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Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy

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C E R T I F I C A T E

**I, BARRY A. FOND, a Certified
Shorthand Reporter and Notary Public of
the State of New Jersey (License NO.
X100631), certify that the foregoing is a
true and accurate transcript of my
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NOTARY PUBLIC OF THE STATE OF NEW JERSEY

Bechtel

Interoffice Memorandum

0831 19

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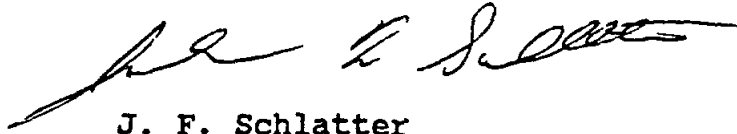
Subject Transcript - **Maywood** Meeting Date November 22, 1991
Dec. 6., 1990

From J. F. Schlatter

Of BNI

Copies to S. D. Liedle At Oak Ridge Ext. 6-5034
M. E. Redmon
N. C. Ring

Attached is a copy of the official transcript of the Public Scoping Meeting for the **Maywood** site, held on December 6, 1990.



J. F. Schlatter

JFS:jfs
Attachment: Transcript



I N D E X

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1 DR. BRUSH: Ladies and gentlemen, can we
2 come to order, please.

3 Let me begin by apologizing for the need to
4 Change the **location**, but these was • nonserious
5 but, nevertheless, fire at the other school this
6 **afternoon**, and it became necessary to very quickly
7 find another site. Accordingly, we moved the
8 starting hour to **7:30**, and hopefully everyone who
9 wants to be accommodated will be.

10 My name is George Brush. I'm a resident of
11 Maywood. I am as deeply concerned about the
12 problem at hand tonight as anybody in the room.
13 And when I was asked to moderate, my first and most
14 important question was why. And I've been assured
15 by the people from the Department of Energy that
15 this is a meeting that's mandated by the
17 legislature. It must be held, and the results duly
18 recorded in order for the process to continue.

19 We are dealing with a very sensitive issue.
20 I don't think there's anybody neutral about it. We
21 all want the problem resolved. And your
22 participation tonight my very well make that
23 movement a little bit more rapid and more certain.
24 Hopefully, that's what will come of this. It is a
25 fact-finding ciuatran which will be explained by

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the people from the Department of Energy and from Bechtel, and it will take about 30 minutes for their presentation, after which these will be an opportunity for comments and questions. If all of you have filed a card, ● everybody's in good shape. Everyone in the room should have filed an attendance card and that way you'll be sure of getting back the information that you need, the transcript from the meeting and so forth.

Also, if you're going to make a comment, and literally that should be the process in the first part of the meeting, you get up to the microphone in the center of the floor, stipulate your name and your address, and speak to the court reporter who will record the entire proceedings. These proceedings will be available in the local libraries after they have been transcribed. If you have a question, we'll hold the questions perhaps until after the comment period, and I think we should limit the comments to no more than five minutes. However, since I don't have a stopwatch, that may be a little bit more than five; the error will be on the side of more than less. Probably the most important announcement I have to make this evening is that if you want to use the rest rooms,

1 the **men's room** is on the right as you go out the
2 door Of the auditorium **immediately**, and the **ladies'**
3 **room** is on the **left**. So with that **piece** of
4 information, **why, we** can begin the **proceedings**.

5 This is regarded and called a scoping
6 **meeting and must be** held in accordance with the
7 National **Environmental** Policy Act. NOW, since a
8 lot of **acronyms** and *names* are thrown around here,
9 I'm going to read **it because** otherwise I'll get all
10 fouled up.

11 **The meeting was noticed in the Federal**
12 **Register on November 15th, so it is an official**
13 **part of the government's operation. Advertisements**
14 **took place in the local press. There were**
15 **announcements in the various borough halls and so**
16 **forth, and some 80 people who had expressed**
17 **interest earlier received direct notice. As we**
18 **know, the Department of Energy is conducting an**
19 **environmental study to evaluate what remedial**
20 **action alternatives there are for the Maywood site.**
21 **The final product of this study will be a Record of**
22 **Decision on a method for cleaning up thorium**
23 **contamination in Maywood, Rochelle Park and Lodi.**

24 **The primary purpose for our getting**
25 **together tonight is for the DOE, the Department of**

1 Energy, to obtain your comments. It 's your chance
2 to go on record with your views of the **conditions**
3 and **the circumstances which will** be described in
4 **the** present portion of the meeting or **which** you
5 **have** picked up along the way. **It's** an opportunity
6 for the DOE to **get** acquainted mote thoroughly with
7 **your** concerns **and** vice versa.

8 I mention we have a court reporter.

9 Certified copies **will be** available in due **time**.

10 Now, I mentioned the cards that we need. **If** you
11 want to be **on** the **mailing list** you **must** fill out a
12 **card**.

13 Our presenters are going to be two **people**.
14 One from the **Department of Energy**, whoec **name is**
15 **Jim Fiore**. **Mr. Fiore** is **currently** acting director
16 of the **Division of Eastern Area Program** in the
17 Office of **Environmental Restoration** within the U.S.
18 Department of **Energy**. And **the** other **presenter will**
19 be **Mr. Richard Robertson**. Their pedigrees are on
20 the **back** of your agenda program. **Mr. Robertson** is
21 the **Bechtel** project manager for **New Jersey FUSRAP**
22 **sites**, and he has **been** responsible for the
23 **management of the Maywood** site for the last **several**
24 **years**. **Bechtel & Company** is a contractor with the
25 Department of **Energy for this type of operation**.

1 **The other two** gentlemen up here with me
2 tonight are **Robert Atkin**, who is the DOE manager
3 for the site. **I'm going to read this** because
4 **otherwise I won't make it**; for the Formerly
5 Utilized **Sites Remedial Action Program** sites
6 located **in New Jersey**. **That's an impressive title.**
7 **I've known Bob awhile, and he veara well** under such
8 **a heavy burden of that title.**

9 **Nicholas Beskid** is program manager for
10 **FUSRAP** environmental compliance activities at the
11 Argonne **National** Laboratory. **These** are the four
12 gentlemen that **are** here with me, **two presenters** and
13 two **will** be available **for questions** and **comments**
14 after **the** presontntion.

15 **We're** delighted to **have you here**. **We hope**
16 that **this meeting will implement** the **cleanup** rather
17 than be **clouded further**. **We've** had an awful lot of
18 heat about the issue, and **perhaps now** it's time to
19 **have some light on the process and the way in** which
20 we can get that process moving ahead at a much more
21 **rapid rate**. If you want to talk further with **any**
22 of the **panel** members, **there** will be an opportunity
23 after we **close** the meeting **subsequently, whatever**
24 **time it is, 9:30, ten o'clock** or so forth.

25 So without further ado, **let's** ask **Mr. Fiore**

1 to make his presentation and carry on from there.
2 Mr. Fiore, please.

3 MR. FIORE: Before we get started, I want
4 to introduce several individuals: Kathy Callahan,
5 who's with the u.6. &PA, spokesperson for the U.S.
6 EPA is here also. We also have a representative
7 from the New Jersey Department Of Environment
8 Protection in the audience also. And a third
9 individual, Lisa Voyce, who is with the Agency for
10 Toxic Substances and Disease Registry. It's one of
11 the longer agency titles. They're also available
12 here to answer questions and help provide
13 information as needed.

14 Again, the basic purpose of the meeting is
15 to describe what we call the remedial
16 investigation/feasibility study process. One of
17 the things that I'm going to try to do in my
18 presentation is eliminate or at least explain quite
19 a bit of the jargon that you see in either our
20 documents or in some of our presentations. I know
21 I had my parents attend one of these public
22 meetings up in New Jersey, and it's the very first
23 thing they said; "We couldn't understand most of
24 what people were saying." So we're going to try to
25 explain this particular process, translate it into

1 **more** layman's **terms** to help give you some
2 additional **information**.

3 The major purpose is to formally record
4 your comments. As **we** noted, there is a **court**
5 **reporter**, and any **comments** you **make** are officially
6 entered into the record, and the Department
7 officially responds to **those** comments in the
8 follow-on **documents in the process**. When I **talk**
9 **about the process**, let me try to walk you through
13 the **steps** and again reduce it to **something** that
11 **eliminates some of the jargon**.

12 The official title for the **first** phase of
13 what WC do is called the resciai investigation, **or**
14 an RI. In effect, **what you're** doing at that **stage**
15 **of the process is** your **gathering** information **about**
16 the **site**, like tire **Maywood interim storage site**,
17 **and about the waste** that's **there**. **What type of**
18 **waste** is it, **what's** the quantity of **the waste**. **SO**
19 **that's**, in **essence**, an information-gathering **step**.
20 As the process **goes** along, the next **official step**
21 is you do a feasibility study. Really **what that is**
22 **is you take** all the information you gathered, you
23 lay **out** what **are** all the alternatives that I should
24 consider, given the information that I have **about**
25 **the site and the waste**. And you look at **these**

1 things and you make judgments about how the various
2 alternatives could handle the waste.

3 The last step in the process, which is
4 officially called the Record of Decision, is
5 nothing more than deciding on what you're going to
6 do; what's the final choice, what's the final
7 solution. The particular terminology along this
8 line is a terminology that's part of the superfund
9 process, and I'll explain that a little bit.
10 That's the Federal law that established the cleanup
11 of hazardous sites, but those are terms officially
12 in the regulations. Across the bottom I also put
13 the words "Environmental Impact Statement." As Dr.
14 Brush mentioned, another Federal regulation is this
15 National Environmental Policy Act, which is a law
16 that forces Federal agencies to look at the impacts
17 of any major actions they take, and the Federal
18 agencies are required to produce an environmental
19 impact statement and, as will be discussed later on
20 by Rick, what we've tried to do is produce one
21 consistent set of documents that meets both of
22 these regulations, rather than having two
23 documents, two sets of hearings and things like
24 that, but these are the official documents. In
25 essence, that's what the process is when we refer

1 to "the process."

2 Let me start through some of the acronyms
3 because as the night goes on, I'm sure our answers
4 may include those words and I'd like to just cover
5 them briefly.

6 CERCLA. What that really is is the Federal
7 law that established how abandoned waste sites
8 would be cleaned up, and it's called the superfund
9 law. It actually established what is called the
10 superfund process. The second line there is RI/FS.
11 If you remember from the first chart, that was
12 remedial investigation/feasibility study. Again,
13 it's the process, gathering information, looking at
14 choices and making a final decision. I just
15 mentioned NEPA a couple of minutes ago on the
16 process of looking at any Federal action. Even if
17 somebody's building a bridge, siting MX missiles,
18 constructing a new highway, those things are all,
19 if they're done by the Federal government, all
20 covered by NEPA and require an environmental
21 document.

