

In The Matter Of:

*UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
LAND & CHEMICALS DIVISION*

*CHEMOURS-FORMER DuPONT FACILITY PUBLIC MEETING
January 10, 2018
Public's Names Redacted*

BOSS REPORTERS

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
LAND & CHEMICALS DIVISION
CHEMOURS-FORMER DuPONT FACILITY
PUBLIC MEETING
at
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1008 W. Chicago Avenue, East Chicago, Indiana
Wednesday, January 10, 2018

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17 ALSO PRESENT:

18 Bhooma Sundar, EPA Toxicologist
19 Mary Fulghum, EPA Attorney
20 Members of the Public

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1 (January 10, 2018, beginning at
2 5:31 p.m, Chemours-Former DuPont
3 Facility Public Meeting
4 commenced as follows:)

5 MR. GONZALEZ: Hi, folks. We'd like to
6 get started. So if everyone can find a seat,
7 appreciate that, please. Folks, we'd like to
8 get started, please. Hope everyone who's
9 arrived has signed in and grabbed an agenda for
10 this evening's activity.

11 So my name is Rafael Gonzalez, and I'm
12 with EPA, and I run the Land & Chemicals
13 Division, and we welcome you to this evening's
14 RCRA program for this comment period. This is
15 a comment period, but prior to the comment
16 period, there will be a short presentation on
17 the proposed plan.

18 But before we get to that, and we'll do
19 that very shortly, I just want to make some --
20 some announcements. First of all, please take
21 an agenda and please do sign in. We really do
22 want to know that you're here, just like we
23 want to hear what your voice may be.

24 Also, we're on a pretty tight schedule, so
25 comments will be held to three minutes. And

1 give us that, and we'll also -- naturally,
2 we'll accept any written comments. There's
3 still time to submit comments. And while I
4 talk about comments, one of the announcements,
5 which is on the agenda, is that we have
6 extended the comment period. Starting
7 tomorrow, the comment period goes all the way
8 to March 12th. So we will be doing that. It's
9 also up on the website, and we will -- we will
10 commence that tomorrow.

11 Let's see, I think -- so the entire
12 meeting will be recorded. So we ask if you do
13 have a comment or if you have a question,
14 during those periods of time, if you could
15 please speak up -- stand up, speak up. If
16 you -- hey, that kind of rhymes: Stand up,
17 speak up.

18 (Audience laughing.)

19 MR. GONZALEZ: But if -- again, if anybody
20 who comes in late, please sign in and grab an
21 agenda.

22 So what I was saying about -- is that
23 we're sort of on a tight schedule; okay? We've
24 allotted most of the time for comments on the
25 proposal. There will be, like I said, a short

1 period in which Jennifer will present an
2 overview of the proposal. We'll take some
3 questions after that. After that, we go into
4 the comment period, and we've allotted the most
5 time for that. So with that -- did I forget
6 anything?

7 MS. DODDS: I don't think so.

8 MR. GONZALEZ: You're on, Jennifer.

9 MS. DODDS: Thank you. Again, my name is
10 Jennifer Dodds. I'm the RCRA corrective action
11 project manager working on the DuPont
12 East Chicago facility. As Rafael mentioned, I
13 did want to touch on the administrative record
14 and the public comment period. As he
15 mentioned, the public comment period has been
16 extended to March 12th of this year, so there
17 is an additional amount of time for you to
18 review the associated records and provide your
19 comments and feedback to us.

20 The administrative record itself has been
21 updated here in the East Chicago Public
22 Library. There is a new index, and the records
23 have been properly indexed. We do apologize
24 for the confusion that occurred with that, but
25 that has been remedied. Additionally, all of

1 those same documents are located on the RCRA
2 DuPont corrective action web page, so they can
3 be accessed in all those different ways that --
4 additionally, within the Region 5 Records
5 Center, as they have been previously.

6 So I'm going to go ahead and get started.
7 So these slides, I'll go through pretty
8 quickly. They're just for background, and then
9 some -- I'll go into more detail. Again, as
10 Rafael mentioned, there will be plenty of time
11 for questions, as well, after the fact.

12 Okay. So the first leg here is just an
13 overview of where the East Chicago -- DuPont
14 East Chicago RCRA corrective action site is in
15 relation to the East Chicago areas outlined
16 there in blue [sic]. The next slide gives you
17 a more close-up view of the site, all 440 acres
18 of it. We have been working on the site for
19 some time now and did previously issue a final
20 decision for the cleanup for the eastern part
21 of the facility, which is located on the right
22 side of the screen. That's the Natural Area.
23 I'll touch upon that real briefly in just a
24 moment, but today we're really here to talk
25 about the western or industrial portion of the

1 facility and that's more on the left side of
2 your screen.

3 This slide gives another view of the site.
4 You can see it labeled down there, just a
5 portion of it in the bottom right-hand corner.
6 And then you can see the three zones of the
7 Superfund offsite investigations that are
8 taking place. Today we are focused on the
9 DuPont facility, the RCRA corrective action
10 work that's being done there. The Superfund
11 offsite investigations and the work associated
12 with that will be touched upon in the Superfund
13 public meeting that will be occurring next
14 Saturday.

15 So as I mentioned, the entire DuPont site
16 is over 440 acres. Just to help us look at the
17 site as a whole, describe the hazardous waste
18 investigations and processes that took place,
19 we divided it into five areas. The two areas
20 that were cleaned up in 2014 were known as the
21 Natural Area and the Buffer Zone. Those are
22 portions of the 440 acres that were
23 historically not really used for industrial
24 purposes, so they retained a lot of their
25 original dune and plains geomorphology. It's

1 actually a globally rare ecosystem [sic] that
2 we worked cooperatively with a lot of different
3 agencies to work towards that 2014 cleanup. We
4 do have an ongoing monitoring and maintenance
5 program associated with that area, and we'll
6 continue to do so for quite some time.

7 As I mentioned today, we're really here to
8 talk about the western portion or the
9 industrial area of the DuPont property, which
10 is about 235 acres. And we've kind of broken
11 that up into three areas, again, just for ease
12 of use here. The redevelopment area, which is
13 the main portion of the site located -- more
14 centrally located. It's about 155 acres where
15 most of the former manufacturing and industrial
16 processes took place. There's an open area
17 that's about a 15-acre area that includes a
18 former solid waste landfill. And additionally,
19 we have that linked area in the corner of the
20 property, and I'll show you a map of the -- in
21 a moment where W.R. Grace & Company is
22 currently -- has business there with Chemours
23 maintaining ownership and leasing that property
24 to Grace.

25 And this lays out all those areas I just

1 talked about with the Natural Area being
2 towards the right, the leased area on the far
3 left, and then the main area that we're talking
4 about the cleanup and redevelopment in the
5 center. But I do want to make sure everyone
6 understands that the leased area is included in
7 this cleanup plan. We do have some cleanup in
8 that area as well.

9 So this site has been in the corrective
10 action program for some time. The order was
11 signed back in 1997. We've had a couple of
12 Facility Investigation Reports in 2002, 2004,
13 with a very first Corrective Measure Study
14 coming into the agency in 2006. Since that
15 time, we've had a lot of additional
16 investigations go on, a lot of information
17 coming in to help us understand all the past
18 processes, the wastes that were handled, where
19 those wastes were handled, any possible
20 releases, where they could have gone, all the
21 possible ways that we could clean up those
22 releases. And we're now at the point where
23 we're proposing a remedy to all of you today.

24 And based on all that study, arsenic,
25 lead, zinc, and cadmium are the primary

1 contaminants in the soil. Those occur from
2 about zero to 10 feet below the surface. There
3 are other contaminants that have been found in
4 the soil, but these are the drivers of the risk
5 in the soil.

6 Arsenic is the primary constituent of
7 concern or contaminant that we find in the
8 groundwater.

9 When we were looking at what we wanted to
10 accomplish at this site, we kind of broke it up
11 into three main areas. We wanted to reduce
12 groundwater contamination, manage and clean up
13 the contaminated groundwater plumes that we
14 already have at the site, and reduce risks by
15 preventing exposure to the surface soils. And
16 we have many different ways of going about
17 making these things happen, and I will go into
18 a lot of detail on each of them.

19 But as far as reducing the groundwater
20 contamination, one of the main things that
21 we're going to be doing is covering or removing
22 the contaminated soils on the site. That will
23 remove a significant amount of the
24 contamination. That contamination in the soil
25 serves as an ongoing source to the groundwater.

1 So by removing those soils, we're cutting off
2 the source to the groundwater.

3 To manage and clean up the contaminated
4 groundwater plumes, we're looking to improve
5 the groundwater quality at the DuPont property
6 before it leaves the property boundaries and
7 that will be both at the north and the southern
8 ends of the property. I'll go into the
9 groundwater in more depth in a little bit, but
10 there is a groundwater divide. The groundwater
11 flows in two different directions at this site,
12 and we're going to improve the groundwater
13 quality before it exits the property at both of
14 those points.

15 And reducing risks by preventing
16 surface-to-surface soil; again, removing or
17 covering the contaminated soil and
18 incorporating redevelopment as well as
19 remediation if at all possible.

20 The Statement of Basis lays out five main
21 components of our remedy; again, treating the
22 soil, the groundwater, but also imposing
23 institutional controls on the site; financial
24 assurance on DuPont-Chemours; and additional
25 five-year remedy reviews, including ongoing

1 monitoring and maintenance of the site. So
2 there is a very comprehensive remedy that I can
3 go into more detail for the soil.

4 As I mentioned, the -- arsenic, lead,
5 zinc, and cadmium are the primary contaminates
6 that we're looking at here. We're looking to
7 reduce the residual target cancer risks and
8 achieve EPA's acceptable residual risk
9 criteria. And again, the main way that we're
10 going to be doing that is removing the soils
11 across the site that have the highest levels of
12 contamination. Those will be replaced by clean
13 soils. And in other areas, we'll be placing
14 covers over the soil to reduce the exposure and
15 the risks. Additionally, that will reduce any
16 disbursal possibilities with the soil as well.

17 To do this, we're excavating or proposing
18 to excavate over 61,000 cubic yards of soil in
19 that redevelopment area. The soils would be
20 removed down to the saturated zone. That could
21 be up to 10 feet down underneath the surface,
22 and the saturated zone is where the soil begins
23 to meet the groundwater. At the bottom of
24 that, we would use in situ stabilization, which
25 means we would add some stabilization

1 amendments to the soil to further bind any
2 remaining contaminants to the soil so that they
3 are not mobile. And then we would backfill
4 what we remove with clean soil.

5 There's other areas of the site where
6 we're proposing to maintain existing pavement
7 or other types of barriers that might be put in
8 or adding soil covers to further reduce
9 disbursement and any human ecological risks.

10 As I mentioned, we also did look at the
11 leased area, and we are proposing to excavate
12 approximately 14,000 cubic yards of
13 contaminated soil from that area -- area,
14 excuse me. And we'll require the maintenance
15 of any existing pavement or other barriers,
16 such as building foundations that are there.
17 So what that means is that in the future,
18 should someone want to take a building down,
19 they would need to investigate whether the soil
20 underneath would need to be remediated at that
21 point; otherwise, the barrier needs to stay.

22 Here's the groundwater flow that I was
23 speaking of earlier, where we have that
24 groundwater divide that goes through
25 approximately the center of the site. We have

1 some of the groundwater flowing north towards
2 the neighborhoods and other groundwater flowing
3 south towards the Grand Calumet River. Because
4 of the different potential receptors that we
5 would have at both areas north and south of the
6 site, we have different criteria groundwater
7 cleanup goals that we want to meet at each
8 area. And to do that -- I don't know if I
9 skipped a slide. Here it is. The cleanup goal
10 for the northern property boundary, which is
11 closest to the neighborhood, is the Arsenic
12 MCL, which is actually a drinking water
13 standard. And although we are dealing with
14 groundwater here, we are proposing to clean up
15 to a drinking water standard. And at the
16 southern property boundary, it would be the
17 IDEM surface-water standard. So we will have
18 monitoring that will occur at both areas to
19 make sure that our remedy is progressing and
20 that we are meeting the goals that we have set.

21 To do this, there's a few things we're
22 proposing: Enhanced Sulfate Reduction
23 Bio-Barrier, this is basically a trench that
24 would be dug near the property boundary.
25 Sulfate would be added, which stimulates

1 microbial sulfate reduction. Basically what
2 that does is it serves to trap, sequester, keep
3 the arsenic where it is. It makes the arsenic
4 no longer mobile; it will not travel in the
5 groundwater. And this significantly reduces,
6 eliminates the migration of the arsenic in the
7 groundwater past the property boundary.

8 To further enhance that trench's ability
9 to capture the arsenic, we are also doing
10 injections further upflow from that point. So
11 there will be multiple injection points where
12 we'll add more sulfate to further trap the
13 arsenic before it even makes it to the
14 trenches, before it makes it to the property
15 boundary.

16 This has been proven to trap the arsenic,
17 but it has also been very helpful with the
18 other metals that we have at the site; zinc,
19 lead, and cadmium. And this was observed in
20 the laboratory and the on-site pilot tests that
21 have been done at the facility.

22 As I mentioned, we also have environmental
23 restrictions and deed restrictions that will be
24 required to be placed on the property. These
25 institutional controls will be reported, and

1 they will prohibit nonindustrial/commercial use
2 of the property. They'll prohibit installation
3 of on-site drinking water wells and require
4 permits for all non-potable groundwater wells.
5 Any barriers, fences, things of that nature,
6 security fences, would need to be maintained;
7 and health and safety plans would be required
8 for any on-site workers, things like PPE
9 requirements and things of that nature.

