
From: Ebbert, Laura (she/her/hers) <Ebbert.Laura@epa.gov>
Sent: Monday, July 1, 2024 4:57 PM
To: Hoang, Anhthu <Hoang.Anhthu@epa.gov>
Subject: FW: From (b) (6) Privacy and the (b) (6) Privacy - request for EPA involvement in South Bronx Superfund remediation project

Dear Anhthu, how shall we respond?

Laura Ebbert
Acting Deputy Assistant Administrator for Environmental Justice
Office of Environmental Justice and External Civil Rights
U.S. Environmental Protection Agency
(415) 947-3561
My pronouns are she/her

From: (b) (6) Privacy
Sent: Monday, July 1, 2024 4:36 PM
To: Haklar, James <Haklar.James@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Segovia, Theresa <Segovia.Theresa@epa.gov>; Ebbert, Laura (she/her/hers) <Ebbert.Laura@epa.gov>
Cc: (b) (6) Privacy
Steven Palmers
<spalmers@cb.nyc.gov>; Anthony Jordan <ajordan@cb.nyc.gov>; (b) (6) Privacy
Subject: Fw: From (b) (6) Privacy and the (b) (6) Privacy - request for EPA involvement in South Bronx Superfund remediation project

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Hello Mr. Haklar and Region 2 and Environmental Justice leadership of EPA:

It's (b) (6) Privacy from the (b)(6) Privacy, (b)(7)(C) Enf. Privacy Happy July.
I am writing to follow up on the email of June 20 (see below), requesting EPA involvement in our South Bronx Superfund remediation Project issue.

As noted, time is passing, and we have been deprived, in addition to thorough testing and remediation of the area, of community involvement as established by both EPA and DEC.

We believe this is an environmental justice issue that really requires your involvement, since our various good faith efforts to obtain genuine, Federal standard community involvement have been rejected by DEC.

We hope that the people of the South Bronx will not be ignored again by the government agencies with the responsibility for defending our health, our environment and our community.

Looking forward to arranging a meeting with your office at the nearest possible opportunity to develop a solution.

Thank you for your consideration.

Peace,

(b) (6) Privacy

----- Forwarded Message -----

From: (b) (6) Privacy
To: haklar.james@epa.gov <haklar.james@epa.gov>; garcia.lisa@epa.gov <garcia.lisa@epa.gov>;
segovia.theresa@epa.gov <segovia.theresa@epa.gov>; ebbert.laura@epa.gov <ebbert.laura@epa.gov>
Cc: (b) (6) Privacy

Anthony Jordan <ajordan@cb.nyc.gov>; Steven Palmers <spalmers@cb.nyc.gov>; (b) (6) Privacy

Sent: Thursday, June 20, 2024 at 05:36:02 PM EDT

Subject: From (b) (6) Privacy and the (b) (6) Privacy - request for EPA involvement in South Bronx Superfund remediation project

June 20, 2024

United States Environmental Protection Agency, Region 2

James Haklar, Ph.D.
Superfund and Emergency Management Division (SEMD)

haklar.james@epa.gov

{cc:
Lisa Garcia, Regional Administrator

garcia.lisa@epa.gov

United States Environmental Protection Agency, Office of Environmental Justice and External Civil Rights

Theresa Segovia, Principal Deputy Assistant Administrator

segovia.theresa@epa.gov

Laura Ebbert
Acting Deputy Assistant Administrator for Environmental Justice

ebbert.laura@epa.gov

Dear Mr. Haklar:

This is (b) (6) Privacy. It was good to speak with you last week about our issue and request for EPA intervention.

As agreed to, I am submitting information by email regarding the issue of our community request for intervention by the United States Environmental Protection Agency in a Superfund Remediation project in New York State.

As agreed, I am submitting topline information by providing key points related to our situation and request.

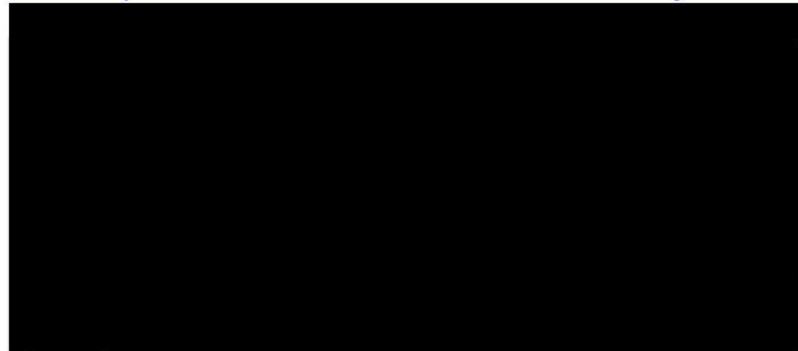
Here are the main points:

1) We are the (b) (6) Privacy, a volunteer group concerned about environmental issues. I am a member of the Committee.

2) We are located in the Melrose area of the South Bronx. Melrose is a neighborhood located in Community District One of the Bronx, which has the lowest health and poverty indicators of Bronx County, and among the lowest in New York State. In particular, the childhood health statistics are poor, with high rates of respiratory illness and high rates of hospital admission rates related to respiratory illness (647 per 10K children, versus 223 per 10K for NYC overall). <https://www.nyc.gov/assets/doh/downloads/pdf/data/2018chp-bx1.pdf>

Our District is located near major highways - Major Deegan Expressway and Bruckner Expressway, and we are just north of an industrial area with natural gas NYPA power plants and large active trucking and warehousing facilities (FreshDirect).