22 If it's a significant action it requires an
23 environmental impact statement, and that again is
24 one of the things that we're trying to address as
25 we go through gathering information and producing

1 documents.

2 National Priorities List, or NPL. In the
3 CERCLA process and in the laws, the government said
4 "Let's identify the very critical sites in the
5 country, the set priorities. These are the most
6 important ones. These are where cleanups should be
7 done, where the Federal government or the private
8 companies should spend their dollars for cleanups,"
9 and it's a list that's compiled by the
10 Environmental Protection Agency.

11 FFA, that's the Federal Facilities
12 Agreement. Also as part of the process we're
13 required to sign an agreement with the EPA that
14 says here are the rules for how we're going to
15 proceed, what documents are we going to produce,
16 what's the process for having public meetings, what
17 are the steps that we're going to go through and
18 what will EPA do, and that's a binding document on
19 the Department establishing what our role will be
20 in the process.

21 FUSRAP. It officially stands for Formerly
22 Utilized Sites Remedial Action Program. What it
23 really is, those are sites that the Federal
24 government used in the early days of developing
25 nuclear weapons, and those sites were contaminated

1 and Congress set up a program to go in and clean up
2 those sites. And the Maywood site, though it was
3 not tied to weapons activities or weapons
4 production, was a site that was added to that
5 program by Congress. So it is part of the FUSRAP
6 program.

7 The MISS. That's what we refer to as the
8 interim storage site itself. It's the DOE-owned
9 portion of the Maywood Chemical Workl. I've
10 included in there the headquarters and the Oak
11 Ridge Operations Office. The way the Department is
12 set up, they have a small group of individuals in
13 Washington that handle getting money from Congress,
14 making major budget decisions. The day-to-day
15 management of the project is done through a field
16 office. In the case of this program it's run out
17 of the Oak Ridge Operations Office, and that's the
18 office that Bob Atkins is a member of.

19 We also use contractors in our process to
20 carry out the work. You'll see ANL, which is the
21 Argonne National Lab. They're a contractor which
22 supports us in terms of producing these
23 environmental documents. They have a great deal of
24 expertise in that area.

25 Bechtel National, Incorporated is the main

1 contractor for the FUSRAP program. They do the
2 field work and they actually manage the overall
3 day-to-day project activities.

4 The way we've structured our presentation,
5 I'm just going to very briefly cover the rolls of
6 the various agencies, then talk a little bit about
7 the RI/PS EIS process and then turn it over to Rick
8 where he'll talk about some of the site specific
9 activities, the history of the site and some of the
10 scheduled items, and then as Dr. Brush mentioned,
11 we'll go into the question and answer or public
12 statement phase of the agenda.

13 The roles of the agencies: Pretty much,
14 DOE is responsible for carrying out the work. We
15 have to do the site investigations, we have to do
16 the analyses, we have to produce the documents, and
17 we have to propose a remedy or propose a solution.
18 And as I mentioned, those roles are explained in
19 the Federal Facilities Agreement, and that's
20 something if anybody wants a copy of that, again,
21 you can leave your name with us and we'll get you a
22 copy of that document. Those roles are consistent
23 with the authority that Congress has given us and
24 the authority that Congress provided to agencies,
25 both the EPA and ourselves, under CERCLA.

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The EPA, their job is oversight. They're looking over our shoulders to see, are we collecting the data in an accurate way, are we presenting it correctly, are the conclusions we're drawing appropriate; and they have final authority on the selection of the remedy. And that again is a role that they carry out, not just for Maywood cleanups but for other cleanups that are on that National Priorities List.

The New Jersey DEP, they do have authority over the process through various State regulations. They are not a signatory to the Federal Facilities Agreement. However, the Department has said we will provide them information, documents, as though they were and keep them intimately involved in the process with us.

Finally, at the local level, the town council doesn't have regulatory authority the way EPA does or DEP. However, we have, through Bob and some of his people, maintained regular communications with the town council on what activities we want to do, what activities are ongoing.

In the Federal Facilities Agreement, because it is really the contract that we have with

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EPA, there are a number of things that I felt worth noting here. They do concur in everything we do as the process goes along. It's again a double-check to see whether or not we're proposing the correct type of scientific work, the correct alternatives or whatever.

This "functional equivalence," what that really means is we've already done some activities where we've gathered some material at the site, we've already gathered information about the site through wells that we put down or samples of the air. Those things were done prior to the Federal Facilities Agreement being signed, but in effect, what EPA needs to do is say, "Okay, even though they were done prior to the FFA, we'll accept that information as valid data or we'll say that's functionally equivalent to the requirements that are in the laws, and what you did does meet those requirements."

What I want to do is just briefly mention what FUSRAP waste is, because we're located next to the Maywood Chemical Works and that particular site is going through a separate process for the cleanup of chemicals at that site, what I wanted to do is explain the distinction between the two. We're

1 responsible for any radioactive waste that was
2 generated through the processing of the thorium,
3 even if it's mixed with hazardous waste that we
4 were not responsible for. In essence, if there's
5 radioactive material there and there's some oil
6 that got spilled on it subsequently, we're
7 responsible for picking up both the radioactive
8 waste and the hazardous waste; any chemical waste
9 that was generated as part of processing the
10 thorium. Again, if it's tied back to the thorium,
11 it's our responsibility; and then any contamination
12 that has moved off the DOE-owned property, if
13 anything has washed off or whatever.

14 What we are not responsible for is the
15 chemical wastes that are unrelated to the thorium
16 that are not mixed with our material. The bottom
17 bullet there is something that is part of the
18 Federal regulations, and that simply says that in
19 terms of some interim actions, the way we moved
20 some material back to the storage pile already, we
21 do have authority to do those actions prior to the
22 final cleanup which EPA has the final authority on.

23 And the last chart is somewhat repetitive,
24 but I again wanted to emphasize the regulations
25 that we're forced to meet. This is the superfund

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law that I talked about, CERCLA. Congress passed some amendments or changes to that superfund law in 1986, and again, we're required to comply with those, and the major part of that was that the Federal facilities were now treated much more the way a private facility would be.

In the past it was almost a special privilege for the Federal agencies. When SARA was passed, the rules changed and said we're, in effect, going to treat you almost like you were a private company. I mentioned the National Environmental Policy Act, and the bottom line there, "the applicable or relevant and appropriate requirements." What that really means is if there are other regulations, particularly State regulations, that seem to be relevant for the type of material we have, we need to consider those in the process; and those are the kinds of things we worked very closely with the State to identify what those are and to tailor our cleanup plans and cleanup decisions to meet those requirements.

What I'd like to do now is turn it over to Rick, and he'll give you more of the history of the actual site itself and some details on the process.

MR. ROBERTSON: As Jim said, we went

1 through, real briefly, sort of what the overall
2 process is, generically addressed what we have to
3 go through to make a final decision on this site.
4 What I want to do now is give you a little bit more
5 site specific information and tell you how we're
6 applying this process to the Maywood site so that
7 it will help you to understand what it is that
8 we're going through and how the process is being
9 applied.

10 As we do that, I'm going to go through this
11 fairly briefly so we can get to the question and
12 answer session as quickly as possible. All of the
13 information which I'm covering tonight is available
14 for your review in the Work Plan and the other
15 documents that are out for public review. Those
16 were mailed out to people that we knew were
17 interested in the process. They're also available
18 in the local libraries and through the borough
19 clerks. And the other part of this meeting, other
20 than explaining the process and where we are, is to
21 encourage you to review those documents and submit
22 comments to us so that we can include your comments
23 and your concerns into those documents as we go
24 through the remedial investigation process.

25 Before we actually get into that, I wanted

1 to take just a couple of minutes to real briefly
2 review the site history. I think most of you are
3 probably familiar with a lot of this, but I thought
4 it would be helpful if we just sort of go through
5 it to make sure we all sort of have a common
6 understanding of what happened at the Maywood
7 Chemical Works site.

8 We refer to this now as the Maywood site,
9 and though we're responsible for only a portion of
10 the overall Maywood site -- EPA is responsible for
11 the oversight of the entire cleanup of everything;
12 that includes the FUSRAP part where we're dealing
13 with the radioactive waste, and it also deals with
14 the Stepan part where they're dealing with chemical
15 waste present on the site. So there are two
16 different portions of the study going on.

17 The part that we're involved in dealt with
18 the radioactive materials that were processed by
19 Maywood Chemical Works. Beginning in 1916 and
20 going until about 1956, Maywood Chemical Works
21 extracted radioactive thorium from ores and
22 monazite sand. That thorium was then used in
23 various commercial products. When they did that
24 operation they had a liquid waste which was left
25 over from that processing, and it was pumped into

1 on-site settling ponds, and that waste then was
2 allowed to stay in those settling ponds and dry.
3 So that only the dry residues were left behind.

4 Those ponds were created just by placing
5 dikes across natural drainages, and those ponds are
6 present on the westernmost portion of the Stepan
7 company property which is now owned by DOE, very
8 close to Route 17 as it goes right by the site
9 there. I'm sure most all of you have seen the
10 interim storage pile which is there.

11 Now, some of the waste, in the early days
12 after it was placed in those on-site settling
13 lagoons, migrated from there. Those lagoons were
14 pretty much at the headwaters of the Lodi Brook,
15 and a lot of that waste got carried along that
16 brook all the way down through what's now the Sears
17 property, some of the properties along Route 17
18 that back up to the Sears property, the Sears
19 distribution warehouse there; it goes underneath of
20 Essex Street; it goes underneath of Route 80 or
21 Interstate 80, and it goes down through Lodi all
22 the way down to the Interstate Highway 46.

23 So there's contamination all along the old
24 Lodi Brook as it goes down those streets. That
25 brook is no longer an open drainage. It's been

1 placed in culverts and it is buried. So there is
2 surface contamination along some of that area and
3 there's subsurface contamination too. Waste was
4 also taken away from the old Maywood Chemical Works
5 as fill and mulch, and placed on properties for
6 leveling the properties, and that resulted in some
7 contamination of properties up along Davison and
8 Latham Streets and also some properties in Lodi.

9 And then the other way the properties
10 became contaminated was before Route 17 was placed
11 through that waste, the Maywood Chemical Works
12 property included the property which is now on the
13 east of that Route 17 and also the property which
14 is west of that, and we refer to that as the Ballod
15 property because of the owners that had that
16 property at the time we began work there.

17 That property has since been cleaned up and
18 released, and now there's a nursing home that's
19 been built on that property. There were also
20 properties that were contaminated along Grove and
21 Parkway as a result of washoff of contamination
22 from that Ballod property. Finally, Maywood
23 Chemical Works went out of business and the
24 property was bought about three years after they
25 went out of business by Stepan Chemical Company

1 which is now referred to as Stepan Company. And
2 also in 1983 the site was evaluated and placed on
3 the National Priorities List by EPA.