10 The deed restriction would be recorded as
11 an EPA-approved environmental covenant. And
12 what's really important about that is those
13 documents run with the land; meaning, that if
14 the property changes ownership, it doesn't --
15 the deed restriction stays in place. So the
16 new property owner would have to accept all the
17 restrictions that are part of that deed
18 transfer, or they would need to further clean
19 up the property.

20 Additionally, a big part of this remedy is
21 the required financial assurance of
22 DuPont-Chemours. This ensures that the remedy
23 can be implemented over the entirety of the
24 remedy's lifetime. To do that we have
25 regularly updated cost estimates based on where

1 we are in the remediation process, and it also
2 includes a long-term monitoring maintenance
3 operation plan that will be completed as part
4 of the final decision. So we keep a very close
5 eye on what's happening at the site and make
6 adjustments as needed. So if something's not
7 working, it's not working as fast as we would
8 like, we see opportunities for enhancements to
9 speed things up, to make things better, we can
10 do that through this process, especially with
11 the five-year remedy reviews built right in.
12 That's a firm stopping point for the agency to
13 stop and take a look at what's been going on.

14 But speaking from my work on the
15 Natural Area, you know, we've had the 2014
16 remedy in place, and we have already made
17 several adjustments to that remedy over the
18 past three years. So things can be done in the
19 interim. They will -- that doesn't have to
20 wait for a five-year remedy review. If we see
21 things that need to be changed, we can
22 definitely do that.

23 And finally, there would be a corrective
24 action implementation order issued that will
25 ensure compliance with whatever the final

1 cleanup decision ends up being.

2 We've had a lot of community involvement
3 on this site and will continue to do so. We
4 like to, you know, remind people that most, if
5 not all, of former industrial sites do have
6 some residual contamination. EPA does promote
7 reuse of these sites, and any -- but any
8 redevelopment that might be here at the DuPont
9 facility would need to be subject to EPA,
10 state, county, and city requirements.

11 We are aware that Chemours has been
12 working on potential redevelopment
13 opportunities; but beyond that, we're
14 developing forward with our remedy, and we'll
15 work with anyone if that comes to fruition.

16 So that's a quick overview. The
17 documents, as I mentioned, are available for
18 review online, and here in the library, and
19 also in our Region 5 Records Center, but I'm
20 available to take questions right now.

21 MR. GONZALEZ: Yes, we have time for
22 questions. We have lots of time, so this is
23 good. We're on a good schedule here.

24 So do we have questions? Right here.

25 REMONSTRATOR: Okay. My name is xxxxxxx

1 xxxxxxx, and I would like to ask Jennifer a
2 question with respect to the biowall and the
3 use of the sulfate. There's a problem there
4 because, let's see, it was CH2MHill was one of
5 the DuPont contractors that did some of the
6 work, and then there's another one with a P. I
7 can't remember the name.

8 MS. DODDS: Parsons.

9 REMONSTRATOR: Yeah. Okay. Parsons,
10 right. The problem is the reaction depends
11 upon -- I'm sorry, I'm going to lose a few
12 people here, but the reaction depends upon
13 the -- well, the reduction of sulfate to
14 hydrogen sulfide, essentially. And then the
15 sulfide will react with the arsenic and some of
16 the other heavy metals to give you a
17 precipitator of the heavy metal sulfides.

18 Now arsenic, at that stage, under those
19 conditions, probably would form something
20 called orpiment. Are you familiar that?

21 MS. DODDS: I don't --

22 REMONSTRATOR: You're not?

23 MR. GONZALEZ: So do you have a question?

24 REMONSTRATOR: Well, yeah, the question
25 is: What organisms are you going to be using?

1 Because according to what I saw -- and it was
2 very preliminary because the -- the documents
3 were not available until yesterday -- under
4 those conditions that they outlined, including
5 aeration, you're reversing what normally would
6 occur. These reactions are anaerobic,
7 essentially.

8 What they've done is they aerate the
9 system, which reverses the ecology and
10 essentially gives the green light, if you will,
11 to fungi, not the -- not the anaerobes --
12 facultative or obligatory anaerobes that
13 normally would do this.

14 I don't understand. It seems like -- you
15 cannot -- you cannot go in one direction and
16 end up in the opposite direction at the same
17 time. What organisms are you going to be
18 using?

19 MS. DODDS: I don't have the specifics on
20 that. I know that we -- in our pilot tests and
21 the field tests that we did, there were
22 multiple rounds of different types of
23 injections with different mixes of chemicals
24 that we used, and we had more promising results
25 with some things than others.

1 REMONSTRATOR: I saw those, but there was
2 no mention of any of the organisms that should
3 have been involved.

4 MS. DODDS: Yeah. I don't have that.

5 REMONSTRATOR: It looks like this was done
6 without the use of a bacteriologist. And as a
7 consequence, I hate to say it, but it looked
8 more like muckology rather than science, and I
9 don't see that this system will work, period.

10 MR. GONZALEZ: All right. So -- so let me
11 just pose a question here -- or a solution to
12 this question: For the time being, we have the
13 question; it's documented. Why don't we look
14 into the situation and provide an appropriate
15 answer for you?

16 REMONSTRATOR: In what time period?

17 MR. GONZALEZ: Well, you know.

18 REMONSTRATOR: Well, give me a reasonable
19 estimate.

20 MR. GONZALEZ: Well, you know -- well,
21 what's a reasonable time period for that?

22 REMONSTRATOR: A few days?

23 MR. GONZALEZ: No, not a few days, but
24 give us -- give us a few weeks, and we'll have
25 a response for you.

1 REMONSTRATOR: A few weeks is quite
2 reasonable, but I don't want it to take months
3 because at that time, other things will be
4 moving forward.

5 MR. GONZALEZ: So here, so -- so we can
6 assure you of this: If it's going to take a
7 few months, we will call you and let you know
8 that it -- but it shouldn't.

9 MS. DODDS: And I would -- I will say that
10 we saw significant results. We saw
11 70-percent-plus reductions in the levels of
12 arsenic in the groundwater from our pilot
13 tests. So, you know, what we were doing, we
14 saw promising results with, both in the lab and
15 out in the field, as well as other studies that
16 have previously been done using this
17 methodology that has shown similar results.
18 So --

19 REMONSTRATOR: I saw those results, and my
20 thoughts are: They are doomed to mechanisms
21 that the people who were doing the tests don't
22 understand.

23 MR. GONZALEZ: All right. Thank you very
24 much. We appreciate that.

25 Next question over here, please.

1 REMONSTRATOR: My question, I think
2 Jennifer touched on it. Can you give us a list
3 of other references -- I'm sorry, xxxxxxxxxxxx.
4 I'm the attorney for the City. Can you give us
5 a list of other RCRA sites or Superfund sites
6 where this remedy has successfully been used?
7 Can you give them now --

8 MS. DODDS: No, I can't.

9 REMONSTRATOR: -- or can you just provide
10 a response in the -- in the next few weeks?

11 MR. GONZALEZ: So we'll have to get back
12 to that question. Again, so that you know --
13 so we have a court reporter, and so just before
14 the meeting started, I posed the question: So
15 how long is it going to be before you get this
16 back to us? She said it takes about ten
17 working days to get that back to us. So once
18 we have those notes and we go through these
19 questions, from that time period on, we would
20 move forward to respond to some of these
21 questions that we can't answer tonight. Is
22 that fair?

23 REMONSTRATOR: Yes.

24 MR. GONZALEZ: All right. Thank you.

25 Next question. Anybody on this side?

1 Okay. I'm trying -- I'm trying to take one
2 side and then the other. So this gentleman in
3 the back, and we'll get back to you, sir.

4 REMONSTRATOR: Yes, xxxxxxxxxxxxxxxx, Hoosier
5 Environmental Council. I just have a quick
6 question, and it may have been on the slide,
7 but I didn't catch it at the time. Do the
8 restrictive covenants include a prohibition on
9 residential use of the land?

10 MR. GONZALEZ: Yes.

11 REMONSTRATOR: Okay.

12 MR. GONZALEZ: So then this gentleman.
13 Yes, sir.

14 REMONSTRATOR: xxxxxxxxxxxxxxxx. My
15 question is: Are you going to get back to
16 people in enough time that they can actually
17 then comment during the period of the comment
18 period?

19 MR. GONZALEZ: So -- okay. All right. So
20 let me answer that right now, because for those
21 of you who came in late, maybe you haven't had
22 a chance to read the entire agenda yet. We
23 have extended the comment period; starting
24 tomorrow, it goes all the way to the 12th of
25 March. That's an additional 60 days. So if we

1 get the answer back to you, I think you might
2 have enough time to make a comment on whatever
3 the finding is that we have to give you, the
4 answer to that. Does that make sense?

5 REMONSTRATOR: So the intent is to respond
6 to these comments with enough time for people
7 to be able to comment on --

8 MR. GONZALEZ: So the intent is that we
9 think we're giving you enough time, given that
10 we -- you know, the current comment period
11 would have ended the 26th. We've extended --
12 the 26th of this month. We've extended that to
13 go from tomorrow, starting the 11th, to the
14 12th of March.

15 REMONSTRATOR: I just want to make sure,
16 when people -- when you're saying, we're going
17 to get back to you, actually, you get back to
18 them with enough time that they can then --

19 MR. GONZALEZ: Yeah. No. I hear you.

20 REMONSTRATOR: -- formulate their
21 comments.

22 MR. GONZALEZ: I hear you. I hear you.
23 And just let me assure everyone that if there's
24 a need to extend the period of time, we will do
25 so. Okay? So I mean, it's -- we want to hear

1 and get this -- get this right for the
2 community and give us enough time to -- all
3 right? All right?

4 REMONSTRATOR: All right.

5 MR. GONZALEZ: All right. Yes. Yes,
6 ma'am.

7 REMONSTRATOR: I have a bunch of
8 questions, but one is: Jennifer, you've
9 mentioned the bio trench, and you said it was
10 near the property line. Which property line
11 were you referring to? Is it at the south or
12 in the north?

13 MS. DODDS: The southern property
14 boundary.

15 REMONSTRATOR: So there's no trench, new
16 trench, near the northern property line and no
17 injections of --

18 MS. DODDS: There is injections at the
19 northern property boundary.

20 REMONSTRATOR: North --

21 MS. DODDS: There's several lines of
22 injections at the northern property boundary.

23 REMONSTRATOR: North of the permeable --

24 MS. DODDS: Yeah, both.

25 THE REPORTER: Excuse me. "North of the

1 permeable"?

2 REMONSTRATOR: Reactive barrier.

3 THE REPORTER: Thank you.

4 MS. DODDS: Both.

5 MR. GONZALEZ: Okay. Yes. Ma'am?

6 REMONSTRATOR: You said the com-- the
7 comprehensive testing on the soil, you say they
8 will track the cancer risks, something like
9 that. How are you tracking it and how will you
10 track it? Is there a study going to be
11 started, or is it started already?

12 MS. DODDS: Well, we look-- we did a Human
13 Health Risk Assessment across the site with the
14 data that we have and looked at what type of
15 remediation, what kind of cleanup we needed to
16 do to lower the risk to an acceptable level
17 below that cancer risk that we were talking
18 about, 10 to the minus 5 or 1 in -- was it
19 10,000? So what we are proposing gets us to
20 that level, which is an acceptable cleanup
21 level under EPA.

22 REMONSTRATOR: Then following that, you
23 said IDEM has surface water standards. Are
24 those standards for our area only that's been
25 affected, or are they standards for toxic

1 sites?

2 MS. DODDS: It's a general ground --
3 surface water standard. It's not just --

4 REMONSTRATOR: Okay. So they should all
5 be standard then.

6 MS. DODDS: Yeah.

7 MR. GONZALEZ: Okay. Thank you. Thank
8 you very much.

9 So let me get this lady first, and then
10 I'll come back to you.

11 REMONSTRATOR: xxxxxxxxxxxxxxxx (phonetic).
12 All right. My question was: I see that she --
13 like she just said, you're doing something with
14 cancer. Are you checking as far as children
15 with ADHD and other things that could have
16 been -- have had -- it could have been from
17 this lead and arsenic? Because I lived in
18 Zone 1, and now I'm in Zone 3, and you're
19 telling me now that this zone has more
20 chemicals or contaminants than I had in Zone 1.
21 And I have a child that's ADHD. So are you
22 doing a study on those as far -- as well --
23 as -- or just cancer [sic]?

24 MS. DODDS: The risks that we evaluated
25 for this proposed remedy is on the DuPont

1 facility, within its property boundaries. We
2 are looking at the exposure on that property
3 itself.

4 The studies that will take place regarding
5 groundwater assessment, groundwater use, the
6 soil studies, anything that's taking place
7 outside of the DuPont property boundary is
8 currently under the Superfund authority.

9 REMONSTRATOR: Uh-huh.

10 MS. DODDS: All of those investigations
11 and follow-up will be handled by the Superfund
12 Program within EPA. So if there are any type
13 of studies that fall under that category, they
14 would be the program that would determine the
15 need for that and be undertaking those.

