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In the Matter Of: EPA PUBLIC AVAILABILITY MEETING

MEETING

October 25, 2012





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EPA PUBLIC AVAILABILITY MEETING CHICAGO HEIGHTS BOULEVARD SITE held at the First Baptist Church of Elmwood Park 1452 Dielman Road St. Louis County, Missouri 63132 7:00 p.m. OCTOBER 25, 2012 Reported by: Celena D. Moulton, RPR, CCR, CSR



1 MS. YOUNG: Good evening. My name is Belinda Young. I'm with the Environmental Protection Agency in, now, Lenexa, Kansas. I'm a Community 4 Involvement Coordinator in the Office of Public Affairs. 5 So I'm working with the public on this project. 6 If you received a flyer announcing this meeting, my name is listed on the contact portion on the It's listed for general information if you want to 8 end. ask questions. 10 To move quickly through this portion, I 11 would like to recognize any elected officials or their 12 representatives that may be in the audience this 13 evening. If not, we'll move on. We can recognize that Dr. Pruitt is here 14 15 with the NAACP, so he's been getting information. 16 have representatives here from EPA, as I said. 17 We also have representatives from the 18 Missouri Department of Natural Resources, the Missouri Department of Health and Senior Services and the Agency 19 20 For Toxic Substances and Disease Registry. They have information that will be available through our public 21 22 meeting this evening. 23 Comments provided at this evening's meeting 24 | will be documented. We have a court reporter. 25 began a 30-day public comment period that runs from



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October 18th through November 19th. The comment period is related to an agreement between EPA and PerkinElmer, Incorporated to address contamination in this area.

Information on that agreement can be found lin several repositories in the area: The St. Louis County Library, the Mid-County Library, Indian Trails Library, and at the EPA Region 7 website. And we have information in our records center.

The facilitator for this evening will be 10 Shawn Grindstaff. We're going to have a facilitated meeting. As I said, your comments will be documented.

The presenters for this evening will be 13 David Hoefer, who is our Regional Counsel at EPA. will be talking about the legal agreement. Then we'll 15 have Dan Gravatt. He'll give us a status update for the site and the next steps. 16

We ask that you hold your comments and questions until the presentations are ended. If you've got some papers, you can take notes as you move through the presentations. If you need paper, we have paper out at the table.

If you didn't get a chance to sign in on 23 those blue cards, we don't want to overlook anybody. We 24 want to make sure that we have everybody on our mailing 25 list. We want to include everybody.



1	The meeting this evening is part of our
2	community involvement process. We want you to know the
3	EPA cares. The EPA is here to keep you well-informed.
4	We encourage and enable the community to get involved.
5	We listen to your comments.
6	Other communities in Region 7 have gotten
7	involved, and sometimes the community decides to form a
8	community advisory group. That group serves as a
9	liaison for comments and concerns that the community has
10	with EPA. We want to make sure there are additional
11	processes that can help you to get involved.
12	At this point, I'll turn the mic over to
13	Shawn Grindstaff, our facilitator for this evening.
14	MR. GRINDSTAFF: Thank you very much. Good
15	evening.
16	I wanted to tell you a little bit about
17	myself first so that I can explain the role that I have
18	in the meeting tonight.
19	Facilitator, what it really means tonight
20	is that we want to be able to get through the meeting
21	and accomplish several different things. We're kind of
22	rolling several things into one tonight. So time, it
23	ticks away very fast for all of us, so I want to make
24	sure we move from one thing to the other.

Now, the things that we're going to do

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tonight, the first part is the presentations that you will hear. The reason is, under federal law at this point, under the Resource Conservation and Recovery Act, which people called RCRA, there is a piece of that law that says at this moment of the proposed settlement of this order, that we speak to the public about this and 7 that you have this time period to comment.

That's a very formal process. That's why we have the court reporter here. And she will be taking 10 down every word. We need to get through that. That's why I ask again, like Belinda said, you can hold all your questions and comments until the presentations are 12 l 13 lover.

Then Belinda and I will have two mics. Ι 15 know there are several people. Especially in this church, you might not be able to move about. We will 16 l 17 bring the mic to you. At that point, we will go to 18 questions and comments.

Then after that, because there's another 20 portion of the community that wants to speak privately and confidentially, we have at the end of the meeting a 22 public availability session. We'll have broken-up areas 23 with different people in different places. So time will 24 go by quickly.

So that will be my role is to keep things



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1 moving guickly. David and Dan are going to go ahead and 2 make the presentations. Again, if you bear with me with our different pieces of this, it will help.

I've been doing meetings like this, lots of different meetings, for about 20 years. I've learned a lot of hard lessons.

The thing I've learned the most is that it's important that everybody in the community, 9 everybody has a chance to talk in their own way. 10 want to talk privately. Some want to talk in front of 11 others. We're going to try to meet everybody's needs tonight.

13 We'll go ahead and hand it over to David. 14 Thank you.

MR. HOEFER: Good evening. My name is 16 David Hoefer. I'm an attorney with the Environmental 17 Protection Agency. I've worked with the company known 18 as PerkinElmer to come up with a settlement agreement. 19 That is what I'm going to talk about.

My presentation is very brief. We have this -- it's called an Administrative Settlement 21 22 Agreement and Order on Consent. It's on our website. 23 It's publicly available. The primary purpose of the 24 meeting itself is to discuss, get comments on this 25 lorder.



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We have a legal obligation when we have an limminent order of this nature to put it out for public comment, to get comments whether there's anything inappropriate, improper or inadequate. That's my role tonight.

I worked with PerkinElmer on this. This is a legal agreement. As Shawn referenced, there's a couple statutory authorities that we use. One that you may have heard of before that is a fairly common statute 10 known as a superfund; and that's the Comprehensive 11 Environmental Response Compensation and Liability Act. 12 The other one is RCRA, Resource Conservation and 13 Recovery Act.

So there's legal authorities that we use when we negotiate this order. And those are authorities that Congress made to us for resolutions like we have in this community.

