Water Resources Contamination and Environmental Cleanup in the Hudson Valley

Congressional Testimony
Debra Hall
Founder, Hopewell Junction Citizens for Clean Water
Co-Chair, New York Vapor Intrusion Alliance, NYVIA
130 Creamery Road
Hopewell Junction, N.Y. 12533
(845) 226-1446
debraduncanh@optonline.net

For the Congress of the United States
Before the Subcommittee on Water Resources and Environment
Friday, April 11, 2008
East Fishkill Town Hall
New York

Hopewell Precision dumped thousands of gallons of trichloroethylene directly on the ground outside the building they leased during the 1970's. A good Samaritan alerted the EPA in a letter written in 1979. Between the EPA and the New York State Department of Environmental Conservation (DEC), very little was done except for an inept investigation. The DEC, looking to de-list the site, asked for comments. The New York State Department of Health wrote to the DEC and said it did not concur, urging it not to "close" the site. This was the only comment the DEC received, and it was completely ignored. The DEC closed its books on the site.

Looking to archive the Hopewell Precision case during 2003, EPA investigators decided to do what should have been done two-and-a-half decades earlier. The EPA tested the water in a large number of homes in

order to be positive that the dumping of Hopewell Precision's discarded TCE did not make its way into the aquifer. Private wells are the only source of water for hundreds of homes here. I think the EPA knew what the DEC should have known in 1994. TCE had been dumped and it had to go somewhere. Since then over one hundred twenty homes have been found to have some sort of contamination. Hopewell Precision's lack of ethics and responsibility for this site is unconscionable.

Since 2003 our homes have been stigmatized. Some buyers have had to contact a few mortgage companies before they were able to find a loan. For some it is difficult to get refinanced. It has been especially hard because of the mortgage fiasco. Still we have a sense of community. We love this neighborhood and our neighbors. It shows in how we take care of our properties and how we relate to each other.

My heart aches for many, though. You see, my family is lucky. We had only lived here for two years before finding out about the water. Some families have been exposed for almost three decades. As I walked around knocking on doors, I heard stories of illnesses. One cannot prove all these similar health issues are caused by TCE exposure. But many of us know it in our hearts. I know some people with terrible health problems that got better months after getting a carbon filter installed. Coincidence? I had two parakeets that were young and healthy until moving into my home. After two years both had died from liver cancer. Coincidence? Some people are vocal and some are not, but we all know that if our homes had been protected sooner, perhaps some of our neighbors and loved ones would still be here with us. And although the government knew about the possible danger, residents were never informed. If residents had been told, they could have tested their water for VOC's.

My name is Debra Hall. For the past seven years my husband and I have lived above the plume of chlorinated solvent contamination emanating from the Hopewell Precision plant here in Hopewell Junction, New York. I would like to thank Congressman Hall, Chairwoman Eddie

Bernice Johnson of Texas, and Ranking Member Boozman from Arkansas for coming to hear directly from people whose health and property are impacted by toxic contamination.

I have five simple messages for you today:

- The EPA must promptly promulgate a protective standard for trichloroethylene (TCE).
- EPA needs to finalize its 2002 Vapor Intrusion Guidance using ideas from impacted communities.
- The EPA should organize a genuine national forum for vapor intrusion stakeholders.
- Congress needs to reinstate the Superfund tax.
- Impacted homeowners, not polluters, deserve property tax relief.

The EPA must promulgate a protective standard for trichloroethylene, one of the contaminants that polluted my private well as well as the air in my home. Five parts per billion is no longer acceptable. We had hoped that the EPA would finalize its 2001 draft Human Health Risk Assessment, which found that TCE was 5 to 65 times as toxic as previously believed. In 2002 EPA's Science Advisory Board conducted a generally positive peer review, but instead of finalizing the risk assessment, EPA bent to the wishes of federal polluting agencies and sent the question to the National Academy of Sciences for re-review.

The Academy concluded that "The evidence on carcinogenic risk and other health hazards from exposure to trichloroethylene has strengthened since 2001… the committee recommends that federal agencies finalize their risk assessment with currently available data so that risk management decisions can be made expeditiously."

Now we are told that there is so much new information about TCE that it would be best to do a

completely new study. Stakeholders agree that more is being learned all the time, but we also know that the standard needs to be lowered. Our health and lives depend on it. A completely good report is going into the garbage instead of getting implemented. Instead of our families being protected by a more protective standard, we will now have to wait years for another study. This does not make any sense.

It is like building a four-lane bridge but never using it. Instead it gets demolished because a six-lane bridge is now needed. It just does not make sense!

Furthermore, EPA needs to finalize its 2002 Vapor Intrusion Guidance using ideas from impacted communities as well as other experts. We believe that vapor mitigation units should be installed wherever volatile organic compounds are detected above outdoor air levels. It would be protective and cheaper in the long run, since testing and mitigation usually cost about the same. This is what was done at our site, and we feel it is working out very well. Every home must be re-tested to make sure the system is working. I was disappointed to learn recently that there is no plan to complete the Guidance, despite ongoing technical work and the constructive input from impacted communities.

The EPA should organize a genuine national forum that brings vapor intrusion stakeholders from all across the country together with experts and government officials. Last month I presented to a room full of officials and consultants with four other stakeholders. We all provided lots of information and even taught the audience a thing or two. EPA is organizing another forum this fall, but it will again be a handful of community stakeholders with hundreds of paid people in suits unless EPA provides travel assistance to enable people like me, from all over the country, to attend. The EPA and others should learn what is important to the people who are affected. Concerns are very different when you walk in our shoes.

Congress needs to reinstate the Superfund tax. In the near future, hopefully, we are going to find out

what remedies will be used to clean the Hopewell Precision site, but we aren't sure EPA will have the money to implement them. And if we get the money here, it will be at the expense of some other contaminated community. It has been five long years already since this began for us. Without enough money our community will be indefinitely stigmatized. We want action to help us climb out of this hole.

Impacted homeowners, not polluters, deserve property tax relief. Instead of taxing Hopewell Precision, the government is allowing the company to laugh all the way to the bank. It was allowed to lower its property assessment by almost eighty percent because the property is contaminated, BECAUSE OF THEMSELVES! The law is different for homeowners. Our assessments are close to those of homes without contamination. Hopewell Precision's large building and five acres are being assessed the same as some homes with one acre.

Please understand that I am not complaining about the work that EPA did here at the Hopewell Precision site. In fact we are extremely pleased with Angela Carpenter, Lorenzo Thantu and Don Graham's work. They are reliable, accessible, and personable. It is the policies, procedures, and of course the money that concern us.

Thank you for listening. I look forward to hearing how you will take action to address the issues I have raised.