

# **Pompton Lakes Community Advisory Group**

## **Meeting Minutes**

### **April 30, 2013**

The meeting commenced at 7:10 pm. Rubino as facilitator thanked USEPA and Mayor Cole and Councilmen Serra for attending the meeting.

The CAG approved the March 4, 2013 meeting minutes. Motion by Dana Patterson. Seconded by Helen Martens. All approved.

The CAG members introduced themselves. Ed Meakem is absent.

The CAG put forward a new CAG member request that was received on March 11, 2013 by Joe Intintola, a Pompton Lakes plume resident. Patterson read the membership request. Riggiola made a motion to accept Intintola as a new CAG member. Helen seconded. All in favor. Riggiola gave Intintola a brief introduction about his successes in Pompton Lakes. Intintola added that he is Vapor Intrusion certified and is willing to help any resident that has questions about it.

Rubino went through the action items from the March 4, 2013 meeting.

1. Riggiola explained that Grindrod has been contacted by Helen and a presentation has been sent to Congressman Freylenhesien. He sent a letter stating that he would meet with the CAG at any time and Riggiola will set up the meeting. Riggiola thanked Pat Corcoran for all of her hard work writing.
2. Riggiola has not received, and will follow up with it. Joyce will re-send and brought copies to the meeting
3. Riggiola explained that Vojo has received that. Intintola clarified which well it was. It is assumed it is the one next to his home.
4. Serra said he spoke Mumford and they are working on it, which is the same thing that she told Rubino. Riggiola explained it has been a year since that was promised, and it is still pending. Intintola explained that Mumford handed out new maps in Washington DC, the new plume number is 510 homes expanded with buffer zone, and 30 homes in the village have not been contact. Received flyers, but have no clue what it means because USEPA or DuPont has not contacted them. Intintola made a point that the block in the Trends has not been out yet in 2013, and in the past it has stated that the houses in the buffer zone should have a system.
5. Serra stated that there are no grants that the town can get. He referred the question to the USEPA. Riggiola was upset that there is no grants because there is so much more the community could do with it. Riggiola will check with the Senators. Seppi said that the TAG grant is not available at this site because it is a RCRA site. If the site was under Superfund, the community would be qualified. Riggiola said that Enck said the site would be treated like a Superfund, and this is just another case why the site should be designated.

6. CAG to ask NJDEP if there is any TAG money available.
7. Chapin explained that they gave it to USEPA. Flax provided it to the air sampling people and they are reviewing it and will give him an assessment. It should be done in about two weeks. He will push for a response by our next CAG meeting.
8. Rubino clarified that the follow-up of the senior center was discussed at on the CAG's conference call with USEPA. Intintola said that there are white suits in the area behind the senior center. Flax explained that the white suits can be maintenance. Intintola said they told the seniors in the buildings that they will be removing soil and Flax said he will follow up with DuPont on that exact comment. Martens felt that the public should have been aware of the meeting because they could have had parents in there that would not be able to/ could not attend and relay the information. Rubino explained her mother-in-law lives there and was unable to attend. Flax said that anything that was developed during that meeting, EPA will get it, i.e. a hand out and will disseminate to the CAG. USEPA went to the senior center to see if anyone had any records of prior work that had been done there. They are contacting the property owners to see if they have any information. Flax explained that USEPA doesn't necessarily have all the records for that property if USEPA was not involved at the time the work was completed. Patterson asked if USEPA contacted the town to see if they have any information, and he said they spoke to Ed Merrill and he gave them anecdotal information, but nothing in writing. Riggiola said that where there is contamination that the public has a right to know where it is. She is very concerned that the USEPA or NJDEP don't have all the data. Patterson asked if they did a file search at NJDEP, and Flax stated that they will do that.
9. Serra said the School said to contact them if they have available dates open. Riggiola said she didn't think that the meeting room would be appropriate for our CAG. Serra said they should question St. Mary's after Riggiola said that they turned them down twice.

#### New Business:

Riggiola introduced Tina Marsh, a former Pompton Lakes Resident, traveled up from Virginia for this meeting. She explained her family has a long history in Pompton Lakes where her grandfather, father, aunt and uncle worked for DuPont.

