

We did not know that the Poughkeepsie Journal was going to ask Senator Clinton about our situation here and we thank them, especially Dan Shapley. Twenty-two homes with TCE in their water do not have a filter protecting their families because they are not "contaminated" enough. The EPA needs to finalize the 2001 TCE draft health-risk assessment. This will change the drinking water standard of 5PPB to about 1PPB. The key is prevention and early detection.

Dutchess County needs to adopt the private well testing bill. This is another sure way to protect it's citizens. It is time to test the water in every home that is sold with a private well. This includes brand new McMansions that cost hundreds of thousands of dollars.

There will be a vote mid January in the Dutchess Legislature for the private well testing law. We urge you to attend one of the remaining hearings, Jan. 16 at the Farm and Home Center in Millbrook at 3 p.m., and Jan. 17 at Haviland Middle School in Hyde Park at 7 p.m. and/or send in your comments to the legislature at countylegislature@co.dutchess.ny.us

Sunday, December 31, 2006
Q&A with Hillary Clinton

When the 110th Congress convenes Jan. 4, New York Sen. Hillary Rodham Clinton will become chairwoman of the Subcommittee on Superfund and Environmental Health, part of the Environment and Public Works Committee. The subcommittee's purview includes the Superfund hazardous waste cleanup program, the brownfields redevelopment program and environmental health issues such as exposure to toxic chemicals.

The overarching theme of her comments was that her position of leadership, and the new Democratic majority, would allow her to demand information she previously could only request as a minority member of the committee.

Environment Editor Dan Shapley recently interviewed Clinton about her priorities, and how she might tackle issues facing the Hudson Valley environment.

Here's what she had to say about some specific issues:

TCE exposure

In 2001, the Environmental Protection Agency published a draft health-risk assessment for the chemical trichloroethylene, or TCE. Its findings indicated the ubiquitous industrial solvent is much more toxic, particularly to children, than previously believed. If implemented, the draft would have led to strict new cleanup standards. After objections by industry and other government agencies with responsibility for paying for cleanups, the assessment was reviewed by the National Academy of Sciences this summer and is being revised.

In the Hudson Valley, the Hopewell Precision Superfund site in East Fishkill is the most prominent but not the only place where TCE has fouled well water and/or indoor air.

"I don't know what other information the government needs, and I'm going to be pushing the EPA as hard as I can to publish uniform exposure standards," Clinton said.

The Hudson River

It has been three decades since the discovery of widespread polychlorinated biphenyl oil-contamination in the Hudson River led to the sharp curtailing of fishing. The government still warns against eating most fish from the river. General Electric Co., after years of opposition, has agreed to undertake the first phase of the EPA's plan to dredge PCB "hot spots" from a 40-mile stretch of river north of Albany. Repeated delays have moved the start date from 2005 to at least 2008.

"I'll certainly be watching EPA very closely to make sure the date doesn't slip again," she said. "Let's get started."

Superfund

In the mid-1990s, the industry tax that funded the Superfund program expired, leaving taxpayers responsible for funding the cleanup of so-called "orphan" sites where the polluter is unable or unwilling to pay. Clinton said she would make a "detailed information request" to the EPA in January to get more information about the program. The EPA's inspector general has identified shortfalls in funding of more than \$100 million annually for the program.

"I expect the information we get will confirm my belief that we need a revenue stream," Clinton said.

Other priorities

Clinton said she would devote time to the health problems caused by the contaminated 9/11 dust and put a "spotlight" on the effect of contamination on children's health. To that end, she said she hopes to provide money for the National Children's Study, which would follow 100,000 American children from conception to age 21 to "elucidate the factors in their environment — chemical, biological, psychological and social — that influence their health growth, development and risk of disease," according to an EPA description. Approved as part of the Children's Health Act of 2000, researchers have received \$12 million annually but need an additional \$15 million annually to fulfill their mission.

"It is a very good study," Clinton said. "We can't make good policy if we don't have good information."

Editorial

Sunday, December 17, 2006

www.PoughkeepsieJournal.com

Water testing lingered enough

Dutchess County legislators have a chance, once and for all, to end the well-testing controversy that has been kicked around too long without resolution.

They must pounce on this opportunity at the beginning of the year.

For more than five years, the county has considered what to do following the discovery that dozens of homes in sections of East Fishkill and other places have been victimized by colorless, odorless and potentially hazardous industrial solvents that seeped into wells over the years. County lawmakers have looked at various models, including one in New Jersey and another in Rockland County, where water testing requirements have been expanded for when homes are sold. In both places, the tests go beyond checks for bacteria to include other types of contaminants generally associated with industrial use. That makes sense, since public water systems, including those in Dutchess, get that type of scrutiny. A comprehensive water testing through a state-certified lab can cost between \$150 to \$500, depending on how extensive it must be. The buyer and seller can negotiate the deal.

If contamination is found, there are options available, such as water filters being installed to weed out the pollutants.

