

US EPA ARCHIVE DOCUMENT



**FREQUENTLY ASKED QUESTIONS
CHICAGO HEIGHTS BOULEVARD SITE
(Updated June 2013)**

EPA Questions and Answers from Community Advisory Group (CAG), June 2013

- Q:** Sub-slab sampling was performed at approximately 24 homes in the “expanded investigation area” in April 2013. How will EPA and PerkinElmer determine which of these homes require indoor air sampling? If a screening level will be used, what is the screening level and how was it determined? Although high sub-slab concentrations are often associated with indoor air concentrations in excess of the action level, previous sampling has shown that this is not always the case. For example, in August 2012, the indoor air concentration at 1455 Elmridge Place (2.5 ug/m^3) exceeded the action level but the sub-slab concentration (6.1 ug/m^3) was extremely low. Had a screening level been applied to the August 2012 sub-slab sampling results, indoor air testing probably would not have been performed at 1455 Elmridge Place and EPA would not have learned of the need for a vapor mitigation system at that address.
- A:** Indoor air sampling is being conducted for all homes where the April sub-slab results exceed the indoor air screening level by more than a factor of 10. The indoor air screening levels being used at Chicago Heights are $0.43 \text{ micrograms per cubic meter (ug/m}^3\text{)}$ for trichloroethylene and 9.36 ug/m^3 for tetrachloroethylene. The factor of 10 represents a very conservative estimate of the attenuation factor for the basement floor or slab, which is a measure of how well the basement floor or slab prevents sub-slab vapors from entering a home. Thus, if TCE is above 4.3 ug/m^3 or PCE is above 94 ug/m^3 in a sub-slab sample from the April sampling event, that home will have its indoor air sampled and its sub-slab vapors re-sampled in June. EPA guidance on conducting vapor intrusion sampling is to sample sub-slab vapors first, since there can be other sources of TCE or PCE vapors in the home that are not related to groundwater contamination.
- Q:** The “TCE plume extent” that the May 2012/August 2012/January 2013 indoor air sampling locations were based on data from a one-time sampling event conducted nearly two years ago. Given that the extent of the plume is relevant to future indoor air sampling locations and, ultimately, to remediating the Missouri Metals and Chicago Heights Boulevard VOC Plume Sites, what are EPA and PerkinElmer doing or planning to do to evaluate the current extent of the plume?
- A:** The plume extent that EPA has estimated is being updated with each new round of vapor and groundwater sampling. EPA is using the results of each round of sub-slab sampling to determine what other homes (if any) are at risk and should be sampled. This is the “step-out” process EPA has described at public meetings. In addition, EPA is preparing to request from PerkinElmer a Source and Plume Sampling and Analysis Plan, as specified in Task III of the Administrative Order EPA has with PerkinElmer.

This plan will include more groundwater sampling both within the Chicago Heights neighborhood and at the Missouri Metals facility, to provide EPA with a clearer picture of the groundwater plume and the contaminant source areas at Missouri Metals.

- Q:** What are EPA and PerkinElmer planning to do to clean up the Missouri Metals and Chicago Heights Boulevard VOC Plume Sites? There have been at least two prior attempts to clean up the Missouri Metals Site, neither of which was effective. What will be done differently this time? Why does EPA believe the current plan will work when previous efforts failed?
- A:** Specific technologies to clean up the contamination have not yet been selected. They will be selected after the Source and Plume sampling work has been completed, as described in Task V of the Administrative Order, because the results from that sampling is needed to fully understand how the contaminants are behaving underground. Past attempts to clean up the Missouri Metals site were not fully successful, and EPA can learn from the results of those attempts to better select future cleanup technologies.
- Q:** What will EPA do to improve transparency going forward? EPA has stated repeatedly that its decisions are based on science and the results of testing but has thus far refused to release the results of that testing to the public, citing privacy concerns. This stands in stark contrast to MDNR, whose entire file, including all sampling results, is open to the public. If there is in fact a rule or regulation preventing EPA from doing the same, what is it specifically? This is a critical issue that needs to be addressed; EPA can't continue to keep the information it is relying upon to plan and carry out the site investigation from the community.
- A:** While it is EPA's goal to conduct its activities in as transparent and open a manner as possible, it has a legal obligation to safeguard personal privacy interests protected by the U.S. Constitution. It is generally EPA's position that sampling results obtained from private residences may not be disclosed to anyone other than owner/occupant of that residence as the homeowners may have an interest in keeping sampling results obtained from their property private. In the absence of the homeowner's consent to the release of that information, EPA generally will not disclose it.

