In The Matter Of:

CHEMOURS' DISCHARGE TO GROUND WATER PERMIT-BY-RULE APPLICATION

September 26, 2017

JH Buehrer & Associates

1   STATE OF NEW JERSEY

2   DEPARTMENT OF ENVIRONMENTAL PROTECTION

3   PUBLIC HEARING

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     IN THE MATTER OF: :
6   :
     CHEMOURS' DISCHARGE TO   :
7   GROUND WATER   :
     PERMIT-BY-RULE APPLICATION:
8   FOR THE FORMER DUPONT   :
     POMPTON LAKES WORKS SITE   :
9   ---------------------------:

10

11   DATE: September 26, 2017

12

13   TIME: 7:00 p.m. to 9:00 p.m.

14   Carnevale Center at Saint Mary's
                10 Lenox Avenue
15   Pompton Lakes, NJ 07442

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23   J.H. BUEHRER & ASSOCIATES
                BY: TRACEY L. PINSKY, CCR,RPR
24   CERTIFIED COURT REPORTER
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1   INDEX

2   SPEAKERS   PAGE

24

25

1   MR. HOWITZ: I'm going to open the hearing

2   now. Let the record show that the time is 7 o'clock

3   and the public hearing is now open.

4   This hearing is regarding Chemours'

5   Discharge to Groundwater Permit-by-Rule Application for

6   the former DuPont Pompton Lakes Works Site which has

7   been submitted to NJDEP as part of Chemours' proposed

8   Hydraulic Surcharging Pilot Study to address

9   contaminated groundwater.

10   This hearing was advertised in the Record

11   newspaper on August 27th and in the Suburban Trends

12   newspaper on September 13th.

13   My name is Wayne Howitz. I am the

14   Assistant Director of the Remediation Oversight Element

15   in the New Jersey Department of Environmental

16   Protection Site Remediation & Waste Management Program.

17   With us tonight from DEP are Anthony

18   Cinque, Dave VanEck, Heather Swartz and Nicole

19   Kozlowski. Anthony is the DEP case manager for the

20   former DuPont Pompton Lakes Works Site. Dave is the

21   geologist. And Heather and Nicole are both from the

22   Office of Community Relations. Heather is the DEP

23   Community Relations contact for this site.

24   Also, here tonight to give a short

25   presentation on the Permit-by-Rule Application is Dave

1   Epps. He is Chemours' Project Director for the former

2   DuPont Pompton Lakes Works Site.

3   This public hearing is part of the public

4   participation process for a NJPDES Permit-by-Rule

5   application which is established according to the rules

6   in the New Jersey Administrative Code at 7:14A-15. The

7   purpose of the hearing is to provide the public with an

8   opportunity to be heard on the proposed permit action.

9   The Department will be accepting verbal

10   and written statements tonight. Please note that

11   verbal and written statements have equal weight; so if

12   someone is not comfortable speaking, and just has a

13   written statement prepared, they can either submit them

14   back at the registration table or to us up here, and

15   they will receive equal weight as verbal testimony.

16   The purpose of tonight's hearing is to

17   receive your comments and concerns on the Chemours'

18   Discharge to Groundwater Permit-by-Rule Application. I

19   would like to emphasize that we will be focusing on

20   Chemours' Discharge to Groundwater Permit-by-Rule

21   Application tonight, not the Hydraulic Surcharging

22   Pilot Study.

23   Information on the Hydraulic Surcharging

24   Pilot Study is available and the Implementation Work

25   Plan which is available on the DEP's web page for the

1   former DuPont Pompton Lakes Works Site. The web

2   address is provided in the handouts you received when

3   you signed in.

4   We generally will not be responding to

5   comments this evening. The Department will respond to

6   all significant and relevant comments, both verbal and

7   written, in a "response to comments" document that will

8   be issued along with the final decision that the

9   Department renders on this permit application. The

10   permittee and each person who has submitted comments

11   will receive an electronic copy of the final decision

12   document with a response to comments section.

13   The final decision document will be placed

14   on the DEP's and EPA's web pages for the former DuPont

15   Pompton Lakes Works Site and at the local public

16   library. Again, the web addresses are provided in the

17   fact sheets that were given to you when you signed in.

18   Please be sure to leave your email address with the

19   registration desk if you want to receive an electronic

20   copy of the final decision document. Anyone who cannot

21   provide an email address, but does provide us with a

22   mailing address, will receive notice from the

23   Department of the final action.

24   Please note, that the public comment

25   period began on March 26, 2017 and will end on October

1 26, 2017. The Department will accept comments received

2 up to the close of business that day. Mailed comments

3 must be post-marked by October 26th.

4   At the table in the rear are the public

5 hearing rules of procedure. There is a sign-up sheet

6 at the registration desk, We are asking everybody to

7 sign in. Again, if you don't wish to testify, but have

8 written comments, you can submit them at the

9 registration desk, there is a specific box designated

10 for that purpose. Any person wishing to speak, must

11 fill out a registration card. Heather and Nicole will

12 be circulating around the hall with speaker cards, so

13 if you haven't filled one out and you wish to speak,

14 you can get a speaker card from them or from a stack of

15 speaker cards on the registration table.

16   When I call you up, please speak clearly

17 and spell your name for the record. We have a Court

18 Reporter here who will be making a record of tonight's

19 testimony. If speakers are speaking on behalf of a

20 particular organization, we also ask that you identify

21 that organization. If you have a copy of your

22 testimony, please provide a copy to our Court Reporter.

23   We want to hear from everybody and we want

24 to give everybody the opportunity to speak. In view of

25 the time limitations, I am asking each speaker to

1 please limit their testimony to five minutes. I will

2 be using a timer to set five minutes per commentator.

3 I will notify you when your five minutes begins, when

4 you have one minute remaining, and upon reaching five

5 minutes. Individual speakers may only testify once

6 until we hear from every person who is here and wishes

7 to give testimony.

8   If time permits, and there is an

9 opportunity at the end of the hearing, and a person

10 wants to testify for a second time, if we can

11 accommodate you, we will. We ask that you go back and

12 sign a second registration card so we have those people

13 identified. We are asking that all speakers and

14 members of the audience respect the right of each

15 person here to be heard.

16   This hearing will end at 9:00 p.m., or at

17 the close of testimony, whichever occurs first. I will

18 now turn the presentation over to Dave Epps, who will

19 now give information about the Discharge to Groundwater

20 Permit-by-Rule application. After the presentation, I

21 will open the hearing for testimony.

22   Dave?

23   MR. EPPS: Good evening. My name is David

24 Epps, I am a Registered Professional Scientist. I am

25 with the Chemours Company, I am the Project Director

1   here for the Pompton Lakes site.

2   So why is the Permit-by-Rule needed? It's

3   required for any discharge to groundwater by the

4   Administrative Code. So anybody who has a discharge to

5   groundwater, like ours, we have to get a permit for it.

6   When you change the location of where that water is

7   being discharged, it requires a change in the permit,

8   you need a Permit-by-Rule to do it; and if that

9   discharge is greater than 180 days, you need a

10   Permit-by-Rule to do that. All of those things are

11   part of what our permit application is for.

12   We have an existing discharge system at

13   the site, and it's under the NJPDES program. It's for

14   treating groundwater from the pump and treatment system

15   that's on site that acts as a containment system. It's

16   permitted, like I said, under the NJPDES program. That

17   water, then, is treated, it goes to twelve individual

18   infiltration beds, or galleries, that are,

19   approximately, zero to ten feet below the ground

20   surface, it's a gravity discharge system, it's not

21   under pressure.

22   That discharge system, from an engineering

23   standpoint, if any of you are engineers, it is 14

24   square feet of open area, of the piping, it's been

25   operating since, approximately, 1998. And where they

1 discharge to is beds along Barbara Drive. And at the

2 end of Barbara Drive, along the railroad tracks, there

3 is a series of beds out in what was called the soccer

4 field. The discharge operations do have an effect on

5 the local water table. Groundwaters at elevations are

6 measured directly adjacent to the galleries, or the

7 open -- or the pits that the water goes into, and that

8 during times of increased precipitation, like we have

9 seen here over time, the water table elevation does

10 rise. We measure that rise over time and we keep track

11 of it. We measure those things on a monthly basis and

12 we report that information back to the DEP.

13   So this is a figure that shows where the

14 infiltration galleries are. So we have a series of

15 discharge basins, those are the ones that are out on

16 the soccer field, those are the ones along Barbara

17 Drive. We do -- those are the wells that we monitor on

18 a regular basis for the water table elevations, and

19 it's important to us to monitor those so we know how

20 groundwater moves.

21   As I said, we do monitor these wells even

22 during times of high rain events where you would expect

23 to have a lot of groundwater infiltration, and you can

24 see the yellow line here, this is during a time where

25 we had a lot of rain in 2011. You can see from the

1 yellow line that we had a very sharp increase in rain.

2 And then these are the wells that are out there that we

3 monitor on a regular basis, and you can see that when

4 the rain starts, as it increases in intensity, the

5 water table does rise, and as it falls down, the water

6 table comes down with it.

7   Even during the time when we were told

8 that in 2011 we had some of the most intense rain here,

9 that elevation of the water table never got to where it

10 would impact the residences along Barbara Drive or on

11 the other side of the railroad tracks, I believe that

12 is Durham Street.

13   So our Permit-by-Rule application for

14 this, what we are applying for now, is to treat

15 groundwater from a site pumping system into,

16 essentially, a horizontal well. Most wells that people

17 think about are vertical. This well is going to be

18 turned on its side. It is, approximately, 1,400 feet

19 long. It will be installed from anywhere from 20 to 25

20 feet below ground surface. So that water that is going

21 into the subsurface is down in and put in at that depth

22 versus the depths of where we operate at now, anywhere

23 between 10 and 15 feet below ground surface.

24   Its discharge is into the same geologic

25 formation that we discharge to now. The effective

1   discharge area, which is the area that the water comes

2   through again, which is, approximately, the same as

3   what we have currently. The water table elevations

4   will be monitored during the operation of this pilot

5   study. We do it for the same reason we do it for the

6   old system, or the existing system, so that we can see

7   what response the water table has, to not only the

8   water that's coming out of the well, but also in

9   response to rainfall. We are going to pilot this

10   system for a period of, approximately, a year.

11   One of the things that we have heard is

12   that as the water table elevation rises, that there is

13   a big concern about that, and rightfully so, but what

14   we have in the system designed into it are some

15   fail-safes that allow us to divert the water from the

16   horizontal well back to the infiltration galleries, if

17   that rise in the water table gets to a level that we

18   would deem unacceptable.

19   So this is a picture, and it's in your

20   handouts, probably, better, the horizontal well will

21   run along the railroad track. There are a number of

22   points where the water table will be monitored

23   directly, adjacent to the well, on both sides of the

24   well, so that we can understand what is happening as

25   that water goes in.

1   Prior to submitting this Permit-by-Rule

2   Application, we looked at the operation of our system

3   that's been operating for -- since 1998, and we have a

4   lot of real-world information to use as we look at the

5   response to the aquifer or the soil beneath your feet,

6   what it will do when that water comes in. We know that

7   from a standpoint of the science end of things, that we

8   look at three distinct things. We look at

9   permeability, which is the ability of material to allow

10 fluid to pass through it. We look at gradient, we look

11 at -- that's the slope of the water table. And we look

12 at hydraulic conductivity, which is, again, a measure

13 of a material's ability to transmit fluid. All those

14 are important things. And as you think about it like

15 pouring a bucket of water on the sand at the beach and

16 you see that water, sometimes it goes down very

17 quickly, and sometimes it doesn't, and that's a

18 measure, essentially, of those three properties of the

19 sand, or any material that you look at, for the

20 properties of how water moves through a material.

21   We have established and measured these

22 things through a number of, what we call, pumping

23 tests. We put a well into the ground, we pump it, and

24 we look at the response to the water table in the

25 aquifer, and you can measure what those properties are

1 by doing pumping tests that way. We've used the data

2 from over twenty years of operation on our current

3 system, which is discharging the same water at the same

4 rate into the same geologic formation, so we have

5 actual measurements of what happens.

6   We also have the monitoring wells we

7 talked about earlier that are around our existing

8 system, and we can go back in time and we can look at

9 when rainfall happens, what happens to the water table,

10 and we can do that since the system was put in.

11   We know that basement slabs are,

12 typically, nine to ten and-a-half feet above the water

13 table, and that based on the computer modeling and the

14 real-world applications that we measure on a monthly

15 basis over the last twenty years, that the model that

16 has been developed for the existing system, and as we

17 use it as a predictive tool for this system, we know

18 that where that horizontal well lies in the ground,

19 directly above that well we see about a two foot rise

20 in the water table, And as you move away from the

21 center line of that well, the water table rises about a

22 foot and-a-half.

23   And at the pumping rates that we operate

24 at now and that we propose to operate at, that's what

25 we have seen out in the real-world, and that's what our

1   predictive model tells us from all the model runs we

2   have done, and we have varied characteristics of the

3   aquifer in those model runs to see whether or not we

4   are off by a factor of ten what will happen. We look

5   at if the gradient increases, what will happen, and

6   this is what we see.

7   What I want to leave you with, this is a

8   lot of technical stuff that's in your handouts, but

9   what I want to leave you with is a, essentially, a

10   comparison of our operating requirements now and the

11   operating requirements under this Permit-by-Rule. If

12   you look at it, it is almost identical. We monitor

13   flow into the galleries now. We will monitor flow to

14   the horizontal well. We inspect our system components,

15   we do it daily, I think our permit doesn't require us

16   to do it on a daily basis, but we do. We measure

17   groundwater elevations on a regular basis, and that's

18   what we will do here as well. We would have to meet

19   the New Jersey DEP discharge requirements for that

20   water which is a drinking water requirement. We have

21   met that since the operation of the system. We provide

22   quarterly reports to the DEP on the operation of our

23   system and of all the data that we collect. We have to

24   maintain the system components, and not as much as a

25   requirement of the permit but more as a requirement of

1   the system. If the system isn't maintained right, it

2   doesn't operate right. If it doesn't operate right,

3   then we have to go and figure out why. So by

4   maintaining the system components, clearing the wells,

5   cleaning the lines, cleaning the beds, we maintain the

6   optimum performance of that system so that it reacts as

7   our groundwater model would predict it to.

8   The last thing we have is the requirement

9   to operate in accordance with the permit. There are a

10   number of requirements, a lot of them are on this

11   slide, there are others. Those requirements are

12   transferred directly to this permit application as

13   well.

14   And With that, I am finished.

15   MR. HOWITZ: Thank you, Dave.

16   Now we will be hearing questions and

17   comments. Audience members who have already filled out

18   speaker cards will be given the first opportunity to

19   speak. When I call your name, please step up to the

20   microphone and give your name. It would help the

21   transcriber if you could spell your name; and if you

22   are representing any organization, please, let us know.

23   Please try to limit your questions and comments to

24   under five minutes. I am using a timer, I will notify

25   you when you have one minute remaining and upon

1   reaching five minutes. If time allows, you will be

2   given the opportunity to make additional comments, but

3   only after everyone who wants to testify has had an

4   opportunity to speak.

5   Heather and Nicole will be circulating

6   with blank speaker cards; so if you decide you want to

7   speak, please fill out a speaker card, and you will be

8   placed on the list.

9   Again, the first speaker, or the first

10   commenter, is Greg Cockefair. Can you spell your name?

11   MR. COCKEFAIR: My name is Gregory Wayne

12   Cockefair, C-o-c-k-e-f-a-i-r. I live in town, and I am

13   quite concerned about this town. I am also part

14   Native-American. My family hails from this area for

15   thousands of years. You have a universal problem, not

16   only you, but there are many other communities that

17   have chemical problems, they really do need to be

18   solved by this generation of people. And I speak for

19   the millennials who are here to do this change, and it

20   is my prayer that in some way we will be able to make

21   Mother Earth, my life, because I'm also ashamed, my

22   life, pure again, so that the waters may flow and the

23   air may just be breathable and just drinkable. And the

24   mayor, who I know very well, I just pray that this be

25   done right, but, also, I pray that this be done,

1   period.

2   And we really do have to exchange one life

3   to another, life of pollution to a life of purity, and

4   that can only be done with we the people of the United

5   States of America, all of us. That's all I have to

6   say. Thank you.

7   MR. HOWITZ: The next speaker will be Ken

8   Doka.

9   MR. DOKA: That's all right. The next

10   person can go ahead.

11   MR. HOWITZ: You pass?

12   MR. DOKA: Yep.

13   MR. HOWITZ: Ms. M-u-c-d-e-r? Let's start

14   over with M-u-l-d-e-r, are you here?

15   Frank Jaconetta?

16   MR. JACONETTA: My name is Frank,

17   F-r-a-n-k, Jaconetta, J-a-c-o-n-e-t-t-a, Councilman

18   here in Pompton Lakes, lifelong resident. Thank you,

19   it's good to finally see you here. The first thing,

20   the slide presentations, does anyone have copies? Can

21   I look online? It is lengthy, and I'd like to have it,

22   if you can provide that, I would appreciate it.

23   The main question I just want to ask, I

24   had several residents contact me, right, that can't be

25   here tonight, they got other things going on with their

1   children and everything else. And it also concerns me

2   too, as well as it does them, as representative of the

3   town, that before any work begins that you give

4   approvals to DuPont, I want assurances, I don't care

5   what Dave Epps or anyone else says, I want assurances

6   by DEP to force DuPont before any work begins that if

7   anything happens to anybody's house, any flooding,

8   anything happens, that they are going to take care of

9   it. I don't want to learn afterwards when something

10   already happened that they have to come to me or the

11   Mayor and say, listen, my house is flooded, what do I

12   have to do next? They have to contact you, they go

13   around and around, have to take pictures and put in,

14   you know, different things with the insurance

15   companies, have to provide your insurance company, your

16   insurance company, this is all nonsense.

17   If you are going to put that in the

18   ground, before you do, I want assurances for the

19   residents. I am their representative. I'm asking for

20   it. I'm demanding that before any work begins, I want

21   assurances for all the residents, my friends and

22   neighbors, my family, that before any work begins that

23   you will cover anything that happens to any of our

24   houses. Anything. That's all I have. Thank you.

25   MR. HOWITZ: Thank you.

1   Our next speaker is Bruce Foote. Can you

2   spell your name?

3   MR. FOOTE: My name is Bruce Foote,

4   F-o-o-t-e, I'm a resident of Pompton Lakes. I'm not in

5   the plume area but I'm concerned.

6   A couple of key questions that I developed

7   from the readings online. There were -- liquid

8   conductivity of soil can be quite variable,

9   nonhomogeneous and only sporadically sampled and

10 tested. You might want to have more sites tested,

11 because I understand soil is sometimes in some areas

12 clay has been pretty processed and so forth. I

13 understand that there are only four Piezometers -- is

14 that how you say it -- the monitoring stations on the

15 north side of the right of way, there are only four,

16 and those are only going to be measured twice per week

17 during the startup and during the flow rate ramp-up.

18   I think maybe -- you folks know what the

19 response time of the aquifer is, however, the

20 consequence of missing and having water rise in the

21 basements or getting along and reduce the VOC

22 capability is of serious concern, so maybe we want to

23 measure more often in the beginning and at more

24 locations. A thought I had, maybe automated basement

25 monitoring in each residential building similar to

1   those in the inhouse water usage metering used by the

2   MUA, where an authorized vehicle can drive past and

3   read them. The local Optimum WiFi, it's throughout

4   that whole area so you have a basement monitor that

5   sits on the floor ready to detect water coming in, just

6   as an assurance of that, it can't be that expensive in

7   quantities, and it is hooked up to the local WiFi.

8   Heavy rain has an impact on the aquifer elevations and

9   also the VOC efficiency based on elevations, that water

10 coming up, I am told, challenges the VOC readings.

