

MEJO response to Koblinski's Nov 2, 2017 letter to Steve Verburg

Koblinski: *Seems odd that you would conclude that it is advancing. Do you have any additional information not published, to reach this conclusion?*

MEJO: The [SCS report](#) on which Verburg's article was based concluded explicitly that "the PCE plume appears to be continuing to expand to the north"—based on the data analyzed.

Koblinski: *I find that your articles are increasingly biased against the company...Your recent article on soil vapor, as an example, was substantially based on an 'expert' report written by a gentleman brought to Madison for a day from California who based his report on previous opinions expressed by the local 'activist/bloggers' who invited him here. That article just seemed like an orchestrated way to give amplification to the bloggers opinions.*

MEJO: The "gentleman" Koblinski refers to is Lenny Siegel, with the Center for Public and Environmental Oversight. His research and investigations on vapor intrusion in Madison (see final report [here](#)) were funded by the United States Environmental Protection Agency. Siegel's report, on which Verburg's article was based, relied on his analyses of thousands of pages of data and reports about Madison Kipp and nearby contaminated sites--nearly all compiled by the Wisconsin Department of Natural Resources, Kipp's technical consultants (Arcadis and TRC), and other government agencies. For his interpretation/analyses of this data, Siegel relied on the U.S. EPA's technical guidances, published scientific literature, his decades of experience working on vapor intrusion situations across the U.S., and consultation with other technical experts, including EPA experts.

The "activist/bloggers" Koblinski refers to are the Midwest Environmental Justice Organization (us). We are a non-profit 501c3 organization whose mission is to help people understand and collectively address pollution in their communities that affects their (and the environment's) health. MEJO is currently funded by the U.S. EPA, Center for Health, Environment & Justice, and individual donations. Maria Powell, the organization's president, has a BA in biology from University of California, Santa Barbara, an MS and PhD in environmental studies from the UW-Madison Nelson Institute for Environmental Studies. After finishing her PhD, for five years she was a research scientist with the UW Nanoscale Science and Engineering Center (funded by the National Science Foundation), where she investigated and wrote about environmental health risks of emerging nanotechnologies. On MKC issues, MEJO collaborates with community members who are engineers, PhDs, and others with a range of expertise. Like Mr. Siegel, our analyses and writing on MKC's pollution problems are based on reports and data from DNR and other government agencies, Kipp's consultants, the EPA's technical guidances, and peer-reviewed scientific papers.

Koblinski: *Another of your recent (front page) articles, continued to regurgitate the well-known fact that there remains residual amounts of PCB in the stormwater drainage ditch near Kipp. This did not seem to justify front page news as we continue to work with the WDNR and the city to fully understand the source of these residual amounts so that we can completely remediate.*

MEJO: The PCB issues at Kipp are very important news stories with critical public and environmental health implications. They should be front page news. PCBs, or polychlorinated

biphenyls, are potent toxicants associated in scientific studies with neurological, developmental, immune, reproductive, and hormonal problems, as well as cancer. They are so toxic that they are among only a few chemicals banned in the U.S. Some of the “residual amounts” Mr. Koblinski is referring to at the raingarden are orders of magnitude above the levels allowed to remain in place by state and federal standards, set to protect public and environmental health. Perhaps most importantly, the high levels of PCBs under the factory—up to 20,000 ppm— easily qualify the site as a Superfund site, especially since there is also a giant VOC plume beneath the site. Kipp’s law firm’s (Michael Best & Friedrich) past and continued lobbying is likely what is preventing it from being designated as one.

Koblinski: *The City/County Health Department [sic] has confirmed there is no health risk to the public and we have isolated the area while we finish our work (which may continue into the spring).*

MEJO: Public Health Madison Dane County’s conclusion that “there is no health risk to the public” is based on inappropriate and/or incomplete PCB and other contaminant data from the city-owned raingarden and bikepath area. PHMDC staff is also apparently not up-to-date on (or are choosing to ignore) current science about how to assess PCB levels, fate and transport, and ways people can be exposed to PCBs.

As for the work in an “isolated” area, MEJO’s soil tests found PCBs well over the regulatory “residual contaminant levels” (RCLs) many feet downstream of this fenced-off area; our findings in these areas (deemed as fully remediated and “safe” by PHMDC) reflect the shoddy and incomplete investigation and remediation done along the bike path to date.