Dutchess lawmakers have balked, however, wary of imposing another mandate on the public. But there is tremendous cost to sitting idly by while contamination expands; aside from the health risks, taxpayers will shell out millions of dollars just to clean up the sites in Dutchess since the culprits behind the initial release of pollution cannot always be identified.

After waiting in vain for the Legislature to do something, the county Board of Health took clear and decisive action last year: It amended the sanitary code to authorize the broader well tests. Specifically, the board voted to mandate more comprehensive tests to private wells whenever a home is sold in Dutchess, as well as to force landlords to have wells tested every six years to ensure their tenants are safe. The county Health Department would compile the results and use the

data to monitor water quality and provide information to the public. Over time, the county would get a much better read on where underground pollution exists.

To their credit, county lawmakers set aside \$125,000 to start the program. The Legislature wanted the county to negotiate a discounted rate for residents having their wells tested.

But there were hitches. For starters, County Executive William Steinhaus and Health Commissioner Dr. Michael Caldwell don't view the expanded tests as a health priority. Then, just as the new rules were supposed to go into effect, County Attorney Ronald L. Wozniak released an opinion asserting the board of health did not have authority to carry out the mandate. He said it is up to the 25-member Legislature to pass a law requiring the tests.

The Legislature should do so. The 12 Democrats in the 25-member Legislature apparently back the idea, and legislator Marge Horton has said she will break ranks with her Republican colleagues over the issue. While that's encouraging, other Republicans should join the effort not only to provide a more unified voice on groundwater protection but to make the legislation veto-proof.

Dutchess has between 30,000 and 40,000 private wells, and even limited testing by the county Health Department has turned up a variety of contaminants in more remote places, such as Town of Clinton. Dutchess officials have wrestled with this issue long enough. They should put into law what their own health officials say is needed to better protect the public.

Friday, December 8, 2006

Polluted sites need tight checks

www.PoughkeepsieJournal.com - Editorial

Dozens of homeowners in an area north of the Hopewell Junction know this much: Their water wells have been polluted, and they are

susceptible to an array of health problems as a result. But they don't know what the precise ramifications will be to their exposure to the toxic chemicals in the groundwater.

Government agencies, which are taking part in studies and a cleanup of the site, must provide more assurances that adequate testing of these residents will occur. There are about 670 people living in the neighborhood. State and federal officials say some residents of the Hopewell Precision Superfund site in East Fishkill could face an increased risk of getting cancer because of the exposure.

The government deems the chances as low, but too much guesswork is involved.

Consistent monitoring of the situation is imperative. The state Health Department and a federal agency conducted the study as part of the government response to the Superfund site. Officials have taken some short-term measures, such as installing water filters on some of the homes. They also are considering long-term options, such as extending a nearby water district to serve the polluted area. But 46 of the affected homes also are being ventilated because of concerns about airborne trichloroethylene, or TCE, an industrial solvent.

This is commonly referred to as "vapor intrusion," an environmental hazard that needs plenty of research. Some Hopewell Junction residents question whether the government's health assessments accurately reflect the total impact of exposure to multiple chemicals.

State and federal officials should pay heed to their concerns. The government has an obligation to not only monitor these sites but to expand research and community outreach about potential health hazards. This neighborhood has been let down by the government before. The federal Environmental Protection Agency actually discovered the chemical dumping in 1979. But subsequent state investigations deemed contamination limited in scope; at one point, the area was removed from the list of hazardous waste sites, only for the EPA to return years later to find extensive contamination in private wells. This problem was years in the making, and it will take years to rectify.

Residents of this Superfund site deserve assurance their health will be monitored every step of the way.

Wednesday, November 29, 2006

Molinaro wants state to release Hopewell Superfund studies

Marc Molinaro, who will start his term in the state Assembly in January, called on the state Department of Health Wednesday to release more information about its studies of the Hopewell Precision Superfund site.

The health department, in conjunction with the federal Agency for Toxic Substances and Disease Registry, released a report this month saying residents of the East Fishkill neighborhood face an increased, but low increased risk of developing cancer because of exposure to toxic chemicals in the groundwater.

Trichloroethylene, or TCE, and other industrial solvents pollute well water and indoor air. The main pollutants stem from Hopewell Precision Inc., a metal cabinet manufacturer, according to the Environmental Protection Agency.

Molinaro asked the health department to provide more details about its Volatile Organic Compound Exposure Registry.

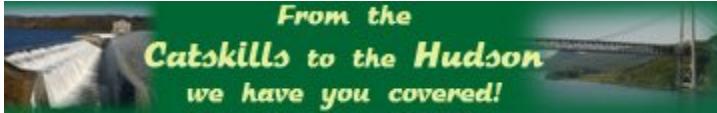
The registry compiles health information from volunteers at toxic waste sites around the state. Its goal is to assess long-term health problems that may be associated with exposure to low levels of specific chemicals.

Debra Hall, a resident of the neighborhood who has become a nationally recognized advocate on these issues, said she was cautiously optimistic that her neighbors would have an advocate working for them. Both Assemblyman Patrick Manning, who lost his seat to Molinaro, and U.S. Rep. Sue Kelly who lost her seat to John Hall, were vocal advocates for the neighborhood and will leave office at the end of the year.

