



CITY OF TONAWANDA, NEW YORK

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March 9, 2015

Honorable Gina McCarthy
Administrator
U.S Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: Dupont Title V Permit

Dear Administrator McCarthy,

I'm writing to request that the EPA objects to the DuPont Yerkes Title V (Permit ID 9-1464-00031/00292). Constituents in my district have serious concerns regarding this permit renewal that could affect their health and welfare.

Tonawanda is home to the highest concentration of major industrial facilities in New York State with over 50 air permitted facilities within a two-mile radius. In 2007 the NYS DEC undertook an extensive air monitoring project with support from the US EPA that found elevated levels of six hazardous air pollutants. Today, the DEC continues to monitor the neighborhood at the request of residents, and because of my advocacy.

The facility is located in an environmental justice neighborhood where the average income of households living next to DuPont Yerkes is about \$11,000 a year. In 2013, the New York State Department of Health (NYSDOH) released the Tonawanda Community Health Study that found elevated levels of a number of cancers and elevated levels of negative birth outcomes including pre-term births and heart defects in the neighborhood where the facility is located.

According to the EPA's toxic release inventory, the Yerkes plant emitted 201,239 pounds of methyl methacrylate, and 36,400 pounds of vinyl fluoride in 2013. The company also emits dimethyl acetamide (DMAC). As you know, all three of these chemicals cause serious health effects.

As you also know, DuPont Yerkes has had history of violations and periods of non-compliance. Your own agency has found them in violation in 2013 and 2014 of the Clean Air Act and the Emergency Planning and Community Right to Know Act.

In addition to environmental violations and issues of non-compliance DuPont has not always followed proper worker safety and health procedures. The U.S. Chemical Safety Board (CSB) determined that an explosion that killed one employee and injured another on November 9, 2010 was caused by the ignition of flammable vinyl fluoride inside a large process tank. The CSB said the primary cause of the blast was the failure of the company to require that the interior of storage tanks, on which hot work is to be performed, be monitored for flammable vapor.

As an elected representative of this neighborhood, I am extremely concerned about the amount of toxic emissions released from this facility. My office has a strong interest in assessing ongoing environmental, public health, and worker safety concerns at the Yerkes plant, aiming to preserve jobs while protecting the health and safety of my constituents. It is my position that this facility should be held to the same standard as other permitted facilities.

The DuPont permit renewal has been sent to your agency. The deadline for the EPA review process is March 16th 2015. I request that EPA object to this permit, work with DEC to install the appropriate technology at this facility to reduce emissions.

If you have any questions or concerns please feel free to contact me at 716-695-8645. Thank you for your time in this important matter.

Warmest Regards,

Rick Davis
Mayor

CC: Council