

Argument One

Environmental Contamination in and Around the Charlotte Street Property Prevents Construction of an Early Education Building on This Site

The proposed building site on the North Canton School District's Charlotte Street property would appear to be an extremely poor choice given its close proximity to the highly contaminated former Hoover Company property and the subsequent westward migration of contamination offsite to the Charlotte property and beyond to Hillcrest Avenue NW to the west and 5th Street NW to the north. Also, a sizeable portion of the Charlotte Street property is included in property restrictions adopted by the Stark County Health Department on December 11, 2002. The property restrictions, identified as Resolution #3-2002, result from the presence of TCE (Trichloroethelene), PCE (Perchloroethelene), and various daughter products in water samples from a number of monitoring wells within an area defined in the Resolution as well as depicted in an attached map that was made a part of the health order ([Appendix A](#)).

This Stark County Health Department Resolution is of particular concern as it is indicative of contamination that negatively impacts this property for the planned construction of an early education building. In addition, there has been no further testing since the adoption of these restrictions to determine if the contaminated ground water plume has expanded in size or migrated beyond the area defined in the 2002 Resolution.

The documentation of the widespread contamination on and offsite of the former Hoover Company property began in October of 1999 when the Hoover Company and the United States Environmental Protection Agency (USEPA) established a Voluntary Corrective Action Agreement. That Agreement was a comprehensive and risk-based investigation of the entire Hoover property and surrounding area which culminated in the publication of a 3,251 page document in August of 2003, titled, *Final Corrective Measures Proposal* (FCMP) ([Appendix B](#).)

The Stark County Health Department Resolution, #3-2002, is described in the FCMP on page 48 as "*an institutional control...[which] when implemented, is protective of human health*

and the environment given the risk conclusions and future land use conditions anticipated. The purpose of such control is to minimize exposure pathways to contamination...."

On page 148, the FCMP includes a copy of Resolution #3-2002 and on page 149 includes a map outlining the area impacted by the contaminated groundwater, commonly called the "Hoover Plume." As seen in the map, a significant portion of the Charlotte Street property is within the boundary of the Health Department Resolution.

Page 48 of the FCMP also describes another kind of institutional control implemented on the Hoover property called *Equitable Service Agreements* (ESA). Page 49 identifies the four areas on the Hoover property subject to these added restrictions. Among the many restrictions described in the ESA are prohibitions for "Day Care Centers and Preschools." A map on page 55 of the FCMP with crosshatched areas pinpoints the areas that are subject to these Land Use Restrictions. Superimposed over the entire area in gray is the extent of the groundwater contamination on and off the Hoover property, including the Charlotte Street property. A more colorful representation of the areas affected by the contamination and more graphically illustrative of the areas where institutional controls have been implemented is titled, *Likely Site Restrictions* (Revised from FCMP), dated 10/24/2018, is found on page 46 of the Phase I Environmental Site Assessment by PSI, but for convenience and expediency in viewing this map, see [Appendix B-1](#).

Shouldn't the entire area outlined with underlying groundwater contamination (i.e. the Charlotte property) prohibit construction of a school for young children? Why consider building a preschool through second grade school on a site with contamination issues?

Excerpted from pages 1979 and 1980 of the FCMP, titled "Summary of Parcel-Specific Risk Assessment for Offsite, Hoover Facility," dated November 14, 2001, is the following:

A risk assessment was performed using conservative assumptions regarding the potential for exposure to constituents detected in groundwater, and in accordance with United States Environmental Protection Agency (USEPA) risk assessment guidelines. Therefore, the results from this evaluation should overstate rather than understate the potential risks from constituents detected in groundwater....Risks to human health are expressed as excess lifetime cancer risks or potential for adverse noncancer health effects.

There is something disconcerting about measuring the level of contamination on a property that is known to contain contamination and gauging what level of that contamination is acceptable for

school children and further, measuring that level of risk for the children in terms of "...*excess lifetime cancer risks or potential for adverse noncancer health effects.*" Wouldn't the more prudent, safer choice for a building site for a preschool through second grade be a property that has *no history* of contamination on or in proximity to the proposed school building?