However, she said Molinaro's questions don't get to the heart of the issue. The VOC Registry is an imperfect tool that won't answer residents' health questions for years, if ever. Hall and others have called on the health department to do more intensive studies of the neighborhood to identify what, if any, unusual clusters of disease exist.

"I'd have asked, since they have a cancer registry in New York state, and since the Department of Health knows who lives over the (contaminated) plume has cancer ...

why don't they use facts instead of saying, if you've been exposed for this length of time, you have this risk," she said.



Tuesday, November 21, 2006

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Activist calls for cancer mapping of Hopewell Precision area

East Fishkill – A state Health Department study of contamination in homes in the Hopewell Precision site needs to go further than it has, according to Debra Hall, a community activist who owns one of the homes that has air and water contamination as a result of chemical pollution by the company.

The study conducted for an arm of the EPA, goes back to 1977 and lists a serious of contaminants.

But the study doesn't go far enough, said Hall, who is calling for cancer mapping of the area. "Just to see if the people who live over the plume, what kind of health issues are they having," she said. "Then, perhaps people that have lived here for quite some time that don't have any issues yet or don't have any issues, can take their health a little more seriously and make their doctors aware of what's happening here."

Hall said she has contacted Senator Hillary Clinton's office in hopes that she can push for the cancer mapping.

Some 120 homes in the Hopewell Precision area have one form of contamination or another.

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www.PoughkeepsieJournal.com

Tuesday, November 21, 2006

Site poses increased, but low risk of cancer East Fishkill residents pan draft report

By Dan Shapley

Poughkeepsie Journal

Some residents of the Hopewell Precision Superfund site in East Fishkill may face an increased risk of getting cancer because of exposure to toxic chemicals in the groundwater, according to a draft government health assessment released Monday.

The state Health Department and federal Agency for Toxic Substances and Disease Registry conducted the study as part of the government response to the Superfund site. Residents can comment on it until Jan. 19, after which it could be revised.

The health assessment considers a worst-case scenario — that residents were exposed to the highest detected levels for each of the 29 years since chemicals were dumped. Because contaminants move through the groundwater slowly, few if any people would have been exposed for that long.

The chance of developing cancer was deemed low, meaning one additional cancer case could be expected for every 10,000 to 1 million people exposed to these levels. The report dismisses potential cumulative risks of exposure to the multiple chemicals found in both air and water as "unlikely."

Some concerned residents questioned whether the health assessment accurately reflects the risk — particularly the cumulative risk of exposure to multiple chemicals.

They also wanted more than predictions. They want an intensive study of actual health problems present in the neighborhood, to determine if unusual clusters of disease exist.

"Our homes, our air, our water for years have been contaminated. The least they can do is do a more thorough investigation," said Debra Hall, a resident who has become a nationally recognized advocate on these issues. "We deserve it. Our children deserve it. Our neighborhood deserves it."

The number of people in the neighborhood — about 670 — is too small for such a study to yield statistically significant results, according to the study.

The health agencies did not respond to questions Monday.

Contamination at the site originated, according to the Environmental Protection Agency, from Hopewell Precision Inc., a small independent company that has made metal cabinets on Ryan Drive since 1977. A swath of groundwater contaminated with the solvents trichloroethylene and trichloroethane, known as TCE and TCA, respectively, extends almost 1.5 miles from the site.

The EPA, responding to a complaint, confirmed dumping in 1979, and referred the site to the state Department of Environmental Conservation in 1980. Limited investigations in the 1980s found limited contamination, and the DEC removed the site from its list of hazardous waste sites in 1994 against the recommendation of the Department of Health.

In 2003, the EPA returned to the site and found extensive contamination in private wells. The company has cooperated with the EPA.

To date, 51 filters have been installed to remove contaminants from household well water and 46 systems have been installed to prevent contaminated vapors from accumulating in homes. Other homes have contamination, but below state and federal standards.

Other pollution found

The gasoline additive methyl tertiary-butyl ether, or MTBE, and the solvent perchloroethylene, or PCE, were also found in the wells and indoor air in dozens of homes, from spills believed to be unrelated.

The EPA is in the midst of a protracted and controversial assessment of the toxicity of the chemical TCE. Based on the list of references, the health study released Monday did not use the EPA's latest draft.

Considering that, resident William Borell called the health study's conclusion about cumulative effects from exposure to multiple chemicals "premature."

Borell said his experience should demonstrate why wells should be tested when homes are sold. State and county lawmakers are considering such a law. He's lived in his home for 22 years, and seen countless homes built and sold in the contaminated area.

"It's very frustrating. It angers you. When you go to sleep at night, it's not easy to sleep when you know you've been contaminated at these levels," Borell said. "It could very well have been avoided. ...If they were testing wells, this would have been picked up much sooner and fewer people would have been exposed."

