



October 21, 2009

A. Stanley Meilburg,  
Acting Regional Administrator,  
EPA Region 4  
Sam Nunn, Atlanta Federal Center  
61 Forsyth St. S.W.  
Atlanta, GA 30303

Dear Mr. Meilburg,

The Pensacola, Florida area is plagued with many environmental disasters. The two Superfund sites (Escambia Treating Company and Agrico Chemical Company) that led to the eventual relocation of over 300 families still presents problems in the Pensacola area. In addition, there are other industries still in operation that have proven not to be very good neighbors. As Executive Director of Citizens Against Toxic Exposure (CATE) I would like to take the time to draw attention to the concerns that remain, and the problems that our communities were faced with despite the relocation program.

In addition to the Escambia Treating Company and Agrico Chemical Company, Pensacola residents share their neighborhoods with other industrial giants whose lack of consideration for the health and well being of Pensacola's residents and the environment is incomprehensible. With neighbors like Gulf Power (Crist Plant), Solutia Inc., International Paper, Reichhold Inc., and Arizona Chemical Co., among others, the residents of Pensacola are constantly bombarded with pollution.

Funded by a State grant, CATE conducted an air and soil pollution campaign from February 2007 through July 2009. The findings of CATE's own samples were startling. Well over half of CATE's 43 air and soil samples taken over this approximately two year period exceeded the EPA Region 6 Screening Levels, Texas Effects Screening Levels, or the Agency for Toxic Substance and Disease Registry's Minimal Risk Levels. Most commonly, the chemicals that exceeded those standards included: Radium 228, Potassium 40, Arsenic, alpha-Pinene, Dimethyl Sulfide, Methyl Mercaptan, and Hydrogen Sulfide. In some cases, Arsenic was detected in soil at almost 21 times the EPA Region 6 Screening Level of 0.39 mg/kg, while Hydrogen Sulfide was detected on more than one occasion at over 13 times the EPA Region 6 Screening Level of 2.1 µg/m<sup>3</sup> (1.5 ppbv).

While Pensacola residents are left to wonder how they may have been exposed to hazardous chemicals and why their health is deteriorating, the EPA seems unwilling to bring any enforcement actions to protect public health and the environment. It is disheartening that while the federal government put their resources into relocating over 300 families from the toxic areas surrounding the two Superfund sites in Pensacola, the blatant disregard for human health and the environment still persists with no accountability. Even the Agrico site,



a Superfund site with active remediation occurring still shows high levels of Radium 228 in residential soils surrounding the site. It is clear that whatever remediation is occurring is inadequate. CATE would like to see this clean-up process evolve into a more collaborative and transparent effort, one that include the residents who are *still* living near the contaminated site. It is clear that additional testing is needed to determine if areas that are currently deemed “clean” are in fact free of contamination. In addition, a health assessment must be done to address the health of the current and former residents surrounding the Superfund area. The many residents who were not relocated and are still being impacted by the direct source of contamination must be considered for relocation.

This letter not only seeks to exemplify the serious pollution problems residents in Pensacola are still facing, but also aims to highlight the many complaints and concerns from the first community relocation from the Escambia Treating Company area. Many of the community members who were relocated feel that they were treated unfairly. Many have expressed that they felt threatened by the federal government, who pressured residents in the Superfund area with imminent domain if they did not take the offers presented to them on their properties. Many families were placed in even more devastating conditions than those they sought relocation from. Some relocated families expressed extreme disappointment when they found holes in their kitchen and bathroom floors, leaking furnaces, rotting roofs, and mortgages beyond their means. One person did not receive their full benefit package because they had not lived in the dwelling for 180 days (a black female) and was told by the Corp. of Engineers (Willie Patterson) that another individual that had not lived in her home for 5 years received her full benefit package (a white female).

In addition to the poor treatment of affected residents, some property appraisals were extremely low, and when complaints were made no second or third appraisals were offered. A select few residents were given astronomical appraisals for properties that did not appear to be in any better location or condition, and received relocation benefits and additional funds for storage. Property owners were also not notified about the renter’s settlement. The federal government was using an old relocation policy that had not been updated at the time this relocation was occurring. CATE asked for a new policy and to date we have not received any new or updated relocation policy.

While the relocation mainly focused on residential areas, a few businesses were also offered relocation. Unfortunately, although CATE, a nonprofit corporation, was leasing office space in the affected area, no relocation plan was offered to us. This oversight highlights the disparate treatment that arose during the relocation process, and is unacceptable to CATE.

It also appears that the EPA handled the Technical Assistance Grant (TAG) Award inappropriately even while CATE had a mediator involved. When CATE was not awarded the TAG award recently, after they had for the last several years, the move seemed unprecedented. CATE reached out to the EPA and when those efforts failed, CATE approached the group who received the award, the Clarinda Triangle Association. Unfortunately, the Association was not interested in working together with CATE and other interested allies.



Mr. Meilburg, we urge you to affect fundamental change in the EPA Region 4 states. Please do not let these environmental injustices continue to be overlooked. There is a strong need for further enforcement, hazardous waste clean-up, and relocation in this region. Inadequate and unequal protection is unacceptable to the people of Pensacola, Florida. We appreciate your attention to this matter and hope to hear back from you soon on your intentions and efforts for reform.

Sincerely,

Francine D. Ishmael,  
Executive Director  
Citizens Against Toxic Exposure, Inc.