Excerpted from page 1329 of the FCMP titled, "Contaminant Distribution in Groundwater," dated November 2000, is the following:

Some groundwater sample results along Hoover's western property boundary exceeded target levels.... These exceedances prompted further groundwater investigation off Hoover's property in the direction of groundwater flow (estimated to be toward the west-northwest).

And on page 1330 of the FCMP titled, "Groundwater Concentrations vs. Target Levels" the following is found:

CVOCs [chlorinated volatile organic compounds] exceeded target levels in nine perimeter borings and ten Offsite Investigation borings.... The maximum distance from Hoover property that a target level was exceeded was about 800 feet to the west (at SB-256) and 350 feet to the northwest (at SB-254)....In the vicinity of North Main and Charlotte streets, PCE,TCE, and cis-1,2-DCE exceeded target levels at another group of locations. (emphasis added)

Clearly, contamination that exists east of Main Street on the former Hoover Company property has moved west across Main Street and would present a danger to young children should an early education school be constructed on the Charlotte Street property.

Purchase of the Hoover Property by Maple Street Commerce

A Phase I Environmental Site Assessment (ESA) authored by Mountain Sky Group, LLC (MSG) on the former Hoover Company property, dated, November 6, 2007, ([Appendix C](#)) was performed for Maple Street Commerce (MSC) prior to acquisition of the property, and reports the following on page 26 of the report:

However, it should be noted that contaminated groundwater has migrated offsite and evidence suggests that the public sewer system has intercepted the plume.... The remedy requires long-term operation and maintenance, consisting of groundwater monitoring and maintenance of the institution and engineering controls. The proposed monitored

natural attenuation remedy does not include additional source removal; however there remains up to 1.3 feet of floating petroleum product on the groundwater. The floating product contains a relatively high concentration of chlorinated volatile organic compounds which will likely act as a continuing source of groundwater contamination for the foreseeable future. (emphasis added)

With these environmental facts historically on record, it is clear that the vast contamination that exists on the former Hoover property also extends to the Charlotte Street property and this demands reconsideration in the District's choice to build an early elementary education building on this site.

Recent Environmental Protection Agency Correspondence

Various communications from the U. S. Environmental Protection Agency (EPA), addressing a multitude of environmental issues emanating from the former Hoover Company property, have been transmitted and placed on file at the North Canton Library. Below are excerpts from three recent letters from Region 5 of the U. S. EPA to Maple Street Commerce (MSC) that will be addressed chronologically.

May 29, 2019 Letter – EPA to Maple Street Commerce

The first is a letter, time-stamped, May 29, 2019, from Region 5 of the U. S. EPA to Karen Selle, Project Manager for Maple Street Commerce ([Appendix D](#)) which states the following: "... [The EPA] might request [from Maple Street Commerce (MSC)] increased monitoring and sewer investigation to help determine fully the nature and extent of any releases of hazardous waste and/or hazardous constituents and evaluate actual or potential threats to human health and/or the environment" (Cisneros, 2019, p. 1, para. 2). Given that the hazardous waste on the former Hoover Company property has migrated west offsite onto the Charlotte Street property or onto properties abutting the Charlotte Street property and given that this is the same hazardous waste that so concerns the EPA as well as the Stark County Health Department, it would seem plausible that further testing for contaminants should be performed on the Charlotte Street property before the school district makes a final decision to build an early education building for preschool through second grade on the site.

Further, the May 29, 2019, letter authorizes an extension of time for MSC to complete additional testing activities regarding contamination. Remediation Branch Chief Cisneros sums up his letter by stating:

These activities will help identify the source of contaminants; assess the need for further indoor air monitoring in off-site areas and/or continuous monitoring on-site; determine fully the nature and extent of any releases of hazardous waste and/or hazardous constituents; and evaluate actual or potential threats to human health and/or the environment. (2019, p. 2, para. 2)

This May 29 document further knits together the environmental problems shared by the former Hoover Company property and the Charlotte Street property. The environmental problems at the two locations are one and the same and should be dealt with in the same manner given that the students who will be attending this school on the Charlotte site are very young.