11   Second point, I recommend not destroying

12 the leaching fields until long after approving the

13 hydraulic surcharge operations, through start-up, flow

14 ramp-up until limited by either permit or flow rate. I

15 am suggesting that as a fall-back position in case the

16 well misbehaves, you should be able to divert back to

17 the leaching field and keep that flow going so it stays

18 clean, and you have that reverse flow back towards

19 DuPont continuing to operate as opposed to losing any

20 going forward. Past requirements to purge the leaching

21 fields of buildup of magnesium crystals from the

22 pumping stations may also develop clogs or clots or

23 residual solids building up in the surcharge well.

24   This filtration of the flow is expected to

25 prevent solids or sedimentation buildup, or will there

1   be a necessity for a disassembly or maintenance

2   accommodations to be built into the well in

3   anticipation of the well failing and having to be

4   cleaned out before it can restart and then divert that

5   flow back to the leaching fields meanwhile and then

6   re-bring it in. I didn't see anything in the data

7   about anticipating being able to pull that high

8   pressure line out of the system, coil it up, clean it,

9   purge it out, and slide it back in. Is there an

10 anticipated method to clean the 2-inch by .012 inch

11 slots along the well in the event of unexpected

12 surcharge. It's like putting a plug -- pig in there,

13 and running it down and causing flow through those

14 slots to clean it out so that it's ready to reset the

15 vibration line.

16   Those are a couple of the questions I had

17 about monitoring often enough to give these people the

18 assurances that you're are not going to challenge their

19 basements so they can sleep at night as opposed to

20 running down every 10 minutes and checking their

21 basements to see if there is water coming in. Because

22 if that water starts coming in, guarantee it pollutes

23 their entire basement and all their belongings and

24 everything else, so that's it.

25   How much time did I take?

 1   MR. HOWITZ: By this clock, you have

 2   thirty-two seconds left. Thank you.

 3   Out next commenter is Vojo Cogura. Can

 4   you spell your name.

 5   MR. COGURA: My name is Vojo Cogura, I

 6   live on 76 Barbara Drive, V-o-j-o, C-o-g-u-r-a, 76

 7   Barbara Drive, Pompton Lakes.

 8   I've been a resident of Pompton Lakes

 9   since 1993. I live across the street. They started

10   with the first phase of the pump and dump system, or

11   what the hell they had going on. They put over four

12   billion gallons of water underneath our homes for the

13   last twenty years. I don't know if you people

14   understand how much water is in the ground, it's 200

15   million gallons a year times twenty, that's four

16   billion gallons of water. Okay. There are six wells

17   that they pump out, because Dave Epps, I was with him

18   at an arbitration hearing and he didn't as a

19   professional know how much water comes under my house,

20   okay, that was on August 1st. He's a geologist. And

21   my calculations that went under my house, okay, in ten

22   years. First thing is '97 to 2007, was 300 million

23   gallons of water (inaudible), that's in ten years.

24   Now, ten years later, my wife developed cancer and she

25   died one year later, okay.

 1   Now, another ten years -- not ten, that

 2   was 2010, I'm sorry, now we are going another seven

 3   years. This is twenty years of pumping and dumping

 4   underneath those homes. Okay. What are they going to

 5   do next? They are pumping behind my house, before it

 6   was in front of my house in the field, and now it's

 7   behind my house, and now that field have people there.

 8   God bless the people that are going to be living there

 9   that have water coming into their house, I feel sorry

10   for you, because you continue to let these people dump

11   on us like they have been doing, and allowing the State

12   and the Government to let them do it, they should be

13   arrested for murder. Because there are a lot of people

14   sick around my neighborhood. My next door neighbor is

15   sick. She is suing them. The guy behind us on the

16   tracks, right over 300 feet away from me, his wife just

17   passed away, she was fifty-four years old, same stuff

18   my wife die from. You know, two, three doors over, Mr.

19   Brown, he was about seventy-four years old, brain

20   cancer, two times operation. The guy down the street

21   at the end of my block on Barbara Drive, fifty-four

22   years old, liver cancer. Okay. This is the stuff that

23   is directly affected by DuPont and what they did to us,

24   all right, there's a lot of people sick over here, a

25   lot of people.

 1   Let me explain to you, in one year, okay,

 2   in one year, thirty million gallons of water they put

 3   underneath my house, okay, it filled up my swimming

 4   pool, which is a built-in pool, sixteen feet wide by

 5   thirty feet. Okay. Three times in one day, that's how

 6   much water comes into my house, okay, three times a day

 7   I have to pump my pool out, twenty-four thousand

 8   gallons, seventy-five thousand gallons of water coming

 9   underneath my home a day. Am I supposed to feel safe

10   about this, it's contaminated water, it's not drinkable

11   water. I wish that son of a bitch would have drank the

12   water, he's telling everybody here drink the water.

13   The last time at the meeting I gave him water to drink,

14   he wouldn't drink it. The people who were here were

15   too scared to drink it.

16   I don't mind jumping over a fence. I

17   don't mind getting arrested. I will jump over there

18   any day for anybody here, okay, to test the water,

19   because that's what they're doing, they're pumping

20   dirty contaminated water, treating it and pumping it

21   underneath our homes. How would you feel about wearing

22   a pair of pants that were dipped in oil and they were

23   washed, would they smell the same? No. They think

24   nothing about contaminating the whole neighborhood.

25   Pompton Lakes is a beautiful town, beautiful people

1   here, it's a working class community, working class

2   community, we are getting dumped on by them, and they

3   don't -- we weren't even notified the first time

4   around. Whatever they were doing and reporting on the

5   soccer field, looked like a spaghetti bowl what they

6   did over there on the soccer field, I used to play on

7   the soccer field, my kids played on that soccer field.

8   It was a spaghetti bowl what they did. I asked the guy

9   where is the drinking water, you know what, that's your

10   drinking water. I'll make a special Kool Aid and I

11   will send it down to Maryland to where they are at

12   DuPont, where they issue all that funding. Why don't

13   they take their water and stick it over by them. Why

14   do they give it to us? We got it underneath our homes,

15   now all of a sudden you want to tell us ten years

16   later -- after you've contaminated us for ten years,

17   then all of a sudden we have a problem with our

18   aquifer. After ten years of dumping nobody says a

19   thing, but '97 to 2007, nobody said a word, nobody knew

20   nothing about it. How come ten years later they tell

21   us we have a problem? Because they've been dumping the

22   whole time and they knew about it, and they did nothing

23   but contaminated our water wells and our homes, that's

24   all on them, they did it.

25   Let's be careful, be careful of what you

1   are buying into, be careful of what you sign on for,

2   because this is going to be a problem.

3   MR. HOWITZ: Thank you very much.

4   Donna Patterson -- Dana Patterson, I'm

5   sorry. Again, my apologies.

6   MS. PATTERSON: Hi, my name is Dana

7   Patterson, D-a-n-a, P-a-t-t-e-r-s-o-n, and I'm a member

8   of the Pompton Lakes Community Advisory Group.

9   I want to thank you for accepting my

10   public comment today. Just a point of question before

11   I start providing my comments, the public notice claim

12   for the comment period started on March 26, 2017 and

13   that's what DEP currently has on their website, and I

14   believe that is an error, and I just wanted to make

15   sure that that is corrected because that is very

16   misleading.

17   So, in addition to some of the concerns by

18   the residents and Councilman has already raised

19   regarding flooding insurance and risks, I would like to

20   identify two technical concerns. The proposed pilot

21   study claims that water will be discharged at a rate of

22   120 to 140 gallons per minute, surcharging would

23   increase the groundwater flow at the higher

24   permeability interval of the local shallow aquifer.

25   From DuPont's proposed plan we can deduce that they are

1   trying -- they are relying on simulations to conclude

2   that their activities will not flood the basements.

3   Their model includes many assumptions and

4   raw data that is not disclosed to the public in the

5   pilot study plan so we have no idea if they are

6   assuming that infiltration will occur homogenously

7   along the pipe or some areas will experience a much

8   higher flow. This information is absolutely critical.

9   We are requesting that the supplemental information be

10 made available to the public before the close of the

11 comment period. The pilot effort should not be able to

12 significantly modify water levels, yet, added water

13 pressure and rise of the water table could affect homes

14 and infrastructure. We are calling for water level

15 sensors to be deployed in monitoring wells to

16 continuously monitor water levels in order to confirm

17 that water levels will not be impacted by this effort.

18   Additionally, to establish a baseline

19 comparison while the pilot effort is underway and to

20 confirm that the mitigation objectives are being met,

21 we are calling for an evaluation of the mitigation

22 system performance before the pilot effort begins. The

23 water levels in and adjacent to the buildings should

24 measured and documented at an appropriate space and

25 frequency. The current proposal includes a relatively

1 low frequency monitoring schedule of about two times

2 per week and then monthly; however, we are recommending

3 that this be an automated high frequency alert -- with

4 an alert level be established so that actions can be

5 taken with sufficient time levels to prevent any

6 adverse effects or impacts.

7   Another point that I am raising is,

8 regarding Pompton Lakes sitting on the top of the

9 Ramapo fault line which forms the boundary between the

10 Highlands and the Piedmont Provinces. There was a 2015

11 Passaic County Disaster Mitigation Act and 2000 Hazard

12 Mitigation Plan Update for Passaic County -- that's the

13 name of the report -- that came out that said that the

14 Ramapo fault is the most seismically active fault in

15 the region. It continues to say that the probability

16 of damaging earthquakes affecting the Passaic County

17 area is low; however, there is a definite threat of

18 major earthquakes that could cause wide-spread damage

19 and casualties in the County and throughout New Jersey.

20 Furthermore, the report discusses a link between

21 increased earthquake activity and climate change saying

22 that secondary impacts of earthquakes could be

23 magnified by future climate change. Soils saturated by

24 repetitive storms could experience liquefaction during

25 seismic activity because of the increased saturation.

1   So I am asking you to please include this

2   information, how would a natural disaster such as an

3   earthquake like this affect the horizontal well? What

4   would be the impact on water and gas lines since we are

5   on the Ramapo fault. Will this increase flooding?

6   Will this cause a pipeline rupture? What will happen?

7   We need to know the risks of that.

8   Another question I have is the proposal

9   includes infiltration near the railroad tracks --

10   MR. HOWITZ: One minute.

11   MS. PATERSON: -- yet, due to the extreme

12   compaction in these areas for maintaining structural

13   integrity, which is common in railroad track areas, the

14   hydraulic conditions tend to be less than ideal, and so

15   we need to understand how this area near the railroad

16   tracks, where it might be an area where you don't

17   commonly monitor, how does this compaction impact the

18   hydraulic flow and it has been recommended that areas

19   near railroad tracks are generally avoided because

20   models cannot always predict what happens in these

21   areas in these unknown soil structures.

22   Thank you for taking my comments.

23   MR. HOWITZ: Thank you very much.

24   Cheryl Rubino? Can you spell your name,

25   please.

1   MS. RUBINO: Cheryl, C-h-e-r-y-l, last

2   name is Rubino, R-u-b-i-n-o. Resident of 140 Perrin

3   Avenue, Pompton Lakes, New Jersey. I live one house

4   off the railroad tracks. Pat Corcoran at 142 Perrin

5   Ave is right next to the railroad tracks, okay, so,

6   first, let me start by thanking the EPA, because I have

7   been nagging them since 2012 for this hearing, and,

8   also, Heather Schwartz, wherever you are, thank you. I

9   appreciate you granting this hearing. I also want to

10   thank Councilman Jaconetta, you speak for every one of

11   us when you said what you said.

12   My biggest concern, and I have said it

13   since day one, is the fact that my house can flood.

14   They have never, ever, ever tested the elevation or the

15   water level or the soil or the rock or hydrogeology or

16   geology whatever the heck you want to call it under the

17   residence, at all, ever, so I have no idea where that

18   shallow ground water aquifer starts, number 1.

19   First and foremost, if there is a,

20   quote/unquote, a fail safe, and DuPont has no worries

21   at all, they should be providing the residents a policy

22   to ensure them that nothing will happen. If they are

23   that 100% sure that this is going to work, they should

24   not have a problem stepping up and protecting the

25   residents, at all.

1   Dana brings up the earthquake and the

2   Ramapo fault line, we just had one yesterday, 1.5

3   magnitude in Morristown, okay, so there's majors

4   concerns what will the fault line do to this surcharge

5   well, let's just -- I mean right in the newspaper,

6   okay? Let me just continue on real quick.

7   So how would that natural disaster work?

8   Okay. I have actually tried to protect myself, there

9   is no way for me to protect myself with an insurance

10   policy. I have called every, every, every agency,

11   including, Lloyds of London and State of New Jersey

12   insurances, there is no way for me to get my own

13   policy.

14   The groundwater modeling that was done in

15   this study was not accurate, they did not provide all

16   of the data in the plan that they posted on the EPA

17   website. It has not been made accurate. There are

18   assumptions on that. Assumptions should not be used

19   when residents are at risk, period, end of story.

20   Ongoing -- and I'm going to reiterate what

21   Dana said -- ongoing testing and monitoring of the

22   water levels and measuring mitigation systems

23   effectiveness must be done at an individual resident's

24   property before any, any of this is done and during the

25   study. Alarms must be used at each and every

1   individual resident's homes during the monitoring

2   level, and they should automatically shut off if the

3   water table rises above a certain amount. At a

4   minimum, this needs to be done for every home between

5   the well and the lake, every home from the middle of

6   Durham Street at the end of Barbara Drive all the way

7   to Grant because that's the length of the well.

8   Moving along here. The bottom line is

9   that I don't feel safe. I don't feel that my mother is

10   safe. I'm not comfortable with this plan moving

11   forward, at all. And the bottom line is you should

12   listen to the residents. We are not your guinea pigs.

13   We should not be the first ones in the State of New

14   Jersey or in the nation to be put through something

15   that has not been proven. We know bioremediation

16   works, they tried it, they tested it, some actually

17   came back, go that route instead of the groundwater.

18   MR. HOWITZ: Thank you.

19   Jefferson LaSala?

20   MR. LASALA: Thank you. I'm Jefferson

21   Harman LaSala, J-e-f-f-e-r-s-o-n, H-a-r-m-a-n,

22   L-a-S-a-l-a. I'm on the board of the Pompton Lakes

23   Residents for Environmental Integrity and I'm on the

24   board for the Pompton Lakes Community Advisory Group.

25   I'm also a resident in the plume on Orchard Street.

1   I want to first thank the DEP because they

2   did something that I've been trying to get the EPA to

3   do now for several years which is they sent individual

4   letters to residents through regular mail to inform

5   them of this meeting. And I think that the amount of

6   people in this room is testament to what I'm trying to

7   get the EPA to understand, for a, for a very long time,

8   is that many of our residents don't know about this

9   situation. We had a Pompton Lakes Community Advisory

10   Group meeting just last week, and the people present at

11   that meeting had no idea about this study at all, and

12   that's unacceptable.

13   However, I also want to admonish the DEP

14   on the fact that they are only just now doing a public

15   information session on this. The DEP has not been

16   present at a public meeting in this town for a few

17   years now. This is an issue that is affecting all of

18   our lives, our properties, the value of our homes and

19   our health. It is completely unacceptable that we are

20   having an information session and a hearing on the same

21   evening. We need to have time to process the

22   information, to ask questions of technical experts.

23   Yes, we have had some of that time but not as the

24   gentleman from DuPont explained to us tonight to ask

25   him questions specific to what he said this evening.

1   We are being asked to make a formal public comment with

2   little time to process what we were told, and I think

3   that is unfair.

4   I would like to thank Councilman Jaconetta

5   for his excellent words and I would also thank Dana

6   Paterson, Cheryl Rubino, and Vojo, and I completely

7   stand behind them what they said, and the other

8   residents who have spoken so far, I applaud them for

9   speaking.

10   If DuPont is submitting quarterly data,

11   why isn't that on the DEP website? Why aren't we

12   allowed to look at that? The supposed responsible

13   party knew about vapor intrusion in 2001 and did not

14   inform the residents for another seven years. During

15   that time we were told -- we were told that the

16   pollution was essentially cleaned up, that we were not

17   living in an affected area by the plume area, and that

18   we were encouraged and coerced to sign releases in

19   lawsuits by which now we cannot hold them accountable

20   and, yet, somehow that's acceptable to them because

21   they are now not going to provide insurance.

22   I would like to add to what Cheryl said,

23   should not just be the homes along the well, it should

24   be all the homes along the well and then moving forward

25   to the lake, because that's where the water is being

1   directed. I can't see into my basement, so the last

2   thing that I want is to have contaminated water coming

3   up into my basement that has anything to do with VOCs.

4   We put the vapor mitigation systems on in order to help

5   alleviate this problem, now we are going to bring the

6   actual contaminated water into our homes, potentially.

7   It's completely unacceptable that there is not a full

8   contingency plan and not full insurance protection

9   about this.

10   I don't feel safe in my own home, I

11   haven't for a very long time, and I have spoken on

12   behalf of the residents of this town in the news, on

13   podcasts, on radio, in these meetings, countless

14   meetings like this, and I have to say, I'm tired of it.

15   Enough already. This polluter is (inaudible) taking up

16   enormous amounts of time. We keep calling them the

17   responsible party, it's thirty-five years that the DEP

18   admonished them to clean this town up, 35 years, that's

19   enough time for a child to be born, and then to go

20   through every level of school, get married, get a PhD,

21   have several children, this is ridiculous.

22   In the meantime my mother died of diseases

23   that were connected with these contaminants and my

24   brother has to undergo a very serious life threatening

25   illness that was a precursor to a very deadly form of

1   Leukemia, it's called Myelodysplastic dysplasia, and

2   had the Leukemia developed he would have been dead in

3   six weeks. He was told by a doctor at Sloan-Kettering

4   that he was this sick, because he had grown up near a

5   factory, well guess which one he grew up next to. It's

6   been a million dollars in his health care costs, a

7   million dollars for his health care. He is still not

8   one hundred percent. His immune system has not

9   returned a hundred percent. This was six years ago

10 since he had the transplant. His 14-year-old daughters

11 have never seen him healthy.

12   I will not stand by and allow this company

13 to whitewash this permit as if it's all okay,

14 everything is a hundred percent, it's not. And I stand

15 by the residents in my town, and I'm saying

16 emphatically that DuPont has to give assurances to us

17 financially -- what they really need to do more than

18 anything, which I've been calling for, for a decade

19 now, is buy us out. There is testament in this town

20 for that buyout plan under the (inaudible) former

21 mayor. There is reason to do it to this day. We

22 should have been taken out of our homes and put in safe

23 housing the second the plume was known about, but now

24 it's seven years later. Anyway --

25   MR. HOWITZ: Time is up. Thank you.

 1   Ruth Paez.

 2   MS. PAEZ: I'm Ruth Paez. R-u-t-h,

 3 P-a-e-z. I live at 228 Schuyler Avenue. I am a

 4 resident. My husband is the one that have been living

 5 here for 50 years. His family (inaudible).

 6   The problem is that since we have been

 7 living here he never had had any flood in the basement.

 8 After Sandy, like, weeks later, more or less, it

 9 started raining, he started having flood that he never

10 had. Another thing is that as Mr. LaSala said, my

11 husband's mother and father died of cancer as well

12 because of all the pollution in this town.

13   So in reality why I'm here for, really, I

14 didn't want pump-and-treat system VOCs with water

15 traveling through a pipe next to the railroad tracks

16 near to my home. I am also concerned about the damage

17 it could do to my home and the additional exposure to

18 poison my family. I am strongly opposed to moving

19 ahead with this permit or this discharge to groundwater

20 without a 24-hour a day monitoring system, without the

21 proper analysis being done on each and every vapor

22 mitigation monitoring system to see if they will -- if

23 they will even work to reduce the TCE and the PCE in my

24 home during the length of this discharge to ground

25 water.

1   What guarantee or what ideas does my

2   family have, not only my family, all the people that we

3   see in here, that we won't be exposed to Chemours

4   contamination, that our homes will not floor or will

5   not have structural damage to our houses or homes?