Tina addressed the CAG. She thanked everyone for coming out. She grew up on Walnut Street in the plume and would like to share her story. She discussed her past history of migraines and nose bleeds growing up. She moved away 20 years ago after she was diagnosed with cancer, and had a miscarriage, and now has numerous conditions based in her central nervous system. She was misdiagnosed many times, and then met a doctor, Dr. Brown, who wrote a book on exposure of heavy metals and its effect on the central nervous system. Dr. Brown asked the community to purchase the book for the library to spread the word to the residents of the town to share. Four members of the family have been diagnosed with cancer, even though there has been no past history of cancer. Her daughter has similar health conditions as her, and is suffering as well. She explained her insomnia and failure to get a good night's sleep, which has affected her greatly. Some of her days are very hard, and she cannot function and she just wants to be normal. 5 years ago her brother passed away from a painful nerve condition

who begged for death. His daughter is now suffering as well. She thanked Riggiola and CCPL for inviting her and offered any questions to her.

Intintola asked if she ever had a bone marrow test. Marsh explained that she does not have health insurance and cannot afford an expensive test. She said that she will help anyone that can, and would like to speak with her father, she would ask him. Riggiola asked her about the "mines" or cladding tunnels, and Marsh said she would ask her father. He knows about the lead azide that was liquefied, and then washed down the Acid Brook. Martens said that her daughter was just diagnosed with epileptic seizures. She said any questions the community may have for Dr. Brown in Virginia, that she will relay them to get answers. Intintola asked if her father ever heard of a term called "Black Powder House." Marsh will get information; she believes he has discussed it with her. Riggiola asked if he would be willing to speak with EPA, and she said yes, and EPA said that would be helpful. Flax asked Marsh for her telephone number. Rubino said if anyone has any questions, they can send them to the CAG or Riggiola, who will then compile and send them to Marsh and her father. Intintola asked what year he worked there until. Marsh explained after 28 years of working there, he was police-escorted out of the work area, and he came home and cried. She believes it is because he knew too much. Martens believes that the older folk who know information are afraid to speak up because they are afraid to lose their pensions. Marsh said that if they did try, she would get an attorney.

Rubino moved to the USEPA update.

Flax explained that the Acid Brook permit went out for comment, and a lot was received including a bathymetric survey. In Dec 2012, the final permit mod was released which an expanded cleanup and additional sediment was sampling to characterize sediment in the lake. It also required an ecological risk assessment to determine. Flax explained that DuPont and PRC have appealed the permit in Washington. All 3 have written a joint letter and the appeal is stayed. They have until August to give a report card on resolving the issues. They have until October to come to a resolution. They have met several times to get an agreement on an updated sampling plan. If it comes to October, EPA will have to file a response to both parties. DuPont has listed everything they think EPA has done wrong in the permit. They will be meeting/ phone conference next week to discuss.

Public comment said that at a Wayne Council meeting EPA had meet with the Mayor. Flax said they met with the Mayor and some council and he should them the map and explained that no data on the Wayne side represented a "hot spot". He also showed sampling data after a storm in 2010, about 6 samples analyzed for lead and mercury, and were below NJ standard levels, and data is on the website. She explained that the town is afraid that if it became a Superfund, then it would have not hurt them. Flax explained that because people use all different types of people use different chemicals in their homes, and therefore if you walk with a canister, it will pick up those chemicals, but he would have the air people look into it. She went on to say how impressed she was with the Wayne Council and that she felt slighted because her council feels like we are giving the town a stigma, when in fact DuPont was the one who caused this mess, not the people.

Intintola reiterated that he tested the lakes and stream on the Wayne side was tested; it was found to be low. George Popov has a map that shows the contamination on the Wayne side that goes up to 30ppm, Flax said that he does not think it is a hot spot. There is no standard for Mercury cleanup in sediment. Patterson asked what the main driver for the Eco Risk assessment is and Flax said it is Mercury. Popov asked why they are not looking for other chemicals. Chapin clarified that it depends on the Mercury Driver. Popov explained yes, but the cleanup is determined as whether there is Mercury and Lead, and if it is not there, then there will be no cleanup, and therefore they should test for all the chemicals.

