

Carson, Katie

From: Taylor, Sheree L.
Sent: June 3, 2013 9:38 AM
To: Carson, Katie
Subject: FW: Big toxic mess at the Hamilton International Airport (missing info)

From: Joe Minor
Sent: June-03-13 12:05 AM
To: clerk@hamilton.ca
Subject: Big toxic mess at the Hamilton International Airport (missing info)

June 2, 2013

To: The Mayor and All City Councillors c/o the Clerk, the Airport Operator, the Welland River Keepers, the Niagara Peninsula Conservation Authority, Environment Hamilton, Ontario Ministry of the Environment, Environment Canada

Please include this correspondence in the official (publicly accessible) correspondence for the next meeting of Council.

Working title:

What the public is not being told about the big toxic mess of PFCs/PFOS/PFOA/PFECHS at the Hamilton International Airport

Part One (of ??): Two inches is 50.8 millimeters, but the megamess has still not been cleaned up.

I am beginning this series of communications because of an article in the Hamilton Spectator:

<http://www.thespec.com/news-story/3239718-risk-assessment-of-hamilton-airport-pollution-in-limbo-for-months/>

Years after the airport PFOS megamess was (re)discovered it has still not been cleaned up. Even worse, it appears that the quality of the information available is getting worse, not better.

The news article refers to an "oral presentation" made on May 27, 2013 at "an airport subcommittee". For clarity of communication, the complete transcript of that "oral presentation" is reproduced at the end of this eMAIL.

I have said this many times before, and I will repeat again: The issues involved surrounding the big toxic mess PFCs/PFOS/PFOA/PFECHS at the Hamilton International Airport are too complex to be accurately communicated in brief "oral/verbal" presentations. In order for these "presentations" to be meaningful, the data that they are based on needs to be released in written form (preferably before the meeting). Once again, there was a failure to release the underlying data necessary to advance public understanding about the problems.

The result is that once again there was very little factual information conveyed in the "oral" presentation. Even worse, what was said seems to be inconsistent with what has been previously communicated. The confusion generated by the contradictory statements means that we probably actually know LESS after this "oral presentation" than we did before the meeting.

There were many vague comments made that need to be both explained (coherently) and supported (with the release of the underlying data). I will be dealing with the underlying issues in the next few eMAILs.

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In this eMAIL (Part One), I am seeking clarification about the only numbers presented in the meeting:

egin partial transcript (complete version at end of eMAIL):

parella: There is PFOS in the lake. There were core samples and it was below the surface – sorry, below the bottom of the lake. In some areas it's eight mill – about two inches.

erguson [chair]: 50 mills

parella: No it's about 8 and 10

erguson: 2 inches is fifty mills.

parella: No, it's not that. It's just below the surface about two inches and in some areas it's a... But again, it's covered with silt, about two inches and three inches of silt where the core samples were taken. And that's essentially where we're at today.

erguson: It sounds like we're having trouble getting the ... from MOE to

nd of partial transcript)

Having these complicated issues communicated in this fashion (and without supporting evidence) does a disservice to everyone involved. The staff making the presentation appear incoherent, not due to a lack of intelligence but simply because the issues are too complex to be handled in this format. The Councillors asking questions also appear incoherent, again for the same reasons. But the biggest disservice is done to the public, who watch their tax dollars being wasted by having a dozen paid professionals wasting both time and money having an incoherent discussion that generates more confusion than understanding.

Councillor Ferguson is approximately correct (to one significant figure) in saying that "2 inches is fifty mills". To give some significant figures, two inches is 50.8 millimeters. While it provides some comic relief to listen to two professionals disagree about a middle school level math problem, even after wasting the time of the dozen professionals in the room the actual underlying problems went unresolved.

First of all, what actual distance are we discussing?

"8 mill"?

"two inches"?

"50 mills"?

"8 and 10"?

"two inches and three inches"?

There were only five numbers (2,3,8,10,50) presented in the entirety of the public presentation. The numbers all referred to the same thing, they were inconsistent, and the inconsistency was left unresolved.

