

final  
chillum communications  
assessment

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prepared for:  
us epa region 3  
chillum project team

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submitted by:  
RE◆SOURCE ASSOCIATES  
bethesda, md

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january 2005

*This assessment report was prepared by Marion Cox neutral facilitator in this project. The draft report was circulated to area residents and other interested parties for review and comment during November-December 2004. All comments received are contained in the Appendix at the end of the document. This FINAL assessment report was presented to US EPA on 12 January 2005.*



## **EXECUTIVE SUMMARY**

This assessment was undertaken at the request of US EPA Region 3, the Chillum project team. **RE◆SOURCE ASSOCIATES**, a Maryland-based company providing neutral facilitation and dispute resolution services to government agencies, private companies, and local communities was hired by US EPA to conduct this assessment. Background work began in June 2004, assessment interviews took place during July and early August 2004, and this report was prepared in early October 2004.

This communications assessment was initiated with the following assumptions:

- Current communications, among the participating parties, had deteriorated significantly during 2003 and early 2004 thus making it difficult for EPA to communicate important information about the site investigation to area residents.
- EPA assumed the assistance of a neutral facilitator, to conduct an assessment of the current situation, would be a useful next step to identify the range of issues that need to be addressed and to develop recommendations of how to proceed if appropriate.

The assessment was designed to assess current communications among the participating parties at the Chillum site including:

- Identify the range of issues or problems the key parties feel exist regarding current communications at Chillum. [The "key issues" identified during the assessment are discussed in Section 2 of this document.]
- Assist the parties, if appropriate, to develop recommendations to address issues identified through the assessment and work with the parties to develop a new or updated process for communications. [Section 3 presents the facilitator's conclusions regarding the willingness of the parties to work together to improve communications. Section 4 present recommendations designed to address identified issues.]

## **Assessment findings and conclusions**

Based upon issues identified during the assessment, and discussions with a sample of residents and other key parties about how to move forward, the facilitator makes the following findings:

- The US Environmental Protection Agency [EPA], Maryland Department of Environment [MDE] and the DC Department of Health [DC DoH] must coordinate more closely and consistently regarding their ongoing and future activities at this site. They must together present and discuss the "big picture" or overall roadmap for all activities associated with investigating and addressing all current contamination issues in this community. MDE in particular should become more visible and present in the community, and be prepared to explain how MDE's past actions will not be repeated again in this community.
- Area residents remain frustrated with EPA's and MDE's lack of effective communication, and are skeptical about how to improve communications with these agencies. Despite residents' frustration and skepticism about communication with the agencies, some area residents are willing to try something new and different. These residents believe that doing nothing [to improve communications] will further disadvantage the community in its need to learn more about current and past contamination in the community.

- A limited number of residents state they are not interested in participating in any new communication activities being developed as part of the assessment process, and they have not contributed significantly to the recommendations contained in this assessment. These residents remain skeptical about EPA's motives for hiring a neutral facilitator and do not believe that improved communications will address the real issues at this site.
- Area residents remain uncertain and confused about current investigation activities, and virtually no one has a clear idea of what happens next or when remediation will occur. This uncertainty damages the credibility of the agencies responsible for this work, and thus negatively impacts current communications. In the absence of reliable, up-to-date information about site activities and test results, rumors and misinformation continue unchecked.
- Relationships among and between area residents are fractured and this is contributing to the Agency's inability to communicate effectively with area residents. There appear to be three primary factors contributing to this situation:
  - Long-standing uncertainty about what the site investigation is revealing; what remedial actions are anticipated; and what, if any, health impacts will result from potential long-term exposure to contaminants at this site.
  - Concern among some residents who feel that one community group dominates all public dialog with EPA, other agencies, and local elected officials. A growing number of residents are frustrated by this dominance and no longer want to participate in public meetings.
  - Ongoing litigation that involves some, but not all, community members has had the result of further fracturing the community and leaves many residents feeling uncertain about whether the community can ever get the most effective response possible to contamination at this site.
- Despite a lack of "consensus" among community members about whether or not a new process of communication will improve the current situation, the facilitator proposes moving forward with a 30-day review of the draft recommendations outlined in this assessment [ie, new proposed procedures for communications between the community and all relevant agencies] in order to solicit the widest possible range of comments and ideas.
- In the absence of some better and more effective communication processes, area residents will not have any meaningful and consistent way to learn more about site contamination, and will not be in a position to contribute their ideas and thinking to any remedial alternatives that are presented by the agencies involved.

