In The Matter Of:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY RE: USS LEAD PROPOSED PLAN ZONE 1

PUBLIC MEETING November 29, 2018

BOSS REPORTERS

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Original File 11-29-18 USS LEAD PROPOSED PLAN ZONE 1.txt

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1	UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2	PUBLIC MEETING
3	RE: USS LEAD PROPOSED PLAN
4	ZONE 1
5	at
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7	1008 W. Chicago Avenue, East Chicago, Indiana
8	Thursday, November 29, 2018
9	6:00 o'clock p.m.
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1	APPEARANCES
2	ON BEHALF OF THE U.S. ENVIRONMENTAL PROTECTION
3	AGENCY:
4	Janet Pope, Community Involvement Coordinator 77 West Jackson Blvd., SI-6J
5	Chicago, Illinois 60604 Pope.janet@epa.gov
6	Tom Alcamo, EPA Regional Project Manager
7	Charles Rodriguez, EPA Community Involvement Coordinator
9	Doug Mallatte, Acting Division Director, Superfund Division
10	Joan Tanaka, Branch Chief, Remedial Program Branch
11	Tim Fischer, Remedial Program Branch Section Chief
12	Rachel Zaner, EPA Attorney
13	ALSO PRESENT:
14	Doug Petras (phonetic), IDEM
15	Michael Lythcott, SKEO, Facilitator
16	Members of the Public
17	Members of the rubite
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1	
2	(Public hearing starts at 6:02
3	as follows:)
4	MS. POPE: Hello, everybody. How are you
5	today?
6	(Multiple inaudible responses.)
7	MS. POPE: Good. Thank you. I'd like to
8	thank you so much for coming out for the
9	Proposed Plan Meeting for Zone 1. You know,
10	we're here today to, you know, give you an
11	overview about what's going to go on with that
12	portion of the superfund site.
13	So I'd like to introduce a few people
14	today that are with us. First, I'd like to
15	introduce Doug Mallatte, who's the acting
16	division director of the Superfund Division;
17	then Joan Tanaka, who's a branch chief in the
18	Remedial Program Branch; Tim Fischer, Remedial
19	Program Branch Section Chief; Doug Petras
20	(phonetic), who's with the Indiana Department
21	of Environmental Management. And those are the
22	special people. Okay? So
23	(People laughing.)
24	MS. POPE: So, for the press, if you're
25	here, please see Rachel Basler in the back and

talk with Rachel. And she asks that the press hold all questions until after the public comment period. And then after that, if you want to talk to one of the EPA people, you do it at that time. Okay?

So I am not going to hold you any longer.

Michael's going to come up at this moment and
take us a little further.

MEDIATOR LYTHCOTT: Thank you. Hi, everybody. My name is Michael Lythcott. I'm a neutral facilitator. I'm an EPA contractor. But as a neutral, EPA is my client, you are my customer.

My job is to make sure that the airtime gets shared equally and that you leave here today fully understanding what is intended here and that you have an opportunity to make public comment.

Now, if you look at your agenda, there's two kind of close activities here. After Tom Alcamo -- by the way, is making the main presentation -- gives his presentation, we're going to have a questions-and-answers period for the purpose of making sure you understand EPA's proposed plan. "I didn't -- Tom, I

didn't understand this. Tom, are you saying that? What about this, Tom?"

Then after that, there's a public comment period where everybody -- anybody who cares to make a public comment and put it on the record will have up to five minutes each in order to put it on the record.

By the way, we have a stenographer, a court reporter, with us today, and we are already on the record. So -- and I'd like to -- I know this issue exists in your mind as sort of one idea, but if you could try to separate questions for clarification from statements you'd like to make regarding EPA's proposed plan.

And with that, I'll turn it over to Tom Alcamo, who's going to take us to the overview of the proposed plan.

MR. ALCAMO: One thing to keep in mind, if you don't want to talk tonight, you have until January 14th to submit your public comments. We respond to those public comments, and we eventually make a decision. We attach those comments to the decision. We respond to all those comments. So your comments will be

responded to in our -- the final Record of Decision. Okay?

So we're here tonight, as Janet said, to talk about the USS Lead Zone 1 Proposed Plan.

And if I'm not talking loud enough, please yell at me.

Anyways, as you know, Zone 1 used to contain the West Calumet Housing Complex. You can see here's an actual aerial view of after it's been demolished.

Next slide. Just to give you a general overview of the area, here's Zone 1, Zone 2, Zone 3. This is something we call an "operable unit," or you can think of it as "phase." So this is Phase I. We're focused here to talk tonight about Zone 1.

A couple of other things to keep in mind:
This is Operable Unit 2 or Phase II. This is
the former USS Lead site. There's some work
being done here and sampling for contamination;
but also, there's an area-wide groundwater
study that's underway. Actually, today they
were installing some monitoring wells today.

Then finally, as some of you are aware, here's the former DuPont site, and that's being

1 handled not by Superfund but by another program 2 called the Resource Conservation Recovery Act. 3 Okay? So let's talk a little bit, right out of 4 the gate, about future use for Zone 1. Future 5 use in Zone 1, or any superfund site, is really 6 determined by the owner. Okay? 7 The owner tells EPA what they want the future use --8 either residential or industrial commercial. 9 Property owners for Zone 1 are the East Chicago 10 11 Housing Authority and the City of East Chicago. 12 And again, EPA cleans up that property based on 13 this future use. So in most cases, an industrial commercial 14 15 cleanup would not be as stringent as a 16 residential cleanup. In most cases. 17 Right now, the current use -- future use 18 is residential, but you need to be made aware of -- we received a letter from the City in 19 20 September changing that future use to 21 industrial commercial. And this letter, it 22 basically said two developers were interested 23 in the site in terms of developing. That's all 24 we know. 25 In any case, there were subsequent

discussions with the mayor, and the mayor decided he was committed to keeping this residential until there was a much more concrete commercial proposal that's submitted.

So during this Public Comment Period, if they come back to us and say that the future use of this site is commercial industrial, we could modify the remedy. But right now, as of today, the remedy -- the future use for this remedy in Zone 1 is residential.

Next slide, please. Just to give you a little bit of background, in November of 2012, we chose a remedy for Zones 1, 2, and 3. For Zone 1, it called for the excavation to residential standards. That would be 400 parts per million lead, 26 parts per million arsenic, with a visible marker institution of controls, and these soils that will be excavated will be disposed of off-site. In any case, no excavation -- the time that the Record of Decision was signed, the West Calumet Housing Complex was occupied. So there would have been no excavation under hardscapes; such as, streets, sidewalks, and houses.

The cost -- back in November of 2012, the

cost for the entire cleanup of Zones 1, 2, & 3 was estimated to be about \$25 million. We now, likely, are going to be in excess of \$100 million.

Next slide. So just to give you a little bit of a history, in superfund, our goal is to try to get the polluter to pay. That's kind of one of the things that we like to do in superfund. We did get settlements in 2014 and 2017 with responsible parties to clean up these sites.

Kind of fast-forward to the summer of 2016, the mayor closed West Calumet Housing Complex and called for the demolition. The demolition began this last spring. The cleanup of Zones -- of homes in Zones 2 and Zones 3 began in the fall of 2016, and those are ongoing right now. Likely, all the cleanup could be done by maybe next year, or for sure, the following year.

The West Calumet Housing Complex, that demolition was completed this last fall. So because of this demolition, it's kind of forced EPA to relook at our original remedy that we determined in 2012.

Next slide. So we did revise the size of Zone 1. Essentially -- here's the former housing complex, utility corridor, Goodman Park. We excised the Carrie Gosch School because next summer the responsible parties will be dealing with a small amount of contamination under Carrie Gosch. There was contamination at 12 -- or 18 to 24 inches, and that will be excavated next summer. So in any case, this now revised Zone 1 is 50.5 acres.

Next slide. So as we moved forward and started looking at different alternatives for the cleanup of Zone 1, we did have the benefit of having over a thousand soil samples during the Investigation and Design Phase in Zone 1.

Also, the East Chicago Housing Authority, they actually hired a contractor prior to the demolition and did a series of 38 borings on the site down to 12 feet.

A couple of things that came in, in focus during these borings, is that the groundwater is involved between 4 and 5 feet at this site, and there's debris at least at 11 feet in some of the locations on the site.

As part of their investigation, they also

did limited soil and groundwater sampling that we used, in our calculations of soil volumes, along with these 1,000 samples that we took on site.

Next slide. This slide gives you just a general cross section. Think of this as like taking the ground and cutting a piece of cake, where you can see ground water, where you can see debris. It's likely debris is from the former smelter that was on the property. As you remember, the housing complex was built on top of the former smelter property. So we do think there's debris at depth over a large portion of the site.

Next slide. This slide here, we took all EPA's -- all -- neutrally-only sampling data [sic] -- and this gives the statistics on it -- to try to give you an idea of what the concentrations of contaminants are on site. Here's -- the average is down to 30 inches. You can see 0 to 6 inches.

The median is -- if you're not familiar with what the median is, the median is a value that's right in the middle. So, for example, in 0 to 6 inches lead, half the samples on the

site are greater than 831 parts per million, half the samples on the site are below 831 parts per million. So this gives you a general idea that we do have contamination on this site, essentially, over the entire 50.5 acres.

Next slide. So as we moved forward in developing this Feasibility Study, we amended the Feasibility Study. And again, future use as of now is residential. So we continued to use the same cleanup criteria of 400 parts per million lead, 26 parts per million arsenic.

One of the things that we also assumed, based on the data, that all the contaminants in those top 30 inches would be greater than our cleanup criteria. So when we looked at different alternatives, we looked at a suite of them, and they included stabilization of soils. We looked at soil washing to try to separate out the actual metals from the soil. And we looked at containment. But we came to the conclusion that, really, the only excavation was -- off-site disposal is really the only viable option.

And as I mentioned previously, there's a separate groundwater study that's underway

right now. If groundwater has to be addressed in the future, there would be another meeting like this where we would propose another remedy if it's required.

So let's go over the alternatives, that "four excavation with off-site disposal alternatives be evaluated."

We kept this Alternative 4A, which is an alternative with an industrial standard. As I mentioned previously, in many cases an industrial standard isn't quite as stringent as a residential standard because individuals are not on the property as frequently. So in any case, we kept this in just due to fact is there could be redevelopment to industrial commercial standards.

Right now, based where we're at today, this would not be protected because the current future use is residential. So we took the volume. We take 50.5 acres, and you take the volume, and you're looking at about 122,000 tons of contaminated soil that will be dug up and taken off-site.

To put that in "truck" perspective, if you have a 30-ton truck, which is the average-size

dump truck, that's in the neighborhood of about 4,000 trucks. Okay?

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One of the things, too, because of the concentrations of lead on site, we made the assumption that about 50 percent of those soils would have to be treated. What that means is that lead in high concentrations, you just can't take that and dump that in a nonhazardous They would have to treat it to make landfill. sure that that material wouldn't leach over time. So we assume that about 50 percent of the soils, based on the concentrations we looked at, at the site, would require treatment. And that's, again, in the top 1 foot. The cost of that would be about \$14 million, and it would be -- take about five months to complete.

so the second alternative we looked at -and this is our preferred alternative -- would
be excavation to 2 feet. Again, this is
residential standard, consistent with what
we're doing across the other two zones. We
would excavate, we would take the soil
off-site. We would have to treat some of this
soil. There would also be institutional

controls put in place. Institutional controls are something like a visible marker, deed restrictions, things of that nature.

So in any case, all the -- since the Calumet Complex isn't there anymore, we would be excavating across the top 2 feet over the entire 50.5 acres.

Again, just to give you some ideas of some of the volumes, you're talking 235,000-plus tons. You're talking 5,000 like with cubic yards of concrete. We think about 50 percent of the soils would likely have to be treated. And the cost is about 26-and-a-half million dollars. Again, we think it would take about seven months to complete. And again, as I mentioned previously, this is consistent with Zones 2 and 3.

One of the things regarding the timing of the cleanup, this excavation can be done, obviously, a lot easier than what's being done currently in Zones 2 and 3. They will be able to bring in large equipment and direct load the soils for off-site disposal. Again, probably there's about 8,000 trucks that it would take. So in terms of the timing, that's in terms of

what we considered direct loading and taking that off-site.

The third excavation alternative we looked at would be excavating down to either groundwater or native sand. So in any case, again, the soils would be excavated. It would be taken off-site for disposal. Some of the soils would require treat [sic]; and again, we'd have to implement these institutional controls; such as, visible markers and things like that because below that, there is some contaminated material.

Again, we're looking at about 300 and almost 40,000 cubic yards, 11,000 trucks.

Again, you can see about 45 percent of the soils we think would require treatment; again, likely by stabilization, which is mixing it usually with a material such as concrete. Cost is about \$40 million, and it would take nine months to complete.

So in any case, our last alternative we looked at was excavation to native sand, off-site disposal, again, the treatment of soils, and institutional controls. This is at about 364,000 cubic -- 364,000 tons, which is

going to be in the neighborhood of 12,000 trucks.

Again, you can see what we assumed, you know, about 45 percent of the soils would require treatment. All the debris -- we would chase all the debris at the site. And as I mentioned previously, that debris is at depth, so we would have to do a number of groundwater control measures here; such as, adding sheet pile and treating groundwater because you would be digging, actually, in groundwater. The cost is about \$49 million. We think it would take about 14 months to complete.

Next slide. So just to give you a general comparison of our preferred alternative, 4B, to alternative 4C. So it's a 2-feet excavation to, essentially, around a 4-foot excavation. Both alternatives would leave contamination in place and would require institutional controls. We don't view alternative 4C would provide that much additional risk reduction with the institutional controls that would be put in place for alternative 4B because we do know that there's still contamination at depth.

Alternative 4C is about \$13 million more

in price. We do think Alternative 4C would be a little bit more difficult to control because of the fact is: With the deeper excavation, and we have a potential to hit groundwater.

So finally, Alternative 4C, which is the groundwater alternative, it's not consistent with what we're actually doing in Zones 2 and

3.

Next slide. Okay. Thank you. You're ahead of me. So in any case, Alternative 4D, which is down to native sand, we would view this as having a large amount of contingency. We view this alternative as difficult to implement. It can be done, but we view this as difficult to implement just because of the groundwater at depth.

We also know that we expect to find a large amount of debris at depth on the site, and we'd probably have to do some additional predesign work to deal with that debris at depth. And you're about -- 4DA -- 4D is nearly \$22 million more expensive than 4B -- for the alternative.

Next. Okay. So when EPA goes and looks at evaluations, we look at nine criteria when

comparing alternatives. These first two criteria are called "threshold criteria." We have to meet those criteria. So, for example, Alternative 4A, the excavation of 1 foot for industrial standards, that would not meet this overall protection of human health and environment because the current future use is residential. The compliance with ANR [sic] -- ANR is a fancy word for regulation.

