

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 17 2016

(b) (6)

Dear **(b) (6)** :

Thank you for your recent correspondence to President Barack Obama, concerning your family who has lived and may continue living near the Kerr-McGee Chemical Superfund Site in Navassa, North Carolina. Your letter was forwarded to the U.S. Environmental Protection Agency's Region 4 office in Atlanta, Georgia, for my response.

Your question about past exposure to contamination is one of the most difficult we receive. The EPA is unable to address exposure that occurred in the past but is committed to ensuring the Kerr-McGee Navassa site (the Site) is cleaned up in a way that protects human health and the environment. As part of the investigation of the Site, soil on your family's property and the surrounding property has been sampled and was found to be within protective limits for residential properties. It is my understanding that your family is currently connected to a public water supply system and that any groundwater wells are out of service and are no longer being used as drinking water.

In addition, the Division of Public Health of the North Carolina Department of Health and Human Services (NCHHS) performed a public health assessment to determine if contaminants from the Kerr-McGee Site pose a health hazard to the community. The study results, issued in 2012, indicated that soils in residential areas do not currently pose a health threat and private wells west of the Site have not been impacted by Site contaminants. Unfortunately, NCHHS did not have sufficient data to determine whether people, such as your father, were harmed by Site contaminants in the past when wood-treating operations took place at the Site. I encourage you to contact Mercedes Hernandez-Pelletier from NCHHS at 919-707-5952, who is very familiar with the health study and can provide additional information about health impacts from the Kerr-McGee site.

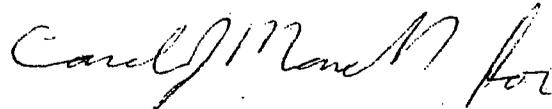
While the EPA is the lead agency responsible for cleaning up sites to protect human health and the environment from contamination at Superfund sites, there is another legal process for addressing damage to natural resources (fish, wildlife, air and water) called the Natural Resource Damage Assessment (NRDA). The NRDA is managed by a group of agency representatives known as the Navassa Trustee Council, which is led by the National Oceanic and Atmospheric Administration (NOAA) but also includes representatives from the US Fish & Wildlife Service and the North Carolina Department of Environmental Quality (NCDEQ). The point of contact for the Council at NOAA is Howard Schnabolk. He is located at the NOAA Restoration Center in Charleston, SC and can be reached at (843) 740-1328.



We understand these processes can be complicated and that many stakeholders are involved with the investigation, cleanup, and distribution of funds at this Site. In order to make it more easily understood, we developed the enclosed two fact sheets. One describes roles and responsibilities and how funds were set aside by the bankruptcy court to address the cleanup of the Site, restoration of natural resources, and pay claims to people with adverse health effects from exposure to site contaminants while the other explains the numerous community initiatives and programs designed to promote community involvement and provide information to stakeholders about cleanup and redevelopment of the Kerr-McGee Site.

We hope you find this information useful. The EPA has a regular presence in Navassa, issuing updates on Site activities and cleanup progress through periodic fact sheets and public meetings. If you are interested in being added to the Site's mailing list to receive future updates, please contact either Erik Spalvins, the EPA Remedial Project Manager (RPM) at (404) 562-8938 or LaTonya Spencer, the Community Involvement Coordinator (CIC) at (404) 562-8463.

Sincerely,

A handwritten signature in cursive script, appearing to read "Franklin E. Hill", written in dark ink.

Franklin E. Hill, Director
Superfund Division

Enclosures

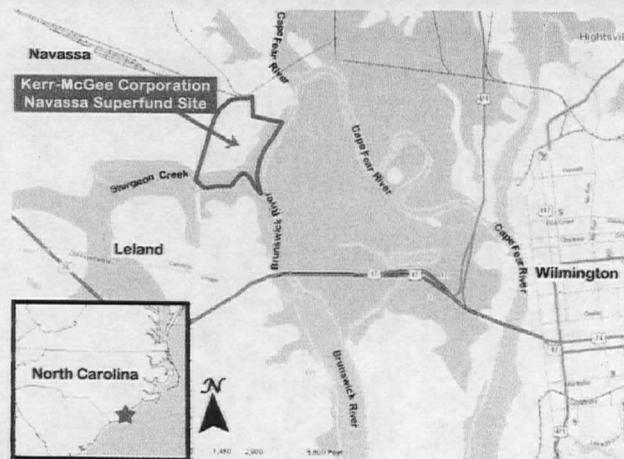
Overview of Tronox Bankruptcy Settlement—Multistate Environmental Response Trust
 Kerr-McGee Chemical Corporation (KMCC) Navassa Superfund Site, Navassa, North Carolina
 May 12, 2016

