

SIMON V. KINSELLA

P.O. BOX 792

EMAIL: SI@WAINSCOTT.LIFE

WAINSCOTT, N. Y. 11975

MOBILE: (631) 903-9154

April 7, 2022

Re: Enough is enough!
Wainscott must incorporate.
(please share this letter)

Dear Residents of Wainscott:

According to an article published on Monday in Newsday¹ –

- 1) More people in Wainscott were ingesting water with high concentration levels of PFOA/ PFOS contaminants than anywhere else in Suffolk County, including Gabreski Airport;
- 2) Wainscott had five times the number of contaminated drinking water wells containing the harmful chemicals than the area near the Gabreski Airport;²
- 3) Of the total number of wells in Suffolk County found to have dangerous levels of ‘forever chemicals,’ thirty-two percent (32%) were in Wainscott, downgradient from the East Hampton Airport;
- 4) The highest concentration level recorded in Wainscott (791 ppt) is eleven times the EPA Health Advisory Level and seventy-four times the NYS drinking water standard.³

Suffolk County Department of Health Services (SCDHS) reported the high level of contamination (of 791 ppt) to Supervisor Van Scoyoc in June 2018, along with one hundred and fifty-nine (159) other wells with detectable levels of contamination in Wainscott.⁴

The DEC released a Site Characterization Report for East Hampton Airport in January 2019. The report dispels any doubt that the airport is the primary source of groundwater contamination from ‘forever chemicals’ affecting hundreds of private wells downgradient.⁵

Responding to the DEC report in 2019, “East Hampton Town Supervisor Peter Van Scoyoc said the evidence so far suggests there is no plume of pollution flowing with groundwater south from the airport property [...]” According to the Sag Harbor Express, Mr. Van Scoyoc claimed that a “much more severe level of pollution has been found in the vicinity of Gabreski Airport [...]”⁶ Neither statement is true.

In high doses, PFOA and PFOS can cause liver, pancreatic, testicular, and mammary gland tumors, kidney damage, reproductive problems, and other adverse health effects.

Apart from being the most significant contamination plume in Suffolk County, there is another critical difference between the two airport sites.⁷ Residents living near Gabreski Airport began

receiving bottled water in July 2016,⁸ whereas residents living south of East Hampton Airport began receiving bottled water in October 2017 – more than a year *later*.

In June 2016, the DEC required both owners of East Hampton and Gabreski Airports to report any storage and/or use of firefighting foam (the suspected source of PFOA/PFOS chemicals). So, why were hundreds of residents living south of East Hampton Airport drinking, cooking, and bathing in water containing “hazardous waste” for four hundred and forty-five days longer than residents living near Gabreski Airport, especially when the contamination plume is so much worse?

The truth is that the Town exposed my family and my community to contaminants with severe adverse health effects because it delayed, obfuscated, and submitted false information to the DEC and SCDHS regarding the PFOA/PFOS contamination. For example, it took nine months for the Town to complete a DEC PFOA/PFOS survey (of only eleven questions) it received in June 2016. The DEC required the Town to return the multiple-choice questionnaire within 30 days.

When the Airport Manager, James Brundige, finally signed, certified, and returned the survey (via email on March 23, 2017), the answers were incomplete, false, and grossly misleading. According to the survey, there were no known plane accidents where firefight foam was used, contradicting East Hampton Town Police Department reports. There were no on-site fire training facilities, as if the two Fire District Training facilities at the airport site didn’t exist. There were no known mass casualty exercises despite numerous reports on the front pages of local newspapers (see Fig. 2 attached, [also available here](#)). According to the Town’s survey, the DEC had no reason to suspect that the airport site was highly contaminated.

SCDHS tipped off the DEC to possible PFAS contamination in the area when a well south of the old sand mine tested positive in early September 2017 (sampled August 29, 2017). Suffolk County wanted to “schedule an appointment to sample the wells” at the airport, but, again, the Town provided false and misleading information. According to the Town, there was only one water supply well, but it was on a property the Town was selling. The Town failed to mention nine on-site wells located at the airport.⁹

On March 26, 2018, Supervisor Van Scoyoc was sent a report on PFOA/PFOS contamination, [Report No. 2 - Town Drinking Water Contamination](#). The report summarized hundreds of laboratory test results of drinking water samples from wells in Wainscott in the form of heat maps. It was circulated to federal, state, and local officials.¹⁰ A month later (on April 25, 2018), East Hampton Airport was tested for the first time.