RELATED CONTENT

- * [Hopewell Precision Health Assessment](#)
- * [Hopewell Precision Cover Letter](#)
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- » [Lawmakers press EPA for strict exposure](#)

[limits](#)

- » [Hopewell Precision site named to Superfund](#)
- » [TCE Cleanup guidelines lag](#)

Report objectives

The draft health assessment had nine recommendations. Here is a summary:

- Continue to minimize human exposure to toxic chemicals by maintaining and monitoring treatment systems, investigating the source and extent of TCE and TCA contamination and studying ways to provide permanent alternate water supplies.
- Find the sources of MTBE and PCE in groundwater.
- Educate doctors and residents about the results of the health assessment.

Resources

To comment on the draft, write to Don Miles, New York State Department of Health, Bureau of Environmental Exposure Investigation, Flanigan Square, Room 300, 547 River St., Troy, NY 12180.

For information, e-mail bee@health.state.ny.us or call 1-800-458-1158.

On the Web

— EPA's history of Hopewell Precision site: <http://www.epa.gov/superfund/sites/npl/nar1720.htm>

Dear Supervisor Hickman and East Fishkill Town Board,

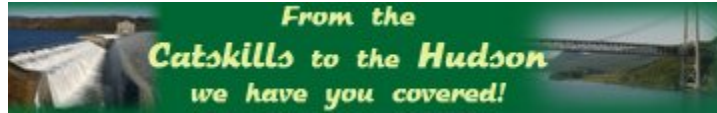
The Hopewell Junction Citizens for Clean Water would like to thank you for supporting the Dutchess County mandatory private well testing bill written by legislators Horton and Goldberg. Your resolution also supports the New York State Assembly mandatory private well testing bill written by Assemblyman DiNapoli. This decision demonstrates that you understand the importance potable water is for every person you represent.

After listening and reading the presentation given by Debra Hall, you also decided to write a 2nd resolution which supports reform of the NYS Real Property Disclosure Law by increasing non-disclosure payments.

Since Mr. Hickman has taken the job of town supervisor, our group and others have felt the positive change which has taken place in our community. You have proven that residents views are being heard. We look forward to the many positive changes which will take place in the future.

Sincerely,

Hopewell Junction Citizens for Clean Water



Weekend, October 28-29, 2006

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Town supports well testing

East Fishkill – The Town of East Fishkill is somewhat unusual in that two superfund sites are located within the Dutchess County municipality.

Because of that, the town board has voted to back a proposal for mandatory well testing whenever a house is sold. That is being kicked around on the county level and Town Supervisor John Hickman said local lawmakers feel it is the best way to go.

“It’s the fact that people buy a house and they just don’t know,” he said. “That’s why we supported the mandatory bill versus the other bill.” Hickman said when people move to the town, or county, they “you don’t know what kind of water you’re getting.”

Some county legislators have proposed an alternative bill that would call for testing only in hotspots.

The proposal for full well testing in East Fishkill was prompted by Debra Hall, a local woman who lives in one of the two superfund sites.

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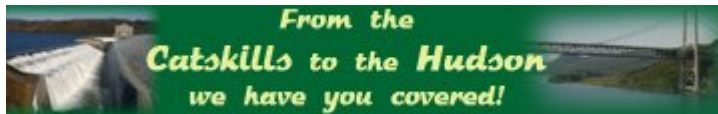
I was at the Dutchess County legislature meeting yesterday and I had said that this will not work. Back in 1994 the DEC de-listed our site because they concluded we did not have a problem. The reason why they concluded this was they tested 3 monitoring wells and 3 homes and all had good water. That is what this target program wants to do. They want to test a few homes in an area and conclude that if those wells

test clean, therefore the water in the entire neighborhood is clean.

Yes, we were found to be contaminated but only after the EPA tested 75 homes right next to each other and of those only 5 were contaminated. What if the EPA only chose to test a few homes again? What if they chose homes with good water?

This new proposal by some in the Dutchess Legislature is nothing like what EPA did to find the contamination. Instead they are proposing what the DEC did to de-list the site causing us to continue drinking cancerous water. Mary Swartz, the legislator representing residents at the Hopewell Precision Site, should be ashamed that she is proposing this. Obviously she does understand what actually saved us, if not 2 1/2 decades late!

This target program will miss contaminated areas. It will be ineffective.



**Thursday, October
19, 2006**

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Dutchess lawmakers propose targeted well testing

Poughkeepsie – Members of the Dutchess County Legislature Wednesday released a plan to assess the health of the county’s drinking water and is meant to be an alternative to legislation that is before the legislature’s Government Services Committee.

The committee has been reviewing a proposal that would require all private wells to be tested prior to the sale of dwellings.

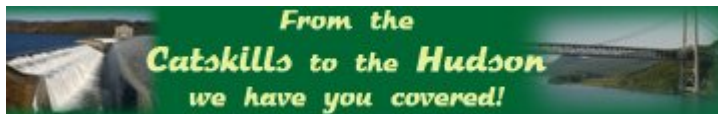
This new proposal would be more focused, said legislator Mary Swartz.

