

**Nothing Less than a Whitewash:
The Radioactive Round Robin in Uniontown**
By CCLT, edited by Brian E. Hagenbuch

"Nothing less than a whitewash!" That's what Concerned Citizens of Lake Township (CCLT) are calling the Agency for Toxic Substances and Disease Registry (ASTDR) health consults regarding radiation contamination and illnesses at the Uniontown, Ohio Industrial Excess Landfill (IEL) Superfund site. CCLT alleges the consults support an on-going cover-up concerning contamination at the site.

The IEL site, located in a glaciated area just 0.3 miles from the center of Uniontown, is a 30-acre dump in a former sand and gravel pit. According to EPA, 20,000 people live within three miles of the area. Most residents are dependent upon private wells, drilled into the same aquifer that IEL contaminated, for their only source of potable water. For the past 11 years, CCLT has been fighting for safe cleanup of the dump and the truth regarding contamination.

Radioactive Round Robin Begins

After IEL received National Priority List (NPL) designation in 1984, local citizens contacted U.S. EPA Region 5 about potential radioactive contamination at the site. Millions of gallons of chemicals dumped into the landfill were not the only immediate concern. Long-time residents reported seeing trucks with nuclear placards entering the IEL nightly for two years (1969-1970). As a result, CCLT requested EPA to conduct radiation test on gases, soil, and water.

Strangely, EPA refused.

To insure proper radiation testing was conducted, CCLT flew to Washington DC three times to meet with U.S. EPA and Ohio's Senate delegation. Once, they met with EPA Director William Reilly.

Twice CCLT traveled to Chicago to meet with EPA Region 5 officials. "We spent the entire Remedial investigation seeking such tests to no avail," said CCLT. "EPA ignored letters from our citizens, our TAG experts, the media, and local, state, and federal officials." In 1989, Ohio EPA threatened legal action to block the IEL Record of Decision (ROD) because of the many data gaps in the EPA investigation. Despite broad-based opposition led by CCLT, EPA signed off on a clap cap and pump and treat cleanup plan.

Through the pressure generated by CCLT, including support from Ohio Senators Howard Metzenbaum and John Glenn, activists were able to secure "some" radiation testing post-ROD. EPA reneged in conducting thorough tests for radiation in the deep gases.

According to experts, the site generates 150 tons of toxic gases

per year. Residents have two significant worries: what poisons will be forced out laterally by the cap placement, and what will be vented and burned over the town via the expanded gas extraction system.

Invalidated by Design

After five years of pleading for radiation testing, EPA finally managed an initial round of groundwater tests in August 1990. To the dismay of residents, however, EPA returned within three months and said they "invalidated" the entire round of tests. EPA's questionable reasoning for the invalidation included one from the site contractor "used plastic jars instead of glass" for the tritium. EPA cast aspersions on the first lab from Florida and even refused to pay them, telling residents they would find a different lab and resample in December 1990.

By January 1991, Ohio EPA was telling CCLT they were suspicious of the federal government's involvement. State regulators believed that U.S. EPA officials had found radiation during the August tests. To double check results, the State was going to conduct its own "split samples" for radiation. By March, U.S. EPA declared they were dropping plans for radiation testing, thereby eliminating the opportunity for the State to analyze split samples.

Ohio EPA officials were able to perform limited tests on a handful of residential wells, revealing a high Beta reading in one well. According to Ohio EPA, this reading was "invalidated" by officials with the Ohio Department of Health. They said it appeared that the Health Department was throwing out high readings "like the feds were..." State EPA Project Managers were now so suspicious they shared the radiation readings with CCLT members. They were also eager to discuss the IEL situation with Ohio's U.S. Senators.

In August 1991, EPA Region 5 reported that they had indeed, found high levels of radioactive tritium in groundwater during the second round of tests. Again, EPA believed these results would be invalidated because the lab "didn't follow procedures..." During the fall of 1991, State officials reported an astronomical reading of nuclear tritium (over one million pico curies) in a different shallow residential well. Once again, someone in Columbus was able to throw the reading out. Subsequent rounds conducted by the State, which revealed levels of Alpha and Beta radiation exceeding background levels by 100 times or more in some samples, were declared usable and "upholdable in court."

By October 1991, the situation became so intolerable that CCLT and an expert wrote U.S. EPA Headquarters and demanded that it take over the site and remove Region 5 from all its duties. After years of fighting with Region 5 for proper testing, the scandal of two consecutive rounds of "invalidated" tests was the "straw that broke the camel's back!" In response, EPA Administrator

William Reilly asked Tom Grumbly (former President of Clean Sites, Inc. and current head of DOE's nuclear waste cleanups) to investigate.