4 Also in 1983 Congress took a look at the
5 site and decided that it should be assigned to the
6 Department of Energy for cleanup of the radioactive
7 materials. So in late 1983 that happened.
8 Congress directly assigned the site to the
9 Department of Energy for cleanup, and along with
10 that assignment were instructions that the DOE
11 should place it in their existing FUSRAP program
12 because FUSRAP had the specialty in dealing with
13 radioactive contamination.

14 Beginning right after the site was
15 assigned, we did begin the cleanup of vicinity
16 properties. Currently there are 82 vicinity
17 properties. "Vicinity property" means any property
18 which is not the DOE-owned property but around it
19 or in the vicinity. That includes all of those
20 Lodi properties; it includes properties in Rochelle
21 Park and properties in Maywood also. So there are
22 82 properties, 25 of which have been completely
23 cleaned up, and the waste from those cleanups is
24 what's now in the interim storage pile which is
25 present on the DOE-owned portion.

1 So DOE acquired access to 12 acres of that
2 property, the former Maywood Chemical Works
3 property, in order to be able to build that interim
4 storage site so that they could immediately
5 initiate those cleanups of the vicinity properties.
6 The goal was to get the waste out of the people's
7 yards and off of the businesses and into controlled
8 storage. And that began in 1984 and continued
9 through 1985. So that's a little bit of the site
10 history.

11 Now I'd like to try and explain to you
12 where we stand in the RI/FS EIS process. Right now
13 we're at what we call the scoping stage, and the
14 scoping stage is the very preliminary stage to
15 starting the formal RI/FS process, and the scoping
16 stage is designed to collect all known information
17 about the site. That included all the work that
18 DOE had done to date, all the work that had been
19 done by EPA, NJDEP and other private consultants
20 who had studied the sites before. We collected all
21 of that information and it's summarized in what we
22 call a Work Plan. The Work Plan is a large
23 document which covers virtually everything that's
24 known about the site. It covers the known,
25 existing information. Based on that, it identifies

1 what information is not known yet and we call those
2 data gaps or gaps in our understanding of the site.
3 Then it lays out the process; how do we go about
4 filling in those data gaps, and that's the remedial
5 investigation phase that Jim mentioned. And then
6 the feasibility study phase, which is how do you
7 evaluate all of your different alternatives for
8 cleaning up that waste.

9 So the Work Plan that describes this whole
10 process and lays it out and gives us a summary of
11 what's known about the site was issued for public
12 review at the very end of October. And we're here
13 to collect some of your comments verbally tonight.
14 We'll also take written comments through December
15 17th, and all of those comments then will be
16 evaluated, a responsive summary will be prepared,
17 and we'll address those comments before the Work
18 Plans are formally published.

19 Now, along with that we did go ahead and
20 start the remedial investigation work. So there is
21 investigation work going on at the site and the
22 vicinity properties. The data gaps that are
23 identified in the Work Plan are addressed through
24 separate properties. The first is the Stepan
25 property itself. The Stepan property had never

1 been radiologically characterized to date. It had
2 never been investigated to see where the pockets of
3 radioactivity or radioactive contamination were.
4 So as part of this fall's effort we've been working
5 on that, and we'll work on that through December.

6 So we'll review the Stepan property to find
7 radioactive contamination. We'll do limited work
8 on the Stepan property to identify chemical
9 contamination. Full-blown chemical investigation
10 of Stepan is their responsibility, and that's the
11 other part of the EPA process that EPA is watching
12 over, the Stepan remedial investigation.

13 The other data gap that we had was out of
14 those 32 vicinity properties, about ten of them had
15 not been investigated yet. So those ten remaining
16 vicinity properties are being investigated again to
17 find out where the radioactive contamination is.

18 The third and final was we did not have all
19 of the information we needed to satisfy New Jersey
20 Department of Environmental Protection, Maywood
21 town council and some of the public comments that
22 we received in the past concerning chemical
23 contamination of the DOE-owned portion of the
24 property and the interim storage pile. So as part
25 of this fall's effort we've gone back to those

1 properties, the DOE-owned Maywood interim storage
2 site and the pile that's there, and we've taken
3 samples from both of those and we're analyzing
4 those to get a better understanding of all the
5 chemical contamination that may be there. When
6 that data's complete it will be turned over to
7 NJDEP in order for them to evaluate whether there
8 is hazardous waste on site mixed in with the
9 radioactive waste or not. So when those
10 investigations are complete, that should fill in
11 all of the data gaps or gaps in our knowledge of
12 the site that we've identified to date.

13 Now, part of this meeting and part of the
14 scoping process is for you all to review the Work
15 Plans and help us to identify if there are data
16 gaps we have missed. So if there is anything that
17 you're aware of, anywhere that contamination from
18 Stepan or from the Maywood Chemical Works may have
19 been taken that we're not aware of, if there are
20 any eyewitness accounts of what went on there that
21 could be helpful to us in identifying the extensive
22 contamination, this is your opportunity to give us
23 that input so that we can, as part of our field
24 investigation, go and find out where that
25 contamination is.

1 So this is a vital part that the public can
2 play in the process. With the work that we have
3 scheduled right now, our remedial investigation
4 will continue through December, and if there's
5 anything else that's identified from public
6 comment, we'll continue that work as long as it
7 takes to resolve those data concerns.

8 One of the parts of the Work Plan which
9 will gain a lot of attention, I'm sure, will be the
10 feasibility study alternatives. The alternatives
11 are preliminarily identified in the Work Plan, and
12 all it is is a conceptual idea at this point of
13 what things could be done to clean up the Maywood
14 site. And again, we're addressing it from the
15 radiological perspective. The Work Plan has a lot
16 more detail on this, but just in summary, we'll be
17 looking first at no action, and that's not
18 something the DOE intends to implement. It's
19 required by the law that we look at a no action
20 alternative. "No action" means that the waste
21 would stay just where it is now.

22 We're required to look at it because it
23 sets the base line by which the other things, the
24 other alternatives can be judged and evaluated, by
25 looking at the no action alternative. During that,

1 the study will identify what the risks are of
2 leaving the contamination where it is now. And
3 then in looking at the other alternatives, the
4 alternatives which take some form of action, you
5 can say "Well, these are more risky or less risky
6 than looking at a no action alternative," and it
7 helps to evaluate so that you can do an objective
8 evaluation of your alternatives.

9 The one that most everybody in town has
10 been discussing and is aware of is the excavation
11 alternative, followed by disposal of that waste;
12 and for radioactive waste, this seems like it's one
13 of the very few things that's really possible.
14 There are not a lot of treatment alternatives that
15 work on radioactivity because it can't be
16 destroyed. So about the only thing we can do is to
17 dig it up, possibly reduce volume with treatment,
18 and dispose of the waste. So under disposal we've
19 identified several subalternatives or various means
20 of disposing of that waste.

21 The first one we'll be looking at is to
22 dispose of it at an existing commercial facility,
23 and that would be that we would look all across the
24 country and try to find existing commercial
25 disposal sites that would take this waste. The one

1 that's been discussed the most here in town would
2 be the Utah option, where it would go to a facility
3 like an Envirocare in Utah. That will be evaluated
4 as one of the feasibility study options. That's a
5 wide open alternative right now, and that's
6 something we'll look at to make sure it's viable
7 and it can really work.

8 We'll look at the safety of doing that and
9 we'll look at the cost and we'll compare it with
10 the other alternatives and with risk; and another
11 factor that has to be considered in evaluating
12 these alternatives is the acceptability of that
13 alternative to the public and to the State. So
14 that's another place where your input can really
15 factor into the process.

16 For disposal, another alternative would be
17 to dispose of it at an existing DOE facility, and
18 there are several DOE facilities that could
19 potentially take this waste across the country.
20 Those will be evaluated again the cost, the risk,
21 and the public acceptability of those alternatives
22 would be considered.

23 And then the last is that it would be
24 disposed of at a yet-to-be-determined facility or
25 to-be-constructed facility, and that would mean

1 that before the waste could be moved we would have
2 to find an existing or suitable location to
3 construct a facility and naturally build a
4 facility, and then the waste would be sent to that
5 new facility.

6 The other alternatives are treatment with
7 disposal, and any other alternative that the public
8 or the regulatory agencies who are reviewing this
9 process can identify for us. We're not saying that
10 these are the only alternatives that we'll look at.
11 If the public can think of alternatives which we
12 may have missed, they'll be factored into the
13 feasibility study. They'll be evaluated with the
14 other alternatives.

15 Just going back to the documents that are
16 currently up for review, the major document that I
17 think you'll be probably most interested in is that
18 Work Plan, because it covers the entire RI/PS
19 process, and that's under review now. There are
20 other plans which we did not make a mass mailing of
21 to individual people, but they are available for
22 review at the borough clerk's and at the library,
23 and those plans are a Field Sampling Plan, a
24 Quality Assurance Project Plan, and a Health and
25 Safety Plan.

1 These are very detailed plans which
 2 describe very specifically how the work is going to
 3 be accomplished. The Work Plan would say we need
 4 to get information about Stepan. And then the
 5 Field Sampling Plan would say we're going to get to
 6 Stepan, we're going to drill 34 holes, they're
 7 going to be so deep, we're doing to take so many
 8 samples, and it tells the people how to actually
 9 accomplish the work in the field. All these plans
 10 are available.

11 And then there's one other plan that will
 12 probably be of a lot of interest to you, which is
 13 also available from the borough clerk's. That's
 14 called the Community Relations Plan. This plan
 15 describes where the public fits in and how the
 16 public participates in the RI/FS EIS process. And
 17 there are several points where there are formal
 18 requirements that the public reviews and comments
 19 on documents, and those comments then would be
 20 incorporated.

21 Other things that are planned for the
 22 Maywood area to try and encourage the public to
 23 participate are these last few bullets here at the
 24 bottom. DOE does intend to start a newsletter,
 25 something probably on a quarterly basis, where it

1 would be a short newsletter that would receive wide
2 distribution to interested parties, and in those
3 newsletters would be a way that we could keep you
4 updated on the progress of remedial investigation
5 and the progress of the feasibility study, because
6 this is going to be sort of a long process, and we
7 want to be able to keep you up to speed on what's
8 going on.

9 We also are intending to hire and have a
10 full-time Bechtel person on site at Maywood. The
11 intent of that is to be able to open up that site
12 and make it more acceptable by members of the
13 public. We would plan on having open houses there,
14 plan on encouraging the public to come by and visit
15 the site. We're not in a particularly accessible
16 location, but it is okay for the public to come by.
17 It's DOE-owned property and we'd be glad to show
18 you the interim storage pile, to explain how it's
19 constructed, explain where the contamination is and
20 keep you up to speed on what's going on on the rest
21 of the remedial investigation process. We'll also
22 make speakers available to any local organizations
23 who would like to be updated on the progress of the
24 study.