“In areas such as the Hopewell Precision area, that is now a Superfund site, it was targeted. It was contaminated water for years; we just didn’t know about it,” she said. “This way, we can have a hydro-geologist come down and check over things. It’s just a way of being more

sure of contamination in Dutchess County.”

Legislator Shannon Martin LaFrance said the county should allow residents in targeted areas the option of having their water tested, rather than requiring it. Under the proposed Targeted Well Testing Program, the county would refer discovered contamination to the state and federal agencies that already have jurisdiction over those issues, she said.

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**Thursday,
September 28,
2006**

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Hopewell Junction TCE issues brought to Washington

Washington – Community activist Debra Hall of Hopewell Junction, whose home is in the contaminated Hopewell Precision Superfund site, had an impressive audience at the nation’s capital Wednesday.



Hall, right, meets with members of the House subcommittee

She brought the issues of TCE contamination to Congressman John Duncan of Tennessee, chairman of the House Transportation Subcommittee on Water Resources and the Environment and officials of the EPA.

Hudson Valley Congresswoman Sue Kelly has been standing by Hall and the other residents of the polluted neighborhood and she brought Hall to the committee.

Hall urged stricter guidelines to better protect residents from exposure to trichloroethylene, or TCE.

“I asked them, that since we have some much data on that site with the air and with the water – I think more data on that site than any other superfund site in the United States, if I am correct – if we could do a special health assessment on the site and do some type of cancer and health study, a special one,” she said.

The EPA officials said they would consider that.

The EPA drafted a Human Health Risk Assessment in 2001 that determined TCE to be five to 65 times more toxic than previously believed. The EPA's Science Advisory Board commended the "groundbreaking" work, and the agency developed new, more protective provisional screening levels for TCE. However, other federal agencies cast the new levels as overly conservative, and the EPA agreed to a re-review. The NAS report released in July confirmed the 2001 assessment's warning and recommends that the EPA expedite its risk management decision. But recent correspondence between Kelly and EPA Administrator Stephen Johnson indicated that the EPA sees further delays ahead before a new TCE standard is implemented.

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This letter was the response from the EPA to Congresswoman Sue Kelly regarding the NAS report about

Trichloroethylene, TCE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 07 2006

OFFICE OF
RESEARCH AND DEVELOPMENT

The Honorable Sue Kelly
U.S. House of Representatives
Washington, DC 20515-3219

Dear Congresswoman Kelly:

Thank you for your July 26, 2006, letter to U.S. Environmental Protection Agency (EPA) Administrator Stephen Johnson regarding trichloroethylene (TCE) and, in particular, your concerns about the status of EPA's TCE health assessment. I have been asked to respond to your letter because the Office of Research and Development has primary responsibility in EPA for health assessment activities related to TCE, including the TCE assessment.

As you know, the potential human health effects from exposure to TCE are currently under assessment in the EPA's Integrated Risk Information System (IRIS) program. While the Agency's 2001 draft TCE risk assessment underwent public comment and independent peer review by the Agency's Science Advisory Board (SAB) in 2002, a number of scientific issues remained and important scientific literature had been published since the 2001 draft assessment. As a result, EPA, along with other federal agencies, sponsored a National Academies of Science/National Research Council (NAS/NRC) consultation to provide technical advice on key scientific issues that are critical to the health risk assessment of TCE. Some of the science issues that were brought to the NAS were: TCE pharmacokinetics; interactions of TCE, its metabolites, and other chemical exposures; role of peroxisome proliferator-activated receptor agonism and cell signaling in TCE toxicity; and TCE cancer epidemiology.

On July 27, 2006, the NAS/NRC publicly released its technical report on these science issues providing advice to EPA (<http://www.nap.edu/catalog/11707.html>). It is important to note that the NAS consultative report is not a risk assessment and cannot be used as scientific support for EPA regulatory decisions related to TCE environmental contamination.

As for next steps, the Agency will consider the scientific advice of the NAS, comments previously provided by the SAB and the public, and recently published scientific literature as it proceeds with the development of its TCE health assessment. EPA has begun a thorough review and analysis of the NAS's July 27th report. Due to the length and scientific complexity of the report, the Agency cannot yet anticipate the time and level of effort necessary to complete a new external review draft of the TCE health

assessment. When the external review draft is ready, it will undergo interagency review, followed by independent external expert peer review and public review and comment. After the peer review, EPA expects to develop the final TCE health assessment that addresses the peer review and public comments. When the assessment is final, it will be used to update the IRIS data base (www.epa.gov/IRIS). This new assessment will provide a sound and credible basis for future Agency decisions regarding TCE.

In the meantime, EPA continues to address sites contaminated with TCE. We are using the existing Maximum Contaminant Level (MCL) of 5 ppb of TCE as the remediation goal for ground water that may be used as a drinking water supply. For vapor intrusion issues, there is no similar regulatory standard. EPA has not yet developed national guidance in order to better factor site-specific information into the decision-making process. Therefore, in the interim, EPA Regions are using the best available science to make site-specific risk management decisions. When the TCE reassessment is finalized, we will incorporate it into our decision-making process and ensure that existing remedies are protective through the five-year review process.

