

September 9, 2008

## After 2 years, pollution cleanup hasn't worked

### No improvement found in water under Franklin neighborhood

By *KEVIN WALTERS*  
Staff Writer

**FRANKLIN** — Living next door to a hazardous chemical cleanup site has become a fact of life for residents of Daniels Drive.

Down the hill from the cul-de-sac of humble brick homes, huge pits have been corralling a brew of chemicals flowing underground for nearly two years. Adjoining the neighborhood is the Harpeth River, where absorbent booms are stuffed under holes on the riverbank to sop up the chemicals.

Nearby paint maker Egyptian Lacquer Manufacturing Co. has taken responsibility for the solvents toluene and acetone that have been seeping into the creek. More recently, the presence of the carcinogen benzene has raised the stakes.

Environmental consultant Dwight Hinch predicted earlier this year that the cleanup would continue "well into the summer." But as summer wanes, the latest tests suggest that the situation isn't improving. Egyptian Lacquer's new plan for addressing the pollution is under scrutiny by state environmental officials.

The chemicals do not affect Franklin's drinking water: The city's water plant is upstream. Nor have there been fish kills or other significant damage in the Harpeth River.

But as lawyers and environmentalists bicker, the homes on Daniels Drive continue to sit atop a plume of chemicals of uncertain size.

"It's absolutely a concern of mine, but no, I'm going ahead and living my life the way I've been living it," said Mary Jackson, who's lived on Daniels Drive since 1973. "I'm not going to lock myself in the house. What kind of life would that be?"

The pollution has kept neighbors in a state of fear, anger and uncertainty. It's cost Egyptian Lacquer reportedly more than \$1.3 million, and has the company facing the threat of a lawsuit.

Awareness of the problem began in late 2006 when downtown Franklin was plagued by an acrid smell similar to cat urine.

People living near Daniels Drive say they've experienced all sorts of foul smells for years.

Old Liberty Pike resident Jimmy Cartwright, 65, recalls Franklin Police evacuating his neighborhood in 1995 because of an incident at the Egyptian Lacquer plant on Fort Granger Drive.

A city codes inspector's report from April of that year mentions investigating complaints from Old Liberty Pike residents about the plant. And in early November 2006, several Daniels Drive residents say they were awakened at night by a foul odor.

City officials collected samples of water from Liberty Creek and the Harpeth River in late 2006 and found acetone and toluene, both used in making paint.

Tests also showed undiluted chemicals were at times flowing under the homes.

A subsequent investigation revealed holes in underground pipes leading to aboveground chemical storage tanks of Egyptian Lacquer. Those underground lines have since been removed.

Working with state environmental officials, Egyptian Lacquer consultants embarked on a plan of "natural attenuation," allowing the chemicals to drain and be retrieved for testing. Crews dug huge trenches to intercept the chemicals and installed absorbent materials under seeps.

Barrels of chemicals were hauled away, while air monitoring performed in Daniels Drive homes turned up no levels that would pose health concerns.

The company drew up a "corrective action plan" last year encompassing all those steps, which was later rejected by state environmental officials.

The new plan includes the current methods but adds the possibilities of using a powerful vacuum to suck up the underground pollution and rerouting a 600-foot portion of Liberty Creek.

After an Aug. 7 public hearing about the matter, the deadline for final public comment on the company's plan is Sept. 19.

## Patience wanes

In a May 14 letter, Chuck Head, senior director at the state Department of Environment and Conservation, said the site will likely require five to 10 years to be resolved.

"The best solution to this problem is to follow our current path," Head wrote, adding that "significant progress" had been made.

But geologist Mark Quarles, a consultant for the Harpeth River Watershed Association, said the latest cleanup plan is "allowing the continued release of hazardous chemicals into surface waters of the state with no science to back up how long that process is going to occur."

Chemicals found early in the spill are still present in sampling results, though levels fluctuate. Monthly tests in June and July showed benzene, acetone, toluene and other chemicals in Liberty Creek and the Harpeth River.

Chemicals also have been found in a monitoring well on the Battle Ground Academy lower campus.

Franklin resident Wendall Witt, 48, father of a child at the private school, said he feels secure about the health of children there but criticizes the city's response.

"It just seems to me that the city of Franklin has bent over backwards for Egyptian Lacquer," Witt said.

Franklin Mayor John Schroer has gone to the cleanup site and met with top state regulators as well as Egyptian Lacquer officials. He says he believes the cleanup plan in place is working.

An air-monitoring system has been installed on Battle Ground Academy's lower campus at the company's expense, and results have suggested that the 228 students there do not face any health risks.

"My assumption is people trust the data, trust the fact that we're going to continually communicate with them and trust the fact that they know that our No. 1 priority is the health of our kids, our families, our faculty and our staff," said Bill Mott, BGA president.

"What I expect out of BGA in this particular situation is due diligence and communication, and I can honestly say that they have positively done both," said parent Shari Meghreblian.

## Neighbors wary of efforts

Daniels Drive resident Sue Cooper, 78, said foul smells have diminished since the removal of a cluster of tanks in early May.

"I would take a headache (going outside)," Cooper said. "I'm not getting a headache anymore."

Daniels Drive resident Scott Martin, who would be a potential plaintiff in the lawsuit against Egyptian Lacquer, said his wife's grandmother and his daughter were outside one day in early May — the same week when the company's tanks were being dismantled — when both began to display runny noses, watery eyes, and light-headedness.

"I don't trust (Egyptian Lacquer) at all," Martin said. "I don't trust them anymore because of all the things that have happened."

State officials have said that people have different sensitivity levels to odors and that the smells do not pose health threats.

Battle Ground Academy parents Mary Ellen Hopkins, 48, and Elizabeth Coker, 48, said they alerted school officials when they heard reports of children at the school experiencing headaches and other conditions.

"My issue is not with the school," Hopkins said. "My issue is with Egyptian Lacquer. Somebody needs to say to them 'It's been two years. You've got to clean this up.' You don't know what the long-term effects are on these kids."

## TDEC urged to pick up pace

Thus far, TDEC has the support of federal environmental officials.

In an Aug. 6, 2008, letter to TDEC Deputy Commissioner Paul Sloan, EPA Regional Administrator J.J. Palmer Jr. praised TDEC's work and assessment that the Egyptian Lacquer chemical spill "did not appear to pose an environmental hazard or an acute public health threat."

He urged them to "accelerate the pace" of the work.

To help define the pollution, Egyptian Lacquer dug two new wells in late August: one at the entrance to the plant and the other near Corpus Christi Chapel on Old Liberty Pike.

Company attorney Bill Penny said he does not expect chemicals to be found in either of the new wells.

That's not quite enough to ease the mind of Scott Scrip, 31, who has a lease-purchase option on the Daniels Drive house in which he lives.

The pollution has made him think twice about investing in the house, despite its location near the future Harlinsdale Park.

"I don't want to make an investment in this thing if the piece of ground I'm on is going to kill me and my daughter," Scrip said.