Grumbly was extremely supportive of CCLT's numerous concerns and provided Reilly with a list of recommendations. Among them, Grumbly urged EPA to: 1) release to the public all "invalid" data that had been withheld from the second round (We still to date do not know what was found in the first); and 2) employ a Science Advisory Board (SAB) panel to review the IEL situation. Six months later, after learning that plutonium had been detected with the tritium,

Grumbly told CCLT that using the SAB clearly "was not enough." "Subpoena power was needed" to learn what really occurred between the testing labs and EPA.

In October 1992, Grumbly took his concerns to the U.S. House Oversight and Investigations Committee, seeking a full-scale investigation. After being appointed to head DOE cleanups, Grumbly continued his battle for an IEL investigation by going to DOE's Inspector General and EPA's Inspector General.

Even the Nuclear Regulatory Commission took its IEL concerns to the EPA Inspector General, but to no avail.

EPA Smear Campaign Backfires

By now, U.S. EPA had begun a public tirade to discredit the second commercial lab that had found high tritium levels. On several occasions, EPA paraded in from of the public, elected officials, and the SAB panel, casting serious doubts about the independent lab. Everyone was appalled at EPA's bizarre and suspicious behavior. To CCLT, it appeared to be nothing less than a smear campaign to discredit the lab, and of course, the high radiation levels they found!

Ironically, a year later, after the damage had been done, CCLT received written documentation that at least some of the things EPA blamed on the lab were actually the fault of the EPA's own site contractor! EPA admitted that their contractor "in the field made numerous mistakes in the chain-of-custody forms, among them duplications, mark-outs, and write-overs..." which caused serious questions regarding EPA's efforts and the chain of custody!

Thanks to Grumbly getting the "invalid" data package released, CCLT found an internal memo suggesting that possibility the second lab was either "set up" or the results sabotaged.

Apparently, the lab was required to use certain procedures, written specifically for IEL, that called for groundwater particulate to be "ignited." The lab reported that this cause IEL samples to spew out, resulting in a loss of materials (i.e. "evidence"). Spewing introduced a "considerable negative method

bias" into the test and the lab urged EPA to abandon such procedures.

It became clear to CCLT why Grumbly believed subpoena power was necessary.

After asking us to trust and believe in Grumbly, EPA strangely ignored his concerns when we reiterated them to EPA. Instead of following his recommendations, EPA forced their own SAB panel "down our throats." (An ad hoc SAB radiation panel did exist, but EPA disbanded that group and handpicked special people just for IEL, much to CCLT's concern). Congressional allies shared CCLT's doubts about the SAB panel; one official sad that everyone on "the hill" knew "it was a crock."

Field Filtering Fouls

By throwing out consecutive rounds of radiation testing, U.S. EPA caused a great deal of controversy. But the agency continued to blunder, creating even more suspicion and causing CCLT and its experts to again cry foul.

EPA specifically wrote into the IEL site workplan a highly questionable and controversial procedure called "field filtering." With this method, the site contractor stood in the field and filtered water from monitoring wells, sometimes for hours. As many as 50 filters were used. An unknown portion of the water's particulates were left in the bottom of jars and were never sent for lab analysis! In one split sample, Ohio EPA measured an Alpha reading of 225 pico curies when unfiltered. In contrast, U.S. EPA measured only 6.8 pico curies, a so-called "acceptable" level, when filtered.

Despite Ohio EPA recording radiation levels that were 120 times greater than background, U.S. EPA Attempted to write off elevated numbers because they were not "field filtered." When the State obtained newer samples of tritium that were 20 times greater than background levels, the agency continued to gloss over evidence and ignore data. Likewise, federal officials dismissed elevated levels of radon found at the site: 500 pico curies in water; thousands of pico curies in gases.

Besides the field filtering technique itself, CCLT questioned U.S. EPA's sampling data. Ten of the 13 sampling locations are homes with residential wells. According to the protocol, water samples from residential wells were to be submitted for lab analysis as "whole, unfiltered, water." In two out of four sampling rounds, the contractor mistakenly field-filtered residential well water (which would invalidate one-half the residential well data! In addition, three of the 13 sampling locations are monitoring wells from which both filtered water and filters should have been submitted to the lab. These filters were not sent for analysis.