While the information sought by the CAG is not being requested through the Freedom of Information Act (FOIA), EPA's considerations regarding disclosure are informed by the FOIA. Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6), protects certain personal privacy interests. As set forth in this exemption, and various court cases, EPA is required to balance the personal privacy interests that may be compromised by disclosure against any public interest in the release of the requested information. Absent a showing that the public interest in disclosure outweighs the personal privacy interest, EPA will not release the sampling results. This position has been supported by EPA's Office of General Counsel and has been EPA's position at numerous sites throughout Region 7.

The FOIA requirements and exemptions are applicable only to the federal government, and do not apply to MDNR or HASLC who may have their own requirements regarding the release of sampling results.

While EPA is required to safeguard this information, no such requirement applies to the CAG; it is free to contact property owners and request that the sampling results be shared. A simple consent form could be prepared and provided to residents. This consent form could apply to all sampling results, past and future. Those residents who wish to disclose their sampling results can authorize EPA to release that information to the CAG, or the residents may disclose that information directly to the CAG.

As mentioned above, EPA is required to consider and balance the private and public interests served by the disclosure/non-disclosure of sampling results. It would be helpful to EPA if the CAG would identify any public interests served by the disclosure of this information. EPA will consider any input on this matter from the CAG (or other members of the community) and will use this information as it considers the interests served by the disclosure/non-disclosure of this information.

The CAG could formally request the sampling results under the FOIA. While EPA is likely to assert that this information is exempt from release under Exemption 6 of the FOIA, the FOIA process typically provides appeal rights for the requestor.

EPA Questions and Answers from Community Advisory Group (CAG), March 2013

HEALTH CONCERNS

Q: If our health is safe, why and where are these emails coming from?

A: EPA is aware that some residents of the Elmwood Park area may have received email messages from private law firms or companies seeking to provide legal services or do other types of business with local residents. However, it is important for you to know that EPA is not involved with those messages in any way. Any form of printable communication that you might receive from EPA Region 7 – particularly any email message, fact sheet, meeting flyer, brochure or other printed material that you might receive – will be clearly marked as coming from EPA. EPA's materials often include an official agency seal, and will typically include an EPA staff member's name and contact information so that you can verify that what you are reading is legitimate. If you have any doubt whether an email or other form of communication was actually sent to you by EPA, contact EPA Region 7 Community Involvement Coordinator Belinda Young at 1-800-223-0425 or young.belinda@epa.gov.

Q: Do we need blood tests? At whose expense?

A: If you have recently been exposed to trichloroethylene (TCE), it can be detected in your breath, blood, or urine. The breath test, if it is performed soon after exposure, can tell if you have been exposed to even a small amount of TCE. Exposure to larger amounts is assessed by blood and urine tests, which can detect TCE and many of its breakdown products for up to a week after exposure. However, exposure to other similar chemicals can produce the same breakdown products, so their detection is not absolute proof of exposure to TCE. This test isn't available at most doctors' offices, but can be done at special laboratories that have the right equipment.

