

US EPA ARCHIVE DOCUMENT

# U.S. Environmental Protection Agency

## *Notes on Public Meeting*

Chandler – West Chandler Police Substation  
Wednesday, December 13 6:00 PM – 9:00 PM

### **Acronyms/Definitions**

EPA – U.S. Environmental Protection Agency  
Romic – Romic Environmental Technologies, Inc. – Southwest  
GRIC – Gila River Indian Community  
HHRA – Human Health Risk Assessment

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Open House 6:00 PM to 6:30 PM  
Meeting 6:30 PM to 9:13 PM

(Head count at the beginning of the meeting ~49)

### Moderator/Facilitator

- Community Involvement Section Chief located in San Francisco (EPA Region 9)
- Purpose of this meeting
  - To provide a status of Romic's permit application
  - To hear your comments and concerns
- Facilitating the meeting on behalf of Pui Man Wong (Community Involvement Coordinator for this facility)
- Important to sign in to the meeting – meeting attendees will receive updates on the facility in the mail
- Background information on fact sheets (back of room)
- Introductions
- How to run the meeting
  - Prepared short informative presentations
  - Given recent events, questions, concern of the community, want to use majority of time to address these issues
  - Proposed instead to give very short background and use a majority of time for questions and answers

### EPA Comment

- Project manager for Romic Project
- Great turn out at the meeting – excited that everyone is here
- Short introduction to provide context for the meeting and those that may not be familiar w/ the facility
- Romic – hazardous waste treatment and storage facility
- Fact sheet describes the waste – ½ of what they receive is not haz. waste
- ½ is considered haz. waste by EPA
- No wastes disposed on site

- Last public meeting - about 2 years ago (part of the motivation for holding this meeting to update the community)
- 1988 –Romic purchased property from Southwest Solvents (SW Solvents began operating in 1975)
- For facilities like Romic & Southwest Solvents (existed before EPA) – operate under interim status
- Means that the facility is allowed to operate while EPA consider their final permit application
- During interim period – EPA required to inspect facility to make sure that they operate under regulations
- Review facility application – lengthy process, lengthy application
- Once permit application is complete, EPA makes proposed decision whether or not to grant a final permit
- In the past, heard concerns from community and questions about safety, such as:
  - What kind of emissions?
  - Is it safe?
- To address these concerns and issues, EPA asked Romic to do a HHRA for the facility
- EPA does not normally require this for facilities like Romic
- HHRA prepared by Romic’s consultant (this is normally how this is done)
- Once complete, EPA reviews the report to make sure it meets our protocol, and EPA provides comments
- EPA Region 9 received Romic’s HHRA 1 month ago – made it available to the public on the web, at various locations, etc.
- Purpose of meeting – to hear public comment on the HHRA
- But b/c of recent events, i.e. nuisance and odor complaints, we decided to preempt the presentation in order to hear comments on that situation and other comments on the HHRA

#### Meeting Attendee Comment

- EPA is only required to notify people w/in 1 mile radius of the facility
- However, other homes (hundreds behind me) were not notified
- Now this community grown to include hundreds of families and children
- Many children use the aquatic center which is located near the facility
- If anything happens at Romic, it would fall right into the area where the kids swim in the pool
- Real concerns about this, and also concerned that people were not notified when they should have been
- Hundreds of homes and hundreds, if not thousands, of kids live in the area
- This used to be a community of a few hundred, now about 300,000 people live in the area
- Nobody knows about this [issue with Romic]
- Stunned by this, especially because of the children
- Did not receive the notice in the mail until Friday

EPA Comment

- Previous comment referenced a public notice that we put out on April 15, 2005 (re: the 1 mile radius)
- This public notice was intended to announce 2 different things that were happening:
  - Announcing that EPA asked Romic for HHRA
  - Announcing National Historic Preservation Act
- National Historic Preservation Act requires EPA to work in conjunction w/ state, local, tribal to locate any cultural/historic properties that may be influenced by the facility
- Part of this process - to determine the under examination for cultural and historic significance
- Proposed in the notice that they were going to look for historical properties
- 1 mile radius does not apply to the required notification area

Meeting Attendee Comment

- More people in the area should have been notified

EPA Comment

- Personally received 60 phone calls from people
- All of these people were added to the list for mailings
- Also worked closely w/ Jim Phipps (City of Chandler Public Information Officer) – provided additional names and contacts for other residents, businesses, etc.
- If others should be added to the list, please let us know

