

March 9, 2022

Mr. Nathan Klozcko, MPH
Site Evaluation Program Coordinator
Bureau of Environmental and Occupational Health
Division of Public Health Wisconsin Department of Health Services
1 W. Wilson Street, Room 150
Madison, WI 53703

RE: Questions regarding Oscar Mayer and Hartmeyer Site Evaluation, 2020-2022 Public Health Assessment

Dear Mr. Klozcko,

Thank you for your report, titled the “Oscar Mayer and Hartmeyer site Evaluation, 2020-2022 Public Health Assessment.” We greatly appreciate the extensive study, time and effort that the Department of Health Services (hereafter, DHS) has invested in preparing this report. We do have a few questions and concerns about its main conclusion that “*there is no apparent public health hazard at this time*” primarily because “*the exposure pathway is incomplete for groundwater and soil contaminants.*”

Based on our thorough reviews of all reports and data, we are very concerned that this DHS conclusion is incomplete, both currently and for future exposures. The data on which the report is based are quite limited because the site has not been adequately investigated. Shallow and deep groundwater has certainly migrated offsite, but it has never been investigated. Many areas of the site that are highly likely to be contaminated have not been investigated at all. This includes areas where plastics, pharmaceuticals, and pesticides were processed, wastes were buried, and a former onsite sewage plant.

Last year a highly qualified and experienced environmental consultant, Kenneth Wade, outlined investigation gaps on the heavily contaminated northern parcel of the Oscar Mayer property. See attached report. The gaps Wade outlines are relevant to the entire site. Many of these gaps have also been highlighted in previous letters we sent to the [City of Madison](#) and the [Federal Transit Authority \(FTA\)](#) (see all letters [here](#)). Further, incomplete investigations were articulated in the Midwest Environmental Advocate’s report, “[Environmental Contamination on the Former Oscar Mayer Property and Surrounding Area in Madison, Wisconsin.](#)”

Factors that have not been adequately investigated at the site include the following (and more): 1. the vertical and lateral extents of the CVOC groundwater contamination on and offsite; 2. contamination migration pathways via storm and sanitary sewers on and offsite; 3. The full range of contaminants known/suspected to have been manufactured and/or used onsite, including PFAS, PCBs, and pesticides.

Our questions

The DHS conclusion that there is "no apparent public health hazard" is clearly incomplete, given the important data gaps relevant to understanding human exposure pathways and risks outlined by experts and advocacy groups.

1. Recognizing these data gaps, will DHS qualify and clarify the limitations of its main conclusion in the final report?
2. What roles will DHS play in helping to fill these data gaps, to better assess human exposures and risks?
3. Large portions of the Oscar Myer site are slated for dense development, which will remove caps, expose soils and possibly result in vapor intrusion (as the DHS report recognizes). Will DHS re-assess human exposure pathways and risks once construction/development begins? Will the agency encourage other agencies and responsible parties to do so? How so?
4. Over time, what roles will DHS play in helping to assess and prevent exposures and health risks to residents of these developments (and to nearby residents)?

A great deal of development is being planned for the Oscar Mayer site that will purportedly be dense “affordable housing.” Given this, the people who will live there will include many lower income people and people of color. Assessing and preventing toxic exposures and related health risks to them (and health risks to all people living near this site) is central to environmental justice.

5. The report does not mention environmental justice. Will the agency help assure that environmental justice is addressed in understanding exposures and as the site is developed? How so?

It would be unfortunate if the DHS report, once it becomes public, were to be misread or misconstrued as a guarantee that no public health hazards and no environmental justice issues exist at the site. Given this, we think it would be prudent to qualify the conclusions by recognizing their limitations and also to mention environmental justice concerns.

We look forward to your responses.

Thank you,

Maria Powell, PhD
Executive Director
Madison Environmental Justice Organization
(also a Northside resident)

Dolores Kester
Concerned citizen
Member, Sherman Neighborhood Association