

Pompton Lakes Community Advisory Group

FINAL MEETING MINUTES

September 17, 2012

In attendance: Lisa Riggiola, Karen Dean, and Ruth Paez, Dana Patterson, Helen Martens, Cheryl Rubino, Craig Plowman

The meeting commenced at 7:10 pm. Cheryl Rubino is facilitating the meeting.

Plowman made a motion to approve the minutes. Helen seconded. All approved.

Rubino went through the action items.

Action Items:

A. Jacky Grindrod explained that the meeting with the new congressman would have to be after the election when he is sworn in come January. Plowman made suggestion to make a copy of documents to give to the new Congressman. Patterson suggested to give only documents that they want them to work on and not to bombard them with too much information. Riggiola suggested she give the historical presentation she gave the senators in the past. The CAG agreed and planned to get the environmental staffers contact information to send the documents too.

B. Rubino explained that the update from the Judith Enck was sent out via CCPL newsletter and printed copies are available at the front of the room.

C. Riggiola gave update on the conversation with Menendez regarding a property valuation program. Riggiola sent two examples of residents struggling. One resident was told that without a letter of clean closure and because he is in a lawsuit that he cannot get a mortgage. Riggiola explained the situations and asked them with help with that and property valuation plans. Her situation is that her house has been in short sale and it's worth less than what they paid for, at least \$100,000 less. Two people came, looked and left and the house is priced at \$230,000. A community member spoke with the mayor who said the banks denied the person a mortgage because the person said from the beginning that they are contaminated. Riggiola explained that is false because on every application you must disclose it on the initial application or you can be liable as a crime.

D. Patterson read the letter to the editor that was drafted as a response to Christie's statement regarding Superfund. The CAG explained that it is draft and will be shortened. Riggiola explained the need for Superfund and federal oversight. She feels someone is protecting them and we need to break the cycle. The CAG explained the difference between Superfund and RCRA. Riggiola explained that DuPont has no sites superfund in new jersey and it seems odd. the CAG asked for feedback from the CAG.

E. Riggiola read the draft letter to the Governor in response to his Superfund statement. They asked for feedback from the CAG. Riggiola explained that we want a private meeting with him, not him to come to the town and do a dog and pony show.

CAG discussed EPA vs. NJDEP leading. Riggiola felt it would be best to discuss conversation between George Paplov and Bill Wolfe. Paplov explained the document he received from NJDEP regarding the groundwater pump and treat. He explained the audit conclusion has four points. The Acid Brook Delta and soil remediation has not been completed. TCE and PCE are still exceeding concentrations. Onsite GW contamination is being addressed! But significant attenuation may not be achieved. Remediation of remaining onsite soil contamination is awaiting final approval. Will include dredging, transport and excavation of chemicals. Riggiola sent this to Bill Wolfe and asked him to explain. Riggiola read her response to Paplov. Wolfe stated that the GW contamination is managed by the state there for it is under NJDEP standards and federal is more stringent. State laws have loop holes and they can get around it. The standards are under the 1988 ACO and have a CEA which is a huge loophole. States if you contain onsite, you don't have to clean up the plume as long as you can show decrease of chemicals and no offsite discharge, they don't have to remediate the GW. Because it is a RCRA site, Wolfe believes the federal standards should apply not the state. Riggiola said they must follow the order they are bound by, which they are not.

Joe intintola asked about the timeline for the acid brook cleanup, CAG decided to talk about under EPA meeting update.

F. Lakeside school letter is tabled until December.

G. Resolution #009 (added action item). Hand delivered resolution to the EPA. We got a response from Pat Seppi that Rubino read. In conclusion, the EPA will send a bimonthly letter regarding the cleanup and distribute. Patterson explained there is an article coming out in the Record today or tomorrow. Riggiola explained we will help by disseminating the newsletters. Patterson explained that this is a huge victory and Riggiola thanked the CAG for suggesting it.

Riggiola offered a webinar/ conference call that CHEJ is hosting tomorrow regarding health studies and the residents can join if they are interested. She will write a summary on it.

Riggiola explained she received a call about alternatives that has huge success in Jersey City. They have had huge success and he is going to try to help. She will be working with him. Also got a call from someone who lives in Las Vegas, NV and is working to get an attorney to get the people who have been dropped from the agreement. She thinks there is a loophole but most attorneys will not invest the money to keep residents as clients.