Meeting Attendee Comment

- I'll do that for you

Meeting Attendee Comment

- Went door to door in the neighborhoods, nobody got information
- Talked to a lot of people
- Nobody knew about this meeting
- In the closest homes to the plant not notified about these

EPA Comment

- Made an effort to add more people to our mailing list
- Did a search w/in a 3 mile radius and added new people, but obviously cannot get in contact with everyone
- Will be opportunities for more meetings for public to voice their concerns and share comments in the future
- Phone # email available in the back of the room - send us names and contact information and we will add them to the list

Meeting Attendee Comment

- Nobody in the Lone Butte Business Park was notified of the meeting

- Had the incident not happened recently, other facilities and workers at the park would not have known about the public meeting
- If you're going to hold a public meeting the area, you need to post it
- More people would have been here had they known about the meeting

#### Meeting Attendee Comment

- Request more information about the incident – a lot of people here may not know what you're referring to

#### Meeting Attendee Comment

- The odor coming from Romic smelled like dead fish
- Many people experienced headaches, nausea, stuffy noses
- Everyday, Romic says that the odor will be gone tomorrow, but everyday the odor remains
- Been breathing this since November 29
- My doctor told me that I've been more sick in the past year than in the 6 years I've lived here
- Last night, said there were no lingering effects
- Nobody came to ask residents of Chandler about their health concerns
- How was the health assessment done exactly?
- Was the HHRA performed in CA? Did they contact doctors in the area? Did they ask for information from outside?
- We are the public – we have little information, yet we rely on and trust Romic to give us the information
- Employees of these facilities are not the only people noticing the odor – customers have noted the odor as well

#### Meeting Attendee Comment

- Who did the health assessment?

#### EPA Comment

- As a child traveling cross-country, noticed smokestacks from big industrial facilities
- At that time, didn't make sense that these emissions would not be regulated
- However, realized that, before methods came into existence, these emissions were not tested or regulated
- More recently – EPA does regulate these emissions
- Even diesel buses produced emissions – EPA has recently undertaken new efforts to regulate these emissions
- In the past – did not have technology to test emissions from these facilities
- Now, we're able to test emissions to understand mix of chemicals in the smoke
- We can now take this information to analyze the impacts of these emissions in the surrounding area
- Risk assessment – designed to look at facilities that process hazardous chemicals like Romic
- What are the impacts? Could it cause cancer? Could it have non-cancer impacts?

- Understand mix of chemicals, toxicity, how they distribute through the environment, etc.
- Once we understand this, we can determine the likelihood that people will become sick from these chemicals
- Back to the original question – how was the risk analysis done?
- Facility has responsibility to prepare this analysis
- Romic does not have the expertise to do this; therefore, the facility hired a consultant (Environ – located in Emeryville)
- EPA has developed guidance/instructions on how to produce a HHRA
- Once the HHRA is complete, EPA generates comments and evaluates whether the HHRA is comprehensive in scope
- EPA does not prepare reports, but ensures that the assessment matches the methods – must be comprehensive and must look at sensitive subgroups (i.e. children, hospitals, etc.)
- Analysis must be considerate of both human health and the environment
- Interested in potential impacts on critters and bugs as well – illustrative of both ecological and human health concerns

#### Meeting Attendee Comment

- Who conducted the HHRA?

#### Meeting Attendee Comment

- Who pays them?

#### EPA Comment

- Romic pays for the HHRA
- But still must be consistent w/ the guidance put out by EPA
- EPA – does not influence who Romic hires to conduct the HHRA, but the agency can influence how the HHRA is conducted (through guidelines)

#### Meeting Attendee Comment

- How is the consultant certified accredited?

#### EPA Comment

- The consultant's expertise is not qualified
- When the report is submitted to EPA, the agency must determine whether they followed the required methodology
- EPA is required to perform certain checks and balances (i.e. check equations, etc.)
- EPA does not send someone to the facility to conduct their own HHRA

#### Meeting Attendee Comment

- So, basically, we're taking their word for it?
- Is there no way to determine if their methodology is conducted the way it was supposed to be?
- Don't see any checks and balances here at all.

- Seems like the industrial entity hires the environmental consultant to produce a report that will get EPA's stamp of approval

#### EPA Comment

- Examples of checks and balances:
  - If the guidance says we must look at 4 years of meteorological evidence, and we see that the consultant only looked at 2 years of data, we will require the consultant to revisit the HHRA to include the required information

#### Meeting Attendee Comment

- But how does EPA check to make sure that the data used to conduct the HHRA is correct?
- Did Enviorn perform the HHRA accurately in your opinion?