6   There is no guarantee about that, because they have

7   been talking over here and have been quiet already

8   since the study, that is not a study anymore because

9   it's going to be done. If this discharge of

10   groundwater continues to move forward, each and every

11   resident should have been given the option, safe

12   housing option, or an insurance that exists for this

13   type of situation we are having right now, at no

14   expense to us until such time it is safe to move back

15   into our house knowing it's going to be in

16   contamination. So my question is, if each and every

17   home in the toxic plume, including ours, is evaluated,

18   because we don't know exactly what is going to happen,

19   if it's going to flooded or not, so we don't need an

20   evaluation, how do I know that it's going to be flooded

21   in the basement (inaudible) that is regardless of the

22   vapor intrusion system installed that we have? That is

23   my question.

24   Thank you very much.

25   MR. HOWITZ: Thank you.

1   Stewart Resmer.

2   MR. RESMER: Stewart Resmer, R-e-s-m-e-r.

3   I'm currently a resident in Wayne, New Jersey, I'm

4   originally from Santa Monica, California. I'm a

5   Vietnam Veteran, I am here for very personal and

6   selfish reasons. I'm also here to warn you folks that

7   the experience of the Vietnam Veteran has to do with

8   the big three chemical companies, DuPont, Monsanto and

9   Dow when it came to dioxin, commonly referred to as

10 Agent Orange.

11   Nobody told us at the time that we were

12 being sprayed with Agent Orange, dioxin, probably the

13 most dangerous chemical that mankind has ever made. As

14 time went on, we began to learn from personal

15 experiences about skin lesions, Non-Hodgkins lymphoma,

16 and all these things that you people fear. And still,

17 again, we were never warned, we were never cautioned,

18 we were never called in to go to the VA. We were never

19 put it on registers, to my knowledge, we were never

20 contacted us. We picked it up in the news. We picked

21 it up in meetings like this. What my generation of

22 Veterans learned is, these people will lie, they will

23 deny, they will delay, and they will defend.

24   I have never met Mr. Epps. I have nothing

25 personal to say against him, but I will caution you

1 people, they did this to my generation, they continue

2 to do it, watch out for these people.

3   Thank you.

4   MR. HOWITZ: Thank you.

5   Doug O'Malley.

6   MR. O'MALLEY: Good evening. I am Doug

7 O'Malley, D-o-u-g, O, apostrophe, M-a-l-l-e-y. I am

8 the Director of Environment New Jersey, we represent

9 more than twenty thousand citizen members across the

10 State, we are based in Trenton and New Brunswick.

11   I want to start off by thanking the

12 citizens who have already testified tonight and will

13 testify, and the organizations that they have been

14 engaged in, including PLCAG as well as Welton

15 Association and Citizens for a Clean Pompton Lakes, The

16 Pompton Lakes Residents for Environmental Integrity.

17   There has been a legacy of battling for

18 the truth here in Pompton Lakes and, honestly, a legacy

19 battle for a public hearing, and, so, we thank you for

20 holding a public hearing here tonight, but it should

21 have happened a long time ago.

22   And part of, obviously, this legacy is

23 that Pompton Lakes is, perhaps, the largest hidden and

24 slow moving public health and environmental disaster

25 here in this State. We don't have to say that in just

1 hyperbole. When we look at this State's own Department

2 of Health analysis from close to a decade ago,

3 linking -- elevated levels of kidney cancer and

4 Non-Hodgkins lymphoma which has directly been linked to

5 TCE and PCE. It found elevated levels and it

6 triggered -- not enough to provide a direct

7 correlation, but it did show that it could not be ruled

8 out as an impact on the public health here in this

9 community. And for the residents within the plume,

10 this threat of a public health disaster and the levels

11 of cancer in the community is motivating not only for

12 their own survival, but motivating for why there is

13 fear on the plans that have been presented not only

14 tonight but through, you know, the last three

15 and-a-half decades. And that needs -- that level of

16 cynicism needs to be incorporated into the analysis

17 because what we are hearing tonight is, honestly, a

18 one-sided story. And what we need here in Pompton

19 Lakes is not only -- we have public meetings, we have

20 public engagement, what we need is more engagement by

21 the Federal Government, by the US EPA. Because Pompton

22 Lakes is, perhaps, the best example of a site in New

23 Jersey that should be on the National Priority List or

24 Superfund Site status. And because it is not on the

25 national priority list, it's not a Superfund Site, it

1   means it's harder to have direct public engagement

2   through the public. It's harder for residents of the

3   town to be sure that there is an independent

4   environmental analysis of the impacts from the site.

5   And it is certainly harder to look at the long-term

6   solution, which is clearly a full clean-up and a buyout

7   for the residents that are being impacted in this

8   community.

9   This hearing tonight is being held under

10   DEP statute, New Jersey Pollutant Discharge Elimination

11   System, and I spell that out because this study,

12   obviously, is not eliminating pollution, it is diluting

13   it. And we have seen time and again, when you give a

14   corporate polluter the opportunity to attack pollution,

15   they do not advocate for a full cleanup, they advocate

16   for a partial cleanup, they advocate for testing, and,

17   in this case, they advocate for a pilot study which has

18   never been tested anywhere in the State, a pilot study

19   that's based on computer modeling, and a pilot study

20   that they are not willing to stand behind and say that

21   if something goes wrong, they are willing to protect

22   residents. And that, obviously, is a legacy that the

23   residents here in this town have lived with long

24   enough, and that's why you are hearing testimony again

25   and again from the public to not -- not to rubber stamp

 1   this permit, not to rubber stamp this hydraulic

 2   surcharging because, ultimately, this pilot test is not

 3   going to clean up the site, and I think that that is

 4   kind of obvious to anyone that is involved.

 5   And what also should be obvious, is that

 6   this pilot test exposes the fact that there is not

 7   enough insurance built in, because as we have just

 8   heard over the course of the past hour, residents

 9   bringing up very basic questions for a backup plan,

10   whether water levels are being monitored, is there

11   sensors and that, obviously, is not incorporated. So

12   the fact that you can have, you know, residents poke

13   holes in the pilot test and ask questions about is the

14   worst case scenario being prepared for, you know, that

15   speaks volumes.

16   I am going to end my testimony, of course,

17   by talking about what we need to see, not only here at

18   the local level and the state level but also the

19   Federal level. And this is a question, we need more

20   Federal representation.

21   Previously Pompton Lakes was represented

22   by Congressman Pascrell. Over the course of the last

23   four years we've been represented by Congressman

24   Frelinghuysen. The congressman has met only once with

25   the citizens in this town and has refused to meet with

1   residents. He holds an annual Superfund tour but he

2   has never toured Pompton Lakes. And this is where he

3   should be, because this is a site that needs to be on

4   the Superfund National Priorities List, and this is

5   where the congressman should be advocating, not to cut

6   the EPA budget but -- and not -- and, obviously, not to

7   keep the Superfund program stable, but to increase

8   funding for Superfund because this is a site that needs

9   a full cleanup and residents need to have a buyout as

10   well.

11   Thank you.

12   MR. HOWITZ: Lisa Riggiola.

13   MS. RIGGIOLA: Lisa Riggiola,

14   R-i-g-g-i-o-l-a. I am going to try to make this in the

15   five minutes, and if not, I'll ask for your permission

16   to get up and finish at the end.

17   In 1982 the Pompton Lakes DuPont worksite

18   received a very high hazard ranking of 55 plus on the

19   Superfund National Priorities List, but it is still not

20   on the Federal Superfund National Priorities List.

21   NJDEP, DuPont and the US EPA on a timeline document

22   that was OPRA'd clearly knew in 2001 that the vapor

23   intrusion has arrived in Pompton Lakes and that it must

24   be addressed. In 2008 the residents living in the

25   middle of the toxic mess were finally notified that

1   they are being exposed to these poisons in their own

2   homes 24-hours a day. Seven years later they are

3   breathing in these vapors, as others knew, but they did

4   nothing for seven years. In 2009 the public is then

5   notified that they are at elevated cancer rates, and

6   this is, you know, no walk in the park, this is coming

7   from the Federal health agency and the State health

8   agency, and I am thankful that they released that

9   information, although it wasn't directly related to the

10 cancer, we all know too many who have died, including

11 my friend two days ago her daughter (inaudible) brain

12 cancer before 20 and my childhood friend, 57, from

13 cancer.

14   So we are here 35 years later and now it's

15 2017, we still have no cleanup plan, and we are talking

16 about moving VOC wastewater from a pump and dump system

17 that's been up since the 90's from one place through

18 the already dilapidated and burdened neighborhoods into

19 a lake that they are spending millions of dollars on

20 that isn't really just a lake, it's a reserve reservoir

21 that people drink and residents depend on that water

22 going up to the Wanaque reservoir.

23   So this is not a cleanup plan, people, why

24 are we wasting our time? Why is this even in front of

25 us? You want to move the groundwater and move it to

1   somewhere else, and think that's all you are going to

2   do here? We've been doing this for nine years, we're

3   not going away. We may move to other places to get out

4   of the pollution but we're all going to stick together

5   since we're all from Pompton Lakes.

6   So I went off track a little. This, by no

7   means, is a cleanup, but a plan of moving wastewater

8   instead of cleaning the groundwater that has migrated

9   and dilapidated the neighborhoods, as we know. I

10   strongly object to this permit ever being granted for

11   the hydraulic surcharging, and this cannot move forward

12   for the following reasons, there is no detailed --

13   there's been no detailed modeling done. What needs to

14   happen is there needs to be a hydrologic and geological

15   study and modeling and analysis of each and every home.

16   People, the vapor mitigation system will

17   not work. They will not work if there is a change in

18   anything to do with the water table. So, as we know --

19   and I thank Ms. Enck for being honest when she was --

20   the EPA administrator in telling me they don't remove

21   all the poisons through the homes, they reduce them.

22   So if you're going to start playing games with this

23   well, there better be a 24-hour-a-day monitoring system

24   for each and every home in the plume with an alarm

25   system and something that the residents can look up and

 1   see each and every day and make their own decisions

 2   about their own safety.

 3   There needs to be a plan. If people do

 4   not feel safe in their homes, they need temporary

 5   housing. If they don't want to stay, they need a

 6   buyout. And, basically, you know what, it's time,

 7   people, enough with the pilot studies, clean up Pompton

 8   Lakes. (Inaudible)

 9   MR. HOWITZ: Thank you.

10   Rich Orefice?

11   MR. OREFICE: Rich Orefice, R-i-c-h,

12   O-r-e-f-i-c-e, and I will make this as brief as I can.

13   I am a resident of Pompton Lakes since (inaudible). I

14   developed cancer that you probably can't even pronounce

15   probably back in 2013 and then underwent a bone marrow

16   transplant in 2015 just to have any prospect of

17   continuing to live. There is no way that this rare

18   aggressive cancer can come from anywhere else but a

19   chemical factory. This genetic mutation did not just

20   pop up.

21   What my question today is, you mentioned

22   water migrating when precipitation fell on the ground,

23   what happened during Hurricanes Sandy and Irene? They

24   discovered that there is chemicals all the way down by

25   the dam, at that Victorian home, 84 Hamlin, is that

1   chemical that came from the DuPont site? How far has

2   it migrated? Is it now going to Riverdale?

3   Pequannock? Wayne? Pine Lake? What are you guys

4   going to do about that? This is something we heard

5   last Tuesday at the CAG meeting (inaudible). Should we

6   not be putting measures in place to prevent the further

7   migration of these chemicals off of this site.

8   That's all I have to say.

9   MR. HOWITZ: Thank you.

10   Dorothy Mancini?

11   MS. MANCINI: Hi, Dorothy Mancini, 40

12   Durham Street, D-o-r-o-t-h-y, M-a-n-c-i-n-i. I am

13   concerned about the backup plan. If this doesn't work,

14   what happens to us? I mean, everybody else has

15   addressed other problems, but then when they put their

16   horizontal well in, what about the inconvenience to the

17   residents, how will this affect us? And I hope that

18   you have listened to the people because in the past I

19   don't think that everybody has, and we want this

20   problem to end and to make sure that our homes are

21   safe. And if this chemical, if the water comes into

22   our homes, if there is no backup plan and then this

23   water is polluted, what happens to our families? So I

24   think you should take that into consideration and

25   protect the residents.

1   Thank you.

2   MR. HOWITZ: Thank you.

3   Helen Martens?

4   MS. MARTENS: Helen Martens, 59 White Way,

5   Pompton Lakes, M-a-r-t-e-n-s.

6   I listened to David Epps speak tonight

7   about this pilot study and how they feel like they've

8   got this under control and that nothing is going to

9   happen, I wish they would have had this before this

10   contamination leached off their property and into our

11   homes, that would have been a better situation.

12   But, anyhow, I am here to talk about the

13   pilot study. I'm not happy with it. I really don't

14   want it, for my neighbors, for me. I don't want it in

15   my town. I don't want it in our neighborhood. It's

16   not foolproof. It's a pilot study. It's never been

17   done anywhere else. And I don't think that Chemours or

18   the DEP has any idea how important it is for the

19   residents to know that they are safe.

20   DuPont does not want to give anybody an

21   insurance policy, but, in the meantime, they don't want

22   to give us any technical help of our own. I have

23   researched, there is technology that exists to level

24   the monitored groundwater in wells before starting to

25   do the horizontal well flushing. It is very important

1 to us.

2   There is a company out in California that

3 I researched that does this, and I feel that if we

4 can't get an insurance policy for the groundwater

5 coming from under our homes, then we should be granted

6 this request. After all, this is just a pilot study

7 and it's not been tried anywhere else. I researched

8 and found this company called Groundswell, I am sure if

9 I found it, you could find it. I think that it should

10 be offered to the residents before we start this study.

11 They come out, they measure the water table before this

12 horizontal well goes in, so that if there is a chance

13 of this water table going higher and flooding our

14 homes, we would know that it came from this well.

15   I want them to consider bringing this

16 company in to protect us. We need something to prove

17 that we are safe with our groundwater in your basements

18 because this would prove that we are -- the levels are

19 not going to rise in our homes. I also want to mention

20 that if the groundwater level reaches our ground, the

21 mitigation systems will not work, they will fail. So

22 now you have the vapors that will be coming into our

23 homes from what is there, plus, whatever the

24 groundwater brings into the basements.

25   So I am not comfortable with this study.

1   I think if the other pilot studies have failed, I think

2   that this is ridiculous, and I think you need to go

3   back to the table and come up with a better plan

4   because we don't deserve this. You are going to remove

5   all the vegetation along the railroad tracks to put

6   this well in, all these people will have no buffers. I

7   don't think that the people know exactly, exactly, what

8   this whole thing entails, and we are not comfortable

9   with this.

10   Thank you.

11   MR. HOWITZ: Thank you.

12   Reverend Annie Allen.

13   REVEREND ALLEN: Good evening. My name is

14 Reverend Annie Allen, A-l-l-e-n, and I not here to

15 represent a particular church or my church, I am here

16 as a resident of Pompton Lakes.

17   I have three comments, one for Mr. Horwitz

18 and the other two for the company working to clean up

19 the chemical - Chemours. My first comment is about the

20 process itself, and I am very pleased to see so many

21 residents out tonight. I do not live in a plume, I do

22 live in Pompton Lakes, my neighbors are affected. And

23 I did not receive any notice about this hearing, I

24 found out about it on Facebook just by -- literally by

25 chance. And I had talked to my neighbors and no one

1 knew anything about this meeting, so I was -- I wanted

2 to face a little bit about the process, and the other

3 thing about the process is on the third point on this

4 agenda it says the testimony, the floor will be open

5 for comments and questions, but I have been sitting

6 here for an hour and there's been a lot of testimony

7 but there have been no answers to any of the questions,

8 so I just wanted to bring that up. You don't have to

9 answer my questions either, I just want to put on the

10 record that in a democracy we want people's

11 involvement, you want the community's involvement, then

12 we have to have a dialogue. And a dialogue is not us

13 giving our points of view and, you know, either the

14 government or the Company is giving their points of

15 view.

16   So I think we could improve the process in

17 terms of having more neighbors know what's going on and

18 also by answering, having a forum in which you can

19 actually answer some of the questions that everyone

20 have.

21   My second point is that -- oh, I wanted to

22 echo the Councilman's comments and a few other people

23 who mentioned that there are no guarantees or no

24 insurance policies or anything for the residents who

25 may be affected by this surcharge study project. And

1   these homeowners are at risk, and my question, or now

2   just my statement, is that I would urge this Company to

3   provide for the residents and ensure that their

4   properties are protected either by insurance policies

5   or whatever guarantees you can make.

6   And my third comment is as the State of

7   New Jersey, the residents in this room pay a great deal

8   of taxes to the State of New Jersey and we expect the

9   Department of Environmental Protection Agency to

10   protect us. We pay for the EPA, or, in this instance,

11   the DEP to monitor companies, so we expect the

12   Environmental Protection Agency to protect us and to

13   look out for our interests. I don't care about DuPont,

14   I'm sorry, but I don't care about the companies that

15   are involved, I care about my neighbors. And I am here

16   tonight as a neighbor, that I am concerned that our

17   neighbors are at great risk. So I ask that the Company

18   provide for insurance protection and guarantees for the

19   residents.

20   My last point is that this is another

21   study, and that the people of Pompton Lakes deserve to

22   have this groundwater issue and the ground and lake

23   remediated fixed and not another study after

24   thirty-five years.

25   Thank you.

1   MR. HOWITZ: Thank you.

2   Joseph Intintola, Jr.

3   MR. INTINTOLA: I am Joseph Intintola,

4   I-n-t-i-n-t-o-l-a. I am a technical investigator for

5   the CAG and I'm also a technical investigator for a

6   private company. I've worked and consulted with Foster

7   Wheeler which you know is a global engineering firm.

8   I've also assisted and worked with them on the EAF

9   contaminated (inaudible) Superfund site in New Jersey

10   back in 1995.

11   This document that you printed up, you

12   have drawings on it -- can everybody see -- I actually

13   have the technical blueprints from O'Brien & Gere. I

14   won't tell you how I obtained them, but they were

15   legally obtained and they are classified, so I will not

16   refer to the particulars. All these drawings in this

17   paper I have all the writing that's supposed to be on

18   the drawings. On document File 3914.47723-06, Drawing

19   G2, clearly states that the horizontal well is not a

20   pilot study. It clearly states in the drawing,

21   decommission and demolish present static fields to

22   connect to the horizontal well. If you are doing a

23   pilot study, which is a temporary project, you would

24   leave the fields intact and operational and attach the

25   horizontal well to it, shut those fields off and

1   operate the well. When you are done with your study,

2   you would shut the well off and turn the fields back

3   on. The drawings, the engineering and mechanical

4   information that was obtained also, and I, also, was

5   consulting with an environmental engineer, clearly

6   states that it is a current discharge, it is not a

7   pilot study, it will be the new discharge for the

8   public treatment.

9   In 2011, spring, DuPont did a test pilot.

10   The present pump-and-treat system is putting out 123

11   gallons a minute divided by two which is 61 and a half

12   gallons per (inaudible) fields, which there are six of

13   them, and six discharge fields another 61 and a half

14   gallons. They increased the pump-and-treat system from

15   123 to 140 gallons a minute, within two hours in

16   basements on Barbara Drive flooded two feet of water.

17   This was put in Bergen Record and obtained from NJDEP

18   records by the engineer that I work with.

19   The first design of the horizontal well,

20   which was done in 2012 by O'Brien & Gere, the well was

21   supposed to be put in Barbara Drive. It was supposed

22   to be 1,200 feet long at the depth of 14 feet. After

23   they did all the drawings, which I also have the

24   complete copy of, the information from the engineering

25   firm, O'Brien & Gere, stated to DuPont that if this

1   well was installed on Barbara Drive and operated, the

2   basements would flood.

