

Comite Civico del Valle
Greenaction for Health and Environmental Justice

December 3, 2019

Re: Comite Civico del Valle & Greenaction for Health and Environmental Justice Comments on DTSC Draft Remedial Action Plan and Mitigated Negative Declaration for the Former PureGro Facility Property in Brawley, CA

On behalf of our members and constituents in Brawley, Comite Civico del Valle and Greenaction for Health and Environmental Justice call on DTSC to ensure that the toxic materials and contaminated soils at the PureGro site are fully and safely remediated to residential standards – and properly disposed of in a manner consistent with environmental justice.

Comite Civico and Greenaction support the proposed removal of the soil stockpile, excavation and removal of other targeted soil, creation of buffer zones, and long-term institutional controls and groundwater monitoring.

However, DTSC needs to strengthen the Remedial Action Plan to be fully protective of health and the environment of residents that have lived next to the PureGro site and have been exposed to its toxic contamination for many years.

1. **All contamination must be removed** from the site due to its proximity to homes, with the site being **remediated to residential standards;**
2. What is the purpose of a “**protective cover**” over part of the site, as that indicates that the cleanup of the site will not be complete – which is unacceptable.
3. DTSC’s plan that “Excavated soil will be disposed of offsite in a permitted landfill” is insufficient and needs to be more specific and needs to comply with civil rights and environmental justice. Comite Civico, Greenaction, and the California Environmental Justice Coalition insist that **contamination must only be disposed of at a facility with the least possible environmental justice impact, to a facility not sited with racially discriminatory permit processes, and to a facility not operating on an expired permit.** Therefore, the soils and contamination must not be sent to the Kettleman Hills, Buttonwillow or Westmorland hazardous waste landfills, as all three have major environmental justice impacts, were all sited with racially discriminatory permit processes, and all three have expired permits. In addition, the material must not be incinerated. Also, we do not support shipping the contamination to out of state solid waste landfills that accept California hazardous wastes.
4. DTSC must **conduct extensive soil testing in the neighborhoods** immediately adjacent to the site to determine if contamination has spread beyond the property boundary, and if so, conduct remediation of all impacted areas.
5. DTSC must work with Comite Civico and the rest of the community to develop and implement a plan to protect residents and the environment from further contamination and exposure during remediation,

waste and soil removal, and transportation to an appropriate disposal site. DTSC should consult with Comite Civico to **determine if temporary relocation of nearby residents must be offered** due to the proximity of homes to the site where soil excavation, removal and transport will occur.

6. As the PureGro site is a facility under DTSC's jurisdiction, **DTSC's work on this project is subject to the mandates of the Kettleman City Title VI settlement agreement as well as state and federal civil rights laws and policies.** We insist that DTSC's actions be consistent with civil rights in this and other matters. Adoption of our recommendations in these comments will enable DTSC to comply with civil rights and environmental justice in this remediation process – and to fully protect public health and the environment.

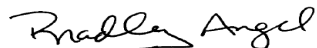
For environmental health and justice,

Luis Olmedo, Executive Director, Comite Civico del Valle

A stylized handwritten signature in black ink, appearing to be 'B...'. The letter 'B' is large and circular, with a horizontal line extending from its base. To the right of the 'B' are three dots.

Bradley Angel

Executive Director, Greenaction for Health and Environmental Justice

A handwritten signature in black ink that reads 'Bradley Angel' in a cursive script.