RESOLUTION 88-33

TO EXPRESS THE COMMON COUNCIL'S CONCERN WITH THE CLEANUP AT FELL IRON AND METAL

WHEREAS, Fell Iron and Metal, Westinghouse and the EPA have recently entered into an agreement for the cleanup of the Fell Iron site; and

WHEREAS, the Monroe County Board of Health met on November 1, 1988, and discussed the Fell Iron cleanup; and

WHEREAS, the Board of Health was very concerned with certain aspects of the cleanup and unanimously passed a resolution requesting a response from the EPA addressing those concerns; and

WHEREAS, the Common Council desires to show its support of the Board of Health's request that the EPA address the concerns which are further stated below and which the Board and members of the public have articulated; and

WHEREAS, Fell Iron, Westinghouse and the EPA agreed that the estimated 6,000 cubic yards of contaminated soils excavated at Fell Iron are to be piled on plastic and covered with plastic for later disposal; and

WHEREAS, this method of storage exposes the neighborhood to repeated risks of contamination because the materials will have to be handled for storage and again for removal; and

WHEREAS, to protect the neighborhood and the entire community the contaminated soils should either be permanently stored in sure-packs on site or removed to another permanent storage facility off-site to prevent additional risk; and

WHEREAS, in residential areas, the federal and state action level is 10 ppm (parts per million) and in industrial areas the action level is 25 ppm; and

WHEREAS, the Fell Iron site is to be cleaned up to the 25 ppm level; and

WHEREAS, although Fell Iron is an industrial site, it is surrounded by residences, an elementary school, a food processing business, and a church; and

WHEREAS, the level of acceptable residual contaminants at Fell Iron should be stringent enough to comply with the residential standard of 10 ppm; and

WHEREAS, if the cleanup is to 25 ppm, removal of a buffer zone of several feet should be required. A buffer zone is required for all of the Consent Decree sites, and would further protect our children and our environment; and

WHEREAS, the containment of dust and the airborne spread of contaminants is of great concern. An environmental bubble over the work area would be ideal. In the alternative, the EPA should station monitors at Fairview School and make contingency plans for high wind conditions and times of school recess and dismissal; and

WHEREAS, in case of an accident, an evacuation plan for the

neighborhood should be instituted and the Bloomington Hospital should be provided with information concerning the contaminants known to be at the site; and

WHEREAS, a complete and comprehensive RI/FS should be performed and promulgated, addressing the extent of the contamination, varieties of contaminants, and all appropriate available technologies for cleanup of the Fell Iron site; and

WHEREAS, the Monroe County Board of Health should be informed in a timely manner of all future EPA remedial actions in Monroe County which pose potential health risks to local residential areas. Timely notice would allow the Board of Health the opportunity to review the intended action and to receive needed public input;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

The Common Council urges the EPA to address the issues the Monroe County Board of Health raised in its resolution. Of specific concern to the Council are the questions of permanent storage of the contaminated materials, compliance with federal and state action levels for residential areas, and establishment of an evacuation plan for the surrounding neighborhood.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 2 day of November, 1988.

Pam Service

PAM SERVICE, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 3 day of November, 1988.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, City Clerk

SYNOPSIS

This resolution, sponsored by Councilmember Lin Gardner, urges the EPA to reconsider certain aspects of the agreement reached among the EPA, Fell Iron and Metal and Westinghouse concerning the Fell Iron cleanup. The resolution further requests that the EPA address the concerns the Monroe County Board of Health raised in its resolution passed November 1, 1988.

signed copies 11-3-88
Representative Frank McCloskey
Representative Lee Hamilton
Bill Merrill, Department of Justice
Environmental Protection Agency
Utilities Service Board
Legal
Monroe County Board of Health
Judge Hugh Dillion
County Commissioners