Q: Per Agency for Toxic substance website says: Breathing small amounts TCE can cause headaches, lung irritation, etc. Breathing large amounts TCE can cause impaired heart function, death, nerve, liver, kidney damage. Drinking large amounts TCE can cause liver damage, death, impaired heart function etc. Drinking small amounts TCE can cause lupus, liver, kidney damage and death. People exposed to TCE over long periods of time have found increased cancer risk. You are saying this TCE does not affect the entire community and it is safe to drink the water. Based on www.atsdr.cdc.gov/toxfaqs. The entire community's homes should be tested and/or offered a (buyout). The illnesses listed above have touched every block in Elmwood Park, from Zimmermann, Chicago Heights to Elmridge. But you are only testing a few houses. The alarmingly high sickness rate of heart problems, cancer, lupus, liver, kidney damage, miscarriage, stillborn and mental issues is a great concern to the community at large. I would like to know why a buyout is not offered to residents who would like to move

for health reasons. The ATSDR is being asked to look at these stats and advise are we living in "A Cancer Cluster and or Sick Bed?" The community would be happy to share the stats we have so far. The numbers are increasing daily.

A: In Missouri, cancer inquiries are handled by the Missouri Department of Health and Senior Services. For more information, please contact:

Bureau of Cancer and Chronic Disease Control
Missouri Department of Health and Senior Services
PO Box 570
Jefferson City, MO 65102-0570
Telephone: (573) 522-2845
Fax: (573) 522-2899
Email: info@dhss.mo.gov

Residents of Elmwood Park can be assured that the drinking water that comes from their taps is provided by a public water system that is separate from the groundwater and subject to regular testing to ensure it is safe for consumption and use.

PROPERTY CONCERNS

Q: I am trying to relocate and sell two houses in Elmwood. I need a disclosure statement showing my properties are not affected. The EPA told me my homes were not affected at this time. My Realtor advised me to seek a buyout because my homes could not be sold without disclosing the chemical and toxic waste.

A: EPA cannot provide legal advice as to real estate disclosure requirements, which are covered by Missouri state law. Your attorney or real estate agent should advise you on those issues. However, EPA can provide to anyone, upon request, a letter detailing the status of a particular property with regard to the known location(s) of contamination. This type of letter, known as a "comfort letter," is intended to provide some degree of certainty to property owners and potential purchasers regarding liability with regard to a property. While EPA understands that innocent property owners may suffer damages from the presence of contamination in the local environment, EPA has no legal authority to compensate property owners for those damages. To request a "comfort letter" for a property in Elmwood Park, contact David Hoefer of EPA Region 7's Office of Regional Counsel at 913-551-7503 or hoefer.david@epa.gov.

Q: What is the process to demand property buyout for the whole community?

A: Currently there are no provisions for property buyouts or relocations associated with this site. Such opportunities are generally unavailable to residents living on or near environmentally contaminated groundwater sites as exposures to contaminated groundwater can generally be readily addressed through relatively simple and inexpensive engineered controls, such as the mitigation systems that have been installed in many residences in the Elmwood Park community, and other means. By addressing the exposures, residents can remain in their homes and communities are kept intact. Generally, the primary reasons for conducting a permanent relocation would be to address an immediate risk to human health (where an engineered solution is not readily available) or where the structures (such as homes or businesses) are an impediment to implementing a cleanup. Neither of those circumstances exists with regard to this site.

- Q:** Our property values are down but our taxes are up. Which agency can pay or abate our taxes, or can Perkin Elmer pay or abate our taxes since we have basically lost our homes' value/worth due to these chemicals? Who can we contact to protect our rights?
- A:** The valuation and taxation of real property is not controlled by EPA, but rather by state and local governments. You should contact your local assessor's office with questions about tax abatements or changes to the assessed valuation of your property.
- Q:** Will this depreciate our property value? Will we be able to sell?
- A:** EPA recognizes that even unfounded speculation about environmental contamination can have negative impacts on real property values. This is, unfortunately, a frequently occurring consequence of environmental contamination on or near many residential properties across the United States. However, over time, EPA's successful implementation of cleanup strategies at these sites can, in addition to protecting human health and the environment, actually have positive impacts on property values and allow communities to remain intact.
- Q:** What are the criteria for communities in contaminated areas to be bought out? (Such as for areas like Times Beach, etc.) Why is our community any different than those? We are ill, our children are ill; our loved ones are dying at alarmingly high rates.
- A:** EPA's long-held policy, through its Superfund process, is a preference to address risks posed by contamination by using well-designed methods of cleanup which allow people to remain safely in their homes. Vapor intrusion, which has been found in some of the homes of Elmwood Park, can be reliably and effectively mitigated through the installation and operation of vapor mitigation systems. These systems have been – and where needed, will be – installed at no cost to homeowners or occupants of Elmwood Park. Monitoring of these systems to ensure they remain effective is also provided at no cost. These systems allow residents to live without unacceptable exposures in their homes. As a result, there is no need for anyone in Elmwood Park to relocate based on health concerns.