In the 11th hour, CCLT obtained material that proved our concerns were correct regarding the fishy "field filtering" technique. EPA site assessment guideline documents suggest samples be unfiltered or measured both ways for accuracy.

(CCLT begged EPA to analyze samples both ways two years ago; they refused!). For risk assessments, language is even stronger: "unfiltered samples should be used to estimate exposure concentrations" (Risk Assessment Guidance for Superfund (12/89)). "Filtered and unfiltered samples are required to determine amounts of analytes in true solution and amounts sorbed to solid particles" (Guidance for Data Usability in Risk Assessment (4/92)). The field filtering process became so controversial that EPA banned its use at certain waste facilities.

ATSDR Whitewash

During the summer of 1994, ATSDR released its health consult which reported that radiation at IEL was not a problem based on U.S. EPA's (extremely questionable) data. (CCLT can show that the data collection methods do not follow basic EPA guidelines). Citizens were outraged! It appears that ATSDR attempted to whitewash all that transpired since the first radiation samples were invalidated in 1990. In a November 1994 public meeting, U.S. EPA cited the ATSDR consult as support for their alarming position that no additional radiation testing is needed before cleanup begins!

In a strongly worded statement, CCLT wrote Dr. David Satcher, ATSDR Chief, seeking a complete retraction. ATSDR knew that residents drink unfiltered well water. Yet, ATSDR ignored risk assessment guidelines on filtration; guidelines the agency should have been aware existed. Not only were site-monitoring wells field-filtered, EPA admitted the site contractor "mistakenly" filtered residential wells. CCLT believes ATSDR was made fully aware of this fact through a letter to the IEL "informational" committee, on which ATSDR is a member.

CLT outrage at EPA and ATSDR incompetence helped us enlist powerful allies. Dr. Marvin Resnikoff, a nationally known radiation expert, has been assisting CCLT for years. Dr. Resnikoff has publicly stated his belief that IEL has a radiation problem from waste dumped at the site. This refutes EPA's claim that the levels are background and naturally occurring.

Dr. Rosalie Bertell, world-renown radiation health expert from Toronto, Canada, wrote ATSDR's Barry Johnson twice during the past year regarding Uniontown. Dr. Bertell appears so disgusted with the IEL radiation problem and ATSDR behavior that she intends to discuss concerns about Barry Johnson with the U.S. Surgeon General. Dr. Bertell wrote, "We consider a decision that there is no threat to the public based upon inadequate information to be unethical..

Certainly, "bias" lies in refusing to look! One wonders what you wish to hide."

In 1992, Dr. Elaine Panitz, an M.D. in Princeton, New Jersey, wrote ATSDR expressing serious professional concern that radiation and/or chemicals were causing unusually high rates of certain cancers and birth defects around the IEL site. In December 1994, ATSDR released their health consult on illnesses.

Their second bogus health consult in six months has again profoundly angered citizens. In 1993, ATSDR led CCLT to believe they were not going to pursue Dr. Panitz's cancer concerns.

Instead, ATSDR opted to go behind citizens' backs.

Working with the Ohio Department of Health, ATSDR conducted a so-called analysis of cancers and birth defects that ended up "inconclusive."

ATSDR completely disregarded CCLT's previous requests for citizen input into any health studies. ATSDR compared Uniontown data with two other counties whose borders sit very close to the IEL site. ATSDR knew the strong possibility that IEL contamination may affect residents in these two counties. ATSDR also knew about long-term distrust residents had in the Ohio Health Department (i.e. invalidated radiation tests, Ohio EPA concerns, etc.) To CCLT, it appears that ATSDR recommendations are now contingent upon what Ohio Department of Health dictates.

Release of ATSDR consults on radiation and illnesses came after statements were made to citizens by ATSDR's Barry Johnson, that the agency had been "punished for helping Uniontown." According to Johnson, retaliation took the form of one \$15 million funding cut by EPA. Indeed, precious support for CCLT and the IEL site by ATSDR appeared to end after Johnson made this disturbing revelation to citizens.

Given these grave concerns, CCLT is appalled by the fact that U.S. EPA is still refusing to conduct any further radiation testing before the agency legally signs off on the cleanup design. Therefore, in January 1995, CCLT wrote U.S. EPA Director Carol Browner asking her to order her agency to conduct proper radiation tests at the IEL site. We also requested EPA's full, proactive cooperation regarding the investigation Grumbly had been seeking concerning high radiation levels that were "invalidated" by EPA. She has yet to respond.