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Judge issues ruling on Spelter cleanup

by Matt Harvey

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CLARKSBURG — Six inches of soil will be replaced at contaminated property in Spelter next to the old zinc smelter rather than 12 inches, a judge has ruled.

Harrison Circuit Judge Thomas A. Bedell also ruled that an extra 20 houses — located adjacent to the plant on B Street in Spelter — are to be included for cleanup.

The court's order issued Friday keeps Zone 1A of the class action settlement with DuPont as the only one receiving soil remediation.

Homes and commercial properties tested throughout the entire class action area will be cleaned if they are designated Remedial Level Properties, Bedell ruled.

That finding is determined through comparing soil test results to dangerous levels of arsenic, cadmium, zinc and lead posited by environmental engineer Richard B. Adams of Miramar Beach, Fla.

Class action members whose structures tested clean but want to challenge that finding will receive a second test upon request, according to the court order. That testing will be paid by the class action fund that currently totals about \$34 million for property cleanup.

The higher levels of the two tests will be used to determine whether those properties are eligible for cleanup, Bedell ruled.

Contaminated soil will be hauled to a landfill, the court also ruled. That came after the