June 13, 2019 Letter – EPA to Maple Street Commerce

A second letter, time-stamped, June 13, 2019, from Region 5 of the U. S. EPA is addressed to Karen Selle, Project Manager for Maple Street Commerce RE: Request for Additional Investigation ([Appendix E](#)). Joseph Kelly, EPA Remediation Branch Project Manager states:

[that] EPA's evaluation found that: 1) it was unclear in some cases that the most-heavily impacted intervals were analyzed; 2) impacts in the shallow soil and groundwater may be in contact with certain utilities/infrastructure that can serve as a migration pathway for vapor intrusion; and 3) the work did not determine the extent to which the vapor intrusion pathway on-site and in the surrounding area is influenced by groundwater impacts or past sewer discharges. (emphasis added) (2019, p. 1, para. 1)

Clearly, the spread of contamination is of concern as Project Manager Kelly goes on to say:

"... [North Canton] City workers identified heavy contamination during sewer replacement" (2019, p. 1, para. 3).

This finding by City workers confirms that certain utilities/infrastructure serve as migration pathways for contamination on and offsite of the former Hoover Company property. To explain this sewer migration in detail, Mr. Kelly continues by emphasizing:

Historical sampling data has identified a potentially "complete" exposure pathway for vapor intrusion at on-site and off-site locations, with off-site results primarily below screening levels for indoor air samples over multiple sampling events with one exception. Information in the 2003 Final Corrective Measures Proposal (FCMP) indicated that wastes were historically discharged directly to the sanitary sewers before construction of the site's wastewater treatment systems. Information in the 2003 FCMP and more-recent data also indicate that areas of heavy soil and groundwater contamination are in contact with the sanitary and storm sewers, and in some cases the sewers were submerged below the depth of impacted groundwater. These past practices and site conditions have allowed contaminants to migrate both out of the sewers and into the sewers through cracks, junctions, and other penetrations/connections in the sewer systems. An initial step in evaluating the vapor intrusion pathway requires the completion of a map displaying the current locations of all on-site/off-site tunnels, industrial sewers, storm sewers, and sanitary sewers.... (emphasis added) (2019, p. 2, para. 3)

In paragraph four on page 2, Project Manager Kelly continues with:

... Sanitary and storm sewers are present in areas where contamination has been detected along Hower, Witwer, Taft, Park, Main and Charlotte. Contaminated media may continue to be periodically transferred into or out of the sewer systems as a result of these conditions.... (emphasis added)

This information clearly leaves your Environmental Site Assessment (ESA) team the responsibility to determine if this EPA mandated map has been completed. Further, the team must conclude what remediation steps are necessary to ensure safety as regards sewer contamination and vapor intrusion at the Charlotte site.

By way of discussion, the contamination at the former Hoover Company property, known to have migrated off-site, to the west of Main Street is, at a minimum, also known to exist on Charlotte Street. This is the reason why the Stark County Health Department issued well restrictions throughout the area in 2002 that extend west to Hillcrest Avenue and north to 5th Street. The size of the restricted area off-site is similar to the size of the restricted area covering the former Hoover Company property itself. The proposed building site for the early education center, preschool through second grade, sits in part or in whole within the boundaries of that health order. There has been no additional testing since before the 2002 health order to determine

if the contamination has expanded beyond the original health order boundary which could encompass more of the Charlotte Street property than is currently identified. To this point, Project Manager Kelly states:

... Impacts in the soil, sewer bedding, or groundwater near sewer penetrations can be a source for continuing contamination of the air or water within the sewers. Migration of contaminants into the sewers may also result in continuing discharges. In particular, EPA is concerned that residual impacts in the drum storage area have the potential for continuing release to the sanitary and storm sewer systems. (emphasis added) (2019, p. 3, para. 2)

It is obvious that the contamination in these areas is ongoing which leads Project Manager Kelly to further urge:

Maple should evaluate storm sewers and sanitary sewers for potential contamination. Maple proposed sampling water from the sewers from accessible manways. EPA concurs, but indicated that Maple also needs to collect air samples. Samples should be collected from manholes or inlets along Main, Orchard, Park, Hower, Witwer, and Charlotte and potentially along Taft. (emphasis added) (2019, p. 3, para. 3)

The scope of ongoing testing, according to the EPA, must include sewers, water, and air. The table on page 4 of the June 13, 2019, letter summarizes the sampling's scope.

