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RESOLUTION NO. 9, 2010

**EXPRESSING** the support of Cincinnati City Council for implementation of the most thorough and comprehensive cleanup possible for the Hilton Davis Chemical Site at 2235 Langdon Farm Road in Pleasant Ridge, and **URGING** the Ohio EPA to improve the proposed cleanup plan.

WHEREAS, for the past twenty-five (25) years, the citizens of Pleasant Ridge have fought for a thorough and effective cleanup of the chemical contamination at the Hilton Davis Chemical Site (the "Site"), located at 2235 Langdon Farm Road in Pleasant Ridge; and

WHEREAS, on January 25, 2010, the Ohio Environmental Protection Agency announced its proposed remedial alternatives for the Site and is soliciting public comment on the alternatives before it issues a final decision; and

WHEREAS, although the Hilton Davis lagoon cleanup, which took place from 1995 to 1998, was a great success, problems surrounding the Bloody Run Creek Ravine ("Ravine") portion of the Site remain; and

WHEREAS, the 1986 Consent Decree, which governs the cleanup of the Site, urges Ohio EPA to give top priority to remedies that minimize or eliminate the potential for release of hazardous wastes and constituents into the environment and provide the greatest improvement to public health, welfare and environment; and

WHEREAS, the Ravine contains fifty years' worth of dumping of industrial, hazardous wastes; and

WHEREAS, the citizens of Pleasant Ridge are concerned about contamination from the Site reaching their groundwater and soil, as well as hazardous vapors entering their homes; and

WHEREAS, Ohio EPA's proposed plan involves maintaining the current clay and pavement coverings at the Ravine, merely "capping" the waste; and

WHEREAS, the proposed plan will not actually clean up the Ravine, but will instead create a permanent tomb for toxic waste; and

WHEREAS, the City supports the most unrestricted future use of the property possible; and

WHEREAS, the proposed plan would eliminate the opportunity for future residential development and many commercial uses of value to the community at the Site, even though the Site's surroundings are overwhelmingly residential and recreational and not industrial; and

WHEREAS, Ohio EPA's proposed plan is based on rigid deed restrictions and a substandard cleanup that will clearly discourage developers, making it more likely that the 80-acre Site will become a dangerous abandoned brownfield in the heart of the City of Cincinnati; and

WHEREAS, by foregoing a thorough cleanup that would support more redevelopment uses, Ohio EPA is also making a decision to forego potential tax revenue to the City of Cincinnati; and

WHEREAS, the City of Cincinnati has approved more than \$250,000 in funding for the work of the expert consultant to the Pleasant Ridge Community Council and Citizens Concerned about Hilton Davis, Dr. Henry S. Cole; and

WHEREAS, the Pleasant Ridge Community Council and Citizens Concerned about Hilton Davis have urged Ohio EPA to consider requiring Kodak to utilize "source reduction technologies," which remove wastes and hot spots, to the maximum extent possible; and

WHEREAS, the Pleasant Ridge Community Council and Citizens Concerned about Hilton Davis have made specific recommendations for improvements to the proposed plan to comply with the Consent Decree; prevent the release of toxic fumes from the Site; improve the groundwater monitoring plan for the Site; and establish a financial assurance fund to cover to pay for the costs of additional, unforeseen future cleanup costs and to pay for the cleanup should the current owner declare bankruptcy; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:


Section 1. That the City of Cincinnati supports implementation of the most thorough and comprehensive cleanup of the Hilton Davis Site that allows for removal and destruction of toxic wastes and chemically-contaminated hot spots in order to allow the safest and most unrestricted future use of the property possible.

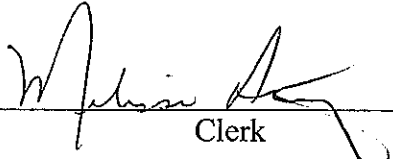
Section 2. That the City of Cincinnati urges the Ohio EPA to incorporate the recommendations of the Pleasant Ridge Community Council and Citizens Concerned about Hilton Davis into the final approved cleanup plan.

Section 3. That a copy of this resolution be spread upon the minutes of Council and that copies be forwarded to Ohio Governor Ted Strickland, OEPA Director Christopher Korleski, OEPA Southwest District Director Thomas Winston, and Harold O'Connell, Southwest District Office Supervisor of the Division of Hazardous Waste Management, so that they are advised of the City's

continuing support of the most thorough and comprehensive cleanup of the Hilton Davis Site, as is being sought by the Pleasant Ridge neighborhood in its current and past comments under the Consent Decree.

Passed: March 17, 2010

  
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Mayor

Attest:   
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Clerk

Submitted by Vice Mayor Roxanne Qualls