Comment: If the buyout is not feasible, the community should be compensated.

EPA Response: EPA does not have the legal authority to provide, or require others to provide, compensation for damages that property owners or other individuals believe they may have incurred because of environmental contamination. Persons who believe they are entitled to such compensation are free to seek private legal advice and pursue their own legal actions.

OTHER SITE QUESTIONS

- Q:** What is the name of the company/contractor responsible for cleanup?
- A:** PerkinElmer, Inc. (PerkinElmer) is responsible for conducting the investigation and response pursuant to an Administrative Settlement Agreement and Order on Consent that it entered into with EPA in November 2012. While PerkinElmer did not cause the contamination, under the federal Superfund law it is responsible as it owns the facility where the contamination is coming from (9970 Page Boulevard). A copy of the Order is available from EPA and is also posted on EPA's website. Burns & McDonnell, an engineering and environmental firm, is PerkinElmer's primary contractor for the performance of the work required by the Order.
- Q:** What is PerkinElmer, Inc.'s relationship with PerkinElmer EGG? Do they have Board of Directors on staff at any of the companies?

- A:** PerkinElmer is the corporate successor to EGG. EG&G purchased the assets of Missouri Metal Shaping Company, including the property located at 9970 Page Boulevard, from Alco Standard Corporation in 1988. It is believed that the contamination at this location occurred while Missouri Metal Shaping Company operated there.
- Q:** Who do I contact to have my home tested? At whose expense?
- A:** PerkinElmer, at EPA's direction and with EPA's oversight, will continue to test homes that may be at risk for vapor intrusion based on data. The tests performed by PerkinElmer and their contractor are at no cost to the residents. If residents who live beyond the portion of the neighborhood currently thought to be at risk wish to test their homes at their own expense, they can contact their own environmental contractor to make such arrangements. EPA, however, is prohibited from recommending any particular contractor to provide such services.
- Q:** What are the results of the homes that have been tested?
- A:** Results of sampling at individual properties have been shared privately with the owners and occupants of those properties. Because of privacy laws, EPA cannot make these results publicly available, but the owners and occupants of those properties may choose to share it with whomever they wish, if they desire to do so.
- Q:** Why are all the mitigation systems installed on Housing Authority Property and private homeowners are told "you have the chemical but live with it"?
- A:** Ownership of each property has nothing to do with whether or not it has been tested or had a mitigation system installed. EPA's decisions for testing and installation of mitigation systems are based solely on the available sampling data. EPA has never told private homeowners that they have to live with unsafe levels of contaminants.
- Q:** The EPA says PerkinElmer is paying to correct the problem. Why can't private homeowners request that their homes be tested? This testing process is not geared to test private homeowners. Only the homes owned by the St. Louis County Housing Authority are getting the mitigation systems.
- A:** Ownership of each property has nothing to do with whether or not it has been tested or had a mitigation system installed. EPA's decisions for testing and installation of mitigation systems are based solely on the available sampling data. If residents outside the portion of the neighborhood currently thought to be at risk wish to test their homes, they can contact an environmental contractor to do the testing at the resident's expense.
- Q:** When will all the homes and apartments east of Dielman Road be tested for TCE?
- A:** Based on the currently available sampling data, homes east of Dielman Road are not at risk from the site contaminants. The homes east of Dielman are not currently planned for testing. If additional data gathered in the future suggests that these homes were at risk, testing of the at-risk homes would be scheduled.
- Q:** I live in the apartments. What is being done to help me since I have been affected by TCE?
- A:** EPA's decisions for testing and installation of mitigation systems are based solely on the available sample data, not on whether a particular residence is a single-family home or an apartment building. Apartment buildings as well as single-family homes have been tested and