#### EPA Comment

- We haven't concluded review of the HHRA
- Will likely find several opportunities for improvement in the HHRA
- We've heard things in the past few days that we will also take into consideration during our review of the HHRA

#### Meeting Attendee Comment

- Shocked that you admitted that you only spot check this information
- EPA only spot checks work by consultant hired by Romic – a facility that has a history of violations
- Many problems in the HHRA – for example, indicates that no environmental impacts resulted from a fire at the facility
- How can they say that?
- Also indicate that there no measurable harm resulted from drifting emissions, but Romic admitted to us today that the harm was never measured
- Didn't see any place in HHRA to predict the sickening of dozens of neighbors even though that is what we're observed since November 29

#### EPA Comment

- EPA's guidance related to instructions and methods
- Best answer is that the HHRA is, at times, inconsistent w/ the guidance
- Romic handles hundreds of chemicals – of these chemicals, about 10-20 pose risks
- EPA only spot checks chemicals that pose risks

#### Meeting Attendee Comment

- When you spot check, do you consider claims that problems like fires and vapors caused no impact or measurable harm?
- Was EPA aware that these claims were not supported by any kind of measurement?
- Are you aware of anything in the HHRA that predicts that the recent event (Nov. 29 release) could have happened?

EPA Comment

- The HHRA looks at cancer-causing and non-cancer causing chemicals
- The assessment considers both long-term impacts (10 years) and acute impacts (i.e. short, 1-hour, high level release)
- For this HHRA – acute impacts were measured at a value of 1.6
- The threshold for EPA is 1.0
- Risk assessment - tool used by EPA to help us make our permit decision

Meeting Attendee Comment

- Did the consultant that performed the risk assessment leave SF and come to Romic to do the HHRA?

EPA Comment

- Yes they have visited the site
- Located sensitive facilities within 50 km radius to conduct the HHRA and assess risk as well

EPA Comment

- Heard at last night's meeting that the contractor who did the risk assessment has an office located in Phoenix
- Consultants came from this office to take information to prepare the HHRA

Meeting Attendee Comment

- With respect to regular inspections, does EPA take measurements?
- For example, does EPA take air samples?
- Do they check for fugitive compounds?

EPA Comment

- EPA inspector – Romic is one of the facilities that I have personally visited for the past few years
- Romic is also one of the more complicated facilities – as such, the inspections are typically very long
- Normally – perform a quick in-brief and then go out to look at the whole facility (including drum storage, tank storage, waste processing, recycling units, etc.)
- Walk through all of these processes to examine the equipment
- During this walk through, EPA inspectors also look at meters and compare them to records maintained by Romic employees
- Also review records associated w/ the equipment (can look at up to 3 yrs. of records)
- Look closely at the air emissions process and how leaks are prevented
- Look at inspection/monitoring records – take samples of records out in the field to double check and ensure that records match field measurements (ensuring that Romic employees actually took the measurements)
- Romic is required to document pieces of equipment that are subject to air emissions control regulations (~3,000 pieces of equipment)



- Due to the large # of equipment, inspectors choose a section and do a walk through of those units to make sure that everything matches physically w/ the paperwork
- Usually a multi-day process (2-3 days for the inspection)
- Make sure in the field measurements match their records
- EPA does not have the capability to perform the sampling, but inspectors do watch facility personnel calibrate their own air monitoring equipment and oversee the measurement process to make sure it is performed correctly and to ensure that measurements do not exceed EPA regulations

#### Meeting Attendee Comment

- How often does EPA inspect Romic?

#### EPA Comment

- Try to go at least once a year
- Required to go every other year
- GRIC DEQ also performs unannounced inspections

#### Meeting Attendee Comment

- Does EPA rely solely on Romic to provide the information?
- EPA does not go out into the field to put pressure on the lines and check them?

#### EPA Comment

- EPA has had people come w/ us to take monitoring measurements at the units to make sure there aren't any fugitive emissions

#### Meeting Attendee Comment

- EPA indicated previously that there were opportunities for revisions/improvements in the HHRA?
- What does this mean?

