

NEWHALL ADVISORY COMMITTEE

Final Meeting Summary

April 21, 2005

6:30 pm – 8:45 pm

Members Attending: Herman Alexander, Mike Colaiacovo, Jr., Dr. Abdul Hamid, Elizabeth Hayes, Loydon Henry-Phillip, Scott Jackson, Leonardo Melendez, Pamala Moore, Henry Platt, Roosevelt Young,

Alternates Attending: Willa Taylor, Carolyn Smith, Bill Wilson [for Pastor George Bulgin]

Ex-Officio Members Attending: Eileen Barnes, Elsie Patton, Edith Pestana, Shannon Pociu, Tom RisCassi, Brian Cutler, Louriero Associates (DEP); Jimmy Young, Ken Cichon, Ray Horn (Olin); Tom Chaplik (RWA); Meg Harvey (DPH); Leslie Balch (QVHD); Arthur Bogan (Town of Hamden);

Others Attending: Andrea Boissevain (Health Risk Consultants);

Absent: Henry Blue, Donald Eaton, Sheila Epps, Rhonda Hayward, Stephanie Kollet, Deloris McNair, Rep. Peter Villano, LaNorma Webb

Technical and Public Participation Assistance: Kevin Hood, Jill Barrett (FHI)

Facilitator: Kathleen Conway

Agenda Items

Convening of Meeting, Goundrules and Meeting Summary Review

The NAC convened at 6:35 pm. Members and other attendees introduced themselves. The March meeting summary was approved without revision. The Draft Groundrules were approved as drafted following the NAC discussion at the March meeting.

Olin Presentation: Supplemental Investigation & Remedial Action Plan, Non-Public Properties Study Area, Hamden, CT, Newhall Advisory Committee, April 21, 2005

Olin began the presentation by stating that: 1) the remedial recommendations made in the report are only its recommendations; 2) they would have to be approved by DEP, the final decision maker; and 3) that they were subject to the Town's and Regional Water Authority's acceptance.

The purpose of this investigation was: 1) to find the edge of known former landfill areas; 2) find and test isolated fill areas; 3) find and test bare spots; conduct the groundwater investigation and additional fill testing; and 5) identify, evaluate 7 recommend remedial actions.

Substances selected for testing (substances of concern, "SOC") were:

- Metals, including lead & arsenic
- Extractable total petroleum hydrocarbons (ETPH)
- Volatile Organic Compounds (VOC)
- Semi-Volatile Organic Compounds (SVOC)
- Polynuclear Aromatic Hydrocarbons (PAHs)
- Pesticides & Polychlorinated Biphenyls (PCBs)

- Dioxins & Furans (results have not been received yet)

Soil. A total of 289 properties out of 303 were tested or inspected; over 700 soil borings drilled; and 511 soil and fill samples analyzed. 162 properties were visually inspected to find bare spots. Some sampling could not be conducted because of weather conditions or access not being granted by the property owner.

Findings. 80 properties had no fill; of the 220 properties with fill, 130 had fill at depths less than 4 feet below the surface and 90 had fill at depths greater than 4 feet [at depths up to 20 feet]. The contiguous fill covers about 29 acres; isolated fill, about 3 acres. Estimated volume of fill in the contiguous fill area is 300,000 cubic yards (20,000 truckloads); in the isolated fill area, 8,500 cy (570 truckloads).

Substances were detected at certain locations that would require a remedy under Connecticut's criteria, the Remediation Standard Regulations ("RSRs"):

- Arsenic
- Lead
- Synthetic Precipitation Leaching Procedure (SPLP) Lead
- Polynuclear Aromatic Hydrocarbons (PAHs)
- Extractable Total Petroleum Hydrocarbons (ETPH)

Groundwater. Sampling is being conducted quarterly (every 3 months). A total of 33 wells (29 new and 4 existing wells) were sampled at the same time as wells located at the Middle School and town parks. Two more quarterly sampling rounds will be done in May and August 2005.

Findings. Groundwater is only slightly affected with detections varying between sampling events. Two more sampling rounds are needed to show a pattern. Lead and arsenic are not present in groundwater above the criteria. Groundwater flow is generally to the west and southwest away from Lake Whitney.

Recommended Remedies. Six alternatives were considered and 2 were recommended by Olin. The baseline objective was to meet the cleanup criteria (CT Remediation Standard Regulations "RSRs") and select a remedy that was protective of human health.

Alternative 1: properties with fill less than 4 feet below ground surface (properties in green area on Sheet 10 in report). All fill from ground surface to 4 ft below will be removed at 130 properties. Properties will be restored to existing or better condition. There will be no further obligations or impact since the contaminated fill will be removed from the site.

