



February 10, 2020

Dear Plan Commissioners:

I'm writing in regards to the Oscar Mayer Special Area Plan. I commend the city for engaging the community in decision-making about future development on this large and important Northside property.

I support redevelopment on the property as long as the community's input and concerns are thoroughly addressed and included in planning, and redevelopment is done in a way that doesn't cause further environmental damage and/or create public, environmental and occupational health and safety risks.

**In that context, I am very concerned about:**

- 1) Lack of thorough investigation and remediation of toxic chemicals at the site;
- 2) Plans to fill in and develop the Hartmeyer wetland area.

I've elaborated on these concerns below.

### **1. Inadequate assessment and remediation of toxic chemicals at the site and beyond**

Since the 1990s, and recently, numerous highly toxic chemicals have been found over standards in groundwater and/or soils at the site, including: **trichloroethylene, ethylene dichloride, vinyl chloride, other chlorinated organics, lead, numerous petroleum compounds (PAHs, GRO, DRO, BETX) and more.** These chemicals pose serious public health risks. Many of them were not thoroughly investigated in soils and groundwater (width and depth of contaminant plumes are not delineated, pathways of migration not assessed). Inadequate (or no) remediation was done on many of the contaminated areas, so the persistent chemicals are likely still there and some have probably spread far and wide in groundwater plumes.

Some of the compounds are volatile or semi-volatile and were found in very shallow groundwater so they pose vapor intrusion risks for people living and/or working in buildings developed above them. Many could also pose exposures and health risks when shallow groundwater and/or flood waters enter basements of homes and businesses. Workers at the site handling contaminated soils and/or groundwater were not adequately protected.

The levels of **trichloroethylene (TCE)** recently found in subslab vapors found under Building 43 are extraordinarily high and indicate that there is likely a plume of chlorinated organics beneath that area and probably the entire site (and beyond). Trichloroethylene is a potent toxicant. Based on recent studies indicating more serious health risks than previously understood, in June 2019 the Wisconsin Department of Health Services proposed that the groundwater standard for TCE be lowered from 5 µg/L to 0.5 µg/L.<sup>1,2</sup>

High levels of **vinyl chloride** (a breakdown product of TCE and also used/produced in plastics manufacturing) were found in shallow groundwater from the 1990s through the 2000s in an area northeast of Building 43. More recently, high levels of **ethylene dichloride** were found on the southern part of the site. These findings suggest a VOC groundwater plume beneath the whole site—and probably well beyond it.

How wide and deep is this plume of chlorinated organics? Since the water table is rising with the old Oscar Mayer production wells turned off—and with more precipitation due to climate change—it seems especially important to know what contaminants are lurking beneath the site that could come up to the surface. Will this plume be thoroughly delineated and remediated before redevelopment? Are the wetlands contaminated? Will the potential for vapor intrusion be thoroughly assessed for every home and business built on the site?

There is also good reason to suspect that the site is contaminated with **per- and polyfluorinated alkyl substances (PFAS)**, especially given that plastics and pesticide manufacturing occurred there in addition to food production (both can include PFAS). In fact, the city's June 26, 2019 Request for Proposals says: "Per and polyfluoroalkyl substances (PFAS) – PFAS contamination has recently been identified at the former Burke Wastewater Treatment Plant located at 1401 Packers Avenue. From 1950 to 1978, Oscar Mayer leased this property for pretreatment of wastewater from their meatpacking plant. To what degree should the City conduct PFAS testing of groundwater and soils on the Oscar Mayer properties?" Has this PFAS testing been done? If not, when will it be done? If so, will this data be shared and discussed with the community?

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<sup>1</sup> A 1989 Army Corps of Engineers investigation of Truax Field, including the former Burke site (where Oscar Mayer sent wastes and used the sewage plant) scored Truax Field high enough on the Hazard Ranking System to be considered under Superfund based on the TCE in deep groundwater. Old reports indicate that responsible parties, consultants, city officials and DNR are aware that there is a plume of chlorinated organic compounds under the whole area, including Oscar Mayer. Given recent data, this plume likely also includes PFAS, hexavalent chromium, and other contaminants.

<sup>2</sup> According to the Wisconsin Department of Health Services: "Known health effects from TCE come from animal studies and from studies of people who have come into contact with TCE in their environments. High levels of TCE in drinking water may cause nausea, convulsions, liver and kidney damage, impaired heart function, coma, or even death. There is strong evidence that TCE can cause kidney cancer in people and some evidence that it can cause liver cancer and malignant lymphoma. Lifetime exposure to TCE resulted in increased liver cancer in mice and increased kidney cancer and testicular cancer in rats. Additional animal studies indicate there may be an association between maternal exposure to TCE and specific heart defects in offspring. There is some evidence that human exposure to TCE while pregnant may be associated with similar effects. The EPA and the International Agency for Research on Cancer (IARC) have classified trichloroethylene as a human carcinogen by all routes of exposure.1,3 TCE has been shown to cause carcinogenic, mutagenic, and teratogenic effects.

People can come in contact with TCE from contaminated air, water, or soil...Additional routes of exposure come from breathing in TCE vapors and absorption of TCE through the skin. In the environment, TCE typically volatilizes into the air, but can also get into the soil and groundwater. In soil and groundwater, TCE does not easily break down and can stay in the environment for long periods of time (months to years)." (June 2019 WI DHS)

Other chemicals likely to be found at the site—such as PCBs and pesticides—were inadequately tested or not tested at all. Further, there is little evidence that DNR’s NR700 “spills” laws were fully adhered to for many parts of this site. For instance, NR 716 requires investigating pathways of contaminant migration on and offsite, including via storm sewers. A large storm drain travels from the highly contaminated northeast corner of the site, under the Highway 30/Packers intersection, and discharges into a ditch behind Pick N’ Save right at the former Burke sewage site, where PFAS was found in shallow groundwater. This ditch then flows eastward before joining with Starkweather Creek. What contaminants traveled from the highly contaminated northeast part of the Oscar Mayer site into Starkweather Creek? Will this pathway of contaminant migration be investigated before redevelopment?

## **2. Plans to develop the Hartmeyer wetland area**

I have learned from community colleagues that recent plans have included proposals to develop on some of the Hartmeyer wetland —going against the community’s wishes.

**I agree with other community members and organizations that the full 30 acres of Hartmeyer wetland should be protected.** I oppose any development for any reason on this wetland area. This wetland is critically important for wildlife protection and habitat, filtration of pollutants, aesthetics, open green space, flood protection, and numerous other reasons.

It should be more than obvious that any further filling in of wetlands in this area—a small remnant of a much larger former wetland—is an extremely unwise decision, especially given coming climate change scenarios.

With rising water tables and flooding problems already occurring in the area, which will only get worse in the future, we need to protect any remaining wetlands. This should be a no-brainer for city planners.

I sincerely hope that the issues I raised above will be thoroughly considered, addressed in all future planning documents, and discussed openly with the community before any development occurs on the Oscar Mayer and Hartmeyer properties.

Please don’t rush the Oscar Mayer site planning process without addressing these serious health and safety risks and critical ecological and flooding concerns. Please put protecting human and environmental health before city tax dollars and profits for developers.

Thank you,

/s/Maria Powell

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