We did this in very short order. think, will discuss how long the EPA has been involved. 20 It's not been very long.

When we got involved, I approached 22 PerkinElmer, and we talked about, "We have a problem 23 here that needs to be addressed." So in very short 24 order, we negotiated this order. It was a very short 25 period of time. In a very short period of time, we



1 negotiated this order. I sent this to PerkinElmer for negotiation 2 on September 14th. We provided two weeks for negotiations on this. I worked with their attorneys. It was pretty intense during that two-week period to 5 come to this agreement. They signed it on October 2nd. It's not effective until EPA signs it. 7 **EPA** will not sign this until it's gone through public The public comment period runs from last week, 10 I believe it was October 18th through November 19th. 11 So once we get through the public comment period, we will evaluate the comments that we receive on 12 13 this to see if this is still something that we want to enter into with PerkinElmer, or do we want to have it 14 15 modified, et cetera. 16 That is one of our purposes tonight is to 17 find out what the community thinks about this agreement. This is a fairly technical document. 18 19 a very typical document for these types of settlements. 20 It contains a lot of boilerplate language in here that 21 is standard findings of fact. It gives the history of 22 the site, history of PerkinElmer's involvement, our 23 involvement, et cetera. 24 Probably the most-relevant portion of this 25 for the community should be the "Work" section. There's



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a portion of this that details what work PerkinElmer will be performing at this site.

Just to be clear here, this is a legal lagreement, legally-binding agreement. And pursuant to this, PerkinElmer is agreeing to do certain activities in your community to ascertain the extent of the contamination and to address the contamination. So it's a very comprehensive agreement.

Dan will address the work requirements. 10 | have phased work that's going to be performed under this 11 order. It's quite a bit of work. It's a very 12 comprehensive order, very aggressive order.

This becomes enforceable upon EPA's 14 | signature. Again, we won't sign it until the public comment period is over. So it will be sometime around Thanksgiving before we sign this and it actually becomes operable.

This is, again, a legally-enforceable 19 l We have penalties that PerkinElmer has agreement. If we 20 l agreed to. There are also statutory penalties. need to, we can enforce this in federal court. That is 22 both with regard to penalties and with relief to make 23 sure the work is performed.

Let me say, PerkinElmer -- I don't know if 25 you know much about PerkinElmer. We engaged them early

- 1 in September on this issue. We've worked very
- 2 aggressively with them, had very productive
- 3 negotiations. And we did this in two weeks, which
- 4 frankly is the speed of light, from our perspective. So
- 5 we had a very good experience negotiating this.
- 6 Probably the most relevant or most
- 7 interesting aspect of this is probably going to be the
- 8 work.
- 9 We have Dan Gravatt and John Frey. And Dan
- 10 is going to explain in some detail the work requirements
- 11 of this order. And at the conclusion of this, we'll be
- 12 available to take questions.
- 13 MR. GRINDSTAFF: Dan, if I could interrupt
- 14 before we start, there were a lot of people who just
- 15 walked in. I wanted to re-explain the format tonight so
- 16 that we can get through the meeting and everybody can be
- 17 home at a reasonable hour.
- 18 And that is this: Under the law, under
- 19 something we call RCRA, this meeting tonight is a little
- 20 different because we've got different pieces. So what
- 21 we're doing right now is hearing two presentations on
- 22 the order settlement part of it.
- Then after that's over, we'll have
- 24 questions and comments in which two of us will carry the
- 25 mic to each person.



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Then after that, we have another group in the community who wants to meet privately and confidentiality. So what we'll do then is break up into groups.

I'm going to be the facilitator to work with you so we can get through each piece that we have to do and that we'd like to do in the community. We want everyone to have a chance to be able to speak to someone.

So if everyone will bear with me, we'll keep moving on. So David just spoke. And we're going to have Dan speak in the second presentation.

There was one thing I didn't MS. YOUNG: 14 say. Number one, can everybody on this side of the room see this projected image? Secondly, does anyone in the room know of anyone in this room who is hearing impaired? We do have a sign interpreter here and I 18 l didn't say that. Okay. Thank you.

MR. GRAVATT: Good evening. My name is Dan Gravatt. I'm with the Superfund Program in the EPA's Office in Region 7 in what was Kansas City and now is 22 l Lenexa, Kansas.

I'm the remedial project manager for the 24 site, kind of co-leading with John Frey, who is here, 25 also. He's an On-Scene Commander from EPA.



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splitting the duties because this is going to be a very long-term project. There are some things we are doing right now to address immediate issues. There are going to be some very long-term things that I will get into They are all covered under the order that Dave 5 6 has been telling you about.

How EPA got involved in the site, MDNR had been working on this for a number of years; but in July and September of this year, it decided to refer 10 management of the site to us. That was something that 11 we agreed on and agreed to do it pretty rapidly. we're going to keep them involved in the process. But the order that we're signing is between EPA and 14 PerkinElmer.

Since that referral, we've had five vapor intrusion mitigation systems installed out of the neighborhoods where we found the trichloroethylene or TCE vapors in their homes above the health-based risk level. That's already been done. It was done back in September.

Also, as has been referred to, as David said, we've been through a very aggressive negotiation schedule with PerkinElmer to get this order in front of you folks for your public comments.

The public comment period began a few days



ago and goes on for 30 days. What was the end date? 1 The 19th? 2 3 MS. YOUNG: November 19th. MR. GRAVATT: So there's still a couple of 4 5 weeks for you to read that and to comment. I hope you do that. There's a lot of stuff that's technical, legal 7 language, boilerplate. If you go to "Work to Be Performed", 8 9 there's a specific section that has that title, "Work to 10 Be Performed". And it has I believe seven tasks that I 11 will go through very generically here for your benefit. 12 So when you pull that document up and take a look at it, 13 you will be better able to understand what it is that 14 PerkinElmer is able to do at the site. 15 Before we go on, I want you to know that this order covers, as far as we know, all the work that is going to be necessary to clean up the site. 17 not say how long that is going to take, but it includes all the steps that will be required to fully clean up 19 2.0 the site. 21 I know that some of you who were here on 22 our earlier meetings or met one-on-one with us, with 23 John or I earlier, will know this part of the story. I 24 want to give this again because there are some who are



25 new to the process.