Alternative 2A: Properties with fill greater than 4 feet (properties in pink area on Sheet 10 in report). The top 4 feet of fill will be removed at 90 properties to meet the Direct Exposure Criteria, "DEC" (preventing direct contact with contaminated fill). Fill from 4 feet up to 20 feet deep will remain. An Environmental Land Use Restriction will be required to be placed on the land records by the property owner to reduce exposure to the remaining fill at depths below 4 feet (prohibiting digging unless approval by DEP). A "variance for widespread polluted fill"

will be requested from DEP to address the Pollutant Mobility Criteria (PMC), criteria established to protect groundwater from being contaminated by rainwater washing contaminants from soil down to the groundwater. No future operation and maintenance is required. Properties will be restored to existing or better condition. The only obligation is to ensure that the Environmental Land Use Restriction is met, i.e., no digging greater than 4 feet unless approved by the DEP.

The other remedies considered but not preferred are:

- Alternative 2B is the same as 2A but would require meeting the “alternative pollutant mobility criteria,” a different alternative to address the PMC.
- Alternatives 3A and 3B involve removing 2 feet of fill, covering with clean fill and pavement (to prevent direct exposure to the remaining contaminated fill; and either the variance or alternative pollutant mobility criteria in 2A and 2B to prevent rainwater from washing the contaminants in the soil into the groundwater. This alternative means restricted plantings (only plants with shallow roots allowed) and requires financial mechanisms (putting aside money in an approved trust or bond) to make sure that pavement is maintained and repaired and regular inspections are conducted.
- Alternative 4 involves removing and replacing 2 feet of fill and covering with an engineered control cap. This remedy has technical obstacles.
- Alternative 5 involves acquiring and demolishing homes and covering area with a cap. This remedy will leave a cap over a graded mound on 90 properties. It would significantly impact the neighborhood, something that Olin knows would be unacceptable to the community.
- Alternative 6 involves acquiring and demolishing homes, removing all of the fill, in some areas as deep as 20 feet, and backfilling to grade. This is prohibitively expensive.

The preferred remedies assume that the removed fill from the NPP would be disposed of at the Middle School site and that existing fill on the Middle School site would remain. Clean soil at the Middle School site would be excavated and stockpiled on-site. The fill from the residential area would be mixed with the existing fill on the site and covered with clean fill. The final grade would be a mound sloped to existing ground level.

Details relating to the cleanup will be negotiated property by property with the owners.

Olin stressed again that its recommendations for a final remedy are subject to DEP approval; the selection process of the final remedy is subject to public participation; and the final remedy must be coordinated with remedies for the Middle School and town parks.

Questions and Comments. NAC members’ questions and comments ocused on the following concernz:

Consolidation at the Middle School

Q: Why is consolidation being recommended when the community has made clear that it will not accept any more fill being placed at the Middle School site?

A: The consent order allows us to consider consolidation on the Middle School site. The school site is on the table for discussion. The expectation is that the existing fill on the Middle School

site will stay there. The excavated fill from the non-public properties (“NPP”), will fit on the site. We realize that there is opposition but we believe this alternative is protective of human health and meets the cleanup criteria. We would remove clean soil/fill and stockpile it on site, mix the fill removed from the NPP area with the existing contaminated fill on the site and finally cover with the stockpiled clean soil.

Q. What other disposal areas did Olin consider?

A. On-site disposal means disposal at the Middle School site. Off-site means in another area. Olin considered a disposal area in Michigan. Tables in the report outline costs of on-site and off-site disposal in great detail.

Q. What is the cost savings to Olin for disposal on-site? Why can’t the cost savings go to compensation to the property owners?

A. Money not spent is not “excess” or “saved” money. Cost is a factor for consideration under the cleanup criteria.

Q. What is the volume of the existing fill at the Middle School? What will be the height after consolidation?

A. It will be a mound with sloped sides. [The RWA is responsible for investigating the Middle School site. Olin could not answer what the volume of existing fill is.]

Cap, Remaining Fill below 4 feet and Environmental Land Use Restriction (“ELUR”)

Q. The ELUR will flag the property as having contamination remaining on it. This will affect the value of the property in the future. Has there been any consideration of compensation for reduced value?

A. Olin has looked at information on property values. Property values do not seem to have been affected in the past by the potential inclusion in the fill area. Houses are selling at “fair market value.” Olin has not considered financial compensation.

Q. Has Olin considered putting a “mat” [cap] at the 4 foot level to ensure that there will be a barrier that prevents digging below 4 feet and thus prevent exposure?

A. Olin recommended a remedy that meets the cleanup criteria. Removal of 4 feet of fill and obtaining a variance renders the properties in full compliance with the cleanup criteria.

Q. What about a cap regardless of depth of fill?

A. There are several kinds of caps, permeable [allows water to seep through] and non-permeable [prevents water from seeping through and potentially contaminating groundwater]. The type of cap that would be most protective of health and the environment would have to be evaluated because of the different substances of concern.

Q. Why is Olin considering cost? What about “cost” to the people who live here?

A. None of the remedies are easy. None are cheap. Cost is a factor of the cleanup criteria. There simply is no easy way out. While the simplest way is to just take the homes, Olin placed considerable emphasis on keeping the neighborhood intact.