16 At this point, I don't really have a lot
17 of other information about that, but I know
18 that there's a Superfund meeting next
19 weekend --

20 REMONSTRATOR: Uh-huh.

21 MS. DODDS: -- the 20th, where you -- feel
22 free to -- you'll bring that question forth to
23 the appropriate people, and hopefully they can
24 give you a more direct answer.

25 MR. GONZALEZ: Thanks for mentioning that.

1 I just finished jotting that down. Thanks.

2 Yes, ma'am.

3 REMONSTRATOR: Okay. ~~xxxxxxxxxxxx~~ for the
4 City again. My question is just about
5 procedure for tonight. If -- since it's a
6 sticking point that people want responses to
7 some of their questions, is it important that
8 people give their name so you can actually
9 provide them with the answer? Because some
10 people have, some people haven't. And then
11 will the transcript be on the website once it's
12 ready?

13 MR. GONZALEZ: We can put the transcript
14 on the website. It will have -- it will take
15 all the names out of it.

16 REMONSTRATOR: Okay.

17 MR. GONZALEZ: Okay? But we could make
18 that available once it's available.

19 REMONSTRATOR: And for those who have
20 emphasized that they want to make sure they get
21 responses before --

22 MR. GONZALEZ: So -- so -- so that's why
23 I've sort of like been sort of a little
24 bothersome fly about signing in, because we
25 cross-reference the name with your name on the

1 sign-in sheet, and we have some of your
2 information there, including your emails. So
3 it kind of makes sense; right? It works.

4 All right. So we have another question?
5 This gentleman. Yes. And then I'll come back
6 to this again.

7 REMONSTRATOR: Can I get in three quick
8 ones that are related?

9 MR. GONZALEZ: Three quick questions.

10 REMONSTRATOR: Yeah. You talked about
11 there is a current unacceptable level, you've
12 done the health risk assessments. What is that
13 ratio?

14 And then what is the target acceptable
15 cancer ratio that you want to get to after all
16 this is done?

17 And finally, you mentioned in there the
18 cost assessments you've done for this
19 remediation. Can you give me the dollar amount
20 of that?

21 MS. DODDS: I will let Bhooma Sundar, our
22 toxicologist, talk about the risks from the
23 human health perspective, but the estimated
24 cost for this cleanup as it stands right now is
25 about 22.6 million, I think, but we will update

1 cost estimates as we go.

2 I want to make it clear that EPA is not
3 paying for this cleanup. There are no public
4 funds paying for this cleanup. There has been
5 some misinformation out there, articles and
6 whatnot that have misstated that fact. This is
7 not an EPA-paid-for cleanup. This is being
8 paid for by DuPont-Chemours. So I want to make
9 sure that's very clear.

10 MR. GONZALEZ: Bhooma, can we hear you
11 from over there?

12 MS. SUNDAR: I guess.

13 MR. GONZALEZ: No.

14 MS. SUNDAR: Can we bring up the slide?

15 A big component of the cleanup is soil
16 excavation. And most of the contaminants in
17 soil include arsenic, lead, cadmium, and
18 chromium. And --

19 (Indistinct discussion between
20 Ms. Dodds and Ms. Sundar out of
21 the hearing of the reporter.)

22 MS. SUNDAR: Whenever we do the risk
23 assessment, we start with what we know about
24 the site. So we take soil samples, and we know
25 what the contaminants are. And we do the

1 measurements, and that is a starting point for
2 us. So we take that contaminant level and
3 combine that with already existing information,
4 such as the toxicity data. So if this chemical
5 is taken by someone, what are the final health
6 end points? Is it going to cause cancer? Is
7 it going to cause neurological problems? Is it
8 going to cause blood disorders? So we combine
9 that information with the concentration of the
10 soil.

11 And another important component is how
12 much of this contaminant is coming into contact
13 with the person who's going to be exposed to
14 that contamination? So it's a three-part
15 equation: What is present in soil, and how
16 much the person is going to be exposed to, and
17 what is the general toxicity associated with
18 this?

19 So we put all these together and segregate
20 those into two parts; one, what's the
21 possibility -- not -- so this is not an exact
22 science. It's mostly like estimation,
23 probability. So what's the probability of
24 someone getting cancer through continued
25 exposure of this particular chemical?

1 So EPA has a threshold, which is: If --
2 if thousand people are exposed to this
3 particular environment, if one gets cancer out
4 of this exposure, it's totally unacceptable to
5 EPA. So if that -- even if 10,000 people get
6 exposed to this concentration, and even one
7 gets cancer, it's not acceptable. So anything
8 about 10,000 to 1 million or above, if the
9 possibility of getting cancer is one, it's
10 acceptable to EPA.

11 So what we have found, doing all these
12 calculations, is that arsenic on the soil does
13 not pose the cancer risk for the industrial
14 workers when they come into contact through
15 inhalation or through dermal contact or through
16 accidental ingestion; however, there seems to
17 be a problem with lead.

18 Lead does not cause cancer risk, so the
19 way that calculation is done is totally
20 different. If a pregnant woman is exposed to
21 lead, then the lead gets into the developing
22 fetus through the blood. So EPA and the health
23 agencies, they have set a limit. If the lead
24 concentration exceeds 10 micrograms in hundred
25 level [sic] of blood, it is not acceptable.

1 So using that as a threshold, we have
2 found that the levels within the property, the
3 risk property, do exceed, to a greater
4 extent -- they exceed in -- sometimes like 17
5 or 18 times higher than the acceptable number;
6 therefore, most of these excavation is going to
7 focus on removing the lead contamination.
8 Lead -- so the workers are not going to be so
9 much impacted like that of children; however,
10 we have certain threshold and that threshold is
11 exceeded on site, and that is the trigger for
12 excavating the soil.

13 And the bonus is that because of the
14 manufacturing processes, we have lead
15 co-mingled with arsenic and other
16 contamination. So if we target lead
17 excavation, it's automatically going to remove
18 arsenic, chromium, and cadmium that's present
19 in soil. So it's mostly the removal of lead
20 contamination out there.

21 MR. GONZALEZ: Thanks, Bhooma. Appreciate
22 that.

23 Before we get to the next question, just I
24 want to remind you quickly that this slide show
25 will be up on the web. Okay?

1 So we can take a question here.

2 REMONSTRATOR: XXXXXXXXXXXXXXXXX. I'm a
3 life-long resident in Zone 3, grew up there.
4 I'm going to make it very clear: You're
5 speaking to someone in your health risk study
6 who does not live on the actual DuPont site but
7 has lead, arsenic, and cadmium in her system.
8 And I've had a heavy metals test.

9 The question is: You are dealing with
10 that, but yet the residential area's considered
11 a Superfund site. My question as a resident, a
12 life-long resident, why EPA chose to divide
13 that, because you are looking at the health
14 risks assessment on the site itself. You are
15 not looking at the 170-plus contaminants that
16 are there, that are flowing. It's not only
17 soil. It's not only lead. It's not only
18 arsenic. It's chromium, chromium
19 hexaphosphate -- and for those who don't know,
20 that's the Erin Brokovich movie -- that's
21 there. Freon, battery acid, everything else
22 that was developed there since before the '60s
23 that has been buried. That's been affecting
24 generations there.

25 So my question is: Is EPA going to

1 include, which it -- the empowerment is in
2 you -- that portion of DuPont is part of the
3 Superfund site, so you correlate it together.
4 Because one of the big problems is -- you just
5 said it -- we've got a meeting on the 20th, and
6 now we got to go to the Superfund team. If
7 you're not coordinating it together, we, as
8 residents, are not going to get the answers.
9 So for me, you need to combine it -- and I want
10 that on record -- into one Superfund site
11 because the same contaminants are crossing
12 over. And if you speak to every neighbor one
13 by one, you'll know what the cancer rates are,
14 you'll know what the kidney failures are,
15 you'll know the diabetes, the health effects.
16 You cannot divide when it's flowing -- airways,
17 soil, flowing in the water, groundwater,
18 seepage into the properties.

19 So that's my question, to unite it
20 together. And I would like an answer, and I'm
21 giving you at least 90 days.

22 (Laughing heard.)

23 MS. DODDS: There's different authorities
24 under EPA regulations, and this site was a RCRA
25 corrective action site first. The RCRA

1 authority was in place here at the DuPont
2 facility, and so that is why we have been
3 progressing with the RCRA corrective action
4 authority to -- for this cleanup.

5 REMONSTRATOR: My question is: On that --
6 your RCRA, you've been going on that for 20
7 years. How much longer are we going to suffer?

8 MS. DODDS: Well, we're proposing our
9 cleanup now. Depending on the number of
10 comments we receive and what that means for the
11 potential final decision, it can be, you know,
12 several months before we -- we propose that --
13 we put out that final decision. Within that
14 document, all of the formal comments that we
15 receive will be responded to. So it does take
16 some time to put that together. But once that
17 is done, the remedial process will begin right
18 away. So there will be no delay from the time
19 that decision comes out to when the remedial
20 process will begin.

21 As far as what's happening off property,
22 because of the scale of the issues in
23 East Chicago with the commingling of
24 contaminants, as you yourself brought up, the
25 different responsible parties that are involved

1 in all of these issues, it was best handled
2 under Superfund authority.

3 They have a different authority than we
4 have, and their resources are different than we
5 have, and they are better able to handle that
6 larger problem outside of the property
7 boundary; however, we are working together. We
8 have been and will continue to do so. We just
9 separate these meetings out for ease of sharing
10 information so that it, we think, makes it a
11 little bit more clear as to where one thing is
12 happening and another thing is happening.

13 There's also sometimes time constraints
14 with, you know, being able to share all this
15 information at one time. If we had Superfund
16 here, we'd wouldn't -- we'd be running out of
17 time already. So I know that might not be a
18 complete answer, but that's --

19 REMONSTRATOR: My question is: Can't
20 both -- since there's so many different
21 regulations within interdepartmental, can't the
22 departments go back and sit down and see if
23 it's feasible?

24 MR. GONZALEZ: Yeah. But no, the
25 regulations that she's suggesting to you are

1 things that are done in Congress. Those -- the
2 regulations we get and we follow are
3 congressional regs. So, I mean, to change
4 that, you have to go to Congress. They have to
5 change it.

6 REMONSTRATOR: Okay. No problem.

7 MR. GONZALEZ: Yeah. So -- I know, I hear
8 what you're saying, but --

9 REMONSTRATOR: You're dropping money?

10 MR. GONZALEZ: No. Just -- just pennies.

11 REMONSTRATOR: (Inaudible).

12 REMONSTRATOR: Fifty cents? Fifty -- come
13 on.

14 REMONSTRATOR: It's supposed to be
15 dollars.

16 MR. GONZALEZ: It's not even 50 cents.
17 Supposed to throw in some dollars. We'll get
18 to -- (inaudible) -- but just to finish up,
19 so -- so we hear you. You know. All right?
20 And we understand that it can be frustrating.
21 But, you know, we ask that you work with us so
22 maybe we can come to a solution at the ground
23 level. You know, going to Congress, that's a
24 whole different ballgame.

25 And you have representatives here, you

1 know, for the district that have signed in.
2 So, I mean, you have -- there's a pathway to
3 suggesting exactly what you're suggesting, to
4 let them know what you think the issue is. And
5 raise that issue with them because they're --
6 they're elected officials.

7 REMONSTRATOR: Thank you.

8 MR. GONZALEZ: I'm not passing the buck.
9 I'm just --

10 REMONSTRATOR: No.

11 MR. GONZALEZ: -- telling it the way it
12 is.

13 REMONSTRATOR: And thank you.

14 MR. GONZALEZ: You're welcome. Okay.

15 REMONSTRATOR: I'm glad you brought it out
16 open [sic].

17 MR. GONZALEZ: Okay. Let me -- so I'm
18 getting everybody from over here. Let me get
19 another gentleman here.

20 REMONSTRATOR: Just to confirm: There is
21 no developer that's -- has chosen to develop
22 this site at this -- this point?

23 MS. DODDS: I don't -- I can't comment on
24 that.

25 REMONSTRATOR: Or not?

1 MS. DODDS: EPA is involved with
2 determining a remedy for this site. We don't
3 have any part in any development that happens
4 or any part of those negotiations or anything
5 that happens. So those kind of questions would
6 need to be directed to --

7 THE REPORTER: "Need to be directed to"?

8 MS. DODDS: Chemours.

9 REMONSTRATOR: Chemours is here.

10 REMONSTRATOR: Where are they?

11 MR. GONZALEZ: Okay. xxxxx?

12 REMONSTRATOR: Yeah, I just would like to
13 know -- follow up on your answer there. How is
14 it that you can have RCRA corrective authority
15 when there's no RCRA permit for this facility?

16 (Applause heard.)

17 MS. DODDS: There's a corrective action
18 order. Because of their status early on, they
19 are subject to corrective action. They have an
20 order.

21 REMONSTRATOR: But that's under the court.
22 They have no RCRA permit; correct?

23 MS. DODDS: I don't know if they ever had
24 a permit, per se; but they were subject to
25 corrective action, which it's -- it's very

1 complicated based on their generator --

2 REMONSTRATOR: But they withdrew it --

3 MS. DODDS: -- status.

4 REMONSTRATOR: So I don't know how you
5 have -- I understand if the court --

6 MR. GONZALEZ: So wait. So hang on. So
7 we might have -- we might have an answer for
8 you over here.

9 MS. FULGHUM: The --

10 MR. GONZALEZ: Who are you?

11 MS. FULGHUM: I'm sorry. I'm
12 Mary Fulghum. I'm an attorney with EPA.

13 The DuPont facility had interim status.
14 And as an interim status facility, it had
15 applied for a permit. It later changed the
16 permit and --

17 REMONSTRATOR: Can I stop you right there?
18 Because they withdrew their Part A permit, so
19 how did they have interim authority ever if
20 they withdrew their application?