The Charlotte Street property is inextricably linked to the Hoover Company property via the contaminated hazardous waste that has migrated off-site to the west of Hoover. Unlike the Hoover property where testing continues, the Charlotte Street property has had no further testing since issuance of the 2002 Stark County Health Order. With the Charlotte property now selected for the possible location of an early education building, the property requires up-to-date testing for contamination.

Any thoughts of building an early elementary education building for preschool through second grade should merit equally diligent testing as is taking place on the former Hoover Company property to safeguard young children as well as staff and those in particular who are of child-bearing age. Your ESA team, because of this contamination link must also accept responsibility for sewer, water, and air testing. You owe this to your community, employees, and most of all the children who will attend your proposed school.

One must ask: Has the Hoover contaminated Water Plume expanded in the nearly 20 years since testing was done? How much further could the Hoover Plume have spread across the Charlotte Street property in this time span, especially in light of the fact that in those 20 years, the former Hoover Company property is still experiencing unsafe levels of contamination?

These two letters alone lead one to ask: WHY is the Charlotte Street property even being considered for construction of an early education building for preschool through second grade?

August 19, 2019 Letter – EPA to Maple Street Commerce

A third letter, time-stamped, August 19, 2019, from Region 5 of the U. S. EPA is addressed to Karen Selle, Project Manager for Maple Street Commerce RE: EPA review of July 31, 2019 RCRA [Resource Conservation and Recovery Act] Facility Investigation (RFI) Work Plan Addendum 1 RCRA-05-2016-0012 ([Appendix F](#)).

This letter provides notice to Maple Street Commerce (MSC), owner of the former Hoover Company property, that the EPA disapproves of the July 19, 2019, Work Plan Addendum submitted and directs MSC to *modify their submission*. It is undisputed that toxic contaminants have migrated west off-site of the former Hoover Company property, and it is logical to conclude that until the extent of the contamination on the former Hoover property is identified and risks remediated, that areas off-site to the west, specifically, the Charlotte Street property, remain at risk and unbuildable.

Excerpts from various portions of this particular letter, authored by Joseph Kelly, EPA Remediation Branch Project Manager, to MSC are pasted below to point out continuing concerns that the Charlotte Street property is exposed to contamination through the utilities, sewer and water, as well as from the contaminated groundwater.

In paragraph one on page two, Project Manager Kelly states,

...If levels within the area of known groundwater contamination are not determined to be stable, an active remedy and continued monitoring may be necessary.... Further, contamination that remains in-place will require MSC to include a long-term groundwater monitoring plan as part of a Corrective Measures Proposal (CMP). On a related note, EPA notified MSC, by e-mail dated July 30, 2019, of its concern that levels of certain metals have increased significantly at certain locations since the time Hoover conducted prior sampling.

Given there is concern that levels of certain metals have increased significantly at Hoover, has your ESA team recommended corrective measures to ensure these metals have not or cannot migrate to the Charlotte Street property?

Mr. Kelly further details such a CMP:

With respect to proposed sewer sampling... The scope of work should include the following three-step process: 1) evaluate both air and water from selected manholes; 2) conduct video logging of storm and sanitary lines in all areas anticipated to be below the elevation of groundwater, to identify cracks, gaps, and possible infiltration/exfiltration (refer to Figure 2 of the Hoover Company Onsite Investigation: Sewer Investigation Data Package, dated August 13, 2001 as a guide for areas EPA requires to be targeted); and 3) evaluate soil bedding/soil gas in those areas where gaps are noted. MSC should insert all three of these steps in the proposal for a tiered evaluation before steps evaluating sewer laterals via analysis of sewer gas from clean-outs and conducting any evaluation of indoor air, based on the cumulative information collected. (2019, p. 2, para. 3)

Is it really a good idea to build an early elementary education building in close proximity to a property that is the source of contamination which has led to restrictive covenants on this proposed site from the Stark County Health Department and where there is the possibility of future migration of contamination from the source property that still has not been fully identified nor remedied. Should the school district become a partner to these remediation plans at taxpayer expense?

