

From: **Jeanne Zokovitch Paben** <jeanne.pabenlaw@gmail.com>

Date: Thu, Dec 19, 2024 at 3:57 PM

Subject: Lockheed Contamination in Tallevast: Comments from Consent Order Consultant Ramboll on the 2024 RASR

To: Sellers, Robert <Robert.Sellers@floridadep.gov>, Bland, Mike <Mike.Bland@floridadep.gov>

Mike and Rob,

Attached please find comments from Dr. Rob Powell of Ramboll. As you know, Dr. Powell is the technical consultant that Lockheed is obligated to support with a small stipend to work with FOCUS based on the terms of Lockheed's 2004 Consent Order with the State. As you can see, Dr. Powell continues to raise serious concerns about both Lockheed's understanding of the contamination and the effectiveness of the cleanup. This includes comments now for several years noting **that Lockheed's own data indicates that Lockheed has either never delineated the full extent of the plume in multiple directions or has failed to control the plume in multiple directions with its approved Remedial Action Plan.**

The only reason we do not know which is accurate is because of a failure for Lockheed to completely assess the contamination at the time that FDEP approved the Site Assessment with the SARA 3 Addendum as is required by law. FDEP's position at that time indicated that it was approving the SARA but that it was also going to require Lockheed to do additional assessment as it prepared its Remedial Action Plan. FDEP specifically agreed that for this reason, FOCUS would still be allowed to raise challenges with site assessment once the RAP was approved. At the point of RAP approval it was clear that Lockheed's assessment deficiencies still existed and yet FDEP chose to approve the RAP. **If Lockheed's assessment was complete and its representations of the effectiveness of its cleanup were accurate, the plume would have been stable during RAP implementation. Instead, contamination in Tallevast has continued to grow and expand by Lockheed's own admission beyond its cleanup ability.**

While we are appreciative that FDEP has acknowledged this and requested additional assessment and clean up changes to date, **Lockheed has resisted all directions from FDEP** in these areas with the exception of additional assessment of the Southeast edge of the plume. That additional assessment did in fact confirm that the plume was not delineated and that it was beyond the reach of Lockheed's cleanup system. Lockheed complying with FDEP's directive then made changes to the cleanup to address this.

In the current RASR **once again it is clear that contamination has again expanded further into the Southeast and is again beyond the cleanup system's abilities.** While this may have been in part impacted by the recent hurricanes, proper delineation and proper clean up construction and operation should have addressed such foreseeable events. Part of the State's justification for approving the RAP without full plume characterization was that the capture zone

of the system was much larger than the plume and was very conservative. If this were accurate, the system should have been able to accommodate climatic events. Also, our consultants have questioned the accuracy of the capture zone limits shown by Lockheed on their maps, and this plume movement provides additional evidence that these capture zone lines are inaccurate, so the amount of contamination being contained is likely even less than being acknowledged by Lockheed.

Further, how to address the situation becomes a longer and more arduous process because the lack of data points in unassessed or underassessed areas means trying to answer questions of delineation and cleanup construction and operation without the necessary information. In the meantime, contamination remains uncontrolled. **This flies in the face of the entire cleanup program under Florida Statutes Chapter 376 and its corresponding regulations.**

While understanding the nuances of the program requires significant technological understanding the basics are simple.

- **Contamination is discovered**
- **Contamination is reported**
- **Assessment of contamination is completed (fully completed)**
- **While this assessment is being done interim measures are put in place to begin cleanup and prevent expansion**
 - **When assessment is fully complete a cleanup plan is approved - that cleanup plan is required to be effective, efficient, to prevent risk of further exposure to anyone, and to contain the contamination.****LOCKHEED'S CLEANUP IN TALLEVAST HAS FAILED AT ALL OF THESE.**

To be clear, yes, we acknowledge that contamination is being removed but the law is not designed to require just effort with some success. Additionally, we recognize that no cleanup of contamination this vast will be quick, but to allow Lockheed to continue trying to clean up contamination that they continue to allow to expand (or later find) and to allow them to resist FDEP's instructions to correct the flaws of their assessment and cleanup is not consistent with the law nor is it in anyway protective of the Tallevast community. If the extent of contamination is not understood, then you cannot design an effective cleanup nor can you prevent exposure risks. This historic community which endured decades of exposure to this contamination deserves better from FDEP and Lockheed.

Therefore, it is imperative that FDEP immediately demand

1. **that Lockheed swiftly implement assessment efforts to define the edges of the plume in all directions AND**
2. **that Lockheed swiftly follow through with FDEP's instructions two years ago to address the insufficiencies in their assessment within the densely populated area closest to the site to inform residents of their risk.**

Every day that Lockheed is allowed to delay these actions risk continues to this community and now others.

Thanks

Jeanne