Each of these findings has contributed to the thinking behind proposed recommendations that will be effective in responding to the "key issues" of interest and concern to the community and other participating parties.

The remainder of this assessment is organized as follows: Section 1 provides background information on this assessment; Section 2 presents the "key issues" identified by those interviewed for the assessment; Section 3 discusses the facilitator's conclusions about the key parties' willingness to work together to improve communications at Chillum; Section 4 presents draft recommendations to implement an improved process of communication among the parties. Section 5 identifies specific next steps to move forward from this assessment.

## **1.0 Background information on the assessment**

In the late Spring of 2004, US EPA requested "neutral facilitation" services from US EPA Headquarters' nationwide roster of qualified environmental mediators. EPA requested support to conduct an assessment of current communication processes at the Chillum site and to make recommendations, if appropriate, of how to proceed to improve communications. US EPA hired an independent professional facilitator, Marion Cox of **RE◆SOURCE ASSOCIATES** to conduct this assessment. The neutral facilitator was hired specifically to:

- Identify the range of issues or problems the key parties feel exist regarding current communications at Chillum, and
- Assist the parties, if appropriate, to develop recommendations to address issues identified through the assessment and/or work with the parties to develop a new or updated process for communications.

The hoped-for outcome of this assessment is:

- Development of a new or updated process through which improved and more effective communication will occur among the participating parties regarding current and future activities at the Chillum site.

The "product" or deliverable of the neutral facilitator's assignment is this assessment report which identifies key issues regarding current communications and provides recommendations for action.

## **1.1 Assessment methodology**

### Planning for the assessment interviews:

The facilitator began the assessment effort by reviewing background documents associated with the project, and attended a project kickoff meeting with EPA Project Staff to be briefed on the history of this site. Prior to beginning any direct conversations with community members, EPA's project team briefed local elected officials about their intention to use an outside neutral facilitator to conduct an assessment of current communications at this site.

Following this briefing, the facilitator began working with EPA to plan for the assessment activity. The facilitator worked with EPA to develop language for a fact sheet, to be sent to area residents, indicating that an assessment by a neutral facilitator was beginning including language used to describe the purpose of the assessment, and the hoped-for outcome of the effort. The facilitator also assisted the Agency in drafting a letter of introduction to those individuals who were identified to be interviewed. These activities occurred in early July 2004.

Next, EPA compiled a list of people to be interviewed. The list of individuals was designed to be representative of the community at large including at least one person from each affected street in the area. The list also included: agency representatives, the responsible party, and representatives of local elected officials active at this site. A total of 20 people were interviewed by the facilitator between 21 July and 9 August 2004 by telephone. Those interviewed included: 12 area residents; 4 people representing local, state, and federal agencies active at this site; 2 people representing local elected officials; and 2 representatives of the responsible party.

Following the initial round of interviews, the facilitator compiled a new list of names, from those interviewed, of additional residents who might want to be interviewed. Four [4] additional people were interviewed as a result of recommendations that the facilitator got directly from residents in the first round of interviews. Finally, during September and early October three additional residents contacted the facilitator wanting to talk about this project. The facilitator spoke with everyone who expressed an interest in talking with her as part of this assessment.

Each assessment interview was designed to let participants talk about the issues of most interest to them related to current communications at Chillum. All interviews were conducted as confidential discussions. The results of these interviews are summarized in the next Section of this report where "key issues" are presented.

**Section 2:            Identify the range of issues or problems the key parties feel exist regarding current communications at Chillum.**

This list of key issues presents the items most frequently described during assessment interviews. There has been no attempt to confirm the accuracy of the items presented below; rather this list represents the topics and issues described during the assessment by those interviewed. Therefore, the "key issues" listed below may or may not be factually accurate statements; nevertheless, they represent the comments and perceptions of those interviewed. Following the conclusion of the interviews in early August, the facilitator compiled a list of the "key issues" reported to her during the interviews. Each person interviewed was asked to review the list of "draft" issues for accuracy and completeness. The following responses were received when the draft list of key issues was circulated:

- Three people responded in writing that the list was comprehensive and accurate. [One individual offered a specific correction to a single point - those comments have been incorporated into the final issues list.]
- One person interviewed raised questions about several of the "key issues." After a lengthy phone call, this respondent declined to provide any specific edits or corrections to the list of key issues are presented here.
- The facilitator telephoned [between August 31 and September 3] all others interviewed during this assessment to solicit their reactions and comments on the draft list of key issues. As a result of these phone calls, 12 more people indicated that they had no comments or suggested changes to the list of "key issues", they felt the list was comprehensive and accurate.
- Three individuals never returned phone calls regarding the list of issues.