In case the off-site migration of contaminants is in doubt, one needs only to consider the following note from Mr. Kelly regarding the finding of contamination at the Community Christian Church on the corner of Hower and Main Street: (2019, p. 3, para. 4,)

Water in the church sump was previously found to contain tetrachloroethene (PCE) (sic) at 280 ug/L and trichloroethene (TCE) at 83 ug/L, which, if discharged directly to the sewers, could be a source for continuing contamination to downstream sewer lines, a vapor intrusion threat via conduit migration and a threat to surface water via direct discharge. Water samples collected from the sewers downgradient from the church and fire station at SW-008R contained PCE at 110 ug/L and TCE at 32 ug/L. These conditions are outlined in the Hoover Company Onsite Investigation: Sewer Investigation Data Package, dated August 13, 2001 (emphasis added). Please revise the July 2019

Work Plan Addendum to include sampling from both the church sump and the fire station sump, and storm/sanitary sewer water and air sampling downstream from these areas at the intersection of Hower & Main, to support the development of a conceptual site model for the vapor migration pathway for the church. MSC should also add sampling locations to include manholes near the northwest corner of Building 36; storm sewer manhole/inlets for the sewer line near VP-40; the sanitary and storm manholes at the intersection of Witwer & Taft; and the sanitary and storm manholes at intersection of Viking and Willaman. (emphasis added) (2019, p. 3, para. 4)

The distance from the church property at the intersection of Main Street and Witwer Street to the Charlotte Street property is but a stone's throw across Main Street. Viking Street is one block north of Charlotte Street and west of Main Street. Willaman Avenue is one block west of the Charlotte Street property and west of Main Street. The contamination is on the move. The Charlotte Street property selected by the North Canton School District for construction of an early elementary education building is literally surrounded with known pathways of contamination emanating from the former Hoover Company property. This is in addition to the contaminated ground water, known as the "Hoover Plume" that underlies the Charlotte Street property.

EPA Project Manager Kelly goes on to discuss air sampling:

Although the complete scope of work for indoor air sampling cannot be developed until MSC has completed the sewer investigation, there are immediate concerns related to indoor air sampling that the July 2019 Work Plan Addendum does not address. Six properties (PINs 9205430, 9202606/9202607, 9207113, 9207101, 9204037/9204038, and 9209388) are located near VP-40, where TCE in soil gas was present at a concentration of 16,900 ug/m³ in the past and where TCE levels persist at levels an order of magnitude above screening levels for residential properties (emphasis added). MSC must investigate these properties during this current/initial phase of investigation. MSC should obtain access to those properties now to conduct that investigation within a targeted time frame of less than 90 days. MSC should also conduct an additional round of indoor air sampling at the church to confirm that mitigation continues to provide protections to building occupants. In connection with the operation of the Sub Slab Depressurization System at the [Community Christian] Church property, MSC should start reporting on

the operation of that property's mitigation system to document that acceptable pressure differentials are being maintained, and that the system operates without disruption over the course of each monitoring period. At present no Operations and Maintenance Plan or Construction Completion Report have been submitted to EPA for the mitigation system installed as an interim remedy at the Church property, and both should be submitted.

(emphasis added) (2019, p. 4, para.2)

Is this what is to be expected after construction of the early education building for preschool through second grade children? Has your ESA team prepared plans for air monitoring in the new school? Is the North Canton School District working with the EPA regarding clearance to build an early education building for young children on the Charlotte Street property? Will taxpayer dollars be used for a mitigation system and not for books and computers?

There is TCE in soil gas on the former Hoover property after nearly 20 years, in concentrations of 16,900 ug/m³; these TCE levels persist at a magnitude above screening levels for residential properties. What do these known environmental conditions that exist at the former Hoover Company property portend for the Charlotte Street property?

With the contaminated groundwater, "Hoover Plume," underlying the Charlotte property, and storm and sanitary lines facilitating the migration of the contaminants from the Hoover property, the Charlotte Street property seems like the last place one would choose to construct an early elementary education building for preschool through second grade children. It is time to move to Plan B and build the elementary school at a different site far from known environmental contamination.