It took two years (from when the Town first received the DEC’s eleven-question survey in June 2016) before the DEC tested the airport. Today, the Airport Manager, James Brundige, is one of the Town’s highest-paid employees. Since delaying and falsely certifying the DEC survey, he has received remuneration of over half a million dollars and has faced no disciplinary action.

The Town’s duplicity resulted in hundreds of residents ingesting harmful chemicals for over a year longer than necessary. Still, the worst part is that the Town Board continues to abuse residents living in Wainscott, knowing they don’t have the numbers to make a difference in Town elections.

For over a year, the Wainscott CAC and residents have been asking the Town to implement the remediation of East Hampton Airport, specifically the citizen participation plan (CPP). The DEC approved the CPP in July 2020. According to NYS law, the Town shall “encourage citizen involvement by outlining opportunities and recommended methods for effective citizen participation [...] as early as possible [...] prior to the selection of a preferred course of action [and provide] full, timely, and accessible disclosure and sharing of information [...] including the provision of technical data and the assumptions upon which the analyses are based.”¹¹ Yet, since the CCP’s last revision (on August 2020), the *only* progress the Town has made in nearly two years is to change the name from “Citizen Participation Plan” ([available here](#)) to “Public Participation Plan” ([available here](#)).¹² It was the sole change.

Instead, the Town distracted residents with the razzle-dazzle of an “Airport Re-Envisioning Study.”¹³ The study is over 200 pages and states that more than “1,000 people submitted emails, letters, oral comments and/or participated in workshops.” Sixty-six people submitted thoughtful and unique written comments (i.e., not using form emails), highlighting concerns about the sole-source aquifer and the quality of the Town’s drinking-water supply. The report concluded that nearly 95% of participants are unhappy with the status quo. However, contrary to the study’s conclusions, the environmental review restricts the ‘New Airport’ to one that “does not propose any physical changes, improvements, or alterations [...]” The (so-called) ‘New Airport’ sounds very similar to the existing (and highly contaminated) airport.¹⁴


The environmental review for the New Airport does not include any reference to the June 2019 DEC designation of the airport as a “site that presents a significant threat to public health and the environment.”¹⁵ Likewise, the scoping document excludes Town obligations under the Order of Consent and Administrative Settlement ([available here](#)) that Supervisor Van Scoyoc signed on May 20, 2020. It reads: “As the owner of the [Airport] Site, Respondent [Town] is a responsible party for the Site’s contamination [...] [and the DEC] has the authority to order Respondent to develop and implement an inactive hazardous waste disposal site remedial program at the Site.” Indeed, the said Order of Consent *is* that order, and the Town *is* required to remediate East Hampton Airport.

So, why isn’t the Town planning to remediate the airport that is a registered State Superfund Site?

Sadly, it fits a well-established pattern of the Town’s continued practice of ignoring water contamination that poses a risk to public health and the environment. It is the same reason why the Town misleads residents into believing that a “full environmental review” of South Fork Wind was “undertaken as part of the Public Service Commission” proceeding. It was not. The (so-called) environmental review excluded all onshore testing for PFOA/PFOS contamination.¹⁶ Similarly, in 2020, Wainscott Pond was found to be “well beyond” the “recreational standard set by US EPA and well beyond the ‘high toxins’ warning given by NYSDEC, and well beyond any other waterbody on Long Island in 2020.”¹⁷ In response, Supervisor Van Scoyoc stopped testing the pond and blocked *any* remediation efforts. Will there be a fair environmental review of the

proposed Wainscott Commerical Center at the old sand mine? Probably not because it's in Wainscott, so who cares!

When will residents living in Wainscott say enough is enough and stand up to Town Board abuse? Wainscott has only one option – it must incorporate.