1 The main issue is the contaminant within the groundwater underneath some of the homes and underneath the Missouri Metals Site is vapor intrusion. 4 The chemical that was spilled is a solvent called trichloroethylene or TCE, and a related solvent called tetrachloroethylene, or P as in Paul, PCE. 7 Those solvents were used at the Missouri Metal site to clean parts that they were manufacturing. Through a variety of reasons that we're not quite sure of, these chemicals, these solvents, were released onto the ground and migrated down into the shallow aguifer in 11 12 the neighborhood of 20, 30, 40 feet in the ground. 13 Once this solvent mixes with the 14 groundwater, it starts to dissolve. That dissolved 15 solvent in the groundwater starts to move with the 16 natural groundwater underneath the ground. As it moves, in this case, it happens to move to the southeast under 17

Now, the groundwater that's beneath these 20 homes is not the water that you're drinking. that's been a concern in the past. We've had fact sheets to try to explain this better. The whole neighborhood is on city water. The city's drinking 24 water does not come from the groundwater in this area. 25|There is no impact to the drinking water that you have

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18 part of the residences in the area.

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The groundwater is contaminated. And the 3 way people can be exposed, in this case, with a solvent 4 like trichloroethylene or tetrachloroethylene, it tends 5 to evaporate out of the water. It's a little bit like bubbles coming out of a bottle of soda. It's not exactly that way, but it's a useful way to think about The solvent wants to be a gas, so it comes out of the water.

As gas, it tends to migrate through the soil. It tends to migrate upward. If it migrates upward and comes out in your lawn or something like that, it's not a problem.

If it migrates up and comes into someone's 15 basement or the crawl space and can accumulate there, it can reach levels that are above levels that we believe are safe for human health.

We do have toxicologists here who are 19 available to chat with you about that in the informal part of the presentation later. So vapor intrusion is a process of this solvent coming out of groundwater, migrating into people's homes and potentially reaching levels that could affect human health. 23

As far as we know, that is the only way that people in the neighborhood can be exposed to this



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chemical. It's not in your drinking water.

So, as I said, the work in the order requires PerkinElmer to investigate and clean up the contamination and to address the vapor intrusion issues.

This picture here is a picture that I pulled out of a site that I worked on a number of years It's an example of the kind of machinery that ago. 8 would be used to install the monitoring well.

There are several different types of work 10 that we are going to need to do here to make sure that 11 we can understand exactly how far this contamination has 12 gone, and collect additional data that can help us 13 decide what type of technology to use and where to use 14 lit.

And as Dave said, the work is going to be 16 done by PerkinElmer. They're paying for it. But it. 17 | will be done by EPA oversight. We will be reviewing 18 their work plans. We will be approving the reports for 19 the work that they do.

And to get back to how it will be described 21 in the order itself, the tasks that I referred to earlier, the tasks are fairly generally described in the order.

24 As we go forward, PerkinElmer will write 25 | work plans that will describe exactly how they're going

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to do each phase of the work. That's a document that the EPA will review to make sure they're adequate and will approve PerkinElmer to go through and do that work. That will be for several phases that you will see for the work in the order.

The first task that you'll see in the order when you take a look at it is to deal with the immediate risk to the households that have vapors in their homes above that health-based risk level.

And that, as I said earlier, has already Out of the ten homes that were tested, five been done. of them did have levels that were above the health-based risk standard. And those vapor intrusion systems that 14 you very generically described here have already been installed.

It's basically a process of sucking the contaminated vapors out from beneath the slab or the 18 bottom of your basement before they have a chance to get 19 into your home. They get sucked out and then ejected in a pipe that's on the side of the house. They go out into the ambient air where it's no longer in a concentration that can be of risk to people.

So going forward, I know that there's been 24 a lot of questions about whether other homes will be 25 tested, whether other homes will have those systems



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- installed. The work that we're going to be doing in this order under the earlier tasks will give us the 3 information we need to decide which homes are at risk 4 that will be tested. And that's not something that we 5 will be able to answer tonight.
 - I know a lot of you will want that answered right away. We don't have all the information we need yet to decide exactly whose homes need to be tested.
- All right. This is an example of another 10 type of field instrument that will be used, potentially, This collects soil samples. And this is 11 here. something that will be part of the supplemental 12 13 investigation work plan that's probably going to start in late November. 14
 - This is a work plan that MDNR had put together before the site was referred to EPA, but we're using it because it includes a lot of useful work that we need to do. It helps us move forward more quickly.
- 19 Coming up in November, we're going to have 20 PerkinElmer out here collecting soil and samples.
- 21 They're going to be installing monitoring wells in the 22 neighborhood. These are permanent monitoring wells that 23 will be sampled from time to time.
- 24 We will be using that data when we get it on where the contamination is in the groundwater and 25

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where it is in the soil and in the gas in the soil to help us determine what other homes might be at risk.

At that point, any homes that might be identified that might be at risk, the owners would be contacted to arrange sampling. Again, this will all be subject to EPA oversight and review and approval to make sure that our toxicologists, geologists, our scientists review it to make sure that we're taking the appropriate actions.

Once we have that data, we will need to go 11 back and work more on the Missouri Metals facility itself, the industrial facility north of the road there. Because as much work as we can do on addressing the groundwater plume, there is source material that will continue to contaminate the groundwater if we don't remove it.

The source material originally was the 18 solvents that the PerkinElmer facility used. Once it 19 was spilled onto the ground, it mixed into the soil.

Even if we were able to clean up the plume, more groundwater will move into the area and will contact that source material and will continue to 23 generate a groundwater plume.

The ultimate goal is to remove that source. 25 It will be gone once the source is gone. If we don't



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get the source, the plume will remain. There's an additional amount of work that we need to do at the site to determine exactly where this source material is so 3 that we can treat it or render it so it cannot move anymore so it will not continue to contaminate the 5 groundwater.