Comments that appear to be related have been grouped together under topic headings [in bold typeface] so that related items can be viewed together.

**Topic #1:      Key issues related to communications [as reported by those interviewed]**

- There is overwhelming community frustration over EPA's [apparent] lack of definitive conclusions and actions at this site.
  - A feeling, among many of those interviewed, that EPA has presented lots of information to the community but not many answers.
  - Nothing EPA says is ever a "solution" or plan of action - just more study and data collection. EPA says "don't worry" but can never show residents the proof.
  - Lack of timely response from EPA regarding recent testing and sampling activities.
  - Residents interviewed are anxious because they do not know what the results are showing.

- Many of those interviewed are in agreement that EPA needs to come up with a new process of communication - current approaches are not working.
  - Community residents interviewed lack a clear understanding of what the "big picture" is regarding further testing, presentation of results and conclusions to residents, and how and when remedial decisions will be made.
  - There is an ongoing lack of regular and predictable communications with EPA. Many interviewed state EPA needs a more regular and visible presence in the community. There is often confusion between "street gossip" and "factual" information.
  - Residents interviewed are divided in their opinions about whether EPA's written materials are useful in helping them understand answers to their questions. Some like the fact sheets, and some state they are not helpful.
- Residents interviewed are divided on whether EPA should hold large community meetings or smaller group meetings when communicating with residents. Those interviewed are unanimous in stating that recent meetings have been largely unproductive.
  - Many interviewed state that the large meetings have provided a platform for one community group to communicate with EPA leaving most others in the community out of the dialog.
  - Many interviewed feel that their questions never get answered by EPA because large group meetings are dominated by a very few people.
  - Some of those interviewed think EPA should consider asking residents to present their questions in advance of public meetings so that EPA can come to meetings prepared to answer specific questions. If possible EPA should send out clear information on these questions prior to public meetings.
  - Most residents interviewed agree that EPA has done a poor job in responding to questions asked, and has not done a good job of providing accurate and comprehensive summaries following public meetings.

**Topic #2: Concerns about potential impacts on health and property values**  
[as reported by those interviewed]

- Most residents interviewed report a lack of information from EPA on current exposure risks or potential health impacts on residents from exposure to site related contamination.
  - Several residents interviewed state they have many questions about potential long-term exposure to chemicals from the Chevron spill and they do not feel their questions have been answered - they continue to wonder if their health is at risk.
  - Several residents interviewed want to know why EPA will not agree to conduct health studies for residents concerned about long-term exposure from the Chevron spill.
  - One government representative noted that he received a copy of a petition signed by some members of the community requesting that Chevron conduct a health assessment.
- Several residents interviewed state many are concerned about the value of their house or property as a result of the Chevron spill.

**Topic #3: Internal community issues** [as reported by those interviewed]

- There are feelings of frustration and anger among residents interviewed because one community group has come to dominate the entire community's interactions with EPA and local elected officials -thus "cutting the broader community out" of important interactions.
- Significant "infighting" has compromised the community's ability to work effectively and cohesively with EPA. Many interviewed want a way out of this difficult situation.

- Several people interviewed state they are "embarrassed" by the behavior of some individuals in the community and no longer attend meetings or ask questions in public for fear of being "intimidated" by aggressive community members.
- Most residents interviewed have a negative opinion about reestablishing a community advisory group because they feel the first such group became dominated and manipulated by a very few people with their own personal and political agendas.
  - The community did not feel the "Executive Committee" was doing a good job at sharing information with the broader community; however, they resent that EPA did not put a more effective information-sharing mechanism in place after the original Executive Committee was disbanded.
  - Residents interviewed report it has become much more difficult to get information directly from EPA or to understand what is going on in recent months.

**Topic #4: Technical issues related to the site [as reported by those interviewed]**

- Many residents interviewed believe EPA technical staff are doing a good job and they still "trust" EPA to tell them the truth. Despite this, most residents interviewed are frustrated with the current status of the project as it appears to them that nothing much is happening. The longer EPA is absent in the community, and is not sharing up-to-date information, the more difficult it is for those who want to believe EPA to keep waiting and believing something positive and credible will be forth coming.
- EPA must tell people soon and definitively: Does contamination exist? Are there any health impacts from long-term exposure to contamination? If so, what happens next? What is the timeframe for remediation? Release test results and "let the truth" come out.
- Some residents interviewed wonder what happened to the "split sampling" effort and the technical advisor support they once had.
- A small number of residents interviewed raised questions about EPA protocols for sampling and testing and expressed a lack of confidence in EPA's ability to get the technical work "right" because they used their own "detection" levels. These people state they want to see "raw" data from EPA's sampling efforts.

