

## **NEWHALL ADVISORY COMMITTEE**

### **Final Meeting Summary**

**November 17, 2005**

**6:35 pm – 8:40 pm**

***Members Attending:*** Henry Blue, Sheila Epps, Donald Eaton, Dr. Abdul Hamid, Elizabeth Hayes, Rhonda Hayward, Deloris McNair, Leonardo Melendez, Henry Platt, Roosevelt Young, Rep. Peter Villano, LaNorma Webb

***Alternates Attending:*** Herman Alexander, Carolyn Smith

***Absent:*** Pastor George Bulgin, Mike Colaiacovo, Luther Cooper, Loydon Henry-Phillip, Scott Jackson, Rev. Keith King, Pamala Moore, Willa Taylor

***Ex-Officio Members Attending:*** Elsie Patton, Eileen Barnes, Edith Pestana, Tom RisCassi (DEP); Meg Harvey, Department of Public Health (DPH); Jimmy Young (Olin); Tom Chaplik (RWA), Arthur Bogan, Town of Hamden.

***Others Attending:*** William Wetmore Hamden Town Council; Angela Carter, NH Register; Dorothy Williams, 1067 Winchester Ave; Inez Barrett-Williams 392 Goodrich St; Raymond Sims Sr. 478 Newhall St; Jean Pittman 53 Wadsworth St; Marrhew Abraham 39 Saint Mary St; Antoinette Oliveira 16 ½ Dudlely Court; Aisha Elm 28A St. Mary St; Barbara Nelson 32 Alling St; Charlene Webb 1042 Winchester Ave

***Technical and Public Participation Assistance:*** Brian Cutler, Loureiro Engineering Associates (“LEA”); Jill Barrett (FHI)

***Facilitator:*** Kathleen Conway

### **Action Items**

- Town to provide sample protocol for utility and road construction in contaminated areas
- NAC request for Town officials to attend NAC meeting to hear concerns about tax abatement, revaluation, Hamden Middle School cleanup and redevelopment.
  
- Outstanding NAC requests to DEP
  - ✓ Calculations estimating the number of truck trips related to: 1) removal of fill from residential areas; 2) replacement with clean fill; and. 3) other construction related activities within and outside the Consent Order.
  - ✓ Description of specific cleanup and restoration activities being proposed on a property-by-property basis.
  - ✓ Estimated amount of waste fill outside the Consent Order: 1) under 4 feet; 2) over 4 feet.
  - ✓ Estimated amount of time to remove waste fill, backfill and restore a property
  - ✓ Written summary of the DEP review of the Supplemental Investigations to date
  - ✓ A written report on the properties sampled outside the Consent Order

- ✓ Master list identifying all properties within and outside Consent Order: with waste fill less than 4 feet and deeper than 4 feet; that had structural assessments and that have structural damage.
- ✓ Map showing current state of properties and map showing impact if all fill removed (demolition of homes and streets)

**Agenda**

***Introduction and Meeting Summaries.*** The meeting commenced at 6:35 pm. The NAC reviewed its mission statement. The NAC approved the draft meeting summaries for the October 20, 2005 and November 2, 2005 NAC meetings.

***DEP Discussion.*** DEP responded to Representative Villano’s request to the Commissioner for additional information on its evaluation of the proposed remedial alternatives and their impacts on the community. Some members stated that they did not want any further information and that they had learned nothing new that would change their position. They had been waiting for a long time for cleanup to start. They wanted all the toxic fill removed and disposed of outside their neighborhood. Any other alternatives were unacceptable.

DEP stated that it had not selected a remedy yet but was responding to the NAC’s request for information about the proposed alternatives that it was considering. DEP explained that it was using the Environmental Protection Agency’s (EPA) criteria to evaluate the proposed alternatives. (See attached spreadsheet)

**Criteria**

<b>Threshold Criteria</b>	<b>Balancing Criteria</b>	<b>Modifying Criteria</b>
Protection of Human Health And the Environment	Long-term Effectiveness and Permanence	Community acceptance
Compliance with Applicable Regulations	Reduction of Toxicity, Mobility or Volume Through Treatment	
	Short Term Effectiveness	
	Implementability	
	Costs	

**Evaluation of Remedial Alternatives**

**Residential Properties A.** Properties with **4 feet or less of fill** located inside (131) and outside the Consent Order Boundaries (103+). DEP is only considering 2 of the proposed alternatives.

- 1) **Excavating all fill; disposing off-site at a landfill;** backfill and restoration.

- 2) **Excavating all fill; disposing approximately 135,000 cubic feet off-site at the Hamden Middle School (HMS);** backfill and restoration

DEP note: DEP is evaluating whether the Resource Conservation and Recovery Act (RCRA) Landfill Disposal Regulations would prohibit disposal of fill at the HMS.