#### EPA Comment

- Again, Romic was not required to perform the HHRA
- Without this assessment (absent an industrial facility preparing an HHRA) EPA would not be able to fully understand the magnitude of potential impacts
- However, once we understand magnitude of these impacts, EPA can consider these in the permitting process
- Use this information to craft specific conditions in the permit, should EPA choose to propose the permit

#### Meeting Attendee Comment

- EPA's opportunity to develop a better understanding of the health impacts is based on information collected from the consultant
- When I first heard the word opportunity, I thought this meant that EPA had concerns
- Now I understand that EPA wasn't even aware of health impacts until the HHRA was completed by Environ

- Shouldn't EPA have the expertise rather than relying on the contractor – EPA should be enlightening others rather than relying on others to be enlightened
- This opens up concerns about the integrity of the EPA

#### EPA Comment

- Regulations are not based on risk, they are based on technology
- 1985ish – EPA started to take advantage of the maturing science of risk assessment
- Now EPA regulations take a combined approach (consider both technology and risk)
- EPA still interested in developing a better understanding of the long-term health impacts

#### Meeting Attendee Comment

- This is all theoretical

#### Meeting Attendee Comment

- When we're talking about consultants, we should remember cases like Enron – problems due to the lure of money and power
- Back in the day when I dealt w/ hazardous waste, we kept track of what went in and what came out – the difference was indicative of what was released to the environment

#### EPA Comment

- Regulations in place that address that issue
- Romic must file TRI reports (Toxics Release Inventory)
- These reports are part of the public record - available locally and also upon request
- These reports detail exactly what is coming in, going out, and what may be emitted to the land, water, and air

#### EPA Comment

- Think you are referring to mass balance
- Common phrase associated with the RCRA law is “from cradle to grave”
- In the case of hazardous waste, we want to keep track of these materials from their creation to their disposal

#### Meeting Attendee Comment

- Workers at Romic have told us that, when EPA conducts inspections, the facility knows that the agency is coming and responds by putting on certain equipment
- In fact, Romic knows that EPA is in town right now
- Last night, Romic told citizens that they could come to the facility for a tour today
- You would think that they would be on their best behavior, but when we visited today, we found numerous violations
- How soon did Romic call EPA to let them know that a release had occurred?

#### EPA Comment

- EPA was aware of the incident on Nov. 29<sup>th</sup>

Meeting Attendee Comment

- EPA is supposed to be working for us – we pay you to help
- Yet at every meeting, it seems like you guys are going out of your way to support these facilities
- For 25 years, Romic has been operating without a permit – it just doesn't seem right
- EPA just wanted to stick [Romic] on the reservation and take 25 years to address the issue
- We're here today because EPA is required to have some meetings

EPA Comment

- Interim status is a form of a permit
- While operating in this status, the facility is required to comply w/ numerous, extensive regulations
- Romic is currently applying for final permit – only slight difference in regulations between an interim and a final permit (final is more stringent)
- New equipment and new structure at Romic comply with higher standards that would be required by the final permit

Meeting Attendee Comment

- Nobody in this neighborhood knows about these violations
- If people have been adequately notified, and if you had some posters about these violations, then we would feel like we were maybe playing on the same field

EPA Comment

- This information is publicly available
- Information also on the fact sheets

Meeting Attendee Comment

- By omission, you are misleading the public
- Shouldn't be up to us to bring your own documents to the meeting
- Much of what's been told to the audience tonight is simply not correct
- Claim that interim status requires stringent regulations
- EPA's files shows that when EPA got around to inspecting the facility, this information was not always shared w/ GRIC
- Shows that compliance is meaningless
- Allowed to operate year after year with violations
- Citations of EPA Press Release about Romic's violations (i.e. "failed to properly operate and inspect their air emissions equipment")
- "Failed to maintain records" – for years EPA hasn't had a clue of what's been coming out of the facility
- EPA is misleading the public, and I'm really starting to think this is intentional
- Committing the same violations year after year, committing violations even when EPA's in town
- Evidence from site visit by the public earlier in the day:

- Residues in the facility – haven't notified OSHA
- Residues blended into fencing
- Hazardous waste storage facility – tilted drum
- Drum labeled hazardous waste w/ gunk all over its sides
- Dented barrels – EPA finally fined Romic for failing to store waste in adequate barrels
- Romic agreed that it was improper and should have been dealt with
- What are you doing when you're down here?