3) These conditions and our location would qualify District One as an Environmental Justice Area [New Report Reveals N.Y.C. Areas Most Hurt by Environmental Inequities](#)



Environmental Inequities

The project uses census data and an interactive map to identify areas with high levels of pollution and other so...

4) Per our reading of NYS and US environmental agency regulations, the goal of Environmental Justice and of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), known as Superfund, is to include both remediation of a local environmental threat AND involvement of the people affected by the environmental threat throughout the process of identification, investigation, remediation, monitoring and closing down. <https://semspub.epa.gov/work/HQ/175197.pdf>

5) The environmental threat:

We are facing the problem of contamination by PCE and related chemicals, emanating from a vacant lot which is a former dry cleaner site, which have spread to an 8-block area. The lot is located at 753 Melrose Avenue, between 157th and 156th Streets, and has spread from 157th Street to 153rd Street, from Courtlandt Ave. to Elton Ave. We have identified 204 addresses within that area that may be impacted by the contamination.

6) The area has been labeled a Superfund site by The NYS Department of Environmental Conservation (DEC), the state environmental agency charged with investigating and remediating it. DEC has studied the site and the problem since at least 2003, when it issued its first study. It now has a Remediation Plan, approved in October 2022.

It is referred to by DEC as Site 203009, the Former Melrose Dry Cleaner Site. [Index of /data/DecDocs/203009](#)

Index of /data/DecDocs/203009

7) Over the 20 years of identification, investigation and remediation planning, DEC never informed the Melrose community about any aspects of the problems - not the identification of the potential problem, not the initial studies, not the Remedial Investigation, nor the results of any of these. They only posted documents on the website as earlier activities were completed.

8) It was only through the formation of the (b) (6) Privacy and its inquiries that any members of the community were informed. In fact, it was only in May 2022 that a hybrid community meeting took place, with DEC participating 150 miles from the area of the problem, in Albany.

9) A fundamental problem we have encountered is that DEC has no remediation staff in its NYC regional office, and does not appear to have any in other regional offices.

10) In addition, DEC has **never published or shared any Community Involvement Plan**, as required for Federal (EPA) Remediation Projects, or a **Citizen Participation Plan**, as required for State (DEC) Remediation Projects, for this Superfund site, even though it has **reports on the site dating back to 2004**.

11) However, our research indicates that DEC did publish and share a Citizen Participation Plan for a Dry Cleaner Site - in Westchester County in spring 2020.

<https://extapps.dec.ny.gov/data/DecDocs/360197/Report.HW.360197.2020-10-26.Citizen%20Participation%20Plan%20Public%20Version.pdf>

12) We met with a DEC delegation in an-person Dec 2023 tour of the impacted 8-block area, under pressure from (b) (6) Privacy and the presence of media and NYS elected officials.

13) We also met with them in March 2024 in the office of Assemblywoman Chantel Jackson, a few blocks from the impact area.

14) At the March 7, 2024 meeting, we presented them with our own Community Engagement Plan, not knowing that a Citizen Participation Plan was a standard for Superfund Remediation Projects at the Federal and State levels. They did not commit to the plan, nor have they issued their own, or even admitted that there was a standard CP Plan for Superfund Remediation Projects.

They also refused to participate in any further in-person meetings with us (again, they do not have any local Remediation staff).

In addition, the New York State Department of Health (DOH) has refused to conduct any in-door air quality testing, saying that they defer to DEC's reports on the impact area, and that they have difficulty getting access to the residences to conduct testing anyway.

15) So, given all our efforts to act in good faith and call for a real information and engagement campaign, we feel we need outside intervention. We fully understand that the State is supposed to be the lead agency on State Superfund Projects. But as mentioned above, they have no written plan for Community Involvement, they have no staff person assigned to the role of Community Involvement Manager, both of which should have been implemented before the first report, in 2004, was even undertaken. That is why we are requesting that your agency, the US EPA, intervene.

16) Specifically, we want your agency to do 2 things:

1) Contact the DEC and let them know that the EPA will become a partner agency in this project to ensure compliance with the CERCLA

AND

2) Develop a written Community Involvement Plan for this Superfund Project as soon as possible and implemented as soon as possible.

17) Attached is

- Our original Draft Community Engagement Plan, without timelines - since DEC would not provide (b) (6) Privacy with the Remediation Project timeline to allow for the appropriate Community Engagement Plan timeline.
- A list of all nearly 240 addresses within the Environmental Impact Area.

18) The Committee wants to meet with you as soon as convenient to enable us to get concrete Community Information and Engagement results on our Environmental Problem.

Without that level of Information and Engagement, we cannot know how serious the issue might be, and for whom.

19) Again - we are an Environmental Justice community.

We deserve Environmental Justice, which means a written, detailed, bilingual (and possibly trilingual - English, Spanish and French) Community Involvement Plan detailed information about the Remediation Plan, and its Implementation. The area includes almost 240 addresses, which means the health of a few thousand individuals is at stake. They - we - need to be informed, if this Superfund Project is to truly follow the requirements of CERCLA.

20) We will contact you in the next few days to schedule a meeting. Thank you in advance for your consideration of our situation, our needs and our recommendations for action.

Peace,

(b) (6) Privacy