21 MS. FULGHUM: No, they were an interim
22 status facility. They were a RCRA-regulated
23 facility.

24 REMONSTRATOR: That's not what the record
25 says.

1 MS. FULGHUM: Yes. Yes, they were.

2 MR. GONZALEZ: Okay. So let's not argue
3 that tonight. So -- so send me a --

4 MS. FULGHUM: I'm happy to give you more
5 information on that. But yes, they were a RCRA
6 regulated facility, they had interim status --

7 REMONSTRATOR: Well --

8 MS. FULGHUM: They're subject to
9 corrective action order.

10 REMONSTRATOR: -- according to what was
11 posted on the web page yesterday, it says that
12 they applied and withdrew the Part A
13 application, so they never had interim status.

14 MS. FULGHUM: Yes, they did. Yes, they
15 did.

16 MR. GONZALEZ: So maybe we put something
17 wrong up there. We'll have to check that. All
18 right? Thanks, xxxxx.

19 REMONSTRATOR: Yeah.

20 MR. GONZALEZ: So I'll get with you in a
21 second, sir. Yes.

22 REMONSTRATOR: My name is xxxxxxxxxxxxxxxxx
23 of Northwestern. I want to follow up on the
24 idea that you're not looking at the off-site
25 contamination because that's being handled

1 elsewhere. If you weren't going to look at the
2 off-site contamination, why did the HHRA and
3 other documents reference the risk to the
4 residents, the neighboring residents?

5 MS. DODDS: We -- RCRA typically follows
6 the contamination off site, that -- we wouldn't
7 stop at the property boundary and say, we don't
8 care what happens out there. That's not how
9 the program is run.

10 So before the Superfund involvement was a
11 part of this project, there were some
12 additional studies that took place off site,
13 and that data has been made available and did
14 not show any adverse health risks. So our
15 focus turned back to the property boundary
16 itself.

17 Since that time, Superfund has become
18 involved and is taking another look at the
19 off-site areas because of the larger issues
20 going on throughout the community. And so they
21 are repeating some of the studies that had been
22 previously done. I'm sure they're going to be
23 doing some of their own studies that will be
24 new, but those are questions that Superfund can
25 answer for you better than I can.

1 REMONSTRATOR: I have one follow-up. So
2 if there's an imminent and substantial
3 endangerment because of the off-site
4 contamination, aren't you obligated to take
5 some action regardless of what's happening on
6 some slow timeline under a Superfund?

7 MR. GONZALEZ: Would you speak up, please?

8 REMONSTRATOR: I'm sorry. I asked if
9 there's an imminent and substantial
10 endangerment to the residents, wouldn't you
11 need to act, under RCRA, even if there's some
12 other authority and --

13 MS. DODDS: I don't think we ever
14 determined that there was an imminent and
15 substantial endangerment under the studies that
16 were previously done under RCRA, which is why
17 the focus turned back onto the property
18 boundary.

19 We have acknowledged the fact that there
20 is groundwater migrating off the site but that
21 it was not at a level that was of concern to
22 the residents. Given the use of the water and
23 the exposure that the residents would have to
24 the water, the risk assessments that were done
25 showed that the risk was negligible. So as far

1 as imminent and substantial endangerment, we
2 did not come to that conclusion based on the
3 information we have.

4 MR. GONZALEZ: Okay. So wait, so -- sir?

5 REMONSTRATOR: Yeah.

6 MR. GONZALEZ: Wait. This gentleman here
7 in the red jacket.

8 REMONSTRATOR: Sir.

9 MR. GONZALEZ: So I think you said you had
10 three questions, and I think I cut you off
11 after the first one.

12 REMONSTRATOR: Well, I got the three
13 questions out.

14 MR. GONZALEZ: Did you? Okay. Then
15 that's fine.

16 REMONSTRATOR: But I'd like to identify --
17 I am now completely baffled. We don't have
18 danger to the residents, and yet I just heard
19 from this young lady, who's name I'd like to
20 get, that the lead in this water that's flowing
21 off site is 17 times what is endangering
22 people. So what are we talking about here?
23 Are we talking around in circles? I'm
24 completely baffled by what you just said.

25 MS. SUNDAR: No. When I said that there

1 was an exceedancde 17 times more than what is
2 acceptable, I was talking just about the
3 on-site soil. You're talking about the
4 property boundary.

5 REMONSTRATOR: Okay.

6 MS. SUNDAR: So we did not do that kind of
7 evaluation for off-site residents.

8 REMONSTRATOR: Off site. So you don't
9 know whether beyond -- north, into that
10 residential area, whether that lead-infused
11 water or arsenic-infused water has migrated
12 north of the boundaries into the neighborhoods;
13 is that correct?

14 MS. SUNDAR: We have data for on-site
15 migration, but the risk that I'm talking about,
16 the exceedancde -- we did not see that kind of
17 exceedancde with whatever information we have
18 had in the past.

19 REMONSTRATOR: Well, what were the ratios
20 north of the boundary? It was 17 on site; what
21 was it north of the boundary? Do you know?

22 MS. SUNDAR: Superfund is collecting that
23 information, but --

24 REMONSTRATOR: Superfund knows.

25 MS. SUNDAR: -- we have information on

1 groundwater, mostly migration of groundwater
2 beyond that PRB or the -- the reactive barrier.
3 And we did this evaluation back in 2005. We
4 collected some samples in the sump from the
5 basement from some of the residents, and those
6 numbers were acceptable based on EPA's
7 standards because we were not looking into the
8 drinking water scenario. We were just looking
9 into the occasional contact of those residents
10 with the arsenic-contaminated water in the
11 sump. Okay? If at all the basement is
12 flooded, there's going to be some contact with
13 the skin. And we evaluated that scenario, and
14 we came up with the risk assessment that showed
15 that with low concentrations, with sporadic
16 contact, it's not going to be a big concern.

17 REMONSTRATOR: But you're talking about
18 arsenic now in the sumps, not lead. Lead.

19 MS. SUNDAR: Lead, it has a tendency to
20 bind tightly to the soil. So there's not much
21 of lead contamination that's from off site;
22 however, arsenic is highly mobile in nature; it
23 travels faster. So the main concern for
24 groundwater is arsenic, not lead.

25 MR. GONZALEZ: Next. There's a question

1 here.

2 REMONSTRATOR: I got a question. My
3 name's xxxxxxxxxxxxxx. I'm a member of--
4 (inaudible). I stay in the 4900 block of
5 Euclid. And she's talking about there was no
6 lead, but why did they stop doing the lead
7 service lines in the 4900 block of Grasselli,
8 Drummond, Carey, Euclid, Ivy, and Parrish?
9 They've done all the risks, except that one
10 block, which is the first block north of
11 DuPont.

12 MR. GONZALEZ: Is that a question we can
13 answer?

14 MS. DODDS: (Shaking head).

15 MR. GONZALEZ: That's a -- SF's question;
16 right? Is that a Superfund question?

17 MS. DODDS: The sewer lines? I'm not sure
18 who --

19 REMONSTRATOR: No, the service lines.

20 REMONSTRATOR: That's a City question.

21 MR. GONZALEZ: That's a what?

22 REMONSTRATOR: A City.

23 MR. GONZALEZ: That's a City question.
24 That's a City question, I believe.

25 REMONSTRATOR: (Inaudible) -- you said the

1 water table's high.

2 MR. GONZALEZ: Okay. That will be a City
3 question. So I'm sorry, we can't answer that.

4 REMONSTRATOR: I remember he mentioned
5 about the permits. I was wondering: Is
6 DuPont, or whoever is doing the work over
7 there, exempt from pulling permits with the
8 City?

9 MS. DODDS: No.

10 MR. GONZALEZ: All right.

11 REMONSTRATOR: So have they pulled any?

12 MS. DODDS: You mean, applied for a permit
13 for the work?

14 REMONSTRATOR: Yes.

15 MS. DODDS: When the work is undertaken,
16 yes, they apply for all the proper permits that
17 are necessary. We haven't begun any of the
18 work related to this proposed remedy yet, so
19 nothing related to that has occurred. But in
20 the past with all the other work that we've
21 done in the Natural Area, they've applied for
22 and gotten all their proper permits.

23 REMONSTRATOR: Okay. But I know about a
24 month ago, two months ago, there was a lot of
25 heavy banging going on over there at DuPont, so

1 somebody was doing something over there.

2 REMONSTRATOR: Absolutely.

3 MS. DODDS: We -- we did get that
4 information brought to our attention --

5 REMONSTRATOR: Uh-huh.

6 MS. DODDS: -- and we looked into it, and
7 there was no work being done at the DuPont
8 property or the Grace property that anybody was
9 aware of. Chemours looked into -- looked into
10 it on their end and spoke with people. So I
11 don't know that we ever pinpointed where that
12 sound was coming from. I know that there was
13 discussions of maybe near the airport or the
14 toll roads or something like that, but it was
15 not determined to be from DuPont.

16 REMONSTRATOR: Okay. Yeah, and I stay one
17 house away from DuPont, and I know where the
18 noise was coming from.

19 REMONSTRATOR: Uh-huh.

20 REMONSTRATOR: Now I wish I would have
21 took it further, walked across the tracks, and
22 went up to the gates to see. But I will be
23 keeping an eye on it from now on, yeah. Okay.

24 MR. GONZALEZ: Okay. So just so we are on
25 the same page: So we understand that before

1 work begins, permits are in hand already.

2 MS. DODDS: Right.

3 MR. GONZALEZ: So, really, no work is done
4 without -- not the City knowing what -- what's
5 going on.

6 REMONSTRATOR: Okay.

7 MR. GONZALEZ: Okay?

8 Wait, there was a gentleman, yes, right
9 here. Sorry, sir.

10 REMONSTRATOR: I'm -- xxxxxxxxxxxxxxxxxxxx
11 (phonetic) is my name, and I'm from Munster.
12 Has the river been dredged, and what's the
13 chemical compounds in the soil and in that
14 water?

15 MS. DODDS: The Grand Calumet River was
16 dredged as part of the Great Lakes Legacy
17 Program's project that's going on all
18 throughout the Grand Cal. I can't even
19 remember how many years back now that that
20 occurred. There were a lot of various
21 contaminants found in the river; heavy metals,
22 just a whole mix of things from a lot of
23 industry.

24 REMONSTRATOR: And it's still there?

25 MS. DODDS: No, they dredged -- alongside

1 DuPont, that area has all been dredged, and
2 there was some additional wetlands put in place
3 as mitigation wetlands.

4 MR. GONZALEZ: All right. So we got --
5 we've got like maybe two minutes left in this
6 period of time, so we'll take the final two
7 questions. So this gentleman, and then we'll
8 go here.

9 REMONSTRATOR: I'm sorry, but --

10 MR. GONZALEZ: Yes. Go ahead. You, yes.

11 REMONSTRATOR: Okay. I was just wondering
12 if you can clarify exactly when and by whom the
13 decision was made that the RCRA cleanup -- the
14 DuPont site would not include any of the
15 off-site contamination?

16 MS. DODDS: Mary, can you speak to that,
17 the Superfund involvement?

18 MS. FULGHUM: Yeah, Mary Fulghum with EPA.

19 The RCRA corrective action work was
20 ongoing, the investigations. And the USS-led
21 Superfund site was developing at -- you know,
22 at the same time. Both RCRA and Superfund have
23 overlapping authorities with respect to that
24 residential area, but it doesn't make sense for
25 the agency to, you know, spend both its RCRA

1 staff time and its Superfund staff time and
2 Superfund contractors on the same piece of
3 property. So the thought was that the
4 Superfund work was progressing more quickly,
5 and that -- and that it made sense. Also,
6 there were contaminants there that were
7 commingled from not just the DuPont site.

8 REMONSTRATOR: So what time was that --
9 would that have been?

10 MS. FULGHUM: I'm sorry. I would have to
11 reach back and --

12 MR. GONZALEZ: Way back. I don't think
13 that was a recent decision; right?

14 MS. FULGHUM: (No immediate response).

15 MR. GONZALEZ: All right. Well, you get
16 the last word, xxxxx.

17 REMONSTRATOR: I get the last word.

18 MR. GONZALEZ: Oh, I'm sorry. Okay. I'm
19 sorry, yes.

20 REMONSTRATOR: Now, this is a question
21 with respect to the toxicology: I saw nothing
22 in any of the documents from the EPA or anyone
23 else, for that matter, that deals with the
24 synergistic effect of these multiple pollutants
25 that are exposed -- that many of these people

1 are exposed to.

2 The other thing that you don't seem to be
3 dealing with is the cumulative nature of some
4 of these toxins. Is that going to appear? Do
5 you -- is it simply that I haven't found it, or
6 what -- what's going on there?

7 MS. SUNDAR: We are looking into heavy
8 metals and the toxic nature of these metals;
9 just like how we are proposing the sulfydryl,
10 when a cell, a human cell, comes into contact
11 with these heavy metals, it creates free
12 radicals by combining with the sulfydryl
13 groups. So that leads to cell death. Of
14 course, the dose matters and the frequency
15 matters, the duration matters. So that's the
16 toxicity part of it.