What's worse, whatever these numbers were supposed to refer to is less clear than mud. Trying to read between the lines (which I shouldn't have to do if the data was properly presented), I am GUESSING the City staff person was trying to communicate his opinion that the PFOS was not a problem because (in "some areas") it is buried under a layer of presumably "clean" silt.

The validity of this "opinion" cannot be discerned from the poor quality of the "oral presentation". It is unclear from the presentation who made the alleged measurements, how they made them, and what the data was. While the protection of the ecosystem that is meant by "some areas" was not specified, the fact of the matter is that organisms in the lake are accumulating high levels of PFOS contamination. The turtles in the lake are the most heavily PFOS contaminated turtles in the world. The carp in the lake are the most heavily PFOS contaminated carp in the world. It would seem that the "some areas" that might be covered with somewhat lower levels of PFOS contamination (if they

exist) are insufficient in aerial extent to prevent major bioaccumulation of very persistent and very toxic PFOS.

The city professional (Paparella) who made these vague statements provided even less information than he did when he first made similar claims TWO YEARS AGO:

Please see:

http://www.hamiltoncatch.org/view_article.php?id=947

Where Mr.Paparella is quoted as saying:

“And the information that MOE – how they concluded that it was during the 83 to 93 time frame was through the siltation tests. You know, the sediment settles in layers and they were able to put a time frame on when that happened.”

Two years ago I asked to see this alleged data. The amount of sediment data (and dating) needed to credibly prove such a tight timeline (“83 to 93”) would be enormous. So I asked all parties to release the data on several occasions, including, for example:

<http://www.hamilton.ca/NR/rdonlyres/56BBF241-B894-47B6-8C32-07CFAE9982ED/0/Jun29addedItem58.pdf>

When nobody released the alleged data, I even made a direct appeal to the MOE. The MOE professional I spoke with was Mr.Knapper, and he said that he could not provide sediment core data because he: 1) did not know what Mr.Paparella was referring to, and 2) the MOE had no sediment core data.

While nobody seemed to know where Mr.Paparella got his “information”, several months later (April 2012) the MOE did release an updated report that contained sediment core information.

See:

<http://www.hamilton.ca/NR/rdonlyres/D733DEC2-321C-4114-A021-7BB5471934A7/0/Apr25Item51.pdf>

Relevant passages quoted from the MOE report:

“The samples were collected between July 4 and July 6, 2011.” (Please note that these dates are AFTER Mr.Paparella’s original (June 2011) comments.)

“PFOS concentrations at different depths were generally similar but show a slight increasing temporal trend from the older sediments to those more recently deposited (Table 3).”

Sediment conclusion:

“No definitive trends were observed with specific depths but concentrations did increase slightly from the older to newer deposited sediments.”

Final conclusion:

“Existing PFOS contaminated sediment within the Welland River should be considered a potential source of PFOS because when sediments are disturbed they can be re-introduced into the water column and result in uptake by aquatic organisms.”

While it remains unclear how much data is still being withheld from the public, there is a huge gulf between the facts from the data that have been released and the “oral statements” made by Mr.Paparella (both in 2011 and 2013).

So, in June 2011 Mr.Paparella (City) claimed that the MOE had sediment core data. Mr.Knapper (MOE) said they (the MOE) did not, and a subsequent MOE report in 2012 indicated that the first MOE sediment core samples were collected July 2011. While this is consistent with respect to Mr.Knapper’s comments, it is inconsistent with respect to

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r.Paparella's.

More importantly, the data in the subsequent MOE report in 2012 directly contradicts Mr.Paparella's statements (both 2011 and 2013). Please look at Table 3 of that report (link above). There were 9 sediment cores collected from the lake, and all of them show significant PFOS contamination all the way to the surface (a result that makes sense in light of the high degree of PFOS contamination of the biota in the lake). The averages were skewed by a single very high PFOS reading from one of the nine cores (LN9) at 4-5cm depth. Even considering this reading, the MOE Surface Water Specialist concluded "PFOS concentrations at different depths were generally similar but show a slight increasing temporal trend from the older sediments to those more recently deposited (Table 3)."