April 15, 2020 – Quarterly Report from Maple Street Commerce to U.S. EPA

This report, from Hull & Associates, Inc. Project Manager, Lindsay R. Crow, titled *Quarterly Progress Report No. 16 - 1st Quarter 2020* consists of 848 pages, the bulk of which consists of tables of analytical data ([Appendix G](#); only the six-page letter is in the appendix).

The *Quarterly Report* consists of a recap of the documented testing that took place in the 1980s and 1990s and was submitted in 2003 to the U.S. EPA (USEPA) in a document titled, *Final Corrective Measures Proposal (FCMP)*.

Page 4 of the *Quarterly Report* states the following of interest:

Hoover conducted groundwater sampling events in May and October 2006The groundwater samples were analyzed for chlorinated volatile organic compounds (CVOCs) including, but not limited to, tetrachloroethene (PCE), trichloroethene (TCE), Cis-1,2-dichloroethene, and vinyl chloride. The results of the groundwater sampling showed that CVOC concentration trends within the core of the plume remained relatively stable....

...In the years since Maple Street acquired the property in 2008, however, USEPA has updated its vapor intrusion guidance and screening levels. In light of these new standards, USEPA contacted Maple Street regarding the need for additional soil vapor, air, soil, groundwater sampling at and near the Site to evaluate the vapor intrusion pathway in accordance with USEPA's current standards.

Page 5 of the *Quarterly Report* states in part the following:

Sampling activities were completed during the first quarter 2020 including groundwater sampling activities, an investigation of sanitary sewers, storm sewer evaluation, [and] air evaluation.

Page 6 of the *Quarterly Report* continues by stating the following:

Four quarters of on-site seasonal sampling events have been completed along with several off-site sampling events, and the results have not identified any immediate and substantial threats to human health and the environment. (emphasis added)

May 28, 2020, U.S. EPA Email to Maple Street Commerce

In a May 28, 2020, email from U. S. EPA to Maple Street Commerce ([Appendix H](#)), EPA Project Manager Joe Kelly offers a bulleted list of corrections and criticisms of the *1st Quarter 2020 Report* described above when he states in his second bulleted item of the email, without equivocation, "[The] EPA does not necessarily agree with this statement." Clearly, Mr. Kelly believes there are continuing health hazards both on and off the former Hoover property.

The reader should note that testing and investigation of the contamination resulting from manufacturing activities at the former Hoover Company property continued more than two decades after testing, and sampling first commenced in earnest in the late 1990s. If the North

Canton School District chooses to build on the Charlotte Street property, the District must prove without a doubt that the Charlotte property is totally safe by ordering a Phase II Environmental Site Assessment.

Phase I Environmental Site Assessment (ESA), Completed by Professional Service Industries (PSI) for the North Canton City School District Downplays the Contamination That Exists on the Charlotte Property and Throughout the Area West of Hoover ([Appendix I](#))

The conclusions made in the Phase I Environmental Site Assessment (ESA), completed by Professional Service Industries, Inc. (PSI), are dismissive of the voluminous record of environmental contamination that continues to exist on the doorstep of the Charlotte Street property coming from the former Hoover Company property. Contamination has migrated west across Main Street to the selected building site for the proposed elementary education building as indicated by the issuance of groundwater restrictions by the Stark County Health Department in Resolution #3-2002 nearly 20 years ago. The EPA continues to mandate MSC to do further testing at the Hoover property, yet no further testing is being pursued on the Charlotte property where very young children and women of child-bearing age could be at risk. The EPA has concerns that sanitary and storm sewers are pathways through which contamination is migrating from the Hoover property to off-site locations which by Charlotte's close proximity, endangers the safety of the young children and staff who would occupy the school building.

Regarding the Phase I ESA on the Charlotte Street property, the authors of the PSI Site Assessment state on page 4:

1.2.1 RECOGNIZED ENVIRONMENTAL CONDITIONS

This assessment has revealed no evidence of RECs in connection with the subject property.