have had mitigation systems installed when test results indicated unacceptable risks to occupants. Apartment residents and single-family home residents are treated equally when it comes to conducting tests and installing mitigation systems.

Q: I would like the ground soil report explained in easy to understand (language).

A: EPA is always available to help residents understand any documents or issues related to the site contaminants in the neighborhood. Feel free to ask an EPA representative at any public meeting, or contact one of the following EPA representatives:

- Belinda Young, Community Involvement Coordinator, 1-800-223-0425; young.belinda@epa.gov
- John Frey, Project Co-coordinator, 913-551-7994; frey.john@epa.gov
- Dan Gravatt, Project Co-coordinator, 913-551-7324; gravatt.dan@epa.gov

Q: Did the Community Advisory Group (CAG) or Elmwood Park receive any environmental justice grants in 2012 or 2013? If so, when and what was done with the grant?

A: The CAG/Elmwood Park community did not submit an application to receive an Environmental Justice Small Grant (EJSG) for fiscal year 2012 or 2013.

Q: Will the opportunity become available for the Community Advisory Group to receive small grants to assist homeowners with privately testing their homes?

A: The Environmental Justice Small Grant program provides funding for eligible applicants to support activities designed to empower and educate communities to understand environmental and public health issues (i.e. exposure to air toxics and lead, farm worker and residential exposure to pesticides, youth involvement in education, etc.) and to identify ways to address these issues at the local level. Applicants must demonstrate that a project will carry out eligible activities under the EJSG Request for Applications (RFA) announcement. Whether or not a grant could specifically assist Elmwood Park property owners with funds to privately test their homes would depend on the specific guidelines that are issued when the EJSG program's Request for Applications is announced, which is on an annual basis. You can get more information on EPA's EJSG process at www.epa.gov/environmentaljustice/grants or you may contact Pamela Johnson at 913-551-7480 or by email at johnson.pamelak@epa.gov.

EPA Questions and Answers as of October 2012

Q: What is the Chicago Heights Boulevard Site?

A: The Chicago Heights Boulevard Site is an area of contaminated groundwater, located in an unincorporated area of St. Louis County, Missouri. Regulatory oversight for the site was referred to EPA Region 7 by the Missouri Department of Natural Resources (MDNR) in September 2012. The contaminants of concern at this site include a group of chemicals known as volatile organic compounds (VOCs).

Q: Where is the groundwater contamination coming from?

A: Information collected from various investigations indicates that the contamination is coming from the Missouri Metals facility at 9970 Page Avenue. Industrial chemicals used at this location were somehow released on the property and seeped into the groundwater below.

Q: How is the site affecting the neighborhood?

A: Contaminated groundwater has migrated beneath part of the surrounding neighborhood. VOCs in the groundwater can evaporate and may affect the indoor air quality of homes or buildings above the area of groundwater contamination. This is known as vapor intrusion. Test results indicate that several homes in the neighborhood have been impacted by vapor intrusion.

Q: Is my drinking water contaminated?

A: Contrary to rumors and some reports in the news media, EPA has found no reason to indicate there are any health risks posed by drinking, cooking, bathing or otherwise using the City water that is supplied to the Elmwood Park neighborhood.

Q: What is the primary contaminant of concern?

A: The primary contaminant of concern is Trichloroethylene (TCE).

Q: What is TCE?