The US Environmental Protection Agency (EPA), the North Carolina Department of Environmental Quality (NCDEQ) and the Multistate Environmental Response Trust (the Multistate Trust) prepared this fact sheet to explain the roles and responsibilities of the organizations involved in remediation, redevelopment, and natural-resource restoration at the Kerr-McGee Chemical Corporation (KMCC) Superfund Site in Navassa, North Carolina (the Site).

Overview of the Multistate Trust

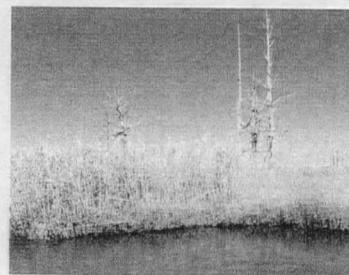
In 2005, Kerr-McGee created Tronox by transferring the Navassa Site and hundreds of other contaminated sites into this corporate “shell” without the funds needed for cleanup of the sites. Kerr-McGee then sold its most valuable oil and gas assets to Anadarko Petroleum. In 2009, unable to pay for cleanup of the Kerr-McGee sites, Tronox filed for bankruptcy. In 2011, the bankruptcy court approved a settlement agreement with the US government, 24 state governments and Tronox, which established several trusts, including the Multistate Trust.

The Multistate Trust is an environmental response trust responsible for owning and managing more than 400 former Kerr-McGee contaminated sites in 24 states, remediating the sites using funds earmarked for each site, and facilitating safe redevelopment and long-term stewardship of the sites. Since it was created in 2011, the Multistate Trust has been performing cleanup activities approved by EPA and NCDEQ using the cleanup funds allocated for the KMCC Navassa Superfund Site. It will eventually sell or transfer the property for future reuse. The Multistate Trust has a fiduciary duty to its two beneficiaries—EPA and NCDEQ. The trust is a private entity with the public purpose of protecting human health and the environment. Greenfield Environmental Multistate Trust, LLC, is the court-approved Trustee of the Multistate Environmental Response Trust.



KMCC Navassa Superfund Site

From 1936 until 1974, Kerr-McGee and other companies operated a creosote-based wood treatment facility at the 300-acre Site situated on the bank of the Brunswick River. In 2010, EPA added the Site to the National Priorities List of federal superfund sites because of contamination in groundwater, soils and sediments resulting from the wood-treating activities.