Time Frame for Recommended Remedy

Q. How long will the remedies take and what are the costs?

A. The remedies will take 3 – 5 years. The difference will be driven by the degree and scale of the disturbance [removal activities]. Olin plans on talking to every property owner in detail about what it is recommending for their property. The costs of all 6 alternatives are analyzed in great detail in tables in the report.

Health Risk

Q. We have been told that there are no disease clusters. I have read that low levels of arsenic are beneficial. How much of a health risk is there if the existing fill remains on the Middle School site or after consolidation?

A. If the remedy prevents exposure, there is no significant health risk.

Meg Harvey, Department of Health. Having no disease clusters does not mean there is no risk. Documenting disease clusters is very difficult in small neighborhoods. Looking at potential risk is accounting for the unknowns in the future. The DOH is very interested in talking about health risk issues with the Newhall community. [Ms. Harvey offered to come to a NAC meeting to talk about health risk issues]

Q. Is a “cap” more protective?

A. Elsie Patton, DEP. We want to emphasize that DEP has not made a decision on the remedy. A cap prevents exposure and thus there is no health risk. There is, however, an on-going obligation to maintain the integrity of the cap to prevent potential exposure in the future. This requires routine inspections, a maintenance plan and financial assurance [placing funds in a trust account for estimated O&M costs for 5 years]

Q. What about the health risk created by moving all this contamination to the Middle School site or off-site? Has anyone evaluated the impact of air pollution from the digging and moving, the trucks and the equipment? The NAC members need more information about health risk associated with the remedies

A. The remedial plans include dust control measures. Work is subject to air monitoring. These measures are commonly incorporated in work plans.

Q. If there is no health risk associated with the digging and transport of contaminated fill, then why can't the work start while the Middle School is open? The students live in the neighborhood as well. Why is it less risky for those who live in the neighborhood? People who test come with white suits and masks. Yet we are expected to live here without any protection.

A. Olin considered it socially unacceptable to begin the work while the school is open. The work will be more concentrated at the school site and thus there would be a higher potential for risk.

Structural Damage

Q. My family has just sold a home with structural damage and could not sell at fair market value. Has Olin considered compensation for homes that have structural damage? What about structural settlement of homes in the future?

A. There was no definitive answer.

Groundwater

Q. You stated that low levels of contamination were found in the groundwater; and that the groundwater flows east to west to southwest. If you add more to the Middle School, won't that increase the contamination? What about water on the surface flowing off the mound and getting into groundwater? What about migration through the sides of the fill into uncontaminated areas down into groundwater? How high is the mound?

A. This will be a low mound with a design for drainage. The type of contaminated fill disposed of at the site should not increase or cause groundwater contamination.

General Comments

A NAC member stated that he is tired of years of living with this problem. It has affected our daily lives. We are sick of hearing about dollars and cents. Why should we accept an affordable solution when we want a permanent solution?

The NAC generally felt that they needed more information on potential for health risks associated with: 1) contaminated fill existing on the Middle School site; 2) contaminated fill remaining on the non-public properties; 3) consolidated fill on the Middle School site; 4) excavation and transport of fill from non-public properties to the Middle School along with excavation, stockpiling, mixing and backfilling on the Middle School site; and 5) disposal off-site.

A NAC member requested that the facilitator assist the NAC in arranging a meeting with the Town to discuss tax abatement for impacted properties.

A NAC member requested a map integrating all areas of contaminated fill and remediation to better understand how the different areas relate to each other. Overlay maps were suggested.

A NAC member requested that future power point presentations be provided in advance to NAC members so that they could have some understanding of the focus and recommendations prior to their meeting. Ex-officio members said they would take this into consideration. The NAC members requested that a copy of the Olin presentation be provided by email or copy at the Newhall Office.

A NAC member asked that the NAC take a vote on members' opposition to consolidation at the Middle School site. Members agreed that they wanted to hear the presentations: 1) on the environmental investigations of the public properties from the Town and Regional Water Authority and 2) on health risk by DOH and QVHD prior to further discussions or decisions regarding consolidation

Action Steps

Facilitator

- Email/provide copies of Olin Presentation
- Draft flyer for Public Information Meeting on Olin Presentation
- Assist in planning for Health Risk Presentation for June meeting
- Assist in public outreach for DEP Public Information Meetings

Scheduled NAC meetings:

- **May 19, 2005** – Town and Regional Water Authority Presentations: Public properties testing results
- **June 16, 2005** - Health Risk Presentation; Tentative – Commissioner of Environmental Protection may attend.

Scheduled Public Information meetings

- **May 17, 2005:** Olin formal presentation to public
- **June 21, 2005:** Town and RWA formal presentation to public

Tentative Scheduled Site Walk – Commissioner of Environmental Protection

- **May 21, 2005:** Saturday Site Walk

Meeting adjourned at 8: 45 pm.