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January 15, 2017

Town Attorney Michael P. Sendlenski
Town of East Hampton
159 Pantigo Road
East Hampton, NY 11937

Re: Hexavalent Chromium (Cr VI)

Dear Mr. Sendlenski,

Thank you for writing on my behalf to Commissioner James L. Tomarken of the Suffolk County Department of Health Services (SCDHS) on October 31, 2016 concerning hexavalent chromium contamination potentially emanating from Suffolk Cement (incongruously located within Waincott's business district) and seeping into the shallow aquifer which is used for drinking water.

I have received a copy of Commissioner Tomarken's reply to you of January 5, 2017.

Although I appreciate Commissioner Tomarken's thorough and thoughtful reply, it remains uncertain as to whether there is significant hexavalent chromium contamination in private drinking water wells downstream from Suffolk Cement (between Suffolk Cement and Georgica Pond), which are typically shallower than public drinking water wells. The only cited testing undertaken in this area are of samples taken from "*a business with its own public water supply well*". Given that public wells are typically about four-times deeper than private wells, water drawn from shallower private wells could still contain significant levels of hexavalent chromium that would not be evident when testing samples taken from deeper public wells.

There is concern that the shallow aquifer between Suffolk Cement and Georgica Pond, which currently lacks any regulatory protection, is not sufficiently tested to ensure its safe use for drinking water purposes. The US Department of the Interior in US Geological Survey Circular 1139 (published 1999) identifies "*shallow aquifers that are directly connected to surface water*" (such as Georgica Pond), as containing "*much of the ground-water contamination in the United States ...*". The circular continues: "*In general, shallow ground water is more susceptible to contamination from human sources and activities because of its close proximity to the land surface.*"

To allay Wainscott residents' concerns specifically about hexavalent chromium contamination, and more generally about other drinking water contaminants which form part of the EPA's Unregulated Contaminant Monitoring Rule (UCMR) program, can you please request that the SCDHS –

1. Seek permission from a sample of private well owners to thoroughly test the drinking water quality drawn from their private wells. The sample should number at least ten and be taken from Wainscott residents who live between Suffolk Cement and Georgica Pond who use shallow private drinking water wells. The tests should specifically include hexavalent chromium and other drinking water contaminants which form part of the EPA's Unregulated Contaminant Monitoring Rule (UCMR) program?

If necessary, I am happy to request assistance from the Wainscott Citizens' Advisory Committee (WCAC) to help the SCDHS gain permission from private wells owners. Please advise.

In Commissioner Tomarken's reply to you, he stated that the Suffolk Cement site is "*inspected by our department periodically due to the presence of registered tanks*" and that the "*most recent inspection*" was "*in December of 2015.*"

When Suffolk Cement's registered storage tanks are next inspected (which presumably is due sometime very soon since the last inspection was over a year ago), please request that the SCDHS take samples of surface water from the unlined pools immediately about the cement plant to test for "*any evidence of a release that may impact groundwater*", including hexavalent chromium and other drinking water contaminants which form part of the EPA's Unregulated Contaminant Monitoring Rule (UCMR) program.

Once again, thank you for your assistance in ensuring that Wainscott residents, the majority of whom use private wells for their drinking water needs, are drawing clean and safe water without contamination.

Needless-to-say, neither of us want Wainscott to become renowned in the same way that the town of Flint in Michigan has become renowned.

If I can be of any further assistance, please do not hesitate to contact me either by email (above) or by calling me on my mobile +1-631-903-9154.

EPA's UCMR 3 analytes included the following six perfluorinated compounds (PFCs)–

- Perfluorooctanesulfonic Acid (PFOS)
- Perfluorooctanoic Acid (PFOA)
- Perfluorononanoic Acid (PFNA)
- Perfluorohexanesulfonic Acid (PFHxS)
- Perfluoroheptanoic Acid (PFHpA)
- Perfluorobutanesulfonic Acid (PFBS)

Regards,



Simon Kinsella