3   All the houses, or most of the houses on

4   Barbara Drive have sump pump systems. The houses on

5   Walnut Street that back to the railroad tracks also

6   have sump pump systems. Back in 1992 to 1996 when

7   DuPont Village had a heavy metal contamination cleanup,

8   all the back yards of the homes on Walnut Street along

9   the tracks were dug up six and-a-half to eight feet

10   deep. The contractor that worked for DuPont, instead

11   of bringing in clean fill, brought in clay. Clay does

12   not perm water. So this was not anticipated in their

13   engineering plans for perc rate. The soil samples that

14   were used in 2013 from zoning, they came from Barbara

15   Drive. The basements were never actually measured.

16   The horizontal well says that it would raise the water

17   table four feet. You are going to be pumping 129

18   gallons a minute into the well, plus another 61 and a

19   half into the (inaudible) fields, that's a total of 190

20   gallons a minute. In a designing system, there are no

21   diverter valve or dump valves used in case there is a

22   failure. There is another issue with the

23   pump-and-treat system is manganese, a chemical which is

24   clogging, Mr. Epps did not tell you, but starting in

25   2010 the pump-and-treat system crashed a total of four

1   times to this date and they clogged with manganese, and

2   they brought in a hazmat truck with hazmat workers

3   fully suited with respirators with no permits to clean

4   out the sediment. This is an issue with the horizontal

5   well.

6   Thank you.

7   MR. HOWITZ: Thank you.

8   Mike Keough.

9   MR. KEOUGH: I am Michael Keough,

10   K-e-o-u-g-h. I'm a long time resident of Pompton

11   Lakes. I am also a longtime real estate appraiser of

12   houses in Pompton Lakes. I, too, am concerned about

13   the possibility that if an extreme storm comes, that

14   extreme flooding will create contaminants that will

15   travel and come up into basements and onto our

16   properties.

17   I am also concerned that there was no

18   public info community hearing for this hearing -- prior

19   to this hearing on this night. Typically, in the past,

20   we had information where there are questions and

21   answers. I don't feel versed enough, because there was

22   no prior meeting. I would have liked to have had that

23   happen. I know that Jefferson LaSala mentioned that,

24   and I second that. I think that this is not proper to

25   quickly give information, people just don't understand

1   what is going on, don't even know what is happening.

2   And Councilman Jaconetta couldn't have put

3   it more right, there should be some kind of insurance

4   by the polluter because homeowners insurance isn't

5   going to cover it in case something happens here, and

6   people are going to be up a creek, pun intended, a

7   contaminated creek, without a paddle.

8   Anyway, basically, I agree with just about

9   what everybody said here tonight. Thank you.

10   MR. HOWITZ: Thank you.

11   Karen Dean.

12   MS. DEAN: I'm Karen Dean, D-e-a-n.

13   Hello. I am a long-time resident of Pompton Lakes, I'm

14   a former resident of Schuyler Avenue, but I had to sell

15   my home, and I just want to let you know that when this

16   all began DuPont had a a meeting at the municipal

17   building with pictures everywhere, showing how they

18   were going to beautify our lake, showing how they are

19   going to clean all of this up. And, you know, to me,

20   there was some gentleman sitting next to me laughing,

21   do they really think we are going to clean this whole

22   lake? Well, I called the mayor out of there. Next

23   thing I know Mr. Epps called me and said he was very

24   sorry, sorry isn't it. That's what they laugh at us,

25   that's what they are doing. And then my concern is,

1 too, they have these pump-and-treat that they are going

2 to force through our underground water, and we have a

3 lot of leach field and a lot have septic, and could

4 this cause sinkholes? Did you look that up? Have you

5 checked that out? How far are you going to be forcing

6 the water under there? There's a lot of leach fields.

7 And also I worked for a company for 40 plus years, and

8 they were going to leave New Jersey, and I had a chance

9 to move to Pennsylvania to keep my job. I get a notice

10 from my boss one day, she said look at this -- my

11 company doesn't buy contaminated property, so I went

12 out on forced retirement, and I ended up having to sell

13 my house which I couldn't afford to live in any longer.

14 Because I lived on the plume, I gave my house away.

15 And the realtor said that because I'm on the plume, I

16 could charge you 6%. So this is what we are dealing

17 with in Pompton Lakes. I mean, I grew up here. I did

18 water ballets in the lake. I learned how to swim. We

19 ice-skated. You can't do that anymore. You can't.

20 You left our children nothing, it's garbage.

21   And, also, I want to know -- I actually

22 got to the sink holes, so that's all I have to say.

23   Thank you.

24   MR. HOWITZ: We are going to go around

25 again, we have Gregory Wayne Cockefair.

1   MR. COCKEFAIR: May I speak again?

2   MR. HOWITZ: Yes, you may.

3   MR. COCKEFAIR: Okay. I spoke before

4   about Mother Earth, now I speak to you Pompton Lakes

5   and you alone. Sometimes you have to do something

6   yourself. Sometimes you have to actually fix something

7   that nobody else can. I'm also a Veteran of the United

8   States Coast Guard, and when took a -- when I swore to

9   become an enlisted man in the Coast Guard, this is what

10   I had to say, "Enemies, foreign and domestic."

11   At this point I see the Duponts, according

12   to history, they were a gun powder company, they caused

13   death. As far as I am concerned, we have to solve this

14   problem ourselves because we are "We The People," not

15   them. Some of DuPont people actually live here, but we

16   who live here in Pompton Lakes have to start cleaning

17   up this mess ourselves, because we must take

18   responsibility for our own existence, and I speak that

19   the truth.

20   Thank you very much.

21   MR. HOWITZ: Thank you.

22   Mike Serra.

23   MAYOR SERRA: Mike Serra, S-e-r-r-a. 41

24   West Lenox Avenue, Pompton Lakes, New Jersey. I'm also

25   the mayor of the town. First of all, I want to thank

1   the DEP for coming up and I also want to thank the

2   residents for showing up. This is a good turnout. My

3   first concern would be, coming to the DEP, we have

4   asked for many months to have regular meetings with the

5   residents to speak with you, either privately or in a

6   group setting, and we were told no. I think the

7   residents would appreciate some concern shown from the

8   DEP that you can speak to them. After a long

9   convincing, we got EPA here every week, once a week,

10   they are in our meeting room on Thursdays, residents

11   can meet with them privately, talk to them quietly

12   about their concerns. I think it's something the DEP

13   should be looking into doing also. It doesn't have to

14   be every a week, it can be once a month. We can get

15   out there, and residents would show up. I think that's

16   the first thing we should look at.

17   The second thing would be, how do my

18   residents -- or how are they going to be informed about

19   the changes and things that are going on with this

20   project? Now, I know there is a website that some

21   people go to and some people don't, I think it would

22   be -- there has to be a better way to communicate with

23   the affected residents. Because some of these things

24   might happen quickly, and they might need to know. So

25   I haven't heard any talk about how there's going to be

1   communication to the residents, so I think that's very

2   important.

3   And, lastly, even though I belive in the

4   system that they are trying to do, it is a pilot, it is

5   a test, I believe it will not flood, but I don't really

6   know. If I had one of those homes, and I wanted to

7   sleep at night, I would want an insurance policy. Now,

8   it's not up for the town or the residents to figure out

9   how an insurance policy happens. I think through the

10 state and through Chemours something should be done or

11 discussed about the concerns about having a system in

12 place in case something does happen. These are their

13 homes, they put their money and their lives into these

14 homes, so they are going to need some assurance so that

15 they can sleep at night that nothing is going to

16 happen. So however that's going to happen, and I don't

17 know the mechanism to make that work, but however

18 that's going to work, I think that should be something

19 that you should look into.

20   I know there were long discussions before

21 this meeting about insurance, and people saying that

22 you can't get it, Chemours saying we're not allowed to

23 get it, I am sure there are other ways to go about

24 getting insurance, so we need to look into that. At

25 the end of the day, the concerns of the residents are

1   on everybody's minds first, you know, on my mind, your

2   mind, on EPA's mind, so that's what we have to

3   remember, these residents are concerned about that and

4   we need to revisit.

5   Thank you.

6   MR. HOWITZ: Thank you.

7   Joseph Intintola?

8   MR. INTINTOLA: In the design it says that

9   you're gong to do a 12-inch boring, a total of 2,000

10 feet long with an inlet of 177 to surface and an outlet

11 of 177 to surface. In this paper write-up, it says the

12 well depth would be 20, 25 feet, that's a gross mistake

13 because that's measured at track height. The train

14 track is actually seven feet higher than road grade and

15 house grade, so, technically, the well would be 14

16 feet -- 13 feet underneath the surface. The average

17 water table is 5 and a half feet to 11 feet, the

18 average basement is 8 feet deep. People who have SSD

19 systems already installed on Durham, Perrin, Schuyler,

20 they've already been having issues with groundwater

21 coming in from the negative pressure of the SSD

22 systems, so that's an issue not even counting

23 pressurized water.

24   If you have a 12-inch bore, you are going

25 to use a 6-inch number 10 stainless steel casing. That

1   casing -- that well casing has -- every 2-inches it has

2   a 2-inch slot, and the slot opening is

3   twelve-thousandths, that's about the size of your hair.

4   Inside the 6-inch casing is HDEP pipe with T-fittings

5   and restrictor nozzle that's so designed that the well

6   has equal pressure from either end anywhere in the

7   center. Out in the midwest, the longest pressurized

8   well were three, four hundred foot wells parallel to

9   each other. That was in a groundwater plume

10   pressurized system, except there were no homes, the

11   plume was in an open field where the factory was.

12   The longest single depth well is held by

13   record by the drill rig company that was used in the

14   Superfund site in Boonton, and that was 1,000 feet

15   long, 100 foot depth, except that was a water inlet

16   well for irrigating a farm, it was not a pressurized

17   well. With this 2,000 foot well, there are no service

18   ports if there is a well failure. I mentioned earlier

19   you have manganese issues with the groundwater that's a

20   fine grit and that accumulates. With openings of only

21   twelve-thousandths, it won't be a long time before

22   those ports start to clog. When they start to clog,

23   you are going to have pressure difference.

24   With the calculated formulation and the

25   engineering drawings, at 129 gallons a minute, the well

1   pressure will be, approximately, 75 PSI according to

2   the engineer. But there is a mistake in the

3   calculations, the actual pressure would be 125 PSI.

4   This 6-inch casing is not centered in

5   12-inch bore, it is sitting on the bottom. They are

6   not using raised legs to put the 6-inch casing centered

7   in the 12-inch bore, so with the openings around the

8   6-inch well -- the casing, you have an action called

9   jet knifing, that's when you take pressurized water

10   that is going to press against the bore opening. What

11   that's going to cause is, for everyone in this room to

12   understand, take your garden hose, put it on a straight

13   nozzle, and point it towards the dirt, and leave it

14   there for a minute, and what happens, the dirt starts

15   to open up and you start making a hole.

16   Within, the engineer I worked with

17   calculated, less than a year the 12-inch bore is going

18   to be a lot bigger, the bottom is going to start to jet

19   knife, and you might go into other issues, and this

20   well is also going to be five feet from the edge of the

21   right-of-way. In the drawings -- in the specifications

22   it says that you have fifty feet of water mounding by

23   the well, there's homes at the end of Perrin, Schuyler,

24   Grant that are less than 50 feet and would be in the

25   mounding area, which would mean, basically, those

1 basins will flood as soon as the well is fired up.

2   The last thing is for the residents in

3 this room, the drill rig that they are going to use is

4 a Model 50. To give you a mental picture, that is the

5 size of an M1 Abrams tank, that's the size of the drill

6 rig, that has a diesel engine that's going to be

7 running at 2300 RPMs, eight hours a day running the

8 drill. I don't know -- DuPont said nothing about the

9 sound noise on the homes that are on Barbara Drive.

10   Thank you.

11   MR. HOWITZ: Thank you.

12   MS. MARTENS: (Inaudible) this is not a

13 pilot study.

14   MR. INTINTOLA: I said that.

15   MS. MARTENS: What was it? I'm saying,

16 say it again.

17   MR. INTINTOLA: The horizontal well is not

18 a pilot study, the engineer drawings that I have that

19 are actually marked classified O'Brien & Gere property

20 clearly states it's a permanent discharge of the

21 pump-and-treat system, it's not a pilot study.

22   MS. MARTENS: So how can we -- how can

23 they do this without getting another permit and how can

24 they do this to these people and tell them it --

25   MR. HOWITZ: I like to call Helen Martens.

1   MS. MARTENS: Speaking.

2   MR. HOWITZ: Are you Helen?

3   MS. MARTENS: Yes. That's why I want to

4   ask him, if this is --

5   MR. HOWITZ: Can you spell your name?

6   MS. MARTENS: Helen Martens,

7   M-a-r-t-e-n-s. Okay.

8   If this is not a pilot study, then why are

9   we here talking about this, if this is already going

10   through?

11   MR. INTINTOLA: The engineer that I work

12   with, his name is Rich Chapin he is an environmental

13   engineer, very well-known to the U.S. Government, he

14   clearly stated that this is not a pilot study, that

15   DuPont would have to file a whole new permit because

16   its modified to the present permit. They have a

17   pump-and-treat permit volume of 280 gallons a minute,

18   but that's in present state, they are now taking a

19   static discharge field and making it a pressurized

20   field, that is a total different design. They are

21   boosting up the PSIs of the system, the water volume.

22   And also, for the record, blue fields 1-C

23   and 1-D that are on Barbara Drive are no longer

24   functioning. How I know that, is that there were tests

25   done on Walnut Street and there is a new groundwater

1 plume in the DuPont Village, the highest sub-slab

2 reading from the NJDEP in 2008, they tested seven

3 homes, the average was 2,300 parts per billion, 2,400,

4 26, the highest was 3,200. One home tested on Walnut

5 Street, 8,100 sub-slab, almost three times what Barbara

6 Drive is. Indoor level, 75,000 parts per billion PCE,

7 1,600 parts per billion TCE. The EPA initially told me

8 Perry Katz, initially wrote a letter to the homeowner

9 claiming that there must be a mistake, but it's not,

10 because several other homes were tested in DuPont

11 Village and came up hot.

12   So putting this horizontal well in on the

13 south side of the track, the well doesn't have a mind,

14 it is going to send water in both directions, north and

15 south, regardless, it's not a directional well. By you

16 forcing water towards the north side of the track, you

17 are going to take that contaminated pool of VOCs in the

18 Village and push it towards Wanaque Avenue and

19 Cannonball. So -- and there's documented evidence, and

20 the EPA already has it on file. Ira Perry is just in

21 denial.

22   MS. MARTENS: If this is true, and we are

23 sitting here thinking this is a pilot study, and it's

24 not, every one of you should stand up and say, "Not in

25 our back yards, not in our town, not in our homes". We

1   are done with this. They need to come and do a

2   complete cleanup, this is a lot of crap. And they are

3   shoving it down our throats. I'm tired of being lied

4   to. Well, does anybody got something to say?

5   MR. HOWITZ: Kathy Finley, please.

6   MS. FINLEY: Kathy Finley, F-i-n-l-e-y.

7   61 Jefferson Avenue. I have been a resident of Pompton

8   Lakes for 66 years. I am presently the principal of

9   the high school in Spartan, New Jersey, soon to be

10   superintendent of the schools. I am disgusted. At age

11   forty-one years old I swam these lakes. I became very

12   ill by Dupont. I take a lot of medication to get up in

13   the morning. I wake up at four o'clock in the morning

14   to get myself up, since I can barely walk. I live

15   right now, because thank God for medicine, it keeps me

16   going. My husband is an electrical engineer, two

17   masters and a doctorate. At age 57 he now has

18   Parkinson's disease. He can barely eat, swallow, walk.

19   At this present time, I took him to the Parkinson's

20   Hospital Mohammed Ali Center to see what they could do

21   to help me. I have tried everything possible and they

22   told me, wherever you live, whatever you are by, he's

23   contaminated with lead and mercury, and that's because

24   my husband spent many, many years in the cellar of our

25   home.

1   I just don't understand. You can't trust

2 DuPont, Chemours (inaudible) business. I know as a

3 principal and I know as a superintendent of schools,

4 you can't work with them, because they have too many

5 lawyers (inaudible), but when is this madness going to

6 stop? Children are in schools at Lakeside by that

7 lake. Are you kidding me? Do we know what is going

8 on? Do we know what is happening to our children. It

9 is there. When is this going to stop? This was a

10 beautiful town I grew up in. What the heck happened

11 here? It's not okay. All I can say is that I get up

12 each day, my husband, like I said, can barely talk, I

13 feed him. I leave for work at 5 o'clock. I go to bed

14 at two o'clock in the morning to make sure he is in

15 bed. I have a nurse in my home full-time taking care

16 of him because I have to work to take care of him.

17 When is this madness going to stop in this town?

18   MR. HOWITZ: Cheryl Rubino?

19   MS. RUBINO: Cheryl, C-h-e-r-y-l,

20 R-u-b-i-n-o. This time I'm Pompton Lakes CAG, okay, I

21 represent those two organizations, now I'm moving in a

22 different direction. Okay. I actually, too, spoke to

23 a vapor intrusion expert in California. I want to make

24 sure we are very, very, very, very clear that if the

25 groundwater tables change, everyone's individual vapor

1 intrusion systems that were created specifically for a

2 DuPont home to protect or eliminate some of the TCE and

3 PCE that is coming into your house will no longer be

4 effective. You need to understand, that that fail safe

5 that they are supposedly using to protect, you will not

6 protect you any more. Because those systems were

7 created with moving, obviously, the air under your

8 home. If the pressure changes, the system renders

9 ineffective. Okay. Number one.

10   Number two, on a personal note, I had a

11 father who died from cancer when I was thirteen. I

12 have a mother who now has, I don't know how,

13 Alzheimer's which does not run in our family, so

14 attribute this to the TCE and PCE because they do

15 affect neurological diseases. I need to make sure that

16 if, and we hope it does not go through, but if it does,

17 that notification of all work, all timetables of when

18 things are going to happen is put out to every resident

19 that will be affected along the railroad tracks, on

20 Perrin, on Durham, on Barbara Drive, on Grant, on

21 Jefferson. I don't care, every resident in Pompton

22 Lakes should have gotten the notice for this hearing,

23 and every resident in Pompton Lakes should be notified

24 of the work that will be happening in this town.

25   Secondly, contingency plans, they need to

1   be published before, before, this permit is granted.

2   Every one of these residents should be allowed to

3   review the contingency plans as to what is going to

4   happen if and when the groundwater raises above a

5   certain level and the alarm goes off. How quickly is

6   that system going to shut off? Is it going to flood my

7   basement? I have the right as a U.S. citizen to know

8   what and when it's going to happen before you issue

9   that permit.

10   AUDIENCE MEMBER: And who to call?

11   MS. RUBINO: Who do I call? How do I get

12   it rectified? What are the actual plans? Okay.

13   Moving on.

14   MS. MARTENS: But this isn't really a

15   pilot study.

16   MS. RUBINO: It's not a pilot study, we

17   all know it, it's bullshit there, but excuse my French.

18   All right. Moving on. I know this was stated, but I

19   want to make sure it is very clear, while this is

20   intended to change the concentration of the VOCs, it

21   will do nothing to change the mass of contaminants in

22   the plume. It will neither remove nor destroy the VOCs

23   of the offsite plume.

24   Okay. This is from the engineer, okay, we

25   need to stop putting, what they say, shades on and

 1   looking through glasses that are not clear. The

 2   clarity of this is it's not going to clean up the

 3   contamination. Okay. The other thing that I need to

 4   make sure that is on record from the engineer that we

 5   work with, is that the closest homes to the proposed

 6   horizontal well are located on the northern end of

 7   Perrin Ave which is where my home is, okay. Jefferson,

 8   Schuyler, Grant, and along Durham Street, not one, not

 9   one, of these locations has been assessed by modeling,

10   not one. So you are modeling DuPont's property and the

11   existing wells, they are not even located near any of

12   these residential homes. Okay. I don't feel safe with

13   this, and I am going to tell you right now, it really

14   does concern me with a mother with dementia to have

15   cranes and equipment coming down her street disrupting

16   her life for something that's not going to ensure 100%

17   is going to work. Okay.