Further, PCBs from the storm drain pipes that receive stormwater from the Kipp site (and extend under the factory) have gone down city storm drains for decades into Starkweather Creek and Lake Monona, where they have deposited in sediments. PCBs in sediments slowly move up the food chain, and are eventually taken up into fish. Many low income and minority anglers eat fish from Lake Monona, including at the mouth of Starkweather Creek.

In sum, Kipp’s PCB problem includes far more than an “isolated” area in the raingarden. It is a significant environmental justice issue that affects the whole community and beyond.

Koblinski: *City Well 8 has never had a PCE detection. The Water Department [sic] confirms that Madison Kipp is not a contributor to any of the other contaminants found in Well 8.*

MEJO: Cis 1, 2 dichloroethylene (DCE), a breakdown product of PCE and TCE (trichloroethylene, also found at high levels in Kipp’s plume) has been found in Well 8 since the late 1980s. The Madison Water Utility does not know where this DCE came from, but the recent SCS study did NOT confirm that this DCE is not from Kipp. Statements in the SCS study and the previous expert study by Dr. Jessica Meyer, in fact, suggest that some of the DCE in Well 8 could theoretically have originated from Kipp’s plume a long time ago. Kipp began using PCE in the 1940s, so it has had many decades to travel underground.

Koblinski: *And yet you continue to paint a picture in the minds of your readers that Kipp is somehow single-handedly responsible for all the PCE under our fine city.*

MEJO: ??? Verburg's article did not paint such a picture.

Koblinski: *I know that you are aware that six other city wells have already tested positive for PCE. Where's the headline on that?...Has there ever been another company identified as a source? Has anyone ever tried to find the source?*

MEJO: Yes, a Water Utility study investigated the potential sources of PCE to Well 15 (and other wells) and several possible sources were identified. The well now has a filter. News stories covered this.

Koblinski: *Has there ever been one dry cleaner (past or current) in Madison that has been held accountable for their contribution to the prevalent PCE problem?*

MEJO: Yes, some dry cleaners have been held accountable for PCE problems in the city and around the state. (Dry cleaners are important contributors to the PCE groundwater problems in Madison. But as far as we know, there are no dry cleaners or former dry cleaners anywhere near Kipp or Well 8, so why is Koblinski so focused on this issue?).

Koblinski: *Perhaps the headline should someday read - East side employer of thousands over 120 years accepts responsibility and diligently works to rectify the unintended consequences of prior generations. We've not dodged our responsibility, we've not spared expense in ensuring the health and well-being of our neighbors, we've not asked for a dime from the city or state to remediate our contribution to the contamination caused (unlike the millions of dollars given to developers to clean up what many others walked away from), and finally - we are not done with our work here. It took decades to create this situation, it will take time to fix it.*

MEJO: It is beyond laughable for Kipp to pretend to be a responsible company at this point. For decades, Kipp (with the help of its high-powered law firm) worked hard to avoid measuring--or to purposely hide-- its horrific pollution. When high levels of VOCs were found in groundwater in the early 1990s, Kipp lobbied hard for years to avoid paying very much to address it—so inadequate and incomplete remediation was done that didn't improve the situation much. It wasn't until the company was *forced* by several lawsuits in 2011 and 2012 that they started to more thoroughly investigate, clean up some of its pollution, and install vapor mitigation on nearby homes.

Current, ongoing investigations and remediation by Kipp are not being done because of Kipp's voluntary sense of ethical responsibility—they are being forced by the still-open WI DOJ lawsuit and EPA oversight. Information about Kipp's negotiations with DOJ and EPA are being kept from the public. Even those who live 50 feet from this highly contaminated site can find out almost nothing about the investigations and remediation going on there. See more [here](#).

Meanwhile, the majority of Kipp's most toxic soil pollution—the worst being the PCBs under the factory—is still there. Highly contaminated soils are capped under the parking lot.

When Kipp leaves the site someday, it will likely be deemed a Superfund site (or the equivalent). No developer will touch the property, given that a massive and extraordinarily expensive cleanup will be required—e.g., a giant hole, many feet deep, will have to be dug to remove the PCBs there, because according to EPA regulations, the PCB levels are far too high to remain in place without endangering public health. Sadly, this giant cleanup, though necessary, will release even more PCBs into the neighborhood—and into Starkweather and Lake Monona.

Who will pay for this cleanup? Kipp's insurance will pay for some of it, but all of us will also pay—with our tax dollars, our health, and the health of the environment for generations to come.