

NEWHALL ADVISORY COMMITTEE

Final Meeting Summary

February 16, 2006

6:35 pm – 8:50 pm

Members Attending: Herman Alexander, Henry Blue, Dr. Abdul Hamid, Elizabeth Hayes, Scott Jackson, Leonardo Melendez, Pamala Moore, Loydon Henry-Phillip, Henry Platt, Willa Taylor, Rep. Peter Villano, LaNorma Webb, Roosevelt Young

Alternates Attending: Carolyn Smith for Sheila Epps

Absent: Pastor George Bulgin (resigned), Mike Colaiacovo, Luther Cooper, Donald Eaton, Sheila Epps, Rhonda Hayward, Rev. Keith King (alternate for Herman Alexander), Deloris McNair

Ex-Officio Members Attending: Elsie Patton, Edith Pestana, Department of Environmental Protection (DEP); Leslie Balch, QVHD; Jimmy Young (Olin); Tom Chaplik, Regional Water Authority (RWA); Arthur Bogan, Town of Hamden.

Others Attending: Willie Mewborne, Council Member; Kathleen Schumaker; Keith Darden, Prospect Hill.

Technical and Public Participation Assistance: Marianne Latimer (FHI); Kevin Hood, ERI.

Facilitator: Kathleen Conway

Action Items from February 19, 2006 NAC Meeting

- **NAC.** Invitation to the Commissioner to attend a NAC regularly scheduled meeting or a meeting at her convenience.
- **Town.** Provide sample protocol for utility and road construction in contaminated areas
- **DOH.** Provide cites for studies linking exposure to contaminants to disease

NAC Information Requests to DEP

1. Estimated amount of waste fill outside the Consent Order: 1) under 4 feet; 2) over 4 feet.
2. Written summary of the DEP review of the Supplemental Investigations to date
3. A written report on the properties sampled outside the Consent Order
4. Master list identifying all properties within and outside Consent Order: those with waste fill less than 4 feet and deeper than 4 feet; those that have structural assessments and those that have structural damage.

Agenda

Introduction, Groundrules, Draft Meeting Summaries. Members and other attendees introduced themselves. NAC members approved the November 17, 2005, December 15, 2005 and the January 19, 2006 meeting summaries.

Action Items and NAC News.

- **NAC Recommendation to the Commissioner.** The letter with the NAC recommendations and community survey was hand delivered to the Commissioner by Representative Villano. The handwritten comments to the survey, inadvertently omitted, will be sent to the Commissioner in a subsequent letter.
- **NAC Members.** Pastor Bulgin, Mt. Zion Seventh Day Adventist Church, has been relocated to another church and indicated that Pastor Augustaze, the new Pastor, was interested in serving on the NAC. A letter explaining the NAC was sent to Pastor Augustaze. Alternate Bill Wilson will contact Pastor Augustaze and attend in the interim.
Herman Alexander, the alternate for Reverend King, who has consistently attended the NAC meetings, will take his place as the primary representative.
- **FOI Request to Olin.** Olin stated it was not required, as a private party, to respond to the Request for Information. The information requested is not public knowledge. In response to questions, Olin said that the 10K shareholder disclosure provides a figure for total environmental costs, not a site by site cost line item.
- **FOI Request to RWA.** The RWA emailed that it had incurred the following costs in the Newhall Remediation Project:
 - Legal and Consultant Expenses = \$1,182,219
 - SCCRWA staff (payroll & overhead) = \$78,700
 - Total = \$1,1260,919
- **FOI Request to Town.** The Town confirmed receipt of the FOI and will respond in accordance with the FOI Act.

Town Updates

- **Town Tax Abatement and Revaluation.**

Tax Abatement. State statutes do not allow for abatement of taxes on contaminated residential properties where the cleanup is being performed by other parties than the property owner. See Sec.12-81r, Handout.

Tax Assessment. NAC members stated that February 20th is the deadline for filing an appeal to the Board of Assessors.

- **Hamden Middle School RFP.** The Town has selected a panel of residents and other stakeholders that will be voting members and, in addition, non-voting ex-officio members including official representatives on the Hamden Middle School Reuse Committee. Two members of the NAC have accepted appointments to the panel. Seven consulting firms applied, of which several will be interviewed. A press release is expected next Tuesday, February 21st. Original deadlines in the RFP will be extended.