**Topic #5: Historic issues that affect communications [reported by those interviewed]**

- Those interviewed report that no Agency or elected official has taken responsibility - or publicly discussed with residents - MD Dept. of Environment's lack of adequate notification to the community regarding the initial Chevron spill and subsequent activities leading to the migration of contamination across jurisdictional lines into DC.
- Many residents interviewed feel EPA has, from the beginning of the Agency's involvement at this site, sided with Chevron and has not been on the side of the community. Residents interviewed feel EPA's primary concern should be protecting the community from environmental hazards.
  - Many interviewed feel Chevron has never been held accountable for the spill.
  - Some interviewed wonder if EPA can be trusted to conduct an unbiased technical effort. EPA has repeatedly stated publicly that Chevron is "doing a great job."
- Some residents interviewed feel that, from the beginning, there has been a "racial bias" associated with this community resulting in the community being treated like second class citizens - not deserving the very best that MD and EPA have to offer.
  - For some residents interviewed the perception of racial bias is reinforced because they feel DC government has not been invited to serve as a true partner with EPA in this case.

These issues form the basis for recommendations on how to address current communications issues and problems at Chillum. The next section presents recommendations to move forward.



**Section 3: Willingness of the key parties to work together to improve current communications at the Chillum site**

Despite real challenges, this assessment concludes there is an opportunity for improved communications among the key parties if properly structured and focused on the issues of greatest interest to residents. This conclusion is based upon several conditions found present during the assessment interviews and in subsequent conversations with area residents:

- The key parties interviewed identified many of the same issues of concern and they all want to see these items addressed at the earliest possible time.
- Residents want to communicate more directly and effectively with the agencies responsible for the investigation and cleanup because they want answers to their questions.
- Several parties interviewed, including area residents, offered positive and constructive ideas about how to address some of the issues identified in the assessment
- EPA is looking for new ways to communicate with a broad range of residents and to integrate its activities more directly and clearly with those of MDE and DC Department of Health where appropriate.

These conditions present the potential a new and more productive dialogue regarding activities at Chillum. However, several items need to be considered in the design of any new or updated process of communication to ensure participation by all interested parties, in particular residents who are currently absent from the public dialog.

- US EPA, MDE, and DC DoH should begin a new round of communications with area residents by presenting a clear roadmap or the "big picture" of how the site investigation and remediation activities fit together, and an approximate timeframe for when all future activities and decisions will occur. Without this basic information, residents will not understand how specific "sampling and test" results fit into remediation.
- All agencies must do a better job of coordinating their activities in this community. They need to be clear about how each Agency fits into the "roadmap" referenced above, and describe their specific regulatory roles and responsibilities now and through to the conclusion of all remedial actions, including their role in future outreach activities.
- Any new communication process should address concerns about a small number of residents dominating all communications with EPA and other agencies involved at the site.
- US EPA should not assume the neutral facilitator who conducted this assessment, Marion Cox, will serve as the facilitator for future communication processes at Chillum. Rather EPA, in consultation with members of the community and other key parties, must decide whether facilitation support is desirable to assist the parties in future communications.

**Section 4****DRAFT RECOMMENDATIONS:****Improving communications between the community and relevant Federal, state, and local agencies**

The recommendations presented here have been developed in consultation with the relevant agencies involved in this project, as well as a small number of area residents. Each of these parties has been consulted in an effort to focus proposed next steps on what will work best for the community, and on what can reasonably be expected to be implemented by the agencies involved. These recommendations are offered as a first step toward improving communications and hopefully relationships among and between the participating parties. It is anticipated that as these recommendations begin to be implemented, there will likely be further adjustments and refinements to the ideas outlined here in order to best meet the needs of all the participating parties.

As noted in the cover letter attached to this assessment document, a 30-day comment period has been recommended so that any resident who wants to contribute their ideas and their comments on the proposed recommendations has ample time to do so. All comments are requested in writing, and to be sent directly to the facilitator who will review the comments and incorporate them where appropriate. [Send comments to: Marion Cox, RE♦SOURCE ASSOCIATES, 4708 Drummond Ave., Bethesda, MD 20815. Please include your name and your contact information so that Marion can call to talk with you if necessary.] All comments will be reviewed by the facilitator, discussed with the parties where necessary, and addressed where possible and practical. The neutral facilitator will present a final set of recommendations following this comment period.