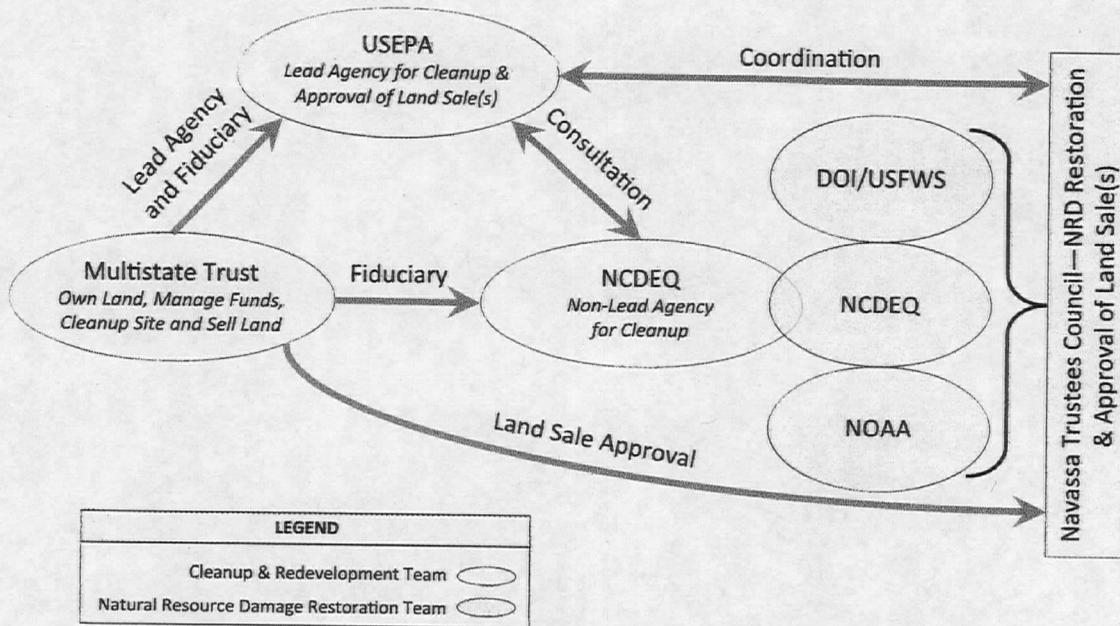


Multistate Trust Cleanup Funds

- ✓ The Multistate Trust received \$92.5 million to clean up the Site. These cleanup funds are managed and invested by the Multistate Trust. EPA and NCDEQ do not hold or control the cleanup funds.
- ✓ Cleanup funds can only be spent on environmental actions (such as site investigations and cleanup).
- ✓ The Multistate Trust is prohibited from using cleanup funds to: engage in for-profit activities; restore damage to natural resources (see Navassa Trustees Council); compensate people for health effects caused by past exposure to Site contamination (see Tronox Tort Claims Trust); and implement (construct) Site redevelopment, although funds can be used to integrate future reuse into cleanup plans and engage in multi-stakeholder discussion about future reuse of the Site.
- ✓ The companies responsible for Site contamination—Tronox, Kerr-McGee and Anadarko Petroleum—were the source of Multistate Trust cleanup funds, not the US government or American taxpayers.

Government Agencies Involved in Tronox Bankruptcy & Multistate Trust Activities at Site

- ✓ EPA—Lead Agency: approves Multistate Trust cleanup plans and budgets, in consultation with NCDEQ
- ✓ NCDEQ—Non-Lead Agency: consults with EPA on Multistate Trust cleanup plans and budgets
- ✓ Navassa Trustees Council (NTC)—Represented by US Fish & Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) and NCDEQ: responsible for restoration of damaged natural resources
- ✓ EPA and NCDEQ—Beneficiaries of the Multistate Trust for the Site
- ✓ EPA and NTC: approve any sale or transfer of Multistate Trust property



The Navassa Trustees Council (NTC) for KMCC Navassa Superfund Site

The NTC is made up of natural resource trustees from USFWS, NOAA and NCDEQ. The NTC is responsible for restoration of natural resources damaged by Site contamination. The NTC received \$22 million from the Tronox bankruptcy settlement to be used for projects aimed at restoring natural resources and habitat for fish, birds and other wildlife in the Navassa region that were injured by creosote-based contaminants from the Site. Please contact Howard Schnabolk from NOAA at 843-740-1328 or howard.schnabolk@noaa.gov for more information or visit the NOAA website at <https://darrp.noaa.gov/hazardous-waste/kerr-mcgee-chemical-corp>

Tronox Tort Claims Trust

As part of the bankruptcy settlement, the court established the Tronox Tort Claims Trust to pay claims to people with adverse health effects from exposure to contaminants from the Kerr-McGee sites throughout the United States. For more information, please contact the Tronox Tort Claims Trust helpline via email at helpline@tronoxorttrust.com or by phone at 800-753-2480 or visit the Tronox Tort Claims Trust website at <http://www.tronoxorttrust.com>.

(Note: EPA, NCDEQ, and the Multistate Trust have no involvement in the Tronox Tort Trust.)