It is simply not accurate, professional, or even rational to look at this data and conclude that "the PFOS" is "covered by silt, about two inches and three inches of silt where the core samples were taken". It is therefore difficult, based on the publicly available data, to understand how Mr.Paparella came to his conclusions.

According to Mr.Paparella: "The NPCA – Niagara Peninsula Conservation Authority – requested a meeting of us on May 22 – it was actually last Wednesday. Mr Scremin was there, I was there, MOE was there, and Standards Branch Director was also there." Mr.Paparella indicated that it was at this meeting he was led to believe that "the PFOS" was "covered by two and three inches of silt". Due to the two plus years of confusion that have been created by Mr.Paparella's "oral presentations", it is now well past time that the contents of this secret meeting be made public. I would like to know if the director of the Standards Branch of the MOE shares Mr.Paparella's assessment with respect to the PFOS" being "under 2 and 3 inches of silt". If he does share this view, I would like to know:

Where is the data that supports it?

Why does this secret data (if it exists) differ so markedly from the MOE data that has been released to the public?

How is PFOS getting into the food chain if it is buried?

ATTENTION: Anyone who was present at this meeting. This is a plea for open and accountable government. Any information that you have from this meeting that you would be willing to share would be greatly appreciated.

This is just the first of several issues that were badly garbled in Mr.Paparella's presentation of the currently secret multiagency meeting that occurred on May 22nd. I hope to explain more of the problems in subsequent eMAILs. I began with this issue because it was the only part of Mr.Paparella's presentation that contained any numbers. While there are many more serious problems with other parts of the presentation, those other assertions were totally unsupported by any actual data.

I am deeply concerned that Mr.Paparella's understanding of the issues involved with the big toxic mess of Cs/PFOS/PFOA/PFECHS at the Hamilton International Airport is at serious odds with the facts (at least those that have been shared with the public).

While it is possible that there are large amounts of undisclosed data that would support Mr.Paparella's opinions, it is difficult to understand why the various levels of government would want to hide this data from the public. It seems even more unlikely that this withholding of data would be so selective: why should the MOE release only the data that contradicts Mr.Paparella's statements?

The best way to resolve these issues is to 1) quit having secret meetings, and 2) release all of the data. It has been 10 years since we (the public) have seen any new data with respect to the megamess at the airport itself.

The last public disclosure of measurements with respect to contamination levels at the airport is contained in this document:

<http://flyhamilton.ca/wp-content/uploads/2012/12/Initial-Subsurface-Investigation.pdf>

This document was released in December 2011 (soon AFTER a public meeting and Council vote on the issue). The samples cited in the report were collected in May 2011 (results in June 2011). Also, this report failed to sample from the

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presumed area of highest contamination (the area near/under the fake airplane fuselage). This means that the publicly released data from the airport are now more than two years old, and the public still has not been told what the highest levels of contamination are.

There is no reason why the MOE needs to “sign off” on the data before it is released. The data belongs to the sponsors who paid the consultants (some nebulously defined shared arrangement between the City and Tradeport). If the City and Tradeport were interested in open, accountable government, then they could simply release the data that they own now.

When the actual numbers are being withheld from the public, the public discourse devolves into the farce that we witnessed at the airport subcommittee meeting on May 27th, 2013. As a taxpayer (and therefore co-owner of the data that has been generated at public expense), I am begging those in power to increase the quality of the public discussion by releasing the data.