#### EPA Comment

- The inspectors look at Romic's records – the facility is required to do weekly inspections
- When we go out on our inspection, we look for the same things that you found today
- If easily fixable, we will identify and document the violation but ask them while are on-site to fix it
- If they cannot fix while we're on-site, must send information that documents that the problem was fixed

#### Meeting Attendee Comment

- One barrel contained cyanide contaminated material
- That's not in EPA documents, and cyanide has nothing to do with chemical recycling

#### EPA Comment

- Press release that's being referred to is from several years ago

#### Meeting Attendee Comment

- EPA claimed that they knew what was coming out
- Numerous examples show that they don't have verified records of this
- How does one know what the facility is emitting when EPA's records—which go back several years—show that EPA does not know what's coming out?

#### EPA Comment

- If we understand volume of hazardous waste that goes in and how much goes out (i.e. what's been treated), we understand that there are sometimes inconsistencies
- Clearly, EPA recognizes that there are violations, there may be inconsistencies in this information

#### Meeting Attendee Comment

- We have to dig through EPA's basement to get this information
- In the past, EPA staff has had to come to us to get the information

#### Meeting Attendee Comment

- Fines in the past for hazardous waste violations
- Romic – CA-based company wants to expand their facility
- \$67,888 fine from EPA

Meeting Attendee Comment

- Why are we here tonight?
- To talk about Romic's expansion? The incident on Nov. 29<sup>th</sup>?

EPA Comment

- Originally set the date for this meeting with the intention of discussing the HHRA

Meeting Attendee Comment

- What does public comment weigh in EPA's decision to grant the permit?

EPA Comment

- Will use this information in consideration of the permit proposal

Meeting Attendee Comment

- Romic bought \$100,000 worth of fire equipment for Gila River (Supplemental Penalty)
- Seems like this company has a lot of money – they don't mind paying these fines
- Obviously have money to play around with
- If they are in violation, can pay what they have to pay and then some
- But we're still inhaling this stuff

EPA Comment

- SEP – recommend this as an option so that some of the penalty money goes back to the community rather than into the U.S. Treasury

Meeting Attendee Comment

- My concern is that across the street is our area w/ all of these people
- City of Chandler should be involved in this

EPA Comment

- This is why we are here – why we hosted the public meeting

Meeting Attendee Comment

- Timing really bad for this meeting
- Should be given plenty of time and advanced notice for these kinds of meetings
- Received the mailer Friday – this doesn't cut it
- I wish I would have gone door to door to make people aware

EPA Comment

- Want to make it clear that we will entertain comments at any time

Meeting Attendee Comment

- Is it true that they are storing cyanide there?
- Is EPA aware of this?

EPA Comment

- Yes, we're aware
- Some waste codes include cyanide

Romic Comment

- Cannot provide a response regarding that specific drum (too many drums to recall one particular drum)

Romic Comment

- It was debris contaminated w/ cyanide
- Some wastewater treatment facilities capture debris that is, in turn, contaminated w/ chemicals like cyanide
- These "filter cakes" are something Romic would pick up
- Materials like these also sometimes come in as a "lab pack" (i.e. used at school chemistry classes, etc.)

Meeting Attendee Comment

- Appears that EPA has a weaker hand in all this than I had originally assumed
- The picture being painted that is pretty disturbing
- Who has accountability?
- Seems that EPA is very impotent - you guys really don't have that much power to take action

EPA Comment

- Romic facility located on tribal land – not subject to AZ state laws
- As such, this facility is our responsibility, and we also have the responsibility to protect human health
- Also have authority/responsibility that we can go in and shut facility down if it poses a threat to human health
- EPA does not have the authority to put the facility out of business unless this happens over and over again
- EPA not a land-use agency
- In this case – facility located in Lone Butte Industrial Park
- Governed by tribal and local zoning laws
- In this case – EPA has the responsibility/authority to make a permit decision
- But b/c EPA respects sovereignty, been working close w/ GRIC (working at many different levels – all the way up to the tribal council)
- At the end of the day, we have to be together on this
- Will not approve permit if GRIC does not want it
- Ultimately – EPA has the legal responsibility
- But will not make decision w/o working w/ and informing tribal partners

Meeting Attendee Comment

- Who makes the final decision?

#### EPA Comment

- For this facility – responsibility falls with Jeffrey Scott (Division Director level)
- Jeff – being briefed almost hourly
- Provided Jeff’s name, title, and address

#### EPA Comment

- At this time, EPA has not made a proposed permit decision
- Once we have made a proposed decision – will continue to hear public comment
- If the final permit decision is approved, it can still be appealed to the environmental appeals board – 5 EPA judges in a separate branch back in EPA HQ
- These judges decide if the appeal has merit
- If meets their cause for merit, then they will hear the case
- Sometimes do this in public forum
- Once the environmental appeals board has made their final decision, and if the public is not happy with this decision, and pursue further appeal
- Another round of appeals goes through the district court (outside of EPA)
- Environmental Appeals Court – can look this up on EPA’s web site

#### Meeting Attendee Comment

- Want to ask Romic a question
- What happened last week that made us all sick?

