



## **EPA's Guiding Principles:**

- Use Sound Science
- Follow the rule of law in our decision-making
- Incorporate transparency into our actions

**Fact Sheet hyperlinked by Program:** [Air, Pesticides and Toxics Management Division](#); [Superfund Division](#); [Integrated Project Planning Coalition](#); [Water Protection Division](#); [RCRA Division](#); [Agency for Toxic Substances and Disease Registry](#); [Office of Environmental Justice and Sustainability](#); [Enforcement/Office of Environmental Accountability/NEPA](#)

**Air, Pesticides and Toxics Management Division**   
**Beverly H. Banister, Director**

## **Issue: Air Toxics Risk Assessment**

**Update:** The North Birmingham air toxics risk assessment was presented to political leaders, neighborhood leaders, and the community during several meetings held on April 1 and 2 in the North Birmingham community. Information was presented by EPA, the Jefferson County Department of Health, and the Agency for Toxic Substances and Disease Registry. EPA and JCDH staff communicated that the results of the risk assessment indicated that the potential cancer risks calculated for the four neighborhoods based on the year of air toxics data collected are within the range EPA considers acceptable, though at the upper end of that range. In response to the results, EPA and JCDH committed to ongoing enforcement of regulations and supporting community efforts to further reduce air toxics risks through nonregulatory approaches. EPA offered to attend future neighborhood meetings to further discuss the risk assessment results if necessary. EPA will also coordinate with JCDH concerning in the development of an air permits training workshops that will be offered to the North Birmingham community later this year in early summer.

**Contact:** Egide Louis

## **Issue: Toxics Release Inventory**

**Update:** EPA HQ is developing a guide for assessing Pollution Prevention (P2) Opportunities Using the Toxics Release Inventory (TRI). EPA will communicate the results of this analysis when it is completed, which is expected to be in spring 2014. The analyses, in combination with the results of the air toxics risk assessment, are expected to help focus efforts to reduce pollution in the North Birmingham area

**Contact:** Ezequiel Velez

### **Issue: Emergency Evacuation Plan**

**Update:** 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 addresses railway crossing blockage in emergency situations. The plan is currently under review by Walter Coke and a meeting will be coordinated in the future to present the plan to the Local Emergency Planning Committee (LEPC). 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. A draft Community Response Plan is being developed with input from local responders in North Birmingham and Walter Coke in response to community concerns about emergency evacuations. The plan is to address railway crossing blockage in emergency situations. The plan is currently being drafted and reviewed by the Local Emergency Planning Committee (LEPC). 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 LEPC stated on February 25, 2014 that they plan to have the draft ready for EPA review by March 28, 2014.

**Contact:** Erika White

**Superfund Division** ■  
**Franklin E. Hill, Director**

### **Issue: Superfund Removal Activities**

**Update:** The EPA's soil sampling activities were completed in June of 2013 and targeted home-garden sampling event in July 2013. EPA issued sample result letters, of their respective properties, to owners and tenants. The letter states that residents may contact the EPA Community Outreach Office at (205) 326-8640 if they have questions or concerns about the results. Enclosed with the letters are Frequently Asked Questions (FAQs) that offer further explanation about the sampling results and other outreach/health education materials about the site related contaminants.

Superfund Removal Program began Phase I of the soil removal activities in mid February 2014. Efforts are focused on the properties where the highest levels of contamination were identified during soil sampling. Phase I activities include removing or digging up the contaminated soils from the properties and replacing or backfilling with soil that was sampled and determined to be clean. 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 will be sampled and sent to an approved landfill for disposal. Approximately 50 properties are slated for removal activities in Phase I. EPA expects to complete Phase I activities in the fall of 2014.

EPA is assessing the remaining properties which exceed the Removal Management Levels to determine the appropriate actions to be taken. During the December 2013 public meeting property owners who had not provided access were offered the opportunity to provide access to the EPA for initial soil sampling. EPA has gained access to an additional six (6) properties.

## North Birmingham Update - April 2014

**Contacts:** Stephanie Brown, Greg Harper, Rick Jardine

**Issue:** Community Involvement

**Update:** Northern Birmingham Community Coalition (NBCC, Coalition) 

As part of our regional Superfund Reuse Initiative, 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 North Birmingham, Fairmont, Collegeville and Harriman Park neighborhoods) in tandem with an EPA led removal and clean-up process currently underway near the 35th Ave. 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:

- 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.

