



Environmental
Stewardship
Concepts

Stewardship News

January 2010

To Our Clients and Friends,

We at ESC rang in the New Year with a resolution to keep our clients and associates updated on our work monthly rather than bimonthly. Read on for January project updates and recent developments at ESC and around the country.

Client Updates

Edison Wetlands Association

On January 20th Edison settled the lawsuit against Akzo Nobel Chemicals Inc. filed under the Resource Conservation and Recovery Act. Edison and their lawyers consulted Peter as an expert in the case, which sought compensation for the cleanup of contaminants in the Raritan River that are thought to have been discharged by the chemical plant. High levels of arsenic, antimony, benzene, toluene, and xylene found in the sediment pose a human health hazard and have had a visible effect on the local vegetation, with some areas completely bare of flora.

Willamette Riverkeeper

ESC has been reviewing the Lower Willamette Group's Baseline Human Health Risk Assessment (BHHRA) and Baseline Ecological Risk Assessment (BERA). The Lower Willamette Group is comprised of ten potentially responsible parties that signed an agreement with EPA to conduct the cleanup of the Portland Harbor. The BHHRA and BERA serve as the foundation for the cleanup, and therefore their accuracy and comprehensiveness are vital to the cleanup's effectiveness. The EPA recently released its preliminary review of the documents, finding them to underestimate the risks to humans and wildlife. On January 13th, Peter joined a Citizens' Advisory Group meeting by phone in Portland to further discuss the progress of the cleanup.

Duwamish River Cleanup Coalition

The Lower Duwamish Waterway Group, comprised of the City of Seattle, King County, the Port of Seattle, and the Boeing Company, released a revised Environmental Engineering Cost Analysis for Early Action Site T-117 in late January and is currently under review by the agencies and the community with ESC providing assistance. King County and Boeing however did not participate in the development of this document.

Badger Army Ammunition Plant

The draft for *The Revised Remediation Goals for the Alternative Feasibility Study Final Creek, Settling Ponds and Spoils Disposal Areas* was released for comment this month, incorporating new data into the remedial goals that were approved fifteen years ago. It is important that these goals contain cleanup levels that are consistent with the reuse plan developed by the Badger Reuse Committee (BRC). The BRC favors reuse of the site to be used for a public park, wildlife area, and agricultural land, but not for industrial activity.

Citizens for Safe Water Around Badger

The citizens are urging the implementation of stricter water quality standards, which would reduce the current standard from 7 to 1 part per billion (ppb) for perchlorate, a thyroid gland inhibitor. Citizens for Safe Water Around Badger is also pushing for all 6 forms of dinitrotoluene (DNT) to be counted as one and for accepted levels to follow the Wisconsin Division of Public Health's Health Advisory of 0.05 ppb. DNT has been linked to heart disease and nervous system disorders and is a possible carcinogen.

Spring Valley

Emily attended the Restoration Advisory Board (RAB) meeting on January 12th where a lawyer from the EPA region 3 gave a presentation to the public on the CERCLA process. The most recent development in the cleanup process occurred at American University's Public Safety Building where contamination was uncovered by the front and back stoops. The Army is taking hydrogeological borings to collect samples to determine the extent of contamination in the area. Depending on what contaminants are found, the Army will discuss with the University the proper procedures to remove arsenic and mercury.

Housatonic River Initiative

The EPA has completed its review of GE's work plan for the rest of the Housatonic River that proposed remedial alternatives in addition to those evaluated in the earlier Corrective Measures Study. EPA approved the work plan on several conditions and amendments that GE must make in order to ensure the cleanup is complete and effectively removes the polychlorinated biphenyl contamination.

Olympic Environmental Council

Ecology announced that Rayonier has signed a new Administrative Order on Consent and will move forward with the cleanup. The public will have a comment period from February 1 to March 5, for which ESC is currently drafting comments. The area will be remediated in order to remove arsenic, PCBs, dioxins, PAHs, manganese, lead, and phthalate contamination.