#### Romic Comment

- Receive many different waste streams
- When we receive these waste streams, we sometimes fuel-blend them with other waste streams, then send fuel-blended waste to the incinerator
- Waste stream supplier wanted Romic to look at the possibility of recycling
- Took a sample of waste streams, lab tested the fuel blend – based on the lab experiment, looked like it was good to go
- Went through the recycling process to drive off the impurities, but, in doing so, created the odor
- Once that occurred – realized it wasn’t working and ultimately shut down the process units, but the scent is still lingering

#### Meeting Attendee Comment

- Didn’t you attempt to capture the air emissions created by this recycling process?

#### Romic Comment

- No, do not have an air sample.

#### Meeting Attendee Comment

- Aren’t any studies done of local disease clusters, asthma clusters, cancer clusters, etc.
- None of this information is considered in the preparation of the HHRA?

- This fact generates concern
- Also concerned about EPA's reliance on Romic for self-reporting
- EPA has not done an adequate job of informing people
- Suggestion to send information about the facility and about public meetings, etc. to local elementary schools and ask them to inform the parents
- The same equipment responsible for the release and odor that began on Nov. 29 may be releasing more harmful & odorless chemicals
- Based on the description of the permitting process, sounds like the end goal is to get Romic a permit
- Collecting feedback so that EPA can send this back to Romic – giving them the opportunity to address these issues and improve
- Meanwhile, Romic continues to operate on this interim permit
- If they aren't compliant enough to get their final permit, they can continue to rely on interim permit (they're better off)

#### EPA Comment

- The process [of issuing a final permit] has taken a long time
- Romic is not the only facility that hasn't received a final permit
- When EPA originally developed regulation for these kinds of facilities, they prioritized a list to make sure that those that posed the highest danger (completed these permits first)
- Romic was not "ranked" as high on the list (list ranks nationally, not geographically)
- EPA has the responsibility to make final permit decision on facilities on tribal land (one other – Siemens)
- EPA's goal is to make a proposed permit decision by the end of our fiscal year (end of Sept. 2007)
- If proposed decision is to deny the permit, Romic lose their interim status
- Without interim status, Romic will be required to cease operations
- There are other operations that they could do at the facility that do not require a permit

#### Meeting Attendee Comment

- When was the last time EPA denied a permit?
- How many proposed permit decisions does EPA make each year?

#### EPA Comment

- EPA denied a permit in NV (approximately 1998)

#### EPA Comment

- In EPA Region 9, there are 2 facilities (Romic, Siemens) that we have direct responsibility to make permit decisions on because they are located on tribal land
- Other permits decisions made by the states because they fall under state jurisdiction

#### Meeting Attendee Comment

- EPA does have authority on Title V permits



EPA Comment

- Yes, we're referring only to the RCRA program

Meeting Attendee Comment

- 33 kids in our neighborhood died
- Whenever we've had public hearings, officials always tell us that they will make their decision based only on facts – will not base decisions on the reasons why mothers are here crying

EPA Comment

- When making permit decision – EPA must decide if the facility can operate under the permit and still be protective of human health and the environment
- If facility cannot handle situations that pose a threat to human health, EPA will deny the permit

Meeting Attendee Comment

- In the past, we invited EPA to take a tour/field trip with local children to show EPA officials where they play (Superfund sites, etc.)
- Felicia Marcus – rented 2 16-passenger vans
- EPA officials couldn't believe what they were seeing (furiously taking notes)
- Only time they called back was to order t-shirts from the kids – no follow-up
- Nothing was done
- Kids are still dying in Marybell (sp?)
- When you get on the plane, remember what you heard here

Meeting Attendee Comment

- Similar violations at Romic's E. Palo Alto facility
- When EPA considers if you can craft a permit that will keep them in compliance, keep in mind that you haven't been able to keep E. Palo Alto into compliance either (not operating on an interim permit)

Meeting Attendee Comment

- Within 2 mile radius of Romic – 4,000 children (Middle School and Elementary School)

Meeting Attendee Comment

- How does City of Chandler feel about this facility?
- How does the tribe feel about this facility?