Update on meeting with Judith Enck:

EPA did as promised, got copies A420 water reports from EPA from 2000- present. After CAG requested from MUA and they were denied. EPA was successful. CAG will review and report back to the CAG

Rubino read notes from the meeting. Explained that Enck said that they spoke to their lawyers and that the

lawyers can do make it superfund, but will not be the first in the country to do it without the governors support. Riggiola explained that community can call their reps and tell them to put pressure on the governor.

Next item was the RCRA permit. Spiegel explained that there are things that are not being enforced in the permit. Spiegel and Rich Chapin will set up a meeting with EPA. Also to discuss our technical experts to propose a backup plan in place. Instead of waiting for the pilot to fail, EPA would like the CAG to propose a remedy. They have no backup plan on what they are going to do next. No one is telling us when, if how and if it will be cleaned up. Martens explained Phil Flax could not say whether this would be cleaned up in this lifetime.

Resident said the focus must be towards DuPont buying the residents out as a property valuation plan because it is tangible and dollars can be counted. We will be discussing via conference call with Gibbs to discuss an action plan.

Resident said it puts them (plume) on the same scale as the people in the flood zone because they can make a choice what to do with their home. Riggiola explains that her mother will not walk and was the only home because their home is paid off and will lose their life savings.

Intintola asked if the RCRA permit is federal DEP and Patterson clarified it was federal. He then asked if we brought up the iron curtain and Martens said that we did. He also asked if we discussed aerobic rating the groundwater. That was not discussed. All these suggestions will be brought up into the technical meeting.

Rubino continued with the update about the vapor intrusion systems. They will put an informational packet regarding the issues why they are not doing systems. EPA believes that the ones installed are installed properly. EPA said they know their systems are a temporary fix. A discussion arose over whether you can list a house without a system.

CAG action item to bring in Tom Hatton to discuss water reports.

EPA told us the emergency response team is the one who owns it even though it is house by EPA. Some have to reach out to FEMA. Gibbs suggested they do a grid analysis and the EPA seemed receptive about that. Patterson explained the grid sampling and Riggiola explained that we need a comprehensive study.

Update on the fish signs, Patterson gave update on the EPA fish signs and said EPA will be installing them soon.

Update on a Pompton Day:

Martens explained that a flyer was designed by volunteer Pat Cocoran and distributed at Pompton Day. She read through the accomplishments that the CAG had and they will continue to update it. Sandy (volunteer) also handed flyers out and explained he gave them to the community and council members. Riggiola thanked Pat Corcoran for designing it and the volunteers who handed it out. Riggiola to email new congressman a copy of the flyer.

Questions for Rich Chapin:

Having Chapin review water reports and attend technical meeting regarding the groundwater cleanup. Aeration of water bring up as a solution.

Investigate manganese clogging the fields. DuPont operating illegally. Also issue with Vojo's report of operating illegally.

Riggiola explains that we have to focus on the federal not municipal.

Intintola explained the town is passing resolutions to purchase town properties with taxpayer money not FEMA or grant money for seven or eight properties. He believes it may be September 19th. Plowman explained that the resolution must be printed in it's entirety. Intintola suggests that the town should by plume properties as if they can buy flood prone property.

Martens explained that the town wants to put the public works building on the DuPont property and we told EPA who was unaware.

Resident asked what the status of the lake cleanup was. Riggiola explained that the EPA said late fall, and that EPA told her we would be happy.

Intintola said they are trucking in Z-sheets, used for cleanup, and do not have a permit to store them on the site. Also does not have a permit to have office trailer on the property.

CAG will update the residents after asking EPA about the status of the Acid brook sampling showing recontamination.

Resident will be talking at the high school and would like help responding to the questions she will be asked. Riggiola offered her help with answering the questions.

Intintola asked if CAG researched Sinsimer's plan for buyout plan. Plowman explained town held permits until DuPont met certain requirements. There are two permits for the lake that can be held, shade tree and planning board. Planning board is mayor appointed

Plowman moved to close the meeting. Riggiola approved. All in favor.

Meeting adjourned at 9:15 pm.