

**In The Matter Of:**

*UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
LAND & CHEMICALS DIVISION*

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

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**BOSS REPORTERS**

*Gary \* Merrillville \* Valparaiso, Indiana  
3893 East Lincoln Highway (Rt. 30)  
Merrillville, Indiana 46410  
(219) 769-9090*



Original File 01-10-18 EPA CHEMOURS DuPONT REDACTED.txt  
Min-U-Script® with Word Index

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

Reported by: Pamela S. Owen, CSR, RPR  
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GARY \* MERRILLVILLE \* VALPARAISO, INDIANA  
219.769.9090

## 1 APPEARANCES

2 ON BEHALF OF THE U. S. ENVIRONMENTAL PROTECTION  
3 AGENCY:4 Rafael P. Gonzalez,  
5 EPA Public Affairs Specialist  
6 77 West Jackson Blvd.  
7 Chicago, Illinois 60604  
8 gonzalez.rafaelp@epa.gov  
9 312.866.026910 Jennifer Dodds,  
11 EPA Project Manager  
12 Correction Action Section 2  
13 77 W. Jackson Boulevard. (LU-16J)  
14 Chicago, Illinois 60604-3590  
15 312.866.1484  
16 dodds.jennifer@epa.gov

## 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 contaminants  
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 disbursement 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 xxxxxxxxxxxx. 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 xxxxxxxxxxxxxxxx  
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 xxxxxxxxxxxxxxxx. 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           xxxxxxxxxxx, 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 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 xxxxxxxxxx  
22 xxxxx (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

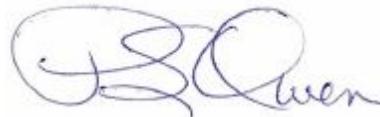
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I, PAMELA S. OWEN, CSR, RPR, and Notary Public for the County of Lake, State of Indiana, do hereby certify that I reported in machine shorthand the foregoing proceedings had in the above-entitled matter, at the time and place herein before set forth; 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.



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PAMELA S. OWEN, CSR, RPR  
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