Okay. So then we have five balancing criteria. Long-term effectiveness and permanence, reduction of toxicity mobility for volume through treatment.

Short-term effectiveness. What you can think of as short-term effectiveness is the risk associated with the remediation activities to the nearby neighborhood or to construction workers.

Implementability is another one, and then finally cost. We use these five to balance against each other when we look at the alternatives. And we have -- the final two alternatives we look at is state acceptance and community acceptance. State acceptance -- IDEM has told us verbally that the agreed -- that

preferred alternative, which is 4B -- we've not received anything in writing on that, but right now, they have indicated that they support the preferred alternatives [sic]. This is why we're here tonight, okay, for community acceptance.

And let me repeat: You'll get a chance to submit public comments. There's a court reporter. We will respond to all of your comments, and they'll all be attached to our final remedy decision.

One thing to keep in mind is: If you don't want to talk and you feel shy, and you don't want to talk, there's comment pages back there. You have till July 14th --

UNIDENTIFIED SPEAKER: January.

MR. ALCAMO: January. Sorry. To get your comments in to us, being postmarked by then.

Next one. We put this table together just to get a general overview. You want a detailed discussion in regards to how we compared the alternatives, you can look at the Feasibility Study Addendum. It's in the Administrative Record. There's also a long version of the Proposed Plan that's in the Administrative

Record. You have a fact sheet version. 1 2 There's a much longer version that goes into a little bit more detail if you want to look more 3 into that. 4 But in regard to what we view -- EPA views 5 4B, our preferred alternative, 4C, and 4D to be 6 protective with institutional controls, 7 engineering controls -- and don't forget, these 8 9 remedies are not walkaway remedies. going to need to be maintenance and inspections 10 11 on the site whatever remedy we implement. 12 will all be compliant with regulations. As you can see here, 4A would not meet these this, so 13 we would not choose that remedy as of today. 14 15 Okay? 16 Long-term effectiveness and permanence, we 17 view that all three of these would meet that 18 criteria. Reduction in toxicity mobility and volume 19 through treatment. They all have some form of 20 21 treatment in it, in terms of stabilization. 22 Short-term effectiveness, now, this is --23 this is something that we have to take into consideration. If you remember when the 24 25 demolition occurred, there was a series of air

monitors surrounding the site. That will likely be required for this excavation to make sure that we don't transfer contaminants -- everybody -- you know, I get it. Everybody here is concerned about: When we dig this stuff up, how are we going to move it? We're also doing, for example, air monitoring during our Zones 2 and Zone 3 excavations, and so this will obviously be a big component of any remedy that we implement.

All these alternatives can be implemented; some more difficult than others, but they can be implemented. And comparison of the costs, you can see the cost difference.

The State, once we get the official letter from them, we'll let everyone be aware of if they concur with our preferred alternative or not. As I said previously, verbally, they have concurred with it. And again, we will respond to all public comments and evaluate those comments to determine if we need to modify our preferred remedy.

Okay. Next slide. So I think there's -this chart was in the back. So I just put this
together to kind of give you just a general

1 summary of the comparisons of the alternatives. 2 Alternative 4B --3 (Coughing heard.) MR. ALCAMO: -- 2C area [sic], 1 foot, 4 5 groundwater, native sand. Native sand, difference in cubic yards. Again, kind of 6 multiply by that by 1.5 to get the amount of 7 This material is pretty heavy because of 8 9 the metals and everything. The -- (unintelligible) -- plant, you can 10 see the comparison, cost comparisons. 11 institutional controls, all these will require 12 a barrier demarcation, likely not 4D, but we do 13 think there will be institutional controls 14 likely because of the groundwater. 15 16 And then, of course, just some of the 17 concerns that we have in relation to each 18 alternative. And so you have that table in the back kind of to help you when you put forth 19 20 your public comments. 21 Just to give you a final slide, a final summary, our preferred alternative is similar 22 23 to the previous alternative we chose, which is excavation to 2 feet, off-site disposal, 24 treatment of about 50 percent of the soils, and 25

then institutional controls; such as, a visible marker, deed restrictions, maintenance activities, and inspection activities.

One of the things to keep in mind, it gets more controlled -- as you go deeper, the more difficult it gets to implement.

Redevelopment could influence the final remedy, and we're kind of in a no man's land here because of the fact -- right now it's commercial industrial. We could get something that says, prior to the signing of Record of Decision, to change it to -- I mean -- back up. Sorry.

If the -- Redevelopment, as I said, will influence our final remedy decision. Right now it's residential, but we could get something prior to the signature of the Record of Decision Amendment that could say, industrial commercial. So I want you, when you submit comments, to make sure you submit comments that -- if you like that, if you don't like that. You should assume that possibly this could change.

I do not have any inside information on that. I am telling you that, right now, it's

1	residential. Again, the State supports the
2	preferred alternative.
3	So with that, I'll take some questions
4	after I get some water.
5	MEDIATOR LYTHCOTT: Okay. We want to take
6	questions for clarification, to make sure that
7	everybody understands the presentation. We
8	asked you to take a number if you had a
9	question for clarification, and so we're going
10	to go through those. If you have a question
11	and didn't take a number, you can still get a
12	number.
13	Who has No. 1? Little white square with
14	No. 1.
15	(No response.)
16	MEDIATOR LYTHCOTT: No. 2?
17	(No response.)
18	MEDIATOR LYTHCOTT: Does anybody have
19	No. 3?
20	Yes, sir.
21	REMONSTRATOR TURPIN: Yeah.
22	MEDIATOR LYTHCOTT: Can you introduce
23	yourself? And then ask your question.
24	REMONSTRATOR TURPIN: David Turpin. On
25	the summary of the alternatives, you say, under

4D, that's described, it says -- (inaudible) 1 2 controls likely -- (inaudible) -- groundwater. 3 Can you expound on that a little? MR. ALCAMO: The groundwater -- we have --4 there's -- monitor wells are being installed on 5 the site as we speak. I think there's -- the 6 last ones to be installed. There are four 7 groundwater monitoring wells on the site down 8 to 12 feet. 9 The concentrations in those wells for 10 lead -- I'll take lead for example -- was 11 12 non-detect, 26, 48, and 160, if I remember off the top of my head. So the drinking water 13 standard is 15 parts billion. Okay? 14 15 So there needs to be a lot more study on groundwater, and that's why there's additional 16 17 wells being put on the site. And then that 18 data will be looked at, and there may be actually more wells put on site. We're going 19 20 to be doing this groundwater study in a phased 21 approach. 22 So groundwater could be a -- have to be 23 treated on the Zone 1. We don't know yet. And not just Zone 1. It could be in the whole 24 general area. So that -- as I said, that would 25

1	be a separate decision that would be done in a
2	public meeting just like we're doing now.
3	Okay?
4	MEDIATOR LYTHCOTT: Thank you.
5	MR. ALCAMO: And another thing to add,
6	that's also assuming that we can find all the
7	debris. Okay. We're going to be taking in
8	groundwater. We're at depth. We think that
9	this smelter a lot of this was just
10	demolished in place and buried, and us trying
11	to find that we think groundwater and
12	dealing with that also could require that we
13	could miss something [sic].
14	MEDIATOR LYTHCOTT: Thank you, Tom.
15	Question No. 4.
16	REMONSTRATOR FRANK: Right here.
17	MEDIATOR LYTHCOTT: Tom.
18	REMONSTRATOR FRANK: Yeah, Thomas Frank
19	with Calumet Lives Matter.
20	I have a question. One of the things that
21	we did get to with the mayor, we got him to
22	commit to HUD a letter that we videotaped, that
23	actually Mr. Cunningham actually read out loud.
24	That
25	MR. ALCAMO: This was in 2016?

1	REMONSTRATOR FRANK: Yeah or 2017.
2	MR. ALCAMO: Okay. Okay.
3	REMONSTRATOR FRANK: For recommitting to
4	housing in West Calumet. We're hearing, with
5	the new letter to HUD or EPA in September,
6	that he's opening, you know, the discussion to
7	industrial commercial. We want to ensure that
8	it stays residential, not something that
9	Calumet Lives Matter can advocating for
10	[sic].
11	One of the things we're also really
12	concerned about is when you described getting
13	down to clean soil, what is the standard for
14	what is clean sand?
15	And also, right to the south of this
16	parcel, West Calumet, is a is a area between
17	the Operating Unit 1 and Operating Unit 2,
18	which we don't know of any testing that had
19	been done previously. All right? So right
20	here
21	MR. ALCAMO: (Unintelligible) now back
22	up.
23	REMONSTRATOR FRANK: So right between
24	here these two
25	MR. ALCAMO: Can you put next one.

1	DEMONICEDATION EDANIZA TRACE LA LA
1	REMONSTRATOR FRANK: These two, this
2	triangle there.
3	MR. ALCAMO: No. Keep going.
4	REMONSTRATOR FRANK: No, that was the map.
5	MR. ALCAMO: No.
6	REMONSTRATOR FRANK: Go back.
7	MR. ALCAMO: Well, that 1.21 is Zone 1,
8	though.
9	REMONSTRATOR FRANK: No, the no. Go
10	back. Go back to the (inaudible).
11	MR. ALCAMO: Sorry.
12	REMONSTRATOR FRANK: Go back.
13	(Multiple people speaking in
14	unison.)
15	REMONSTRATOR FRANK: There.
16	REMONSTRATOR: Right there.
17	REMONSTRATOR FRANK: We don't have any
18	testing describing what had happened there, and
19	that's going to affect what's going on in West
20	Calumet. And that's not even a part of the
21	superfund site, does make any sense. And so we
22	also are looking for asking what you're
23	going to do to make sure things are done in a
24	compatible use.
25	You described what was maybe under Zone 1,

1	which also includes Carrie Gosch. And we don't
2	have any records of any real proper cleanup by
3	the EPA having occurred there. We have IDEM
4	coming on site when the construction was
5	saying happening, saying that, "Hey, look
6	out, it's contaminated," but we don't have any
7	records of any proper cleanup, and we'd like to
8	get some records.
9	MR. ALCAMO: Okay. Let's start first
10	REMONSTRATOR FRANK: Yes.
11	MR. ALCAMO: with the HUD question.
12	REMONSTRATOR FRANK: Lot of questions.
13	MR. ALCAMO: Actually, Jim Cunningham sent
14	me an email basically stating that he's not
15	aware of any proposal as of now for
16	residential.
17	REMONSTRATOR FRANK: But we have that on
18	videotape and sent it back to him.
19	MR. ALCAMO: Okay. That's
20	REMONSTRATOR FRANK: He read out the
21	letter.
22	MR. ALCAMO: I'm not I'm not debating
23	you. I mean, we basically if it's
24	residential, we're going to clean it up to
25	residential, where we're at now.

1	This area here, I'll talk to IDEM in
2	regards to getting some sampling done in there
3	if we need to. I'm not honestly, I'm not
4	sure, but this is we'll take a look at that.
5	IDEM's been going in the general area and doing
6	additional sampling to determine what
7	contamination is where. So we'll take a look
8	an that. That a was long
9	REMONSTRATOR FRANK: Yeah, sorry.
10	MR. ALCAMO: Sorry, Tom.
11	REMONSTRATOR FRANK: If you could just go
12	to the last one where about Carrie Gosch and
13	getting records of cleanup.
14	MR. ALCAMO: Okay. Carrie Gosch there
15	was actually samples, detailed sampling done
16	all around Carrie Gosch. Okay? There's one
17	area of about 1,000 cubic yards at 18 to
18	24 inches that basically will require
19	excavation.
20	REMONSTRATOR FRANK: Right. We recognize
21	that you've done some sampling that tested
22	pos or negative or
23	MR. ALCAMO: Not negative, but not above
24	the cleanup criteria.
25	REMONSTRATOR FRANK: Not negative, but not

1	at eye level. But we don't have a record of a
2	proper cleanup having occurred there, and
3	that's what we're looking for.
4	MR. ALCAMO: Do you mean a cleanup when
5	they built the school?
6	REMONSTRATOR FRANK: Before they built the
7	school.
8	MR. ALCAMO: Okay.
9	REMONSTRATOR FRANK: I know they probably
10	piled a lot of soil on top of it
11	MR. ALCAMO: I'll give you, for example
12	here you're right you're you know
13	and that's why we did the sampling. I'll give
14	you an example: The Goodman Park, where they
15	dug the pool out, there's a big mound of soil.
16	You guys probably slid down it if you lived
17	there.
18	REMONSTRATOR: Yeah.
19	MR. ALCAMO: You know?
20	REMONSTRATOR: We call it "the mountain."
21	MR. ALCAMO: Yeah, there you go. That
22	essentially will get excavated. So in terms
23	of that was easy, but, you know, we did have
24	sampling around here, Tom. So
25	REMONSTRATOR FRANK: Yeah, I recognize

1	they had sampled it, but we don't have a Record
2	of Decision
3	MR. ALCAMO: Okay.
4	REMONSTRATOR FRANK: for actually
5	cleaning it up
6	MR. ALCAMO: All right.
7	REMONSTRATOR FRANK: prior to the
8	construction of Carrie Gosch.
9	MR. ALCAMO: Okay. I let's maybe we
10	can try to dig something up in some records.
11	REMONSTRATOR FRANK: Yeah.
12	MR. ALCAMO: I don't know.
13	REMONSTRATOR FRANK: All right.
14	MR. ALCAMO: But I
15	UNIDENTIFIED SPEAKER: Well, the 2012
16	Record of Decision covered Carrie Gosch.
17	(Multiple people speaking in
18	unison.)
19	MR. ALCAMO: I don't know. He's looking
20	for the prior. I don't know.
21	MS. MORGAN: So 20 years ago when they
22	rebuilt Carrie Gosch, that
23	REMONSTRATOR: That wasn't built 20 years
24	ago.
25	MS. MORGAN: When it was rebuilt

1	REMONSTRATOR: It wasn't 20 years ago.
2	MS. MORGAN: How many years ago?
3	(Multiple people speaking.)
4	REMONSTRATOR: It was before the superfund
5	site
6	(Multiple people speaking.)
7	MS. MORGAN: Okay. Can I finish my point?
8	REMONSTRATOR: And that went to the old
9	Carrie Gosch
10	MS. MORGAN: Right. And so
11	MEDIATOR LYTHCOTT: Okay. Let's try to
12	speak one at a time, please.
13	MS. MORGAN: And so, again, Carla Morgan
14	for the City of East Chicago. When
15	Carrie Gosch the school was rebuilt by the
16	school city, there wasn't a Record of Decision
17	because it was not a superfund zone yet. So
18	that would be a question for the school and
19	whoever their developer was then. Remember,
20	they were rebuilding all the schools in the
21	'90s.
22	REMONSTRATOR: Why would that be a
23	question for the schools if the City okayed the
24	rebuilding of the school? So why would that be
25	a question of the school officials when the