18   (At this time, audience member and Ms.

19   Rubino talking over each other and is inaudible.)

20   MR. HOWITZ: Thank you for your comments.

21   I'm sorry, did I call Jefferson LaSala

22   again?

23   MR. LASALA: Jefferson H. LaSala. First

24   off I want to say that insurance is one thing, but the

25   issue with insurance is that whatever happens, it is

1   there to protect us after the fact. We should not be

2   in a position before and after the fact. We should be

3   protected beforehand, which means we shouldn't be in

4   our homes if this is going to be affecting us. We

5   should be put in safe housing here. We should be fully

6   protected, and if they cannot guarantee it 100% and

7   they will not give us a financial guarantee, then why

8   is it that we even need insurance policy. We aren't

9   safe no matter. The insurance is just -- we are

10 already being poisoned by the time we get the insurance

11 policy. We are already seeing our infrastructures

12 challenged and it's completely unacceptable.

13   This is not a study, it's a work plan.

14 They keep calling it a study because the fact of the

15 matter is they don't know how it's going to turn out.

16 This is a work plan that they are calling a study.

17 This is Marketing 101. It's language that's being used

18 and it's certainly unacceptable. This has been going

19 on for too long to us now, 35 years since the DEP told

20 them to clean it up, 35 years before that, or more,

21 that they were dumping on us that they didn't tell us

22 about that we know they did purposely. Is Dave Epps

23 still in the room?

24   AUDIENCE MEMBER: He left right after --

25   AUDIENCE MEMBER: He left.

1   MR. LASALA: So --

2   AUDIENCE MEMBER: He ran out of here.

3   MR. LASALA: So he is the responsible

4   party's representative and he has not stayed to listen

5   to the residents who are hurting so deeply. The nerve

6   of this man. Where is this man to hear what is going

7   on with us? Where is this company when we meet at the

8   EPA? Why aren't they present at every single one of

9   these discussions to listen to the residents' concerns,

10 to listen to our pain and suffering, why aren't they

11 here present now while we are giving testimony formally

12 with a court stenographer? How on Earth do they have

13 the nerve not to be present to the very residents that

14 they have been poisoning for the past 70 years, it is

15 unconscionable and it's completely unacceptable.

16   Lastly, I want to talk about the DuPont

17 Corporation. First off, look at their history, read a

18 book called DuPont Dynasty: Behind the Nylon Curtain

19 and look at the fact that they have always put their

20 factories on waterways, specifically, knowing that the

21 chemicals would then go off into the waterways and be

22 brought down to the ocean thinking that the ocean would

23 simply process it and they would never have to deal

24 with it. This is what we are dealing with now, it's

25 historic. It's exactly what they have always done in

1 this situation, we can only expect that they are going

2 to continue to do that. The real reason for the 35

3 years is because in those 35 years a lot of this

4 contamination went downstream and contaminated other

5 towns. We aren't even looking into that fully. So

6 what about that? I mean, why are we allowing this to

7 become someone else's problem. We are not even

8 cleaning it up in our town. Why are we allowing this

9 quote/unquote responsible party to take three and a

10 half decades to clean this up? And what are they doing

11 now? First, they spun off to Chemours, okay. While

12 they did that, while they were planning that, the CEO

13 of the company, Ellen Kullman, sold $37.5 millions of

14 stock. And then when the SEC approved Chemours, she

15 then retires three months later. Then they announce

16 they are merging with Dow Chemical, so we have two of

17 the largest chemical companies on the planet merging,

18 and the SEC allowed them to get past the Anti-Trust

19 Laws. Well, DuPont was the company around which the

20 Anti-Trust Laws were written in this country, it is

21 unacceptable that they were allowed to do this merger.

22 It is a mistake of government they were allowed to

23 merge them like this. Why are they doing it? Well,

24 the next thing they plan on doing is making Dow and

25 DuPont the new company, Dow-DuPont, and then they plan

1   on dividing that into thirds. So there will be three

2   new companies out of that. What they are doing, is

3   they are playing a game of Three-card Monte, a shell

4   game which they are trying to distance themselves from

5   their chemical liabilities while they make us our lab

6   rats. Enough already. I want buyouts. I want for the

7   residents who no longer live here and had to sell their

8   homes at a reduced rate losing close to $200,00 from

9   the sale of their home, I need for them to be

10   reimbursed for that. My brother needs to be reimbursed

11   for his entire health care costs, so do I. I need some

12   type of compensation for what happened to my mother.

13   And every other person in this room needs to have

14   compensations as well.

15   I want to point out one other thing, and

16   that is that when the permit for -- the permit

17   modification for the lake dredging was done there were

18   people on both sides that spoke about it, there were

19   exactly 20 on both sides that spoke for and against

20   that permit, is it my imagination, because as far as I

21   can tell, not one person has spoken for this study

22   tonight. We should not be doing it.

23   MR. HOWITZ: We have time for one more.

24   AUDIENCE MEMBER: Two more?

25   COUNCILMAN JACONETTA: Thank you. I

1 appreciate it. Frank Jaconetta, Councilman for borough

2 of Pompton Lakes. 241 Colfax Avenue.

3   I just want to echo what Jefferson said,

4 as a representative of the town, this man to walk out

5 of here five minutes after the meeting started, all of

6 us stayed here for two hours, I want to put it on

7 record, I'm highly insulted. I am disgusted. I am

8 appalled and not too happy. He should have stayed to

9 the very end, at least. Let me tell you, he gives a

10 five-minute presentation and runs out the door, I'm

11 highly insulted.

12   MR. HOWITZ: Thank you.

13   All right. It is 8:57, I would like to

14 close the public hearing. If you did not have a chance

15 to sign in yet, we ask that you please do so at the

16 registration desk. We will use the contact information

17 that you provided for future outreach regarding the

18 former DuPont Pompton Lakes Works Site.

19   I would like to thank everyone who has

20 testified tonight, as well as those who have already

21 provided their written comments. Your comments are an

22 important factor as we consider Chemours' Discharge to

23 Ground Water Permit-by-Rule Application. No final

24 decision on Chemour's Permit-by-Rule Application will

25 be made until all comments have been considered.

1   Remember, the comment period closes on

2   October 26, 2017, so if you did not get a chance to

3   comment tonight, or decide later that you have

4   additional comments, you can submit them in written

5   form using the contact information provided at the

6   bottom of the fact sheet you received tonight.

7   As I stated at the beginning of the

8   hearing, we will be responding to all relevant comments

9   in a response document. We expect that response

10 document will be available, approximately, 60 to 90

11 days after the comment period. Those who provided

12 written or verbal comments will get a copy of the final

13 decision document mailed or emailed to them. A copy of

14 the final decision will be placed on the DEP and the

15 EPA's website for this society. The web addresses are

16 including in the fact sheet, and will also be placed in

17 the local public library.

18   Finally, I'd like to thank St. Mary's

19 Church and its staff, particularly, Claire Fagan, Gary

20 Termino, and Sean Mcclintock, and custodian, Tom, for

21 allowing us to use the Carnevale Center for this public

22 hearing and their help in setting up the auditorium.

23   We really appreciate your assistance and

24 thank you, you will be hearing from us very soon.

25   (At this time, the Public Hearing ended

1   9:05 p.m.)

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1   C E R T I F I C A T E

2

3   I, Tracey L. Pinsky, a Certified Court

4   Reporter, Registered Professional Reporter and Notary

5   Public of the State of New Jersey, do hereby certify

6   that the foregoing is a true and accurate

7   computer-aided transcript of the Public Hearing

8   transcribed via audio recording.

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19   *Tracey Pinsky*

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21   Certified Court Reporter
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22   Notary Public of New Jersey
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$200,00 (1)
77:8
$37.5 (1)
76:13

A

ability (2)
12:9,13
able (4)
16:20;20:16;21:7;
27:11
above (4)
13:12,19;32:3;72:4
Abrams (1)
66:5
absolutely (1)
27:8
accept (1)
6:1
acceptable (1)
34:20
accepting (2)
4:9;26:9
accommodate (1)
7:11
accommodations (1)
21:2
accordance (1)
15:9
according (3)
4:5;60:11;65:1
accountable (1)
34:19
accumulates (1)
64:20
accurate (2)
31:15,17
across (2)
22:9;40:9
Act (1)
28:11
action (3)
4:8;5:23;65:8
actions (1)
28:4
active (1)
28:14
activities (1)
27:2
activity (2)
28:21,25
acts (1)
8:15
actual (4)
13:5;35:6;65:3;
72:12
actually (11)
31:8;32:16;52:19;
54:12;56:15;59:21;

60:6,15;63:14;66:19;
70:22
add (1)
34:22
added (1)
27:12
addition (1)
26:17
additional (3)
16:2;37:17;79:4
Additionally (1)
27:18
address (5)
3:8;5:2,18,21,22
addressed (2)
44:24;48:15
addresses (2)
5:16;79:15
adjacent (3)
9:6;11:23;27:23
Administrative (2)
4:6;8:4
administrator (1)
46:20
admonish (1)
33:13
admonished (1)
35:18
adverse (1)
28:6
advertised (1)
3:10
Advisory (3)
26:8;32:24;33:9
advocate (4)
42:15,15,16,17
advocating (1)
44:5
affect (4)
27:13;29:3;48:17;
71:15
affected (6)
23:23;34:17;51:22;
52:25;61:23;71:19
affecting (3)
28:16;33:17;74:4
afford (1)
59:13
afterwards (1)
18:9
Again (15)
5:16;6:7;11:2;
12:12;16:9,22;26:5;
39:17;42:13,24,25;
59:25;60:1;66:16;
73:22
against (3)
39:25;65:10;77:19
age (2)
69:10,17
agency (5)
31:10;45:7,8;53:9,
12

agenda (1)
52:4
Agent (2)
39:10,12
aggressive (1)
47:18
ago (4)
36:9;40:21;41:2;
45:11
agree (1)
58:8
ahead (2)
17:10;37:19
Aid (1)
25:10
air (2)
16:23;71:7
alarm (2)
46:24;72:5
Alarms (1)
31:25
alert (2)
28:3,4
Ali (1)
69:20
Allen (3)
51:12,13,14
A-l-l-e-n (1)
51:14
alleviate (1)
35:5
allow (3)
11:15;12:9;36:12
allowed (6)
34:12;62:22;72:2;
76:18,21,22
allowing (4)
23:11;76:6,8;79:21
allows (1)
16:1
almost (2)
14:12;68:5
alone (1)
60:5
along (16)
5:8;9:1,2,16;10:10;
11:21;19:21;21:11;
27:7;32:8;34:23,24;
51:5;56:8;71:19;73:8
although (1)
45:9
always (3)
29:20;75:19,25
Alzheimer's (1)
71:13
America (1)
17:5
amount (2)
32:3;33:5
amounts (1)
35:16
analysis (5)
37:21;41:2,16;42:4;

46:15
and-a-half (4)
13:12,22;41:15;
56:9
Annie (2)
51:12,14
announce (1)
76:15
annual (1)
44:1
Anthony (2)
3:17,19
anticipated (2)
21:10;56:12
anticipating (1)
21:7
anticipation (1)
21:3
Anti-Trust (2)
76:18,20
anymore (2)
38:8;59:19
apologies (1)
26:5
apostrophe (1)
40:7
appalled (1)
78:8
applaud (1)
34:8
Application (13)
3:5,25;4:5,18,21;
5:9;7:20;8:11;10:13;
12:2;15:12;78:23,24
applications (1)
13:14
applying (1)
10:14
appraiser (1)
57:11
appreciate (5)
17:22;30:9;61:7;
78:1;79:23
appropriate (1)
27:24
approvals (1)
18:4
approved (1)
76:14
approving (1)
20:12
approximately (7)
8:19,25;10:18;11:2,
10;65:1;79:10
aquifer (8)
12:5,25;14:3;19:19;
20:8;25:18;26:24;
30:18
arbitration (1)
22:18
area (12)
8:24;11:1,1;16:14;
19:5;20:4;28:17;

**29:15,16;34:17,17;
65:25**
areas (6)
19:11;27:7;29:12,
13,18,21
around (9)
6:12;13:7;18:13,13;
23:14;25:4;59:24;
65:7;76:19
arrested (2)
23:13;24:17
arrived (1)
44:23
ashamed (1)
16:21
assessed (1)
73:9
assistance (1)
79:23
Assistant (1)
3:14
assisted (1)
54:8
Association (1)
40:15
assuming (1)
27:6
assumptions (3)
27:3;31:18,18
assurance (2)
20:6;62:14
assurances (6)
18:4,5,18,21;21:18;
36:16
attach (1)
54:24
attack (1)
42:14
attribute (1)
71:14
audience (8)
7:14;15:17;72:10;
73:18;74:24,25;75:2;
77:24
auditorium (1)
79:22
August (2)
3:11;22:20
authorized (1)
20:2
automated (2)
19:24;28:3
automatically (1)
32:2
available (4)
4:24,25;27:10;
79:10
Ave (2)
30:5;73:7
Avenue (7)
30:3;37:3;58:14;
60:24;68:18;69:7;
78:2

average (3)
63:16,18;68:3
avoided (1)
29:19
away (5)
13:20;23:16,17;
46:3;59:14

B

back (19)
4:14;7:11;9:12;
11:16;13:8;20:16,18;
21:5,9;32:17;38:14;
47:15;51:3;54:10;
55:2;56:5,6,8;68:25
backup (3)
43:9;48:13,22
ballets (1)
59:18
Barbara (17)
9:1,2,16;10:10;
22:6,7;23:21;32:6;
55:16,21;56:1,4,14;
66:9;67:23;68:5;
71:20
barely (3)
69:14,18;70:12
based (4)
13:13;20:9;40:10;
42:19
baseline (1)
27:18
basement (10)
13:11;19:24;20:4;
21:23;35:1,3;37:7;
38:21;63:18;72:7
basements (10)
19:21;21:19,21;
27:2;50:17,24;55:16;
56:2,15;57:15
basic (1)
43:9
basically (3)
47:6;58:8;65:25
basins (2)
9:15;66:1
basis (6)
9:11,18;10:3;13:15;
14:16,17
battle (1)
40:19
battling (1)
40:17
beach (1)
12:15
beautiful (3)
24:25,25;70:10
beautify (1)
58:18
became (1)
69:11
become (2)

60:9;76:7
bed (2)
70:13,15
beds (4)
8:18;9:1,3;15:5
beforehand (1)
74:3
began (3)
5:25;39:14;58:16
beginning (2)
19:23;79:7
begins (6)
7:3;18:3,6,20,22;
27:22
behalf (2)
6:19;35:12
behind (6)
23:5,7,15;34:7;
42:20;75:18
belive (1)
62:3
belongings (1)
21:23
below (3)
8:19;10:20,23
beneath (1)
12:5
Bergen (1)
55:17
best (1)
41:22
better (5)
11:20;46:23;49:11;
51:3;61:22
big (2)
11:13;39:8
bigger (1)
65:18
biggest (1)
30:12
billion (5)
22:12,16;68:3,6,7
bioremediation (1)
32:15
bit (1)
52:2
bitch (1)
24:11
blank (1)
16:6
bless (1)
23:8
block (1)
23:21
blue (1)
67:22
blueprints (1)
54:13
board (2)
32:22,24
bone (1)
47:15
book (1)

75:18
Boonton (1)
64:14
boosting (1)
67:21
bore (5)
63:24;65:5,7,10,17
boring (1)
63:9
born (1)
35:19
borough (1)
78:1
boss (1)
59:10
both (6)
3:21;5:6;11:23;
68:14;77:18,19
bottom (5)
32:8,11;65:5,18;
79:6
boundary (1)
28:9
bowl (2)
25:5,8
box (1)
6:9
brain (2)
23:19;45:11
breathable (1)
16:23
breathing (1)
45:3
brief (1)
47:12
bring (2)
35:5;52:8
bringing (3)
43:9;50:15;56:11
brings (2)
31:1;50:24
brother (2)
35:24;77:10
brought (3)
56:11;57:2;75:22
Brown (1)
23:19
Bruce (2)
19:1,3
Brunswick (1)
40:10
bucket (1)
12:15
budget (1)
44:6
buffers (1)
51:6
building (3)
19:25;20:23;58:17
buildings (1)
27:23
buildup (2)
20:21,25

built (2)
21:2;43:7
built-in (1)
24:4
bullshit (1)
72:17
burdened (1)
45:18
business (2)
6:2;70:2
buy (2)
36:19;59:11
buying (1)
26:1
buyout (4)
36:20;42:6;44:9;
47:6
buyouts (1)
77:6

C

CAG (3)
48:5;54:5;70:20
calculated (2)
64:24;65:17
calculations (2)
22:21;65:3
California (3)
39:4;50:2;70:23
call (8)
6:16;12:22;15:19;
30:16;66:25;72:10,
11;73:21
called (9)
9:3;31:10;36:1;
39:18;50:8;58:22,23;
65:8;75:18
calling (6)
27:14,21;35:16;
36:18;74:14,16
came (7)
28:13;32:17;39:9;
48:1;50:14;56:14;
68:11
can (52)
4:13;6:8,14;7:10;
9:23,25;10:3;11:6,24;
12:25;13:8,8,10;
16:10;17:4,10,20,22;
19:1,8;20:2;21:4,19;
22:3;26:25;28:4;
29:24;30:13;43:12;
46:25;47:12,18;
52:18;53:5;54:12;
60:7;61:8,11,14,14;
62:15;66:22,22,23;
67:5;69:14,18;70:11,
12;76:1;77:21;79:4
cancer (13)
22:24;23:20,22;
37:11;41:3,11;45:5,
10,12,13;47:14,18;