That will be, you know, an additional process that will involve additional soil samples, potentially additional sampling wells on the Missouri 10 Metals facility itself, et cetera.

So the work that we have been doing and the 12 work we're going to continue to do in the work under the tasks in this order, it's all to determine how we can 14 best clean up the site in the long-term.

In the short-term, we're focusing on the actions that will protect the residents from any unacceptable human health risk. That, so far, has been mainly in the form of indoor air testing and installing the vapor mitigation systems.

That's the short-term part that keeps people safe and gives us the time to do the 22 more-detailed analyses and investigations to determine 23 how we can clean this up permanently in the long-term.

That's mostly the process of removing the 25 source material that I was discussing a moment ago.



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Once that source material is removed, the groundwater plume will naturally, over time, disappear.

So these are the things that you're probably going to see happening in the neighborhood in the next few months or that you already have seen happening.

Obviously, there are five vapor mitigation 8 systems that are already installed and operating. week, the PerkinElmer people will be out to take an 10 additional sample of the wells and make sure that they're operating properly and protecting those 12 residents.

Because vapor migration into your home is 14 partly controlled by the weather and whether you have 15 your windows open or closed, whether your air conditioner is running or your heater is running, it 16 17 affects how those vapors will migrate into the homes.

So there will be periodic sampling through 19 the ten homes that are currently being sampled 20 throughout the years to see if seasons and how you use your air conditioner and heater affect how those vapors are migrated into your home. Additional samples will 23 be -- or vapor mitigation systems will be installed in 24 homes.

The step-out vapor intrusion sampling that



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I mentioned there is something that we will evaluate once we have the data from the additional soil and soil 3 gas and groundwater investigation that PerkinElmer will start doing in November.

And as I said, if those results indicate that additional homes are at risks, we will contact those homeowners to get those homes sampled.

And if those samples from those additional homes indicate that there are unacceptable risks in those homes, those homes will also receive the vapor mitigation systems very similar to the ones that are already installed.

And, again, in November, you're going to see some drilling rigs and trucks in the neighborhood for installing those monitoring wells, for installing these soil gas sampling points.

PerkinElmer will need to get access to 18 certain properties to do that work. And if your property is one where a monitoring well or a soil gas point is planned, I would ask you, you know, to cooperate with them and grant access so we can gather the data that we need to do our investigations.

And with that, Belinda, should I turn it 23 24 back to you or Shawn?

MR. GRINDSTAFF: This slide here is very



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important. I'll probably say this a few more times before we break up here in a little bit: And that is that you have until November 19th. And I know there were a few more people that came in late. So I will tell you, this isn't the end of this tonight.

In fact, Belinda told me and reminded me again a few minutes ago that they will be back at the church for further listening posts, as well. If you arrived late, I was explaining that we have several 10 things that we're trying to accomplish tonight.

But we don't have a lot of time. that's something that's really critical. That is, if you would like to talk to Belinda, you can do this 14 formally. You can comment however you want. You can 15 mail it or they'll be back here --

> MS. YOUNG: E-mail.

MR. GRINDSTAFF: Okay. And then they'll have more listening posts and be available here, as well.

So if we run out of time tonight and there are more people that wanted to speak, it's okay that you'll have other chances to do that. And, obviously, until November 19th, we'll accept any and all comments and statements and anything else you might have. 25 want to make sure we covered that.



The other thing, before we go into the 1 questions and comments, in which I'll carry the mic to the person speaking, is a second part that I neglected 3 to mention about this order that is on this fact sheet. I want to read it to you because it's well-worded. 6 Because that is the mission of tonight with this formal part of the meeting. "The EPA will consider all comments 8 received. And it may seek modification or decline to 10 enter into this order if comments received disclose 11 facts or considerations which indicate that the order is 12 within the three Is, inappropriate, improper or 13 | inadequate." 14 So with our questions and comments tonight, 15 that's what we're really trying to hone in on, is that That is, with this order that's in front of 16 auestion. you, do you have any fact or do you want to make any 17 18 statements that it would be inappropriate, improper or inadequate? That's really the heart of what we're doing 19 l 20 | now. I had two cards that had names on them, I 21 Then we'll take the mic wherever we may go. 22 believe. 23 It is Maureen Boone. Okay. And we'll start here. 24 And the other thing, if I can ask you, just

25 in the interest of time for everybody's sake, we've got



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  to get in the other group, too. On the church clock
2 here, it's about 7:40. So we probably, one way or the
3 other, need to be done by 8, 8:05. So if you could keep
  your comments/statements at a minimum, that means more
 5 people can talk. And two-and-three part questions,
  let's see if we can avoid that at the outset.
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                MR. BOONE: And I would just like to say
8 that, you know, the house that -- my grandmother's house
  at 1914 Chicago Heights at the park, there seems to be
10 cloudy water. I don't know what that was about.
11
  very cloudy. That's been for over years and decades I
12
  can remember. So that's what I had to say.
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                MR. GRINDSTAFF:
                                 Thank you. Kim Heggs?
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                MS. HEGGS: My question is: My mom's home
15 has been here for about 40 years, and the basement
   always leaked because the builders didn't do the
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17 | foundation properly.
                So my question is: If the TCE is found in
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19 her air at 1401 Werremeyer with the basement always
20 leaking, and it still is, what risk is that?
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                MR. GRAVATT: That's something that we've
22 got some figures on here on these easels in front and
23 back. We can look at them one-on-one and compare the
24 location of that home to where we have information
   showing the plume is at this point, and maybe answer
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your question more definitively there.

MR. GRINDSTAFF: If you're in my line of sight, I'll come to you.

With the groundwater flows to MS. LAMB: the river -- I moved to Olivette. So how do you know that it hasn't been exposed over there? Also, you're testing the land, but what about the people? What is the half-life of the chemicals in the people's bodies? They're not even here now. Some of them have died.