The NBCC has drafted a Charter, selected Membership and resource partners and has held training and capacity building workshops, and a site visit to Spartanburg, SC. Data on existing conditions has been gathered and GIS maps for the neighborhoods has been developed highlighting a range of disparities. The end result will be that the NBCC will develop and present their action plan identifying their recommendations for revitalization to the wider community in August or September of 2014. 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.

**Contact:** Stephanie Brown

**Update:** The Enforcement Team is continuing efforts to gather evidence and identify responsible parties with planned interviews during the week of April 27<sup>th</sup> in Birmingham, Alabama. These interviews will be conducted with individuals who have relevant information/knowledge about industry operations within and near the site boundary area. At present, the targeted individuals to be interviewed are former employees, residents and community leaders. If you have or know individuals who may have relevant information, you may contact us at 1-888-550-8406.

**Contacts:** Carolyn McCall, Jim Snow, Ray Strickland

**Water Protection Division**   
**Jim Giattina, Director**

**Issue:** Water Protection Division conducted inspections at Walter Coke, Inc and ABC Coke in 2012/2011

**Update:** 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. 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 stormwater treatment pond. ABC Coke is required to update the EPA by mid June on actions taken or planned to address all deficiencies identified in the LOC.

**Contact:** Denisse D. Diaz, Chief Clean Water Enforcement Branch

**RCRA Division**   
**G. Alan Farmer, Director**

**Issue:** Onsite Cleanup at Walter Coke Facility

**Update:** The EPA, following an Administrative Order on Consent (AOC), is working with Walter Coke to address cleanup inside the fence line and contamination that is migrating off-site since the AOC was signed a year and a half ago.

The EPA recently reached its one year anniversary for the operational groundwater clean-up at the Former Chemical Plant area of the Walter Coke property. The purpose of this ongoing work was to eliminate the off-site release of contaminated groundwater and was installed by Walter Coke with EPA oversight. This system is pumping contaminated groundwater out of the ground, treating and disposing of this groundwater properly, and the objective is to "pull" the contaminated plume back onto the property, with eventual elimination of the plume. (\*Note: There are no drinking water wells in the vicinity of this groundwater plume.) As part of this effort, a Vapor Intrusion Characterization was undertaken by Walter Coke at one residence across the street from Walter Coke on F.L. Shuttlesworth Drive, whereby soil gas, ambient air and crawlspace air sampling has been conducted since May 2013. This study has been in coordination with the property owner and as of March 2014, three quarterly samples have been collected. EPA is reviewing the results to date.

Most recently, the EPA is continuing to work closely with Walter Coke on finalizing a clean-up study for the Biological Treatment Facility area of the property (the first geographic area targeted). This study develops protective cleanup goals and evaluates cleanup options that can achieve these goals. The most effective cleanup option will be recommended. It is anticipated that this draft study will be approved as a "final draft" study by EPA in late Spring 2014. The public will be allowed to comment on the recommended cleanup presented in the "final draft" study for this first area of the facility.

## North Birmingham Update - April 2014

Cleanup studies in other areas of the Walter Coke property are as follows:

- CMSs for SMAs #2 (Land Disposal Area), #3 (Coke Manufacturing Plant), and CMS for SMA #4 (Former Chemical Plant) are under review by EPA.
- CMS for SMA #5 (Former Pig Iron Foundry) is due to EPA on 9/24/14.
- Continuous Community Engagement activities will be conducted by EPA throughout this clean-up process.

**Contact:** Meredith Anderson, [anderson.meredith@epa.gov](mailto:anderson.meredith@epa.gov); 404-562-8608

### Agency for Toxic Substances and Disease Registry

#### **Issue: ATSDR Soil Health Consultation**

**Update:** The ATSDR soil health consultation was released February 19, 2013 for public comment. 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.

The 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 will release an air health consultation report this year. The Jefferson County Department of Health and EPA collected air samples in the North Birmingham area in 2011 and 2012. ATSDR is studying the test results now to see if breathing air in this area could cause health problems in people.

