was also initiated in May 2013 at one residence across the street from Walter Coke on F.L. Shuttlesworth Drive. The study, performed by Walter Coke with EPA oversight, included sampling of soil gas, ambient air and crawlspace air to determine if adverse levels of volatile constituents in groundwater might be entering nearby homes.

Reports documenting the year-long sampling results from both the groundwater interim measures and the vapor study were submitted to the EPA in August of 2014.

Corrective Measures Study (CMS) – Biological Treatment Facility: In January 2014, a CMS was submitted for the Biological Treatment Facility. The EPA is considering the study's findings, and once this draft study is approved by EPA as a "final draft", which may occur later this year, the public will then be allowed to comment on the recommended cleanup presented in the "final draft" study.

The following is a listing of the reports submitted by Walter Coke and are currently under or awaiting EPA review and finalization.

RCRA Division con't

- July 22, 2013, Draft CMS for geographic area #2 (Land Disposal Area)
- September 24, 2013, Draft CMS for geographic area #3 (Coke Manufacturing Plant)
- January 24, 2014, Revised CMS for geographic area #1 (Biological Treatment Facility)
- March 24, 2014, Draft CMS for geographic area #4 (Former Chemical Plant)
- August 26, 2014, Vapor Intrusion Characterization Report to study possible adverse impacts from groundwater contamination at the Former Chemical Plant
- August 27, 2014, Interim Measures Implementation Report for groundwater contamination at the Former Chemical Plant
- September 24, 2014, Draft CMS for geographic area #5 (Former Pig Iron Foundry)

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

Water Division

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's Department of Environmental Management (ADEM) and the Clean Water Enforcement Branch also performs compliance evaluation inspections. In coordination with ADEM, the 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 November 2014.

The ABC Coke division of the Drummond Company has a NPDES permit (number AL0003417) for the discharge of various treated process water and storm water runoff to Five Mile Creek.

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 permit has been administratively continued from its expected expiration in March 2014 until the new permit is issued. The facility has submitted an application for its permit renewal in September 2013 in compliance with the terms of its current permit.

The EPA issued a Notice of Violation (NOV) to Walter Coke, Inc. on April 18, 2013 for operating under a Best Management Practice plan in expiration since 2010 and for failure to properly preserve samples at outfall 002. The NOV requires Walter Coke to provide an update to all unaddressed deficiencies identified in the September and December 2011 Compliance Evaluation Inspection (CEI) reports. Walter Coke timely responded to the concerns raised in the Notice of Violation and continues to submit information to EPA for corrective measures taken at the Walter Coke site.

Additionally, a Letter of Concern (LOC) was issued to ABC Coke on May 10, 2013 for using incorrect methods to analyze some of its samples. The LOC also noted four unauthorized discharges draining to the storm water treatment pond. On September 27, 2013, EPA issued an Administrative Order requiring permit coverage for the four unauthorized discharges. The permit revision incorporating these discharges into the existing permit was approved by ADEM in November 2013. ABC Coke was assessed a penalty of \$20,500 for these violations which were public noticed on August 19, 2014.

FOR MORE INFORMATION

To get more information on the Site and to find contact information for each division, visit our website at: <http://www2.epa.gov/north-birmingham-project>

ENVIRONMENTAL JUSTICE

The Environmental Protection Agency's Region 4 Administrator, Heather McTeer Toney, convened the Regional **Interagency Working Group on Environmental Justice (EJ IWG)**, to bring federal support and technical assistance to the myriad of needs facing the City of Birmingham and the citizens in the area that make up the North Birmingham Environmental Collaborative. The Federal Interagency Working Group on Environmental Justice (EJ IWG) was established in 1994 under Executive Order 12898. The role of the EJ IWG is 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. Information on the EJ IWG and the Partnership for Sustainable Communities, is available at: <http://www.epa.gov/environmentaljustice/interagency>.

The meeting included representatives from several federal agencies, including the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, the U.S. Army Corp of Engineers, the U.S. Department of Transportation, and the U.S. Attorney's Office. The federal agency representatives provided an overview of their resources available to assist North Birmingham. The meeting also included representatives from the North Birmingham Community Coalition, who shared their mission and priorities and participated in the small group discussions that followed the federal agency presentations.

Topics for the small group discussions were selected to foster a collaboration across federal, state, and local government entities and the community to improve community sustainability, quality of life, and economic opportunities in North Birmingham.

The discussion topics were:

1. Housing and Community Development
2. Economic Development
3. Community Development: Parks, Recreation, and Trails
4. Health and Wellness
5. Transportation Needs
6. Employment and Education Needs
7. Infrastructure, Flood Control, and Watershed Management

Conversations around these topics continue, with a goal of developing concrete next steps and performance measures that will assist with the revitalization of North Birmingham and provide a collaborative framework for implementing priorities and providing assistance.

Transportation Projects in North Birmingham

EPA is working with federal and state partners department of transportation to ensure the transportation projects around Collegeville, Harriman Park and Fairmont are designed to improve safety and mobility of the residents. To enter and exit their residences, schools or communities, residents must cross busy railroad tracks. DOT and EPA are working together to ensure that environmental and community impacts are fully considered as part of the environmental decision-making process. These projects are currently either in the environmental or final design process.

- Maxine Vehicular/Pedestrian Bridge on F.L. Shuttlesworth Drive, from (27th Avenue North to 32nd Avenue North)
– Final design with construction planned in 2016.
- Finley Boulevard Extension from SR-3 (US-31) to SR-79 – Environmental Process
- I-59 / I-20 Bridge Replacement Project- Environmental Process Underway, Public Meetings held Sept, 2014.

Additional transportation options will be considered by the DOT and Metropolitan Planning Organization to address other transportation issues raised by community residents including truck traffic reroutes.

AGENCY for TOXICS SUBSTANCES and DISEASE REGISTRY (ATSDR)

The ATSDR soil health consultation was released August 1, 2013. Under EPA oversight Walter Coke, Inc., collected soil samples at about 78 residential properties located in Collegeville, Harriman Park and Fairmont in 2005 and 2009. ATSDR studied the test results to see if arsenic and polycyclic hydrocarbons (PAHs) in soil could cause health problems in people. ATSDR suggests cleaning the properties in the Collegeville, Fairmont and Harriman Park communities that have the highest amount of arsenic and polycyclic aromatic hydrocarbons (PAHs) in the soil. These residential properties are now part of the 35th Avenue Superfund Site. Cleaning up these properties will lower exposure to arsenic and polycyclic aromatic hydrocarbons in the soil. ATSDR is evaluating community exposures to contaminants in the air.

ATSDR released an air public health assessment report to the public June 26, 2014. ATSDR received comments from the public about the information in the report. ATSDR is responding to all the comments at this time, and will issue a final report when completed.

ATSDR studied test results of air samples collected by the Jefferson County Department of Health and EPA in North Birmingham to see if breathing air in this area could cause health problems in people. The Jefferson County Department of Health collected air samples in North Birmingham in 2005/2006. EPA collected air samples in North Birmingham in 2009, 2011 and 2012. The samples were tested for many contaminants. Based on the air sample results ATSDR concludes:

- Most people won't have health problems caused by breathing particulate matter on PM (very small particles) in the air.
- People with asthma, chronic obstructive pulmonary disease (COPD), and heart disease may cough or have trouble breathing when they breathe PM in the air. Breathing PM for a long period of time can make these conditions worse.
- It's unlikely that breathing chemicals in the air will cause non-cancer health problems.
- People who live in North Birmingham their whole lives are at very low to low risk of getting cancer from breathing chemicals in the air.