17 So when we do the risk assessment, we just
18 don't do one particular chemical. Whatever
19 chemicals that are found either in soil or in
20 groundwater, we take all these collectively,
21 and we do a cumulative risk assessment. And
22 the cancer risk for all these chemicals are put
23 together, and that's how we come with the
24 threshold that anything between 10,000 to 1
25 million is acceptable.

1 REMONSTRATOR: That's -- you're talking
2 about cancer.

3 MS. SUNDAR: That's right.

4 REMONSTRATOR: But there's so many other
5 aspects to these toxins that are affecting all
6 kinds of other organ systems.

7 MS. SUNDAR: Other body organs. Right,
8 right.

9 REMONSTRATOR: And what I said is: There
10 is no data available on the synergistic effect.
11 Let's say you have a sublethal or subtoxic
12 level of something, like antimony, which you
13 didn't touch, and arsenic at the same time --
14 they're both in Group 15 -- yet the effect on
15 animals is going to be different for different
16 animals.

17 MS. SUNDAR: That's right.

18 REMONSTRATOR: So if you test them on
19 rats, that doesn't necessarily mean that the
20 effect on human beings is going to be the same.
21 I've seen no data on that. Is there data
22 available?

23 MS. SUNDAR: The way the risk assessment
24 is done, we -- we pool all the
25 non-cancer-causing chemicals, and we connect

1 that to the particular organ. Say for example,
2 arsenic, cadmium, chromium, and antimony, if
3 they are toxic to the lead -- no, liver or
4 kidney, we pool all those chemicals together,
5 and we come up with the hazard index. So the
6 individual chemical-related toxicity is called
7 the hazard quotient.

8 REMONSTRATOR: Uh-huh.

9 MS. SUNDAR: Whereas, all the chemicals
10 pooled together is called the hazard index. So
11 if there is an hazard index that exceeds one,
12 it shows that there is a cumulative effect on
13 that particular organ system.

14 REMONSTRATOR: May I talk to you after the
15 meeting?

16 MS. SUNDAR: Absolutely. I can show you
17 that risk assessment.

18 MR. GONZALEZ: All right. So xxxxx,
19 please keep it short.

20 REMONSTRATOR: Quick point of
21 clarification: Two points, actually. You said
22 they were getting their permits for whatever,
23 the work they're doing on there. Could we see
24 a list of those permits, and does that include
25 NPDS and underground injection control permits

1 for the injections into the Calumet Aquifer?

2 MS. DODDS: I don't have a list of the
3 permits yet because we don't have a remedy yet.

4 REMONSTRATOR: Okay. So that's --

5 MS. DODDS: This is a proposal for your
6 comments, so we don't have a final decision
7 yet. So that when we get down to that point,
8 I'm sure that's something we can make
9 available.

10 REMONSTRATOR: So I'm taking it they don't
11 have an underground injection control permit
12 for injecting into the aquifer.

13 And what is happening to the soils being
14 excavated on site? And specifically, if it's
15 being treated, what is it being treated with,
16 and what method is being utilized?

17 MS. DODDS: The soils will be treated
18 and -- with some type of a stabilizer to render
19 them nonhazardous. We used a product that --
20 the name was called Tara Bond HS (phonetic) in
21 the trials that we ran. I don't think those
22 specific kind of --

23 REMONSTRATOR: Can you repeat that a
24 little louder, please?

25 MS. DODDS: Tara Bond HS was the chemical

1 I believe we used.

2 REMONSTRATOR: Okay.

3 MS. DODDS: But we don't have any
4 specifics on exactly what we will be using
5 because, again, we don't have a final remedy at
6 this point. But it will be some type of a --
7 an additive to stabilize the soil and render it
8 nonhazardous. It will then be placed on the
9 solid waste landfill that is currently already
10 on the property. There will be a level -- a
11 layer soil added to that landfill before it is
12 closed and capped with the proper cap that
13 we'll be working with the Nature Conservancy on
14 to make sure that -- given its proximity to the
15 Natural Area, we're going to be working closely
16 with them on that.

17 REMONSTRATOR: So is it the same thing for
18 the soil that was excavated from the Buffer
19 Zone also?

20 MS. DODDS: Probably a very similar
21 process, yes.

22 REMONSTRATOR: But I mean, that it was
23 disposed of on site.

24 MS. DODDS: Correct.

25 REMONSTRATOR: And which landfill is it

1 being disposed of into?

2 MS. DODDS: There's a solid waste --
3 historical solid waste landfill on the
4 property.

5 REMONSTRATOR: Is that A-1, the ash
6 landfill?

7 MS. DODDS: It's outlined on the map here.
8 It's approximately 30 acres, outlined here
9 (indicating), that is a former solid waste
10 landfill, nonhazardous material in there. So
11 the soil would be placed on top, and then it --
12 covered --

13 THE REPORTER: Excuse me. "So the soil"?

14 MS. DODDS: The soil is -- would be placed
15 on top of the solid waste nonhazardous
16 landfill. Mary?

17 MS. FULGHUM: I just want to be clear that
18 none of the soils from the Superfund site are
19 being disposed of at DuPont. They -- some are
20 being -- have been staged at the site, but
21 there's been liners placed down to prevent, you
22 know, introduction of contaminated soil onto --
23 onto the DuPont site. But no -- no
24 contaminated soils from the Superfund site have
25 been disposed of at DuPont.

1 MR. GONZALEZ: Okay.

2 MS. DODDS: And additionally, when those
3 soils were staged on the DuPont site, there
4 were additional control measures put in place.
5 In addition to the liners, we had dust control
6 measures, air monitoring, so on and so forth,
7 until the soils were transported and disposed
8 of off site.

9 MR. GONZALEZ: Okay. We have to leave it
10 there. We have to leave it there, and -- are
11 you okay?

12 THE REPORTER: Yes, I am. Thank you.

13 MR. GONZALEZ: Okay. Good. Okay. So now
14 we go into the comment period. All right?
15 We're like -- we're just like five minutes
16 into -- six minutes into the comment period.
17 So now we're open for comments. So now we're
18 asking, do you have any comments on the
19 proposal itself?

20 REMONSTRATOR: (Inaudible).

21 MR. GONZALEZ: Of course we will always
22 accept -- we accept, also, written comments.
23 If you -- if you've done that, we'll accept
24 those now. You know that the -- we've extended
25 the comment period, so I'm -- we're assuming --

1 or we made that decision, that a lot of you
2 would probably hold off to get the rest of the
3 information in a format in which you could, you
4 know, gather it and read it and make some sense
5 to you before you did that. So...

6 You have a comment here?

7 REMONSTRATOR: Yes. And I have it
8 written, and please allow me to read it because
9 I do get emotional.

10 REMONSTRATOR: Could you stand, ma'am, and
11 talk louder so that we can hear you?

12 REMONSTRATOR: Sure.

13 REMONSTRATOR: We definitely want to hear
14 you.

15 REMONSTRATOR: Can I use your --

16 MS. DODDS: Absolutely.

17 (Remonstrator approaching the
18 podium.)

19 REMONSTRATOR: My name is ~~XXXXXXXXXXXXXXXXXX~~
20 again. I live on a -- live in the Superfund
21 site, life-long resident in what they --
22 originally was known as Zone 3. I would have
23 to say I'm five houses away from DuPont, and
24 they found lead contamination in my basement
25 from seepage coming up, groundwater that had to

1 be cleaned up. So a barrier is not working.

2 And I'm going to read my statement here.

3 Timeline: When will this nightmare of
4 contamination end for us? DuPont has known
5 that it has been contaminating my neighborhood,
6 my family, my neighbors, my friends for more
7 than 40 years with a combination of 170-plus
8 dangerously-known contaminants, such as
9 chromium-6, antimony, sulfur, battery acid,
10 Freon, to name a few. EPA has known about this
11 DuPont site for more than 30 years. EPA issued
12 a corrective action order 20 years ago to no
13 avail in protecting us whatsoever. EPA has too
14 also known about these contaminants that DuPont
15 has been poisoning us with.

16 EPA is solely concentrating on lead,
17 arsenic, and cadmium contaminants. What about
18 cleaning up the remaining 163 contaminants
19 found on the DuPont site listed on your own
20 records? Tell us now: When will this
21 contamination be gone? Another 20-plus years
22 is unacceptable.

23 We cannot wait any longer because too many
24 generations of our family, neighbors, friends,
25 and loved ones have suffered major medical

1 illnesses, deaths, from cancer, kidney failure,
2 organ failure, neuropathy, seizures. And I'm
3 not willing for you's guys or DuPont to go
4 ahead, and I'll sign off, and you could pull my
5 family's bodies out. Because when you lose a
6 12-year-old brother, a 43-year-old sister, a
7 44-year-old brother, your mom to cancer twice,
8 your dad at 56, all from ailments that come
9 from this; and when you look at me and look at
10 my medical history, it came from this.
11 Otherwise, my doctors would have not ordered a
12 heavy metals test.

13 So speaking about protecting us: Unless
14 you have all the agencies working together in
15 one combined effort -- and we're talking
16 medically? Because you're talking about your
17 health risk assessments, but what about setting
18 up a clinic running these tests for us here in
19 the city? What about including the City? What
20 about including the residents? I've lived here
21 all my life. This is the first. When have we
22 been involved?

23 We are the primary people here. We need
24 to be taken into consideration, not the
25 companies releasing the money, because they've

1 killed many of us already.

2 And it's not only in our area, because it
3 spreads environmentally in the air, in the
4 water. The groundwater travels to the lake.
5 Guess what? There's a hospital right there.

6 And then the other thing I am requesting:
7 Since we are the primary vested party, to
8 receive a written -- as I stated prior -- EPA
9 decisive decision phase stage breakdown
10 submitted to us within 90 days' period, because
11 in 20 years you should know what you're doing
12 and not make us wait another five years.

13 I'm also requesting publicly for a third
14 time for EPA to set up a meeting within a
15 90-day period from today with the responsible
16 parties because they need to be held
17 accountable. This meeting is to include not
18 only EPA but us residents, which are the
19 primary intent here, and have the main voice,
20 and the executive branch of the City, along
21 with the legislative branch, because many of
22 our counsel do not know what's going on because
23 it is being picked and choose who to give
24 information to. It needs to be brought across
25 evenly and equally amongst everybody; our

1 federal legislators, our state legislators, our
2 governor, IDEM, our county legislators, and
3 first and foremost, us, the residential
4 leadership and representatives of the different
5 community organizations.

6 Time has come where we, the primary vested
7 party, us residents, take the bull by its
8 horns -- and I'm saying this seriously -- and
9 no longer tolerate any further decades of
10 delays based on bureatic [sic] actions and
11 policies dictating our lives and health.

12 As to groundwater contamination, sump pump
13 check valves, et cetera, how does the Statement
14 of Basis address the off-site groundwater
15 contamination that is affecting our homes and
16 properties? EPA has ignored or dismissed our
17 concerns about the contaminated sump pump water
18 and basement seepage and flooding for decades.

19 EPA tested the residue from basement
20 flooding in my home and determined that it had
21 high levels of arsenic and lead in it.

22 East Chicago's testing demonstrated levels of
23 arsenic above EPA standards back in 2007, and
24 that's because the residents on the 49th block
25 of Ivy requested it.

1 It is now 11 years, and nothing has been
2 done by EPA to protect us, the residents, in
3 the Superfund site. EPA's time frame is no
4 longer acceptable.

5 EPA is not to finalize the Statement of
6 Basis until you do an acceptable, feasible sump
7 pump testing study because the last time all
8 you tested was for -- according to your own
9 records -- for homes [sic].

10 The study's to include both the water and
11 the soil, alleyways into which the sump pumps
12 discharge; otherwise, you are not only risking,
13 but you are allowing pathways of
14 recontamination into our soil, water, and into
15 our homes.

16 My last point on record: EPA is to
17 include OU-2, as I stated early, as part of
18 Superfund site within 90 days from today. EPA
19 cannot enforce a true cleanup in OU-1 or OU-2
20 if the criteria standards are different for
21 each. EPA knowingly is aware one affects the
22 other, and we can no longer allow and stand for
23 this.

24 I stand before you as one of the many
25 children who grew up in this contamination with

1 over 50 major illnesses in her body. And as I
2 stated, I lost my family members, along with
3 all my neighbors that I know, people with
4 tumors in their brains that are inoperable,
5 children with severe ADHD.

6 The medical states it clearly. I can only
7 speak on a first-party basis, as I'm doing now,
8 that I medically have been tested with heavy
9 metals tests, and thank God for my doctors that
10 fought my insurance to do it. Why should I
11 have to be looking for that when you are aware
12 of the ailments that come along with it? And
13 they know I have lead, arsenic, and cadmium
14 coming out of me every time I urinate. That
15 means it's in my organs. But how many people,
16 otherwise, have been tested? No one, because
17 they're not aware.

18 EPA is no stranger to the health effects
19 of these contaminants; but here in
20 East Chicago, you have turned a blind eye,
21 relying on feeding partial, incomprehensible
22 information to us and relying on our ignorance.

23 I stand before you to make clear we are
24 not backing away and are not going to allow
25 your agency, who works for us, to dismiss our

1 community as garbage.

