

iRock Inc.
Jessica Pepper
1004 W. Doolin
Blackwell OK, 74631

December 14, 2009

J.D. Strong
Office of the Secretary of Environment
3800 North Classen Blvd.
Oklahoma City, OK 73118

Dear J.D. Strong,

After further research of documents provided by your office and the office of Governor Brad Henry, we have come to the conclusion that you have no intention of allowing us to represent the citizens of Blackwell OK to the Governor, Brad Henry. This conclusion came from an email by Gerald.Adams@gov.ok.gov to you that stated, "*We don't need to involve the governor yet, until and unless there is some major difficulty develops that he needs to be personally made aware of.*" If that is the case as of yet, then I am in the position to work solely with you. I came to your first with the direct request to visit with the governor on the Blackwell contamination issue to push what we felt was an immediate threat to the public's health and safety. I have had limited response from your office since our meeting in August of this year. You need to only be honest with me about your intentions to further my request. If you have no intentions of involving us in this matter, then please state so. I do on the other hand if you have intentions of involving us, offer the State our assistance in communicating with the community of Blackwell with any of our media outlets.

Also, as stated before, I promised that I would provide to you a copy of the HRS package. You will find this package enclosed with this letter. In the event that you should lose your document CD, you can find a copy of the HRS Summary Narrative on my website, www.blackwelluncovered.com.

We are interested too as to the expected time of arrival of the eleven boxes of documents housed at the ODEQ Central Records Office to the library in Blackwell OK. These documents are essential to the community's understanding of the contamination issue that inflicts them. This would be a great start at rebuilding the bridge burnt by the ODEQ. The purpose of the Oklahoma Open Records Act is to "*ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power.*" The Oklahoma Constitution recognizes and guarantees this power in the people. Previous open records requests to the ODEQ Central Records office were followed by the response, "Central Records does not search of records." It is true that the Central Records office at the ODEQ does comply with this law in its limited essence, but it can be argued that an individual's

requests a certain item from Central Records, may be an attempt to obtain information in the individuals limited financial capacity. One twenty-page document, photo copied and sent to the individual can only be expect to cost approximately \$8.00. Yet when the individual is told that they cannot have the document unless they come and obtain it themselves places an unreasonable financial burden and could be construed as a means of limiting the people right or an act of intimidation. A copy of the eleven boxes belong to the people of Blackwell and they have the right to view them without unreasonable expectation of them.

The ATSDR has notified me that they will conduct a Public Health Assessment. I do hope that all of Oklahoma environmental departments cooperate with the ATSDR in its endeavor. Note too, that such cooperation is required under CERCLA 42 U.S.C. 9604 (i).

It has become increasingly clear the State of Oklahoma as inherited a liability with the Blackwell Zinc Superfund Site. Because of the State's lack of oversight and enforcement ethic, this liability will cost the State of Oklahoma dearly. It is highly recommended that the State quit while there a head. If the State of Oklahoma continues to pursue the environmental issue in Blackwell without reforming their methods severely, the resonance parties could be held as liable for some of the cost. Yet, I personally believe that the State can remedy them selves of this by releasing the Site to the EPA and acknowledging that mistakes were made. I, on my own accord, hereby state that I do not represent the EPA in manor.

In the interest of cooperation, I have forwarded this letter onto the City of Blackwell, and its legal council. This prevents you from wasting your time by forwarding it on yourself.

Thank you for your time and your office's work on our Open Records request. It was preformed in a timely manor. If you need compensation for the request, let me know.

Jessica Pepper, President

cc: Henry J. Parr Ph.D – EPA (6SF-RL)
Scott Thompson ODEQ
Drew Edmondson – Oklahoma Attorney General
Mike Skiles – City of Blackwell
Don Shandy – Legal Council for the City of Blackwell
Mark Cordell – Blackwell City Mayor
Max Wirtz – City Council for Blackwell OK
Nita Carroll – City Council for Blackwell OK
Piccola Hudsonpillar – City Council for Blackwell OK
Brad Bechtel – City Council of Blackwell OK