25 We'd like to increase the frequency of the

1 meetings that we have with the town council, and we
2 will be making a technical assistance grant
3 available if there's a qualified or interested
4 group of people at the Maywood site who need some
5 additional funding to be able to hire expertise.

6 Finally, this is the schedule for the RI/FS
7 EIS, and as Jim pointed out, it is a long process.
8 It's a difficult process. There are a lot of steps
9 that we have to go through, and there are a lot of
10 reviews that are built into this. The DOE has
11 internal reviews before the documents are issued.
12 EPA, who has the total oversight for this, has a
13 review cycle, and then there are review cycles for
14 that public document and public input on the
15 process. So this is how it sort of breaks down
16 with the major milestones over the next several
17 years.

18 The public meeting is now, that's what this
19 forum is. The RI field work should be completed
20 this year. It can go longer if there are things
21 identified that we need to take a look at. The
22 Work Plans then get published, after the responsive
23 summary and comments are evaluated and
24 incorporated, in May of this coming spring. And
25 then the RI/FS EIS process is culminated when that

1 draft RI report is issued to the EPA and NJDEP. At
2 that point there would be a preferred remedial
3 action alternative rendered by the DOE, EPA and the
4 State, for their concurrence, and the rest of the
5 time there are review cycles, comments are
6 incorporated, public reviews, public comments,
7 working with everybody to make sure that that
8 Record of Decision, which is the formal selection
9 of that remedy, is what everybody wants and what
10 everybody can live with.

11 And then in summary, or just again to
12 remind you where your comments can be sent, we do
13 have one mistake on here. This process will
14 continue until December 17th. Written comments
15 should be submitted to Les Price, who is the
16 director of the Former Sites Restoration Division,
17 which is the division of DOE Oak Ridge Operations
18 responsible for the day-to-day operation of the
19 formerly utilized sites, remedial action program
20 and FUSRAP.

21 With that, then, I'll turn it back over to
22 Dr. Brush for the questions and answers and he'll
23 help us to coordinate all those.

24 DR. BRUSH: Thank you. Is there anyone who
25 has not yet filled out a card? If not, there will

1 be people available from whom you can get the card
2 and you should be on that mailing list if you want
3 follow-up. We have a few comments that have been
4 scheduled that we'll call for. I think in view of
5 the small number of comments to date, we can extend
6 that five minutes to eight or ten. We'll go in the
7 order that they were given, and some of these came
8 in prior to the meeting.

9 The first one is Mr. John Tamburro of
10 Maywood. When you speak, would you please go to
11 the microphone in the center of the floor, identify
12 yourself as to name and address, for the record,
13 and be sure that we have sufficient volume that we
14 can pick it up here with the reporter. Thank you.

15 MR. JOHN TAMBURRO: My name is John
16 Tamburro. I live in Maywood at 142 West Central
17 Avenue. I'm also on the Board of Health in
18 Maywood. I'm very concerned about the radiological
19 problems. I have performed a cancer cluster study
20 which the State Health Department rebutted. What
21 the State did was compare Lodi, Rochelle Park,
22 Saddle Brook and Maywood to the rest of New Jersey.
23 What I did was compare Ecclestone Place and West
24 Central Avenue to the rest of Maywood. They did
25 not ask us any questions. They did not come to us

1 or -- they did on cancer incidences. They have
2 started recording cancer incidences in 1979. Most
3 of the residents in the West Central
4 Avenue/Ecclestone Place area contracted cancer or
5 died from cancer prior to that date. I took into
6 consideration a lot of factors that are left out of
7 the cancer studies because they're hard to get.

8 Like for one, none of the cancers involved
9 cigarette smoking; the residents didn't smoke. All
10 involved residents who lived in the area at least
11 15 years. Some homes had several owners, and those
12 residents living there more than 15 years have had
13 incidences of cancer in their families. The
14 afflicted residents had safe jobs with respect to
15 exposure to carcinogens, and many were housewives
16 who stayed at home.

17 People exposed to carcinogenic chemicals
18 and low-level radiation in their younger years do
19 not develop adverse health effects until their
20 later years, depending on the strength of the
21 carcinogen or radiation. The people I studied
22 moved into the area between the ages of 20 and 40
23 and developed their cancers in their late fifties
24 and early sixties. Also, genetic damage caused by
25 radiation does not have to occur in the first child

1 born to one of the people exposed to cancer. It
2 can occur in children of the children.

3 Other radiologically induced afflictions
4 such as anemia, cataracts and shortened life span
5 were not included, but it did exist in some of the
6 residents. Out of the 36 residents I studied, 17
7 developed cancer while living in the area, 11 died
8 and six are in remission or cured. The control
9 group I used was taking death certificates from
10 1978 to 1983 and recording who had cancer or died
11 from cancer during that time, and the figure I come
12 up with is 24.7 percent for all of Maywood, which
13 agrees with the State Health Department's figure of
14 24.4 percent throughout all of Bergen County, which
15 means I agree with their health studies.
16 Definitely the four communities have the same rate
17 as the rest of New Jersey.

18 I don't agree that my area of Maywood has
19 the same rate as the rest of the State. Nine of
20 the afflicted were housewives with nonhazardous or
21 no occupations. They remained home most of the
22 time. The men did not have any added cancer risks
23 from their jobs.

24 All were healthy people until they
25 developed the cancer. All cancers developed could

1 have been caused by any type of radiation. It's
2 known that the railroad embankment bordering the
3 homes on the south side of West Central Avenue is
4 highly radioactive. This is shown in the
5 radiological studies performed on my home and other
6 radiological studies performed on the Stepan and
7 MISS site.

8 When I had the homes studied by Mr. Jay
9 Davis of the Eberline Analytical Corporation, these
10 are the results he came up with: Eight feet above
11 ground level he was receiving radiation of 227.8
12 millirems per year. The Federally recommended
13 dosage is 100. The outside ground level was 175.2
14 millirems per year. Halfway up the railroad
15 embankment it was 508.1 millirems per year; and
16 inside my house it was 157.7 millirems per year.
17 Maywood's background is 70.1. So we're all being
18 exposed to very high levels of radiation for a long
19 time.

20 There's a building 76 that they talked
21 about, and this is from the Work Plan for the
22 remedial investigation/feasibility study
23 environmental impact statement for the Maywood
24 site, Maywood, New Jersey. Along the northern
25 fence of the MISS site the amount of radiation

1 being released is 200 microroentgens per hour.
2 That railroad embankment is a continuation of my
3 property as well as my neighbor's. In the building
4 itself, around the building they had readings
5 ranging from three to 400 microroentgens per hour.
6 Don't forget, the guide is 100. All of us
7 residents also live in a high water area that
8 floods. I know you're not concerned with chemical
9 contaminations, but it does exist. And they have
10 found benzene and ethyl acetate on my property, and
11 they have found wells contaminated with
12 tetrachloroethane and trichloroethylene and
13 chloroform to West Magnolia Avenue, which is all
14 the same water base. All along the railroad
15 embankment there is a gully which will fill up when
16 it rains very hard, and our yards flood, which
17 could bring these chemicals to the surface.

18 My main concern, however, is the fact that
19 these chemicals can emanate from the groundwater
20 into our basements and become trapped there. Water
21 level is about one foot under my house. I have a
22 sump pump with a tank and it's usually half full.
23 When it rains hard the water comes within one inch
24 of my basement floor. So we are in very close
25 proximity to this dangerous groundwater.

1 Since the radiation is so high, I ask that
2 they please do not bring any more radiation to the
3 MISS site. If those plans are to be, if they're
4 going to use those plans and put everything at the
5 MISS site, then either, one, enclose it in lead, or
6 two, buy out our homes. I don't want to live here.
7 I want to live. I don't want to die, and I'm very
8 scared.

9 My next door neighbor, two people developed
10 cancer. The first man died from total metastasis,
11 the second one had bladder cancer was you. In my
12 home, my mother died from ovarian cancer which was
13 not inherited; my father has skin cancer and died
14 from a rare disorder called -- I don't even know
15 the name of it, it's so rare. My dog developed
16 bone cancer.

17 In the house next to me the woman developed
18 colon cancer, her brother developed skin cancer.
19 In the house next to her, the woman developed
20 breast cancer. Skip a house, and the next house,
21 the woman developed breast cancer; two houses up
22 from there the man developed brain cancer. Across
23 the street a woman developed breast cancer -- two
24 women developed breast cancer. Next house, one
25 person developed intestinal cancer.

1 A woman on Ecclestone Place developed
2 stomach cancer. Going down Ecclestone Place, the
3 next house, the man died from throat cancer. The
4 next house, the woman died from bladder cancer.
5 Next house, the woman died from stomach cancer, and
6 next, a woman died from brain cancer. It's very
7 scary to me.

8 I don't like it at all. I'm all for the
9 cleanup and everything, but this high level
10 radiation is going to exist in the area and the
11 contaminated chemicals is going to remain in the
12 ground water for 15 more years. I'll be dead.
13 I've probably gotten exposed to enough radiation.
14 I'll get cancer in ten or 15 years. I'd like to
15 get out as fast as I can, and nobody will buy my
16 house when they see the dump back there. It's
17 clearly visible. It's just like building 76.

18 Those are all the comments I have. I ask
19 you to please take into consideration the people
20 that live on Ecclestone Place and West Central
21 Avenue and on West Magnolia Avenue where the wells
22 are contaminated, because we all suffer from health
23 problems. Now I have a disease where I have too
24 many blood cells as opposed to leukemia. I have
25 another chemical imbalance, and I've developed

1 cysts and my sisters have developed tumors and
2 cysts. So this problem is very serious.

3 If they can't find a resolution, I do ask
4 to buy us out for true market value of our homes;
5 and I have a copy I would like to submit to you.
6 It's my rough draft. I'm almost finished with it.
7 It has everything referenced. You can find all the
8 information in your records, the Bechtel records,
9 the records in borough hall, from Ebasco, that
10 would state that we're living in a very dangerous
11 area. The PSE&G substation is right next to my
12 house and that emits electromagnetic radiation
13 which they are studying because they're afraid it
14 causes cancer. So once again, please help us.

15 DR. BRUSH: Thank you, Mr. Tamburro.

16 Next speaker is Louise Ponce.

17 MS. LOUISE PONCE: Louise Ponce, 534 Elm
18 Street in Maywood, and I have a question. I would
19 like to know why this study is going to go on now
20 until 1994.

21 MR. FIORE: I realize that it is a very
22 long process but as you look through it,
23 unfortunately, what we need to do is each step
24 along the way produce information that first of all
25 gets approved by other groups like EPA and the New

1 Jersey Department of Environmental Protection, and
2 then is provided to the public. And then the
3 public gets to comment on that and we have to
4 respond to the comments, and that process occurs
5 three or four times, and each time as it occurs,
6 unfortunately it's a many-month cycle to do that.