2 On April 19, 2017, EPA administrator came
3 to East Chicago. I, as a resident, was humbled
4 to sit in that meeting with him. And what
5 touched me was the fact that he said EPA here
6 in East Chicago, being the first Superfund site
7 he came to, could set national standards. Now
8 is your time to do it.

9 He promised me they're going to do and
10 listen to us residents, so you need to include
11 all of us. You cannot be making decisions
12 without putting us all at the table together.
13 We all need to be included unitedly, and I
14 thank you for your time.

15 (Applause heard.)

16 MR. GONZALEZ: Thank you for that,
17 Ms. xxxxx. Thank you very much.

18 Who else would like to make comments?
19 Yes, sir.

20 REMONSTRATOR: All right. What I did was
21 I looked at the data that is available from EPA
22 and others with respect to water analysis as
23 part of the HHRA, which is the Human -- I beg
24 your pardon.

25 MS. SUNDAR: Health Risk Assessment.

1 REMONSTRATOR: I'm sorry?

2 MS. SUNDAR: Human Health Risk Assessment.

3 REMONSTRATOR: Yeah, right, exactly. I'm
4 sorry. Thank you.

5 In any case, the point is: I just looked
6 at the water because this is the most mobile
7 component in the system. And what I found was
8 rather disturbing. What it amounts to, very
9 quickly, is that all of the waters;
10 groundwaters, surface water, and other waters
11 within the DuPont site are contaminated.

12 REMONSTRATOR: Uh-huh.

13 REMONSTRATOR: If the primary source for
14 this contamination were a single point, all of
15 the waters that I looked at -- and the analysis
16 is available in the HHRA, Human Health -- okay.
17 Anyway. But -- but that's not the case.

18 Various components, sub-sites, have
19 different levels of contamination. Meaning
20 what? Meaning the stuff is being dissolved
21 from the site itself. So it's not migrating
22 from the lead site or anywhere else. It's
23 inside to where the water is accumulating.

24 All right. On that basis then, the
25 attempt to clean up would require a cleanup of

1 the entire site. And the level of the analysis
2 that I looked at, which includes soil analysis
3 down to 7 feet, showed horrendous levels of
4 contamination. So if you were to remove, let's
5 say, which has been done, 6 inches of soil on
6 top, you've really done nothing. Especially
7 since it's -- which was my point to Jennifer
8 some months ago. Since this entire area is
9 underlain by something called the Calumet
10 Aquifer, which ebbs and flows like a tidal
11 force depending on the lake level -- and we
12 have a geologist here. Did I say something
13 wrong?

14 REMONSTRATOR: No, sir, you didn't.

15 REMONSTRATOR: Thank you. So under those
16 circumstances, removing 6 inches from the
17 topsoil is a temporary panacea. Yes, it does
18 help, but for how long?

19 Unless the basic contamination is removed,
20 we will be going around and around on this game
21 forever; and I don't think that's good for the
22 people of East Chicago, and it certainly isn't
23 good for the people in Northwest Indiana.

24 So I ask you to please take a look at this
25 and come up with a more realistic solution to

1 this problem.

2 I have copies of this (indicating).
3 Obviously, Jennifer will have a -- get a copy.
4 I have a few additional copies. If anyone
5 wants them, I will be more than happy to
6 distribute them.

7 Thank you. That's all I have to say for
8 the moment.

9 MR. GONZALEZ: Thank you very much. Thank
10 you very much.

11 REMONSTRATOR: Okay.

12 MR. GONZALEZ: Thank you.

13 We have another comment.

14 REMONSTRATOR: Good evening, everyone. My
15 name's xxxxxxxxxxxxxxx. I'm a former resident
16 of Zone 1 of the Superfund site with the lead,
17 a life-long resident of East Chicago. And from
18 the outside looking in, when I see that sign on
19 the bottom, it says "U. S. Environment
20 Protection Agency." But what I'm looking at
21 from you guys, it looks like you guys are
22 protecting the company almost. And it's no
23 disrespect if that's insulting, but, you know,
24 it's -- you know, look it, you guys have 450
25 acres of land. You guys are saying that 22.6

1 million dollars is going to go clean up over
2 163 chemicals. That -- I'm not a rocket
3 scientist, and I don't -- I'm not too good with
4 numbers, but I know that. 22.6 million dollars
5 is barely enough to build a small baseball park
6 in Gary, Indiana. So I know that's not going
7 to be enough for that.

8 Also, you guys stated that it's going to
9 be a long-term operation and maintenance and
10 monitoring. Since East Chicago is the
11 foundation of all of this toxic stuff that was
12 put here by this company, are you guys going to
13 enforce that they hire East Chicago residents
14 or train -- or offer training to do a cleanup
15 like you guys did with the lead situation in
16 Zone 1 and Zone 2 and Zone 3? Are you guys
17 going to enforce that to them? Because if you
18 guys don't, and you guys just say that 22.6
19 million dollars is enough, it looks like you
20 guys are playing golf with them on the
21 weekends. It don't look like you guys are
22 fighting for us.

23 So I hope you guys do what that says right
24 there, "Protection Agency." You guys are
25 supposed to protect us, the little people. So

1 22.6 million dollars is not going to protect
2 anybody with that land.

3 There is a girls' foster home not even six
4 blocks away from there, and what happens when
5 that basement gets flooded? You got them
6 little girls there, little girls that don't
7 have insurance, little girls that don't have --
8 sometimes don't have parents. Who's going to
9 protect them? Obviously, that sign says
10 "protection," and I don't see how you guys are
11 going to protect them if -- you know, they're
12 [sic] basically look like they're writing the
13 rules for this. You guys are supposed to be
14 like the court system. And then they turn
15 around, and they're making -- it looks like you
16 guys are letting them make the rules. It's
17 like they're the ones that are deciding where
18 the end zone is.

19 Where's the 50 yard line? If you're on
20 the 50 yard line, and then if we're fighting
21 and fighting, and you guys say, oh, 22.6
22 million dollars is perfectly fine, that's not,
23 especially for a company that's worth over 14
24 billion dollars that has caused all this to our
25 city.

1 So hopefully you guys, you know, do
2 something more than -- than what it looks like,
3 like what I see going on. Thank you.

4 MR. GONZALEZ: Thank you. Thank you very
5 much for your comments. Appreciate that.

6 You have a comment in the back?

7 REMONSTRATOR: Yeah. I have to go up to
8 the podium.

9 xxxxxxxxxxxx, Hebron, Indiana. So I was
10 quite interested that you said you were going
11 to be adding sulfate to the water, which is
12 surprising given the level of sulfates in the
13 water on the site already, which are in the
14 millions of parts per million.

15 Contrary to what was stated before,
16 reading the records, you will learn that
17 there -- RCRA has failed East Chicago and
18 failed to protect the public here at the DuPont
19 site.

20 The facility has never had a RCRA permit.
21 The documents state that there was a permit
22 application submitted and that DuPont
23 subsequently requested a withdrawal of that
24 application and that the determination,
25 according to the letter signed by the gentleman

1 from EPA, was that no further action would be
2 taken.

3 So we have treated waste that is made up
4 of at least some listed waste. Now, this is a
5 legal technicality, but the law says: If you
6 have a listed waste -- these are specific
7 wastes that are listed by EPA -- and numerous
8 products and wastes and off-spec products were
9 disposed of on site at the DuPont site that
10 would fit the definition of listed hazardous
11 waste -- you cannot take listed hazardous waste
12 and mix it with anything and say it's
13 nonhazardous. You cannot take and mix metals
14 with something and say they're no longer
15 hazardous. They're still just as toxic as
16 ever. The same amount of toxicity that existed
17 when those were dug up also exists.

18 What changes? The volume. They have made
19 the volume larger. What changes? They have
20 not permanently reduced the toxicity. This is
21 required under the Superfund Amendments.

22 They are in direct counter to what
23 Superfund requires under the SARA Amendments,
24 which is to reduce the toxicity, reduce the
25 mobility, and reduce the volume, and we're

1 doing the exact opposite.

2 The slag PRB is another issue. Slag is
3 less effective than zero valent iron engineered
4 product, that the slag PRB has had -- observed
5 decreases in permeability at the bottom, it's
6 plugging up.

7 The highest levels in the Calumet Aquifer
8 in other studies done by the USGS for arsenic
9 and other metals due to high pH levels were
10 found under slag piles at steel mills and where
11 steel mills had disposed of slag in the area.
12 And that includes aluminum, calcium, cadmium,
13 chromium, nickel, and lead also.

14 This facility is 2 miles from
15 Lake Michigan, 2 miles from homes and Hobart
16 Street in Gary that at least at one time had
17 well water, and the wells still exist in the
18 Calumet Aquifer. So this whole contention that
19 the aquifer is not used is completely false.
20 In fact, in 1991 of the CH2MHill studies listed
21 all of the wells within 3 miles of this site
22 that were, at least recorded with the State, on
23 the well logs if not in use. And they were
24 used for both domestic, commercial, and
25 industrial purposes for water supply.

1 There is a well in Munster, Indiana, 6
2 miles away. There is a well in Highland at a
3 person's house that's on -- if you look at the
4 logs -- indicate that it's 6-and-a-quarter
5 miles away. Okay? So -- and those are on the
6 lower aquifer, but they are people that are
7 using the aquifer system in this area. So this
8 means that the aquifer here, the Calumet Sand
9 Aquifer, should be a primary aquifer, which is
10 supposed to be afforded the top level of
11 protection, not allow conducting science
12 experiments with unproven technologies in the
13 aquifer without permits.

14 So treatment and removal of toxic
15 hazardous waste requires a RCRA permit, and I
16 cannot -- read you the citations, but I don't
17 have time. Okay?

18 Groundwater injections require NPDS [sic]
19 permits and underground injection control
20 permits.

21 Abandoned process sewers and sanitary
22 sewers need -- are discreet conveyances that
23 are discharging groundwater that is
24 contaminated, that also need an NPS [sic]
25 permit.

1 We have a situation at the site where the
2 waste is in the groundwater. It will continue
3 to leach. It's like making tea; okay? Any
4 kind of -- none of these remedies that are
5 proposed will solve that problem. All these
6 remedies allow the waste and its bulk toxicity
7 to remain here in the community. At best, they
8 afford a few years of containment.

9 So, finishing up here, we started out with
10 90 sites, 70 -- excuse me, 47 solid waste
11 management units and 43 areas of concern.
12 There has been a constant diminishment of what
13 sites should be addressed, what should be
14 sampled, what they can sample for. Exclusion
15 from the Human Health Study of other data from
16 the NRD -- Natural Resources Damage Assessment,
17 from the studies that were done in the Natural
18 Area were excluded from the Human Health
19 Assessment for the facility we're talking about
20 tonight and vice versa.

21 So there's been this constant limitation,
22 and there's been a constant capitulation of EPA
23 and the State to go right along with that.
24 Every time the State or EPA raises something,
25 they more than likely get shot down. And every

1 time DuPont makes a request, it is granted.

2 Additionally, we have evidence in the
3 record that DuPont dumped the same kinds of
4 waste in the local East Chicago landfill and
5 the Gary landfill, so it's not just the DuPont
6 site.

7 So the question is: When will EPA, DuPont
8 and Chemours and IDEM stand up here and
9 actually give the public the truth, the fact
10 that this site has contaminated the community?
11 It's not on site; it's off site. So using
12 their own calculations, saying that it takes
13 five to ten years for the contaminants to move
14 from the landfills to the river, and if you go
15 back and calculate over a 105-year history of
16 production at this facility, that means that if
17 they're correct, that the waste in underground
18 contamination could have potentially moved
19 anywhere between 3 to 6 miles.

20 Thank you.

21 (Applause heard.)

22 MR. GONZALEZ: Thank you very much.

23 Thanks. Thank you, xxxxx. Thank you very much
24 for that.

25 So who's next? Who has comments? Anybody

1 else?

2 Yes, sir.

3 REMONSTRATOR: xxxxxxxxxxxxxxxx, Hoosier
4 Environmental Council.

5 I just wanted to touch on a couple of
6 particular issues here, particularly that the
7 proposed solution has -- in fact, all of the
8 alternatives leaves at least 50 percent of the
9 arsenic in the ground, according to the
10 calculations in the Statement of Basis, which
11 based on the other information in the
12 administrative record, would appear to be
13 something on the order of hundreds of tons of
14 arsenic. And that, as xxxxxxxxxxxxxxxx mentioned,
15 you know that's going to remain below the water
16 table, it's continuing to percolate in the
17 water table. And it's -- it's good that we
18 have these proposals for sulfate fixation and
19 the permeable reactive barrier, but there are
20 considerable concerns with both of those.

21 It's very concerning here tonight, the
22 lack of information that's still available on
23 the validation of this method, whether it's
24 actually going to work, exactly how it's going
25 to work, what microorganisms are involved; and

1 in addition, to learn that there is no bio
2 barrier plan on the north.

3 And what there is on the north, of course,
4 is the permeable reactive barrier consisting of
5 blast furnace slag, but there doesn't appear to
6 have been any clear indication that that is
7 actually working.

8 In fact, in the groundwater evaluation
9 that was conducted in 2013, it was noted that,
10 quote, Groundwater appears to be over-comping
11 the PRBs. Figure 3.2 in that document showed
12 an arsenic study actually done at a depth of 30
13 feet north of the permeable reactive barrier;
14 and it was noted there, as well, that there's
15 contaminated soil in mud from the reactive
16 barrier that's continuing to contaminate the
17 neighborhood.