EPA appreciates your concerns and those of your constituents regarding TCE contamination and is committed to addressing this serious public health concern. Please be assured that EPA will continue to vigorously enforce current standards related to TCE that are protective of the public health. If you have any further questions or need additional information, please feel free to contact me, or your staff may call Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at 202-564-6969.

Best regards,



George Gray
Assistant Administrator

Congresswoman Sue Kelly Acts Quickly on National Environmental Problem

The following letter was sent to the Environmental Protection Agency after the National Academy of Science report on TCE was released.

July 26, 2006

The Honorable Stephen Johnson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, 1200 Pennsylvania Avenue, NW,
Washington, DC 20460

Dear Administrator Johnson,

My purpose in writing today is to urge the Environmental Protection Agency to issue new guidelines concerning a toxic chemical that is detrimentally affecting people in my district and across the country.

As you know, the National Resource Council of the National Academies of Science (NAS) has released a report today that further substantiates the risks to human health posed by Trichloroethylene (TCE). In light of the NAS report, I request that you immediately conform to the risk assessment's recommendations and establish the overdue guidelines for this deadly toxic contaminant immediately.

As you know, the EPA's Human Risk Assessment from 2001 determined TCE to be 5 - 65 times more dangerous than previously believed. In fact, the NAS report suggests that things may be even worse than the EPA study concluded. Specifically, the NAS study states that "the evidence on carcinogenic risk and other health hazards from exposure to trichloroethylene has strengthened since 2001." With this new evidence, it is increasingly apparent that the time has come for the EPA to act to protect citizens in the vicinity of TCE contaminated sites.

There are two Superfund sites in my district that have been contaminated by TCE, and my constituents have understandably been frustrated by the EPA's inability to establish guidelines 5 years after the 2001 study indicated greater risks associated with TCE. The NAS report expressly advises that "federal agencies finalize their risk assessment with currently available data so that risk management decision can be made expeditiously."

I share these sentiments and hope that your Agency will act quickly to adopt new, definitive TCE guidelines, which would go a long way towards protecting communities across the country from the public health risks associated with water and air contamination from this toxic chemical.

I appreciate your providing this request with the attention it deserves and look forward to your timely response.

Sincerely,
Sue Kelly
Member of Congress

Friday, September 8,
2006

www.PoughkeepsieJournal.com

Officials at odds over whether private well testing is needed

By Dan Shapley
Poughkeepsie Journal

The county's drinking water is clean, so mandating private well testing may not be warranted, the director of environmental health services for the Dutchess County Health Department said Thursday.

But a Board of Health member suggested the Health Department is ignoring a documented problem that private well testing would help to remedy.

They spoke to a committee of the Legislature considering a proposal to mandate private well testing when homes are sold.

The most extensive private well tests would cost about \$600 each, plus \$50-\$100 for handling, Director of Environmental Health Services Steve Capowski said.

"We sample in every watershed and aquifer in Dutchess County, so we're getting an indication if these watersheds and aquifers are 'grossly contaminated,' " Capowski said. "The data all suggest that the watersheds and aquifers in the county are healthy."

The Health Department's testing of public wells identified many instances of contamination with the gasoline additive MTBE, and some instances with other chemicals, such as refrigerants in Pleasant Valley.

Shortly after MTBE was banned in New York, on Jan. 1, 2004, no public wells were newly contaminated, Capowski said.

At least one public well, serving the Brettview water district in East Fishkill, was shut down because MTBE was discovered there in September 2005. Officials at the time said routine tests had detected the contamination. Capowski could not be reached after the meeting to comment on the apparent discrepancy.

Despite the testing of public water supplies, pockets of colorless, odorless and potentially hazardous contamination have been discovered in private wells. Two Superfund sites, with dozens of contaminated private wells between them, have been found in East Fishkill since 2000. Residents there were exposed to toxic solvents, in some cases for decades.

Board of Health member Dr. William Augerson said the county's annual Community Health Assessment ignores polluted groundwater, and he urged the Legislature to pass the law.

"If enacted you will never know what cancers and other illnesses you have prevented," he said, "but you will have done so."

The earliest the Legislature could vote on its private well-testing law would be October.

Dan Shapley can be reached at dshapley@poughkeepsiejournal.com

Testing wells

The county has more than 720 public water supplies that require routine testing. A portion of wells in subdivisions with more than three lots must also be tested.

Friday, August 18, 2006

Health board wants own lawyer in well test dispute www.PoughkeepsieJournal.com

By Dan Shapley
Poughkeepsie Journal

The Dutchess County Board of Health wants to hire its own attorney because it disagrees with the county attorney opinion that derailed the board's private well testing mandate.

The board amended the sanitary code last summer, requiring testing of private wells for a range of contaminants whenever homes are sold, and periodically on rental properties.

The goal was to expand some of the protection already afforded to public drinking water supplies in light of the colorless, odorless and potentially harmful contamination that has been discovered in some wells in recent years.