71:11
Cannonball (1)
68:19
capability (1)
19:22
card (4)
6:11,14;7:12;16:7
cards (4)
6:12,15;15:18;16:6
care (11)
18:4,8;36:6,7;
53:13,14,15;70:15,16;
71:21;77:11
careful (3)
25:25,25;26:1
Carnevale (1)
79:21
case (7)
3:19;20:15;42:17;
43:14;56:21;58:5;
62:12
casing (7)
63:25;64:1,1,4;
65:4,6,8
casualties (1)
28:19
cause (4)
28:18;29:6;59:4;
65:11
caused (1)
60:12
causing (1)
21:13
caution (1)
39:25
cautioned (1)
39:17
cellar (1)
69:24
center (4)
13:21;64:7;69:20;
79:21
centered (2)
65:4,6
CEO (1)
76:12
certain (2)
32:3;72:5
certainly (2)
42:5;74:18
challenge (1)
21:18
challenged (1)
74:12
challenges (1)
20:10
chance (5)
50:12;51:25;59:8;
78:14;79:2
change (9)
8:6,7;16:19;28:21,
23;46:17;70:25;
72:20,21

changes (2)
61:19;71:8
Chapin (1)
67:12
characteristics (1)
14:2
charge (1)
59:16
checked (1)
59:5
checking (1)
21:20
chemical (11)
16:17;39:8,13;
47:19;48:1,21;51:19;
56:23;76:16,17;77:5
chemicals (3)
47:24;48:7;75:21
Chemours (9)
7:25;38:3;49:17;
51:19;62:10,22;70:2;
76:11,14
Chemours' (6)
3:4,7;4:1,17,20;
78:22
Chemour's (1)
78:24
Cheryl (6)
29:24;30:1;34:6,22;
70:18,19
C-h-e-r-y-l (2)
30:1;70:19
child (1)
35:19
childhood (1)
45:12
children (5)
18:1;35:21;59:20;
70:6,8
church (3)
51:15,15;79:19
Cinque (1)
3:18
circulating (2)
6:12;16:5
citizen (2)
40:9;72:7
citizens (3)
40:12,15;43:25
claim (1)
26:11
claiming (1)
68:9
claims (1)
26:21
Claire (1)
79:19
clarity (1)
73:2
class (2)
25:1,1
classified (2)
54:15;66:19

clay (3)
19:12;56:11,11
clean (16)
20:18;21:8,10,14;
35:18;40:15;43:3;
47:7;51:18;56:11;
57:3;58:19,21;73:2;
74:20;76:10
cleaned (2)
21:4;34:16
cleaning (5)
15:5,5;46:8;60:16;
76:8
cleanup (8)
42:15,16;44:9;
45:15,23;46:7;56:7;
69:2
clean-up (1)
42:6
clear (3)
70:24;72:19;73:1
clearing (1)
15:4
clearly (8)
6:16;42:6;44:22;
54:19,20;55:5;66:20;
67:14
climate (2)
28:21,23
clock (1)
22:1
clog (2)
64:22,22
clogged (1)
57:1
clogging (1)
56:24
clogs (1)
20:22
close (6)
6:2;7:17;27:10;
41:2;77:8;78:14
closes (1)
79:1
closest (1)
73:5
clots (1)
20:22
Coast (2)
60:8,9
Cockefair (6)
16:10,11,12;59:25;
60:1,3
C-o-c-k-e-f-a-i-r (1)
16:12
Code (2)
4:6;8:4
coerced (1)
34:18
Cogura (3)
22:3,5,5
C-o-g-u-r-a (1)
22:6

coil (1)
21:8
Colfax (1)
78:2
collect (1)
14:23
comfortable (4)
4:12;32:10;50:25;
51:8
coming (16)
11:8;20:5,10;21:21,
22;23:9;24:8;35:2;
45:6;50:5,22;61:1,3;
63:21;71:3;73:15
comment (10)
5:24;26:10,12;
27:11;34:1;51:19;
53:6;79:1,3,11
commentator (1)
7:2
commenter (2)
16:10;22:3
comments (24)
4:17;5:5,6,7,10,12;
6:1,2,8;15:17,23;
16:2;26:11;29:22;
51:17;52:5,22;73:20;
78:21,21,25;79:4,8,12
common (1)
29:13
commonly (2)
29:17;39:9
communicate (1)
61:22
communication (1)
62:1
communities (1)
16:16
Community (11)
3:22,23;25:1,2;
26:8;32:24;33:9;41:9,
11;42:8;57:18
community's (1)
52:11
compaction (2)
29:12,17
companies (6)
18:15;39:8;53:11,
14;76:17;77:2
Company (20)
7:25;18:15,16;
36:12;50:2,8,16;
51:18;52:14;53:2,17;
54:6;59:7,11;60:12;
64:13;75:7;76:13,19,
25
comparison (2)
14:10;27:19
compensation (1)
77:12
compensations (1)
77:14
complete (2)

55:24;69:2
completely (5)
33:19;34:6;35:7;
74:12;75:15
components (3)
14:14,24;15:4
computer (2)
13:13;42:19
concentration (1)
72:20
concern (7)
11:13;19:22;30:12;
58:25;61:3,7;73:14
concerned (9)
16:13;19:5;37:16;
48:13;53:16;57:12,
17;60:13;63:3
concerns (9)
4:17;18:1;26:17,20;
31:4;61:12;62:11,25;
75:9
conclude (1)
27:1
conditions (1)
29:14
conductivity (2)
12:12;19:8
confirm (2)
27:16,20
Congressman (4)
43:22,23,24;44:5
connect (1)
54:22
connected (1)
35:23
consequence (1)
19:20
consider (2)
50:15;78:22
consideration (1)
48:24
considered (1)
78:25
consulted (1)
54:6
consulting (1)
55:5
contact (5)
3:23;17:24;18:12;
78:16;79:5
contacted (1)
39:20
containment (1)
8:15
contaminants (3)
35:23;57:14;72:21
contaminated (13)
3:9;24:10,20;25:16,
23;35:2,6;54:9;58:7;
59:11;68:17;69:23;
76:4
contaminating (1)
24:24

contamination (6)
38:4,16;49:10;56:7;
73:3;76:4
contingency (3)
35:8;71:25;72:3
continue (4)
23:10;31:6;40:1;
76:2
continues (2)
28:15;38:10
continuing (2)
20:19;47:17
continuously (1)
27:16
contractor (1)
56:10
control (1)
49:8
convincing (1)
61:9
copies (1)
17:20
copy (7)
5:11,20;6:21,22;
55:24;79:12,13
Corcoran (1)
30:4
corporate (1)
42:14
Corporation (1)
75:17
corrected (1)
26:15
correlation (1)
41:7
costs (2)
36:6;77:11
Councilman (7)
17:17;26:18;30:10;
34:4;58:2;77:25;78:1
Councilman's (1)
52:22
counting (1)
63:22
countless (1)
35:13
country (1)
76:20
County (4)
28:11,12,16,19
couple (2)
19:6;21:16
course (3)
43:8,16,22
Court (3)
6:17,22;75:12
cover (2)
18:23;58:5
cranes (1)
73:15
crap (1)
69:2
crashed (1)

20:2;22:6,7;23:21;
32:6;55:16,21;56:1,4,
15;66:9;67:23;68:6;
71:20
due (1)
29:11
dug (1)
56:9
dump (4)
22:10;23:10;45:16;
56:21
dumped (1)
25:2
dumping (4)
23:3;25:18,21;
74:21
DuPont (38)
3:6,20;4:2;5:1,14;
18:4,6;20:19;23:23;
25:12;30:20;33:24;
34:10;36:16;39:8;
44:17,21;48:1;49:20;
53:13;55:9,25;56:7,
10;58:16;60:15;66:8;
67:15;68:1,10;69:12;
70:2;71:2;75:16,18;
76:19,25;78:18
Duponts (1)
60:11
DuPont's (2)
26:25;73:10
Durham (6)
10:12;32:6;48:12;
63:19;71:20;73:8
during (13)
9:8,22,24;10:7;
11:4;19:17,17;28:24;
31:24;32:1;34:14;
37:24;47:23
Dynasty (1)
75:18
dysplasia (1)
36:1

E

EAF (1)
54:8
earlier (2)
13:7;64:18
Earth (3)
16:21;60:4;75:12
earthquake (3)
28:21;29:3;31:1
earthquakes (3)
28:16,18,22
eat (1)
69:18
echo (2)
52:22;78:3
edge (1)
65:20
effect (1)

9:4
effective (2)
10:25;71:4
effectiveness (1)
31:23
effects (1)
28:6
efficiency (1)
20:9
effort (4)
27:11,17,19,22
eight (2)
56:9;66:7
either (7)
4:13;20:14;52:9,13;
53:4;61:5;64:6
electrical (1)
69:16
electronic (2)
5:11,19
Element (1)
3:14
elevated (3)
41:3,5;45:5
elevation (4)
9:9;10:9;11:12;
30:14
elevations (6)
9:5,18;11:3;14:17;
20:8,9
eliminate (1)
71:2
eliminating (1)
42:12
Elimination (1)
42:10
Ellen (1)
76:13
else (9)
18:1,5;21:24;46:1;
47:18;48:14;49:17;
50:7;60:7
else's (1)
76:7
email (2)
5:18,21
emailed (1)
79:13
emphasize (1)
4:19
emphatically (1)
36:16
Enck (1)
46:19
encouraged (1)
34:18
end (16)
5:25;7:9,16;9:2;
12:7;23:21;31:19;
32:6;43:16;44:16;
48:20;62:25;64:6;
65:23;73:6;78:9
ended (2)

59:12;79:25
Enemies (1)
60:10
engaged (1)
40:14
engagement (3)
41:20,20;42:1
engine (1)
66:6
engineer (10)
55:5,18;65:2,16;
66:18;67:11,13;
69:16;72:24;73:4
engineering (6)
8:22;54:7;55:3,24;
56:13;64:25
engineers (1)
8:23
enlisted (1)
60:9
enormous (1)
35:16
enough (9)
21:17;35:15,19;
41:6;42:24;43:7;47:7;
57:21;77:6
ensure (3)
30:22;53:3;73:16
entails (1)
51:8
entire (2)
21:23;77:11
Environment (1)
40:8
Environmental (9)
3:15;32:23;40:16,
24;42:4;53:9,12;55:5;
67:12
EPA (13)
30:6;31:16;33:2,7;
41:21;44:6,21;46:20;
53:10;61:9;68:7,20;
75:8
EPA's (3)
5:14;63:2;79:15
Epps (11)
4:1;7:18,23,24;
18:5;22:17;39:24;
49:6;56:24;58:23;
74:22
equal (3)
4:11,15;64:6
equipment (1)
73:15
error (1)
26:14
essentially (4)
10:16;12:18;14:9;
34:16
establish (1)
27:18
established (3)
4:5;12:21;28:4

estate (1)
57:11
evaluated (1)
38:17
evaluation (2)
27:21;38:20
even (13)
9:21;10:7;25:3;
37:23;45:24;47:14;
58:1;62:3;63:22;
73:11;74:8;76:5,7
evening (6)
5:5;7:23;33:21,25;
40:6;51:13
event (1)
21:11
events (1)
9:22
everybody (8)
6:6,23,24;24:12;
48:14,19;54:12;58:9
everybody's (1)
63:1
everyone (4)
16:3;52:19;65:11;
78:19
everyone's (1)
70:25
everywhere (1)
58:17
evidence (1)
68:19
exactly (5)
38:18;51:7,7;75:25;
77:19
example (1)
41:22
excellent (1)
34:5
except (2)
64:10,15
exchange (1)
17:2
excuse (1)
72:17
existence (1)
60:18
existing (5)
8:12;11:6;13:7,16;
73:11
exists (2)
38:12;49:23
expect (5)
9:22;53:8,11;76:1;
79:9
expected (1)
20:24
expense (1)
38:14
expensive (1)
20:6
experience (3)
27:7;28:24;39:7

experiences (1)
39:15
expert (1)
70:23
experts (1)
33:22
explain (1)
24:1
explained (1)
33:24
exposed (2)
38:3;45:1
exposes (1)
43:6
exposure (1)
37:17
extreme (3)
29:11;57:13,14

F

face (1)
52:2
Facebook (1)
51:24
fact (11)
5:17;30:13;33:14;
43:6,12;74:1,2,14;
75:19;79:6,16
factor (2)
14:4;78:22
factories (1)
75:20
factory (3)
36:5;47:19;64:11
Fagan (1)
79:19
fail (3)
30:20;50:21;71:4
failed (1)
51:1
failing (1)
21:3
fail-safes (1)
11:15
failure (2)
56:22;64:18
fall-back (1)
20:15
falls (1)
10:5
families (1)
48:23
family (7)
16:14;18:22;37:5,
18;38:2,2;71:13
far (5)
34:8;48:1;59:5;
60:13;77:20
farm (1)
64:16
father (2)
37:11;71:11

fault (6)
　28:9,14,14;29:5;
　31:2,4
fear (2)
　39:16;41:13
Federal (5)
　41:21;43:19,20;
　44:20;45:7
feed (1)
　70:13
feel (11)
　23:9;24:9,21;32:9,
　9;35:10;47:4;49:7;
　50:3;57:21;73:12
feet (27)
　8:19,24;10:18,20,
　23;12:5;13:12;23:16;
　24:4,5;55:16,22,22;
　56:9,17;63:10,12,14,
　16,16,17,17,18;64:14;
　65:20,22,24
fell (1)
　47:22
fence (1)
　24:16
few (2)
　33:16;52:22
field (13)
　9:4,16;20:17;23:6,
　7;25:5,6,7,7;59:3;
　64:11;67:19,20
fields (12)
　20:12,21;21:5;
　54:21,24,25;55:2,12,
　13;56:19;59:6;67:22
fifty (1)
　65:22
fifty-four (2)
　23:17,21
figure (3)
　9:13;15:3;62:8
File (3)
　54:18;67:15;68:20
fill (3)
　6:11;16:7;56:11
filled (3)
　6:13;15:17;24:3
filtration (1)
　20:24
final (8)
　5:8,11,13,20,23;
　78:23;79:12,14
finally (3)
　17:19;44:25;79:18
financial (1)
　74:7
financially (1)
　36:17
find (1)
　50:9
fine (1)
　64:20
finish (1)

finished (1)
　15:14
Finley (3)
　69:5,6,6
F-i-n-l-e-y (1)
　69:6
fired (1)
　66:1
firm (2)
　54:7;55:25
first (21)
　7:17;15:18;16:9,9;
　17:19;22:10,22;25:3;
　30:6,19;32:13;33:1;
　51:19;55:19;60:25;
　61:3,16;63:1;73:23;
　75:17;76:11
five (9)
　7:1,2,3,4;15:24;
　16:1;44:15;65:20;
　78:5
five-minute (1)
　78:10
fix (1)
　60:6
fixed (1)
　53:23
flood (8)
　27:2;30:13;37:7,9;
　56:2;62:5;66:1;72:6
flooded (4)
　18:11;38:19,20;
　55:16
flooding (5)
　18:7;26:19;29:5;
　50:13;57:14
floor (3)
　20:5;38:4;52:4
flow (14)
　14:13,13;16:22;
　19:17;20:13,14,17,18,
　24;21:5,13;26:23;
　27:8;29:18
fluid (2)
　12:10,13
flushing (1)
　49:25
focusing (1)
　4:19
folks (2)
　19:18;39:6
following (1)
　46:12
foolproof (1)
　49:16
foot (5)
　13:19,22;64:8,15,
　17
Foote (3)
　19:1,3,3
F-o-o-t-e (1)
　19:4

force (2)
　18:6;59:2
forced (1)
　59:12
forcing (2)
　59:5;68:16
foreign (1)
　60:10
foremost (1)
　30:19
form (2)
　35:25;79:5
formal (1)
　34:1
formally (1)
　75:11
formation (2)
　10:25;13:4
former (8)
　3:6,20;4:1;5:1,14;
　36:20;58:14;78:18
forms (1)
　28:9
formulation (1)
　64:24
forth (1)
　19:12
forty-one (1)
　69:11
forum (1)
　52:18
forward (5)
　20:20;32:11;34:24;
　38:10;46:11
Foster (1)
　54:6
found (4)
　41:5;50:8,9;51:24
four (9)
　19:13,15;22:11,15;
　43:23;56:17,25;64:8;
　69:13
Frank (3)
　17:15,16;78:1
F-r-a-n-k (1)
　17:17
Frelinghuysen (1)
　43:24
French (1)
　72:17
frequency (3)
　27:25;28:1,3
friend (2)
　45:11,12
friends (1)
　18:21
front (2)
　23:6;45:24
full (5)
　35:7,8;42:6,15;44:9
full-time (1)
　70:15
fully (3)

　57:3;74:5;76:5
functioning (1)
　67:24
funding (2)
　25:12;44:8
further (1)
　48:6
Furthermore (1)
　28:20
future (2)
　28:23;78:17

G

G2 (1)
　54:19
galleries (5)
　8:18;9:6,14;11:16;
　14:13
gallons (16)
　22:12,15,16,23;
　24:2,8,8;26:22;55:11,
　12,14,15;56:18,20;
　64:25;67:17
game (2)
　77:3,4
games (1)
　46:22
garbage (1)
　59:20
garden (1)
　65:12
Gary (1)
　79:19
gas (1)
　29:4
gave (2)
　24:13;59:14
generally (2)
　5:4;29:19
generation (3)
　16:18;39:21;40:1
genetic (1)
　47:19
gentleman (2)
　33:24;58:20
geologic (2)
　10:24;13:4
geological (1)
　46:14
geologist (2)
　3:21;22:20
geology (1)
　30:16
Gere (4)
　54:13;55:20,25;
　66:19
gets (1)
　11:17
given (4)
　5:17;15:18;16:2;
　38:11
gives (1)

　78:9
giving (3)
　52:13,14;75:11
glasses (1)
　73:1
global (1)
　54:7
God (2)
　23:8;69:15
goes (7)
　8:17;9:7;11:25;
　12:16;42:21;50:12;
　72:5
gong (1)
　63:9
Good (5)
　7:23;17:19;40:6;
　51:13;61:2
Government (5)
　23:12;41:21;52:14;
　67:13;76:22
grade (2)
　63:14,15
gradient (2)
　12:10;14:5
Grant (4)
　32:7;65:24;71:20;
　73:8
granted (3)
　46:10;50:5;72:1
granting (1)
　30:9
gravity (1)
　8:20
great (2)
　53:7,17
greater (1)
　8:9
Greg (1)
　16:10
Gregory (2)
　16:11;59:25
grew (3)
　36:5;59:17;70:10
grit (1)
　64:20
gross (1)
　63:12
ground (13)
　8:19;10:20,23;
　12:23;13:18;18:18;
　22:14;30:18;37:24;
　47:22;50:20;53:22;
　78:23
Groundswell (1)
　50:8
Groundwater (32)
　3:5,9;4:18,20;7:19;
　8:3,5,14;9:20,23;
　10:15;14:17;15:7;
　26:23;31:14;32:17;
　37:19;38:10;45:25;
　46:8;49:24;50:4,17,

20,24;53:22;63:20;
64:9,19;67:25;70:25;
72:4
Groundwaters (1)
9:5
Group (4)
26:8;32:24;33:10;
61:6
grown (1)
36:4
guarantee (5)
21:22;38:1,6;74:6,7
guarantees (3)
52:23;53:5,18
Guard (2)
60:8,9
guess (1)
36:5
guinea (1)
32:12
gun (1)
60:12
guy (3)
23:15,20;25:8
guys (1)
48:3

H

hails (1)
16:14
hair (1)
64:3
half (5)
55:11,13;56:19;
63:17;76:10
hall (1)
6:12
Hamlin (1)
47:25
handouts (3)
5:2;11:20;14:8
happen (15)
14:4,5;29:6;30:22;
38:18;46:14;49:9;
57:23;61:24;62:12,
16,16;71:18;72:4,8
happened (5)
18:10;40:21;47:23;
70:10;77:12
happening (4)
11:24;58:1;70:8;
71:24
happens (13)
13:5,9,9;18:7,8,23;
29:20;48:14,23;58:5;
62:9;65:14;73:25
happy (2)
49:13;78:8
harder (3)
42:1,2,5
Harman (1)
32:21

H-a-r-m-a-n (1)
32:21
Hazard (2)
28:11;44:18
hazmat (2)
57:2,2
HDEP (1)
64:4
health (10)
33:19;36:6,7;40:24;
41:2,8,10;45:7,7;
77:11
healthy (1)
36:11
hear (3)
6:23;7:6;75:6
heard (6)
4:8;7:15;11:11;
43:8;48:4;61:25
hearing (31)
3:1,3,4,10;4:3,7,16;
6:5;7:9,16,21;15:16;
22:18;30:7,9;33:20;
40:19,20;41:17;42:9,
24;51:23;57:18,18,
19;71:22;78:14;79:8,
22,24,25
Heather (6)
3:18,21,22;6:11;
16:5;30:8
Heavy (2)
20:8;56:7
heck (2)
30:16;70:10
height (1)
63:13
held (2)
42:9;64:12
Helen (5)
49:3,4;66:25;67:2,6
hell (1)
22:11
Hello (1)
58:13
help (5)
15:20;35:4;49:22;
69:21;79:22
Hi (2)
26:6;48:11
hidden (1)
40:23
high (5)
9:22;21:7;28:3;
44:18;69:9
higher (4)
26:23;27:8;50:13;
63:14
highest (2)
68:1,4
Highlands (1)
28:10
highly (2)
78:7,11

historic (1)
75:25
history (2)
60:12;75:17
hold (1)
34:19
holding (1)
40:20
holds (1)
44:1
hole (1)
65:15
holes (2)
43:13;59:22
home (19)
24:9;32:4,5;35:10;
37:16,17,24;38:17;
46:15,24;47:25;
58:15;68:4;69:25;
70:15;71:2,8;73:7;
77:9
homeowner (1)
68:8
homeowners (2)
53:1;58:4
homes (38)
22:12;23:4;24:21;
25:14,23;27:13;32:1;
33:18;34:23,24;35:6;
36:22;38:4,5;45:2;
46:21;47:4;48:20,22;
49:11;50:5,14,19,23;
56:8;62:6,13,14;
64:10;65:23;66:9;
68:3,10,25;73:5,12;
74:4;77:8
homogenously (1)
27:6
honest (1)
46:19
honestly (2)
40:18;41:17
hooked (1)
20:7
hope (2)
48:17;71:16
horizontal (18)
10:16;11:16,20;
13:18;14:14;29:3;
48:16;49:25;50:12;
54:19,22,25;55:19;
56:16;57:4;66:17;
68:12;73:6
Horwitz (1)
51:17
hose (1)
65:12
Hospital (1)
69:20
hot (1)
68:11
hour (2)
43:8;52:6

hours (3)
55:15;66:7;78:6
house (17)
18:7,11;22:19,21;
23:5,6,7,9;24:3,6;
30:3,13;38:15;59:13,
14;63:15;71:3
houses (6)
18:24;38:5;56:3,3,
4;57:12
housing (4)
36:23;38:12;47:5;
74:5
HOWITZ (36)
3:1,13;15:15;17:7,
11,13;18:25;22:1;
26:3;29:10,23;32:18;
36:25;38:25;40:4;
44:12;47:9;48:9;49:2;
51:11;54:1;57:7;
58:10;59:24;60:2,21;
63:6;66:11,25;67:2,5;
69:5;70:18;73:20;
77:23;78:12
hundred (4)
36:8,9,14;64:8
Hurricanes (1)
47:23
hurting (1)
75:5
husband (4)
37:4;69:16,24;
70:12
husband's (1)
37:11
Hydraulic (9)
3:8;4:21,23;12:12;
20:13;29:14,18;43:1;
46:11
hydrogeology (1)
30:15
hydrologic (1)
46:14
hyperbole (1)
41:1