A: TCE is a colorless liquid solvent. It is odorless at the low concentrations being found in some of the homes in Elmwood Park. TCE is used primarily for cleaning and degreasing metal parts. It has also been used in adhesives, paint thinners, spot removers, and typewriter correction fluid. In the past, it was even used as a surgical anesthetic. Because TCE is used in many industrial, household and hobbyist products, it is not unusual for very low concentrations to be found in indoor air. TCE is one of the most common contaminants found by EPA at groundwater contamination sites around the country. At the Missouri Metals facility, TCE was used to clean aircraft component parts that were manufactured at the facility. TCE is no longer being used at the facility.

Q: What are the health effects of exposure to TCE?

A: Exposure to TCE can cause adverse health effects, especially at high levels. Impacts to the central nervous system, male reproductive system, immune system, kidney and liver function, and the developing fetus have all been reported, as have some fatalities, as a result of exposure to very high concentrations of TCE.

High concentration exposures to TCE have typically occurred in the cases of industrial workers who experienced regular or prolonged exposure to TCE in association with their jobs, and not to persons exposed to TCE because of vapor intrusion in their homes.

Q: What is EPA's plan to address the site?

A: EPA is working with PerkinElmer, Inc., which owns the industrial facility, to plan and conduct additional site investigations and to perform appropriate response and cleanup actions. Since August 2012, vapor mitigation systems have been installed in five homes in the Elmwood Park neighborhood, and indoor air testing has been conducted in the 10 homes closest to the area of known groundwater contamination.

EPA anticipates that additional testing will be conducted in the neighborhood, and it is possible that mitigation systems could be installed in other residences if results of environmental

sampling confirm they are needed. EPA is evaluating existing information about groundwater contamination at the site, and will pursue additional investigation and cleanup actions as needed.

Q: Where are the areas of concern?

A: The area of concern is the Missouri Metals facility and Elmwood Park, the residential neighborhood situated generally east and southeast of the facility. To date, volatile organic compounds, including TCE, have been detected in indoor air and/or sump water at 10 residential properties in Elmwood Park. Additional testing is needed to fully define the area of concern.

Q: How many homes in the neighborhood have been tested for TCE vapors?

A: A total of 14 homes have been tested for the presence of TCE in indoor air. Of those homes tested, 4 homes showed no detectable levels of TCE. Of the 10 homes with detectable levels of TCE, only 5 homes showed the presence of TCE above a health-based level of concern.

Vapor mitigation systems have already been installed in five homes. These systems work to remove any vapor intrusion caused by contamination from the groundwater underneath the homes. Indoor air testing will continue in the neighborhood and it is possible that additional mitigation systems will be installed in more homes, depending on the test results.

Q: Will every home in Elmwood Park be tested?

A: Probably not. The homes that need to be tested first include those that are situated above the area of known groundwater contamination. Additional homes that are in close proximity to the known area of groundwater contamination may also need to be tested. EPA will conduct the testing in a phased approach, and will continue testing until the entire area of impact has been defined.

EPA has reached a tentative settlement agreement with PerkinElmer, Inc., the current owner of the industrial property, to begin additional testing at the site. This additional testing will further define the location of the groundwater plume, and it will help EPA determine whether additional homes may be impacted. EPA plans to work outward from the known area of contamination to determine how far the contamination has moved underground.

Q: Is it safe for children in Elmwood Park to play outside?

A: Playing outdoors, in yards or parks, should not pose any risks of exposure to the groundwater contamination. Vapor intrusion is only associated with enclosed spaces or structures (basement or crawl space) that lie above an area of groundwater contamination where vapors can accumulate and become concentrated. In an outdoor setting, vapors will quickly dissipate into the air.

Q: Do I need to move?

A: EPA Region 7 has not determined that there is any need for residents in the Elmwood Park neighborhood to move. As EPA and PerkinElmer continue working to assess and clean up the site, EPA will keep residents and stakeholders informed of progress, including any new information that may be of concern to residents.