7 MS. PONCE: Eleven years?

8 MR. FIORE: I realize the total amount of
9 time that would be, and I think one of the things
10 that we're trying to do, we are trying to work with
11 the EPA to do it quicker than that amount of time,
12 and let me give you one example. The remedial
13 investigation work that Rick talked about, if you
14 follow the exact letter of the law, we should put
15 out all of our Work Plans first, then begin to
16 collect all the information on the site. What
17 we've done is, since we had a lot of information
18 already and felt that we should try to move this
19 along as quickly as we could, even though the Work
20 Plans have not been approved, we kept going,
21 gathering information.

22 It didn't save a lot of time, I think, in
23 the grand scheme of things, but I would guess on
24 the order of maybe three to six months' worth of
25 time by doing things that way. That doesn't make

1 it any earlier than 1994, but we're going to
2 continue to look at the process to see ways we can
3 bring it back a little bit shorter.

4 But unfortunately, the laws say to involve
5 the public, involve other agencies, don't make the
6 decision by yourself in a quick and hasty way, go
7 through it very systematically, and that's about
8 the best I can say. It is a long process, and the
9 Haywood process is no longer than what we're using
10 at other sites. We're following the same process
11 with the same sort of multiple cycles.

12 MS. PONCE: There was an article in the
13 paper today that said that within two years there's
14 going to be legislation passed, and it is now under
15 consideration, that mixed waste will not be
16 acceptable in any other sites. Is there any
17 validity to that, or was that something that is a
18 rumor or was incorrect in this article? It was in
19 today's issue of the Our Town. It's the discussion
20 of a ban on moving mixed waste. It's my
21 understanding that there is mixed waste at this
22 site, in spite of what some of our council people
23 think.

24 MR. ROBERTSON: Well, you've got a couple
25 of different issues there that we need to talk

1 about. First, I think that what you're talking
2 about on the mixed waste, and I didn't see the Our
3 Town issue today, deals with that there is an EPA
4 land ban, is what it's called, and the case is
5 there will be certain classes of waste which are
6 restricted from being disposed of in land
7 impoundments like an on-site above grade landfill
8 or a buried landfill or anything like that.

9 And there is a two-year variance. The rule
10 became effective this last spring but there was a
11 variance granted for the next two years, I think,
12 because there's no capacity, there's no other way
13 to handle that across the nation.

14 So yes, in two years land disposal of mixed
15 waste will be prohibited unless that waste meets
16 very restrictive EPA standards for doing a land
17 disposal.

18 MS. PONCE: Your plan was August, 1994 when
19 you will complete reviewing this.

20 MR. ROBERTSON: That's right, but what that
21 says is, if our waste is going to be disposed of
22 after that period of time, then it will have to be
23 treated first, if there are chemicals present in it
24 that fall under the land ban. Then they would have
25 to be treated first to reduce those, destroy them,

1 immobilize them, or do something before you could
2 consider using land disposal as your disposal
3 alternative.

4 MS. PONCE: So would I construe that to
5 mean that time may be of the essence now because it
6 may be more difficult as time passes to resolve the
7 problem in Maywood?

8 MR. ROBERTSON: Yes and no. It will get
9 more difficulty.

10 MS. PONCE: Let's do the "no" and then
11 let's do the "yes."

12 MR. ROBERTSON: It will be more difficult
13 to dispose of mixed waste after the next two years.
14 However, that's not necessarily bad because what it
15 means is the waste, before it goes into land
16 disposal, has to be more stable and has to be more
17 controlled and meet more stringent standards than
18 it does now. Right now we could take waste with
19 chemicals in it and theoretically put that into
20 land disposal. In two years that same thing won't
21 be possible. So what you're really saying is if
22 you do it quick, there may really be a lesser
23 degree of protection at that landfill than there
24 will be in two years from now. In two years those
25 same chemicals that you could dispose of right now

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will have to be more stabilized than disposal right now.

MS. PONCE: Did you read 1994? That was a perfect example of double speaking. If you remove the waste from this site, what does it matter to the residents of Maywood and people that live there if it is treated before it leaves or treated after it leaves or any treatment of this process whatsoever. I don't understand why what you said has any relevance to this particular situation, and I'm not expert in this area so I may have missed something.

MR. ROBERTSON: I probably did a poor job of explaining it, and it's a difficult subject to explain because it gets into a lot of legal terms of the environmental laws that are out. What's going on is the standards for disposal of mixed waste are going to get more stringent.

MS. PONCE: Specifically for the people of Maywood, for the areas that are contaminated, that are very seriously contaminated, if there is a ban, how would that be beneficial to the people of Maywood on moving mixed waste? How would that benefit the community?

MR. ROBERTSON: If the waste is going to

1 leave, go out of town, be disposed of somewhere
 2 else, then the ban does not benefit Maywood at all.
 3 The ban benefits the recipients of that waste by
 4 making sure that the waste, before it goes into
 5 disposal, wherever that's going to be, that that
 6 waste is more secure or more stable. If that waste
 7 was going to be disposed of in New Jersey or if it
 8 was possible to dispose of it on-site, then that
 9 would benefit Maywood or the New Jersey residents
 10 by again making sure that that waste which is going
 11 to be disposed is more secure.

12 MS. PONCE: I think what you may be saying
 13 is if it goes it benefits the people where it goes;
 14 if it does not go, you bring more waste into this
 15 particular site, it's going to be safer for the
 16 people that live by the site. Do I translate that
 17 correctly?

18 MR. ROBERTSON: I think so. If waste was
 19 going to be brought into the site -- and the site
 20 is not large enough to handle all of the waste
 21 that's present in Maywood, so we're talking very
 22 hypothetically here -- but if that waste was going
 23 to come in, then it could not be disposed of
 24 on-site without meeting those new, more stringent
 25 standards.

1 MS. PONCE: It's also my understanding that
2 Envirocare in Utah would accept this particular
3 waste as it is now; that moving this particular
4 waste out of the community is acceptable to them.
5 In fact, they have urged the Department of Energy
6 to act. Why won't you? Let me qualify that.
7 Every other meeting that I ever attended, everyone
8 from the DOE, Mr. Atkin, we know each other over
9 the years, has always commented that "If we could
10 find a place to move it, we would." And that was
11 stated many times. Now that you have a place to
12 move it, someone wants it, why don't you want it to
13 go?

14 MR. FIORE: Let me comment on that. A
15 minor point on that is it's not clear whether, and
16 we will talk to the Envirocare folks on the
17 specifics, whether or not their facility is
18 licensed specifically to handle the thorium type
19 waste, and in particular any mixed waste, hazardous
20 mixed waste with the thorium.

21 MS. PONCE: The Our Town said it was.

22 MR. FIORE: That is not the major point.
23 The major point is that it's not within our
24 authority to make a unilateral decision today
25 without going through this process, and say "That's

1 the solution." Let me tell you why, and I
2 understand from the Maywood point of view that all
3 you really care about is that it moves out of
4 Maywood.

5 MS. PONCE: No, that's not correct. That
6 is not correct.

7 MR. FIORE: I shouldn't make that
8 assumption. One important consideration, and we've
9 seen it when we tried to move waste across the
10 country from one site to another, is both the State
11 receiving the material and also the States along
12 the way turn to the Department of Energy and turn
13 to the Environmental Protection Agency and say,
14 "Why are you sending this material through my State
15 and sending it there? Prove to me that that waste
16 cannot stay where it is or could not stay in the
17 State where it came from," and in many cases folks
18 have taken DOE to court, and I think where we're
19 coming from is, we see that same sort of risk;
20 where if we try to do something that, in effect,
21 was a shortcut, didn't go through all the steps,
22 didn't look at all the choices, somebody then
23 raises these questions, takes us to court. We
24 could be back to square one, but three years from
25 now after a long and lengthy court process.

1 So the burden's on us, not just to satisfy
2 the concerns of the people in Maywood but to
3 satisfy the concerns of folks in States along the
4 way; if Utah is the State, to satisfy the folks in
5 Utah that we have done a thorough job on all the
6 options. And unfortunately to do that,
7 thoroughness is measured by EPA and folks like that
8 signing off on the documents.

9 So we can't make a decision that looks like
10 it's beneficial to one segment of the population
11 like Maywood when there are other segments that
12 would say "Follow the process. We pass these laws
13 for that reason." So I think that's really the
14 bind that we're in. Even if there is an option out
15 there, we are subject to criticism, legal action,
16 whatever, that you didn't follow the process. And
17 that's where we're coming from.

18 MS. PONCE: I take very strong exception
19 with what you just said. If that was said in 1983,
20 if that was said in 1984, if that was said in 1985,
21 that would be acceptable, but people sitting at
22 that table had clearly stated that we will move
23 this material out of this community if there was a
24 site. They never qualified it in the past, and it
25 seems to me that it is very very very insidious

1 that now, when there is something available, there
2 are these excuses.

3 Listening here this evening, I am starting
4 to think that the people outside picketing had more
5 sense than those of us who chose to come inside,
6 because it seems to me that this problem -- really,
7 you have been there seven years and you do not know
8 the answers to these questions. Am I going to come
9 back in '94 and you're still not going to know the
10 answers to these questions?

11 I understand that this is a process, but if you are
12 a professional agency, I cannot understand why you
13 could not have the answer to questions and come up
14 with these alternatives that, when they're
15 presented to you, you can respond and say, yes, we
16 can or no, we can't, and this is why.

17 MR. FIORE: I don't know. Would you like a
18 response or a comment?

19 MS. PONCE: I would really like to
20 understand why it's going to take 11 years just to
21 figure out what you'd like to do. Are these
22 meetings just to appease people, to say what we
23 want to hear? I mean every time we're here it is
24 something different, and nothing has been done
25 except there has been material brought into the

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town of Maywood that was a different type of contamination. So it has added to the problem of the Borough of Maywood.

Now, in reading the reports it's my understanding that the contamination in the other communities, particularly Lodi, is below the DOE guidelines for contamination, and yet that has always been a priority to the Department of Energy. The radioactive problem right in the area protecting the people has not been. Will the DOE consider buying the homes on Central Avenue that are contaminated and solve the problem once and for all? Is that a consideration? Or will it be a consideration if the problem cannot be solved within two years?

MR. FIORE: I don't think that's a consideration if the problem can be solved.

MS. PONCE: Why is it not a consideration?

MR. FIORE: Again, we would have to look and see; is there a health hazard that warrants acting in two years instead of four years or six years or whatever the case might be.

MS. PONCE: You're telling me in seven years you don't even know if there is a health problem?

1 MR. FIORE: What we have done, when we've
2 looked at the housing -- again I might defer to
3 Rick -- for individual houses we tried to address
4 the houses of greatest concern initially, and
5 brought the material back to the site, and I think
6 that in general, the contamination that exists out
7 there right now is not contamination such that it
8 needs to be cleaned up within two years from a
9 health and safety point of view.