I

ice-skated (1)
59:19
idea (4)
27:5;30:17;33:11;
49:18
ideal (1)
29:14
ideas (1)
38:1
identical (1)
14:12
identified (1)
7:13
identify (2)
6:20;26:20

ill (1)
69:12
illness (1)
35:25
imagination (1)
77:20
immune (1)
36:8
impact (5)
10:10;20:8;29:4,17;
41:8
impacted (2)
27:17;42:7
impacts (3)
28:6,22;42:4
Implementation (1)
4:24
important (6)
9:19;12:14;49:18,
25;62:2;78:22
improve (1)
52:16
inaudible (16)
22:23;35:15;36:20;
37:5;38:21;45:11;
47:8,13;48:5;54:9;
55:12;56:19;66:12;
70:2,5;73:19
inch (1)
21:10
include (1)
29:1
includes (3)
27:3,25;29:9
including (5)
31:11;38:17;40:14;
45:10;79:16
inconvenience (1)
48:16
incorporated (2)
41:16;43:11
increase (4)
10:1;26:23;29:5;
44:7
increased (4)
9:8;28:21,25;55:14
increases (2)
10:4;14:5
independent (1)
42:3
Individual (6)
7:5;8:17;31:23;
32:1;33:3;70:25
Indoor (1)
68:6
ineffective (1)
71:9
infiltration (6)
8:18;9:14,23;11:16;
27:6;29:9
info (1)
57:18
inform (2)

33:4;34:14
Information (17)
4:23;7:19;9:12;
12:4;27:8,9;29:2;
33:15,20,22;45:9;
55:4,24;57:20,25;
78:16;79:5
informed (1)
61:18
infrastructure (1)
27:14
infrastructures (1)
74:11
inhouse (1)
20:1
initially (2)
68:7,8
inlet (2)
63:10;64:15
Inside (1)
64:4
inspect (1)
14:14
installed (4)
10:19;38:22;56:1;
63:19
instance (1)
53:10
instead (3)
32:17;46:8;56:10
insulted (2)
78:7,11
insurance (25)
18:14,15,16;26:19;
31:9;34:21;35:8;
38:12;43:7;49:21;
50:4;52:24;53:4,18;
58:3,4;62:7,9,21,24;
73:24,25;74:8,9,10
insurances (1)
31:12
intact (1)
54:24
integrity (3)
29:13;32:23;40:16
intended (2)
58:6;72:20
intense (1)
10:8
intensity (1)
10:4
interests (1)
53:13
interval (1)
26:24
Intintola (8)
54:2,3,3;63:7,8;
66:14,17;67:11
I-n-t-i-n-t-o-l-a (1)
54:4
into (35)
9:7;10:15,21,24;
11:14;12:23;13:4;

14:13;21:2;23:9;24:6;
26:1;35:1,3,6;38:15;
41:16;45:18;48:21,
24;49:10;50:22,24;
56:18,19;57:15;
61:13;62:13,19,24;
65:19;71:3;75:21;
76:5;77:1
intrusion (5)
34:13;38:22;44:23;
70:23;71:1
investigator (2)
54:4,5
involved (2)
43:4;53:15
involvement (2)
52:11,11
Ira (1)
68:20
Irene (1)
47:23
irrigating (1)
64:16
issue (8)
25:12;33:17;53:22;
56:22;57:4;63:22;
72:8;73:25
issued (1)
5:8
issues (3)
63:20;64:19;65:19

J

Jaconetta (8)
17:15,16,17;30:10;
34:4;58:2;77:25;78:1
J-a-c-o-n-e-t-t-a (1)
17:17
Jefferson (9)
32:19,20;57:23;
69:7;71:21;73:7,21,
23;78:3
J-e-f-f-e-r-s-o-n (1)
32:21
Jersey (17)
3:15;4:6;14:19;
28:19;30:3;31:11;
32:14;39:3;40:8;
41:23;42:10;53:7,8;
54:9;59:8;60:24;69:9
jet (2)
65:9,18
job (1)
59:9
Joseph (3)
54:2,3;63:7
Jr (1)
54:2
jump (1)
24:17
jumping (1)
24:16

K

Karen (2)
58:11,12
Kathy (2)
69:5,6
Katz (1)
68:8
keep (6)
9:10;20:17;35:16;
44:7;59:9;74:14
keeps (1)
69:15
Ken (1)
17:7
Keough (3)
57:8,9,9
K-e-o-u-g-h (1)
57:10
key (1)
19:6
kidding (1)
70:7
kidney (1)
41:3
kids (1)
25:7
kind (2)
43:4;58:3
knew (6)
25:19,22;34:13;
44:22;45:3;52:1
knife (1)
65:19
knifing (1)
65:9
knowing (2)
38:15;75:20
knowledge (1)
39:19
known (1)
36:23
Kool (1)
25:10
Kozlowski (1)
3:19
Kullman (1)
76:13

L

lab (1)
77:5
lake (11)
32:5;34:25;45:19,
20;48:3;53:22;58:18,
22;59:18;70:7;77:17
Lakes (48)
3:6,20;4:2;5:1,15;
8:1;17:18;19:4;22:7,
8;24:25;26:8;28:8;
30:3;32:22,24;33:9;

40:15,16,18,23;41:19,
22;43:21;44:2,17,23;
46:5;47:8,13;49:5;
51:16,22;53:21;
57:11,12;58:13;
59:17;60:4,16,24;
69:8,11;70:20;71:22,
23;78:2,18
Lakeside (1)
70:6
language (1)
74:17
largest (2)
40:23;76:17
LaSala (10)
32:19,20,21;37:10;
57:23;73:21,23,23;
75:1,3
L-a-S-a-l-a (1)
32:22
last (12)
13:15;15:8;22:13;
24:13;30:1;33:10;
35:1;41:14;43:22;
48:5;53:20;66:2
lastly (2)
62:3;75:16
later (10)
22:24,25;25:16,20;
36:24;37:8;45:2,14;
76:15;79:3
laugh (1)
58:24
laughing (1)
58:20
Laws (2)
76:19,20
lawsuits (1)
34:19
lawyers (1)
70:5
leach (2)
59:3,6
leached (1)
49:10
leaching (4)
20:12,17,20;21:5
lead (1)
69:23
learn (2)
18:9;39:14
learned (2)
39:22;59:18
least (1)
78:9
leave (7)
5:18;14:7,9;54:24;
59:8;65:13;70:13
left (4)
22:2;59:20;74:24,
25
legacy (4)
40:17,18,22;42:22

legally (1)
54:15
legs (1)
65:6
length (2)
32:7;37:24
lengthy (1)
17:21
Lenox (1)
60:24
lesions (1)
39:15
less (4)
29:14;37:8;65:17,
24
letter (1)
68:8
letters (1)
33:4
Leukemia (2)
36:1,2
level (14)
11:17;27:14;28:4;
30:15;32:2;35:20;
41:15;43:18,18,19;
49:23;50:20;68:6;
72:5
levels (11)
27:12,16,17,23;
28:5;31:22;41:3,5,10;
43:10;50:18
liabilities (1)
77:5
library (2)
5:16;79:17
lie (1)
39:22
lied (1)
69:3
lies (1)
13:18
life (7)
16:21,22;17:2,3,3;
35:24;73:16
lifelong (1)
17:18
liked (1)
57:22
limit (2)
7:1;15:23
limitations (1)
6:25
limited (1)
20:14
line (10)
9:24;10:1;13:21;
21:8,15;28:9;31:2,4;
32:8,11
lines (2)
15:5;29:4
link (1)
28:20
linked (1)

41:4
linking (1)
41:3
liquefaction (1)
28:24
liquid (1)
19:7
Lisa (2)
44:12,13
list (6)
16:8;41:23,25;44:4,
19,20
listen (5)
18:11;32:12;75:4,9,
10
listened (2)
48:18;49:6
literally (1)
51:24
little (3)
34:2;46:6;52:2
live (14)
16:12;22:6,9;30:3;
37:3;47:17;51:21,22;
59:13;60:15,16;
69:14,22;77:7
lived (2)
42:23;59:14
liver (1)
23:22
lives (2)
33:18;62:13
living (5)
23:8;34:17;37:4,7;
44:24
Lloyds (1)
31:11
local (7)
5:15;9:5;20:3,7;
26:24;43:18;79:17
located (2)
73:6,11
location (1)
8:6
locations (2)
19:24;73:9
London (1)
31:11
long (14)
10:19;20:12;33:7;
35:11;40:21;42:23;
55:22;57:10;61:8;
62:20;63:10;64:15,
21;74:19
longer (4)
59:13;67:23;71:3;
77:7
longest (2)
64:7,12
long-term (1)
42:5
longtime (1)
57:11

long-time (1)
58:13
look (24)
12:4,8,8,10,10,11,
19,24;13:8;14:4,12;
17:21;34:12;41:1;
42:5;46:25;53:13;
59:4,10;61:16;62:19,
24;75:17,19
looked (2)
12:2;25:5
looking (3)
61:13;73:1;76:5
losing (2)
20:19;77:8
lot (16)
9:23,25;12:4;14:8;
15:10;23:13,24,25;
52:6;59:3,3,6;65:18;
69:2,12;76:3
low (2)
28:1,17
lymphoma (2)
39:15;41:4

M

M1 (1)
66:5
madness (2)
70:5,17
magnesium (1)
20:21
magnified (1)
28:23
magnitude (1)
31:3
mail (1)
33:4
Mailed (2)
6:2;79:13
mailing (1)
5:22
main (1)
17:23
maintain (2)
14:24;15:5
maintained (1)
15:1
maintaining (2)
15:4;29:12
maintenance (1)
21:1
major (1)
28:18
majors (1)
31:3
making (4)
6:18;65:15;67:19;
76:24
M-a-l-l-e-y (1)
40:7
man (4)

60:9;75:6,6;78:4
Management (1)
3:16
manager (1)
3:19
Mancini (3)
48:10,11,11
M-a-n-c-i-n-i (1)
48:12
manganese (3)
56:23;57:1;64:19
mankind (1)
39:13
many (9)
16:16;27:3;33:8;
45:10;51:20;61:4;
69:24,24;70:4
March (2)
5:25;26:12
marked (1)
66:19
Marketing (1)
74:17
married (1)
35:20
marrow (1)
47:15
Martens (13)
49:3,4,4;66:12,15,
22,25;67:1,3,6,6;
68:22;72:14
M-a-r-t-e-n-s (2)
49:5;67:7
Maryland (1)
25:11
Mary's (1)
79:18
mass (1)
72:21
masters (1)
69:17
material (3)
12:9,19,20
material's (1)
12:13
matter (2)
74:9,15
may (8)
7:5;16:22,23;20:22;
46:3;52:25;60:1,2
maybe (3)
19:18,22,24
mayor (6)
16:24;18:11;36:21;
58:22;60:23,25
Mcclintock (1)
79:20
mean (5)
31:5;48:14;59:17;
65:25;76:6
means (3)
42:1;46:7;74:3
meantime (2)

35:22;49:21
meanwhile (1)
21:5
measure (9)
9:10,11;12:12,18,
25;13:14;14:16;
19:23;50:11
measured (6)
9:6;12:21;19:16;
27:24;56:15;63:13
measurements (1)
13:5
measures (1)
48:6
measuring (1)
31:22
mechanical (1)
55:3
mechanism (1)
62:17
medication (1)
69:12
medicine (1)
69:15
meet (4)
14:18;43:25;61:11;
75:7
meeting (12)
24:13;33:5,10,11,
16;48:5;52:1;57:22;
58:16;61:10;62:21;
78:5
meetings (5)
35:13,14;39:21;
41:19;61:4
member (7)
26:7;72:10;73:18;
74:24,25;75:2;77:24
members (3)
7:14;15:17;40:9
mental (1)
66:4
mention (1)
50:19
mentioned (4)
47:21;52:23;57:23;
64:18
mercury (1)
69:23
merge (1)
76:23
merger (1)
76:21
merging (2)
76:16,17
mess (2)
44:25;60:17
met (4)
14:21;27:20;39:24;
43:24
metal (1)
56:7
metering (1)

20:1
method (1)
21:10
Michael (1)
57:9
microphone (1)
15:20
middle (2)
32:5;44:25
midwest (1)
64:7
might (5)
19:10;29:16;61:24,
24;65:19
migrated (2)
46:8;48:2
migrating (1)
47:22
migration (1)
48:7
Mike (3)
57:8;60:22,23
millennials (1)
16:19
million (5)
22:15,22;24:2;36:6,
7
millions (2)
45:19;76:13
mind (6)
24:16,17;63:1,2,2;
68:13
minds (1)
63:1
minimum (1)
32:4
minute (11)
7:4;15:25;26:22;
29:10;55:11,15;
56:18,20;64:25;
65:14;67:17
minutes (9)
7:1,2,3,5;15:24;
16:1;21:20;44:15;
78:5
misbehaves (1)
20:16
misleading (1)
26:16
missing (1)
19:20
mistake (4)
63:12;65:2;68:9;
76:22
mitigation (9)
27:20,21;28:11,12;
31:22;35:4;37:22;
46:16;50:21
model (7)
13:15;14:1,1,3;
15:7;27:3;66:4
modeling (7)
13:13;31:14;42:19;

46:13,15;73:9,10
models (1)
29:20
modification (1)
77:17
modified (1)
67:16
modify (1)
27:12
Mohammed (1)
69:20
money (1)
62:13
Monica (1)
39:4
monitor (10)
9:17,19,21;10:3;
14:12,13;20:4;27:16;
29:17;53:11
monitored (4)
11:4,22;43:10;
49:24
monitoring (11)
13:6;19:14,25;
21:17;27:15;28:1;
31:21;32:1;37:20,22;
46:23
Monsanto (1)
39:8
Monte (1)
77:3
month (1)
61:14
monthly (3)
9:11;13:14;28:2
months (2)
61:4;76:15
more (15)
14:25;19:10,23,23;
36:17;37:8;40:9;
41:20;43:19;52:17;
58:3;71:6;74:20;
77:23,24
morning (3)
69:13,13;70:14
Morristown (1)
31:3
most (5)
10:8,16;28:14;
39:13;56:3
Mother (8)
16:21;32:9;35:22;
37:11;60:4;71:12;
73:14;77:12
motivating (2)
41:11,12
mounding (2)
65:22,25
move (8)
13:20;38:10,14;
45:25,25;46:3,11;
59:9
moves (2)

9:20;12:20
Moving (11)
32:8,10;34:24;
37:18;40:24;45:16;
46:7;70:21;71:7;
72:13,18
MUA (1)
20:2
M-u-c-d-e-r (1)
17:13
much (10)
14:24;21:25;22:14,
19;24:6;26:3;27:7;
29:23;38:24;60:20
M-u-l-d-e-r (1)
17:14
municipal (1)
58:16
murder (1)
23:13
must (7)
6:3,10;31:23,25;
44:23;60:17;68:9
mutation (1)
47:19
Myelodysplastic (1)
36:1
myself (3)
31:8,9;69:14

N

nagging (1)
30:7
name (20)
3:13;6:17;7:23;
15:19,20,21;16:10,11;
17:16;19:2,3;22:4,5;
26:6;28:13;29:24;
30:2;51:13;67:5,12
nation (1)
32:14
National (5)
41:23,25;44:4,19,
20
Native-American (1)
16:14
natural (2)
29:2;31:7
near (6)
29:9,15,19;36:4;
37:16;73:11
necessity (1)
21:1
need (30)
8:8,9;16:17;29:7,
15;33:21;36:17;
38:19;41:18,20;
43:17,19;44:9;47:4,5;
50:16;51:2;61:24;
62:14,24;63:4;69:1;
71:4,15,25;72:25;
73:3;74:8;77:9,11

needed (1)
8:2
needs (10)
32:4;41:15,16;44:3,
8;46:13,14;47:3;
77:10,13
negative (1)
63:21
neighbor (2)
23:14;53:16
neighborhood (3)
23:14;24:24;49:15
neighborhoods (2)
45:18;46:9
neighbors (7)
18:22;49:14;51:22,
25;52:17;53:15,17
neither (1)
72:22
nerve (2)
75:5,13
neurological (1)
71:15
New (23)
3:15;4:6;14:19;
28:19;30:3;31:11;
32:13;39:3;40:8,10;
41:22;42:10;53:7,8;
54:9;55:7;59:8;60:24;
67:15,25;69:9;76:25;
77:2
news (2)
35:12;39:20
newspaper (3)
3:11,12;31:5
next (13)
17:7,9;18:12;19:1;
22:3;23:5,14;30:5;
36:5;37:15;58:20,22;
76:24
Nicole (4)
3:18,21;6:11;16:5
night (4)
21:19;57:19;62:7,
15
nine (2)
13:12;46:2
NJDEP (4)
3:7;44:21;55:17;
68:2
NJPDES (3)
4:4;8:13,16
nobody (5)
25:18,19,19;39:11;
60:7
noise (1)
66:9
Non-Hodgkins (2)
39:15;41:4
nonhomogeneous (1)
19:9
nonsense (1)
18:16

nor (1)
72:22
north (3)
19:15;68:14,16
northern (1)
73:6
note (3)
4:10;5:24;71:10
notice (5)
5:22;26:11;51:23;
59:9;71:22
notification (1)
71:17
notified (4)
25:3;44:25;45:5;
71:23
notify (2)
7:3;15:24
nozzle (2)
64:5;65:13
number (7)
11:21;12:22;15:10;
30:18;63:25;71:9,10
nurse (1)
70:15
Nylon (1)
75:18

O

object (1)
46:10
objectives (1)
27:20
O'Brien (4)
54:13;55:20,25;
66:19
obtained (4)
54:14,15;55:4,17
obvious (2)
43:4,5
obviously (6)
40:22;42:12,22;
43:11;44:6;71:7
occur (1)
27:6
occurs (1)
7:17
ocean (2)
75:22,22
o'clock (4)
3:2;69:13;70:13,14
October (3)
5:25;6:3;79:2
off (15)
14:4;30:4;32:2;
40:11;46:6;48:7;
49:10;54:25;55:2;
72:5,6;73:24;75:17,
21;76:11
offered (1)
50:10
Office (1)