Sincerely,
Joe Minor
PhD, Biology

COMPLETE TRANSCRIPT:
2013 05 27 Airport Implementation Task Force

PRESENTATIONS

7.1 Perfluorooctane Sulfonate (PFOS) Verbal Update

[53:53] **Guy Paparella:** Both Frank Scremin and I decided to update the meeting. I guess I’ll start and if Frank has anything to add he can feel free to do so. As you recall, council directed that a risk assessment be ... at the airport on the site itself and the related pond, catchment pond next to the site where the fuselage for fire training was occurring. [Johnson asks him to speak up, noting a lot of noise in the room] I’ll start again. [Ferguson asks people leaving or talking to ‘keep it down’]

As you recall, council directed that both Tradeport and ourselves contribute to a site specific risk assessment of the fire training site where the PFOS originated from the foam and the detention facility that was connected to that site. That study was concluded in draft, and we met with the MOE to discuss next steps. And the MOE indicated that they needed to have that study sent to their standards branch in Toronto before the document could be finalized by EXP, the consultant that Tradeport hired. That comment, or those comments, were supposed to be submitted back to everyone by the end of February. Here we are in May and we still have no information from Standards branch MOE. We did follow up at the end of February. We followed up three weeks after that, and three weeks after that, and the director Geoffrey Knapper indicated in a very apologetic way that the ball was in their court and they needed to expedite the information as much as possible.

We asked if we could do anything to help. There was some additional information that the consultant did provide over the last few weeks – I guess it was two months ago – and that has also gone to the MOE. So we’re essentially waiting for the MOE to respond before we finalize that document.

In the meantime, as you’re aware, there was motions that we have more public meetings and so on, once this document is finalized in some fashion, so that the public has full disclosure; so that there’s no secrets or conspiracy theory here. We have the information. We just want to make sure that it’s finalized in a form that’s acceptable to the MOE, the regulatory authority that is empowered with the approval for this particular exercise. And once that happens we will be sharing those with the public and council. And in fact I believe there was a motion to have a public meeting, similar to the one we had almost a year ago now, I guess. So we’ll be going back and cycling through the information.

In the meantime, council’s also asked us to collect as much information as possible from Transport Canada. We have put

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FOI request in to Transport Canada, and believe it or not, as late as last week I received even more documentation. This is dated May 23. There was a document before that – April 25th – and I can tell you, every month before that it comes, since our request went in, last year when we received a series of bits of information. Some of it is the same so I don't know why they're sending it to us twice, but there are some additional bits of information there that we are processing through our legal department and we will update council directly once that's processed.

The last thing I wanted to say was we had a meeting. The NPCA – Niagara Peninsula Conservation Authority – requested a meeting of us on May 22 – it was actually last Wednesday. Mr Scremin was there, I was there, MOE was there, and Standards Branch director was also there, and we explained the process, what's happened and essentially provided the information they needed to update themselves on what was going on. Their main concern obviously was Lake Niapenco, the level of contamination in Lake Niapenco from the standpoint of the fish advisory has actually been reduced – sorry, it's been increased now, so there's actually that you can eat. The main contaminant, as was expressed by MOE at that meeting is mercury, not PFOS as has been relayed. There is PFOS in the lake. There were core samples and it was below the surface – sorry, below the bottom of the lake. In some areas it's eight mill – about two inches.

Arguson [chair]: 50 mills

parella: No it's about 8 and 10

Arguson: 2 inches is fifty mills.

parella: No, it's not that. It's just below the surface about two inches and in some areas it's a... But again, it's covered in silt, about two inches and three inches of silt where the core samples were taken. And that's essentially where we're at today.

Arguson: It sounds like we're having trouble getting the ... from MOE to

parella: They've had this information since November, actually. They told us they'd get us comments by February.

Arguson: Do you want a council resolution to get it back to us by the end of June?

parella: Anything could help. I mean right now they understand that we're waiting for this information. They understand the urgency.

Arguson: Obviously they don't if they're taking this long. So why don't we put a motion from this committee to go onto Council and council instructing the MOE to report back to us by June 30.

hanson: That was my question. I've got this all written out.

Arguson: Do you want to move that?

hanson: Yes.

