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# Seeking accountability from the Town of East Hampton

## Is this happening...AGAIN?

The Town of East Hampton continues to risk exposing its residents – for a second time – to the same harmful chemicals the EPA has linked to cancer, liver damage, antibody production, immunity and more.<sup>1</sup>

If the Town of East Hampton is promoting Deepwater Wind's offshore wind farm for environmental reasons, why is the Town ignoring existing environmental contamination?

## Deepwater Wind threatens to expose residents to the same toxic waste...again.

Deepwater Wind submitted to NYS Public Service Commission a report titled: [Hazardous Materials Desktop Analysis](#).<sup>2</sup> The report reads –

*Based upon an evaluation of historical resources ... maps and historic aerial photographs, as well as a review of regulatory agency database listings ... it was determined that there were no hydraulically upgradient or adjacent properties along the study corridor that would represent a significant environmental risk to subsurface conditions.*

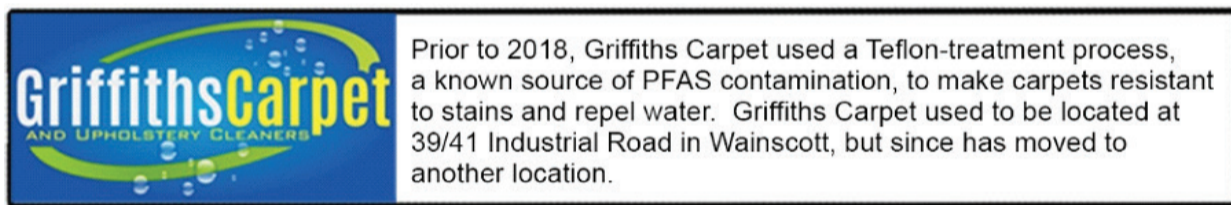
EPA RCRA Hazardous Waste		HAZARDOUS WASTE TONS
1993 NYD013518477	SHAW AERO DEVICES INC	WAINSCOTT 12.527
1991 NYD013518477	SHAW AERO	WAINSCOTT 29.501

Shaw Aero Devices/Development manufactured lift and turn technology fuel caps for commercial, military, construction and mining vehicles, including vehicle fast-fueling systems to minimized burst fuel tanks and/or over-filling the tanks causing wasteful ground-fuel spillage. In two years (1991 and 1993), Shaw Aero generated over 42 tons of hazardous waste (according to EPA National Biennial RCRA, Hazardous Waste Reports).

This is *not* true.

The [Hazardous Materials Desktop Analysis](#) fails to mention –

- An EPA regulatory database<sup>3</sup> that lists a company called Shaw Aero Devices, Inc that used to be located at 39/41 Industrial Road within 200 feet upgradient of where Deepwater Wind proposes to build its high-voltage transmission infrastructure and construct underground a large splicing vault. The EPA report clearly states that Shaw Aero Devices, Inc generated over 42 tons of hazardous waste at this site in 1991 and 1993 alone.<sup>4</sup>
- Griffiths Carpet & Upholstery Cleaners that operated from the same facility at East Hampton Airport that used a Teflon-treatment process which is a known source of PFAS contamination and operated within 200 feet upgradient of where Deepwater Wind proposes to construct underground its high-voltage transmission infrastructure.<sup>5</sup>
- Water Quality Advisory<sup>6</sup> that warned residents living downgradient from East Hampton Airport that “PFOS and PFOA [had been] detected above the EPA lifetime health advisory level issued by Suffolk County (on Oct 11, 2017) five months before the Hazardous Materials Desktop Analysis (dated Mar 30, 2018).



Earlier this year (on May 15), Deepwater Wind filed a modified Environmental Impact Statement that “discusses the existing ... soils, and groundwater conditions ... based on existing published data ... within ... 500-feet” of where it proposes to construct underground its high-voltage transmission infrastructure.<sup>7</sup> One and a half years earlier, New York State DEC had published extensive data<sup>8</sup> on soil contamination that included PFOS/PFOA contamination of 10,180 ppt in soil and 160 ppt in groundwater (the EPA drinking-water standard is 70 ppt) within 500 feet of where Deepwater Wind proposes to construct underground one of its eighteen splicing vaults – but Deepwater Wind does not mention any PFOS/PFOA soil or groundwater contamination in its recently published Environmental Impact Statement.

## Deepwater has formally acknowledged the possibility of contamination.

In the same Environmental Impact Statement, Deepwater Wind concludes that “the potential for the HDD [horizontal directional drilling on Beach Lane] to impact nearby water-supply wells or the aquifer is anticipated to be small,” but does not say what those “impacts” will be and does not define what it means by “small.”