County Attorney Ron Wozniak's July 5 opinion, based on past court cases, stated the board had overstepped its authority, and declared the measure null and void.

Whenever a public health measure affects social or economic issues, he told the board Thursday, the Legislature should make the decision. The board's role is to fill in details of regulations approved by the Legislature, as directed by the Legislature.

"You're not here to represent the people at large," Wozniak said. "You're here because of your expertise."

The Board of Health is appointed by the Legislature. Its three main functions are to amend the sanitary code that governs the Health Department, set fees and advise other parts of government.

Members questioned the board's role, under Wozniak's interpretation.

Purpose questioned

"What are we doing here? What is our purpose?" asked Dr. Steve M. Lapidus. "If we're just saying things and the Legislature doesn't pick it up, what are we doing for the good of the people?"

Board members also questioned whether past amendments to the sanitary code should also be voided because the Legislature did not approve them. Wozniak said he would not question other aspects of the code.

Board President Harry Lynch asked Health Commissioner Dr. Michael Caldwell to report next month on what money was available to the board to hire its own attorney. It has shelved discussion of obesity until it defines its role.

"We need some legal assistance from outside the county attorney's office to find out what we can or cannot do," Lynch said.

Dr. William Augerson, the board member who authored the well testing amendment, asserted the Legislature's appropriation of \$125,000 for the program amounted to approval.

"Neither you nor I will ever know in this world how many persons have been harmed by delayed recognition of contaminated wells," he said to Wozniak. "But that ignorance does not mean harm did not occur."

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Friday, August 18, 2006

LaGrange backs well testing

www.PoughkeepsieJournal.com

FREEDOM PLAINS — A majority of the the LaGrange town board supports enacting a county law requiring mandatory well testing.

The Dutchess County Supervisors and Mayors Association is requesting town and village boards to take a stand on the issue.

The association supports the county Legislature enacting a law requiring well testing whenever a house is sold, and periodically on rental properties.

The LaGrange board voted 3-1 at its recent meeting to support such a law.

"Parts of (New) Jersey have done it for a long time," Councilman Gary Beck said of mandatory well testing. "I think it's a good idea."

Councilman Dale Bor-chert cast the sole "no" vote. "I'm not sure it should be mandatory," he said.

Councilman Stephen O'Hare was absent from the town hall meeting.

The county Legislature is expected to consider the law in September.

Editorial

Sunday, July 30, 2006

www.PoughkeepsieJournal.com

Send message on water tests

Dutchess County Legislator Marge Horton is breaking ranks with her Republican colleagues over a controversial well-testing law, and she has every right and every motive to do so.

In fact, more GOP lawmakers should see the wisdom of this proposal, how it will help protect the county's water supply, how it will help identify contaminants that already are in some wells, and how it will help the county grow in a more responsible way.

Inexplicably, the county administration sat quiet for nearly a year after the county Board of Health deemed broader water testing should be required whenever homes are sold in Dutchess.

The county has been plagued by pollutants in underground water sources. These spills, some caused by industry decades ago, have spread over time, seeping into residential wells and jeopardizing the health of dozens of families.

Days after the new rules were supposed to go into effect this month, County Attorney Ronald L. Wozniak released an opinion saying the Board of Health

lacked the authority to carry out the mandate. Citing earlier case law, he put the onus on the 25-member Legislature — the elected officials closest to the public — to pass a law requiring the tests.

The Legislature should take up this challenge.

County Executive William Steinhaus and county Health Commissioner Dr. Michael Caldwell have made it distressingly clear they oppose the changes: They don't see them as a health priority.

Homeowners in some neighborhoods in East Fishkill and Hyde Park would beg to differ. They know, all too well, what happens when gasoline leaks and chemical spills go undetected for long periods of time. These residents now have to rely on sophisticated water filters, at least until costly public water systems can be installed to provide them with an alternative source for one of life's necessities.

Action could save money in long run

Last year, after the Board of Health amended the sanitary code to authorize the new well tests, the Legislature did a sensible thing. It set aside \$125,000 to start the program. The tests were to go beyond checks for bacteria and include other types of contaminants generally associated with industrial use. Public water systems get this type of scrutiny. So should private wells. While broader testing would cost, at most, a few hundred dollars more than current regulations, it could catch pollution before it spreads to other wells. This would limit the health damage — as well as the final taxpayer bill for more costly cleanups of contaminated sites.

In addition to home sales, the Board of Health rightly wanted to force landlords to test wells every six years to ensure their tenants are safe. The Rockland County Legislature has passed a similar law that has survived court challenges.

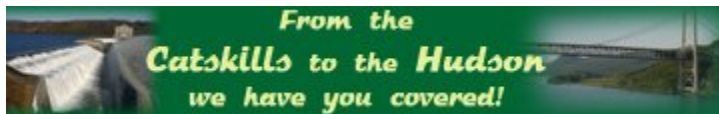
Wozniak's opinion essentially scuttled the idea in Dutchess for now, although the Board of Health is challenging that opinion. Through the Dutchess Legislature, it is seeking an opinion on private well testing requirements from

the state Attorney General's office.

