Ivy City Community In-person Meeting (7-11-24) - Virtual Chat Questions/Comments and Responses

- **QUESTION:** Since the chemicals are a threat to the community, doesn't it make sense to shut the facility and move it to a nonresidential area? (Rhonda Banks) [answered during meeting]
- **QUESTION:** Has DOEE done any assessment of facilities like NEP and whether they will help DC reach its 2025 GHG reduction goal? (Sean Davis Jr.) [answered during meeting]
- QUESTION: Has NEP considered other technological odor control plans besides installing filters? And can DOEE propose they implement other control options? (Behran) **RESPONSE:** DOEE cannot speak to the full range of odor control options that NEP and their consultant have considered. However, the carbon filtration systems that they have proposed are a common and typically effective type of control device for the low-concentration organic compounds DOEE and NEP believe they are the cause of the odors from the facility. This type of odor control device has the double advantage of both reducing odors and reducing the organic pollutants in the air that might be vented or escape from the facility. It should also be noted that the carbon filtration systems proposed are only part of the odor control plan proposed by the facility. They have enclosed the work area inside the facility with heavy curtains to concentrate odorous compounds near the filters and closed off an opening under their loading bay that they believed was allowing odors to escape the facility. Also, since the submittal of the odor control plan, they have closed off an unused roof vent near the nearest neighbor's home. Additionally, following the public meeting and a site visit by DOEE Director Jackson and other DOEE personnel, NEP is investigating ways to better seal the wall between their facility and the next-door residence.
- **QUESTION:** Lead paint was in use though it was suspected of being a health hazard. The regulations caught up with the lead paint industry after the damage has been done. Why do communities of color have to wait to be devastated before the government acts. This seems to be where we are. How do we move forward in an expeditious way. (Rev. Graylan Scott Hagler)

RESPONSE: DOEE acknowledges that the District's urban and natural environments are constructed and managed in ways that have not benefitted the capital's communities equally. District residents that continue to suffer the effects of environmental hazards—and their compounding impacts—are disproportionately people of color and people experiencing poverty. DOEE's position as a public agency enables us to use public dollars and resources to prioritize and contribute to improving public and environmental health across all Wards. DOEE has faced some challenges in allowing for the implementation of the controls proposed by NEP in their odor control plan due to the way in which DOEE's air permitting rules were written, while NEP has faced challenges in finding Professional Engineers with a proficiency in odor control. DOEE is working on an emergency rule to alleviate these hurdles to ensure that NEP can fully implement an approvable odor control plan as expeditiously as possible.

- **QUESTION:** Have the Cumulative impacts the facility has had on the area been assessed? Where can we access that data? What about the ripple effects of the pollution? It's not staying in one area; the wind carries it to middle class communities as well. It's not like it gets less toxic. Lead isn't an issue here, but as we know, there's no amount of lead that is safe for human health, and I'm sure that is the same for the pollutants that the facility is emitting. (Najah) **[answered during meeting]**
- **COMMENT:** My Niece, her husband and 6 children reside next to the Toxic Chemical building. When I walk into their yard, all I smell are burning wires. Their children are always sick, especially the ones with asthma. Weirdly enough, it appears as if no one smells the burning wire. If City Inspectors came to their location and smelled nothing, then it's Time for the City to employ Bloodhounds. (Valerie Neal)

RESPONSE: DOEE staff visited the neighbor of NEP and were able to confirm the smells in her back yard and determined there were deficiencies in NEP's wall. DOEE is working to ensure NEP resolves this issue expeditiously and updates their odor control plan accordingly to account for needed sealing of the wall that abuts Ms. Neal's niece's home.