1	city officials and the project [sic] is the
2	ones that rebuilt the school?
3	MS. MORGAN: That property's always been
4	owned by the school city. The school city paid
5	for that rebuilding. They would have
6	contracted for it. So that was the school
7	city's decision.
8	MR. ALCAMO: What we'll do is I'll contact
9	Paige McNulty, who's head of the school board,
10	and see if
11	REMONSTRATOR: We should have more city
12	officials here.
13	MEDIATOR LYTHCOTT: Sir, I think you have
14	a number already.
15	REMONSTRATOR: I do.
16	MEDIATOR LYTHCOTT: So, if you could,
17	just
18	MR. ALCAMO: But anyways, I'll get ahold
19	of Paige McNulty and see if she has any type of
20	records and see if we can get that and get that
21	information to you guys. I'm not aware of any.
22	MEDIATOR LYTHCOTT: Question No. 5? Yes,
23	Sherry.
24	REMONSTRATOR S. HUNTER: I'd like to know
25	what happened to our Moving Forward Program

1	that the governor signed off and said it's
2	specifically going to be used in the hardest
3	hit area of East Chicago. He said, "Zone 1."
4	That's what he said. So why where is it?
5	Why is nothing being done in Zone 1?
6	MR. ALCAMO: Well, I think we're going to
7	try to do something in Zone 1 in terms of
8	cleanup.
9	REMONSTRATOR S. HUNTER: No. I'm talking
10	about where's our Moving Forward Program
11	funding?
12	MR. ALCAMO: That's outside the scope of
13	the EPA.
14	REMONSTRATOR S. HUNTER: Yeah.
15	MR. ALCAMO: We we are going to try to
16	get the company to come in here and clean this
17	stuff up. Okay? If we choose our preferred
18	remedy, it's going to be something in the
19	neighborhood of \$27 million. That's what we're
20	going to do. I can't I don't know about
21	that program.
22	REMONSTRATOR S. HUNTER: Well, I know
23	where it went. It went over in the Harbor.
24	The mayor's using it in the other areas of
25	East Chicago instead of over here where they

1	need it.
2	(Applause.)
2	(Applause.)
3	REMONSTRATOR S. HUNTER: He does nothing
4	over here. Nothing. And we Calumet Lives
5	has tried for a month to have a sit-down with
6	this guy. He won't answer the last thing I
7	did was the certified thing to he don't talk
8	to us at all. I'm just saying.
9	MR. ALCAMO: Well, I hope
10	REMONSTRATOR S. HUNTER: The Moving
11	Forward Program, someone needs to check it out.
12	I was at Carrie Gosch when the governor signed
13	off on that, and he said it's only to be used
14	in Zone 1, the hardest hit area in
15	East Chicago.
16	MEDIATOR LYTHCOTT: Thank you.
17	MR. ALCAMO: It's called Moving Forward?
18	REMONSTRATOR S. HUNTER: Moving Forward.
19	MR. ALCAMO: Okay.
20	MEDIATOR LYTHCOTT: Thank you. Question
21	No. 6?
22	REMONSTRATOR 6: That's me.
23	MEDIATOR LYTHCOTT: Yes, sir.
24	REMONSTRATOR 6: I'm Joe from Zone 3. I
25	want to ask, that one soil, the top was cleaned

1	18 to 24; right?
2	MR. ALCAMO: The top is cleaned to all
3	the way to 18 inches.
4	REMONSTRATOR 6: Okay. Why did you have
5	to excavate that? That top part is clean. Why
6	did you have to go
7	MR. ALCAMO: We're not excavating that.
8	We're basically going down to 18 to 24. And
9	that's, obviously
10	REMONSTRATOR 6: The top layer's clean,
11	right, to 18?
12	MR. ALCAMO: To 18.
13	REMONSTRATOR 6: Right now. The bottom
14	part is
15	MR. ALCAMO: 18 to 24 is
16	REMONSTRATOR 6: Now, why do you have to
17	clean it if the top is okay? If the top part
18	is okay
19	MR. ALCAMO: Because it's within 2 feet.
20	REMONSTRATOR 6: Okay. So if the
21	anything below 2 feet of soil is dirty, it will
22	come up and soil and dirty the top of the
23	soil?
24	MR. ALCAMO: I don't have that data in
25	front of me, in terms of what's at depth. I

1	don't think there's any contamination below
2	2 feet. I would have to I would recommend
3	you talk to
4	REMONSTRATOR 6: What I'm saying, if the
5	top is okay for 2 feet, okay
6	MR. ALCAMO: No, the top isn't okay for
7	2 feet. The top is okay for 18 inches.
8	REMONSTRATOR 6: All right. Okay.
9	18 inches. All right? Okay? And you're
10	saying you're excavating it because below that
11	is where the contamination is.
12	MR. ALCAMO: Yes.
13	REMONSTRATOR 6: Okay. So you're telling
14	me eventually that contamination below it, at
15	18 inches, will eventually come up to the
16	surface of the soil?
17	MR. ALCAMO: We're going to remove it.
18	We're going to dig it up and take it out.
19	REMONSTRATOR 6: Will that contamination
20	that's under 18 inches eventually come up to
21	the ground level?
22	MR. ALCAMO: No, because
23	(Multiple people speaking in
24	unison.)
25	REMONSTRATOR: Will it stay in place?

1	Will it come up?
2	MR. ALCAMO: Oh, no, no. Will it stay in
3	place? Will it come up? Likely not. But
4	we're going to take that 18 inches. Okay? And
5	I'm not involved in that. I mean, I would
6	really recommend you talk to Sarah Rolfes. I'm
7	just kind of talking in regards to what I know.
8	REMONSTRATOR 6: It's bizarre that the top
9	would be okay, and then you have to go below
10	and cut it because the bottom half is bad. I'm
11	thinking that stuff is driving up.
12	MR. ALCAMO: No.
13	MS. TANAKA: No, we don't think it's
14	rising up. And when we take out that
15	between 18 and 24, then we'll put clean stuff
16	there and then put the clean stuff on top. So
17	it was probably
18	REMONSTRATOR 6: The reason why you're
19	going below 18 how come you're not worried
20	about it coming up? It's just standard, it has
21	to be cleaned down?
22	MS. TANAKA: Exactly. Exactly.
23	REMONSTRATOR 6: All right. Thank you.
24	MEDIATOR LYTHCOTT: Thank you.
25	MR. ALCAMO: Thank you.

1 MEDIATOR LYTHCOTT: Ouestion No. 7. 2 REMONSTRATOR 7: My name is Carl Wolf. 3 The owners of the property, the Housing Authority and the City, could switch the intent 4 for use. And if they do that, according to 5 your presentation, then that's that. Is there 6 no recourse that the public would have if they 7 disagreed with the City's decision, you know, 8 9 in terms OF EPA? 10 (Applause.) 11 REMONSTRATOR 7: You know, where would the community go to say -- I don't know. 12 MR. ALCAMO: We're kind of in -- stuck in 13 a pickle here because of the fact is we don't 14 make the determination of future use. We have 15 nothing to do with that. They tell us what it 16 17 is. 18 Now, let's say we move forward, and they did say, okay, it's going to be commercial 19 20 industrial, we could have -- still have the 21 ability to say, okay, you can excavate 1 foot where buildings are; but maybe where there's 22 23 not buildings, we want you to go to 2 feet. we have a little bit, but this isn't our -- our 24 25 decision. You know? And so I -- you know, I

1	can only say that that if it changes if
2	it changes, before we sign the Record of
3	Decision, we could choose a less-stringent
4	remedy than we're choosing now.
5	REMONSTRATOR 7: So but regardless, if
6	the vast majority of the public that lived in
7	that area or lives in Zones 2 and Zone 3, we're
8	saying, this isn't what we want, you guys would
9	have to ignore their pleas?
10	MR. ALCAMO: I think you should submit
11	comments and state very clearly
12	REMONSTRATOR 7: Not holding back, yeah.
13	MR. ALCAMO: state clearly in terms of
14	put it in the record in regards to what your
15	opinions are. Okay? I I can't predict the
16	future. This development may not go through,
17	it may go through. But, you know, we don't
18	make the decision on that.
19	REMONSTRATOR 7: But there's no recourse
20	that otherwise, as far as the EPA is
21	concerned?
22	MR. ALCAMO: I think if if we I I
23	don't know. Rachel, is there any
24	MS. ZANDER: Yeah, I mean so hi. I'm
25	Rachel Zander. I'm the attorney working with

1	Tom at the site. And he's absolutely right,
2	whether whether this property becomes
3	residential, whether it becomes an industrial
4	commercial facility, that is up to the owners
5	of the property. So we're here to hear all of
6	your comments and concerns about the remedy
7	selected for the contamination at the site,
8	but and we understand that there's a lot of
9	concern about what ultimately happens with
10	Zone 1. But the use of it is not what we're
11	involved in. We're involved in making sure
12	whatever use that is, that the property gets
13	cleaned up appropriately for that use.
14	REMONSTRATOR: Well, let me ask you this:
15	How come they change the use?
16	MR. ALCAMO: 'Cause they own it.
17	REMONSTRATOR: But what is it's a
18	residential. That's that was the reason why
19	we it was demolished with the knowledge
20	that and the acceptance of the community,
21	knowing it was going to be returned to
22	residential. Why is it suddenly under
23	discussion, that it's no longer going to be
24	about residential?
25	MS. ZANDER: The way that the way that

1	EPA selects preferred remedies relies on a
2	designation of future use of the property, and
3	the owner of the property gets to tell us what
4	the anticipated future use is.
5	REMONSTRATOR: But what if their
6	anticipated use was contrary to the health of
7	the public? What if their preferred use was
8	contrary to the people that live in that area?
9	MR. ALCAMO: We would have to clean it up
10	so it's overall protective of human health and
11	the environment. So we would not support that.
12	So that's
13	MS. ZANDER: Maybe back to those first two
14	criteria, Tom.
15	MR. ALCAMO: Right. So I know. I mean,
16	right now it's residential and it's
17	residential, and we're moving forward that it's
18	residential. I can't tell you what the City's
19	going to do.
20	(Multiple people speaking in
21	unison.)
22	REMONSTRATOR: The City is the owner.
23	MEDIATOR LYTHCOTT: Okay. Let's try to
24	speak
25	MR. ALCAMO: The Housing Authority owns

1	the Calumet property, and the City owns
2	Goodman Park.
3	(Multiple people speaking in
4	unison.)
5	REMONSTRATOR: It's not the City
6	MEDIATOR LYTHCOTT: Let's try to speak one
7	at a time, please. Now, if we only let
8	everybody get a chance to speak tonight
9	[sic] we have to try to all agree to keep
10	some kind of order. You're going to have we
11	have a time period for you to make general
12	comments.
13	MR. ALCAMO: Please, and I'm please,
14	make I think it's important that you make
15	those comments for the record.
16	MEDIATOR LYTHCOTT: Yes.
17	Who has Question 8, clarification of the
18	presentation? Question 8? To better
19	understand the presentation.
20	(No response.)
21	MEDIATOR LYTHCOTT: Question 9?
22	REMONSTRATOR: You have nine.
23	REMONSTRATOR: Oh, presentation only.
24	MEDIATOR LYTHCOTT: I'm sorry?
25	MS. ZANDER: Maybe you can clarify this

1	question session is for clarifications about
2	the presentation and
3	MEDIATOR LYTHCOTT: Yes. So I'll say it
4	again: This period here is for clarification
5	of what Tom presented, the proposed plan,
6	anything you want to know or ask about the
7	proposed plan. When that's finished, we're
8	going to have a general comment period where
9	you can make any comment that you care to make,
10	within five minutes, regarding the situation or
11	the plan.
12	Nine?
13	REMONSTRATOR LOPEZ: On the presentation?
14	MEDIATOR LYTHCOTT: Yes, it's on the
15	presentation, on the proposed plan.
16	REMONSTRATOR: Oh, I'll do it now because
17	I've had surgery, so I might as well do this
18	now. May I?
19	MEDIATOR LYTHCOTT: Yes.
20	MR. ALCAMO: Sure.
21	REMONSTRATOR LOPEZ: Thank you. My
22	question is, will the removal of the highly
23	contaminated soil lead to further contamination
24	in the neighborhood surrounding the remediation
25	area? What steps will be taken to protect the

ſ	
1	nearby residents and the people working and
2	playing in Carrie Gosch?
3	And the question is this: Because Zone 1
4	encompassed, originally in the Consent Decree,
5	Carrie Gosch. We did not know the who, what,
6	why, where, when, and how this became, all of a
7	sudden, separated.
8	REMONSTRATOR: Right.
9	(Multiple people speaking in
10	unison.)
11	REMONSTRATOR LOPEZ: Neither the
12	residents that decision was made behind
13	closed doors. Again. Again. I repeat
14	this three times. Closed doors. All right?
15	MR. ALCAMO: Uh-huh.
16	REMONSTRATOR LOPEZ: All of a sudden,
17	Zone 1 became separated. Carrie Gosch no
18	longer is part of Zone 1, apparently. That's
19	separated because now it's being made for
20	profit, profit over people's lives.
21	REMONSTRATOR: Yes, yes, yes.
22	REMONSTRATOR LOPEZ: So let me finish
23	what's my question.
24	MR. ALCAMO: I'm sorry.
25	REMONSTRATOR LOPEZ: Because now

1 children's lives are at risk neurologically 2 because there's a church in there. 3 There are four pathways people are being contaminated. Airborne: There is not an 4 invisible wall going all the way to the 5 atmosphere or going down to the core of the 6 earth that's protecting the groundwater. 7 That's still contaminating, coming into our 8 9 homes by seepage that you still have not tested. And we know it's contaminating our 10 homes that way, airborne, coming in through our 11 12 windows, every which way possible. And those of us that live in the superfund site know that 13 because we're dealing with it daily. 14 15 MEDIATOR LYTHCOTT: And so the question 16 is: How --17 REMONSTRATOR LOPEZ: So now the question is: When will the Statement of Work be 18 completed? Will it be shared with the 19 community before the work starts? 20 How are the control measures reflected in 21 the cost of different alternatives? 22 23 Do you have metrics of how the Pollution Control Plan worked to control air emissions 24 and soil tracking during the demolition of West 25

1	Calumet Housing Complex?
2	Did you learn anything that convinced you
3	of the need to make changes of this remediation
4	plan?
5	MEDIATOR LYTHCOTT: Thank you.
6	MR. ALCAMO: Okay. That's a lot of
7	questions. I'll try to remember.
8	First, regarding the controls,
9	essentially, there will be air monitoring
10	surrounding the facility. We don't want to
11	transfer this stuff off-site. We've excavated
12	these projects using engineering controls
13	safely and effectively. We're doing it at
14	Zones 2 and Zones 3 as we speak. During the
15	demolition, there was no issues associated with
16	air monitoring. The data is all there. They
17	sampled, basically, for lead and arsenic, dust.
18	We had dust monitors. We set the levels of the
19	dust monitors extremely low. And if the alarms
20	went off, then there would be a requirement for
21	additional controls. The demolition did not
22	spread contamination into the surrounding area.
23	Carrie Gosch was not included in this
24	proposed plan because the responsible parties
25	have already agreed to deal with it. There's

1 no use for me to do a remedy decision on -- for 2 Carrie Gosch when they've already said they're going to do it. So that's the only reason why 3 they basically -- that's taken out. That's the 4 5 reason. MS. ZANDER: And Tom, if I can, too --6 sorry to jump in. I don't mean to steal the 7 limelight. 8 The separation of Carrie Gosch and the 9 rest of Zone 1 here -- I mean, the reason we're 10 11 looking at this part of Zone 1 again is because 12 of the demolition, because the remedy provided that we weren't going to dig under hardscapes, 13 and those hardscapes are gone. So what do we 14 15 do with those spaces now? That's why we're 16 looking at this again. 17 Carrie Gosch is the same layout. 18 know, there are still buildings in place where there were buildings in 2016. 19 20 REMONSTRATOR: Who are the responsible 21 parties that you --22 MEDIATOR LYTHCOTT: Yes. Part of the 23 answer? MS. MORGAN: I can maybe clarify a little 24 bit of what Moritza addressed. 25

There's always been, in Zone 1, three property owners. The northern part is Carrie Gosch. When you vote for the school board, that is the separate taxing entity, the governing entity, that controls what happens to Carrie Gosch. They are not going to change the use of that, in that they're not going to, you know, knock it down and do anything different.

