

## Community Advisory Committee (CAC) for Soil Study Wednesday, May 23<sup>rd</sup> 2018 Meeting Notes

**In attendance:** Dr. Tammy Milillo (TM-UB), Jackie James-Creedon (JJC-CSCR, Kenmore Resident), Katie Little (KL-UB, CSCR), Sue Mazur (SM, ToT Resident), Anne Bazinet (AB-ToT Resident), Rich Mpelezos (RM, Buffalo Resident), Sarah Grimaldi (ToT Resident)

**Absent:** Dr. Joe Gardella (JG-UB), Dr. Mike Milligan (MM-SUNY Fredonia), Jay Farqueson (JF, Grand Island resident), Maria Tisby (MT, ToT Resident), Jeanine Justin (JJ, Grand Island Resident)

(JJC) In the interest of transparency, I did send MT the documents from the DOJ with salary information for the soil study. She suggested that my salary be reduced.

(AB) It's not up to this committee to decide that.

Meeting notes for April 25<sup>th</sup> CAC meeting were reviewed and approved.

### Update on Surveys and Education Center

(JJC) Gave update for Community Science Education Center, shared survey and about CSCR handout. The Philip Sheridan Building (3200 Elmwood) has been sold, but the owner has asked CSCR to stay. Move is expected in July. CSCR will be tabling at farmers markets in the summer and will have an open house in September, at which time the results of the survey will be announced.

### Updates on UB soil study progress (KL)

- # samples taken – 182
- # reports delivered – 179
- # secondary permissions – 135
- # needed secondary permissions – 42
- # officially declined to submit secondary permission – 5

(TM) We are using data from the DEC to fill in the 'hole' in the industrial area of Tonawanda.

(SM) Is there town owned land in the industrial area where you could sample?

(TM) We could potentially ask the Town for easements, but we are still waiting for them to give permission for Phase 1 data. Requesting easements is something that we could try, but may not be successful.

(SM) Will you have data from the DEC air study?

(TM) We already have some data and are using FOIA to get additional DEC air study data to help with air sampling.

(JJC) How many secondary permissions would you need to start Phase 2?

(TM) Ideally 100%, but 85-90% would be acceptable.

### Letter from Elected Officials

(TM) JG responded to their letter asking them to clarify their concerns and to schedule a date to discuss. We are waiting to hear back from the elected officials.

(JJC) Phil Haberstro, President of the Board of CSCR, has been in on the discussion and CSCR wants a seat at the table in the discussion with elected officials.

### Anne and Jay's Questions

(AB) Regarding using SCOs from multiple states: Residents may be concerned/confused by an area being called a 'hot-spot' using a lower SCO standard from a state other than NY.

(TM) We will be using NY State standards for Phase 2. We wanted to be conservative in Phase 1 so that we would not miss anything. In Phase 2 we will return to areas of interest, sample again, and use NY standards to see if it is a hot-spot. Phase 1 was conservative for screening purposes. Phase 2 will refine the maps with NY standards.

(AB, JJC) Makes sense, we just don't want to cause panic.

(KL) We will wait to discuss JF's questions until he is here. In the future we should use an app like GoToMeeting/Skype so that people can join us via computer/phone if they can't come in person.

(JJC) Will look into downloading the GoToMeeting app: <https://free.gotomeeting.com/>

### Air Sampling

(TM) Shared map with potential air sampling locations. We want to sample the air in a semi-circle around TCC and also at the extremes of our sampling grid. We would not be able to effectively model the results with only 9 samples; these would just be a snapshot of our air quality. These sampling locations are only potential locations, we would still need to get permission from homeowners. The locations themselves are open for some discussion.

In regard to the tunnel collapse at TCC: DEC is doing some air sampling, but it is not clear what they intend to do. We can use FOIA to request the data from current sampling efforts, but it may take a while for them to create a report that is ready to be released.

Our air sampling effort will use two air samplers- one from UB, one from Fredonia. Using both creates a more complete picture in terms of what chemicals are present.

**(JJC)** What is the plan for air sampling? How will the data be shared with the community?

**(TM)** Mike M is leading the air sampling and I will let him speak to the specifics.

**(SM)** Jeanine Justen may be a good candidate for air sampling

**(RM)** What set 8 samples?

**(TM)** MM set the budget. We were planning on only taking one reference sample, but MM re-did his budget to get that many samples.

**(JJC)** Would like to see points closer in.

**(TM)** I agree that the sampling locations are far out. Pollution is carried for quite a distance. We're trying to determine how far is far and how many people are being affected.