MR. GRAVATT: To answer the first part of 11 your question, we're going to compare the location of 12 her grandmother's home to where we know the plume to be 13 at this time.

Part of the reason we're doing this 15 additional task with PerkinElmer is to make sure we know 16 fully where this stuff is. We don't have the data to say, "Here's the stuff here." That's the kind of data we need.

We're going to take groundwater samples 20 further away from the Missouri Metals facility to find out how far it goes. We'll find out if it goes to the river or where it stops. That's something that we definitely need to find out.

24 MS. LAMB: What are you doing to find out 25 how it's affecting people biologically?



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                MR. GRAVATT:
                              That is a question I'm not
  prepared to answer. You can ask the toxicologists
 3
  one-on-one.
                MR. GRINDSTAFF: We'll have break-out
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          One of the areas will be for environmental
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  areas.
           The other will be for health questions, how it
  areas.
   affects people. So I will advise you to go talk to
 8
   them.
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                               Regarding the order, is
                MS. ROBINSON:
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  there anything in the order that would allow homeowners
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  to be in contact with the site? Is there any
12 considerations made for them in the order?
                Because now that the entire -- I mean, this
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14 is on the news and everything. Now that the entire
15 St. Louis Metro area knows that this particular
16 neighborhood has a problem, I'm going to have to
17 disclose that when I go to sell my home.
                If I'm going to have to sell my home, I'm
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19 going to need something from the EPA that says that my
20 home is not within that plume area if it, indeed, is
21 Inot.
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                             Is your house now within the
                MR. HOEFER:
23 plume?
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                MS. ROBINSON: You say it's outside the
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25 | area.

MR. HOEFER: I can't provide legal advice. 1 2 You're required to disclose any material facts that you're aware of that affect your property. We have a 4 fairly well-delineated area of contamination that we believe the plume is within the Elmwood Park area. Ιf 6 it's outside that area, you have no obligation to disclose anything if you're outside the area of the plume because you're likely not affected by that plume. 9 Again, I'm not giving you specific legal 10 advice, but I think that's kind of a material item I 11 think you could disclose. Because the evidence, there's 12 no information indicating it affects your property at 13 this point. MR. GRINDSTAFF: 14 The first two comments I 15 read had the name. That was beneficial to the court 16 reporter, and so I'm going to ask if you could identify 17 yourself, too. Because the minute you left your 18 cards -- if you could identify yourself. 19 MS. LAMB: My name is Christina Lamb. MS. ROBINSON: Kim Robinson. 20 21 MR. GRINDSTAFF: Who was next? Okay. 22 We'll start here and then we'll head over there. 23 MS. JEFFRIES: My name is June Jeffries, 24 and I live on Wishart. And the lady who spoke a while 25 ago, she was asking almost the same question I wanted



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Would this effect -- if you want to sell 3 your home, I was told that our property has gone down. I don't know if this is true. But I heard that it did 4 go down. And I know -- well, I don't know. 5

I know in real estate if you try to sell your home, they have to have everything that's there about your home as far as the land and whatever. So who would want to move out here.

And I don't believe even after they clean it up, people do not believe that this will be cleaned up. I mean, I'm just going to be honest about it. 13 really don't.

MR. HOEFER: With regard to -- I believe 15 l that if you have a mitigation unit in place -- a lot of people have radon units in their house. 17 intrusion, if you have vapor in your house, that's 18 taking care of the problem.

From a practical standpoint, you know, does that reduce the liveability of your home? Probably not. I mean, you have the inconvenience of having -- minimal inconvenience having a unit in your house.

Do you have to disclose that? Yes. You 24 likely may have to disclose that. May that scare 25 somebody off? It could. Would that scare somebody off?



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Frankly, it shouldn't. Your house is the same with that unit in place as with no contamination.

We understand. You say superfund and it scares people off. We understand that happens. the health perspective, we don't think that should be an impediment to people living there.

MR. PRUITT: Adolphus Pruitt, NAACP. Ι 8 have a technical question. I may be able to help those 9 property owners.

I know you want to break out into 11 individual groups and have a dialogue with individuals. |Would that be part of this record?

MR. GRINDSTAFF: Typically, they are more 14 informal, especially with health questions. When we're done with this portion, we would have the court reporter shut down that part. We would have people still be here 17 to talk.

MR. PRUITT: I guess my concern is outside 19 of individual health, just this question about the 20 grandmother's health in the plume area and other wards, 21 there may be some dialogue that comes out that addresses 22 the outline that you just read, that addresses the 23 public documents that may be a part of this public 24 record.

I'm trying to figure out: When you do this



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breakout, how does that portion become a part of the public record, especially if somebody is critically 2 sensitive? 3 4

Unfortunately, some of this is MR. HOEFER: 5 driven by the legal concerns. We're required by law to get comments on the order whether there's any aspect on whether it's inappropriate, inadequate. That is 8 required by law.

One of the reasons we have a public 10 availability session is to allow people to ask questions. Some people don't want -- particularly, if we have contamination, if we have a VI unit in their 13 house, they don't want other people necessarily to know that.

So we do have a requirement to protect personal information which people don't want revealed in a public setting. So it's intentional on our part.

We want the record really to address the statutory requirement. That is, is this order improper or inadequate? And if so, why?

Let me give a quick example. MR. PRUITT: 22|Say her grandmother's house turns out to be impacted on the plume area. Well, her grandmother has neighbors. She knows or the grandmother knows, but now the 25 neighbors didn't, nor has that information become a part



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of the public record? Because public records we would 2 have access to after the comment period, which means they will have a chance to discover that by looking at the end document.

I'm just trying to figure out how do we ensure that additional facts that are essential and critical to the residents or their neighbors get to them, even though your purpose was to answer that particular question for that particular home.

MR. HOEFER: Let me state this is not the only time to provide comments. That is how we get all of our comments. A lot of people don't want to publicly talk about their situation. They will e-mail their comments.

It's incorporated into the record that way. Any comments that are submitted into e-mail or through the mail make it into the record.