And plus, the environmental testing there only revealed that that one corner of the parking lot is contaminated. And as far as records of, you know, what happened when they remodeled it, rebuilt it, that is not a question for the City. It's a question for the school city.

So the strip between that and West Calumet is Goodman Park. The City owns that portion.

And again, when we're waiting for the cleanup, the City has closed off that park, and it's not currently being used. We -- the Park

Department is making sure that those gates stay closed so that whatever the school city has decided, which apparently was to lease, in the short term, to the Cross Church --

It is in use.

REMONSTRATOR:

1 MS. MORGAN: Okay. That's fine. 2 REMONSTRATOR: (Unintelligible). 3 MS. MORGAN: I'm not arguing that -- I'm not arguing that point. I'm just trying to 4 5 give you some useful information, which is that the City is ensuring that whomever the Cross 6 Church has in that school, which is between 7 them and the school city, will not be able to 8 9 access the city property, which hasn't been remediated yet, which is Goodman Park. 10 So then you have West Calumet, which has 11 12 been owned for the last 40 or so years by the Housing Authority. And, obviously, the use 13 there is -- there will be some sort of change, 14 whether it's -- the old residential will be 15 demolished, the new residential, or as time is, 16 17 you know, discussed over and over again, they 18 could change use. But I just wanted to break down that there 19 20 was not some nefarious change and why 21 Carrie Gosch is not being discussed today. 22 It's up to who owns each segment, what they're 23 going to do with it. And again, if you have -if you have issues with what the school city's 24

doing with Carrie Gosch property, you've got to

25

1	take that to the school city.
2	MEDIATOR LYTHCOTT: So I just want to
3	REMONSTRATOR: That's not true
4	MEDIATOR LYTHCOTT: really. I really
5	want to
6	REMONSTRATOR: because the school
7	didn't make a decision for a church to be
8	there.
9	MEDIATOR LYTHCOTT: We have 20
10	REMONSTRATOR: (Inaudible) where the
11	church gonna be. So what she said is not true.
12	MEDIATOR LYTHCOTT: We have 28 questions
13	out. I need to ask you to please ask one or
14	two questions, and let our answers be pithy,
15	because all of you there are 28 of you now
16	who still have questions to ask. And so
17	Moritza, I'm going to let you come back in
18	another round. You asked about six questions.
19	And so I'd like to go to No. 9.
20	REMONSTRATOR 9: I was nine.
21	REMONSTRATOR: That was nine.
22	MEDIATOR LYTHCOTT: No. 10.
23	REMONSTRATOR 10: No. 10.
24	MEDIATOR LYTHCOTT: Yes.
25	REMONSTRATOR 10: My question's about

1 the -- you were discussing the implement of the 2 groundwater survey was ongoing. Your preferred remedy, as you said, leaves quite a bit of 3 debris, like a buried lead plant that is 4 sitting there, and it's just sitting in the 5 groundwater. And then you're going to cover 6 over 2 feet, at which point you may have to 7 re-excavate. Did you mention that -- that's 8 9 still leaching into the groundwater; correct? MR. ALCAMO: Well, we wouldn't 10 11 re-excavate. We would actually do some type of 12 groundwater treatment, where you capture the contaminated groundwater and treat it. 13 REMONSTRATOR 10: So is that -- that 14 15 long-term, forever groundwater treatment, has 16 that been looked at as a cheaper remedy than 17 simply removing the whole lead plant now? 18 MR. ALCAMO: We have not compared that. But in any case, the likelihood is, it would 19 20 be, based on our experience in terms of what we 21 see in the groundwater. We don't see these 22 screaming -- at least from the four monitoring 23 wells that we see on site, we don't see huge concentrations of lead in the groundwater. 24 There's low-level arsenic and a few other 25

1 metals. But overall, we don't see this major 2 problem. Now, that's what we're basically just 3 looking at right now, and that's why these new 4 wells are being put in. And I don't see --5 there may be more wells get put in. But we do 6 think that with 2 feet, putting institutional 7 controls in, doing maintenance, inspections, 8 9 and all the things that need to be done would be protective. And then if groundwater needs 10 11 to be addressed -- no one is drinking 12 groundwater, but we usually have to clean up aguifers to the drinking water standard -- then 13 that would be done separately. 14 15 REMONSTRATOR 10: Through a pumping treatment type thing. 16 17 MR. ALCAMO: Groundwater collection trench 18 or whatever. You know, who knows? REMONSTRATOR S. HUNTER: US Lead is not 19 20 I live by -- (unintelligible) -- Street. 21 US Lead is up under that mountain. They only 22 put it down so for. US Lead is still there. 23 And all that water you see draining around the side of that mountain is coming from US Lead, 24 25 coming up.

1 MEDIATOR LYTHCOTT: Thank you, Sherry. 2 Question 11? Yes, sir. 3 REMONSTRATOR 11: I have a question about the soil and it's contaminated [sic]. 4 parts to this: First off, you said the 5 toxicity and volume are part of the --6 reduction of those are part of the criteria 7 used to determine cleanup, except the toxicity 8 9 of these metals won't be reduced; they're elements. And the volume is actually going to 10 increase because you're gonna mix stuff with 11 12 So that seems like you're going away from your required goals under the law and under the 13 That's Part A. 14 superfund. 15 Part B is: I'm confused because you said there was no contamination below 2 feet, but 16 17 then you said there was smelter waste 11 feet 18 below the ground. So how can that be right? And Question C, the third part is: What 19 20 community is this gonna -- 122,000 tons of 21 toxic waste gonna be dumped on? 22 MR. ALCAMO: Let's start with your last 23 That's unknown right now. one first. land -- under CERCLA -- under CERCLA, we have 24 to take material that's contaminated off-site. 25

1	It has to meet compliance standard. So we look
2	at where it goes. That's not been determined
3	yet.
4	Regarding the toxicity, it would reduce
5	the toxicity because of the fact is, is the
6	TCLP test would show that the lead would
7	essentially leach from the soil. That's why
8	prior to being disposed of in a landfill, it
9	would have to be put in something like concrete
10	or lime or something like that. But you're
11	absolutely correct, it would increase the
12	volume at the landfill, but at a loss
13	REMONSTRATOR 11: It does not reduce the
14	toxicity of the metal.
15	MR. ALCAMO: Well, it would be it would
16	not be leachable. It would stay in place.
17	REMONSTRATOR 11: The toxicity is the same
18	overall, though.
19	MR. ALCAMO: Well
20	REMONSTRATOR 11: Let's tell the truth.
21	MEDIATOR LYTHCOTT: Lead is lead.
22	MR. ALCAMO: But the truth is, is that
23	material would not leach from that.
24	REMONSTRATOR 11: Do you have any studies
25	to prove that?

1	MR. ALCAMO: Well, yes, we do. I mean, in
2	terms of stabilization.
3	MEDIATOR LYTHCOTT: Okay. Thank you.
4	Question
5	MR. ALCAMO: Hold on. There was another
6	one that I hear another part about then I
7	misspoke you said about I didn't
8	understand
9	REMONSTRATOR 11: I didn't say you
10	misspoke. I said, I'm confused because you
11	said there was no contamination under 2 feet,
12	yet you said there was
13	MR. ALCAMO: (Inaudible).
14	REMONSTRATOR 11: debris and
15	contamination underground, so those two
16	statements don't
17	MR. ALCAMO: I then I misspoke, but
18	there is contamination under 2 feet. Because I
19	misspoke. If I said that.
20	UNIDENTIFIED SPEAKER: That's why you need
21	institutional
22	MR. ALCAMO: Right.
23	MEDIATOR LYTHCOTT: Thank you. Question
24	12.
25	REMONSTRATOR 12: Will EPA open the

1	Consent Decree as part of amending the Record
2	of Decision?
3	MR. ALCAMO: I'm assuming we'd have to do
4	a Consent Decree amendment, but I'm not a
5	lawyer.
6	REMONSTRATOR 12: Well, let the lawyer
7	talk. So how about we hear from her?
8	MS. ZANDER: Right. So I don't think it's
9	quite right to characterize it as "reopening"
10	the Consent Decree. But yes, since we're
11	talking about an amended remedy, a slightly
12	different remedy at the site, then yes, we
13	would be looking at a not a new, but an
14	amended supplement document, as well.
15	REMONSTRATOR 12: And would that go back
16	before the judge then?
17	MS. ZANDER: Yes, consent decree
18	amendments go back before the judge.
19	REMONSTRATOR 12: Thank you.
20	MEDIATOR LYTHCOTT: Thank you.
21	Question 13. Yes, ma'am.
22	REMONSTRATOR 13: My question is about
23	contingencies. The EPA stated that the
24	MEDIATOR LYTHCOTT: Can you all hear her
25	back there?

1	REMONSTRATOR: No.
2	MEDIATOR LYTHCOTT: A little louder,
3	please.
4	REMONSTRATOR 13: I'm sorry. My question
5	is about contingencies. The EPA has stated
6	that the amendment could include a contingent
7	plan that would set out certain conditions that
8	have triggered with change the cleanup to
9	the commercial or industrial level. Can you
10	explain a little about how that would work?
11	MR. ALCAMO: Well, if we get something
12	from the owners that say, all of a sudden, this
13	is a commercial facility, prior to assigning
14	the Record of Decision, then I think we could
15	change that. And that's why we want you to
16	comment that on that possible contingency.
17	REMONSTRATOR: We have the owner right
18	here. Is he (unintelligible) speak on
19	that right now?
20	MS. ZANDER: I'm sorry, Thomas. I just
21	want to add a little bit more detail to Tom's
22	answer. So there we based on further
23	information about the any redevelopment that
24	might happen, we have a couple options. So we
25	can we can carry forward with the current

preferred alternative. If more information comes in, we can select a different alternative that's been examined here. Or there could be an alternative -- a ROD finalized that contains a contingency.

So it would say, we're going with the current preferred alternative; but if before a certain date, a certain level of concrete-enough information comes in about a redevelopment proposal, we still have enough flexibility to change course. Because we want to be out there doing -- doing work at the site to deal with the contamination as soon as possible. So we don't want to have to start back all over at scratch again if it means that we still have enough flexibility to pivot and work with documents that we've already addressed and have public comment about.

MR. ALCAMO: I would expect, in the Record of Decision, that that would be signed sometime early summer. Obviously, we're expecting a lot of comments that we need to respond to and evaluate. So what happens between that time frame, I'm just not sure.

REMONSTRATOR 13: But that's exactly what

1 my question is, is that contingent plan --2 MS. ZANDER: Yes. 3 REMONSTRATOR 13: So once that occurs, after the decision's already been finalized and 4 you change the course, will there be -- will 5 everyone be able to comment, or will that 6 specific plan be laid out ahead of time? What 7 will the process be? 8 9 MS. ZANDER: So we're dealing with options that are on the table right now in these series 10 11 of alternatives. And while EPA has marked 12 which is our preferred alternative, all of them remain on the table throughout the public 13 comment period. So if the public has opinions 14 15 about alternatives other than EPA's preferred 16 alternative, we want to hear your comments on 17 those other alternatives, as well, because they 18 could become part of the overall remedy at the So this is -- this is your opportunity. 19 site. 20 You know, our preferred alternative is 4B. 21 if you have a lot to say about one of the 22 others, you know, say it now, tonight, written, 23 email Janet, you know, use all of those ways to get your feedback to us. 24 25 MEDIATOR LYTHCOTT: Thank you.

Question 14. Yes, ma'am.

REMONSTRATOR 14: I don't understand why we're having this public hearing when the City has yet to put in writing what they want, if they want it into commercial or industrial. This seems that the community can't win on this one because you're saying the City is here, which really, the City is the community.

REMONSTRATOR: Right.

REMONSTRATOR 14: They work for the community. They work for residents. The residents pay their salary. But there's this division, which I don't understand. The City is going to take their time and do what they want and come to a decision after the public hearing.

MEDIATOR LYTHCOTT: Is there a question?

REMONSTRATOR 14: The question is: Why is this backward, in my opinion, that until the City makes -- when the City makes its decision, that is when the public hearing should be, because that would require, I would think, the City to come to these meetings and defend their position, which they're not doing, with the public.