• **QUESTION:** Wouldn't it make sense to consider sampling indoor air quality to assess the potential transport pathways and endpoint receptors are the community? There's a potential health risk from breathing the outdoor polluted air but also risk from indoor exposure. I've worked as a petroleum leak remediation expert, and we require indoor air quality sampling. Yes, it needs a lot of removing interfering products from the home but is not unrealistic. (Behran)

RESPONSE: Indoor air quality can vary widely from day to day, and household products can interfere with sampling. Because not all homes are the same, ambient air sampling was preferred because everyone goes outside, and we wanted to determine what everyone is exposed to during our sampling days. Indoor air sampling is complicated due to the fact that there are many additional pollutants within a home, such as cleaning solvents, cigarette smoke, paint cans, rags, gas from stoves, off-gassing of carpets, etc. These items can bias results. Because not all homes are the same, ambient air sampling was preferred because everyone goes outside, and we wanted to determine what everyone is exposed to during our sampling days. The EPA samples ambient air because we want to capture a sample that represents the area's air quality and the population's exposure.

• **QUESTION:** What is the screening level for sub chronic exposure and how is the duration defined--1 year, 5 years, 10 years? In other words, how many years are people allowed to be exposed at the screening level before action is taken to mitigate the exposure? (Elizabeth)

RESPONSE: EPA uses regional screening levels (RSLs) to evaluate chronic exposure durations. EPA also has 186 subchronic regional screening levels or RSLs (<u>https://www.epa.gov/risk/regional-screening-levels-rsls-generic-tables</u>). The RSLs are developed using risk assessment guidance from the EPA Superfund program. They are risk-

based concentrations derived from standardized equations combining exposure information assumptions with EPA toxicity data. Chronic RSLs are considered by the Agency to be protective for humans (including sensitive groups) over a lifetime. EPA defines subchronic exposure as a repeated exposure by the oral, dermal, or inhalation route for more than 30 days, up to approximately 10% of the life span in humans.

(https://sor.epa.gov/sor internet/registry/termreg/searchandretrieve/glossariesandkeywor dlists/search.do?details=&vocabName=IRIS%20Glossary#formTop) The Agency for Toxic Substances and Disease Registry (ATSDR) provides Minimal Risk Levels (MRLs) to estimate how much of a hazardous substance a person can be exposed to daily without adverse health effects over a specific period of time (https://www.atsdr.cdc.gov/mrls/index.html). EPA has adopted some of the ATSDR MRLs for the EPA RSL tables. ATSDR MRLs are derived for three different exposure durations: Acute: 1–14 days, Intermediate: 15–364 days, and Chronic: 365 days and longer.

• **QUESTION:** Is it known if the production process generates chemical waste and how is it disposed of, how long is it stored before it's disposed of? (Behran)

RESPONSE: The facility generates hazardous waste and last shipped waste on 3/28/2024. Previous shipments occurred on 8/21/23, 8/15/23, 12/31/19, and 11/6/18, according to eManifest. It is registered as a very small quantity generator (VSQG) and has no time limit for how long waste can be stored on-site. However, once the facility reaches 1000 kg of waste on-site, it must ship.

- **COMMENT:** It's not working! The blood will be on the government's hands. These are lives that are at stake here and they matter. The trust level is low and it has been historical!... But thanks for trying. (Rhonda Banks)
- **COMMENT:** I will be submitting my comments and questions to Alice and Adam I will cc Parisa. Please make sure that my comments and questions (and EPAs responses to those questions) is part of the record. (Tad Aburn)

The follow-up question (from Tad Aburn) was sent by email asking if there are plans to model and conduct a risk assessment on NEP as was done for EPA's ethylene oxide (EtO) proposed rulemaking.

RESPONSE: The modeling and risk assessment conducted by EPA was a national rulemaking for ethylene oxide (EtO) commercial sterilizers. Assumptions and emissions data were used. The results identified potentially high-risk areas of concern. EPA worked with local commercial sterilizers to submit more specific data to the national modeling assessment. Please note that the preferred method of air monitoring for EtO was not required for this regulation. EPA was aware of technical problems which could not detect low concentrations of EtO associated with public health concerns. As for modeling NEP, after consulting with EPA's Office of Air Quality Planning and Standards (OAQPS), it was determined that modeling would not be helpful due to the low level (one story) of the facility and the numerous other sources of emissions nearby, including roads (with mobile emissions). Therefore, ambient air monitoring for air toxics, is the preferred method to use.