Marsh said their main concern is the sediment, but since it's in a body of water could it move down the stream and change the data. Flax said they are looking for the sampling results of the biggest area and the heart of the matter is what defines a hot spot, which they don't have until they gather all the data.

Tiffany called DuPont the cancer. She explained that her daughter also has health issues and did not even grow up here. She doesn't know how to protect her children, who are affected. Tiffany wanted this done right and wondered why they aren't concerned with all kinds of chemicals at any level.

Riggiola asked EPA if this was under Superfund, if DuPont could appeal this decision. Patterson explained the Superfund process and the Proposed Plan, EPA would make a final decision on the cleanup plan.

Flax explained that he grew up in Jersey City and he buried his parents and friends family because of the contamination and he understands what they are going through.

Chapin explained that the place to make change is to discuss it with your Senators and Congressman in Washington. USEPA is following the regulations, and can only work within their boundaries. Chapin explained that under RCRA, DuPont has the right to appeal.

Popov requested that EPA require DuPont to test for other 9 heavy metals in the Acid Brook and Flax explained that they are not planning on it. Flax explained the definition of preferential areas on the request of Popov. Chapin agreed that it would not be a good idea to put into the sampling plan to test for the other metals. He explained that the sediment moved, and they are going out to look in the areas where it has migrated. Patterson said that the cost for running the extra metals is minimal; most of the cost is in the mobilizing to sample. Patterson suggests that USEPA require DuPont to do the sampling. Popov believes that the sampling quadrants were all different shapes and it was done to mask the sampling data to average it down to nothing.

Flax said he is trying to negotiate a sampling plan, and he believes they are only going to sample for George Popov will email Flax the list of chemicals in the sediment from the 2011 report.

Intintola asked if they will test above the bridge.

Patterson suggested that the PLCAG put forth a resolution for EPA to sample for all 12 metals in the sediment. Riggiola seconded the motion. All in favor.

Riggiola said that someone stated that the entire Acid Brook was not tested. DuPont is exploring the source of the isolated Mercury and Lead. The PERC will be handled in the Site Wide Corrective Measures permanently. DuPont is trying to identify it, not sure if it is coming from the site around the facility border that diminishes rapidly downstream, and they are trying to identify it. Patterson asked when they will be sampling and if EPA will be doing split sampling. Flax does not believe that split sampling will be needed.

Flax explained that DuPont a facility investigation with lots of sampling including groundwater. The final report was accepted by USEPA and NJDEP. In a few weeks, a Corrective Measures Study will be released and reviewed by USEPA and NJDEP. Then USEPA will issue a Permit Modification and the public will be able to comment on it and then a final will be issued. Patterson explained that it is important for the public to speak out when the hearing/public comment occurs for the corrective study. Flax said there may be 20-30 different remedial measures taking place.

Flax gave an update in a pilot study that will commence in about one week. They installed all the hardware, and waited until the spring so that the weather temperature would not be a variable if it failed. Chapin explained the process of the pilot study and the fact that the soils are very tight. They will be introducing bacteria that will eat the chlorinated solvent that will no longer hurt anyone. This process has worked before, and is being cautious. Chapin believes it will work, but if it does not work they will have to try again.

Marsh is concerned about the people that have been gone for 20 years or a long time and the children are suffering. Tiffany said someone needs to step in with a doctor and help test the children and put in a protection. Patterson suggested they contact the ATSDR and NJDOHSS.

Popov said pilot study will last for 6 months, they will take data during the study and will have preliminary data after that with a full report due at the end of the year. Chapin drew a photo of the proposed Pilot Study Area. He explained Permit By Rule for the discharge to groundwater for 180 days, and that is why it is that length.

Mike Garbe made a request that EPA disseminate information as soon as it is released. EPA said yes. Pat Seppi explained EPA is hosting public availability session on June 19<sup>th</sup>. She emailed out the reminder with the community update. Mayor said that it is on town website and TV station. Seppi will put copies of the update in the library at Patterson's request.

