



# THE MEMPHIS DEPOT TENNESSEE

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## ADMINISTRATIVE RECORD COVER SHEET

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# DDMT-CCC

DEFENSE DEPOT MEMPHIS TENNESSEE - CONCERNED CITIZENS COMMITTEE

1454 EAST MALLORY — MEMPHIS, TN 38106 (901) 942-0329

July 18, 1996

The Honorable Lois DeBerry  
2429 Verchum  
Memphis, TN 38114

Dear Representative DeBerry:



Cancer

With deep sincerity, I greet you, hoping you're in good health. I must commend you for your appearance at DDMT-CCC's last meeting. This showed all of the constituents of your district that you were concerned with their environmental problems. Also, I must convey to you that everyone was astonished at your eloquence, composure, and dignified demeanor. Your attractive dress and million-dollar appearance made all of us proud that you were our state representative, which I'm eternally thankful. I, along with all the members of DDMT-CCC thank you for attending our meeting and wish you take time from your busy schedule to attend our next meeting.



Contamination

I'm writing to you for assistance in our plight with the Defense Depot Memphis Tennessee because I trust you and respect you. Your political power and influence can remedy the grievous injustice being perpetrated upon the black citizens of South Memphis.



Political  
Corruption

Memphis, Light, Gas, & Water Division is selling black citizens of South Memphis water poisoned by the toxic waste of the Defense Depot. Regional regulatory agencies (EPA, ATSDR, TDEC, and other agencies) are involved in a cover-up to conceal this injustice. Along with Chris Kartman, Jeff Kellam, Ph. D of ATSDR and Jordan English of TDEC are not only unprofessional and amateurish, they are incompetent in their jobs and unable to deal with black people. Regulatory agencies of the state and Regional IV, based in Atlanta, Georgia, have conspired to defy the following laws:

- 1) Emergency Planning, and Community Right-To-Know Act (EPCRA)  
— 42 U.S.C. 11011 et seq. (1986);
- 2) the Clean Water Act (CWA)  
— 33 U.S.C. s/s 121 et seq. (1997);

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- 3) the Safe Drinking Water Act (SDWA)  
— 42 U.S.C. s/s 300f et seq. (1974);
- 4) the Toxic Substance Control Act (TSCA)  
— 15 U.S.C. s/s 2601 et. seq. (1976);
- 5) the Resource Conservation and Recovery Act (RCRA)  
42 U.S.C. s/s 321 et seq. (1979)
- 6) the Superfund Amendments and Reauthorization Act (SARA)  
42 U.S.C. 9601 et seq. (1986)
- 7) the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA of Superfund)  
42 U.S.C. 9601 et seq (1980)

In the Defense Depot matter, the Environmental Protection Agency has failed to comply with Effluent laws that forbids the release of lead into sewers and drainage ditches. To date, EPA has made no efforts to contain EPA action-levels of lead released via open ditches into black neighborhoods, including yours Ms. Deberry.

In spirit (if not the letter of the law), Title III of SARA and EPCRA are being violated by the aforementioned parties. Regulatory agencies have kept the Toxic Release Inventory for the Defense Depot secret. Regulatory agencies governing the clean-up at the Defense Depot treat the Clean Water Act as a joke, totally disregarding it. Charts and statistics clearly indicate toxic chemicals and heavy metal elements in the surface water runoff into drainage ditches that eventually empty into Cane Creek and Nonconah Creek, both tributaries of the Mississippi River. CWA clearly prohibits toxic lead discharges from a point source into navigable waters, such as the Mississippi River, which meander directly over the Allen Wellfield.

Every effluent standard of the City of Memphis, the County of Shelby, and the State of Tennessee and the Safe Drinking Water Act is being violated by the Defense Depot and white-washed by regulatory agencies.

Along with Chris Kartman, Jeff Kellam and Jordan English should be fired. Public Relations is one thing. Coupled with subterfuge and incompetence, outright lies are another thing. The incompetent trio — Kartman, Kellam, and English — have contributed heavily in deceiving EPA, the Corp of Engineers, the commander of the

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military facility, and black people attending public meetings. Water under Artesian conditions can't flow upward; toxic water in contaminated ditches don't have a pathway to contact people, contaminated water can't evaporate, lead particles left in a dry ditch can't be wind-blown out, there is no water in an aquifer — all of these lies were told at a meeting by the incompetent trio! Is Jeff Kellam a Ph. D geologist or a fool? What about English and Kartman?

But, these things are minor when compared to the "Plume Theory," the generic, pat used-over-a-thousand-times explanation CH2M Hill uses at federal facilities around the country. It has nothing to do with Memphis, the Defense Depot, or the contamination of the Fluvial Aquifer. The plume theory is crazy. It claims that contamination from burials have magically descended to the watertable without leaving a trace of contamination in its pathway and its source. Magically, the plume is well-defined and perfect for CH2M Hill's "pump and treat" method of remediation. Kellam should be fired. He ignored the professional and very well-respected work of Parks, William S., 1990, *Hydrology and Preliminary Assessment of the Potential for Contamination of the Memphis Aquifer in the Memphis Area, Tennessee*. Water Resource Investigations Report 90-4092. Prepared in cooperation with the City of Memphis, Memphis Light, Gas, and Water Division. Parks' reported that there was a hole in the confining clay immediately under the Defense Depot's toxic burials that led to contamination being drawn into the Memphis Sands Aquifer and pumped into the homes of black residents in South Memphis. Being the incompetent geologist that he is, Kellam completely ignored Parks' work, very stupidly settling on the Plume Theory that is going to waste the Corp of Engineers time and waste \$6.500,000 of taxpayers' money.

Because of the violations of the laws of the United States of America enacted by congress and the incompetence of regulatory officials (who need firing), I believe it is no more than fitting and proper that I appeal to you for help in forcing all of the aforementioned parties and agencies to comply with the laws of the land.

In addition, pursuant to the Freedom of Information Act, I appeal to you Representative Deberry for help in obtaining copies of all files, records, and documents possessed by the Defense Depot Memphis Tennessee which relate to air, soil, and water pollution, hazardous waste use, storage, and disposal, and any environmental

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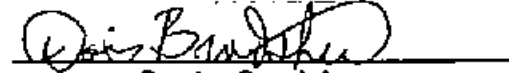
violations or problems at Defense Depot Memphis Tennessee.

Forgive me for making this letter so long. However, due to the importance of each single matter to the black community, I hope you give each separate item careful consideration. Then, if any of these matters have any merit to you, I hope you act quickly and effectively to eradicate the injustices. Black communities of South Memphis are being exploited!

Respectively,



Kenneth Bradshaw



Doris Bradshaw

Founder and Co-chairperson

Defense Depot Memphis Tennessee - Concerned Citizens' Committee

enclosure

cc: Joe Ford, City Council; John DeBerry, State Representative; John N. Ford, State Senator; Roscoe Dixon, State Senator; Willie Herenton, Mayor of Memphis; Harold Ford, U.S. Congress; Charlotte Keys, JPAP; Connie Tucker, Southern Organizing Committee; Robert Saffay, ATSDR Region IV; La Sonya Harris Hall, NIEHS; Timothy Fields, USEPA; Grover Hankins, Thurgood Marshall School of Law.

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