**(RM)** We don't have to find exactly where the air is contaminated, we just have to say yes or no to check to see if TCC is complying.

**(JJC)** Timing of the air samples is important. We didn't randomly sample the air. We waited for the smell to take a bucket sample.

**(TM)** I would defer to JG and MM for their expertise in this area.

### **Streamlining permission process for Phase 2**

**(KL)** We are considering using a single permission rather than a two part permission for Phase 2 of the study. AB and RM were historically supportive of this idea.

**(TM)** A two part permission lets people see what is there before they approve, it lets them digest the results and increases transparency. Some people agree right away to sign a secondary permission and some people get annoyed with having to sign another piece of paper. The IRB preferred a 2 part permission because it gave more choice to residents.

**(JJC)** People should know what they are signing up for.

**(TM)** We can improve communication to make sure people know that, when signing a single permission, they are signing for both access to sample and permission to use data.

The two part permission process works and it is preferred by the IRB.

**(RM)** Thinks that people would expect the research team to use the data that is collected. Thinks that it is weird to have to sign a secondary permission.

**(AB)** Thinks that if the research team collects the data residents would expect that it would be used.

**(KL)** Mentioned that in Phase 2 we will be sampling in areas that are identified as areas of interest- we don't want to seem like we are trying to make the permission process easier for the research team when people may be less likely to want to disclose their information due to higher contaminant levels.

**(SM)** The majority of people just want to know what is there and would be ok with having their data used to do that.

**(RM)** No one seeing a single form would think that there would be an additional secondary form.

**(TM)** We will be up front that the data will be used in maps if we go with a single permission form.

**(JJC)** Are the elected officials who have already given permission backing out of the study?

**(TM)** That is not how I read their letter. It's not possible to back out of the study once permission is given. Once the maps are made and released you can't call back that information. If people backed out we wouldn't be able to have a study.

**(KL)** Confirmed that everyone present agreed that it would be OK to use a single permission form.

### **Feedback for FAQ sheets**

**(JJC)** For the Air FAQ sheet- the name is confusing. Air sampling for a soil study?

**(AB/RM)** Doesn't think it's confusing, just bold "**Air Sampling**" to draw attention to it.

**(KL)** For soil FAQ sheet – will make some minor grammatical edits to #11.

**(JJC)** There was a question about remediation at the community meeting on 5/15. The way JG answered made it seem different than how we have been telling people in the past.

**(TM)** The soil study doesn't have the money to remediate. You have to use the data from the soil study and go through the proper channels, with support from elected officials, to get remediated.

**(AB)** UB will get the process started, elected officials and residents need to take it from there.

**(SM)** Has the soil study data been shared with the DEC and EPA?

**(TM)** JG has to meet with the elected officials to have their questions answered. This added another long layer to the process.

## **Education Campaign Plan**

**(TM)** We need to make sure that we are reaching out to residents to let them know that we haven't forgotten them. I have also gotten calls from people who are confusing the UB TCC soil study with the CSCR soil study. They think that the UB study is done now that CSCR is doing sampling.

**(JJC)** CSCR is not doing a study, we're just taking samples.

**(TM)** This has to be addressed since I have gotten calls about it. It's important that we let people know what is going on and that we improve transparency.

**(JJC)** Agreed that the differences needed to be addressed.

**(JJC)** Doesn't know how the 5/15 meeting originated. CSCR, the elected officials, and MM didn't know about the meeting.

**(TM)** Thinks there was some confusion in emails when people were talking about two different meetings.

**(JJC)** CSCR didn't agree to the 5/15 meeting, but the CSCR logo was used on the flyers for the meeting, which is serious. We need to improve communication.

**(TM)** We need to get the three project leaders (JG, MM, and JJC) to attend meetings, like the CAC prep meetings, together.

**(JJC)** When scheduling the CAC prep meetings we should have a choice of dates/times, not just one time. There should also be an email confirming the time that is selected.

**(SM)** How did the meeting go with Nellie?

**(KL)** The meeting went really well. (Nellie worked as a chemist for TCC from 1978-1980 and has a lot of good insights about coking, health and safety of workers, science, and life in general. She is an all-around interesting person.) We are in the process of scheduling a time for Nellie to come talk to the CAC. The newly hired students would also benefit from hearing her speak; we may have her come to the regularly scheduled CAC meeting, or we may plan a separate day/time depending on her schedule. I will let you know when we schedule those dates.

**Next meeting Wednesday June 27<sup>th</sup>, 2018  
6pm – 3200 Elmwood, Room 210**