EPA Comment

- This is the first public meeting that we've had in Chandler
- Worked w/ Jim Phipps (Chandler's public information officer)
- Sent a letter to Mayor of Chandler and City Council members

Meeting Attendee Comment

- EPA told tribal officials that everything was fine
- May have done the same with City of Chandler officials, which may explain why they're not here today

Meeting Attendee Comment

- Quoted newspaper – “We want [Romic] out of here.” (comment from community member)
- EPA did not share what they had on record w/ tribal leaders

Meeting Attendee Comment

- When continue to violate, what does it take for the permit to be denied based on non-compliance/compliance history?

EPA Comment

- If there's a pattern of non-compliance, look to see if there's a permit condition that may prevent that violation from continuing to occur in the future
- If we did grant a permit to facility, we will continue to conduct inspections
- EPA has the authority to shut the facility down and mitigate, but we do not have the authority to put the company out of business

Meeting Attendee Comment

- Pattern of non-compliance – will this be part of the decision of whether or not to grant the permit?

Meeting Attendee Comment

- More than just an odor b/c it created a residue
- Has EPA taken a sample of residue to test what's in it?
- Do not have faith in Romic to tell us the truth about what's in the chemical/residue
- This is something EPA could do to answer concerns
- If you're here to protect us, then please take a sample to find out what's in it

Meeting Attendee Comment

- Did somebody have to die?

EPA Comment

- Best way to identify what was in the release was to collect an air sample of the release at the time of the release
- If we were to take a wipe sample – would have to make some determination what fraction comes from Romic and what fraction comes from other sources (i.e. maybe compounds found at Lumber Products)
- Not really possible to determine what people were breathing
- Want us to take an environmental media sample
- Would that be indicative of what you were breathing – don't know

Meeting Attendee Comment

- Should Lumber Products get the equipment to take their own samples?

Meeting Attendee Comment

- Even if you did that, EPA wouldn't accept the information that you collect
- Would immediately say that your sampling was flawed

Meeting Attendee Comment

- If they have a leak, aren't they required to take an air sample?

EPA Comment

- EPA asked Romic to voluntarily update air emissions system w/ additional carbon drums
- Required to take measurements daily when air emissions systems are operating
- Also required that if they find any VOCs coming out of the last drum, must shutdown and change out the drum
- Romic collected some information related to this release, and we're continuing to investigate
- Chemical that causes the smell is not a VOC – did not get captured b/c the air emissions system was not able to capture it

Meeting Attendee Comment

- Confused – Was the chemical volatile or not?

EPA Comment

- For some chemicals, volatility changes in the air emissions process units
- Do not know at this time what caused the odor

Meeting Attendee Comment

- They can do this over and over again

EPA Comment

- What kind of process/procedure can we put in place to be proactive about this rather than reactive?
- Looking into this as a result of public comments last night
- Not a violation under their interim status (whatever went into the interim permit)
- But now we can consider this in the final permit
- EPA has in its statutory authority to take action if people get sick
- Have not determined that the activity that caused illness violated the regulations.

EPA Comment

- At one time, EPA was a regulation and technology-based agency
- Have more recently become more of a health-based agency
- Dual responsibility – regulation and risk
- Many chemicals that Romic works w/ chemicals have taste and odor thresholds

- Part of HHRA revisions - make it more comprehensive to include taste and odor thresholds
- Example of efforts to be more proactive than reactive

#### Meeting Attendee Comment

- Not considered a violation even though people got sick? – this is both disturbing and sad
- EPA contradicts the claims that they have stringent regulations to protect human health
- Hope that tribe exercises sovereignty and wisdom (much more wisdom than EPA) to punish Romic for making people sick
- Current regulations allow people to get sick, therefore they are obviously not protective of human health and the environment

#### Meeting Attendee Comment

- Mentioned that analysis for organoleptic effects
- Who is going to do these analysis? Outside contractors? EPA itself? Colleges and universities?

#### EPA Comment

- Research on organoleptic effects first done by Environ
- Same company that Romic contracted w/ to do HHRA

#### Meeting Attendee Comment

- Wouldn't it be more advantageous for Environ to contract w/ EPA as opposed to the contracting with Romic (the regulated facility)?

#### EPA Comment

- There are times when EPA hires consultants/contractors to work on these kinds of issues
- RCRA is set up so that taxpayers would not be burdened w/ paying for analyses of private companies
- My responsibility for EPA – make sure that Environ's methods are consistent w/ EPA guidelines

#### Meeting Attendee Comment

- How would EPA's response to the Nov. 29<sup>th</sup> incident have been different if someone had died?