Dow Dioxin

The U.S. Environmental Protection Agency and the state of Michigan signed an Administrative Order on Consent for the planned cleanup of dioxin contamination near the Dow Chemical Co. plant. The agreement requires Dow to identify cleanup options and to design the remedy that EPA will ultimately select, according to an EPA press release. EPA recently released new residential soil cleanup standards for dioxins, with a stricter requirement of 72 parts per thousand (ppt) instead of the current 1,000 ppt. These standards for preliminary remediation goals are also currently out for public comment, and some critics are pushing for an even stricter level of 3.7 ppt.

Neuse River

Contamination was found outside the original boundaries of the Ward Transformer site onto Estes Trucking and the airport. EPA has found the extent of soil contamination to be greater than originally thought. PCBs have been detected adjacent to the Ward Transformer Property extending onto Raleigh airport property. Contamination found in fish has now spread over 20 miles downstream of the initial site and includes Briar Creek Reservoir, Lake Crabtree, Crabtree Creek and the Neuse River from Crabtree Creek to Auburn/Knightdale Road. The PRP was negotiating with EPA over clean up of Crabtree creek below the primary site area.

Pine River Velsicol

Bethany Township of Michigan is asking for more than \$12 million, plus legal and any incidental costs from the Velsicol Chemical Co. as compensation for damages incurred by the community. The Bethany Township site contains PBB, vinyl chloride, DDT, xylenes and ethylbenzene, among other contaminants. A letter of intent to file suit under both federal and state law were sent from the Grand Rapids Environmental Law Firm of Olson, Bzdok to Velsicol at its Illinois headquarters on December 18, 2009, and the company's 60 response period will soon end. Meanwhile, ESC and the community are waiting for EPA and the state agencies to finish developing cleanup options that will be outlined in the Feasibility Study.

TVA Fly Ash Project

ESC provides consultation in problem solving, networking, leadership, and technical expertise to organizations, government agencies, and businesses on environmental issues.

EPA and the Tennessee Valley Authority have released the Engineering Evaluation/Cost Analysis (EE/CA), or the Work Plan, and it is open for public comment. ESC has submitted its comments, noting that all three proposed cleanup options would restore the affected area to pre-spill conditions through varying combinations of removal and storage. The spill that occurred in December of 2008 released 1.1 billion gallons of coal fly ash, a toxic substance laden with heavy metals.

Recent Developments

12 January 2010

For the first time since the Toxic Substances Control Act was passed in 1976, the EPA has decided to regulate the chemicals used by manufacturers. Large chain stores like Walmart and Costco are already altering the products they offer in anticipation of any regulatory changes, which has huge implications for the safety of consumer products. [For the story, click here](#)

15 January 2010

The U.S. Food and Drug Administration announced Friday that it has “some concern” about the effects of bisphenol A on children’s health. An ingredient of polycarbonate plastic, BPA is one of the most widely used synthetic chemicals in industry today. It can seep from hard plastic beverage containers such as baby bottles and sippy cups, as well as from liners in cans containing food and infant formula. [For the full article, click here](#)

20 January 2010

The EPA has indefinitely postponed the release of draft regulations on coal ash disposal that were originally promised by the end of 2009. In response Iowa is urging federal officials to strengthen regulations concerning landfill liners and groundwater contamination. Living near unlined landfills containing coal ash poses a 1 in 2,000 cancer risk, a level 500 times higher than that which is considered safe. [To read the full article, click here](#)

22 January 2010

The EPA has released its preliminary critique of the Lower Willamette Group’s Baseline Human Health and Ecological Risk Assessments for the Portland Harbor, a site contaminated with numerous chemicals from years of industrial activity. [For a summary of the critique and a link to the document, click here](#)

Having survived a volatile (weather wise, that is) January, we at ESC look forward to assisting you in a collaborative effort for improved environmental quality and social wellbeing. Thank you for your continued support, and as always, feel free to contact the ESC office with any questions or concerns.

Until next time,

The ESC Team

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