1 MEDIATOR LYTHCOTT: Thank you. MR. ALCAMO: You should assume that this 2 3 is residential for now. We have no information that it's --4 5 REMONSTRATOR 14: No. You're saying -- I can't assume that because you said, I can also 6 assume they will change their position. They 7 So that's -- that's, you know, a no-win 8 for the community, if it's -- because of the 9 10 way it's being addressed. Now, the other thing I wanted to say is: 11 Where is the clean soil coming from? You have 12 this clean soil. 13 MR. ALCAMO: Well, there will be -- there 14 will be -- I -- it's not been determined yet, 15 but there will have to be a series of testing 16 17 of that soil. We do that, actually, in Zones 2 18 and 3, where the soil was actually tested prior to us bringing it in as either fill or topsoil. 19 20 So there would be all the requirement [sic] --21 the soil, as it comes in, would be tested so it 22 isn't contaminated. 23 REMONSTRATOR 14: So you're using -- you know, you're sifting through the contaminants 24 25 and getting clean soil that -- you're not

1	bringing it from somewhere else?
2	MR. ALCAMO: Yes.
3	REMONSTRATOR 14: It's the same soil
4	MR. ALCAMO: No, no, no. We're
5	clean
6	REMONSTRATOR: That's clean?
7	MR. ALCAMO: That's clean. It is a
8	registered soil area that is clean. And then
9	we go in there and do a series of samples to
10	make sure it doesn't contain pesticides and
11	things like that prior to bringing it on the
12	site. So there will be clean soils brought in.
13	And that's a requirement. They're even as I
14	said, they're doing that in Zones 2 and 3.
15	MEDIATOR LYTHCOTT: Thank you.
16	(Multiple people speaking in
17	unison.)
18	REMONSTRATOR 14: We have hazardous and
19	nonhazardous landfills. You've said you don't
20	know where it's going to. I don't understand
21	that either. It seems to me you should know
22	where this where the landfill is that that
23	soil
24	MR. ALCAMO: Well, we
25	REMONSTRATOR: (unintelligible)

1	contamination go to, but does the City have
2	MEDIATOR LYTHCOTT: And then we've got to
3	move to Question 15, ma'am.
4	REMONSTRATOR 14: (unintelligible)
5	how many hazardous landfills do they have?
6	Because you're talking about going to a
7	nonhazardous landfill
8	REMONSTRATOR: Yeah, let her get her
9	question out.
10	MR. ALCAMO: They they basically I
11	don't know yet because we're going to go in
12	discussions with the responsible parties. They
13	will have the option. If they agree to do it,
14	they will have the option. We have to look at
15	that landfill, wherever it goes, and make sure
16	it can accept that material. We're not going
17	to let it go to some landfill that isn't
18	basically approved to accept it.
19	If they have a bunch of violations and
20	things like that, they, essentially we don't
21	allow it to go there. So there's something
22	called the CERCLA Off-site Policy.
23	So I can't tell you right now I know
24	I think they're going to Newton Newton
25	County, I think right now, I think. But

1 they're going to have their option to go, and 2 then they're going to tell us, Hey, we're going to go to XYZ landfill. What is the compliance 3 status of it? And we go and look at that, and 4 when was it last inspected? All of that. And 5 if they have violations, we don't allow it to 6 go there. 7 MEDIATOR LYTHCOTT: 8 Thank you. 9 Question 15. REMONSTRATOR 15: What steps, beyond this 10 meeting and the public comment period, will you 11 12 be taking to determine if you've met this community acceptance session? And what's the 13 evaluation criteria for deciding that you've 14 15 met community acceptance? MR. ALCAMO: We will take all the 16 17 comments. We will evaluate all those comments. 18 We respond to all those individual comments, and then we make our final decision based on 19 So we take the comments as one of the 20 21 nine criteria. It's not the only criteria. So 22 that's essentially why we're here tonight, for 23 you to submit your comments to us. So after that, there's certainly going to 24 25 be some legal things that will be public

1	comment and things like that. But otherwise,
2	based on the superfund law, there's no
3	additional requirement after we respond to
4	comments and choose our final remedy.
5	Of course, we we're here. We've been
6	coming on Saturday meetings and things like
7	that and certainly more than willing to talk
8	about it and discuss how we responded to your
9	comments.
10	MEDIATOR LYTHCOTT: Thank you.
11	MS. MORGAN: Kind of a point of order.
12	REMONSTRATOR: Why don't she take a number
13	like everybody else, wait her turn to talk?
14	REMONSTRATOR: She's a resource person.
15	MS. MORGAN: I'm from the City.
16	REMONSTRATOR: I can talk, too. I'm from
17	the city, too.
18	MS. MORGAN: Okay.
19	REMONSTRATOR: I'm from the city, too.
20	You talk; I can talk.
21	MS. MORGAN: So point of order
22	REMONSTRATOR: You be (unintelligible)
23	like everybody else. Wait your turn.
24	MS. MORGAN: People people have kind of
25	ceased giving us their names.

1	REMONSTRATOR: (Unintelligible) so why
2	she got to talk?
3	MS. MORGAN: So if people want
4	MEDIATOR LYTHCOTT: Yes. Let me let me
5	just run let me run the meeting.
6	MS. MORGAN: resume
7	MEDIATOR LYTHCOTT: Thank you. So
8	Question No. 15, please introduce yourself
9	before you start.
10	REMONSTRATOR PARTS: 16.
11	MEDIATOR LYTHCOTT: 16?
12	REMONSTRATOR PARTS: Yes.
13	MEDIATOR LYTHCOTT: Thank you.
14	REMONSTRATOR PARTS: She was 15.
15	Hi, there. I'm Colin Parts. I'm from the
16	Abrams Clinic, U of Chicago.
17	I just wanted to make sure I understand
18	correctly your soil soil removal decision,
19	your evaluation of risk. That's on the basis
20	of you're going down to 2 feet. You said
21	that. 4C, which would go down further, you
22	said, wasn't that much better at eliminating
23	the risk. And you're making that decision on
24	the basis of the monitoring wells that you
25	currently have in place.

MR. ALCAMO: No. There's soil -- there's 38 soil boring datas. There's also data at 30 inches. And so we view that even though you would be removing more material, underneath that, there still would be contamination.

We think with 4B, at 2 feet, with the proper visible markers, with the proper inspections, with the proper engineering controls, that it can be as -- protected. Now, it's -- slightly more soil would be removed. But from an overall protective standpoint, we think it would be pretty similar to 4 -- 4C and 4B. It would be pretty similar.

REMONSTRATOR PARTS: Sorry. I wanted to be clear. I'm actually concerned about leaching of lead through the soil. I know that you're going to be taking -- monitoring wells throughout OU -- or rather, OU2 is looking at the groundwater throughout Zones 1, 2, and 3; right? These wells will be pulling groundwater. And if for some reason these wells find that from Zone 1 there is lead leaching, that you hadn't originally found, would you stay the course of this current soil removal rather than going further if you, all

of a sudden, found out that there's a lot more lead leaching from the soil?

MR. ALCAMO: I think we'd make us look at something. We may have to relook at the remedy. I don't know. You know, you're asking me to make a decision on something that -- I don't know what would happen. Right now we don't think that's going to happen. But certainly, if there's new information that becomes available, we have -- every five years, we have to relook at these remedies in terms of are they protective or not. So there's inspections that are done. There's sampling that is done during this five-year review.

So as I said previously, this isn't just like a walkaway remedy. You know, we have procedures in place that could require us to do additional work. And we have done that based on five-year reviews at other sites. I don't think your conceptual site model is accurate; but, you know, we'll see in the future.

REMONSTRATOR PARTS: Right. But to be clear, you're going with a risk assessment that doesn't fully understand the groundwater that's going through these other sites. And it's

1	possible that that would change, like you said.
2	MR. ALCAMO: I mean, we don't think that
3	the groundwater is going to recontaminate the
4	top 2 feet of the site. We think the visible
5	markers that are in place
6	REMONSTRATOR PARTS: The top 2 feet of
7	Zone 1, or all of the other zones, as well?
8	MR. ALCAMO: Well, you're talking
9	you all, this whole area. I don't know.
10	You know? That's why. We don't think, at
11	dapth [sic] you know, some of the wells are
12	going into Calumet. Okay? Around 25 to 30
13	feet in depth. So in any case, I don't think
14	there's going to be at least the preliminary
15	data of what I've seen, is there a huge
16	groundwater problem leaving USS Lead? That's
17	to be determined with this addition of wells
18	and possibly more wells.
19	So I don't think that leaching of lead is
20	going to be an issue. I just don't.
21	MEDIATOR LYTHCOTT: Thank you.
22	Question 18.
23	REMONSTRATOR OLIVER: Me?
24	(Multiple people speaking in
25	unison.)

1	MEDIATOR LYTHCOTT: 17?
2	REMONSTRATOR OLIVER: I have 17.
3	MEDIATOR LYTHCOTT: Oh, I'm sorry. 17 and
4	then 18. Sorry.
5	REMONSTRATOR OLIVER: Sheryl Oliver in
6	Zone 2.
7	My questions are about your presentation.
8	The term
9	MEDIATOR LYTHCOTT: Can you all hear in
10	the back?
11	REMONSTRATOR: No.
12	MEDIATOR LYTHCOTT: Ma'am, could you
13	(inaudible).
14	REMONSTRATOR OLIVER: Again, my name is
15	Sheryl Oliver. I'm in Zone 2.
16	My question's about your presentation.
17	You mentioned, "short-term effectiveness."
18	That's definitely a concern. From what you
19	were saying, because that has to do with the
20	impact that's what's happening in Zone 1 is
21	going to happen to us in Zone 2, and that was
22	the one area that's cleaned. I notice you
23	didn't have a totally black dot there. It's
24	kind of fuzzy. (Unintelligible) more
25	clarification on what that "short-term

1	effectiveness" is.
2	And you also mentioned, "deed
3	restrictions." Please clarify that. Does that
4	have to do with my property deed? Or what are
5	you talking about when you start
6	(inaudible)
7	MR. ALCAMO: Sorry (inaudible).
8	REMONSTRATOR OLIVER: We are
9	(unintelligible) concerned about property
10	values and what's happening with our homes.
11	MR. ALCAMO: So
12	REMONSTRATOR OLIVER: And the other two
13	is the last one is: What is that "OU"?
14	MR. ALCAMO: Okay. That just you can
15	think of that as Phase II.
16	REMONSTRATOR OLIVER: Okay.
17	MR. RODRIGUEZ: My bad. I was going to
18	the other one.
19	MR. ALCAMO: Keep up. Up.
20	REMONSTRATOR: You're fired.
21	MR. RODRIGUEZ: I am fired.
22	MR. ALCAMO: Okay.
23	MR. RODRIGUEZ: There you go.
24	MR. ALCAMO: You can think of this OU
25	we call it an "Operable Unit." You can think

of it as a phase. Okay? This is the first 1 2 phase, and then -- we like to break these sites into different phases to get the risk reduction 3 sooner. Okay? So instead of just dealing with 4 everybody all at once -- we do this all the 5 time at superfund sites -- we break it up so we 6 can deal with a portion of it quicker. 7 right? 8 So let's talk about deed restrictions. 9 And I apologize. I should have explained that. 10 11 These deed restrictions would be associated 12 with Zone 1. For example, we would not allow them to install drinking water wells on this 13 property. We would not -- if it stays --14 15 probably shouldn't say this, but let's say it went commercial. Okay? We would not allow 16 17 them to build residential on that. Okay? So that would be a restriction on this actual 18 Zone 1 property, that -- just not anywhere. 19 20 Not your property or anywhere else. Just on Zone 1. And we do that a lot in all these 21 22 superfund sites. 23 REMONSTRATOR: So the term "deed" --MR. ALCAMO: Well, it's -- actually, it's 24 25 put right on the actual deed that it -- it's an

1 enforceable agreement that we put forth. 2 can be enforced. It says, Owner of property, you will not do A, B, C, and D. Okay? 3 are developed and used quite commonly in 4 superfunds. Okay? 5 And your final question --6 I've got one more MS. ZANDER: 7 clarification on deed restrictions. 8 So Tom's right, it goes right on the deed. 9 But what we're talking about for this part of 10 11 Zone 1 is that it will be attached to the 12 property description and legal property documents for that Zone 1 property. 13

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So say it does go residential, and it gets subdivided, and there are residences on it, each residence -- each deed for the residential property would have notes on it saying, You can't have a well. You -- if you dig below 2 feet, you need to have these -- you call us, and we'll get some protections involved. You know, it's a remedy-specific requirement to make sure that everything we do stays -- (inaudible) -- into the future. So it is restrictions on the deed, but it's not -- when we're talking about this remedy, we're not

1 talking about your deed. We're talking about 2 the deed for that property. 3 MR. ALCAMO: And I'm completely in agreement with you regarding if it's a --4 short-term effectiveness deals with the risk to 5 the nearby community and the workers during 6 these excavation activities. And certainly, we 7 talked about this in the demolition. Remember? 8 I mean, all the demolition -- we had them put 9 all these additional air monitors surrounding. 10 I would expect to do the same thing. 11 12 We are doing -- we are doing the same things in Zones 2 and 3. If you know that --13 if your house has been excavated, there's been 14 15 air monitors by -- at your house to make sure -- and dust monitors to make sure that 16 17 we're not stirring up these soils, it gets 18 spread into the surrounding community [sic]. We also will use engineering controls to 19 20 control any dust leaving. So there are a 21 number of things that we would put in place to 22 make sure that Zone 2 doesn't get impacted by 23 Zone 1, including a large amount of monitoring. MEDIATOR LYTHCOTT: Thank you, both. 24 25 Yes, 18?