**Recommendation #1: Improving interagency coordination and overall project management for activities at Chillum****Initiate interagency discussions about specific agency roles and responsibilities and develop an overall project roadmap:**

- The EPA, MDE, and DC Department of Health need to coordinate more effectively and consistently to assist the community understand current and future activities at this site.
- All relevant agencies need to develop an overall project roadmap and task list for all current and future actions at this site. The roadmap needs to be easily understandable and describe the specific tasks remaining leading to remediation of this site.
- EPA, MDE and DC DoH [and other agencies as appropriate] need to discuss and agree upon their respective roles and responsibilities in implementing the tasks and activities outlined in the project roadmap.
- The agencies should use this roadmap as the context for all future communications. Each agency should regularly refer back to the roadmap when presenting new information or key decisions about activities at Chillum as a point of reference for area residents so that they can fully understand how all activities fit together at this site to reach a conclusion.
- EPA, MDE, and DC DoH need to work together to define specific outreach and communication goals at each key milestone identified on the project roadmap.
- Once the agencies have defined their communication goals, they need to jointly present these goals, along with the project roadmap for this site, to the community for discussion.
- All agencies need to be routinely present at all future public meetings to answer questions and provide a full picture of what is happening regarding site investigation and cleanup activities.

**Define a clear plan for overall project management of all activities occurring in the community:**

- Several residents have suggested the formation of a project coordinating committee or joint technical review committee to ensure that all relevant agencies are carefully coordinating their current and future actions at this site. The relevant agencies should discuss this suggestion during their upcoming discussions and present specific ideas for how this or a similar mechanism for project management and interagency coordination can be put into place and be effective.
- EPA, in particular, needs to address the request made by some residents for a single point of contact and a single "project leader" for all EPA activities at this site. Residents recognize there are two different contaminants under investigation at the site, petroleum and PERC, and they recognize two different EPA programs are involved. However, the Agency's efforts to communicate with residents on these two different issues has been ineffective to date.
- MDE needs to identify a person who will participate more actively in all relevant site activities, and have a more visible presence in this community, and regularly meet with residents to discuss ongoing activities associated with contamination from leaking underground storage tanks located in MD and along the jurisdictional dividing lines between MD and DC.
- MDE needs to discuss what if any changes the agency is making to current regulations to ensure the same problems [lack of appropriate prior notification] do not arise in the future.

**Recommendation #2: Structuring future community meetings**

**Initiate the use of restructured block meetings as the primary vehicle for direct communication with area residents.**

- This idea is favored as an alternative to large public meetings which, for a variety of reasons, have become increasingly ineffective as a communication vehicle for residents.
- Allow interested community members to help define the structure and format for these meetings. Recent conversations with area residents, during the development of this assessment, indicate many residents are able and willing to contribute their ideas about how to structure block meetings so that they will meet the needs of the community. This type of input needs to be encouraged and factored into planning for block meetings.
- Participation in block meetings should be limited to residents of the specific block for which the meeting has been organized. This idea is favored because smaller meetings will allow for more direct dialog between EPA and residents from each block. It is hoped that more people will attend these meetings due to the "small meeting" format. It is also hoped that more people will speak up at smaller meetings because they will not have to compete with other, perhaps more knowledgeable people, to get their own questions answered. It is assumed that EPA project staff will be present at these meetings, along with MDE and DC Dept. of Health and Chevron as appropriate. If technical assistance representatives [TOSC staff] begin working with local residents, they will also be in attendance if this is deemed desirable by each block's residents.
- Content of the block meetings: There is a feeling that residents are more likely to get engaged and stay engaged with EPA and the other agencies if the two different contamination situations [the Chevron spill and the PERC (tetrachloroethylene) investigation] are discussed separately. Some residents are interested in talking about each contaminant separately and therefore want to make sure that meetings are structured to make sure that issues associated with each contaminant are not discussed

simultaneously. One suggestion is that the first 1/2 of each meeting be dedicated to the Chevron spill investigation and remediation, and the other 1/2 of each meeting dedicated to discussion of the PERC investigation.

- **Timing, frequency, and location of meetings:** Some residents have suggested that block meetings occur over 4 consecutive days so that residents on each block do not have to wait too long before their block meeting occurs. Meetings should be held at the elementary school unless a better location can be found.
- **Meeting management:** Some residents do favor professional facilitation because they feel this assistance will make it easier for a wider range of residents to participate in meetings than are currently participating. However, these residents also do not want to see professional facilitators who are hired by EPA to help run these meetings.
- One suggestion currently under consideration is to find and use trained volunteer facilitators from the DC area to work with each separate street or block to help structure and run their block meetings.