The finding of no RECs is based in part on the findings of the multiple environmental site assessments conducted on the Hoover manufacturing facility located on the adjacent property to the east. Soil vapor and indoor air sampling data was collected from in (and

around) several of the buildings immediately to the east of the subject property (along East Main Street) (sic) which included the former North Canton Cleaners. A majority of the contamination from the former Hoover plant has been shown to be on the plant property itself and some elevated VOCs in groundwater and in soil vapor (sourced from groundwater) have been documented to be present close to the subject property (to the east and northeast). Based on information reviewed from the US EPA, the area of potential concern for a vapor intrusion risk (into the indoor air of buildings above) extends to just east of the north-eastern corner of the subject property (see Appended US EPA Map [p. 46 of the PSI Site Assessment]). However, this area of concern does not appear to extend onto the subject property itself. Based on the fairly substantial existing assessment data available for the former Hoover plant, the former North Canton Cleaners is not considered a REC with respect to the subject property. (2020, pp. 4-5)

The statement that "*...this area of concern does not appear to extend onto the subject property itself*" totally contradicts what is clearly delineated on the map that accompanies the 2002 Stark County Health Department Resolution.

At this time the U. S. EPA continues to require more testing at the nearby Hoover property. Further, we question the location of the North Canton Cleaners listed above as being on East Main Street. Main Street is a north/south street and East Main Street does not exist. A review of the map shows that the cleaners were located across the street from the Charlotte property on Ream Street extending to Main Street. Near that very location of the cleaners (see Fig. 3 of the ESA) there is a PCE reading of 1,410,000 ppm. Given the history that a cleaners operated across the street from the Charlotte property and that excessive PCE levels are recorded nearby as well, further testing is warranted beyond the just-completed Phase 1 ESA. The conclusions drawn in this Phase 1 assessment are, at best, dismissive of all the EPA-validated evidence of contamination throughout the area, and at worst, wrong.

The ESA authors begin on page 4 and continue on page 5 with the following:

1.2.2 CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITIONS

... The former Hoover manufacturing facility located to the east of the subject property (east of North Main Street), has undergone multiple environmental site assessments under the supervision of the US EPA. The former plant has been determined to have

impacted the area's soil and groundwater with several chemicals of concern (COCs); primarily various volatile organic compounds (VOCs). While the majority of the contamination from the former plant has been shown to be on the plant property itself, some elevated VOCs in groundwater and in soil vapor (sourced from groundwater) have been documented to be present close to the subject property (to the east and northeast). Based on information reviewed from the US EPA, the area of potential concern for a vapor intrusion risk (into the indoor air of buildings above) extends to just east of the northeastern corner of the subject property (see Appended US EPA Map [p. 46 of the PSI Site Assessment]). However, this area of concern does not appear to extend onto the subject property itself. This vapor intrusion risk-map appears to have been generated based on soil vapor and indoor air sampling data collected from in (and around) several of the buildings immediately to the east of the subject property (along East Main Street)[sic]. In addition to the data evaluating indoor air intrusion risk, the groundwater sampling data from the assessments have detected VOC concentrations in groundwater in the area (nearby) to the north and east of the subject property, at somewhat elevated levels. Based on these data and based on an additional US EPA summary map, it is PSI's understanding that one element of the final "remedy" for the former Hoover plant/site (not yet formally implemented) will likely be a restriction on the extraction and use of groundwater over a wide area west of the former Hoover plant, that includes the northern half of the subject property (see Appended US EPA Map p. 46 of the PSI Site Assessment]). This indicates/suggests that although no groundwater samples have been collected from the subject property to date, that based on nearby monitoring well data, the potential for some level of VOCs in groundwater cannot be ruled out at the subject property. However, as suggested by the soil vapor risk area, groundwater on the subject property is not anticipated to be impacted at concentrations that would be likely to result in [an] elevated risk for volatilization [sic] to indoor air (of a potential building constructed above it). Therefore, based on the fairly substantial existing assessment data available for the former Hoover plant, and on the potential for some degree of VOCs to be present in groundwater on the northern half of the subject property, PSI considers these data and condition to represent a Controlled REC (CREC) for the property. (emphasis added) (2020, p.5)

