

From: Suzie Canales [scanales@grandecom.net]

Sent: Tuesday, October 23, 2007 4:59 PM

To: Adam Kushner (kushner.adam@epa.gov); Jonathan Hook (hook.jonathan@epa.gov); John Blevins (blevins.john@epa.gov); (nakayama.granta@epa.gov); 'lee.charles@epa.gov'; Jim Mahoney (jim.mahoney@fhr.com); 'joe.coco@fhr.com'; Fogarty. Johnpc (Fogarty.Johnpc@epamail.epa.gov)

Cc: 'Robert Bullard'

Subject: Letter of Complaint and Question

Attachments: koch monitor 1.jpg; koch monitor 2.jpg; koch pic 3.JPG

Dear EPA and KOCH Industries:

Last night I was with someone driving along refinery row. A front blew in yesterday morning and we noted a lot of strong odors. When we passed Suntime and Up River Road, downwind of Koch's west plant, I was concerned about the smells so I called KOCH's front gate and asked to speak to the shift supervisor. I then explained to the shift super, John, what was going on; about 12 minutes later he came out to where we were located.

We then waited for awhile for the RTF to arrive with a handheld monitor.

Then RTF employee told us he didn't get any readings, or no levels were indicated. I asked the RTF employee what his detection level was. His answer was PPM.

Concerned, I told him that we needed a monitor capable of detecting gasses in the PPB (residential levels) not PPM (occupational levels). The RTF employee changed his previous answer and informed me that the level of detection on his hand-held monitor is PPB. I decided to leave that alone for the moment. We (the person I was with) and I as well as John (in his separate vehicle) drove over to Koch East plant because of strong odors we had smelled earlier that night. I was concerned because of the odors and the fact that we have CFEJ members that live close by, low-income people of color.

The person I was with and I parked on the road next to the access road to I-37, by Koch East. A little later John arrived and so did the east plant RTF vehicle, with two RTF employees inside the vehicle.

We were informed that their monitor didn't detect any chemicals either.

I asked the east plant RTF employees what was their detection level and their response was PPM. At this point, John also said it was PPM. I took a picture of their monitor (pic 1 attached) and I told them (John and the RTF employees) that they should not be responding to community concerns with a monitor that is not capable of detecting chemicals at residential levels of concern, PPB.

I said many other things including that it's a huge disservice to the community that is impacted by these chemicals. The impacted people phone the plant because they can't breathe and/or they feel sick from the terrible odors only to have the refinery employee or contractor come out with a monitor meant for use inside the plant (OSHA levels for employees).

Their only response was, "We didn't know."

This is no excuse.

This practice of responding to community concern with a monitor that cannot detect residential levels of concern is extremely deceptive and shows no concern or compassion for the impacted, environmental justice community. This letter serves as an official complaint.

In addition, after my talk to the Koch employees, just before the RTF employees drove off, I took another picture (pic 2 attached).

I didn't notice until after I downloaded the pictures today that in this picture (picture # 2), the monitor's levels are different from the readings indicated in the first picture.

The top of the second picture says, "HIGH ALM."
LEL: 10

VOC: 100.0
O2: 22.8
H2S: 20
CO: 50

Since I was already told that this monitor reads in PPM, what did KOCH do in response to those readings?

In closing, this email contains: 1) a question about the levels and what they mean (pictures attached); and 2) a letter of complaint on KOCH's deceptive practice of responding to environmental justice community concerns with a monitor not capable of detecting levels in the PPB.

(In the past, my letters of concern sent to the state (TCEQ) have been dismissed, even forwarded to industry, for these reasons I am directing this to EPA and not TCEQ).

I look forward to your response.

Sincerely,

Suzie Canales
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