**Continue to seek input from a wide range of residents about how to make meetings more effective and inclusive:**

- The facilitator should review all comments received on these draft recommendations looking for any other ideas or suggestions, that have not been put forward thus far, for improving public meetings and engaging a broader range of community members.
- Following a first round of block meetings, residents from each block should provide feedback about what "worked" and what "did not work" so that these ideas can be integrated into planning for future block meetings.
- If and when a community-wide public meeting occurs, work with residents, as well as agency staff to make sure the meeting structure and format is likely to meet community needs and bring out more residents to participate.

**Recommendation #3 Providing technical assistance to community residents**

- **TOSC assistance:** Several area residents, consulted during development of these recommendations, are interested in working with TOSC technical staff who are trained and qualified to provide independent [from EPA, MDE, or DC Dept. of Health] technical assistance to communities in situations like that at Chillum. Therefore, we recommend that TOSC staff be made available to any and all residents who wants this assistance.
- EPA should do whatever is necessary to provide TOSC assistance at the earliest possible time so that these resources are available to any interested resident at the time technical data and test results are released.
- TOSC representatives should begin introducing themselves in the community and seeking input directly from residents about how residents want to use their services and receive information. Any further refinement of how TOSC staff might work with area residents should be defined by direct conversations between TOSC staff and interested residents. EPA should remain available to assist in any way necessary but should not be involved in defining how this support is provided.
- As test results begin to become available to residents, EPA needs to clearly identify what "standards" the agency is using for its site investigation, monitoring, and remediation decisions at Chillum [i.e., federal standards or MD standards]. The agency also needs to explain why these standards are being used at this site.
- If some sort of "project coordinating committee" or technical review group is established, TOSC representatives should be integrated into these discussions where appropriate.

**Section 5 PROPOSED NEXT STEPS**

These proposed next steps are offered as a concrete way to begin implementing the recommendations contained in Section 4 of this report. Minor adjustments and modifications [including proposed dates] may be needed.

**Step 1: EPA should disseminate this document to all those interviewed and to area residents who are affected by activities at this site. [on or about 1 November 2004]**

EPA should distribute this document to all individuals interviewed during the assessment, including MDE, DC Department of Health and all area residents. EPA should provide a 30-day comment period to solicit comments on the report's recommendations. All comments should be requested in writing and with contact information so that the neutral facilitator can follow up with respondents as necessary. Comments should be sent directly to: Marion Cox, **RE◆SOURCE ASSOCIATES**, 4708 Drummond Ave., Bethesda, MD 20815. These draft recommendations will be finalized at the end of the comment period.

**Step 2: During this comment period, EPA should proceed forward with the release of any technical data or test results that are ready for public dissemination.**

If sampling and test results from the Spring 2004 testing are available, EPA should release this data and begin discussing it with area residents as soon as possible.

**Step 3: TOSC staff should also be made available immediately to work with interested area residents so that when technical results and test data are presented to individual residents, they have technical assistance available to them. [on or about 1 November 2004]**

Given that we already know that some area residents want to talk with independent technical experts available to them under TOSC, these discussions should begin as soon as possible. TOSC staff should introduce themselves and the resources they have at their disposal to all interested residents and help residents understand how to access this assistance. TOSC staff should be allowed to work directly with residents in any ways that are mutually acceptable.

**Step 4: Following the 30-day comment period for the assessment recommendations, the neutral facilitator will review and incorporate comments received and present a final set of recommendations. [December - early January 2005]**

Sometime in early December the assessment recommendations comment period will end. Following the comment period, the neutral facilitator will review all comments, talk to respondents as necessary, and move to incorporate, where appropriate, the comments received. After these comments are incorporated, the neutral facilitator will finalize the recommendations and move to assist the parties in implementing these recommendations if requested.

**Step 5: Each street should begin planning its first "block meeting" as soon as possible after the assessment recommendations are finalized.  
[at the discretion of each street: December 2004 - early January 2005]**

Block meetings should occur sometime after each household has received its test results and had an opportunity to consult, in private, both with EPA and the TOSC representatives if individuals desire this type of technical assistance. Block meetings should be planned and structured to meet the needs of each individual street [with the assistance of professional volunteer facilitators and/or the neutral facilitator if appropriate]. These meetings should occur on successive days if possible so that each set of residents does not have to wait long between meetings. EPA and MDE and DC Dept. of Health should all plan to attend unless requested otherwise by street residents.