18 And I think, to emphasize how deeply
19 problematic that is, the 2005 document is very
20 helpful, titled -- somewhat confusingly titled,
21 "Migration of Contaminated Groundwater Under
22 Control," and it -- it states that the
23 contamination of the eastern half of Pool A,
24 which is the stuff that can flow around the
25 permeable reactive barrier, "is prevented from

1 further migration by the presence of a
2 groundwater depression that is associated with
3 the sewer system underlying Riley Park," Riley
4 Park being Zone 3.

5 So essentially what this shows is that the
6 concept of this site is that the neighborhood
7 the people are living in is serving essentially
8 as a sponge to soak up the extra arsenic and
9 lead and everything else that's coming off of
10 this site, and that's -- that would be
11 extremely concerning even if there was going to
12 be a one-hundred percent cleanup of the site
13 itself, because all of that contamination is
14 still going. But it's more concerning given
15 that there does not appear to be any remedy
16 here or any -- any possible proposal of a
17 remedy here that would actually prevent that
18 contamination from continuing indefinitely into
19 the future.

20 Thank you.

21 MR. GONZALEZ: Thank you. Thank you very
22 much for your comment.

23 (Applause heard.)

24 MR. GONZALEZ: Appreciate that. Thank
25 you.

1 So there's a comment over here. Yes, sir.

2 REMONSTRATOR: All right. I'd like to say
3 that I'm very concerned about the EPA under
4 this present Republican administration, and I
5 hope that -- I don't -- I don't want to accuse
6 the public servants that are here; you're doing
7 the best that you can. I've heard in the media
8 that the president and Mr. Pruitt have
9 obstructed EPA employees' ability to speak to
10 the public, to speak potentially the truth.
11 And I hope that that is not the case. I hope
12 that that, in fact, is fake news.

13 (Laughing heard.)

14 REMONSTRATOR: But right now, I -- anyway,
15 I -- the concept of whistle-blowing seems to be
16 getting further and further from, you know,
17 actually creating a solution to all of this, so
18 I just want you folks in the room to be aware
19 that you're human beings just like we are.
20 Your children are at stake just like our
21 children are at stake. And so I guess it's a
22 plea for decency on your part.

23 Please don't obfuscate and delete
24 information just because you've been instructed
25 to by the Republican administration. And do

1 believe that we, as citizens, do not trust the
2 EPA's public appearance now because of the
3 rumors of controls over your speech, and
4 hopefully you can compensate for that and help
5 us regain your trust again.

6 The last thing I'll say is based on this
7 administration, I see the ultimate solution as
8 being a wall around East Chicago --

9 (Laughing heard.)

10 REMONSTRATOR: -- by God; and move
11 everybody out of here, and don't let anybody
12 back in. It seems to be the solution to
13 everything.

14 Thank you.

15 (Applause heard.)

16 MR. GONZALEZ: Thank you very much, very
17 much. We appreciate what you said. Thank you.

18 That's a hard one to follow. So -- yes,
19 please.

20 REMONSTRATOR: My name is xxxxxxxxxxxxxxxxxxxx.
21 I'm from Northwestern Environmental Advocacy
22 Clinic, and I want to say that the assumptions
23 that underlie the conclusion that the sump
24 pumps are not a risk to the residents in
25 Zone 3, what's called Riley Park, are flawed.

1 And the City of East Chicago did its own
2 studies in 2007, and those showed that
3 residents are at risk, that the sump pump water
4 was contaminated.

5 And EPA's, in contrast, conclusions that
6 the sump pump -- they didn't look at -- EPA did
7 not look at the sump pump discharge into the
8 soil. It only -- it didn't -- in the Statement
9 of Basis, it didn't consider that; in the Human
10 Health Risk Assessment, it didn't consider
11 that. And we know that's why the site's being
12 cleaned up under sup-- the soil's being cleaned
13 up, because arsenic in the soil is a risk to
14 the residents.

15 And the assumption is leading to the
16 potential recontamination of the residents'
17 properties that are being cleaned under the
18 Superfund. So looking at it in a silo is
19 leading to recontamination and unchecked risks
20 to the residents.

21 MR. GONZALEZ: Thank you. Thank you very
22 much.

23 Is there anyone else? xxx?

24 REMONSTRATOR: I just walked in. Sorry.
25 I didn't realize -- I'm --

1 MR. GONZALEZ: I've been looking for you,
2 xxx.

3 REMONSTRATOR: I can stand right up here?

4 MR. GONZALEZ: Yes, you sure can.

5 REMONSTRATOR: Oh, great. I'm
6 xxxxxxxxxxxxxx from the Community Strategy Group.
7 I want to thank the EPA for this event and
8 hosting this and bringing a lot of attention to
9 a lot of things that we've gone through with
10 this -- in this last year with the Superfund
11 and working with us, the CDF and the Indiana
12 Coal & Coke and how we've been moving forward
13 with that, and then this.

14 One of the main things that we're really
15 kind of concerned with is there are a lot of
16 legacy issues with this parcel, and we have
17 lots of landfills on top of landfills and a lot
18 of other issues. We don't want to have those
19 be decisions that were made by corporations in
20 the past but aren't being brought forward by --
21 by protections today. We really want to
22 enforce environmental justice, the EJ-2020
23 initiative, in that we really do not
24 disproportionately affect communities of color
25 and, you know, already disparaged communities.

1 We're very happy, last month, that you --
2 that the EPA was working to give us an
3 extension of 60 days and to release the
4 documents online just a few days ago, the other
5 day, and to give that time forward; but we
6 would like to ask that you host another meeting
7 in that -- the end of the 60 days, that we can
8 come together and make some decisions.

9 I may have repeated things -- I
10 apologize -- with other people that may have
11 been here. Those are some of our major
12 concerns.

13 The hydrology of the area -- and I think
14 some other speakers may have already spoken
15 about that -- I think that's a major issue. We
16 had Albert Kelly come to the last meeting,
17 making an announcement that they didn't have
18 any interest in taking care of the hydrology
19 because of the costs were too imperative. And
20 so one of the things we really do want to do is
21 make sure that we focus on the hydrology and
22 not the recontamination of other parcels in
23 adjacent areas.

24 Thank you.

25 MR. GONZALEZ: Thanks, xxx. Thank you

1 very much. Appreciate that.

2 So who's next? We have time. We have a
3 full 20 minutes. Come on.

4 REMONSTRATOR: Does that mean we get
5 seconds?

6 (Laughing heard.)

7 MR. GONZALEZ: We're not eating a meal
8 here; okay? Don't forget, you have -- you have
9 an extended period of time. You know, we -- to
10 be blunt, we have discussed having another
11 meeting, and it was brought up just now. So
12 more than likely, there will be another
13 meeting. The date remains to be open. Given
14 staff schedules, some of us aren't even going
15 to be in the country. So we will sit down with
16 staff and decide when would be the best time to
17 do that. But we heard that, and we anticipated
18 that.

19 So with that, any other comments?

20 REMONSTRATOR: With respect to the
21 documents that were just released, the amount
22 of time necessary to look at those was very,
23 very short. And I think it's absolutely
24 imperative that another meeting be held because
25 whatever our positions are, it may be modified

1 to some significant extent by reading these
2 documents that were not available previously.
3 So I strongly recommend that we have another
4 meeting.

5 MR. GONZALEZ: Okay. So we heard that,
6 and we'll take that up. All right?

7 So Jennifer, could you clarify something
8 for us? So in the initial posting of all the
9 information up on the website, were some
10 documents missing, or were they not put in such
11 a way that they followed suit of each other?

12 MS. DODDS: Right. The administrative
13 record for the Statement of Basis was provided
14 both in our Region 5 Record Center, as well as
15 here in the library; however, it was not in
16 a -- the best format, as you would say.

17 MR. GONZALEZ: There you go.

18 MS. DODDS: We had some issues with the
19 way the records were downloaded and were not
20 made aware of that issue until they were
21 already here, unfortunately. And we do
22 apologize for that. It was nothing that was
23 done intentionally. But as soon as we were
24 made aware of the problem, we began to work to
25 correct the issue in the way that the records

1 were scanned and, therefore, made accessible to
2 you.

3 Additionally, there was a request made to
4 have all of the records placed on our website.
5 Typically, RCRA corrective action doesn't have
6 all of the records available on our website.
7 We just don't have the resources and haven't
8 functioned in that manner previously. But we
9 got the request, and we were more than happy to
10 accommodate that request; it just took us some
11 time, again, to make that happen.

12 So as we stated, though, they are all
13 available in their correct format, correctly
14 indexed in all of those locations, and so a new
15 60-day comment period is starting --

16 MR. GONZALEZ: Tomorrow.

17 MS. DODDS: -- tomorrow.

18 MR. GONZALEZ: But just to be clear, all
19 the records that are there today -- or they
20 will be there tomorrow -- were there; they just
21 weren't in a format that was acceptable.

22 MS. DODDS: The original index, yes, there
23 was some records that were bundled together.

24 MR. GONZALEZ: Yeah.

25 MS. DODDS: So it was not abundantly

1 clear. We did additionally have a request for
2 the sump sample data, that was not part of the
3 original administrative records, to be placed
4 in the library and on the web page, and that
5 has happened.

6 MR. GONZALEZ: Yes.

7 MS. DODDS: And that is now referred to as
8 a "supplement." It's an additional
9 administrative record supplement. So again,
10 there was -- the scanning issue that we had
11 internally was unfortunate and -- but we
12 believe we have corrected it, and everything
13 should be in the proper format at this time.

14 MR. GONZALEZ: All right. Okay. So we
15 sort of wandered off path, so just let me --
16 are there any more -- before we get to what
17 other questions you have, are we --

18 REMONSTRATOR: I want to address what you
19 just said because it's -- I disagree with what
20 you just said, Jennifer. The end of the
21 Statement of Basis, there was an index of all
22 the documents. At the library, if you could
23 find the reference desk with the disc, that
24 disc did not have any documents that could --
25 the documents did not correspond to the index

1 at the end of the Statement of Basis and was
2 not consistent with that. There were some
3 documents that were there on the disc that were
4 not in the index of the Statement of Basis.

5 The Human Health Risk Assessment was only
6 available in a binder, and you would have to
7 know to look for the binders in addition to the
8 disc.

9 And so by no -- under no scenario were all
10 those documents that were in the index
11 available to anybody. The complete set was not
12 available, and it was extremely difficult to
13 access.

14 I'm thrilled the EPA put it all on the
15 website. That was a great move, and the
16 additional 60 days is much appreciated. But
17 for the record, I have to correct that that was
18 not accessible.

19 And the sump pump was directly referenced
20 in the Statement of Basis studies, and those
21 were not available until the public requested
22 it.

23 MR. GONZALEZ: Okay. All right.

24 REMONSTRATOR: Yeah, in the beginning,
25 when I got here, I was told there was people

1 from DuPont, from the company here. Just put a
2 face to the residents that live by --
3 (indiscernible). There's several of us here.

4 And if the residents wouldn't mind raising
5 their hands, become the poster child of the
6 area that's being affected. Because you need
7 to consider what you're doing.

8 Keep in mind I would like DuPont itself or
9 EPA to enforce for DuPont in their boundary
10 fence, because like I said, I live five blocks
11 away. Their fence -- five houses away is like
12 from here to like over there at the dead end
13 and cross over to the tracks. Guess what,
14 there's holes through their fences.

15 REMONSTRATOR: Uh-huh.

16 REMONSTRATOR: I'm one of those children
17 that went and fed the Bambis that come through,
18 because there are plenty of beautiful animals
19 that come through from there. And we had built
20 a fort back there. So imagine if I was one of
21 those children -- and I was more passive.
22 Imagine the other children that are running
23 around there, if they found the openings.

24 I would like them to put toxic signs on
25 the fencing and make sure it's enclosed,

1 because you are protecting the environment, but
2 you're not protecting -- the animals of the
3 environment, but you're not protecting us, the
4 human race. So those children that wander off,
5 just like I did, and followed the Bambi and
6 followed the foxes and went and fed them
7 carrots, and the same way they find a way to
8 come to our homes, which they do, there's
9 plenty of openings. And right at the end of
10 that, there's a brownsfield [sic].

11 We are completely surrounded with
12 contaminants, so we need to ensure that the
13 children are protected, even adults. Because
14 if my little dog, poor little dog gets out, I'm
15 going to chase him. And if he finds a hole
16 through that fence, I'm going in there, as sick
17 as I am.

18 So I would like DuPont, or whatever your
19 name is, to put a sign saying "toxic" with a
20 skull going across. People need to know. Make
21 it open. People need to know. They need to
22 see it. That's a way of protecting. If you
23 really care about the human race, then you have
24 to bring admittance to what you have done in
25 these umpteen years, in these decades.

1 Thank you.

2 MR. GONZALEZ: All right. Thank you.

3 Yes, sir.

4 REMONSTRATOR: Speaking of the sump pump,
5 and I live one house away from the tracks. My
6 sump pump runs 24 hours a day, 365 days a year.
7 A lot of times when it goes to the alley, it
8 freezes. My wife can't even get out the garage
9 with the truck. It never stops.

10 MR. GONZALEZ: Thank you.

11 REMONSTRATOR: The water table's high.

12 REMONSTRATOR: Yeah, that's for sure.

13 MR. GONZALEZ: Anyone else? xxxxx.

14 REMONSTRATOR: You say that like you
15 regret it.

16 (Laughing heard.)