1 REMONSTRATOR 18: Yeah, I'm 18. 2 MEDIATOR LYTHCOTT: Thank you. 3 REMONSTRATOR 18: My question is regarding the excavation of only 2 feet when you're going 4 to excavate 8 feet deep on the DuPont North 5 site, and that's zoned as commercial use. But 6 you're only going to excavate 2 feet deep on a 7 possible residential site. Can you explain 8 what the conditions are, why they're different, 9 and why you've only chosen 2 feet verse 8 feet? 10 11 MR. ALCAMO: I can't talk in terms of -- I 12 don't know anything about DuPont, but I can talk about why we're going to 2 feet here, 13 because it's normally what we do. We think EPA 14 15 has done a number of studies regarding risk, in terms of we view 2 feet as protective. 16 Of course, it does take into consideration 17 18 that we have to have a visible marker. have to have maintenance. You have to have all 19 20 these things in place to ensure that that 21 2 feet and that clean material stays clean. 22 Again, we also do five-year reviews 23 throughout the period of time. So every five-year review, we look -- we look at the 24 25 protectiveness. So we're going to look at that

1 site and say, including -- could include 2 samples, it could include a number of things -is this remaining protective? Is the remedy 3 that we've put in place still working? 4 So again, this isn't a walkaway in terms 5 of a remedy. So that's why we view 2 feet, in 6 terms of managing risk, but also managing the 7 long-term risk through maintenance, through 8 continuing review, through monitoring, and 9 things of that nature. 10 11 REMONSTRATOR 18: I have one more 12 question: So you don't think that leaving all of that debris in place from the smelter is 13 going to be leaching out for years to come into 14 15 the soil, into the water that you just cleaned? 16 MR. ALCAMO: Not -- not at 2 feet, we 17 don't. I mean, I think that if there needs to 18 be a groundwater portion there, in terms of a collection trench or a pump, a monitoring -- or 19 20 a pumping system there, that that would deal 21 with any type of leaching. And that needs to 22 be, basically, determined yet. 23 MEDIATOR LYTHCOTT: Thank you. Thank you. 24 19. 25 REMONSTRATOR 19: I have 19, and I was

1	having a question along the lines of the
2	leaching, but I think it's just going to go
3	sideways. It's been already [sic], so
4	MEDIATOR LYTHCOTT: Thank you.
5	20?
6	REMONSTRATOR EMERSON: Bill Emerson,
7	Lake County Surveyor.
8	My question does have to do with leaching.
9	To get back to your comments, I think, to me,
10	the only responsible thing to do is to remove
11	the lead from the soil. I mean, allowing it to
12	leach, continue to leach I have some
13	experience with aquifers. I'm also a
14	professional engineer. And, you know, being
15	this close to a waterway and the area that we
16	are, by the lake with the dune swale, aquifers
17	are they're tricky. I mean, even the best,
18	I think, groundwater specialists will tell you,
19	you know, that the aquifers can be tricky to
20	control and pumping them out and everything
21	else. I think you should do both. I think you
22	should remove it, remove everything you can,
23	and also
24	MEDIATOR LYTHCOTT: Sir, is there a
25	question? Because the comment period is going

1	to come right after this.
2	REMONSTRATOR EMERSON: Well, I got to run.
3	I'm sorry.
4	MEDIATOR LYTHCOTT: Question for
5	clarification of the presentation of the
6	proposed plan.
7	REMONSTRATOR EMERSON: Sure. Do you agree
8	that
9	(Laughing and applause.)
10	(Multiple people speaking in
11	unison.)
12	REMONSTRATOR EMERSON: It's a yes or no.
13	Do you agree
14	MEDIATOR LYTHCOTT: Jeopardy in the form
15	of a question.
16	REMONSTRATOR EMERSON: you should
17	remove and pump? I think pumping groundwater
18	will have a good effect on the neighboring
19	community, as well to remove and pump, as
20	well.
21	MEDIATOR LYTHCOTT: Well, we can take that
22	as a comment.
23	REMONSTRATOR EMERSON: You don't have to
24	say yes or no.
25	MR. ALCAMO: Okay.

1	MEDIATOR LYTHCOTT: All right. Thank you.
2	21.
3	REMONSTRATOR BROWDER: Right here.
4	MEDIATOR LYTHCOTT: Yes, sir.
5	REMONSTRATOR BROWDER: Joseph Browder
6	(phonetic).
7	I have two questions. Who and they in my
8	book has never had an address [sic]?
9	REMONSTRATOR: Right.
10	REMONSTRATOR BROWDER: You all are telling
11	us, as a public this young man here asked
12	about Carrie Gosch. You have not yet gave him
13	a name of who the public has to contact with.
14	You guys are in contact with these people
15	because you say, "They tell us what to do."
16	They in West Calumet, we, as a public, don't
17	have a name and address who we are concerned
18	with that we need to voice our opinion with.
19	MEDIATOR LYTHCOTT: So who is it at the
20	school board that you direct Carrie Gosch
21	questions to?
22	REMONSTRATOR BROWDER: And the
23	(unintelligible) complex. Who are the names
24	that we, as the public, need to address?
25	MEDIATOR LYTHCOTT: Anybody know?

1	REMONSTRATOR BROWDER: We all should know.
2	MEDIATOR LYTHCOTT: Your city people
3	(Multiple people speaking in
4	unison.)
5	REMONSTRATOR: Yeah, we've been here
6	alone. We've been here alone in the middle.
7	MS. CAULEY: Hi. My name is Tia Cauley
8	REMONSTRATOR: (Inaudible).
9	MS. CAULEY: Executive Director of
10	East Chicago Housing.
11	(Multiple people speaking in
12	unison.)
13	REMONSTRATOR BROWDER: I mean okay.
14	You're telling me your name, but are you in
15	control of the situation, or do you have a
16	boss?
17	MS. CAULEY: I have a lot of bosses.
18	REMONSTRATOR BROWDER: Okay. So you're
19	not answering my question. Do we contact you,
20	or do we contact your bosses?
21	MS. CAULEY: (Inaudible)
22	REMONSTRATOR BROWDER: Why isn't there any
23	information about who to contact here tonight
24	at the public meeting?
25	REMONSTRATOR: (Inaudible) who is the

1	boss?
_	
2	REMONSTRATOR BROWDER: Who's the bosses?
3	REMONSTRATOR: That's what we want to
4	know.
5	REMONSTRATOR BROWDER: You're talking
6	about all this lead stuff and all this, but we,
7	as a community, don't have a voice if we don't
8	know who to voice our opinion to.
9	REMONSTRATOR: That's right. We can never
10	get in to talk to the mayor.
11	(Multiple people speaking in
12	unison.)
13	REMONSTRATOR: Who are the bosses?
14	REMONSTRATOR BROWDER: Who are the bosses?
15	REMONSTRATOR: He haven't been out here
16	since
17	REMONSTRATOR: If we don't have anyone to
18	contact with, our concerns are not met.
19	REMONSTRATOR: That's right.
20	REMONSTRATOR: (Unintelligible) in two
21	years.
22	MEDIATOR LYTHCOTT: Okay. So I think that
23	that's outside of the scope of the EPA, so
24	REMONSTRATOR BROWDER: How can it be
25	outside the scope of the EPA if he says, they

1	do "We do what they tell us to do"? They
2	have to know who's telling them what to do.
3	Come on, man. That's not how that goes.
4	(Multiple people speaking in
5	unison.)
6	MEDIATOR LYTHCOTT: He cited the mayor's
7	letter.
8	REMONSTRATOR: You got to get back with
9	them and
10	REMONSTRATOR BROWDER: You just said the
11	mayor was not involved. You just said the
12	mayor was not involved, so now we going back to
13	saying the mayor is involved?
14	REMONSTRATOR: (Inaudible)
15	MR. ALCAMO: Let me tell you what we
16	received. Okay?
17	REMONSTRATOR BROWDER: Okay. Well, I
18	(inaudible) the public. Who we need to talk
19	to
20	MR. ALCAMO: We received a letter from
21	Mayor Copeland. It's in the record. You can
22	read that letter. You can go online and read
23	that
24	REMONSTRATOR BROWDER: The letter should
25	be here. You guys should have information.

1	You just said, "They tell us what to do."
2	REMONSTRATOR: That's right.
3	REMONSTRATOR BROWDER: Then they have the
4	name. They have a name. Who are they?
5	REMONSTRATOR: That's all we want to know.
6	REMONSTRATOR: Any written correspondence,
7	we need copies of.
8	REMONSTRATOR BROWDER: Who are they?
9	MR. ALCAMO: It's in the record. You can
10	go online.
11	REMONSTRATOR: You're here to help us.
12	You're not here to help the mayor. You're here
13	to help us, Zone 1 and 2.
14	REMONSTRATOR: That's right.
15	REMONSTRATOR: You're not here to help the
16	mayor. It's obvious you should know by now,
17	the mayor don't give a damn about us.
18	REMONSTRATOR: That's right.
19	REMONSTRATOR: He's never given us a
20	bottle of water. All the water we done had for
21	the last two years has come from Munster,
22	Schererville, Highland, all these places.
23	REMONSTRATOR: The boys got their Muslims.
24	REMONSTRATOR: And everything is in the
25	Calumet water.

1	REMONSTRATOR: That's right. He ain't
2	never gave us a bottle of water.
3	REMONSTRATOR: We still need to know who
4	we have to contact
5	REMONSTRATOR: (Unintelligible) he has
6	never given Calumet or
7	(Multiple people speaking in
8	unison.)
9	REMONSTRATOR: Calumet is the one first
10	historical black area or New Addition, the
11	second historical black area in East Chicago.
12	We have never gotten anything from this mayor.
13	MEDIATOR LYTHCOTT: So the question on the
14	floor is: Who should you direct your comments
15	to?
16	REMONSTRATOR: Yes, yes, yes. Uh-huh.
17	MEDIATOR LYTHCOTT: And the executive
18	director
19	REMONSTRATOR BROWDER: Who do we turn it
20	in to?
21	MEDIATOR LYTHCOTT: The executive director
22	of the Housing Authority has said to you that
23	in terms of this area, you can direct your
24	questions to her.
25	In terms of the Carrie Gosch School, from

1 what was said, that goes to the Board of 2 Education. REMONSTRATOR: December 3rd at the 3 Administration Building and talk to the school 4 5 board members. There's a meeting Monday for the school board at 6:00 o'clock. And if you 6 are so concerned about Carrie Gosch and what's 7 going on, that's where you can go to have your 8 9 representative and the school superintendent there. 10 11 MS. ZANDER: And I'll just pipe in quickly 12 about availability of correspondence that we've received. So Tom's talking about the record. 13 The Administrative Record is available on the 14 15 web page. It's at the bottom of the agenda. There are also copies at the -- there are 16 17 copies at the public library. Tom, is that 18 right? MR. ALCAMO: 19 Yes. 20 MS. ZANDER: So there are hard copies 21 available upstairs, and at the other public 22 library, as well as online. 23 MEDIATOR LYTHCOTT: Okay. We have to 24 keep --25 REMONSTRATOR: (Inaudible).

1	MEDIATOR LYTHCOTT: I'm sorry. We've got
2	to keep moving forward. We've got 12 people
3	signed up to give public comment, and we still
4	have questions out. I'm going to ask you,
5	please, one question, no statements, and
6	quick and answers. And so we're on 22.
7	MS. POPE: Wait a minute. Is this for
8	questions?
9	MEDIATOR LYTHCOTT: This is we're still
10	doing questions. There are 28 questions out.
11	MS. POPE: Yeah, but the library closes at
12	a certain time. So we have to have a public
13	comment period. I would say, most if you
14	have questions, please write them down, give
15	them to us in writing.
16	MR. ALCAMO: Se Debbie first. It's
17	MS. POPE: We have to do public we have
18	to do that. So this is like the last one.
19	MEDIATOR LYTHCOTT: Okay. So we'll do
20	Debbie, and then go to public comment
21	(inaudible).
22	(Multiple people speaking in
23	unison.)
24	REMONSTRATOR: There's one more question.
25	REMONSTRATOR ADAMS: I'm Tara Adams; some

1	of you know. I just my question is: From
2	the beginning, we've been asking for residents
3	to be involved in all of these decisions;
4	right? And I enjoy the meeting. I'm glad that
5	everyone is here, but I don't I still don't
6	see where our concerns are really being
7	addressed the way that we would see fit
8	because, you know, you make the decision. You
9	don't you don't think this is going to
10	happen. You don't think it's going to leach.
11	You don't think this. But we need to feel
12	comfortable in this place; right? So I don't
13	see where we are still we are involved.
14	To me, we are still requesting the same
15	things that we were requesting in 2016, and
16	that's to be involved in your decision making.
17	I don't agree with this, and I guess that will
18	go to my next complaint, the other period.
19	Where does this clean soil come from? You
20	said it's clean soil. Clean to what standard?
21	Is it zero lead, or what is the
22	MR. ALCAMO: It will be it will be
23	most of it's farm fields, at least from my
24	experience. I don't know where that's why a
25	lot of times we sample for pesticides

1	REMONSTRATOR ADAMS: Uh-huh.
2	MR. ALCAMO: and things like that,
3	for and there's actually approved soil areas
4	that basically have not been affected by
5	industry that are in the area. And so
6	that's we will clearly demonstrate to you
7	that we're bringing in clean soil. I don't
8	want to bring in contaminated soil.
9	(Unintelligible) I'm paying for it
10	REMONSTRATOR ADAMS: Yeah, but you guys
11	consider clean 400 parts; right?
12	MR. ALCAMO: No. Well, it will be
13	REMONSTRATOR ADAMS: So that's not clean
14	to me when I'm having kids out there playing in
15	the dirt.
16	MR. ALCAMO: It would be it would be a
17	very low
18	REMONSTRATOR ADAMS: No, no. No, no. But
19	that's what they said "clean" is. That they
20	don't remediate if it's below 400. That's
21	considered okay, though.
22	MR. ALCAMO: But we would bring in we
23	would bring in
24	(Multiple people speaking in
25	unison.)

1	MEDIATOR LYTHCOTT: Let's not have
2	please
3	MR. ALCAMO: Usually it's farm fields.
4	MEDIATOR LYTHCOTT: We can't have
5	(inaudible) conversations.
6	REMONSTRATOR: You're buying it from
7	farmers and taking their soil?
8	MR. ALCAMO: They're approved they're
9	approved fields, where people all the time go
10	and get material. And we have our bid
11	specifications will have a list of compounds
12	that can't exceed those numbers, and lead will
13	be very low. Okay? That's what we normally do
14	in our bid specifications.
15	We certainly will make sure that if the
16	responsible parties do that, that they do that.
17	And I'm more than happy to share. We can get
18	the data from Zones 2 and 3 for you, if you
19	need that, to show that we're not bringing in
20	contaminated material. I don't want to bring
21	in contaminated material.
22	REMONSTRATOR ADAMS: One more thing: If
23	we could just do this one more time, where
24	we because doing this as a big group like
25	this, people still have questions, and we've

1 been rushed; right? And which we shouldn't be 2 rushed because you wasn't rushed from 2009; 3 right? REMONSTRATOR: Right. 4 REMONSTRATOR ADAMS: We've been on here 5 for how long? So I'm going to ask that we do 6 this again, that we make sure that people are 7 educated in this process, because we -- even 8 those it's been two years, it's still a lack of 9 knowledge; right? It's still questions that we 10 have. And rushing us for two hours is not 11 good; right? Because we have to live -- well, 12 I don't live here anymore, but, you know, we 13 have to be. You understand? So I'm just gonna 14 15 say that, and then I'm just gonna sit. 16 MEDIATOR LYTHCOTT: Thank you. 17 And so we're going to go to our sign-up 18 sheet for public comment. This is to make your comment on the proposed plan. And our first 19 20 one is Clamay (phonetic) Bullock. 21 REMONSTRATOR: Can we add more names to 22 I think a lot of people didn't see -- we 23 didn't know we had to do that. MEDIATOR LYTHCOTT: Rachel, can you guys 24 25 start a second sign-up for public comment so I

1	can keep this in my hand?
2	Yes.
3	REMONSTRATOR C. BULLOCK: If I could get
4	everyone that is
5	MEDIATOR LYTHCOTT: And there's by the
6	way, there's going to be a clock behind you.
7	So every now and again, take a glance.
8	REMONSTRATOR C. BULLOCK: Okay. Can I get
9	everyone that is in support of Calumet Lives
10	Matter to please stand up and make yourselves
11	known?
12	(Remonstrators complying.)
13	REMONSTRATOR C. BULLOCK: Thank you very
14	much.
15	Good evening. I'm Clamay Bullock from
16	Calumet Lives Matter and a life-long, active
17	member of the Calumet community.
18	Although we have been most deeply
19	fragmented by the devastating effects of
20	industry and continue to be overlooked by many,
21	we continue to operate on love and in unity.
22	We are the rose that grows from concrete, on
23	water [sic], the ones everyone tries to bury,
24	not recognizing that we are seeds and we will
25	indeed grow.