## Deepwater Wind has not offered the public a plan for properly excavating contaminated soil.

This information had been brought to the attention of the Town of East Hampton, but the Town of East Hampton has neither required Deepwater Wind to test the soil and groundwater along Deepwater Wind's proposed construction corridor nor has it required Deepwater Wind to formulate a plan for handling material contaminated with hazardous waste.

Deepwater Wind has neither submitted to NYS Public Service Commission a detailed plan for excavating contaminated soil that protects residents from contaminated soil and dust blowing into homes during construction nor has it submitted a detailed plan for storing contaminated soil or transporting contaminated soil along residential roads and a busy Montauk Highway off Long Island to a licensed site that accepts hazardous waste.

## The people of East Hampton deserve a transparent analysis of this project.

We demand transparency from the Town of East Hampton regarding its dealings with Deepwater Wind in general and specifically with regards to contaminants of hazardous waste in our soil and drinking-water supply.

If neither Deepwater Wind nor the Town of East Hampton are acknowledging probable environmental risks of a public health concern, it also means there is no agreement in place stipulating who will pay for cleaning up the PFAS contamination. Local taxpayers could be saddled with up to a *one-hundred-million-dollar bill* for remediating Deepwater Wind's contaminated construction site that both Deepwater Wind and the Town are ignoring.

For an insight into the potential ramifications, please read the following three short news articles (available at [www.Wainscott.Life/exhibits.html](http://www.Wainscott.Life/exhibits.html))

- AFR - PFAS Contamination - West Gate Tunnel (Feb 5, 2020) – Exhibit 54
- AFR - West Gate Tunnel dispute veers towards ‘full-flung fight’ (Jun 6, 2020) – Exhibit 58
- AFR - Zoom won't do for West Gate Tunnel soil talks (Jul 5, 2020) – Exhibit 61

## **We demand a thorough examination of the potential risks and a transparent report to the public about Wainscott water purity and disruption planned by the Deepwater Wind project by the Town of East Hampton government.**

Report No. 3 by Si Kinsella: PFAS Contamination, Cover-up and Obstruction by Town of East Hampton (including links to all exhibits and appendices) is available from [www.Wainscott.Life](http://www.Wainscott.Life). This advertisement is to raise awareness of the issues as expressed in this report and is subject to the disclaimer in the report.

## Notes:

- 1 EPA Fact Sheet on PFOA & PFOS, November 2016 - See [www.Wainscott.Life/exhibits.html](http://www.Wainscott.Life/exhibits.html) - Exhibit 10
- 2 NYS PSC Article VII Application by Deepwater Wind South Fork, LLC – Appendix F Part 2, Phase I Environmental Assessment – Hazardous Materials Desktop Analysis, dated March 30, 2018 (at pp. 122-191) – See [www.Wainscott.Life/appendices.html](http://www.Wainscott.Life/appendices.html) - Appendix Q
- 3 EPA National Biennial RCRA Hazardous Waste Report 1991 and 1993 – See [www.Wainscott.Life/exhibits.html](http://www.Wainscott.Life/exhibits.html) - Exhibit 45
- 4 Interrogatory/Document Request: Si Kinsella #11 to NYS DEC Re- PFAS – Shaw Aero (78 pages) – See [www.Wainscott.Life/appendices.html](http://www.Wainscott.Life/appendices.html) - Appendix J
- 5 Interrogatory/Document Request: Si Kinsella #12 to NYS DEC Re- PFAS - Griffiths Carpet (75 pages) – See [www.Wainscott.Life/appendices.html](http://www.Wainscott.Life/appendices.html) - Appendix H
- 6 Suffolk County Water Quality Advisory for Private-Well Owners in Area of Wainscott issued October 11, 2017 – See [www.Wainscott.Life/exhibits.html](http://www.Wainscott.Life/exhibits.html) - Exhibit 30
- 7 NYS PSC Article VII Application by Deepwater Wind South Fork, LLC - Exhibit 4: Environmental Impact, South Fork Export Cable of May 15, 2020 (at p 4-44) – See [www.Wainscott.Life/appendices.html](http://www.Wainscott.Life/appendices.html) - Appendix N
- 8 NYS DEC Airport Site Characterization Report by AECOM, published Nov 30, 2018 – See [www.Wainscott.Life/appendices.html](http://www.Wainscott.Life/appendices.html) - Appendix D