#### EPA Comment

- This has never happened in our region in 11 years that I've worked for EPA
- Use theoretical calculations
- Try to avoid these instances, but limitations because these are based on theory
- EPA in an awkward position because we are also criticized for being too theoretical

Meeting Attendee Comment

- Subjective thresholds – you can taste what I can't taste, I can hear what you cannot hear, etc.
- Ford Crown Victoria – man incinerated in his car b/c of problems w/ the vehicle
- Cheaper for Romic to pay EPA fines than to conduct business decently
- Can't trust people that are untrustworthy
- Agree that we should have industries like Romic to recycle hazardous waste
- But this should be done in a way that does not impact people that live and work nearby

Meeting Attendee Comment

- Gila River really stood up last night against Romic
- GRIC does not want to see this permit go through
- Want to see that people in this part of town are safe and have good health and make sure that the community is taken care of
- I have been exposed to toxic chemicals for 3 decades – I know the effects of toxic exposures
- I have experienced a loss in the quality of life
- Here today to support all of you – we'll do everything we can to work together to make sure Romic is checked out thoroughly
- GRACE – Gila River Alliance for a Clean Environment – wants to see Romic out of the reservation
- Been a long road, hope we're toward the end
- Will not stop until Romic is gone
- Facility smelled really bad today – even the reporter that came w/ us couldn't handle it
- Non-toxic odors – still have negative impacts
- 6 people went to the hospital
- People shouldn't be subjected to that

Meeting Attendee Comment

- Some of the chemicals that Romic handles are considered cancer-causing and noxious
- Some of these chemicals also cause birth defects (i.e. cyanide)
- Without seeing the list, can't really know all that goes in and comes out

Meeting Attendee Comment

- I've been against Romic for 4-5 years
- Even as involved community member, I was unaware of this facility on our reservation
- I am against this on our reservation because of the effects it could pose to the community – not just GRIC, but also Chandler, Phoenix, etc.
- Accident could affect the casino – important to our economy
- GRACE – here to let the community know that we want to work with you
- We are a grassroots organization – want to work w/ you to fight big companies like Romic

- Stand for the people – this is why we’re here to question EPA and what they’re doing

Meeting Attendee Comment

- Many people who weren’t notified that should’ve been
- Also people in Chandler and tribal leaders did not have very important information (i.e. inspection reports)
- Since this should play a role in the permit decision, propose a meeting in the end of January to discuss EPA’s past inspection reports
- People hearing this info from us – should have a properly advertised meeting to spend chunk of time going through inspection reports to let people know what you’ve found
- If those documents were provided the tribe in a timely fashion, Romic would’ve been gone a long time ago
- How has Romic operated? Use own inspection reports to show as the basis for this.

Meeting Attendee Comment

- How many times has Romic been fined?

EPA Comment

- Once

Meeting Attendee Comment

- Fined once for decades of violations
- Took 3 years for these violations to be addressed

Meeting Attendee Comment

- Fact sheets that EPA brought do not contain all the information
- When we went to the facility today, it seemed like they were stalling so that they could get things in order
- May or may not be an assumption

Meeting Attendee Comment

- Birth defects
- For a long time after we were exposed, people told us that we weren’t in any real danger
- Between 3 women in my family – there have been 11 miscarriages
- But still didn’t want to commit these issue to exposure to Romic’s chemicals and emissions
- Also have had unusual rashes, severe asthma, etc.
- Tried every over-the-counter pill to try to cure this, but still constantly get these symptoms
- EPA does not want to connect these problems to things that are happening—leaks or emissions—because nobody wants to be held accountable.
- If we don’t have this company here, then we won’t have to worry about it at all
- You can’t tell us that we dreamt up these illnesses when I’ve seen these rashes on my family (neck down, arms, etc.)

- Exposure happening whether people know it or not
- Sometimes can't see chemicals that are emitted into the air, groundwater, etc.
- Think, "Out of sight, out of mind"? – our family has learned that is not true
- Gets emotional when you consider what could have been – 11 babies could've been born
- EPA – just a job – you come in and inspect, but you don't live here, don't have to deal with these issues
- You can't rely on statistics, degrees, or education – must rely on what's in your heart
- Need to make a united stand against companies like Romic

Facilitator/Moderator

- This is just the beginning
- Will continue to take comments through the end of February
- Will come back when we have made a proposed decision
- At that time will have another public meeting to hear your comments on this proposed decision