We, the resilient people of this community, have been left devastated, wondering if not for the already existing and the past industry, would our loved ones still be with us here today and healthy; would we, ourselves, not suffer from the afflictions we struggle with daily. And you're proposing that we consider bringing in more industry.

This city, just now, on today, is trying to decide how to clean up after the industry that hasn't even been standing in over 30 years. And it is proposed that instead of cleaning the mess up in totality, we consider just halfway cleaning it and throwing another piece of industry with possibly unknown harmful and yet-to-discover pollutants in its place.

We're still attempting to pick up the pieces from the last wave of industry. We don't need to be asked to take another potentially life-threatening and possibly fatal risk at providing jobs that won't cover the medical costs of the ailments it will leave us with.

We have a vision for our community, and it doesn't include poisoning ourselves and our families to provide better lives for ourselves.

1	We will not sacrifice the hope for prosperity
2	of our already forcibly fractured community.
3	We will not allow our sure-to-be-prosperous
4	future to be sacrificed to industry.
5	We want you to clean the land to rebuild
6	homes. We refuse to be a sacrifice. Clean
7	that land to rebuild homes. We want
8	Alternative 4D. Clean the land to rebuild
9	homes.
10	Thank you for your attention.
11	(Applause.)
12	MEDIATOR LYTHCOTT: I think I'm going to
13	move this over so that the projector light is
14	not in the speaker's face, if that's all right.
15	It will be right here would be good. And we
16	have too, Thomas Frank. Can you still
17	REMONSTRATOR FARNK: Yeah, I can see that.
18	Hello. I'm Thomas Frank with Calumet
19	Lives Matter.
20	I'm really encouraged by the community
21	coming out and recognize that there when it
22	comes to the unity of the community, we know
23	that there's been a lot of division, but one of
24	the things that we're all united on, we no
25	longer want to be a sacrifice. So

East Chicago and the neighbors have been 1 2 sacrificed. So... Universally, through all the groups, we 3 are all in general consensus for Alternate 4D 4 with other [sic] additional controls. We want 5 full cleanup. We want no institutional 6 controls. We want this land to go forward in a 7 full, clean way. 8 This is -- West Calumet is the third 9 neighborhood in the last 20 years that has been 10 11 sacrificed to industrial waste and pollution in 12 the last two decades. We had the brickyard up on Kennedy Avenue in 1996. We had Marktown. 13 Now we have West Calumet that's been destroyed. 14 15 Perhaps the next one is New Addition. Maybe it 16 is -- it looks like even Calumet might be 17 sacrificed. We're really worried. 18 Only 17 percent of our land use is dedicated to residential use. We're 19 contracting very, very quickly. 20 21 We also have the highest infant mortality 22 rate in the city -- or in the state of Indiana 23 and, perhaps, many years in the country. 24 Unless we fight for complete control and complete cleanup, all we are getting again and 25

again are these cap projects or cap and trade, which benefits the interests of industries that may use it.

This whole institutional controls, where there are restrictions placed on the deeds, are going to restrict what we can do in the future uses, and we're obligating our children to a lot of pollution.

We need to come back to clean land. We want to go back to homes in that neighborhood. The City had dedicated -- the mayor had dedicated West Calumet to be a housing project when -- before the HUD -- before the demolition. We know that HUD or East Chicago Housing Authority has no experience doing industrial development. Why hand this off to industrial development?

What we have and what we need is community-focused development to knit our communities together, like we're going to be seen tonight in terms of the universal voices that are for a full cleanup without institution controls, and that is 4D, Alternative 4D. And that's what Calumet Lives Matter is for.

If you've gotten one of these pages,

1 please sign it, hand it back to me or one of the EPA officials. Make your comments. 2 3 need as many comments as possible out there. Thank you. 4 5 MEDIATOR LYTHCOTT: Thank you, Tom. (Applause.) 6 MEDIATOR LYTHCOTT: Mr. David Turpin, Jr. 7 REMONSTRATOR TURPIN: Briefly, I used to 8 9 live in Marktown. One of the reasons my family moved out is because of the poisonous 10 environment. And really, it's sad to see 11 what's happening to East Chicago. 12 I currently reside in Hammond, sister city 13 to East Chicago, and I think solidarity between 14 cities is -- (inaudible) -- one of the things 15 we need to be doing in the Region. It's sad 16 17 when we ignore each other's problems, so that's 18 the capacity in which I speak. I also -- I think it's -- it's not my 19 20 place, because I'm not a member of the city of 21 East Chicago, but it does disturb me to see 22 what looks to be like a shell game, where we 23 look for where the will of the people is to be found, whether it's with the Housing Authority 24 25 or the City or the school district. And, in

fact, it's quite clear the community wants complete cleanup, as Mr. Thomas Frank said. And they want answers, and they want direct accountability.

And I don't think, even, it's correct to say that you're meeting the criteria of community acceptance of the proposal if you haven't actually made sure that the people are able to get full input and all of the answers. I mean, as the young lady here in the front said, we need to slow this process down and to make sure that the community has a chance to really weigh in and get all the answers.

(Applause.)

REMONSTRATOR TURPIN: And that's entirely appropriate and the very concept of sovereignty of the people and democracy. Housing Authorities, municipal governments, parks, none of the institutions were set up to deprive the people of their ability to govern and to be sovereign. In fact, they're supposed to facilitate that. So that purpose is defeated if it becomes a shell game.

And then the question of whether or not -you keep referring to the fact that, Well, the

[
1	EPA won't walk away. Well, that's not
2	sufficient. I can see why that wouldn't be
3	satisfying to people. It's not that they want
4	you to hold their hands. We want people
5	living in these areas want to know that the
6	land that they're living on is clean.
7	And you keep saying, "Well, I don't think,
8	I don't think, I don't believe that there will
9	be leaching, and the preliminary studies
10	suggest." That's just not sufficient. That
11	really isn't sufficient, and it's inadequate.
12	You should go with 4D, and you should be
13	thorough about it and clean the mess up. And
14	yes, go with people who put it there.
15	REMONSTRATOR: That's right.
16	MEDIATOR LYTHCOTT: Thank you, sir.
17	(Applause.)
18	MEDIATOR LYTHCOTT: Mr. S. Henry Hunter?
19	(No response.)
20	MEDIATOR LYTHCOTT: Oh, Sherry. Sherry
21	Hunter.
22	REMONSTRATOR S. HUNTER: No, I already
23	spoke.
24	MEDIATOR LYTHCOTT: Ha?
25	REMONSTRATOR S. HUNTER: I spoke already.

1	MEDIATOR LYTHCOTT: Oh, okay. Thank you.
2	We're going down to Joe Dragovich.
3	REMONSTRATOR: I'll speak. I'll speak.
4	REMONSTRATOR DRAGOVICH: I pass.
5	MEDIATOR LYTHCOTT: You passing?
6	REMONSTRATOR: I'll speak. I'm going to
7	say the same thing I said before.
8	MEDIATOR LYTHCOTT: Come please come
9	up.
10	REMONSTRATOR: People don't understand,
11	their lives is not that's why we want
12	MEDIATOR LYTHCOTT: There's a microphone
13	up here.
14	REMONSTRATOR: You guys don't realize what
15	Zone 2 people are going through. The mayor
16	I haven't seen the mayor. He don't come out
17	here and do anything for us. He don't give us
18	water. I can't even get in to have a sit-down
19	with this man. You know what I'm saying? He
20	doesn't care about us, and I don't know why.
21	We didn't ask for what we going through.
22	These people didn't ask for this lead. So why
23	not and then he took our Moving Forward
24	money and using it somewhere else. That's
25	the governor signed off. That's what you need

1	to be checking out, because believe me I'm
2	going to tell you something else: He buying
3	the property out here in Zone 2.
4	REMONSTRATOR: Uh-huh.
5	REMONSTRATOR: In his name. Not the
6	City's name. And I got the paperwork to prove
7	it.
8	MEDIATOR LYTHCOTT: Thank you. And our
9	next speaker is Joe. Did you
10	REMONSTRATOR DRAGOVICH: I passed on it.
11	MEDIATOR LYTHCOTT: Okay. Thank you.
12	Then it looks like we have Larry, Gary,
13	and Hebron. Is that all you?
14	REMONSTRATOR DAVIS: That's me.
15	MEDIATOR LYTHCOTT: Man. Davis.
16	REMONSTRATOR DAVIS: Larry Davis,
17	Community Adviser.
18	So let's review a little bit here: 1985,
19	we discovered the State, Ted Hunter or
20	excuse me, Ted Warner discovered lead in the
21	soil, over 500,000 parts per million off site.
22	That's over half lead in the soil. That soil's
23	half lead. Think about that.
24	And the sampling went towards the
25	neighborhood. And EPA came in and did sampling

1 And then they stopped right before 2 they got to the neighborhood. Now, why is If EPA's actually out here protecting 3 the public health, why weren't we looking at 4 what the impact of the public health was? 5 In 1989 the responsible party agreed to an 6 agreed order with the State, "define the entire 7 contamination." "The full extent" is what the 8 language says. "Identify the full extent of 9 the contamination" and clean it up. Didn't say 10 11 clean it up to 400 parts per million. 12 "Clean it up and remove it from the community." That's not being done. We're going to 400 13 parts per million. And, in fact, we already 14 have a landfill full of toxic waste in the 15 16 community called a "Confined Management," an 17 "OU2." Okay? 18 So in 1986, EPA was required by Congress 19 to emphasize permanent cleanups with innovative 20 technology. This is not a permanent cleanup. 21 It should be restored to the highest use and 22 best use for this property. 23 East Chicago used to be the onion capital of the world. Would anybody want to eat any 24

onions growing in the soil here now?

25

1	REMONSTRATORS: No.
2	REMONSTRATOR DAVIS: Why not? Why
3	shouldn't it be the same? If it was a full,
4	permanent cleanup, people should have had the
5	right to raise food or their property. People
6	should have the right to use clean water under
7	their house if they want to irrigate their
8	crops to grow food. That's a basic human right
9	that's being denied here.
10	So EPA is going to haul it off and dump it
11	on our community. In 1981 the EPA, in the
12	Federal Register, said that "All landfills will
13	leak." They said, "Even with the best
14	application of available land disposal
15	technology, it will eventually occur."
16	Leaching will migrate out of the facility.
17	Contaminated liquid will leak out. Okay? And
18	it's not technologically and institutionally
19	possible to contain waste and constituents
20	forever or for the long time periods that may
21	be necessary. "Migration of hazardous waste
22	and their constituents and by-products from a
23	land disposal facility will inevitably occur."
24	In '81, EPA told us that.
25	So the superfund amendments require FDA to

use permanent solutions and alternative treatment technologies to reduce the volume of mobility and toxicity. And we already covered that. We're actually making the volume larger. We're doing nothing to reduce the toxicity.

And most importantly, certain kinds of action are inconsistent with permanence, including any form of land disposal or containment, any use of engineering or institutional controls, including long-term monitoring for releases. All of these mean the site hazardous material remains hazardous.

There's uncertainty about releases of hazardous material; and therefore, there's risk to health and the environment. And there's a host of uncontrollable, possible future events which might compromise the effectiveness of protection.

This is the decision we've been left here in this community. We want a full cleanup.

The technology is available. Don't let them tell you it's not. In fact, the technology is available, and it's been presented to them in countless comments. I will continue to present written comments that provide an alternative

1	that's feasible, that's been proven, with
2	technology that's already in use in Northwest
3	Indiana at steel mills; and with an innovative
4	treatment technology, it's far better than soil
5	washing. It actually recovers permanent, pure
6	forms of metals that can be marketed directly
7	at the highest value, which will further offset
8	the cleanup costs.
9	So we're literally spending millions of
10	dollars to throw away millions of dollars of
11	valuable material. But when it's in the
12	environment, poison people and don't
13	anybody in here in this room that's lived in
14	this community can tell you how many people
15	they know that have been poisoned by this toxic
16	waste.
17	We need a permanent cleanup. We need to
18	recover these valuable metals. And we need to
19	stop poisoning this community and dumping on
20	another community. Thank you.
21	MEDIATOR LYTHCOTT: Thank you, Larry.
22	(Applause.)
23	MEDIATOR LYTHCOTT: And our next speaker,
24	commenter, is Debbie Chizewer.
25	REMONSTRATOR CHIZEWER: Debbie Chizewer,

1 Environmental Advocacy Clinic, Northwestern Law School, on behalf of the Community Advisory 2 3 Group. First, I want to repeat, in my official 4 comments, that Tara called for another public 5 meeting to make sure that everyone's comments 6 are heard and you really understand whether you 7 have community acceptance. And I call on EPA 8 9 to urge the mayor to attend the meeting. 10 (Applause.) 11 REMONSTRATOR CHIZEWER: Second, 12 considering the extreme contamination of the site and EPA's obligation to protect human 13 health and the environment, EPA should use its 14 15 authority to complete the most protective cleanup of the site regardless of the planned 16 17 We urge you to do more to evaluate the 18 leaching of arsenic from the soil into the groundwater, and we reject the exclusion of 19 Carrie Gosch from this plan. 20 21 (Applause.) 22 REMONSTRATOR CHIZEWER: And finally, we 23 call for stronger protections of the surrounding community during the excavation and 24 25 a true accounting of those necessary

1	protections in your evaluation of the						
2	alternatives.						
3	That's it. Thank you very much.						
4	MEDIATOR LYTHCOTT: Thank you, Debbie.						
5	(Applause.)						
6	MEDIATOR LYTHCOTT: Our next commenter is						
7	Joshua Posner? Did I say that right?						
8	REMONSTRATOR PERTNER: Pertner (phonetic).						
9	MEDIATOR LYTHCOTT: Pertner?						
10	REMONSTRATOR PERTNER: Yeah.						
11	MEDIATOR LYTHCOTT: Thank you.						
12	REMONSTRATOR PERTNER: Joshua Pertner,						
13	also Northwestern Environmental Advocacy						
14	Clinic.						
15	We've heard a lot tonight about the						
16	disjunction between the people and the city						
17	government, and I think EPA needs to take into						
18	account that institutional controls that						
19	they're talking about and other things may work						
20	much worse here than they would in the standard						
21	run of cases.						
22	You have, for example, people apparently						
23	moving into the church, seemingly without EPA						
24	knowing it at the time. Perhaps they did. It						
25	seems sort of a blindsiding. Perhaps in the						