After the first round of "block meetings" the facilitators working with each block should check back with residents to see if these meetings were useful and productive. Any feedback should be incorporated into future block meetings where possible.

**Step 6: After the first round of block meetings are complete, planning should be underway for a community-wide meeting [sometime early in 2005]  
[as soon as possible after the conclusion of the first round of block meetings]**

After the first round of block meetings, a community-wide meeting should be held. This meeting should be structured to address community needs as well as provide an opportunity for the relevant state and federal agencies to present a comprehensive overview of all current and future site activities including a proposed timeframe for action. The neutral facilitator should be available to assist the parties in the planning and management of this meeting if requested.

# **APPENDIX**

## **Written Comments Received on the Draft Assessment Report**

*The letters in this section represent the complete set of comments received from those who were asked to review and comment on the Draft Assessment report [issued in November 2004]. The draft report was available for public comment for a 30-day period during November-December 2004. Each comment is being considered as part of implementing the recommendations contained in this Assessment Report.*





Lawrence R. Adkins  
580 Nicholson St NE  
Washington, DC 20011  
Telephone (202) 635-2691

November 30, 2004

RESOLVE  
1255 23<sup>rd</sup> St NW, Suite 275  
Washington, DC 20037

RE: Draft Gasoline and PERC Investigation of Chillum

Sir/Madam:

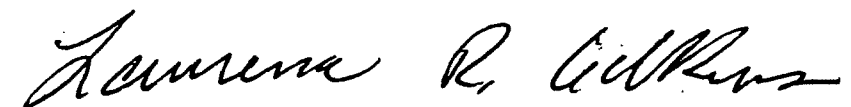
In reviewing your correspondence of November 4, 2004, and assessments relating to Chillum properties, I have a few comments of my own to add:

1. The soil in my backyard is very soft, and I strongly believe that it's the direct result of the oil (from the spill) mixing with the dirt.
2. The house vibrates when the buses go by which can also be a result of the shaky grounds surrounding the property.
3. The grounds and sewage pipes were repaired on the streets sometime ago from a manhole explosion, also leaving the grounds shakier.

Please be advised that on close inspection, it appears that all three of the above -perhaps- occurred as a result, directly or indirectly, of contaminated soil caused by this Chevron spill. Moreover, I believe that the ground surrounding my property has been irreparably damaged, and won't even harden anymore for the planting and creating vegetation etc. Not to mention, the adverse impact these contaminants can or may have on one's own health and general well being (which I'm sure has yet to be debated).

Therefore, I'd like to petition to have these matters investigated fully and in coordination with all other matters related to this case. If you have questions, please contact me the undersigned at the address and/or telephone number at the top of the letterhead.

Sincerely,



Lawrence R. Adkins



12-3-04

DEAR MR. ROBERTS


WE ARE RESIDENTS  
ON EASTERN AVE. N.E.  
OUR CONCERNS ARE THE  
SAME AS THE OTHER  
RESIDENTS AFFECTED BY  
THE OIL SPILL. WE ARE  
CONCERNED ABOUT LONG  
TERM HEALTH RISKS AND  
OUR HOME VALUE OR  
PROPERTY. WE ARE VERY  
FRUSTRATED THAT THIS  
CASE HAS NOT BEEN  
SETTLED UP UNTIL NOW.  
WE JUST WANT A WAY  
OUT OF THIS AWFUL  
SITUATION. WE JUST DO  
NOT KNOW WHAT IS  
GOING ON. WE DO ATTEND  
THE MEETINGS, BUT STILL  
NOTHING IS BEING DONE.

THANK  
D. JOHNSON



December 6, 2004

To: Ms. Marion Cox  
RE\*SOURCE ASSOCIATES

From:   
Frances F. Reeder  
Riggs Park Resident  
5884 Eastern Avenue, NE  
Washington, D.C. 20011-2721  
202 635 9609

Re: Draft Gasoline and PERC Investigation Site Communication Assessment

I agree and support your draft assessment.

EPA has not demonstrated their willingness to communicate with the community. Their refusal to answer any questions related to public notification on the new remediation system has angered and caused increased hostility.





DISTRICT OF COLUMBIA  
DEPARTMENT OF HEALTH  
ENVIRONMENTAL HEALTH ADMINISTRATION

FAX COVER SHEET

DATE: Dec. 20, 2004

TIME: 6:00 p.m.

