



**U.S. ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**URGENT LEGAL MATTER**  
**PROMPT REPLY NECESSARY**

[Name]

[Address]

Re: Sampling and Cleanup Activities 35<sup>th</sup> Avenue Superfund Site, Birmingham, AL  
Property Located at (address) (Property)

Dear \_\_\_\_\_:

This letter is to provide you with information on upcoming environmental sampling planned for certain properties in Collegeville, Fairmont, and Harriman Park neighborhoods, and to ask that you grant the U.S. Environmental Protection Agency (EPA) with access to the Property at the above address to conduct sampling. To enable the EPA to conduct the sampling on the Property, the EPA requests that you sign the enclosed Access Agreement.

Beginning on or about November 1, 2012, the EPA will collect soil and, where appropriate, sediment samples and/or surface water samples for laboratory analysis. This sampling will be performed at specified properties in the Collegeville, Fairmont, and Harriman Park neighborhoods and is being performed to determine whether soil, sediment, or surface water at these properties contains hazardous substances at levels of concern that may need further cleanup action.

All sampling will be conducted outdoors, so EPA we will not need to come indoors. This sampling will be at no cost to you (unless you wish to collect split samples, as is discussed in the enclosed Frequently Asked Questions (FAQs)). After the samples are analyzed, the EPA will provide you with a written explanation of the laboratory results for the Property. Once the sampling is completed on all properties, the EPA will hold a meeting with the owners and tenants of the Properties sampled and discuss the sampling results.

**To enable the EPA to sample the Property, you must sign the enclosed Access Agreement. If you wish to do so, please return the signed Access Agreement using the enclosed, self-addressed stamped envelope within fifteen (15) days of the date of this letter.** You may also hand deliver the signed Access Agreement to EPA's Community Outreach Office located at the

address stated below during business hours between 9:00 a.m. and 5:00 p.m. Your prompt response would be greatly appreciated.

Many questions that you may have about the sampling that will be conducted are discussed in the FAQs enclosed in this letter. You should read the FAQs carefully before signing the Access Agreement. Also, if you would like additional information about the sampling, including how the sampling will be performed, an Administrative Record has been established at the Harriman Park Recreation Center, located at 4347 F.L. Shuttlesworth Drive, Birmingham, Alabama 35207.

If you would prefer to speak with someone regarding this letter or have any additional questions, you may contact:

Stephanie Y. Brown, EPA Community Involvement Coordinator, Superfund Division  
EPA Region 4 Atlanta Office: 404-562-8450 1-877-718-3752 (toll free)  
Community Outreach Office: 1870 7<sup>th</sup> Avenue North, Birmingham, AL 35203.  
Email: Brown.StephanieY@epa.gov

In addition, you are invited to visit EPA's local Community Outreach Office from 9:00 a.m. to 5:00 p.m. on weekdays for more information.

Thank you for your attention to this important matter.

Sincerely,

Jeff Crowley  
On-Scene Coordinator

Enclosures

## **FAQs**

- ***Why is sampling being conducted?*** Prior EPA-approved sampling in the neighborhoods has shown that the potential exists for certain hazardous substances to be present in soils at elevated levels, possibly as a result of the century-long history of industrial operations and other activities in and around this area. Most pertinently, that prior sampling indicated that some (but not all) of the sampled properties had elevated levels of arsenic and/or certain polycyclic aromatic hydrocarbons (PAHs). The EPA has decided that further sampling is appropriate, and the EPA will collect soil and, where appropriate, sediment samples and/or surface water samples for laboratory analysis.
- ***How will the sampling be conducted?*** Sampling will be conducted by hand, with a small shovel, spoon, or hand auger. Only the top 4-6 inches of soil of your Property will be affected by the sampling, and samples will be taken at up to 15 locations throughout your Property. At each sampling location, we will only be collecting enough soil to fill several small jars. There may be some need to move items located in your yard to access sampling locations. The areas disturbed by the sampling will be restored to their pre-sampling state, to the maximum extent possible.
- ***How will I know when the samples have been collected from my Property?*** The EPA will provide a receipt to you or your representative or leave a receipt posted to your door if you are not home to let you know that samples have been collected on your Property. You may also call, email, or come in to the local Community Outreach Office and talk with staff.
- ***How will I know if my Property needs to be cleaned up?*** The EPA will contact you in writing with an explanation of the laboratory results and schedule a meeting with all Property owners and tenants.
- The EPA will notify you of the results of the sampling and if cleanup activities are needed on your property, you will be given an opportunity to sign a separate access agreement for the cleanup to be performed.
- ***If I sign this access agreement but later change my mind, what can I do?*** You may contact the EPA, at either the phone number or email address provided to you in this letter, and explain that you would like to revoke access.
- ***What if I am not the owner of the Property or do not reside at the Property?*** If you are a tenant, the EPA will also seek permission from the Property Owner. If you rent the Property to others but do not live there, the tenant's permission may also be requested, particularly if the Property is a single family residence.

- What are split samples? Can I get split samples?*** An owner or occupant may, but is under no obligation to, collect what are known as “split samples” at the time that sampling is conducted. A split sample is created by dividing the soils or other materials that have been collected, properly preparing them, and providing you or your representative a portion. Obtaining a split sample would allow a person to obtain a chemical analysis (in addition to the analysis that will be obtained by the EPA) from a separate laboratory. If you decide that you want a split sample, you will be solely responsible for having appropriate containers available at the time that sampling is scheduled, for arranging any laboratory analysis you may wish to have conducted, and to arrange any other technical advice on handling the split sample, at your own expense. The EPA will be collecting split samples on a percentage of the collected samples to verify the accuracy of the data. If you want to collect split samples, you must indicate that on the enclosed Access Agreement by checking the “box” on the Access Agreement in paragraph 4, and providing the telephone number where you can be contacted regarding the date and time on which your Property will be sampled. You or your representative must be present on the date and at the time that the sampling will occur in order to obtain the split sample. Sampling will not be delayed if you or your representative is not present and prepared to take the Split Sample.
- Are there procedures for properly handling split samples?*** Yes, there are handling requirements that must be followed to obtain valid results. Laboratories require a number of technical and record-keeping procedures, including, but not limited to, using appropriate sterilized containers, proper handling (including for example keeping samples at specified temperatures), and observing holding time limitations. There are also appropriate laboratory methods that must be followed. It is important to understand that the EPA cannot provide you any specific advice or direction on these procedures and cannot guarantee the accuracy or validity of any results you may obtain from any split sample, and in fact may dispute the validity of any such results. You may contact a laboratory for technical advice. The EPA will place a copy of the Sampling and Analysis Plan that is being implemented in the Administrative Record, located at the Harriman Park Recreation Center, 4347 F.L. Shuttlesworth Drive, Birmingham, Alabama 35207.
- Am I required to take split samples?*** No. You are under no obligation to collect split samples. By signing the Access Agreement and allowing the EPA to sample the Property, you automatically will receive the results of the sampling performed on the Property, free of charge to you. However, if you decide that you would like to take split samples, that sampling will be at your own expense.

***What if I have questions?*** You may contact any of the representatives identified in the letter or go to EPA’s Community Outreach office at 1870 7<sup>th</sup> Avenue North, Birmingham, AL 35203.