Sincerely yours,

Simon Kinsella

C/c: Wainscott Citizens' Advisory Committee Members (sent via email only)

Carolyn Logan-Gluck, Chair ([REDACTED])
Dennis D'Andrea ([REDACTED])
Pamela Mahoney ([REDACTED])
Anthony Liberatore ([REDACTED])
Bruce Solomon ([REDACTED])
Philip Young ([REDACTED])
José Arandia ([REDACTED])
Barry Frankel ([REDACTED])
Sally Sunshine ([REDACTED])
Lori Anne Czepiel ([REDACTED])

¹ See Bottled Water, Testing Urged as “Emerging Contaminant” Leaches South of Gabreski Airport by Beth Young, published in the East End Beacon, July 22, 2016 (<https://www.eastendbeacon.com/bottled-water-testing-urged-as-emerging-contaminant-leaches-south-of-gabreski-airport/>)

² Another indication of the relative scale of the Wainscott contamination plume the two contamination sites is the cost. The federal government reimbursed Suffolk County Water Authority \$4,022,731 for Gabreski Airport, whereas the Wainscott Water District was six times more expensive (\$24.3 million).

³ PFOS Contamination (740 ppt) and PFOA (51 ppt) had a combined level of 791 ppt.

⁴ See email, Wainscott PFC Weekly Update - 6/15/18 (click here), addressed to “Supervisor Van Scoyoc” from “S.C. Department of Health Services” dated June 2018.

⁵ The highest reported concentration of PFAS compounds were from boring EH-19B1, with 12 ng/g of PFOS and 3.8 ng/g of PFOA.” According to current soil testing standards, the highest concentration level of PFAS soil contamination (of 12 ng/g) exceeds the Guidance Value for unrestricted use by fourteen times and the standard for the protection of groundwater by three times. The highest concentration level of PFAS contamination (3.8 ng/g) in soil exceeds the Guidance Value for unrestricted use by six times and the standard for the protection of groundwater by three times.

⁶ See news article, Firefighter Foam Pollutes East Hampton Airport by Peter Boody published in Sag Harbor Express on January 9, 2019 (<https://sagharborexpress.com/firefighter-foam-pollutes-east-hampton-airport/>).

⁷ Another notable difference is that residents living near Gabreski Airport were encouraged to get their blood tested, not just for free, but they received a \$50 gift card for doing so. Residents living south of East Hampton Airport were neither encouraged nor permitted to get their blood tested as a part of any program.

-
- ⁸ See [Bottled Water, Testing Urged as “Emerging Contaminant” Leaches South of Gabreski Airport](https://www.eastendbeacon.com/bottled-water-testing-urged-as-emerging-contaminant-leaches-south-of-gabreski-airport/) by Beth Young, published in the East End Beacon, July 22, 2016 (<https://www.eastendbeacon.com/bottled-water-testing-urged-as-emerging-contaminant-leaches-south-of-gabreski-airport/>)
- ⁹ See [Report No. 3 - PFAS Contamination, Wainscott, Cover-up and Obstruction by Town of East Hampton](#), dated July 14, 2020 (at pp. 50-52).
- ¹⁰ See [Report No. 2 – Town Drinking Water Contamination](#), dated March 26, 2018.
- ¹¹ New York State Environmental Conservation Law §27-1417 - Citizen Participation Plan (“CPP”)
- ¹² See Citizen Participation Plan, Approved July 2020 ([click here](#)), Citizen Participation Plan, Approved August 2020 ([click here](#)), and [Public Participation Plan, Approved August 2021 \(click here\)](#)
- ¹³ Draft East Hampton Airport Re-Envisioning Public Engagement Report (dated December 23, 2021)
- ¹⁴ Draft Generic Environmental Impact Statement (“Airport DGEIS”) Scoping Document (at p. 14)
- ¹⁵ See [State Superfund Site Classification Notice at dec.ny.gov, click here](#))
- ¹⁶ Town Board Resolution 2018-888, dated July 19, 2018 (attached).
- ¹⁷ Christopher Gobler, Ph.D., School of Marine and Atmospheric Sciences, Stony Brook University, April 01, 2021