10 Again, I can't talk on every single
11 property, but in general, we brought the most
12 urgent things back to the site. And I agree, it
13 would be good if it was done in two years. If the
14 process takes four years, I think that would be the
15 point where we'd make the decision on it would go
16 to Utah, it would go someplace else, the house has
17 to be bought out because it can't be cleaned up.
18 That's when those decisions would be made. I
19 realize that's an unacceptable time period.

20 MS. PONCE: It's unacceptable because it's
21 been going on for seven years. We're seven years.
22 What's DOE been doing? "Well, we're going to get
23 around to this and some day we'll make a decision."
24 I don't understand why this process has been so
25 long and we're here now and you're not saying to us

1 "We've reviewed it, we understand it, this is what
2 we can do and this is what we can't do." Either
3 you know and you don't want to tell us or the
4 agency is generally inept, because there are reams
5 and reams and file cabinets full of information
6 that apparently you can't sift through and say this
7 is what we're going to do.

8 MR. FIORE: Again, we can say what we
9 think, and we have said in the past and we have it
10 in documents that from the information we know
11 about the site, that that site will not be a
12 permanent disposal site. So you may view that as
13 not being terribly significant, but in the
14 hazardous waste area, the first priority or the
15 first place where folks should look to put the
16 waste is right on site. That is where the emphasis
17 is; don't transport the waste all over the place.
18 If you can solve the problem on site, do it. So I
19 think even though it's been seven years and you can
20 argue it should have been done faster, we have
21 gathered data so that we believe we cannot use the
22 current site. That is a major step.

23 The second thing we've done is we've
24 cleaned up vicinity properties, vicinity properties
25 that were the major health problems. I view that

1 as significant. We also have started a process
2 with the EPA to get to the final solution. It's
3 going to take a long time. But those are steps
4 that happen. It wasn't like we're in the same
5 situation now that we were in 1983. I think it's
6 significantly different.

7 MS. PONCE: People on Central Avenue and
8 people in Maywood are in exactly the same position
9 that they were in 1983. There has been no change
10 except that now that you have moved in soil from
11 other areas, the radiation that emits from that
12 area is higher. So you have put them more at risk.
13 By adding more it emits more radiation. I would
14 think that the more contamination you add to that
15 pile, the more radiation that emits and the more
16 people you're putting at risk.

17 MR. FIORE: Again, it's a situation of what
18 did the waste look at like in 1983 when it was just
19 laying on the ground versus the situation it's in
20 right now.

21 MS. PONCE: Shouldn't you know the answer
22 to that?

23 MR. FIORE: I would say right now the
24 hazard is less. We have combined the waste, put it
25 into a storage facility, and I think the monitoring

1 information that we have around, and we've shared
2 with the EPA and we've shared with the State, shows
3 that the emissions at the edge of the site or the
4 emissions in the water are well within safety
5 limits. So I think we have improved the situation,
6 and I agree with you, if there's 5,000 tons there
7 now and you bring in another ton, yes, there's more
8 radiation there; but is it over the acceptable
9 limit? No, because it's being monitored and it's
10 being stored appropriately. So I think again, the
11 situation is not solved, but at least we've got a
12 site where it's being monitored and it's being
13 covered and it's being stored.

14 MS. PONCE: Is there anything under that
15 pile, by the way?

16 MR. ROBERTSON: Yes, the waste that's
17 present in the pile is totally encapsulated. There
18 is a bottom liner which is impermeable. On top of
19 that there is sand and then the waste is placed.
20 Leachate from that collects and drains to a sump.
21 That's the only exit from that pile. The bottom
22 liner is tied to the top liner, so it's a total
23 pillow type of design so that the things in the
24 pile cannot migrate out.

25 MS. PONCE: One final question: You are

50

1 telling me that the people that live on Central
2 Avenue are not exposed to more radiation when you
3 bring in additional soil. And that is something
4 that right now you will absolutely guarantee is
5 correct; that if you bring in more soil, add it to
6 that site, the people that live on West Central
7 Avenue are not put at more risk and the radiation
8 does not increase. Yes or no.

9 MR. FIORE: My answer was just the answer.
10 I would say yes, they will be exposed to more
11 radiation. Every spoonful of dirt that we bring in
12 that isn't there now that has radiation in it does
13 give them more radiation, but I will say that any
14 dirt we bring in will keep their dose below the
15 safety levels. But you are right, any ounce of
16 dirt we bring in creates more radiation to the
17 folks off site.

18 MS. PONCE: So now I may be incorrect
19 because I read these documents about six months
20 ago, but there is an area that is cleared to hold
21 approximately 176,000 tons or equal to the pile
22 that is there. There's room now cleared to add
23 another pile just about the same size?

24 MR. ROBERTSON: There is an area of the
25 site that was cleared in, I think, 1986 in

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preparation for bringing in additional waste. And that waste was scheduled to come in from Lodi but at the time, because of the Maywood concerns, in working with the town council, the plans for that additional pile were cancelled. So that pile is now overgrown and is no longer usable, or the base that was placed there. The studies say that the maximum amount of waste that could ever be placed at that site is the 176,000 number that you recall.

But there are no plans right now or there are no plans to expand that pile in this fiscal year. If we would discover in the remedial investigation process that there are properties that need to be addressed, then again, we would like to do additional removal action to, say, bring additional waste in there so that we can get it out of the people's yards.

MS. PONCE: And then add to the increased radiation that the people on Central Avenue are exposed to. So you're saying "Well, okay. Let me decrease the radiation for this group and increase the radiation for this group. So in fact, by moving it from point A to point B, you really are not making it safer for anyone. You just have less people to address this issue.

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MR. ROBERTSON: No, that's not true. It's not that you're moving the risk from one area to another. The major concern or the major risk from this material is not the direct exposure that you get from just standing on top of it. The major risk is either inhalation or ingestion of that material. That gives the major doses. So when you remove the possibility that someone would actually become contaminated with that, then you are improving that situation. When it's brought on-site and it then goes from an uncontrolled environment to a controlled area where it's in the total encapsulation, that's a much safer situation than having it in somebody's yard where they can become exposed.

MS. PONCE: Doesn't that have to be open to add it? Doesn't the wind blow? Isn't that inhalation if I'm in my backyard?

MR. ROBERTSON: No.

MS. PONCE: No?

MR. ROBERTSON: No. When the pile is opened, then there are dust control measures that are used and ambient air monitoring stations that are placed all around the opened pile to make sure there is no windblown contamination from that pile

1 while it's opened.

2 Now, going back to your other point. The
3 radiation level, because there is more radioactive
4 material there, will go up slightly, but because of
5 the distance to the properties, that will not
6 increase the doses that the people on Central
7 Avenue are receiving. Mr. Tamburro, I agree with
8 most everything that he said. There was a small
9 error he made in converting micro to millirem,
10 which is a thousand times different, but other than
11 that, he's correct that there are elevated exposure
12 rates on some of those Central Avenue properties.
13 He's also correct that those exposure rates are
14 coming from the contamination which is uncontrolled
15 on the railroad tracks. It's not increased because
16 of the additional waste that's been placed on the
17 Maywood interim storage site.

18 MS. PONCE: Why --

19 DR. BRUSH: Excuse me. We're running a
20 little behind. If you have anything further, we'll
21 get back to you after some of the other people have
22 had a chance. It's very interesting, so hang on to
23 what you had, but let's bring somebody else up
24 here. That next person is Gregory Allen.

25

1 MR. GREGORY ALLEN: My name is Greg Allen
2 with D.T. Allen Contracting in Franklin Lakes, New
3 Jersey. We were a subcontractor on the site in
4 1986. We imported some impermeable fill that was
5 put in Carolina at that time. I'd like to thank
6 you for the opportunity to speak this evening.
7 I've got several questions. Some are related, some
8 are not related. The first question is, have you
9 researched treatment and disposal of material
10 overseas?

11 MR. ATKIN: Could you repeat the question,
12 please.

13 MR. ALLEN: Have you researched treatment
14 and disposal of the material overseas?

15 MR. ATKIN: Overseas, no, we haven't. As
16 far as any treatment and technology, it will be
17 looked at during the feasibility study. We haven't
18 looked at it.

19 MR. ALLEN: Will that be a consideration?

20 MR. ROBERTSON: Are you talking about
21 actually shipping the material overseas to be
22 treated?

23 MR. ALLEN: Yes. Will you consider
24 shipping the material outside of the United States,
25 exporting the material to, number one, a facility

1 in a foreign country, or number two, will you
2 consider constructing a facility in a foreign
3 country?

4 MR. ROBERTSON: I don't know that we would
5 not look at that. If there was some dramatic
6 incentive to do that, something that couldn't be
7 done here, then I guess that that would be
8 acceptable to look at. However, the transportation
9 overseas of 350,000 cubic yards of waste would be
10 an enormous undertaking and would require a
11 coordination with a good many countries to pass
12 that waste through.

13 MR. ALLEN: If we're speaking from a cost
14 effective point of view, I'm sure it's obvious that
15 you can transport a larger volume overseas rather
16 than transport individual loads to a designated
17 facility. We have deployed several members of our
18 company just these past couple of weeks to West
19 Africa to explore this option; not particularly for
20 this material but for some chromium waste, and
21 we've gotten positive responses to that. I guess
22 the next question is, is there any funding that is
23 currently allocated for the treatment and/or
24 disposal of the material?

25 MR. FIORE: We receive our budget annually

1 you have to get it approved; but have you
2 considered beginning removal procedures **while part**
3 one is in **operat ion**?

4 **MR. FIORE:** We **are** looking at **removal**
5 **actions but again**, you have to identify what **is** the
6 purpose of the removal action **and what it's**
7 accomplishing, and **like the actions of** just
8 bringing the materials to the pile are removal
9 **actions. We are not at this time** concfcierring
10 **removal** options beyond bringing material to the
11 pile.

12 **MR. ALLC!:** I also understand that there
13 has been Federal **legislation** passed **that** each State
14 **must have** a hazardous waste facility **by** either 1993
15 or **1996. Does** the **Department** of Energy consider
16 waiting until that facility **is constructed** in
17 accordance **with the Federal regulations?**

18 **MR. FIORE:** *The* reason **I** hesitated, **I** think
19 what you're **referring** to art the low-level nuclear
20 **waste** compacts.

21 **MR. ALLEN:** Yes, that's right. **Also** in
22 addition to that, each State is requited to have a
23 hazardous **waste** facility within the State itself.

24 **HR. FIORE:** Right. What ve have done **is,**
25 in **particular** with **New** Jersey, talked to the **State**

1 about their plans **for siting** hazardous facilities
2 **and nuclear waste** facilities to try to **see** if there
3 is any possibility **of** coordinating those
4 activities. So **yes**, we are looking at that, but **it**
5 **is the** type of situation that the State **controls**
6 **what goes** - - each **State** or each **compact controls**
7 **what waste it** chooses to take. So it's **not**
8 **something we** can say • We are going to **send** it to
9 you.' **They** have the discretionary authority to
10 **decide** what **they** want.