MR. PRUITT: My second question is: think that it's essential that this advisory group be 20 formed. In conjunction to that, there really needs to be an independent technical consultant that they can rely on throughout the process to keep them informed and 23 things like that.

24 I know I saw a grant process. Is that a 25 potential source to provide the community that sort of



independent voice that they can rely on and converse with in between the meetings? 3 MS. YOUNG: We have resources to help groups, community advisory groups, that can provide 4 technical assistance to help people understand documents, technical documents that they can help 7 interpret those documents. 8 So when groups are formed, we're able to 9 have independent people come and help the community 10 advisory group understand so they can bring those 11 concerns or those issues to the table and serve as the liaison between a community and here. 12 13 That process would be for comments. 14 stage right now is on the order. 15 MR. PRUITT: And for those homeowners, if 16 you really have a concern, it would cost some money, but 17 you can always go ahead and get your individual Phase 1, 18 if necessary, Phase 2, environmental study for your 19 home. 20 And that way it would give information that 21 you can give to a buyer to make sure there's no 22 contamination there. And if that information is wrong, 23 that person who provides it, they have a liability 24 | situation. So they're going to be fairly thorough in



25 providing that.

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MR. HOEFER: Let me check these two over 1 here.

MS. ESTHERS: My name is Violet Esthers. Τ understand about you all placing those things to test. In the houses that you place them, will the people be 6 trained on how they're running in case -- I mean, how would you know it's operating correctly, I guess is the question, if you don't know how it's supposed to operate?

And then you're saying the stuff will be 11 let out in the air where it's harmless. But as it's coming out, is it harmless if children are around, per 13 |se?

MR. GRAVATT: The first part of that was 15 about how the homeowner with the systems could maintain 16 them or make sure they're operating properly. contractors that install those systems are giving 18 homeowners an informational packet that helps them to understand what it's doing and how to make sure that 20 lit's operating properly.

As far as the gases that are exhausted from 22 this system, whether those are a risk to children, the 23 place that exhausts the vapors from these vapor 24 mitigation systems extends up to the roof line. It's a 25 little bit like a chimney. It does not exhaust below



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the roof level. It dissipates before it can be breathed 1 2 by anyone.

My name is Phyllis Knight. MS. KNIGHT:

I'm also here with the NAACP. I'm also here as a former 4 resident of Elmwood. 5

I want to go back to Adolphus's comments. When we get into breakout group sessions, if a person 8 that has some concerns about their health wants it to be part of public record, do we have that option tonight as 10 well, since you're saying that that part of the program is really off-record? What if we so choose to? Is that possible?

MR. GRINDSTAFF: Once the court reporter 14 stops recording, there will be nothing that will be part 15 of the official record of this particular meeting.

But you always have the option to send us a comment to say whatever you want to say. If a person 18 wants to disclose that kind of information, they are 19 free to do so.

MS. KNIGHT: Well, I certainly understand the need for neighbors and former residents of Elmwood to have some kind of understanding about what others are going through, what they may be experiencing if they so want them to.

How do you suggest that that can be done?



would be appropriate.

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1 | Knocking door-to-door or something? 2 MR. GRINDSTAFF: As Belinda was describing, 3 that's the function of the community advisory group to get information and get those guestions answered.

6 MR. GRAVATT: There are lots of ways to do that. This isn't it tonight.

MS. YOUNG: After all the comments have 9 been submitted either at this meeting or by e-mail or by 10 mail, all of those comments become a part of the public 11 record so that you can see those comments.

This process is one of the ways to comment. 13 You can also submit comments by mail, e-mail, and then 14 that becomes a public record.

And that information, any public 16 information, which I didn't emphasize as well earlier, 17 are going to be at all of those locations on the wall posted behind you, those libraries; our website becomes public information. So it will be documented however it comes to us.

MR. HOEFER: That's right. At these 22 repositories, all the comments that are made will be put 23 at the repositories. They have three repositories now.

We have this order in the repository so 25 it's publicly available. Somebody can go there and get we're doing, if that makes sense.

a copy.

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It's also on our website. As we have received comments, it's going to be a dynamic thing. throughout the time here working on the site, we will be adding things to the repository. The idea to that is we want to keep the community constantly informed of what

MR. GINDSTAFF: Time is ticking. We'll 8 have this person speak, and then there was a gentleman back here who has been holding his hand up a little bit. 10 We'll go over there next. We'll keep going. And keep your comments brief so we can hear more people.

MS. STEWART: My name is Deshad Stewart. Ι It says that PerkinElmers grew up in the area. purchased the property in '88. So you don't know who dumped the bad -- the contamination?

MR. GRAVATT: The site has gone through a 17 number of owners since it was first there in the 1950s. 18 It's not clear from the records exactly when this contaminant was all spilled, whether it was spilled at once or whether it was spilled several times over the We don't know. vears.

We do know that when PerkinElmer purchased the site in '88, they did some checking and found out 24 that this material had been released prior to them 25 | buying this.



1 MS. STEWART: And they waited until now to 2 tell us? 3 MR. GRAVATT: They've been working with MDNR before the EPA. 5 MR. BROADUS: Ron Broadus. My wife and I 6 had to have our home tested. We couldn't find anyone to test it because it was going to be a large suit with this. Who do we talk to about having our home tested? 9 MR. HOEFER: We can't recommend any 10 particular vendor. We can't recommend any company. We're not legally allowed to do that. I would imagine 11 12 any environmental company, any engineering company with 13 the expertise in doing this type of sampling. 14 The fact that it's a superfund site should 15 have no effect on their ability to do testing. I'm kind of puzzled by why somebody would have said that. 16 would incur no liability for doing it. 17 18 So you should be able to find in the 19 phonebook in the yellow pages or on the internet, likely 20 nowadays, an environmental company or environmental assessment-type company that would do this type of work. 21 22 This superfund site should not be an 23 impediment in any way. So I'm kind of puzzled by why 24 somebody would have said that. I would think they would 25 want the business, frankly.