For more information about cleanup and redevelopment of the KMCC Navassa Superfund Site, please contact:

EPA: Erik Spalvins (404-909-0345) and LaTonya Spencer (404-562-8463)

NCDEQ: Dave Mattison (919-707-8336)

Multistate Trust: Cindy Brooks (617-448-9762) and Lauri Gorton (414-732-4514)





Navassa Community Stakeholder Activities and Programs
Kerr-McGee Chemical Corporation (KMCC) Navassa Superfund Site, Navassa, North Carolina
January 11, 2016

The US Environmental Protection Agency (EPA), the North Carolina Department of Environmental Quality (NCDEQ) and the Multistate Environmental Response Trust (the Multistate Trust) prepared this fact sheet to describe community stakeholder initiatives and programs designed to promote public involvement in cleanup and redevelopment of the KMCC Navassa Superfund Site (the Site).

EPA Stakeholder and Community Involvement Programs

- ✓ **Community Involvement Plan (CIP)**
 - EPA framework for community involvement and outreach to promote active public involvement in the project
 - Describes how public will be informed about cleanup activities and involved in remedy-selection process
 - A "living document" to be revised or updated as needed
- ✓ **Technical Assistance Services for Communities (TASC)**
 - EPA hired Skeo Solutions to facilitate community participation in Site cleanup and redevelopment activities
 - Skeo will likely host a stakeholder design charrette to help define Navassa's vision for future reuse of the Site
- ✓ **College/Underserved Community Partnership Program (CUPP)**
 - CUPP partners small, underserved environmental justice communities with local colleges and universities
 - Under CUPP, the University of North Carolina Wilmington (UNCW) is providing technical expertise and assistance to the community on Site cleanup and restoration at no cost to community
- ✓ **Other Stakeholder Communications and Multi-Agency Coordination**
 - EPA has coordinated meetings with the Division of Public Health (DPH) of the North Carolina Department of Health and Human Services (DHHS) and community stakeholders (See Public Health Assessment)
 - EPA hosts and attends many public meetings and stakeholder forums to discuss Site activities and issues
 - EPA has facilitated communications between the Navassa Trustees Council (NTC) and the community
- ✓ **Technical Assistance Grant (TAG)**
 - TAG funds are awarded to eligible community groups to hire technical experts to interpret, evaluate and explain cleanup plans and decisions
 - EPA is working with community stakeholders, including the non-profit Navassa Economic and Environmental Restoration Council (NEERC), on securing a TAG

Public Health Assessment (PHA)

- ✓ PHA commissioned in 2011 by Agency for Toxic Substances & Disease Registry (ATSDR) and North Carolina Department of Health and Human Services (NCDHHS), Division of Public Health (DPH)
- ✓ PHA purpose: to determine if Site contaminants pose a health hazard to the community
- ✓ PHA conclusions:
 - Infrequent ingestion of Site soils or sediments would not cause harm or sickness unless ingested daily for many years
 - Unintentional ingestion of soil on private residential properties (east-central Site area) would not cause harm
 - Drinking water quality in private wells west of Site was not impacted by Site contaminants
 - Need additional studies to determine if eating Sturgeon Creek or Brunswick River fish or shellfish could cause harm
 - Although many residents have expressed concern about past exposure to Site contaminants, there is insufficient data to determine if people living near Site were harmed by contaminants when wood-treating operations took place
- ✓ See: <http://www.atsdr.cdc.gov/HAC/pha/KerrMcGee/KerrMcGeePHAFinalBlueCover05042012.pdf>

Multistate Trust Community and Stakeholder Involvement Initiatives

✓ **Technical Support for Community Grants**

- Developed materials and information to assist and support Town leaders and stakeholder efforts to secure “public capital” (grants, in-kind services, etc.) to help fund redevelopment planning for the Site
- Prepared Navassa’s application for a Sustainable Neighborhoods Assessment submitted to Global Greens USA
- Provides ongoing technical support to help Navassa community realize its goals and vision for future reuse of Site