1	final remedy we need to hear some explanation						
2	of worries about spin [sic] (unintelligible)						
3	construction?						
4	Deed restrictions are fine; but if stuff						
5	is going on that people can't control, that the						
6	city government's not watching, it doesn't						
7	matter at all. That needs to be addressed in						
8	the final remedy decision. Thank you.						
9	MEDIATOR LYTHCOTT: Thank you.						
10	(Applause.)						
11	MEDIATOR LYTHCOTT: Next commenter is						
12	Carolyn Marsh.						
13	REMONSTRATOR MARSH: I have a cold, but I						
14	just want to ask this question. I'm						
15	Carolyn Marsh from Whiting, and I consider all						
16	this pollution a regional issue. And I'm very						
17	concerned about East Chicago, Hammond, Whiting,						
18	Gary, all of these cities that are so						
19	compounded with environmental issues. Running						
20	from one, you know, meeting on permits to						
21	another, our whole lives are being spent on						
22	trying to get an understanding of why we can't						
23	get our environment cleaned up.						
24	Now, my question is that the blue area on						
25	the map						

1	MEDIATOR LYTHCOTT: That's the mic for						
2	the						
3	UNIDENTIFIED SPEAKER: Public radio. Keep						
4	it down there.						
5	REMONSTRATOR MARSH: Oh, sorry.						
6	MEDIATOR LYTHCOTT: Just speak up then.						
7	REMONSTRATOR MARSH: I have a cold, and						
8	I'm sorry.						
9	MEDIATOR LYTHCOTT: Do you want to move						
10	forward some?						
11	REMONSTRATOR MARSH: Okay. All right. I						
12	just have this question of on the map, there						
13	was the blue, which is outside the red, and it						
14	says, Oh, that's Phase II. And in attending						
15	all of these meetings and many more meetings in						
16	the Region; Federated Metals, BP,						
17	ArcelorMittal the list goes on and on						
18	it's the way the process is, that there's						
19	Zone 1, 2, 3, and there's Phase I, II, and III.						
20	There's all this process going on. My question						
21	is: Why is the cleanup or the water studies						
22	being done in Phase II later? I mean, why						
23	couldn't that be done first? Then at least you						
24	could say, well, we know what's going on in						
25	that wetland area and how the water is						

migrating and if it's stagnant or going or not going.

So who made the decision that there's this Phase I, you know, zone this, that, and the other? And then there's a zone -- Phase I and then a Phase II. Because I think that all this is really backward. You know, you can't make a decision about the quality of life here; the air quality, the water quality, unless you're going to solve some of the other areas which are pushed off after final decisions will be made about the cleanup of the residential area.

MEDIATOR LYTHCOTT: Thank you, Carolyn.

Our next commenter is Sheryl Oliver.

REMONSTRATOR OLIVER: I'll comment again.

I came here not knowing what to expect or what decisions were being made and all. But having sat here for a while, I think I've come to some conclusion. And the conclusion I've come to:

Let's not repeat the mistakes of the past.

At one point smelter, whatever it was, was torn down, it was buried. And then now it seems that we're going to come in again and going to bury something again or just leave it. You talked about leaving debris there. It

seems like we're going to do the same thing; and years from now, people will come back and say, why didn't they get rid of it this time, when it was already there from before, and now we're going to do something, and then the conditions are gonna be there.

So I did like Plan D. From what I have gathered it's the one that would at least get rid of what's been there from way back when so that our next couple generations won't have to go through the same thing that we're going through right now.

And also, my other comment that I'd like to make has to do with the plan for what's going to happen with the Zone 1. East Chicago has always been known as the "Twin Cities," whether it's the Harbor and East Chicago. It was the Twin Cities.

REMONSTRATOR: That's right. Always been separated.

REMONSTRATOR OLIVER: And I don't see why now we have -- and now we drop the Twin Cities, and it just became East Chicago. It wasn't the Harbor and East Chicago, as I remember it being called.

1	REMONSTRATOR: And New Addition.					
2	REMONSTRATOR OLIVER: Well, the dividing					
3	line was somewhere. But this I mean, it was					
4	the idea of having two cities in one. Well, if					
5	we're going if I'm I'm not begrudging					
6	what's happening in the Harbor. (Inaudible)					
7	(Multiple people speaking in					
8	unison.)					
9	REMONSTRATOR OLIVER: You go there, see					
10	all these beautiful apartments and all really					
11	nice. I read through all the stuff that comes					
12	from the mayor, and I look every time: What's					
13	in there? What's the plan for Calumet?					
14	Industrial's gonna happen in Calumet on this					
15	side of the Twin Cities. What's gonna happen					
16	over here? Nothing's happened yet. So					
17	whatever plan we come up with, I say Zone 1					
18	should be as good as what we see over on					
19	Main Street and Broadway in the Harbor.					
20	(Applause.)					
21	REMONSTRATOR: Thank you.					
22	REMONSTRATOR OLIVER: Just as good because					
23	we are one city. It's no longer two cities.					
24	But one side is looking really good, and then					
25	we are like the stepchildren or the forgotten					

1	side of the city. So let's start it with					
2	Calumet. Let's make Calumet beautiful again,					
3	so that now the entire city is something that					
4	we can be proud of.					
5	(Applause.)					
6	MEDIATOR LYTHCOTT: Thank you, Ms. Oliver.					
7	Now or next commenter is Joseph Broaden?					
8	REMONSTRATOR BROADEN: Broaden.					
9	I have a real simple question I want to					
10	ask. We're gonna clean up let's say we're					
11	gonna clean up Zone 1 and get everything in					
12	order. So if they which we don't know their					
13	names get their way, now we're gonna bring,					
14	instead of homes, industry. So what we're					
15	doing is we're trading one pollution for					
16	another one. So therefore, most industries I					
17	know give off pollution. So now we're gonna					
18	clean up the ground, but then we're gonna					
19	pollute our air.					
20	REMONSTRATOR: Right. Don't make sense.					
21	MEDIATOR LYTHCOTT: Thank you. Very well					
22	said [sic].					
23	Our next commenter is Rob Gibson.					
24	(Multiple people speaking in					
25	unison.)					

1	MEDIATOR LYTHCOTT: Did you say that out
2	loud?
3	REMONSTRATOR GIBSON: How you all doing
4	today?
5	REMONSTRATOR: Hey, Ron.
6	REMONSTRATOR GIBSON: I have eight written
7	points, so I don't know how long I got eight
8	points.
9	First of all, I wanted to say that this
LO	and these are some things that people never
L1	think about. First of all, when you sign the
L2	sign-in sheet we sign these sign-up sheets,
L3	these people are getting millions of dollars
L4	just because you signed your name. So if we
L5	giving the EPA millions of dollars, we should
L6	get millions of dollars, too. Something to
L7	think about.
L8	The next thing is when they host the
L9	meetings, when you have meetings, and these
20	meetings are videotaped, these people are
21	getting millions of dollars just because you
22	attend the meeting. These things that they'll
23	never tell you. So I want this into the
24	record, that we the residents should be
25	getting millions of dollars by our by

creating entrepreneurship, incubatorships, mentorships, and, you know, then enforcing or promoting the Indiana Plan.

You know, I've been a union guy for about 42 years. I'm a life-long union electrician, made good money all the time when I went to work. You know, but we didn't have a pathway for all of the residents to make money. We don't have that. Ever since Copeland was mayor, he's never provided that path with -- according to the city ordinance -- look it up, it's a fact.

And anyway, the next thing is filing a lawsuit. The residents need to know that you can file a lawsuit. You know, I know we have attorneys here, but you can file your own lawsuit. You know, we -- our babies are going to prison because they have no opportunities for entrepreneurships or jobs, and we need to file a lawsuit. And nothing against Tia. I love Tia, but housing -- there's a federal ordinance that deal with housing across the country. Okay. Whenever housing has one penny, they're supposed to provide entrepreneurships and jobs for the poorest of

residents, and they don't. I know it's not your fault. I'm not blaming it on you, Tia, but it's happening.

No. 6, have an agenda for the meeting that you can email to the residents who don't attend. I talked to the chairman of my deacon board today about this meeting. You know, the churches need to know what's going on. Mail the agendas.

And by the way, the reason that the mayor put me out that meeting, they didn't have an agenda. I was trying to get an agenda so I could speak about money, about dollars for the residents. He didn't have an agenda; okay? So have an agenda so that the residents can see, especially those who don't attend, what the meetings are about and what the conclusions are.

And also, send all the information -request that the persons listed on the sign-in
sheets -- there were a lot of good comments
made today, and whoever sign that sign-in sheet
should get all correspondence that HUD is
getting in an email. It only makes sense. So
we can know what you guys know; okay?

1	And then the last thing is: Have some of
2	these meetings at the area centers around
3	East Chicago, like churches or other places.
4	You know, the meetings should not be just at
5	the library because we got to leave. We had
6	one meeting at my church. We need to have more
7	meetings at area churches.
8	And that's it. Thank you very much.
9	MEDIATOR LYTHCOTT: Thank you.
10	(Applause.)
11	MEDIATOR LYTHCOTT: The next speaker is
12	Joseph Conn or Conn?
13	REMONSTRATOR CONN: Conn.
14	MEDIATOR LYTHCOTT: Conn.
15	REMONSTRATOR CONN: Thank you.
16	I want to kind of first try and present my
17	standing for being here. My name is Joseph
18	Conn. I'm a life-long Northwest Indiana
19	resident. I worked here in East Chicago at the
20	old CITGO City Server Refinery [sic] years back
21	when I was in college. My father worked there
22	for about 20 years and then did another 20
23	years at LTV, which is now a part of
24	ArcelorMittal.
25	But I want to know and this I'm here

"Calumet," of course, is an old Indian phrase.

And the Calumet River actually starts in

LaPorte County, winds its way all the way over

to Blue Island, then bounces off against the

rock wall there, and then came back this way

and became the Grand Calumet.

And it actually, back in the olden days, went out where the lagoon is at Marquette Park into Lake Michigan. And since then, it's been tampered with and all that sort of stuff. And it flows in two directions at once now, if anybody's studied the river.

So what we have done here in Northwest

Indiana is we have messed around with nature to
an enormous degree. We have some of the
largest concentrations of industry in an area
that was once swampland, and I think most of
the folks who've lived here know that.

So we have a proposal here that we're going to dig down and remediate 2 feet. You don't have to be a soil engineer, if you've lived at any time, any length of time, in Northwest Indiana to know that going down to 2 feet is going to get you, around here, into a

lot of sand, and sand is going to have things moving through it and across it.

We've had some presentations earlier that the aquifer here rises and falls, sort of like a heart pumping up and down. And that water comes up and down, not only going horizontally. Things go in the water here, they get into the sand, and they run out into Lake Michigan into our drinking water. This is not any -- it's not rocket science.

When I grew up, I lived over in Brunswick, which is not far from here, and the soil profile is the same. And I remember, distinctly, a fellow going out and taking a sledgehammer and driving a pipe into the ground. And he put a well point in that thing, and he watered his lawn from 8 feet.

So we have a plan that we're going to clean up to 2 feet. Well, if you build a house on a crawl space, you have to get your footing down to 4 feet. It's got to be down 48 inches because the ground will heave up and freeze, and that house will be going like this (demonstrating).

If you put a basement in the house -- I

mean, some of the older houses, the basements are kind of small, but a modern house has got an 8-foot basement in it, with a footing down underneath it. So you go maybe 2 feet above ground level, you go down 6 and go down 2 more for the footing. You're going down 8 feet.

If you're going to have this area, any reasonable expectation to build single-family homes there, the only way you could build one is on a concrete slab. So you're limiting the ability of any developer to come in here and sell a house because people don't want to buy slab homes here in the North. Down South it's okay, where it's warm all the time and you don't have that cold-cold on your feet. Up here, up North, slab homes won't sell. And I know this because I had a real estate broker's license for a number of years, and I did real estate appraisals. You know? And I know what the market is for this stuff.

Also, if you have what we're -- we're talking about these deed restrictions that they're going to put on this. That's another impediment to being able to sell. Without getting too legal about it, but when you --

when you sell and convey a piece of property,
you convey a bundle of rights. Just think of a
bunch of sticks. And you have this bunch of
rights here, and one of them is going to be
like: You can quietly enjoy it and all that
other stuff, you can build a garage in the
back. But you typically have that encumbered.
You'll have an easement for NIPSCO over here;
right? So what they're talking about is
another encumbrance on these property rights,
and that's going to make those properties less
valuable.

This real estate needs to be cleaned up to the highest and best possibilities, using the very best technology available. Otherwise, we're just -- as other folks had said, we're just basically kicking the can down the road.

Thank you.

(Applause.)

MEDIATOR LYTHCOTT: And we've reached the time limit that -- for which we have to leave the building. There are three speakers remaining. I'm going to call their names and encourage you to write your comments in. Tara Adams, Greta Eaton, and Maritza Lopez. I'm

1	sorry that we ran out of time.
2	REMONSTRATOR: How about another hearing
3	or another date?
4	REMONSTRATOR: Yeah, another hearing.
5	REMONSTRATOR: Yeah. You haven't met your
6	legal responsibility to let these people speak.
7	REMONSTRATOR: Another hearing.
8	MEDIATOR LYTHCOTT: All right. Thank you
9	all very much for coming.
10	(Public hearing concluded at
11	8:02 p.m.)
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1	UNITED STATES ENVIRONMENTAL PROTECTION AGENCY						
2	PUBLIC MEETING						
3	RE: USS LEAD PROPOSED PLAN						
4	ZONE 1						
5	at						
6	PASTRICK BRANCH LIBRARY						
7	1008 W. Chicago Avenue, East Chicago, Indiana						
8	Thursday, November 29, 2018						
9	6:00 o'clock p.m.						
10	REPORTER'S CERTIFICATE						
11 12 13							
14 15	time and place herein before set forth; and I do further certify that the foregoing transcript, consisting of one hundred and twenty-five (125) typewritten pages, is a true and correct transcript						
16	of my said stenographic notes. Signed this 12th day of December, 2018.						
17							
18							
19							
20							
21							
22							
23							
24	PAMELA S. OWEN, CSR, RPR IL Lic. No. 084-002294						
25	Notary Public, Lake County, IN My Commission Expires: 8/1/24						

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