**Residential Properties B.** Properties with **more than 4 feet of fill** located within the Consent Order (90) and outside the Consent Order boundary (?). DEP is considering 3 alternatives:

- 1) **Excavate to a depth of 4 feet** below surface grade; **off-site landfill disposal** (186,000 cubic yards); backfill restoration; Environmental Land Use Restriction (**ELUR**).

Note: NAC members questioned whether DEP would require a cap over the remaining fill if only 4 feet of soil was removed. DEP said that a cap is being considered.

Public Comments: Some of the residents attending expressed their frustration over the length of time this was taking. They said they did not want a cap but all the fill taken out of their neighborhood.

**Excavate 4 feet;** off-site **disposal** of 186,000 at the **HMS;** ELUR; backfill and restoration

NAC and public comments: they said the community would not accept fill taken from the residential properties and put at the HMS.

- 2) **Acquisition of all properties with over 4 feet of fill;** remove all fill; demolish homes and structures; replace with clean backfill. Level to current grade.

NAC: NAC members asked whether property owners who sold to the state would have a right of first refusal to acquire their properties back. DEP said it would consider various buyback options.

### **Hamden Middle School**

- 1) Excavation to a depth of 2 feet; low permeability engineered cap; long-term maintenance; financial assurance.
- 2) Demolition of school, excavation of all contaminated soil; out-of-state disposal (approximately 360,000 cyds); replace with clean backfill to current grade.

Note: Olin renderings of the current grade and the proposed grade if contaminated soil from the residential properties was disposed of at the HMS were reviewed by DEP. DEP commented that it was difficult to picture a 3 dimensional image from the renderings.

## **Town Parks: Mill Rock Park & Rochford Field**

- 1) Excavation to depth of 2 feet; low permeability engineered cap; ELUR; long-term maintenance; financial assurance; restoration of park facilities.
- 2) Demolition of all structures; removal of playground equipment; excavation of all contaminated soil at parks; out-of-state disposal (approximately 74,000 cyds of soil); clean backfill to current grade.

A NAC member stated that the public participation had broken down before when the Consent Order was decided. A NAC member stated that 2 people in his family who lived in Newhall had cancer while no one else in his family who lived elsewhere had cancer. The health of the community is the most important factor. People are concerned about the future health of the community. Everybody in the community wants all the contamination removed.

**Community Outreach.** The NAC discussed the two draft letters prepared by the DEP Subcommittee and the Community Outreach committee. Some members felt that the one letter describing the alternatives was too detailed and difficult to read; and that residents would not understand it. Some members said they did not understand the DEP Subcommittee recommendation, particularly #3. Other NAC members said let the residents comment on what they did not understand. The NAC decided to send the letter with the DEP Subcommittee's 3 recommendations to property owners for feedback and comment:

- 1) All contaminated area, public and private, to be excavated to the depth required to assure removal of all toxic substances and replaced with clean fill.
- 2) All contaminated soil to be moved off-site and disposed of at an approved area.
- 3) Individual property owners to have the option to remain in their homes during site cleanup or, alternatively to sell to the state for demolition purposes and be reimbursed for moving expenses.

Lists of addresses are available for properties within the Consent Order but not yet available for properties outside the Consent Order. Fitzgerald & Halliday will provide the mailing labels for those properties within the Consent Order. Several members from the Community Outreach Subcommittee had prepared the mailing. Several others would do the mailing. The response cards should be addressed to the Newhall Project Office and include the date of the next NAC meeting. The NAC discussed follow up by either telephone or door to door contacts. An Olin representative said that mailings had not worked in the past; that he had to go door to door to get responses. The costs expended by the NAC members for the mailing will come out of the facilitator's budget.

DEP will be sending out letters to over 130 property owners outside the Consent Order within the next several weeks informing them of the results of the investigation and whether their properties will need to be remediated.

## **Other Items**

**Revaluation Letter.** A NAC member noted that the Town had sent out Revaluation Notices to residents recently. Several members noted that their assessments had increased significantly. Some residents attending asked what they could do if they did not agree with the assessment. NAC members stated that there was an appeal process. They stated that the Town had told them years ago their taxes would be decreased because of the contamination and nothing had ever happened. A NAC member noted that tax abatements are allowed under Connecticut statute, CGS Section 12-186. The residents should have tax credits going back to 2001.

The NAC members would like the new town administration to talk to the NAC about their concerns relating to town issues, including disposal of fill at the HMS, redevelopment of the HMS and the parks, tax abatement and the tax revaluation.

### **Handouts**

- Letters from Dr. Abdul Hamid to the NAC dated October 15, 2005, to DEP and Town dated July 28, 2005
- Regional Water Authority Response to Dr. Abdul Hamid dated November 15, 2005
- NAC Letter to the Community with Recommendations for Cleanup
- DEP Spreadsheet Evaluation of Alternatives – Residential Properties dated November 17, 2005
- DEP Health Assessment Update

**Next NAC Meeting.** December 15, 2005. Agenda will focus on the community response to the NAC mailing.