Arguson: seconded by councillor Pearson

hanson: Do we have quorum. [clerk counts]

Arguson: Any discussion on that motion? All in favour? Carried.

clerk: Just to advise – the report from this meeting will go to the June 19 General Issues Committee. So since you'll be meeting June 30, the MOE would be notified – I mean you can notify them in advance – but the MOE wouldn't be notified until June 27 ...

Arguson: Guy can take it back to them.

hanson: However, I can also bring it forward at council, our next council meeting, so we can leave that one.

Clerk: Then we don't need the motion.

Johnson: That's okay, we'll still follow through

Ferguson: So all in favour of the motion? Carried.

... Okay can I have a motion to receive the presentation. Do you have comments?

Johnson: Yes, I have questions.

Ferguson: Okay [1:02:22] Go ahead.

Johnson: Transport Canada, you said they responded, but they responded with the same thing. What are we asking them – Transport Canada – are we asking them to pay, are we asking them for history, what are we asking?

Paparella: We actually did both in the motion at council. The information that we are seeking was related to firstly when and how much of the foam was used at the training centre. So the kind of information that we're getting is reports – annual report on fire training activity at Hamilton International Airport by the government of Canada. And they send us this information on an annual basis. This piece of information I just got last week was for 1990. So we got that information. Here's some information from 1991. And again, it's all around the history of how the contaminant arrived on that location through the fire training that was done, and that's the only way we'd know how much of the foam was actually used. They've got information about gallons of foam that were used per occasion and by whom. Again, because we are trying to figure out who was responsible first, how much was used, so that we can, when it comes down to a situation of not assessing blame or fault necessarily, but identifying a contributor, we can pursue that. In our estimation it was primarily under Transport Canada this purview of the airport and therefore it's been our contention that this should be something that the federal government should be responsible for cleaning up. So I think that's essentially where that information is being used and I don't want to get into too much legal debate – unless Ron Szabo's got

Johnson: No, that's okay, that's part of it. You made it sound a little bit like Transport Canada's giving you some specific information, but it's just not what you're asking for. Is there something specific that council can pass again and be more specific to that resolution to help you with research?

Paparella: I think what council's already passed is very specific and it's very clear. It's been deliberated with our outside counsel and our legal services people so we're pretty comfortable that we've asked for what's necessary – and not necessarily to find a smoking gun, but at least to identify the culprits in the situation and who was the major contributors to the situation. So, again, it will help us down the road, and it also helps us with any funding requests we may have.

Johnson: Thank you. [1:05:29] So you're satisfied with the information you've gotten back from Transport Canada or you need to go after more specifics? Other than them saying it's our fault, here's a cheque?

Paparella: Yeah, they're not going to admit that obviously. We're trying to find as much information as we can. The information they sent us is good; it's not definitive as we would like, but it does indicate when we piece it together a really good case that we can put forward to say that we know the contributors we know to what extent. I think ideally that's what we'd like to achieve if we could do that. So far we've had to piece together a lot of information and we're going to continue to do that and hopefully lead to a positive conclusion for us.

Johnson: Okay, thank you, and if we can jump over to the NPCA meeting that you requested or that they requested.

Paparella: Yes.

Johnson: I was not invited to that as far as I know so you're going to have to bear with me as far as my questions. One of the things that you said they were concerned about was that more fish were actually added to the it's okay to eat, or more fish were banned from?

Paparella: No, it's actually a reduction in the ban, so you can actually eat more of the fish. That was just in the recent fish advisory from MOE.

hanson: So this is after new figures came out and new data came out?

parella: The MOE biologist I've been in touch with is sending me information as to what the nature of that advisory is specifically, and what kind of contaminants. The major contaminant is mercury, and that was relayed not only by Geoff Happer but also by the biologist. So he's sending me that information and I'll update council, of course, when I get that information.