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We had pointed out that you could get comments on the record tonight. An easy way to do it, sometimes people don't want to get up. We have those 4 blue cards and you all saw them probably when you came 5 lin tonight.

But feel free to write -- if you want anything in the record that you're not comfortable getting up and talking about, whatever, feel free to write it out on a blue card and leave it with us, leave 10 it with Belinda or Pam back there. We ask that you put your name on it. But we will ensure that we will get that into the public record. That's another way to do it.

MS. YOUNG: There's index cards and paper 15 | if you want to write something down, for time's sake.

MR. GRINDSTAFF: Let me ask a question 17 here. We've got a few minutes to play with.

How many people would like to make a quick comment or statement before we break it up? If you kept 20 it absolutely as brief as possible, let's go -- if other people have no strong objection, let's go a few more 22 minutes. We're going to start here and try to 23 methodically move around. Let's go through it very 24 |quickly.

> My name is Valerie West, and I MS. WEST:



1 have a question regarding the cleanup. In the first 2 meeting that you all had, and you had in the Power Point that in 2004 that the company EGG informed you all that 3 their cleanup efforts did not work. I went through this entire document that 5 you are proposing for cleanup. What in this document 6 will give -- states what will happen if this cleanup 8 effort doesn't work again? It took us eight years to find out that 9 10 first efforts didn't work. What is different in here in 11 these tasks to be performed that's different than what 12 they did before? 13 MR. HOEFER: One thing that's really 14 fundamental and basic and very important is that this 15 does provide for the vapor intrusion. That is the 16 primary exposure that we're concerned with at this 17 point. 18 The groundwater, nobody is in contact with 19 the groundwater. Nobody is drinking the groundwater. Soil contamination may exist at the Missouri Metals 20 21 facility. We have no reason to expect that people are

The major thing we are concerned about is 24 vapor intrusion in people's homes. We are addressing 25 that through this effort.



in contact with that exposure.

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MS. WEST: I understand that. If you stand 1 at the top of Elmridge and you pour water downhill, that water is migrating through. You're saving it's right at the top of the hill, but if I pour a glass of 4 out, that water is going to run downhill. I am downhill 5 on Elmridge. There is no way you can tell me that 6 stopped at the top of the hill, how large this plume is. This is not -- this 8 MR. HOEFER: contamination does not travel like water -- like a 10 tabletop. I mean, it's a very slow process through the 11 subsurface. So it takes years. We feel like based on the information that 12 we currently have that the contamination in the shallow 13 l aguifer is fairly well-defined and is fairly stable. 15 I'm not a geologist. I'm looking at Dan here, that given the clayey nature of the soil, given the very 16 17 tight nature of the soils, that this is going to move 18 very slowly. Am I somewhat on-point on that? Yeah. You're somewhat 19 MR. GRAVATT: on-point on that. We cannot draw a solid line on a map 20 with the data we have now. Part and parcel is to get 21 the data we need to make that determination. 22 How long will that take? 23 SPEAKER: Are there going to be provisions 24 MS. WEST: 25 for a buyout if these things don't pan out and people



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1 want to move? I'm sure there are people who have been 2 here forever and they don't want to stay. Are you going to include anything in this document to include buyouts for people that want to go? 4

MR. HOEFER: We don't think that in terms of like a buyout or anything like that, we don't think that that would be required at all. I mean, right now, we think that the exposures can be addressed through vapor mitigation systems.

We are charged by Congress to protect human health and the environment. We think we can adequately do that through the mitigation systems, et cetera. With regard to -- if you think your property is affected, you think it affects the saleability of your property, I'm 15 not going to argue that that might be the case. That's the reality of it.

Whether or not your property is any less 18 livable due to contamination, again, it very well may be the case that if you have no vapor intrusion within your residence that there's no reason why somebody can't live there forever. If they have no exposure to contamination, it's not a problem.

There's possibly the stigma that people 24 won't want to live in an area where they think there's 25 contamination. We don't get involved with -- if you



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believe there's a decrease in the value of your 2|property, we don't get involved in that. We have an 3 authority, as the EPA, to protect human health and the environment. We're not charged by Congress to protect 5 property values, if that makes sense.

MS. GLENN: My name is Alice Glen. I've resided in Elmwood for 20 years. I first want to say that the people that have gardens, they need to stop leating their food, stop eating from the ground until all this is straightened out.

But I also want to know that -- you all are 12 saying this system will work. At what percentage do you 13 think it will work? She just stated that the first 14 effort didn't come through. Okay. Do you all have a 15 track record of this type of mitigation system? Do you 16 have a track record of other areas that you worked in 17 l that would let us know about the cleanup process, you 18 know?

There are people that are homeowners and then there are other people that rent, you know. And the homeowners need to be treated just like the people that are renting. It should be all the same.

I think what you are MR. GRAVATT: Sure. 24 you're confusing what Valerie is talking about with 25 vapor mitigation system. Valerie was talking about



1 stuff done on the Missouri Metals property, at the facility itself to try to destroy the material itself. 3 They tried one particular technology in one fairly short event. That event did not fully destroy 5 the source. So that does not mean that failed, necessarily; it just means that we may have to try other things, as well. 7 Now, the vapor intrusion, the vapor 8 9 mitigation systems that have been installed on people's 10 homes, those have a great track record and are very 11 reliable. When those are installed, the contractors 12 give the home owners information on how to tell if it's 13 14 still working. If it stops working, they have a number 15 to call to get it fixed. MR. GRINDSTAFF: This gentleman has been 16 17 waiting, and then I'm going to take these two. 18 8:15, we've got to be wrapped up because we've got that 19 other group that wants to visit privately. So let's see if you can go as quickly as possible. Thank you. MR. RASHID: My name is William Rashid. 21 22 The question I have is if you have tested ten homes, 23 what percentage of that is the population? 24 MR. GRAVATT: Do you mean how many homes

25 are in the entire neighborhood? I don't know that off



the top of my head. 2 MR. RASHID: How many homes are in the 3 neighborhood. So about 10 percent, some 4 MR. GRAVATT: 5 woman is telling me. 6 MR. RASHID: Do you have any idea when 7 those tests will occur? 8 MR. GRAVATT: One thing we can talk about 9 tonight in the breakout sessions is what we can do in this next breakout session that's going to happen in 11 November. 12 There are a couple of figures that show 13 where we plan do the soil gas and monitoring well 14 installations. We'll show you where we think the plume 15 is now and how far outside of that we're going with this first phase of investigation. 16 17 It does not go to Dielman. We will move 18 outward in steps. When we feel we've found the edge of 19 the contamination, we will stop. 20 MR. RASHID: I have one more statement. 21 One of the ladies stated that we shouldn't be eating 22 Is that a true statement? from our garden. 23 Again, that's outside my area MR. GRAVATT: 24 of expertise. You'll need to talk to some of the



toxicology people here.