Chapin explained the chemistry of the pilot study and how the Cl<sup>-</sup> ions are pulled off the TCE/PCE to break it down into CO<sub>2</sub> and H<sub>2</sub>O.

Flax explained the horizontal well that will be parallel to the railroad tracks and Barbara Drive to get better coverage to flush the contamination downstream. They are finalizing negotiations with the Railroad Company. He does not have a timeframe. There will be a permit by rule by the town and any public comment that the town allows. EPA will go out there before there are any construction and flyer the homes and businesses. There will be no displacement of water and instead it will be dispersed. When they go around they will also ask anyone that does not have VMS will be asked if they want to install them.

Rubino asked how long the well is and Flax said that it will be the length of Barbara Drive. Rubino raised the concern of flooding, and Flax said that piezometer will gauge any water rise. The water will be discharged into the lake.

Chapin said if this is successful, that he predicts a full blown remediation plan throughout the entire plume and he would suggest using a horizontal well. Raggiola asked how long the pilot would take and Chapin said that is why they are doing the pilot. He could see 5 years, or even 2 years if it is successful. Chapin said that if the soils are not uniform, then it may not work in some places but it does work in fractured bed rock. Dean asked if it could cause a sinkhole, and Chapin said that it is very doubtful here because the formation of the land does not qualify it here.

Intintola asked where the horizontal well would be – in between Barbara Drive and RR or on the low side. Chapin said that he's not sure, but it would not make a difference. Flax said that he thinks it is on the low end, and that is why the Railroad is likely to give access. Also, vibrations of the bedrock will not affect it.

Flax said that they are trying to set up a technical meeting with USEPA and their ADA Oklahoma folks. Bill Pendexter will be invited no political nonsense will occur.

Flax will request that DuPont notify EPA if any meeting that they may have is initiated.

Fish consumption warning signs: there are none on the bridge, should be more on the bridge and near the park. There were a lot more signs up, but they were ripped down. Patterson explained that there are two issues – signs need to be multilingual and must be in the water so that someone in the boat can read it if they did not enter through the Pompton Lake Boat Ramp. Flax said they will look into installing more signs.

Joyce Fern asked if they will install signs that say do not play on the soil in the park.

Rubino moved on to Chapin Engineering update. He discussed coliform bacteria in the water. Chapin has been unable to find data that the lake is unsuitable for recreation. He thinks that there is coliform data from animal, septic discharge upstream, but he needs data to find it. Serra asked F&WS the same question, and the response was that most lakes in NJ are assumed to be even though they are now tested. He suggested reaching out to the local health departments or F&WS.

Fern came late, but said she sent the email to Raggiola on air filters in home. Raggiola did not get it, so Fern will resend. It will have no effect on the VMS.

Rubino asked if a VMS has been installed in the home and you have an attic fan, will you be able to still use it. Flax said it should not matter, because the VMS is pulling the vapors from the sub slab. Intintola said if you have a French drain in the house, and a VMS, then you cannot use the fan.

Serra asked for clarification for the plume map and who is entitled to a VMS. Flax explained that every home in the plume can get a system and if you are in the buffer zone and it shows positive for indoor air and sub slab then you can get a system. Intintola said DuPont agreed that buffer zone would get a system no matter what. Flax will confirm this with NJDEP and DuPont.

Intintola brought up issue of water testing – Chapin was only given water testing for VOCs. Uranium was not included. Chapin suggested CAG putting in an OPRA request to NJDEP.

Public member told story of how her children have had many learning disabilities and she is concerned about the exposure from the lakeside school. Raggiola asked the last time the field was tested. Mayor Cole said she thinks it was around 1999. Raggiola said that it's probably time that they retest it.

Flax will ask NJDEP about updated plume map, and will clarify with everyone because he believes there is misinformation out there. Seppi has been calling Mumford every day, and has not been able to get in touch with her. CAG will request Senators to call NJDEP and ask for updated map.

Patterson moved to close the meeting. Martens seconded the motion. All approved. The meeting adjourned at 9:45 pm.