



October 2, 2017

U.S. Environmental Protection Agency
EPA Superfund Docket Center
Mailcode 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460
Submitted via <https://www.regulations.gov>

RE: CERCLA National Priorities Listing for Mississippi Phosphates Corporation, Pascagoula, MS
Docket ID No. EPA-HQ-OLEM-2017-0075

Dear Terry Jeng, or Whom it May Concern,

Please accept the following comments on behalf of Gulf Restoration Network's (GRN) members and supporters¹. GRN has members in all five Gulf of Mexico States and throughout the United States. We reserve the right to rely upon all comments submitted into the record.

Generally, GRN supports efforts to prevent air, surface water, groundwater, and soil contamination emanating from the Mississippi Phosphates Corporation site. This includes placing it on the National Priorities List (NPL), however there are some issues we hope to address and questions that need to be answered. Prior to placement on the NPL, we request responses to the following:

- 1. We request a response to the comments submitted to EPA staff on June 23, 2017, as part of this comment period.**

GRN submitted a letter, dated June 23, 2017, where we outlined several questions and concerns we have about the Mississippi Phosphates site. The June 23 letter is attached to these comments. *We request, as a part of this comment period, that all the questions in the June 23 letter be considered, in total, as part of public comments to which you must respond.*

- 2. Please outline all formal public comment periods.**

Based on conversations GRN has had with EPA staff, there are several required times when the public is granted official times to submit public comments. As we understand it, the first decision document with a formal public comment period would be an Action Memo outlining the

¹ <https://healthygulf.org>

first phase of cleanup. *Please outline all of the times where the public has a formal public comment period where they will be able to submit comments into the record.*

3. How is liability handled for new owners?

As we understand it, while the NPL process is happening, there are still attempts to sell portions of the property outside the gypsum piles. What liability would a new owner have regarding the piles and the property they purchase?

If a new owner is suspected of contributing to the existing pollution issues, how would EPA investigate and determine what pollution was 'legacy' and what pollution is coming from the new owners, especially if the new owners are another phosphate producer?

4. What alternatives to capping were explored?

It is our understanding that the exposed gypsum piles will be capped as the first phase as a Superfund site. What options, outside of capping, were explored (such as removal to a landfill, incineration, etc.)?

5. Will it have to be treated in perpetuity?

If the gypsum piles are capped, there will still have to be continued treatment of rainwater and groundwater. Is the goal of this cleanup to reduce pollution, or someday eliminate it? In other words, will there have to be active treatment of pollution of this site in perpetuity?

6. Public notice of progress and emergency releases

It is vitally important that the surrounding community, fishermen, and others that use natural resources in the area are kept up to date as to the progress of cleanup on this site. This includes updates outside of formal public comment periods.

We request EPA set up a system where they can alert the community of occurrences, such as:

- a. When there are emergency releases
- b. Where and when radiological testing will occur
- c. When different phases of the cleanup are completed
- d. Long term plans for cleanup
- e. Changes in cleanup plans

7. Catalog of other phosphate sites that have been cleaned up

In the process of NPL listing, we know that EPA has looked at other sites that have cleaned up gypsum piles. *We request a list of the other sites that EPA looked to as examples, sources for best practices, and sources for lessons learned regarding cleanups at similar facilities.*

8. Groundwater remediation

While we understand that groundwater remediation is not the primary concern, compared to capping the open piles, it is an obvious area of concern. *While the piles are being capped, what will EPA be doing to evaluate the extent of groundwater pollution and plan for the cleanup?*

9. Radioactive materials

Due to their persistent nature, the communities surrounding the site, as well as GRN, are concerned about the accumulation of radioactive materials that are currently coming off of the site. What type of testing is currently happening, and what testing do you anticipate during the first phase of cleanup?

Further, if radioactive contamination is found, especially in inhabited areas or in fish populations, how will EPA remediate this?

10. Pollution under plant

It has come to our attention, and is reflected in comments by former Pascagoula Mayor, Harry J. (Jim) Blevins; there is probably a contamination issue under the Mississippi Phosphates facility, as well as the gypsum piles. How is EPA intending to deal with contamination in and under the facility outside of the piles? What if a new owner wants to use the footprint of the original facility?

11. EPA should form a community group to address issues as they come up

Given that this facility is adjacent to many homes and businesses; it would make sense for EPA to form an advisory group to help EPA develop cleanup plans and priorities. We suggest this happen as soon as the NPL placement process is complete. It should involve folks who live there, such as members of Cherokee Concerned Citizens.

Thank you for the opportunity to formally comment on this proposal. We look forward to your response to these issues, as well as the letter sent on June 23, 2017, which you can find below.

Gulf Restoration Network Comments
CERCLA National Priorities Listing for Mississippi Phosphates Corp., Pascagoula, MS
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For a healthy Gulf

A handwritten signature in blue ink that reads "Matt Rota". The signature is stylized with a large, sweeping "M" and a long horizontal stroke extending to the right.

Matt Rota
Senior Policy Director



June 23, 2017

Kyle Bryant
Community Involvement Coordinator
Superfund/ECEB/ICES
Bryant.Kyle@epa.gov

RE: Technical questions regarding the Mississippi Phosphates Corporation (MPC) Site in Pascagoula, MS

Dear Mr. Bryant,

This letter is a follow-up from our conversation on April 17, 2017 and your email correspondence with Howard Page on April 13, 2017. We are very concerned with the status of the Mississippi Phosphates Corporation (MPC) Site regarding its very real potential to contaminate surrounding waters. We appreciate you taking the time to address our questions and concerns.

1. There are two gypsum stacks, one closed, one open. You previously responded that the majority of the contaminated water is generated by the open stack.
 - a. Is the same concentration of pollutants coming off of each stack?
 - b. How much reduction in polluted water would we see if the east stack were closed.
2. Radioactive issues are not even mentioned in your public materials. Phosphate operations commonly produce radioactive materials, such as radium, uranium, and thorium. Your public documentation states that "the water is treated to reduce the nutrient loading and ammonia, and adjusted for pH before discharge."¹ Judging by this, radioactive materials are not addressed in the water treatment process.
 - a. What treatment is done to reduce radioactive materials from entering the environment?
 - b. From your responses to your communications with Howard Page, there is elevated gross alpha particle activity in almost everywhere you sampled (groundwater, East Prong Bayou Cassotte, subsurface, surface soil). Why is this not mentioned in your public materials?
 - c. What impact will this radioactive contamination have on the surrounding communities, wildlife, and environment?

¹ Frequently Asked Questions (FAQ). Mississippi Phosphates Corporation Site - Public Meeting. USEPA. March 9, 2017.

- d. Why are there no radioactive indicator (radium, thorium, uranium, gross alpha particle activity, gross beta activity) limits or testing on the final outfall in the NPDES permit?
3. It seems the best case outcome of this site is to get the site cleaned up and the contaminated materials removed or fully contained.
 - a. Has EPA cleaned up gypsum piles before under CERCLA or other programs? What were the results?
 - b. What are the options to get this threat removed from the community?
4. What about the heavy metal contamination? Is the amount of heavy metals tested and considered when the treated wastewater is released?

We appreciate you taking the time to get these questions answered. Let me know if you have any questions.

For a healthy Gulf,

Matt Rota
Senior Policy Director

CC:

Howard Page, GRN, howard@healthygulf.org

Andrew Whitehurst, GRN, andrew@healthygulf.org

Cynthia Sarthou, GRN, cyn@healthygulf.org

Roberta Avila, Executive Director, Steps Coalition, ravila@stepscoalition.org

Barbara Irvin, President, Cherokee Concerned Citizens, prosperityb1@gmail.com