DEP Updates

- **Mediation Status.** DEP had no further information regarding the mediation status. Olin stated that the responsible parties were discussing a convening date.
- **Proposed Decision.** DEP said that the Commissioner was waiting for a response regarding the proposed mediation. At the same time, the proposed decision was being prepared for release towards the end of February pending the status of mediation. A NAC member complained about the delay in the release, stating that DEP had said it would release the decision by the end of 2005, then January and now February. DEP stated that any delay was a result of the request for mediation by lawyers representing certain members of the community in a lawsuit.

NAC members questioned how the Proposed Decision would be released and in what forum. DEP did not know if that decision had been made yet. NAC members questioned whether the NAC would have a response to its recommendation for cleanup prior to the Proposed Decision. The members discussed inviting the Commissioner to its next meeting in March. The majority felt that it would be a good opportunity for the NAC to explain their concerns on the cleanup issues and ask questions regarding the proposed decision directly to the Commissioner. DEP said that if the Commissioner felt it would be helpful and her schedule allowed, she would probably come.

The facilitator will extend an invitation on behalf of the NAC to the Commissioner to attend the March meeting.

- **Olin's Petition for Declaratory Judgment.** DEP said there had been no action on the petition and did not know anything further regarding its status.

DPH Update on Health Issues. DPH representatives were unable to attend the meeting but were gathering links to health studies evaluating the connection between exposure and disease symptoms for the NAC.

Environmental Risk Institute (ERI): Technical Assistance. Kevin Hood, ERI, provided a Memorandum of Agreement (MOA) and brochure on the Technical Outreach Services for Communities Program (TOSC). Technical assistance to the community would begin upon execution of the MOA. There are 2 parts to the program: redevelopment and reuse. ERI would provide services such as commenting on the redevelopment proposed by the HMS contractor, reviewing reports and assisting the NAC in understanding technical issues. A NAC member asked what "you can do for us and what you have done for us." Members asked for more specific examples and how the program is funded. ERI has a 5 year grant from EPA running through November 2007. The grants are funded through federal taxes. Currently, ERI is working on a petroleum site in Hartford and evaluating candidates for reuse of the site. In Newhall, ERI would assist in evaluating proposals for reuse and remediation. NAC members asked for time to review the MOA and to consider what services would be helpful and could be provided. Later, during public comment, an observer stated that the NAC should seriously consider ERI assistance in order to have an independent set of eyes to evaluate data.

Olin/Winchester Repeating Arms Company Status in Newhallville. A NAC member suggested that it was Olin that was closing the plant. Olin explained that it merely owned the name and the patents for the rifle; and had no ownership in the plant. Olin has no presence in the greater New Haven area and nothing to do with the plant closing.

Grants. Information on EPA grants and a local grant were provided to NAC members for their review. Applications for the EPA grants are due the end of March.

Investigation/Remediation Process. A NAC member commented that the same information about the contaminated fill had been available 4 years ago and nothing has happened since. DEP stated that a lot has happened: investigations have been conducted, and alternative remedies have been proposed and evaluated. The DEP, DPH and responsible parties have made presentations to the NAC to increase the NAC's and the community's understanding of the technical investigation reports and proposed alternative remedies over the past year and made information available to the community throughout the 4 years through a variety of forums.

DEP Staff Retirements. It was noted that Michael Harder and Elsie Patton, staff that have worked extensively with the Newhall neighborhood, are retiring as of April 1, 2006. The NAC thanked them for their contribution.

Agenda Planning for March Meeting. The NAC will wait for a response from the Commissioner to determine the agenda for the next meeting.

8:25 pm. Meeting Adjourned.

Next Meeting. March 19, 2006, 6:30 – 8:30 pm. Keefe Center.

Handouts.

- Town: List of comparable sales within Consent Order Boundary for 2004 – 2005
- Letter to Pastor Mario Augustaze, Mt. Zion Seventh Day Adventist Church, dated February 10, 2006
- Statutory Abatement (Sec. 12-81r) and Assessment (Sec. 12-63e) Provisions.
- Freedom of Information Requests to the Town, DEP, RWA and Olin; Email response from the RWA
- Groundwater Monitoring Report at the HMS dated 2/6/06 from LBG to DEP
- Memorandum of Agreement from ERI