First, the authors state on page 4 and repeat on page 5 the following: "*...the area of concern does not appear to extend onto the subject property itself*" as if repeating it makes it so. We again must say that the authors misrepresent what is clearly delineated on the map: that the boundaries of the groundwater restrictions covered in the 2002 Stark County Health Department Resolution bisect the Charlotte property through the middle of the property and encompass nearly half the property. Sadly, the PSI Phase I Environmental Site Assessment attempts to distance the property from surrounding contamination without an adequate basis for their statements. Finding that basis would entail further testing such as would come from a Phase II Environmental Site Assessment. A paper review of decades old historical records is wholly inadequate for such conclusions as has taken place with the limited Phase I Environmental Site Assessment just completed by PSI. The Charlotte property demands extensive testing that is current before making such pronouncements in order to protect the future health and safety of North Canton school children. Second, the authors, in the last sentence of section 1.2.2 on page 5 downgrade what at first was identified as a REC (Recognized Environmental Concern) to a CREC (Controlled Recognized Environmental Concern). How is this possible while at the same time they acknowledge the existence of widespread contamination of the groundwater "Hoover Plume" that underlies large areas off-site west of the Hoover property? How is it possible for PSI to be dismissive of this contamination that could result in impacts to the health of young children and staff who would inhabit the early education building that is proposed for the Charlotte property?

1.2.4 VAPOR ENCROACHMENT CONDITIONS

As discussed in the CREC section above (1.2.2), the area of VOCs in soil, groundwater, and/or soil vapor that has been identified as part of the assessments on the former Hoover plant (located east of N. Main Street), does not appear to extend onto the subject property (although it is depicted as close-by to the east). Therefore, a VEC is not considered likely to exist on the subject property. (2020, p. 5)

The Phase I Environmental Assessment for the Charlotte Street property does not base its assessment on any current testing. The Phase I ESA acknowledges the obvious – that the map and boundary description of the 2002 Stark County Health Department Resolution places nearly half of the Charlotte property within the restricted area of the health department order. And with

yet no further testing and no supportive data, the Phase I ESA claims that contamination does not extend onto the Charlotte property. A claim that contradicts representations on the map that accompanied the 2002 Stark County Health Department Resolution. The "Hoover Plume" of contamination flows in the groundwater in a "*west-northwest direction from the western facility boundary*" (FCMP, 2003, p. 1874). At the time the 2002 restrictions were put in place, testing had identified that the contaminated groundwater dissected the Charlotte property midway through the center of the property. Only with further testing can it be determined if the ground water contamination under the Charlotte property has diminished or increased.

The Phase I Site Assessment performed by the Professional Service Industries cannot simply review the historical record and ignore portions which clearly show the property is impacted by significant contamination and then pass judgment that there is no contamination on the Charlotte Street property. We are not only concerned about how PSI derived their assessment, but are wondering why your consultants are not, at a minimum, recommending a Phase II Environmental Site Assessment. Any Phase II assessment would have access to the EPA's latest testing published March of 2020 in map form, entitled, *January 2020 Sewer Gas Results*.

January 2020 Sewer Gas Results

In EPA Project Manager, Joe Kelly's June 13, 2019, letter to Maple Street Commerce, LLC, (discussed earlier) are concerns that sanitary and storm sewers can serve as pathways for the spread of contamination. This concern, coupled with updated vapor intrusion guidelines and screening levels from the EPA, has led to the need for additional soil vapor, air, soil, and groundwater samplings at and near the former Hoover property to evaluate vapor intrusion pathways into sanitary and storm sewers.

A map titled, "January 2020 Sewer Gas Results" ([Appendix J](#)) clearly shows contamination, specifically high levels of TCE, many blocks offsite to the west of the Hoover property, and in close proximity to the Charlotte Street property. This is highly significant information.

For a multitude of reasons, the North Canton City School District must conclude that the Charlotte Street property is unsuitable for construction of an early education building for preschool through second grade students. It is your responsibility to protect the youngest and

most vulnerable children entrusted to your care. Please select a site that is far removed from contamination.

Sincerely,

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