**Contact:** Sue Casteel

### Office of Environmental Justice and Sustainability Denise Tennessee, Acting Director

#### **Office of Environmental Justice and Sustainability**

The OEJS is responsible for leading and coordinating the region's environmental justice and sustainability programs. The mission of EPA's Environmental Justice Program is to raise awareness of environmental justice issues; identify, assess, address and respond to inequitable environmental impacts; focus resources on areas shouldering a disproportionate share of environmental harm; and communicate to the public about opportunities to get involved in environmental decision-making. This mission aligns with the Agency's overall mission of promoting and enhancing sustainable and resilient communities. The Director of this office reports directly to the Regional Administrator and is responsible for overseeing the implementation of Region 4's environmental justice and sustainability activities and for providing outreach to the Region's environmental justice groups and communities, and other external stakeholders, including federal, state, and local agencies, industry, academia, etc. OEJS plays a critical role in the implementation of Plan EJ2014 and the Interagency Working Group for Environmental Justice, as well as consultation activities throughout the region on technical issues in environmental justice communities.

## North Birmingham Update - April 2014

OEJS will participate in the Regional Administrators' Partnership for Sustainable Communities Meeting on April 2014. Approximately 12 federal agencies in Region 4 will convene to discuss opportunities to continue collaboration underway through the Partnership for Sustainable Communities and to expand the partnership to include North Birmingham. The goal of the meeting is to partner; identify work priorities for the next two years and to embed the concept of working together and focusing general agency programs on helping communities achieve their priorities. The OEJS will follow up this meeting with hosting a Regional Interagency Working Group on Environmental Justice in Atlanta to further discuss the needs of the North Birmingham Community. That meeting will be followed up with a tour of the area specifically for federal agency representatives who may be able to provide technical assistance and other resources to North Birmingham.

OEJS will provide support and leadership to activities associated with the North Birmingham Community Coalition. OEJS staff planned a visit to Spartanburg, SC for the Coalition to learn from other communities facing similar environmental challenges. The visit was successful and the two communities continue to collaborate. Additional capacity building efforts will continue in an effort to help the Coalition's activities to become sustainable.

OEJS has also been selected to receive Office of Research and Development RESES funding for a project titled: *Solution-Oriented Cumulative Risk and Near-Source Air Quality Assessments* in Five Communities with Multiple Stressors, Stakeholders, and Potential Impacts. This project will introduce the community to the ORD C-FERST tool and help them assess pollution risk. This project will run for a period of two years and implementation planning is just beginning.

OEJS provided information to the North Birmingham Community Coalition (Coalition) on the EPA Collaborative Problem Solving Request for Proposals, which closed on February 18, 2014. OEJS will also coordinate with the University of Alabama at Birmingham for the Coalition to access Public Health student interns to provide technical and administrative assistance to the Coalition as it develops its Action Plan.

Contact: Cynthia Peurifoy  
Region 4 EJ Coordinator

Sheryl Good  
Environmental Scientist

**Office of Environmental Accountability**   
**Scott Gordon, Deputy Director**

**Issue: FHWA and ALDOT Transportation Projects in Collegeville**

**Update:** EPA is working with other federal and state partners department of transportation to ensure the

## North Birmingham Update - April 2014

transportation project is designed to improve safety and mobility of the residents that cross at railroad tracts to enter and exit their residences, schools or communities. Environmental and community impacts are fully considered as part of the environmental decision-making process. Two road projects are underway in the immediate project area.

- Vehicular/Pedestrian Bridge on F.L. Shuttlesworth Drive from 27th Avenue North to 32nd Avenue North.

The National Environmental Policy Act (NEPA) process is complete. This project was completed as a categorical exclusion and the Alabama Department of Transportation is currently finalizing bridge design and right-of-way. Construction is scheduled to begin in May /June 2014. The construction process may last approximately 18 months. This project is intended to address some of the ingress and egress challenges that face the community.

- Finley Boulevard Extension from SR-3 (US-31) to SR-79

The NEPA process is ongoing. An environmental assessment (EA) is currently underway. EPA awaiting completed draft document for review and comment. Design Hearing are tentatively scheduled for Spring/Summer 2014 and construction is tentatively scheduled for Summer, 2016.

Please note that EPA plans to meet with ALDOT on April 16<sup>th</sup> to discuss efforts in the area to address community needs as well as our federal and state partnerships.

**Contact:** Ntale Kajumba, NEPA  
Sandra Bonner, ALDOT