11 DR. BRUSH: Hr. Allen, if I **may**, I think
12 we're digressing somewhat from the concerns of
13 **Maywood here**. Would you **mind** meeting with **the**
14 people from **DOE later** on and address your questions
15 privately to **them** at that point?

16 **MR. ALLEN:** sure. **That's no problem.**

17 DR. BRUSH: Thank you.

18 The next speaker **Senator** Paul Contillo.

19 **SENATOR PAUL CONTILLO:** Let me identify
20 myself. I'm Senator Paul Contillo. **I'm** the
21 chairman of the Land **Use** and Region61 **Affair6 of**
22 **the State of New Jersey**. **I receive** all the bills
23 that deal with the solid waste and hazardous **waste**,
24 and **I'll** be very brief.

25 I guess **I've been working** with the

1 of **this** letter is to **set** forth DOE's position on
2 **this matter, and** carrying **it** down, without reading
3 the entire letter, **"the list of responsible**
4 **alternatives** will include considering sending the
5 **New Jersey FUSRAP waste to a commercial disposal**
6 **facility** such **as** the *one* operated by **Envirocare in**
7 **Utah. •**

8 I've listened to all of the dates here
9 tonight, gentleman. **I can** tell you that if a
10 program is ever to Occur in Utah, if **we** mutt wait
11 till 1994, **the** project will die. It will die long
12 before 1994 because **the permits** that **Envirocare** has
13 only carry on for two **years, but** the monies **then**
14 **required** to do **it, to move** this stuff to Utah
15 there's **just** no telling **what** kind of funds would be
16 **expected** to do **this.** In **November** of **1989** I had an
17 opportunity to spend an entire **day** in Trenton with
18 the Executive of Dergen **County, Assemblyman** Pat
19 **Schuber,** myself, our borough **attorney, to** listen to
20 a presentation **by then** New Jersey DEP **commissioner**
21 Chris Daggett, which set **forth** what **I** was 60
22 enthused and 60 excited **about,** and that **was** the
23 plan developed **by NJDEP** to **clean up** the Borough of
24 **Maywood.**

25 And we came **back** to the **Borough** of **Maywood**

1 and set forth all sorts of plans; we met with our
2 sister communities; we met with Lodi; we met with
3 Rochelle Park. We convened a number of public
4 meetings, and it was • program that generally met
5 with great approval. We subsequently met with
6 representatives from Envirocate and that same
7 enthusiasm carried over.

8 Now, it would seem to me that the State of
9 New Jersey, through its Department of Environmental
10 Protection, the communities all involved in this
11 matter as it relate3 to Maywood's site, have been,
12 in fact, pushing the stone in the same direction,
13 and when I listen to all that goes on, and it's
14 been going on and on, and that's been alluded to by
15 Senator Contillo, by several speakers before me, to
16 the point where you can't help but become
17 disturbed.

18 I have penned -- you can't read it, I know,
19 from where you are -- just a little note to myself
20 on this letter, and it was to discuss this matter
21 before our council, and my notes to myself says,
22 "This is just the sort of stuff that disgusts me
23 because it is just another delaying tactic..

24 Now, you've listened to notes here tonight,
25 1984, 1983. This problem goes back to 1981 when it

1 started. **We were put on a** Federal list in 1982.
2 **We were** 17th in the State of New Jersey. **We were**
3 62nd in the United States. And these **years** just go
4 by and roll **one after** another and nothing **is**
5 happening. **We sit** at meetings like **this; we** listen
6 to all of this dialogue, and **it would** appear to **me**
7 that the only **thing** that **we're** really told **is that**
8 **it's** going to take longer, **it's going** to take
9 **longer.**

10 **When** I came in tonight **I** saw a group of my
11 **residents out front, some** of whom **I** had **appointed**
12 **to a committee, a mayor's advisory committee, to**
13 **help us push** that **stone in the same direction,** and
14 **at times I have to tell you that I've been**
15 **disappointed with their efforts** because I have felt
16 **that they have been at odds, if you will, at the**
17 **efforts and direct ion by which the council** and the
18 **Borough of Haywood is attempting to go.**

19 **However,** there **was** one sign outside tonight
20 that **I** stopped and **I commented** to the gentleman
21 carrying it, who probably lives as close to this
22 site as any resident, and I said • Those two words
23 **as it relates to John Steuert says it all."** It
24 **said, "Utah Now."**

25 **Now, we have a vice-president in charge of**

1 operations with Envirocare present here tonight.
2 Gentlemen, I would like you to listen to some of
3 his comments, some of the things that that company
4 has done, I think in a positive way, to help
5 Maywood. And when I say "help Maywood," it helps
6 Rochelle Park, it helps Lodi, because a lot of the
7 soil that's on that site isn't only from Maywood;
8 there was a cleanup of the Balledo property and that
9 property is not in Maywood, it's in Rochelle Park.

10 But to clean up that site, Envirocare does
11 have a program and a proposition, and some of the
12 positions that they may be in this evening, some of
13 you may not even be aware of because they have just
14 occurred. I've received comment from our United
15 States Congressman who's indicated a number of
16 times over the years that one of the alternatives
17 that you pointed out here tonight was to leave the
18 material in position or on-site, and Congressman
19 Toricelli has indicated times over, no way. Never
20 will that ever occur.

21 But to carry it further, I think he's been
22 sort of excited over certain information as it
23 relates to Envirocare, whether or not Envirocare
24 has the necessary licenses to move this, but he has
25 made overtures to the Maywood council that early

1 next year **he** would be willing to **travel** to **Utah**.
2 **As a matter of fact, he's** invited **the mayor** or a
3 **member of the council of Maywood** to travel with him
4 **because he would like** to **come back** with the
5 **necessary approvals to move this site.**

6 The vice-president of Envirocatt has
7 **indicated to me** that if **we go much beyond 1991,**
8 **much into 1992, that the** program, **that the** monies
9 necessary, the licenses **may** not even carry beyond
10 **that.** So **it's an** alternative. If, in fact, **it is**
11 **to become a viable alternative, that will** have to
12 **be looked at hard and fact and studied. The New**
13 **Jersey DEP** thought it was. The municipalities
14 involved thought it **was,** and I would urge you that
15 you afford **the** representative of Envirocare an
16 opportunity tonight, perhaps his **name is on the**
17 list to **speak** and **I'm not sure,** but if **it** isn't, at
18 **least have him make the same information** available
19 **to you that he has made to me. That will end my**
20 comments on that.

21 **I have one more question. We have a tax**
22 **assessment map in the Borough of Maywood** that
23 provides **for** values, land values of **all properties.**
24 Rent-producing income, **industrial, commercial, A-1,**
25 **A-2 residential.** All those properties, save very

1 **few** such as **federally tax exempt** property, churches
2 and **so forth**, all pay **taxes to the Borough of**
3 **Maywood.**

4 **The Federal** govttment **owns** seven **acres** of
5 property in the &rough of **Maywood** and **we** receive
6 no taxes for that property. **I** have **a senior**
7 citizen house in **Maywood**, probably the only **parcel**
8 that pays a percentage of **their gross** annual income
9 over to the Borough of **Maywood**, and that's done by
13 a special **act** of the legislature, and that's done
11 in lieu **of taxes**. Can anyone tell **me**, we've lost
12 **these taxes on** this Federally-owned property now
13 for **a goodly number** of **years**. IS **it** possible **that**
14 **we may be able to retrieve taxes on that parcel of**
15 property in **whatever way**, fashion, **may** be possible?
16 Can anyone **answer** that for **me**?

17 HR. **FIORE** : Let me go **ahead** and **comment** on
18 that. **I** think the **short answer is** it **may** be
19 **possible**. **We will take back** your message and **see**
20 if it is possible. What **I'd** say is ve would be
21 **more** than glad to **meet** with you and the council **and**
22 **tslk about the specific6** of that. Since **it's not**
23 directly -- the taxation issue not a direct issue
24 **on** the decision **process**, **I'd** like to discuss that
25 separately with **you**, but **we'll** be glad to do **that**.

1 **MAYOR STEUERT:** Thank you, **Mr. Fiore.**

2 Thank **you, Mr. Moderator.**

3 **DR. BRUSH:** Thank **you, Hr. Sttuctt. I**
4 think **what we'll do first, we havt only one more**
5 **person** uho has requested to bt beard, **and then**
6 **we'll** have a qutetion end **answer period,** at Which
7 **time I** believe we can hear the representative from
8 **Envirocare, if** that still is the **desire.**

9 **Ms. or Mrs. Ruth Bahto.**

10 **MS. RUTH BAHTO:** Ruth Bahto, **178 East**
11 Central Avcnuc in **Maywood.** What I've heard **about**
12 West **Central is** basically **about** the same as East
13 Central, and I just want you to think a little bit
14 **more** about the people that **are** concerned about **this**
15 and that arc living in this fear every day of their
16 life. **I** have two children, and **I** live in fear
17 every day for them. And I didn't want to **get upset**
18 but I can't **help it.**

19 **I hear what you propose** and it **just makes**
20 **me sick. My kids, I'm** afraid to **let them go** in the
21 cellar **because I'm** afraid that the air in **there**
22 **from what** has gone on **over** the years **is** still in
23 there and I'm afraid of my own **house.** Homes aren't
24 **selling** In our town. **I don't know** where to go. **I**
25 don't know **what's** even any better than **where I am,**

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but you **keep** talking about **time** and all these technicalities. You never **Once think about** the people who art suffering now of **cancer**, who by the **time you decide what you're** going to do **won't** even **be** here to **see** the **results**, and the **people who** have already lost their lives **because** of **it**.

You don't once think of that. **You're** just thinking of technicalities and all the processes that you have to do. but you **better** start thinking about the people that **are** suffering **every** day in this town. **I see** there aren't a lot of **people** here because they **just** gave up, and **I'm** starting to too. **I** just want to put my house or? the market and leave, **but from** what **I** hear, **it's** not too safe anywhere In **New** Jersey. **Where** do **I** go? Just **move** completely out of State?

It's ridiculous, but you guys just talk and push us off, and **years** have gone by and more years are going to go by, and in the **meantime** **I** don't **ever** want to bear that **there is** something wrong vith ray kids because you guys sot on your ass for too long; and you think of that because **I'm** sure you **all** have children or families, and you think what **it's** like to think every day you **don't** want to plant a vegetable garden in *your* ovn yard. You

1 **don't want the kids** to get the dirt in their mouth
2 **because** you're **not** cure if it **'s safe**, and everybody
3 tells you **you're** safe. **Bullshit.**

4 My mother die8 a year ago because **of**
5 cancer. She **lived** in thin **house**, never worked
6 ● nyvhert **else**, has lived in this house for 37
7 **years.** We used to get water In our cellar. We
8 pushed it out in our bare feet. **I was** right **with**
9 her. I guess I got maybe 30 **years left** and **I'll**
10 **get** the **same** results. **I'll** get cancer and put **my**
11 family through **the** hell my family vent through last
12 year.