1 MS. LEWIS: My name is Neva Lewis. right on Elmridge like on top of the hill, or right behind -- or like right on the side of my house is kind of a block off. Water was bubbling out of the ground. I was wondering if that was the chemical coming out of 6 the ground. 7 MR. GRAVATT: I know the area that you're talking about. I've driven by that area a couple of 8 That is not related to the contaminant plume. times. There is some sort of problem with the irrigation 10 11 system. A person with the Housing Authority is telling me that's a problem with the irrigation. 12 MS. LEWIS: Since I'm kind of close to the 13 14 place, is my home going to get tested anytime throughout 15 this process that you all are doing the cleanup? MR. GRAVATT: Again, that's not something I 16 17 can answer right now. But we are collecting additional 18 data that will let us know if homes are at risk. 19 will contact the homeowners to arrange that sampling. 20 MS. JORDAN-IZAGUIRRE: Can I just answer the garden issue? I'm Denise Jordan-Izaguirre. 21 with the Federal Agency For Toxic Substances and Disease 23 Registry. I'll get that out of the way. 24 There is no reason -- and I just checked 25 with the EPA's toxicologist. There's no reason -- and



the state toxicologist. There's no reason you can't garden. VOCs do not get into the root vegetables. They 2 3 don't get on to the tomatoes. It isn't uptaken. There are some contaminants. But none of them here are the 4 5 kind that will be uptaken. We've done lots of studies on -- I will 6 tell you to keep growing your vegetables. It's 8 healthier than what you're getting at the store. This will be the final .9 MR. GRINDSTAFF: question. Again, Belinda has said it numerous times: 10 This isn't it. A listening post will go on. You can e-mail. You can mail. Again, if you want things in the 12 public record, you've got a variety of way to do that. This isn't the end tonight. 14 15 Then we'll have a breakout session. None of you all live in this 16 SPEAKER: area. You're telling us to eat the food. You all don't 17 I would like to know what exactly you all 18 l live here. 19 would do. 20 MR. GRINDSTAFF: Let's go ahead. And then we will break up and conversations can continue. 22 have people at different areas. I have one other 23 statement to make. 24 MS. BRANCH: I live on top of Elmridge Road

25 for 43 years. Now, my house has been tested three

I do not have that system in my house to clean 1 times. it out, and I would like to know why. 3 MR. GRAVATT: Well, the results from the 4 sampling indicated that you --5 MS. BRANCH: That I did. MR. GRAVATT: But if it's below the 6 health-based risk level --MS. BRANCH: 9.32. We met with -- I forget 8 9 what her name is. 10 MR. HOEFER: This is John Frey. 11 MR. FREY: We did meet. You know, the 12 thing is that there is a level that the EPA and the 13 health folks have established that states if you are 14 below this level, that you are okay. We met with Ms. Branch, correct, and I 15 16 believe we -- I thought we explained that to you when we 17 met with you that your home did not meet the levels that 18 would require a vapor mitigation system. 19 But it was in the elevated MS. BRANCH: 20 llevel. It was in a level that was below 21 MR. FREY: 22 Inon-detect. 23 MS. BRANCH: Would you live there? 24 MR. FREY: I mean, all I can say is that it 25 was below the health standard for what we said. I don't

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have the records in front of me.

For a TCE that's .2 micrograms per meter 2 And PCE is -- I think it's 9.1 micrograms per 3 cubed. meter cubed. 4

MR. GRINDSTAFF: All right. Let's go ahead and break up. Some people specifically are requesting this. We want to make sure they've got time before we have to shut down.

Let me tell you one more thing besides the 10 fact that this process is ongoing; that is, one of the groups that will be in here, we have environmental, we have health. We also have representatives from 13 PerkinElmer who are here tonight, too.

If they would introduce themselves briefly, then you'll know who they are, as well. Then we're 15 l going to go ahead and adjourn after this introduction 17 and the court reporter will be finished.

MS. WASCO: Good evening. My name is 19 Stephanie Wasco. PerkinElmer is a U.S.-based company. 20 Our headquarters is based in Boston, Massachusetts. We've been operating for approximately 75 years.

We're here today so you're able to put a 23 face to PerkinElmer and be able to answer questions 24 after the meeting. I'm here with Tom Zychinski. 25 has been working very closely with MDNR, as well as the



1 EPA. He will be here with me as I'm not a technical or 2 environmental expert. 3 We want to convey that your health and 4 safety is important to us. We're committed to the community. We're committed to staying here and 6 answering your questions. Thank you. And I look 7 forward to speaking with you. MR. GRINDSTAFF: Then the formal part of 8 this meeting for RCRA purposes is now adjourned. 10 will be moving into the breakout. 11 (The meeting was adjourned at 12 8:19 p.m.) 13 14 15 16 17 18 19 20 21 22 23 24 25



CERTIFICATE OF REPORTER

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I, Celena D. Moulton, Registered Professional 4 Reporter and Certified Court Reporter and Notary Public within and for the State of Missouri do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, 11 nor employed by any of the parties of the action in which this deposition was taken, and further, that I am 13 14 not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or 15 otherwise interested in the outcome of the action. 16

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State of Missouri
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