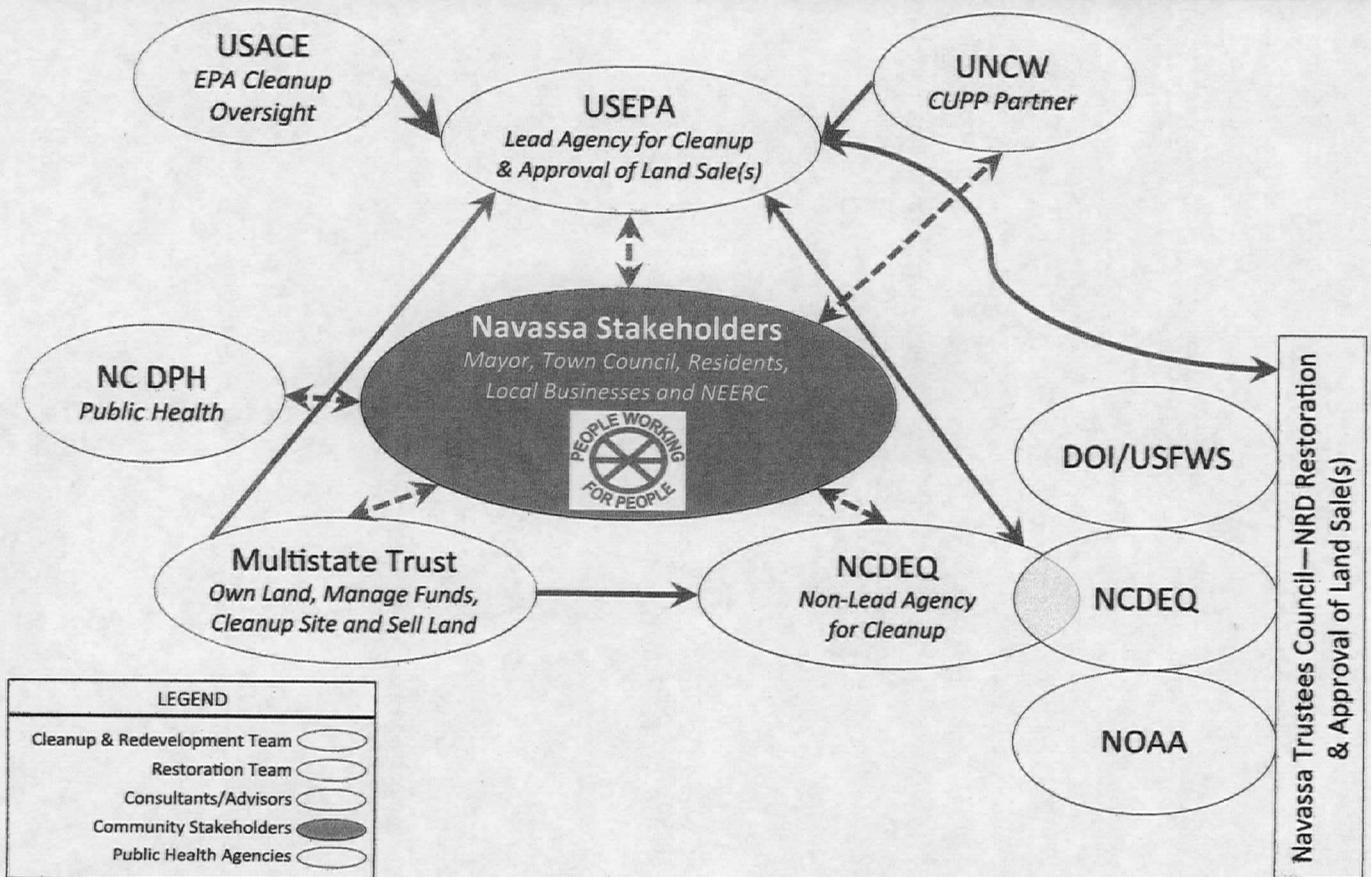
✓ **Local Hiring Initiative**

- Initiating discussions with community stakeholders to develop a program to identify, recruit, train and hire local businesses and residents interested in securing short-term cleanup jobs at the Site
- Seeking potential community partners to help implement the program

✓ **Stakeholder Communication Tools & Support**

- Develops fact sheets and other materials to ensure community stakeholders are aware of Site activities
- Organize frequent Site tours, including boat tours that allow the public to safely view the Site

KMCC Navassa Superfund Site—Community Stakeholders



For more information about community and stakeholder activities at the KMCC Navassa Superfund Site:

EPA: Erik Spalvins (404-909-0345) and LaTonya Spencer (404-562-8463)

NCDEQ: Dave Mattison (919-707-8336)

Multistate Trust: Cindy Brooks (617-448-9762) and Lauri Gorton (414-732-4514)