13 It **'s** horrible. I don't know if **you've** ever
14 experienced it, but it's a terrible thing to go
15 through, and the **way** you guys are talking, like you
16 don't **even** care, because you haven't lived it; and
17 **sure, more** people turn out who have iived it
18 **because** they can't stand it and don't ever want to
19 see it again. So I would advise that maybe -- **I**
20 don't care who you have to **see**, if it's **the**
21 Governor or **the** President even. **Has** anyone **ever**
22 contacted him? Be may not be in **Jersey** but **ha** does
23 have a say in this. **Maybe** you could **get** him to
24 move **it** a little bit quicker.

25 **Somebody else has got** to get in on this and

1 **move** the process **because** the **damage** has been done
2 and **it's** getting **worse, it's** spreading, **it's** in the
3 ground, it's all over. You **keep** telling everybody
4 **we're safe,** put little envelopes to have our ground
5 **tested. That's** for one thing. **You're** talking
6 about **the** thorium. What **about all the** other
7 chemicals in there that **art** leaking out, that **art**
8 all **over** the ground, that are in the **groundwaters?**

9 Xnnocnt children *and* people who have
10 **nothing** to do **with** this or don't **even** know this
11 exists in this town are being hurt, **and I** an fed
12 **up,** and so are a lot **more people,** and I have a lot
13 of people on **my block** that just have **newborn**
14 **babies, and I yell** at them **all the time, "Get**
15 involved. Listen, don't you know what you're
16 living **by, "** and **it's** not fair.

17 I see **it's** all turning over. All **my**
18 parents' f fiends, **they've** passed away. Two **doors**
19 down a woman died **of** cancer; a man up the **street** I
20 grew up with now has colon **cancer. While** my **mother**
21 was **dying, my** aunt who **lives on Maywood Avenue** had
22 to have a breast removed from cancer. **My** uncle who
23 lives with then has skin **cancer. When** is this
24 going to **stop?** How **many** families are you going to
25 have to destroy **before** you **realize it's** a **serious**

1 problem?

2 You may be **laughing** and saying **it's** not a
3 serious health problem. **What to you is a serious**
4 health problem, more than **a** hundred thousand deaths
5 **or something? This town** to a little town. **It's a**
6 **small** town. We **know** everybody, and **I really** hate
7 to leave it and **I** think you are forcing the people
8 to **leave**, and **it's** not fair. All you have to do is
9 move it; get this junk out of here.

10 You **guys** have **someone who** wants to take it.
11 Let then **take** it, but **all** I can say is think of the
12 people, not just the site, **ground** and dirt; **but**
13 their **bodies**. There are **human beings** who are
14 **suffering**, going through **chemotherapy**. Lives **have**
15 **been** ruined. People have **been** destroyed; not just
16 the **people** who **have** suffered with the cancer, **but**
17 their families who had to **live** with it;
18 **miscarriages**, deformed babies. God Almighty, it's
19 disgusting, and you **guys** **sit** there. **It's going** to
20 take four **more** years. We don't have **four** more
21 years. we don't have two years. We don't have **a**
22 year.

23 Too many people have already died, and **I**
24 don't think it's fair and I can't see any more of
25 these **meetings** going on unless you **come here** to

1 tell us "We have a site, we're taking it out," and
2 that's the end. Because this is just a bunch of
3 bull that you're trying to pacify everybody in the
4 communities, which it isn't doing because we're
5 getting on to these little things you're trying to
6 do to just make us happy, which you're not making
7 us happy. It's making us more aggravated and it's
8 chasing everybody out, and you'll get a new group
9 in and it will take five or six years before they
10 realize what's going on, but it's going to keep
11 going on. Eut think of people. That's all I ask.

12 DR. BRUSH: Thank you, Mrs. Bahto.

13 Now let's open it up to questions. Anyone
14 have one they would like to ask? Would you please
15 go to the microphone, identify yourself as to name
16 and address for the record, speak loud and clear
17 and let us have your question; and the people on
18 the panel will decide who's best able to answer it.

19 MR. ROBERT BRESLIN: My name is Bob
20 Breslin, 30 West Central Avenue in Maywood, and I
21 believe that the people outside had the right idea.
22 Coning in here and listening to this bull about
23 1994 is ridiculous. You people up there, as far as
24 I'm concerned, are all incompetent and you all
25 should be fired. You're not doing anything but

1 collecting your paycheck. This thing about 1994,
2 it's ridiculous. We have a place that wants to
3 accept it and you want to study it some more. You
4 sound like politicians; you're going to study it.
5 Why not have a committee and we'll put some
6 prominent people on it and we'll study it, and then
7 we'll get a report and then we'll let that off
8 there for awhile and then maybe another year later
9 we'll have another committee and study it then.

10 There's no reason for this contamination to
11 stay in Maywood. It's been here for too long. I
12 made a statement a few years ago that that thorium
13 pile would be here to the year 2,000, and now I'd
14 like to update that probably to 2,020 or 2,030, and
15 most of the people here -- and there's not too many
16 people because most of the people in the town don't
17 give a damn what you do. You're going to do what
18 you want to do anyway.

19 You see how many people are here. There's
20 no interest. They have more important things they
21 have to do like decorate their Christmas trees,
22 watch Cheers tonight or something. They're not
23 interested, but I'm interested and I say get off
24 your duff, move the soil, and I don't want anymore
25 studies on what it is. We know what it is. We

1 want it moved out of town.. if it wasn't a hazard
2 when you moved it, you should have left it where it
3 was; and If it was a hazard, you should never have
4 moved it to another pile. Moving it from pile A to
5 pile B is just a waste of taxpayer dollars, and I
6 think the Attorney General of the United States
7 should investigate all the parties involved with
8 this to find out who's going to profit from all
9 these moves and who's going to get rich by it,
10 because that's the only thing that's happening
11 around here.

12 Somebody's going to make some money on it,
13 and they're not making it yet but they're going to
14 make it, and I think we should find out who's going
15 to be the big winner in this room. \$7,000 a cubic
16 yard to send dirt to Utah is a disgrace. It's a
17 waste of taxpayer dollars, and I think that the
18 Department of Energy and whatever you people
19 represent over there, I think it's a big sham and a
20 disgrace, and I think you all should be looking for
21 new jobs tomorrow. If it was up to me I'd fire you
22 all.

23 DR. BRUSH: Are there any questions? The
24 gentleman from Envirocare would like to make a
25 comment.

1 HR. CHARLES JUDD: My name is Charles Judd.
2 I'm from Salt Lake City, Utah, and vice-president
3 of operations for Envirocare of Utah. I appreciate
4 the opportunity to *spea*k for a few minutes and I
5 appreciate the Mayor voicing that desire. I'd also
6 like to say I appreciate others that have contacted
7 Envirocare interested in this project. Congressman
8 Toricelli, his office, Senator Contillo and others
9 have contacted us and have shown interest in coming
10 to Envirocare, and I appreciate that.

11 A couple of things that I think the Mayor
12 wanted me to say are things that I mentioned in a
13 meeting that I met with them on Tuesday night, and
14 as I say, Maywood has been very good to contact us
15 and ask us to do what we can to assist them in
16 removing the waste from their city. We were
17 contacted about a year ago and have tried to work
18 with them the best that we can.

19 Initially, they informed us that the major
20 concern was that there was waste containing mixed
21 waste, and at that time we were pursuing a license
22 to dispose of mixed waste, and as the Mayor
23 indicated, in the last week, as of Friday, November
24 30th, we received a license from the State of Utah
25 to accept mixed waste and dispose of it in our

1 facility.

2 It's also been mentioned, the land ban and
3 the concern that we only have two years in which we
4 can dispose of waste at certain concentrations, and
5 that is a concern that we have at Envirocare; is
6 that we do have the next two years in which that
7 waste can be disposed of in a triple-lined facility
8 like we have planned. After that period of time,
9 again, we would not be able to do that without
10 further treatment, which of course is costly, and
11 we're not really sure where that would go. Go we
12 are concerned about that.

13 We're also concerned about *the* fact that
14 we're trying to do everything that we can to make
15 sure that our facility is licensed properly.
16 There's been some indications today and tonight
17 that there are still some concerns about our
18 facility, and we hope at some point in time that we
19 can meet with the DOE to discuss that specifically
20 and find out what things, because we have done all
21 that we think we can and all that's necessary that
22 we can take this waste. We hope that we can do
23 that.

24 Many of you are aware that we are currently
25 taking waste from throughout the country. We are

1 **working on several project's, one out of Denver.**
2 **Currently we are just accepting waste from**
3 **Montclair in New Jersey, a project that many of you**
4 **are probably aware of. So we are able to handle**
5 **this waste safely, and feel good about that.**

6 **Again, we appreciate the opportunity. I**
7 **don't want to take any more time tonight, except to**
8 **say that we are interested in participating and**
9 **doing what we can to help out. If we can help out**
10 **with the DOE or Bechtel or whoever is involved,**
11 **we'd appreciate the opportunity to meet and try and**
12 **resolve the problem as we can. Thank you.**

13 **DR. BRUSH: Thank you. Do we have any**
14 **other further comments or questions?**

15 **Before we draw the meeting to a close, I**
16 **would like to remove myself from the seat as**
17 **moderator and speak as a citizen, and what I have**
18 **to say is very simple.**

19 **You gentlemen have heard the feelings of**
20 **this' community. There is nothing that can't be**
21 **expedited, absolutely nothing. There is nothing**
22 **that can't be moved if the Federal government wants**
23 **to do it. They sure as hell did well when they**
24 **wanted to get 250,000 men over to Saudi Arabia like**
25 **that. I'd say that to us, in this town, involved**

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with that thorium heap is just as damn significant as Mr. Saddam Hussein is to Saudi Arabia. You can expedite it. If you can't, damn it, find somebody in Washington who will.

But as we were told by Mrs. Bahto, get that junk out of town before we have more sick people. It isn't a question of fairness. It's now a question of bontst to God real honesty. Don't treat the little community with less than 11,000 people 60 shabbily. It's not a good policy and it certainly goes beyond fairness. You can get it expedited, gentlemen, and you know it. Now let's do it.

Thank you all for coming. We've got it on the record. The ball is back in the park of the Feds. Now let's see if they will pick up the ball and run with it and help to solve the problem instead of exacerbating it. Thank you very much. Good evening.

(The hearing is concluded at 9:30 p.m.1