17 MR. GONZALEZ: I love you, xxxxx. You
18 know that. Who else puts up with you other
19 than myself?

20 REMONSTRATOR: All right. Just a couple
21 of corrections. I heard earlier when Jennifer
22 mentioned that there'd been a lot of public
23 involvement in this site. No one that lives
24 next to the site was involved in that process.
25 So if you want to involve people, involve the

1 people that are actually being affected by the
2 site; okay? Don't try to put a rosy picture on
3 this.

4 I'm going to just read two pages here, and
5 then I'm done. This is a summary table that I
6 picked out; and I looked at the number of
7 detections, and I looked at the highest number.
8 These highest numbers are either total or
9 dissolved numbers, depending on if it's
10 groundwater or if it's surface soil.

11 So Table 3-1, Summary Surface Soil
12 Statistics for Releases to Air: Arsenic, 41 of
13 42 samples, as high as 99,400 parts per
14 million. Barium, 31 of 31 samples, as high as
15 13,800 parts per million. Copper, 37 of 37,
16 3,070 parts per million. DDT, 13 of 15, 2.3
17 parts per million.

18 By the way, DDT was manufactured here at
19 East Chicago.

20 Lead, 41 of 41 samples, as high as 89,300
21 parts per million. Methoxychlor, a herbicide,
22 9 of 15 samples, 3.32 parts per million. Zinc,
23 31 of 31 samples, 120,000 parts per million.
24 Now, that's what can blow off of the site.

25 Groundwater, Table 3-4, Summary

1 Groundwater Sample Statistics for Release to
2 Surface Water: Aluminum, 15 of 28, 1,250 parts
3 per million. Antimony, 5 of 28 samples, as
4 high as 43 parts per million. Arsenic, 26 of
5 27 samples, as high as 17,700 parts per
6 million. Barium, 28 of 28, 1,140 parts per
7 million. Chloride, 28 of 28 samples, as high
8 as 16,700,000 parts -- 700,000 parts per
9 million. Iron, 28 of 28, 432,000 parts per
10 million. Manganese, a neurotoxin, 28 of 28
11 samples, 6,590 parts per million. Nickel, 22
12 of 28, 154 parts per million. Sulfate, which
13 we're adding for some reason, 28 of 28 samples,
14 1 -- excuse me, 4,770,000 parts per million.
15 Why are we even adding sulfate? Zinc, 26 of 28
16 samples, 119,000 parts per million.

17 So don't let anybody tell you that this
18 site is not contaminated. And for some reason,
19 there seems to be, over time, a reduction in
20 these numbers, just like there was a reduction
21 in the number of sites that were being looked
22 at and addressed.

23 Thank you.

24 MR. GONZALEZ: Thank you, xxxxx. Thank
25 you very much. Really. Appreciate it.

1 Anyone else?

2 REMONSTRATOR: I have an addendum to that.
3 The analysis that I found within the HHRA has
4 maximum limits for the soil that are
5 significantly lower than what xxxxx just
6 mentioned. So if you take a look at what I
7 wrote, it says that the -- not for all of the
8 materials, but for selective ones, at least,
9 the reduction in contamination levels has
10 dropped anywhere from 10 to a hundred fold of
11 what it was in 1998. So over that period of
12 time, it seems that some of this stuff has
13 simply evaporated, and I question that as a
14 proper analysis. Something else is going on.

15 Whether you want to believe that or not is
16 entirely up to you. As far as I'm concerned, I
17 have to question which of these numbers is
18 correct. And I don't know, and I would demand
19 that the authorities make that clear to us.

20 Thank you.

21 MR. GONZALEZ: Thank you. Thank you much.

22 REMONSTRATOR: I have one question. May
23 I?

24 MR. GONZALEZ: Sure.

25 REMONSTRATOR: I -- I'm sorry, but the

1 question I have is: Jennifer, you had
2 mentioned that EPA's not doing the cleanup, the
3 company themselves are.

4 THE REPORTER: I'm sorry. Can't hear.

5 REMONSTRATOR: I'm sorry. The question
6 was: I asked her -- that she had mentioned
7 earlier that the EPA's actually -- they're
8 overseeing the site cleanup, but that the
9 company is going to do it. My question is: Is
10 EPA enforcing them to hire an independent
11 company? 'Cause I question when they were
12 testing the groundwater and tap water, DuPont
13 was, and EPA and IDEM accepted their test
14 results of the same company. So is EPA
15 ensuring that there's an independent company,
16 that there's no, basically, for lack of a
17 better word, favoritism on behalf of the
18 company?

19 MS. DODDS: No, we don't have any control
20 over the companies that the company uses for
21 their contractors or their testing. The
22 testing labs and the places that do all of the
23 groundwater and drill testing need to meet
24 certain standards, they need to be accredited
25 and meet standards that EPA has. But other

1 than that, we can't direct them to certain
2 places or certain companies. That would be
3 against our policies to do so.

4 And I just want to make it clear that
5 DuPont is paying for the cleanup. EPA is
6 deciding on the remedy and will oversee and
7 approve all aspects of the cleanup, but
8 DuPont's paying for it.

9 REMONSTRATOR: Okay. So is EPA going to
10 follow behind them and do their own testing to
11 ensure -- to safeguard our mentality? You got
12 to keep in mind, we all have to go back and
13 live there.

14 MS. DODDS: Right.

15 REMONSTRATOR: You know, we've already
16 been hit. This is stressful. Honestly, this
17 is stressful. You're telling me I have to go
18 to another meeting to find out about Superfund.
19 Getting all the facts together is stressful.
20 And living on property [sic] is stressful. And
21 we're not getting the answers.

22 So my question to you: Is EPA, as it
23 states there, like xxxx mentioned,
24 "Environmental Protection Agency," going to
25 protect us by getting an independent and follow

1 behind the company to ensure that their test
2 results are accurate and meeting the standards?

3 MS. DODDS: We will be requiring long-term
4 monitoring and maintenance, and we'll be
5 overseeing all of those documents and testing
6 that is done; again, making sure that the
7 samples are going to a lab that meets our
8 standards, that is following our methods, that
9 is accredited properly. But we are not going
10 out and taking the samples ourselves. At this
11 point, DuPont is doing it because they're
12 paying for it.

13 MR. GONZALEZ: So basically --

14 MS. DODDS: RCRA does not have the funds
15 to do this work. Again, that's a difference in
16 the authorities, between RCRA and Superfund.
17 RCRA doesn't have money to go do these things,
18 where the Superfund does.

19 MR. GONZALEZ: So -- but there is a work
20 plan.

21 MS. DODDS: Oh, there absolutely is a work
22 plan --

23 MR. GONZALEZ: So there's a work plan. So
24 every step along the way is checked off with
25 project management.

1 MS. DODDS: They keep -- (inaudible).

2 MR. GONZALEZ: We just don't go out -- we
3 just don't cut them loose. There's a work plan
4 that they follow, and there's questions back
5 and forth. That's one of the reasons it takes
6 a long time to do this.

7 REMONSTRATOR: And the only reason why --

8 MR. GONZALEZ: Because they are being held
9 accountable.

10 REMONSTRATOR: Right. But my request is:
11 Going back to that simple [sic] -- DuPont was
12 doing water testing, groundwater and tap water,
13 for their own employees that lived in the
14 Superfund site. And EPA, along with IDEM,
15 accepted their test results knowing they did
16 not protect us. You did not protect us. And
17 that was back in 1997. And it bothers me, as a
18 resident, because I don't feel safeguarded when
19 I have a servant that works for a protection
20 agency, when I raised that question to them,
21 what they told me -- that was working in the
22 Superfund site, what they told me specifically
23 is: "Oh, well, I only read up to 2006. This
24 is your community; you should know." Then that
25 means we have to protect ourselves. You are

1 not protecting me, and I don't feel safe. I
2 can't trust what you're saying.

3 And I would like to know is EPA going to
4 best [sic] and protects us? I could care less
5 that the company's paying for it, because they
6 have -- all these years, the residents have
7 been paying for it with the deaths and the
8 illnesses. Okay? So that's not an answer that
9 suffices my safety at present, and I don't
10 think for any other resident there. That does
11 not suffice: Well, the company's paying for
12 it. Because that means the company has control
13 of the situation and not Environmental
14 Protection Agency.

15 You're going to being following through
16 with what they submit, but who's to say that's
17 accurate if you're not following through behind
18 them step by step or next to them like Siamese
19 twins? Because this has been going on for
20 decades. And that's my concern as a resident.
21 That's my concern with the loss. That's my
22 concern with having contamination coming up,
23 black stuff that's staining my walls that's
24 unwashable. That means I'm breathing it in.
25 It's coming in through my windows. It's lead,

1 arsenic, who knows what else.

2 So I have a right to voice this, just like
3 other residents have been voicing it and
4 screaming it, and we need EPA to stand up to
5 their name.

6 And that's what I have to say, and I'm
7 shutting up now because I'm getting emotional.

8 MR. GONZALEZ: Thank you. Thank you much.

9 All right. xxx --

10 REMONSTRATOR: I just want to --

11 MR. GONZALEZ: xxx, you're the last
12 question.

13 REMONSTRATOR: I just wanted to say
14 because of the way these projects of this --
15 2012 or '17 -- this would be this -- the
16 beginning of 2018 -- have been a good year to
17 bring a light to problems that have always been
18 known and not addressed, and I think that's --
19 the delayed justice is no justice.

20 And we have a community where we have the
21 highest infant mortality rate in the state and
22 often in the country. We have lots of other
23 issues beyond that. And we have the aggregate,
24 cumulative effects, that all these impact on
25 each other in the whole community, whether it's

1 the Superfund site, whether it's the Grand
2 Calumet River, whether it's Indiana shipping
3 canal, whether it's the CDF, whether it's
4 Indiana Coal & Coke, whether it's BP with 16.8
5 million gallons of oil floating on our water
6 table and then having all the illegal
7 discharges and problems that they've had,
8 whether it's ArcelorMittal and all the major
9 discharges they have, we have a serious,
10 serious problem. And I do think we're
11 beginning to address them, and I'm very, very
12 happy for that. But that doesn't minimize the
13 harm that's been done and what's been done over
14 decades and decades. And I do want to argue
15 that it has been withheld from the public.

16 REMONSTRATOR: Uh-huh.

17 REMONSTRATOR: That's been the thing
18 that's been a real hard thing for the public,
19 is to really have a voice in these things. And
20 you're beginning to see that happening, just
21 beginning.

22 But I do think we have to remediate a lot
23 of the old problems that had gone on previously
24 with a lot of bringing attention to this. And
25 I think DuPont is a great example of how

1 they've been able to skirt public light for
2 decades and do things on their own. And we
3 don't know exactly what had happened on that
4 property.

5 There's a certain type of privilege that
6 they had prior to the EPA, even when the EPA --
7 and I really, frankly, don't believe once EPA
8 was formed -- we're not a region where the --
9 you know, where regulatory capture happened to
10 the EPA. The EPA and IDEM and the local
11 authorities never had control. This is a
12 region of community where the industries
13 already captured any regulatory elements, and
14 so we do have problems looking at that history
15 and doing kind of a forensic accounting of what
16 has happened here. And I think that's a
17 real -- a trust issue. And I do think we're
18 beginning to break through some of that.

19 MR. GONZALEZ: Thanks, xxx. We have one
20 more. This will be the last one.

21 REMONSTRATOR: Hi. My name is xxxxxxxxxxxx
22 xxxxxx (phonetic). I live in East Chicago,
23 Indiana. I live by Central High School where
24 we have many issues that xxx has just spoke
25 about. I live by La Tasca, which is within 800

1 feet from the high school, which is -- that was
2 within a thousand feet from the Pre K
3 elementary school that was just one that used
4 to be in the Zone 1 that's called now the
5 Carrie Gosch. Those children need to be
6 studied. All of them.

7 And then this is my statement: Twenty
8 years after the original corrective action
9 order, we are still worried that when the
10 cleanup is done, we won't be protected,
11 contamination will still continue. How will
12 you remedy that?

13 MR. GONZALEZ: Thank you. Thank you very
14 much.

15 Okay. So it's like 7:35, so we want to
16 thank you very much. I think this has been
17 a -- I think this has been a good session.
18 It's been learning for us and learning for you,
19 and we will continue to be as transparent as we
20 possibly can. And we hope that you don't lose
21 faith in us because we are here to serve you.
22 Believe it or not, we are. And we're all
23 citizens of the same planet, same America.

24 So with that, thank you very much. Have a
25 safe trip home, and I'm sure we'll be in touch.

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Thank you.

(Public meeting concluded at
7:36 p.m.)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
LAND & CHEMICALS DIVISION

CHEMOURS-FORMER DuPONT FACILITY

PUBLIC MEETING

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Wednesday, January 10, 2018

REPORTER'S CERTIFICATE

I, PAMELA S. OWEN, CSR, RPR, and Notary Public for the County of Lake, State of Indiana, do hereby certify that I reported in machine shorthand the foregoing proceedings had in the above-entitled matter, at the time and place herein before set forth; and I do further certify that the foregoing transcript, consisting of one hundred and nine (109) typewritten pages, is a true and correct transcript of my said stenographic notes.

Signed this 23rd day of January, 2018.



PAMELA S. OWEN, CSR, RPR
IL Lic. No. 084-002294
Notary Public, Lake County, IN
My Commission Expires: 8/1/24

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