TO: Robin Roberts

OFFICE: Resolve

REGARDING: Chillum Communications Plan

FAX NUMBER: 338-1264

PHONE NUMBER: 944-2300

NUMBER OF TRANSMITTED PAGES (INCLUDING COVER SHEET): 4 pages

FROM:

Marie Sansone  
Interim Chief of Staff  
DC Department of Health, Environmental Health Administration  
51 N Street, NE  
6th Floor, Room 6045  
Washington, D.C. 20002

(202) 535-2611 - Office

(202) 535-2881 - Fax

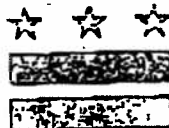
Marie.Sansone@dc.gov





**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Health**

Office of the Director



December 17, 2004

Mr. Robin Roberts  
RESOLVE  
1255 - 23rd Street, N.W., Suite 275  
Washington, D.C. 20037

Re: Chillum Gasoline and Perchloroethylene Investigation Site  
Draft Communication Assessment

Dear Mr. Roberts:

The District of Columbia Department of Health (DOH) has reviewed the October 2004 draft Chillum Communications Assessment prepared by Ms. Marion Cox of RE\*SOURCE ASSOCIATES, and offers the following comments:

DOH concurs in the finding that the United States Environmental Protection Agency (EPA), Maryland Department of the Environment (MDE), and DOH must coordinate more closely and consistently regarding their ongoing and future activities at the site. DOH also concurs that the agencies must present a coherent and up-to-date "big picture" or overall roadmap of action items for all activities associated with investigating and addressing the contamination issues in the Lamond-Riggs community. The environmental and public health agencies must afford the community a meaningful opportunity to participate in any decisions made regarding further testing, as well as the remedial alternatives.

With respect to report recommendation no. 1, DOH recommends that any agreed-upon outline of each agency's responsibilities should be reduced to writing. This will help to prevent future confusion and uncertainty regarding each agency's respective role.

With respect to report recommendation no. 2, DOH recommends that any facilitator retained be from the metropolitan area and familiar with District neighborhoods.

With respect to report recommendation no. 4, DOH believes that independent scientists or engineers, made available through EPA's Technical Outreach Services for Communities (TOSCs), could assist the community in understanding and evaluating all the groundwater, air quality (indoor and ambient), and soil contamination sampling performed thus far, whether a



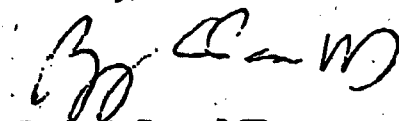
health assessment or risk assessment is necessary or desirable; and whether remedial action is necessary or desirable.

DOH also recommends that EPA devote greater attention to the drafting and editing of fact sheets, reports, and other documents. Many of these documents have been written in the passive voice, which tends to result in ambiguity. Also, in section 8 of the draft communications assessment, many of the written answers to the questions are non-responsive or incomplete. Often, the fact sheets begin with a discussion of certain sampling activities without first orienting the reader to the project or the "roadmap" of past and future activities. EPA should also provide definitions for technical and regulatory terminology. These simple changes would help to improve communications overall.

DOH also recommends that all public notices and outreach materials be mailed to the affected Advisory Neighborhood Commission (ANC 4B), the affected ANC Single-Member District Commissioners, the Office of Advisory Neighborhood Commissions, and the affected Ward Councilmember, consistent with section 13 of the Advisory Neighborhood Commission Act of 1975, effective October 10, 1978, as amended (D.C. Law 1-21; D.C. Official Code § 1-309.10(f) (2004 Supp.), which authorizes each ANC to present its views to any federal or District agency. Their addresses are attached to this letter.

DOH appreciates this opportunity to comment on the draft Communications Assessment. We look forward to working with the community, EPA, MDE, and the Agency for Toxic Substance Disease Registry to address the concerns presented by this site.

Sincerely,



Gregg A. Pane, MD  
Director

cc: Vance A. Evans  
Community Involvement Coordinator  
EPA Region III

Hon. Adrian M. Fenty  
Ward 4 Councilmember

DOH Chillum Internal Work Group



Dec 20 04 05:12p

administrator

**ANC Distribution List**

**ANC 4B**

**6856 Eastern Avenue, N.W., #314  
Washington, D.C. 20011**

**ANC Single-Member District Commissioner Sandra Battle  
5709 - 3rd Street, N.W.  
Washington, D.C. 20011**

**Gottlieb Simon, Executive Director  
Office of the Advisory Neighborhood Commissions  
1350 Pennsylvania Avenue, N.W., Room 8  
Washington, D.C. 20004**

**The Honorable Adrian M. Fenty  
Ward 4 Councilmember  
1350 Pennsylvania Avenue, N.W., Suite 506  
Washington, D.C. 20004**