But the Legislature itself faces a clear choice as well. Horton is working to co-sponsor legislation with Sandra Goldberg, D-Wappingers Falls, that essentially would accomplish what the Board of Health intended. The Legislature should seize this opportunity.

Since the idea apparently has the backing of the 12 Democrats in the 25-member Legislature, Horton's support would enable the measure to pass. But that wouldn't necessarily make the legislation veto-proof, nor would it send the resounding message that should be heard: The county understands it needs to do more to identify pollutants and to protect its essential groundwater sources.

When it comes before them, legislators should approve this measure by a resounding margin.



Friday, July 28,

2006

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Health risks are associated with TCE contamination, report says

Following the release of a report Thursday about the health risks associated with exposure to trichloroethylene (TCE), Congresswoman Sue Kelly demanded that the Environmental Protection Agency take immediate action to establish stricter guidelines to better protect local residents from the toxic chemical.

The report from the National Academies of Science's National Research

Council -- Assessing the Human Health Risks of Trichloroethylene: Key Scientific Issues -- confirms that TCE is a carcinogen. There is TCE at the Superfund Hopewell Precision site in East Fishkill.

At several Congressional hearings during the past year, Kelly has been pushing the EPA to issue tough new standards on TCE instead of waiting for more studies. She argued that delaying action only jeopardizes the health of residents living in TCE-contaminated areas.

She wrote to EPA Administrator Stephen Johnson Thursday and asked for quick and decisive action.

"In light of the NAS report, I request that you immediately conform to the risk assessment's recommendations and establish the overdue guidelines for this deadly toxic contaminant immediately," Kelly wrote.

A draft report on the health risks associated with exposure to TCE conducted by the EPA in 2001 determined TCE to be five to 65 times more dangerous than previously believed. The release of the 2001 draft report prompted the NAS review of the EPA's assessment. The NAS report confirmed the 2001 assessment's warning and recommends that the EPA expedite its risk management decision.

Congressman Maurice Hinchey, meanwhile, said the health risks and dangers associated with TCE "are undeniable" as a result of this new National Research Council report. "What we've known for a long time -- that TCE is a highly toxic carcinogen, especially as it relates to kidney cancer -- is now backed up by another scientific panel with hard data."

Hinchey said it is "no longer acceptable for the government and local polluters to claim that health risks associated with TCE are simply scientific theory when we know that they are compelling scientific fact as a result of the National Academy of Sciences' Natural Research Council report, and previous work done by the EPA."

Hinchey said the EPA must "stop stalling and implement protective health-based standards for TCE that will help save lives and prevent serious illness to many residents in New York and across the country."

Friday, July 28, 2006

www.PoughkeepsieJournal.com

Report sounds alarm on cancer risks of TCE Regulators are urged to revise assessment

The Associated Press

WASHINGTON — Growing scientific evidence suggests the most widespread industrial contaminant in drinking water — a solvent used in adhesives, paint and spot removers — can cause cancer in people.

The National Academy of Sciences reported Thursday that a lot more is known about the cancer risks and other health hazards from exposure to trichloroethylene than there was five years ago when the Environmental Protection Agency took steps to regulate it more strictly.

"Armed with the results from the NAS review, EPA will aggressively move forward" on a new risk assessment of TCE, spokeswoman Jennifer Wood said Thursday. "EPA will determine whether or not to address the drinking water standard once the risk assessment is complete."

TCE, which is also widely used to remove grease from metal parts in airplanes and to clean fuel lines at missile sites, is known to cause cancer in some laboratory animals. It has been detected in some private wells at the Hopewell Precision federal Superfund site in East Fishkill.

The EPA was blocked from elevating its assessment of the chemical's risks in people by the Defense Department, Energy Department and NASA, all of which have sites polluted with it.

Sweet but dangerous

TCE is a colorless liquid that evaporates at room temperatures and has a somewhat sweet odor and taste. It is one of the most common pollutants found in the air, soil and water at U.S. military bases. Until the mid-1970s, it also was used as a surgical anesthetic.

It also has been found at about 60 percent of the nation's worst contaminated sites in the Superfund cleanup program, the academy said.

Its 379-page report recommends that EPA revise its assessment of TCE's risks using "currently available data" so no more time is wasted.

That's a step that could lead to stricter regulations. EPA currently requires limiting TCE to no more than 5 parts per billion parts of drinking water. A stricter regulation could, in turn, force the government to require more thorough cleanups at military and other sites.

Rep. Maurice Hinchey, D-Hurley, said the report should prompt the government to move faster in cleaning up TCE contamination like that found in New York state and nationally.

"It is no longer acceptable for the government and local polluters to claim that health risks associated with TCE are simply scientific theory when we know that they are compelling scientific fact," said Hinchey, who is on the Appropriations subcommittee that oversees the environment.

A committee of academy experts said "a large body of epidemiologic data is available" on TCE showing the chemical is a possible cause of kidney cancer, reproductive and developmental damage, impaired neurological function and autoimmune disease.