3:22
offsite (1)
72:23
often (2)
19:23;21:17
oil (1)
24:22
old (5)
11:6;23:17,19,22;
69:11
O'Malley (3)
40:5,6,7
once (4)
7:5;43:24;61:9,14
one (34)
6:13;7:4;11:11;
15:25;17:2;22:25;
24:1,2,5;29:10;30:3,
10,13;31:2;36:5,8;
37:4;45:17;51:17,25;
59:10;62:6;68:4,24;
71:9;72:2;73:8,9,10,
24;75:8;77:15,21,23
ones (3)
9:15,16;32:13
one-sided (1)
41:18
Ongoing (2)
31:20,21
online (2)
17:21;19:7
only (18)
7:5;11:7;16:3,16;
17:4;19:9,13,15,16;
33:14;38:2;41:11,13,
19;43:17,24;64:20;
76:1
onto (1)
57:15
open (8)
3:1,3;7:21;8:24;
9:7;52:4;64:11;65:15
opening (2)
64:2;65:10
openings (2)
64:20;65:7
operate (8)
10:22;13:23,24;
15:2,2,9;20:19;55:1
operated (1)
56:1
operating (4)
8:25;12:3;14:10,11
operation (6)
11:4;12:2;13:2;
14:21,22;23:20
operational (1)
54:24
operations (2)
9:4;20:13
opportunity (7)
4:8;6:24;7:9;15:18;
16:2,4;42:14

opposed (3)
  20:19;21:19;37:18
OPRA'd (1)
  44:22
optimum (2)
  15:6;20:3
option (2)
  38:11,12
Orange (2)
  39:10,12
Orchard (1)
  32:25
order (2)
  27:16;35:4
Orefice (3)
  47:10,11,11
O-r-e-f-i-c-e (1)
  47:12
organization (3)
  6:20,21;15:22
organizations (2)
  40:13;70:21
originally (1)
  39:4
others (2)
  15:11;45:3
ours (2)
  8:5;38:17
ourselves (2)
  60:14,17
out (44)
  6:11,13;9:3,15;
  10:2;11:8;13:25;15:3,
  17;16:7;21:4,8,9,14;
  22:3,17;24:7;28:13;
  36:19,22;40:2;41:8;
  42:11;46:3;50:2,11;
  51:21,24;53:13;
  55:10;57:4;58:22;
  59:5,12;61:15;62:8;
  64:7;71:18;74:15;
  75:2;77:2,15;78:4,10
outlet (1)
  63:10
outreach (1)
  78:17
over (18)
  7:18;9:9,10;13:2,
  15;17:14;22:11;
  23:16,18,24;24:16,17;
  25:6,13;38:7;43:8,22;
  73:19
Oversight (1)
  3:14
own (9)
  31:12;35:10;41:1,
  12;45:1;47:1,2;49:22;
  60:18

P

paddle (1)
  58:7

Paez (3)
  37:1,2,2
P-a-e-z (1)
  37:3
page (1)
  4:25
pages (1)
  5:14
pain (1)
  75:10
pair (1)
  24:22
pants (1)
  24:22
paper (2)
  54:17;63:11
parallel (1)
  64:8
park (1)
  45:6
Parkinson's (2)
  69:18,19
part (5)
  3:7;4:3;8:11;16:13;
  40:22
partial (1)
  42:16
participation (1)
  4:4
particular (2)
  6:20;51:15
particularly (1)
  79:19
particulars (1)
  54:16
parts (3)
  68:3,6,7
party (3)
  34:13;35:17;76:9
party's (1)
  75:4
Pascrell (1)
  43:22
pass (2)
  12:10;17:11
Passaic (3)
  28:11,12,16
passed (1)
  23:17
past (7)
  20:2,20;43:8;48:18;
  57:19;75:14;76:18
Pat (1)
  30:4
PATERSON (2)
  29:11;34:6
Patterson (4)
  26:4,4,6,7
P-a-t-t-e-r-s-o-n (1)
  26:7
pay (2)
  53:7,10
PCE (5)

  37:23;41:5;68:6;
  71:3,14
Pennsylvania (1)
  59:9
people (41)
  7:12;10:16;16:18;
  17:4;21:17;22:13;
  23:7,8,10,13,24,25;
  24:14,25;33:6,10;
  38:2;39:16,22;40:1,2;
  45:21,23;46:16;47:3,
  7;48:18;51:6,7;52:22;
  53:21;57:25;58:6;
  60:14,15;61:21,21;
  62:21;63:18;66:24;
  77:18
people's (1)
  52:10
Pequannock (1)
  48:3
per (8)
  7:2;19:16;26:22;
  28:2;55:12;68:3,6,7
perc (1)
  56:13
percent (3)
  36:8,9,14
performance (2)
  15:6;27:22
perhaps (2)
  40:23;41:22
period (8)
  5:25;11:10;17:1;
  26:12;27:11;31:19;
  79:1,11
perm (1)
  56:12
permanent (1)
  66:20
permeability (2)
  12:9;26:24
permission (1)
  44:15
permit (23)
  4:8;5:9;8:5,7,11;
  14:15,25;15:9,12;
  20:14;36:13;37:19;
  43:1;46:10;66:23;
  67:15,16,17;72:1,9;
  77:16,16,20
Permit-by-Rule (14)
  3:5,25;4:4,18,20;
  7:20;8:2,8,10;10:13;
  12:1;14:11;78:23,24
permits (2)
  7:8;57:3
permitted (1)
  8:16
permittee (1)
  5:10
Perrin (6)
  30:2,4;63:19;65:23;
  71:20;73:7

Perry (2)
  68:8,20
person (8)
  5:10;6:10;7:6,9,15;
  17:10;77:13,21
personal (4)
  39:5,14,25;71:10
phase (1)
  22:10
PhD (1)
  35:20
picked (2)
  39:20,20
picture (2)
  11:19;66:4
pictures (2)
  18:13;58:17
Piedmont (1)
  28:10
Piezometers (1)
  19:13
pig (1)
  21:12
pigs (1)
  32:12
Pilot (35)
  3:8;4:22,24;11:4,9;
  26:20;27:5,11,19,22;
  42:17,18,19;43:2,6,
  13;47:7;49:7,13,16;
  50:6;51:1;54:20,23;
  55:7,9;62:4;66:13,18,
  21;67:8,14;68:23;
  72:15,16
Pine (1)
  48:3
pipe (3)
  27:7;37:15;64:4
pipeline (1)
  29:6
piping (1)
  8:24
pits (1)
  9:7
place (3)
  45:17;48:6;62:12
placed (4)
  5:13;16:8;79:14,16
places (1)
  46:3
Plan (20)
  4:25;26:25;27:5;
  28:12;31:16;32:10;
  35:8;36:20;43:9;
  45:15,23;46:7;47:3;
  48:13,22;51:3;74:13,
  16;76:24,25
planet (1)
  76:17
planning (1)
  76:12
plans (5)
  41:13;56:13;71:25;

  72:3,12
play (1)
  25:6
played (1)
  25:7
playing (2)
  46:22;77:3
PLCAG (1)
  40:14
Please (14)
  4:10;5:18,24;6:16,
  22;7:1;15:19,22,23;
  16:7;29:1,25;69:5;
  78:15
pleased (1)
  51:20
plug (1)
  21:12
plume (15)
  19:5;32:25;34:17;
  36:23;38:17;41:9;
  46:24;51:21;59:14,
  15;64:9,11;68:1;
  72:22,23
plus (4)
  44:18;50:23;56:18;
  59:7
pm (2)
  7:16;80:1
podcasts (1)
  35:13
point (9)
  20:11;26:10;28:7;
  52:3,21;53:20;60:11;
  65:13;77:15
points (3)
  11:22;52:13,14
poison (1)
  37:18
poisoned (1)
  74:10
poisoning (1)
  75:14
poisons (2)
  45:1;46:21
poke (1)
  43:12
policies (2)
  52:24;53:4
policy (9)
  30:21;31:10,13;
  49:21;50:4;62:7,9;
  74:8,11
Pollutant (1)
  42:10
polluted (1)
  48:23
polluter (3)
  35:15;42:14;58:4
pollutes (1)
  21:22
pollution (6)
  17:3;34:16;37:12;

76:14,18
second (7)
  7:10,12;20:11;
  36:23;52:21;57:24;
  61:17
secondary (1)
  28:22
Secondly (1)
  71:25
seconds (1)
  22:2
section (1)
  5:12
sediment (1)
  57:4
sedimentation (1)
  20:25
seeing (1)
  74:11
seismic (1)
  28:25
seismically (1)
  28:14
selfish (1)
  39:6
sell (3)
  58:14;59:12;77:7
send (2)
  25:11;68:14
sensors (2)
  27:15;43:11
sent (1)
  33:3
September (1)
  3:12
septic (1)
  59:3
series (2)
  9:3,14
serious (2)
  19:22;35:24
Serra (3)
  60:22,23,23
S-e-r-r-a (1)
  60:23
service (1)
  64:17
session (2)
  33:15,20
set (1)
  7:2
setting (2)
  61:6;79:22
seven (7)
  23:2;34:14;36:24;
  45:2,4;63:14;68:2
seventy-five (1)
  24:8
seventy-four (1)
  23:19
several (4)
  17:24;33:3;35:21;
  68:10

shades (1)
  72:25
shallow (2)
  26:24;30:18
sharp (1)
  10:1
sheet (3)
  6:5;79:6,16
sheets (1)
  5:17
shell (1)
  77:3
short (1)
  3:24
shoving (1)
  69:3
show (3)
  3:2;41:7;61:15
showing (3)
  58:17,18;61:2
shown (1)
  61:7
shows (1)
  9:13
shut (4)
  32:2;54:25;55:2;
  72:6
sick (4)
  23:14,15,24;36:4
side (5)
  10:11,18;19:15;
  68:13,16
sides (3)
  11:23;77:18,19
sign (5)
  6:7;7:12;26:1;
  34:18;78:15
signed (2)
  5:3,17
significant (1)
  5:6
significantly (1)
  27:12
sign-up (1)
  6:5
similar (1)
  19:25
simply (1)
  75:23
simulations (1)
  27:1
single (2)
  64:12;75:8
sink (1)
  59:22
sinkholes (1)
  59:4
Site (23)
  3:6,16,20,23;4:2;
  5:1,15;8:1,13,15;
  10:15;41:22,24,25;
  42:4;43:3;44:3,8;
  48:1,7;54:9;64:14;

78:18
sites (1)
  19:10
sits (1)
  20:5
sitting (5)
  28:8;52:5;58:20;
  65:5;68:23
situation (4)
  33:9;38:13;49:11;
  76:1
six (6)
  22:16;36:3,9;55:12,
  13;56:9
sixteen (1)
  24:4
size (3)
  64:3;66:5,5
skin (1)
  39:15
slabs (1)
  13:11
sleep (3)
  21:19;62:7,15
slide (3)
  15:11;17:20;21:9
Sloan-Kettering (1)
  36:3
slope (1)
  12:11
slot (2)
  64:2,2
slots (2)
  21:11,14
slow (1)
  40:24
smell (1)
  24:23
soccer (6)
  9:3,16;25:5,6,7,7
society (1)
  79:15
soil (6)
  12:5;19:8,11;29:21;
  30:15;56:13
Soils (1)
  28:23
sold (1)
  76:13
solids (2)
  20:23,25
solution (1)
  42:6
solve (1)
  60:13
solved (1)
  16:18
somehow (1)
  34:20
someone (2)
  4:12;76:7
sometimes (5)
  12:16,17;19:11;

60:5,6
somewhere (1)
  46:1
son (1)
  24:11
soon (3)
  66:1;69:9;79:24
sorry (7)
  23:2,9;26:5;53:14;
  58:24,24;73:21
sound (1)
  66:9
south (2)
  68:13,15
space (1)
  27:24
spaghetti (2)
  25:5,8
Spartan (1)
  69:9
speak (15)
  6:10,13,16,24;
  15:19;16:4,7,18;
  30:10;49:6;60:1,4,18;
  61:5,8
speaker (10)
  6:12,14,15,25;
  15:18;16:6,7,9;17:7;
  19:1
speakers (3)
  6:19;7:5,13
speaking (4)
  4:12;6:19;34:9;
  67:1
speaks (1)
  43:15
special (1)
  25:10
specific (2)
  6:9;33:25
specifically (2)
  71:1;75:20
specifications (1)
  65:21
spell (8)
  6:17;15:21;16:10;
  19:2;22:4;29:24;
  42:11;67:5
spending (1)
  45:19
spent (1)
  69:24
spoke (4)
  60:3;70:22;77:18,
  19
spoken (3)
  34:8;35:11;77:21
sporadically (1)
  19:9
sprayed (1)
  39:12
spring (1)
  55:9

spun (1)
  76:11
square (1)
  8:24
SSD (2)
  63:18,21
St (1)
  79:18
stable (1)
  44:7
stack (1)
  6:14
staff (1)
  79:19
stainless (1)
  63:25
stamp (2)
  42:25;43:1
stand (5)
  34:7;36:12,14;
  42:20;68:24
standpoint (2)
  8:23;12:7
start (11)
  17:13;26:11;30:6;
  40:11;46:22;50:10;
  60:16;64:22,22;
  65:15,18
started (5)
  22:9;26:12;37:9,9;
  78:5
starting (2)
  49:24;56:24
starts (4)
  10:4;21:22;30:18;
  65:14
startup (1)
  19:17
start-up (1)
  20:13
State (12)
  23:11;31:11;32:13;
  40:10,25;42:18;
  43:18;45:7;53:6,8;
  62:10;67:18
stated (4)
  55:25;67:14;72:18;
  79:7
statement (2)
  4:13;53:2
statements (2)
  4:10,11
States (6)
  17:5;54:19,20;55:6;
  60:8;66:20
State's (1)
  41:1
static (2)
  54:21;67:19
stations (2)
  19:14;20:22
status (1)
  41:24

toxic (2)
38:17;44:25
track (8)
9:10;11:21;29:13;
46:6;63:13,14;68:13,
16
tracks (13)
9:2;10:11;23:16;
29:9,16,19;30:4,5;
37:15;51:5;56:5,9;
71:19
train (1)
63:13
transcriber (1)
15:21
transferred (1)
15:12
transmit (1)
12:13
transplant (2)
36:10;47:16
travel (1)
57:15
traveling (1)
37:15
treat (1)
10:14
treated (1)
8:17
treating (2)
8:14;24:20
treatment (2)
8:14;55:8
Trends (1)
3:11
Trenton (1)
40:10
tried (4)
31:8;32:16;50:7;
69:21
triggered (1)
41:6
truck (1)
57:2
true (1)
68:22
trust (1)
70:1
truth (2)
40:18;60:19
try (2)
15:23;44:14
trying (5)
27:1;33:2,6;62:4;
77:4
Tuesday (1)
48:5
turn (3)
7:18;55:2;74:15
turned (1)
10:18
turnout (1)
61:2

twelve (1)
8:17
twelve-thousandths (2)
64:3,21
twenty (6)
13:2,15;22:13,15;
23:3;40:9
twenty-four (1)
24:7
twice (1)
19:16
two (17)
13:19;23:18,20;
26:20;28:1;45:11;
51:18;55:11,15,16;
69:16;70:14,21;
71:10;76:16;77:24;
78:6
type (2)
38:13;77:12
typically (2)
13:12;57:19

U

ultimately (1)
43:2
unacceptable (8)
11:18;33:12,19;
35:7;74:12,18;75:15;
76:21
unconscionable (1)
75:15
under (14)
8:13,16,21;14:11;
15:24;22:19,21;
30:16;36:20;42:9;
49:8;50:5;59:6;71:7
undergo (1)
35:24
underground (1)
59:2
underneath (7)
22:12;23:4;24:3,9,
21;25:14;63:16
underway (1)
27:19
underwent (1)
47:15
unexpected (1)
21:11
unfair (1)
34:3
United (2)
17:4;60:7
universal (1)
16:15
unknown (1)
29:21
up (59)
4:14;6:2,16;15:19;
20:7,10,23;21:8;24:3;
30:24;31:1;34:16;

35:3,15,18;36:4,5,25;
39:20,21;43:3,9;
44:16;45:17,22;
46:25;47:7,20;51:3,
18;52:8;54:11;56:9;
57:15;58:6,19;59:4,
12,17;60:17;61:1,2,
15;62:8;65:15;66:1;
67:21;68:11,24;
69:12,13,14;70:10,11;
73:2;74:20;76:8,10;
79:22
Update (1)
28:12
upon (2)
7:4;15:25
urge (1)
53:2
usage (1)
20:1
use (6)
12:4;13:17;63:25;
66:3;78:16;79:21
used (9)
13:1;20:1;25:6;
31:18,25;56:14,21;
64:13;74:17
using (5)
7:2;15:24;65:6;
71:5;79:5

V

VA (1)
39:18
value (1)
33:18
valve (1)
56:21
valves (1)
56:21
VanEck (1)
3:18
vapor (8)
34:13;35:4;37:21;
38:22;44:22;46:16;
70:23,25
vapors (2)
45:3;50:22
variable (1)
19:8
varied (1)
14:2
vegetation (1)
51:5
vehicle (1)
20:2
verbal (5)
4:9,11,15;5:6;79:12
versed (1)
57:21
versus (1)
10:22

vertical (1)
10:17
Veteran (3)
39:5,7;60:7
Veterans (1)
39:22
vibration (1)
21:15
Victorian (1)
47:25
Vietnam (2)
39:5,7
view (3)
6:24;52:13,15
Village (4)
56:7;68:1,11,18
VOC (4)
19:21;20:9,10;
45:16
VOCs (5)
35:3;37:14;68:17;
72:20,22
Vojo (3)
22:3,5;34:6
V-o-j-o (1)
22:6
volume (2)
67:17,21
volumes (1)
43:15

W

wake (1)
69:13
walk (4)
45:6;69:14,18;78:4
Walnut (4)
56:5,8;67:25;68:4
Wanaque (2)
45:22;68:18
wants (2)
7:10;16:3
warn (1)
39:6
warned (1)
39:17
washed (1)
24:23
Waste (1)
3:16
wastewater (2)
45:16;46:7
wasting (1)
45:24
watch (1)
40:2
water (99)
8:6,17;9:5,7,9,18;
10:5,5,9,20;11:1,3,7,
8,12,15,17,22,25;
12:6,11,15,16,20,24;
13:3,9,12,20,21;

14:20,20;19:20;20:1,
5,9;21:21,22;22:12,
14,16,19,23;23:9;
24:2,6,8,10,11,12,12,
13,18,20;25:9,10,13,
23;26:21;27:12,12,13,
14,16,17,23;29:4;
30:15,18;31:22;32:3;
34:25;35:2,6;37:14,
25;43:10;45:21;
46:18;47:22;48:21,
23;50:11,13;55:16;
56:12,16;59:2,6,18;
63:17,23;64:15;65:9,
22;67:21;68:14,16;
78:23
waters (1)
16:22
waterways (2)
75:20,21
way (10)
13:1;16:20;19:15;
31:9,12;32:6;47:17,
24;49:4;61:22
Wayne (5)
3:13;16:11;39:3;
48:3;59:25
ways (1)
62:23
wearing (1)
24:21
web (5)
4:25;5:1,14,16;
79:15
website (5)
26:13;31:17;34:11;
61:20;79:15
week (6)
19:16;28:2;33:10;
61:9,9,14
weeks (2)
36:3;37:8
weight (2)
4:11,15
well-known (1)
67:13
wells (12)
9:17,21;10:2,16;
13:6;15:4;22:16;
25:23;27:15;49:24;
64:8;73:11
Welton (1)
40:14
weren't (1)
25:3
West (1)
60:24
what's (1)
52:17
Wheeler (1)
54:7
wherever (2)
30:8;69:22

9

9:00 (1)
    7:16
9:05 (1)
    80:1
90 (1)
    79:10
90's (1)
    45:17
97 (2)
    22:22;25:19