hanson: ... my next question. The reason that those turtles were picked from Lake Niapenco – if you remember this is what started the alarm bells in the first place – that they were going to try and pick an inert place where they could test turtles against the turtles that were in the harbour. So they thought they'd picked a benign area and they went in and tested the turtles. It turns out that they had this much toxin compared to the ones in the harbour. So now I come back to the mercury. And this is supposed to be a benign area. It's supposed to be inert everything, except now we find out there's PFOS. Is it possible, given that mercury is such a toxic chemical, and I can't imagine farming communities using that on a regular basis, would it be possible to actually go back to Transport Canada or go back to our books to find out if mercury is actually a source and where could that be? I take it that it's airport related, right?

parella: It's airport-related?

hanson: Well, where did the mercury come from? We know that after extensive surveys now that the water tables are coming into Lake Niapenco, so where could that mercury come from?

parella: I mean we'd have to look into that. I can't speculate as to where the mercury comes from. I mean there's lots of farming operations all along that area and there's lots of different chemicals used for farming purposes, so I can't speculate as to what the source is of the mercury and whether the airport has contributed at this point.

hanson: I think that to be more pro-active, rather than being reactive as we have been up to this point – to be honest with you and I've said this publicly, nobody has asked for this. And especially the airport has not asked for this. It was NPCA and the residents didn't ask for this. But it happened and everybody's working together to get it cleaned up, and kudos to them. But if this is another issue, and maybe go back up the pipe and find out where it's coming from, why can't we figure it out now while all the PFOS is there, so when we do the cleanup we're including everything and not just one chemical.

parella: The only statement that was made by the MOE was that mercury was the main contaminant and that the speculation on their part because they don't have a smoking gun again was that it was from the farming community because of the various farm operations all along there. But they also added that being an industrial area there is potential for mercury to be found in virtually everything.

hanson: And when you mean industrial area, you mean?

parella: Urbanized area, industrialized area like the city of Hamilton.

hanson: Okay, because I'm just centering on Lake Niapenco right now. It's not near anything, so that was why it was such a shock when they found it in the turtles. So is there any way we can put a resolution together to ask the MOE to investigate a little bit further to find out where the mercury sources are, or if it is agricultural, which I very seriously doubt. Pesticides don't have mercury in them, and that's the only bad thing I think they've done. So is there any way we can figure out so that we can be proactive and we can be clear at the end of the day?

parella: If council thinks that's something that the MOE can resolve or answer for them, by all means ...

hanson: Is the Niagara Peninsula Conservation Authority doing its own testing?

parella: No. There's no testing being done by the NPCA or the MOE. They're testing water; they've said that – well water and lake water – and the MOE is going out and doing the same thing along with core samples where they've found what depth the contamination is at....

hanson: Considering that they're doing testing anyway, can we ask them to include mercury?

Ferguson: This is the MOE or the Conservation Authority?

Johnson: Yeah, MOE. Conservation Authority ... of course they watch the water courses, but they only own this piece. The airport's way up here, so if they're doing testing along the way anyways, we're just asking the focus of that testing to include mercury. And then we can probably, hopefully, get to the source of where that is and cut that.

Ferguson: Okay, you can ask. Nothing wrong with asking. Can you take that as direction then to ask them?

Johnson: I think you need a motion.

Paparella: To be honest, Mr Chairman, I'd prefer a motion so that they know it's official and not just ...

Ferguson: ...Seconded by Terry, discussion on the motion? All in favour? Carried.

Johnson: Thank you. One last thing. Thank you very much everybody. We are going to have a community meeting as soon as the MOE releases the report. As I said before, all the parties that have been at the table, except for Transport Canada have done amazing. So I just wanted to put that out there that I really appreciate everybody's interest, but also the work that's been done on this file. Nobody wanted the file. And they got the file, so everybody's really trying and in all fairness we're flying by the seat of our pants because PFOS is new. It's new how they clean it up and how they deal with it. So thank you everyone. Next time if you have a meeting I'd like an invitation.

Ferguson: Okay, seeing no other people wish to speak to this, can I have a motion to receive the presentation? Moved by Bratina, seconded by Whitehead. All in favour? Carried. [1:13:22]