To: Dempsey, Gregg D.[Dempsey.Gregg@epa.gov]; Schaefer, Joe[Schaefer.Joe@epa.gov]; Monnig Rob[rob.monnig@tetratech.com]; Blattner Greg[gblattner@seagullenvirotech.com]; Kinroth David[dkinroth@seagullenvirotech.com]; Zipf, Mark[Zipf.Mark@epa.gov]
From: Johnson, James
Sent: Fri 4/11/2014 8:34:07 PM
Subject: Fw: Breaking News - Lawsuit: West Lake Landfill radioactivity has spread off-site

What we are dealing with.

From: Hayes, Scott
Sent: Friday, April 11, 2014 3:29:13 PM
To: Johnson, James; Mahler, Tom; Hooper, Charles A.
Subject: FW: Breaking News - Lawsuit: West Lake Landfill radioactivity has spread off-site

Fyi

From: Jackson, Robert W.
Sent: Friday, April 11, 2014 3:25 PM
To: Hayes, Scott; Field, Jeff
Subject: FW: Breaking News - Lawsuit: West Lake Landfill radioactivity has spread off-site

From: Bryan, David
Sent: Friday, April 11, 2014 3:21 PM
To: R7 Senior Staff
Subject: Breaking News - Lawsuit: West Lake Landfill radioactivity has spread off-site

Lawsuit: West Lake Landfill radioactivity has spread off-site

By Robert Patrick rpatrick@post-dispatch.com 314-621-5154 and

Blythe Bernhard bbernhard@post-dispatch.com 314-340-8129

http://www.stltoday.com/news/local/crime-and-courts/lawsuit-west-lake-landfill-radioactivity-has-spread-offsite/article_31dcba55-a853-5e8d-b32f-2847624d3fc8.html

ST. LOUIS • A lawyer for a man who has lived near the West Lake Landfill in Bridgeton for more than 30 years, and the lawsuit that he filed Friday, say for the first time that radiation has spread to nearby properties, potentially impacting the health of local residents and employees.

"We have confirmation of radioactive contamination on multiple scattered sites, some a significant distance from the landfill, which are at levels that require remediation," wrote lawyer Daniel Finney Jr., who filed the suit, in an email in response to questions from the Post-Dispatch. "Given the history of West Lake Landfill these results are hardly surprising," he wrote.

Finney declined to comment in detail about the testing that had been done, but said that it had been performed at multiple locations.

"We are confident that the results are the reality of the situation up there," he said.

The suit was filed on behalf of John James, a resident of the nearby Spanish Village neighborhood, against landfill owner Republic Services and others, and seeks approval for class-action status to represent property owners within three miles of the landfill.

It says that the activities at the landfill were "abnormally dangerous," both because of their release of radioactive and toxic materials and their proximity to residential neighborhoods.

Area residents and employees of nearby businesses have long complained of the odors from the smoldering waste at the adjacent Bridgeton Sanitary Landfill, and expressed fears of what could happen should the underground fire spread to West Lake, where waste generated by uranium processing was diluted with soil and used to cover refuse in the 1970s.

The U.S. Environmental Protection Agency is reevaluating its 2008 decision to cap the radioactive waste at West lake rather than remove it, driven by community concerns and the proximity of the fire. An underground barrier is also in the works between the two landfills.

In a letter to the Post-Dispatch published in February, Karl Brooks, EPA regional administrator, wrote that, "Scientific evidence shows no one living or working around West Lake is experiencing harmful exposures to its hazardous contaminants, including the radiologically contaminated materials, because the EPA has securely contained them."

A spokesman for Republic Services, the company that owns West Lake, declined to comment, saying he and the company had not yet seen the suit.

They recently launched a lobbying group that seeks to keep the waste at the landfill rather than having it excavated and shipped by rail to a nuclear dump site in the western U.S.

Although there has been testing on the West Lake site and of the area air and groundwater on multiple occasions, and dust in 2013, no public agency appears to have tested the soils farther away for

radioactivity, or at least publicly announced that they were testing.

Ed Smith of the Missouri Coalition for the Environment said they collected soil samples from around the landfill for independent testing. Preliminary results show some of the samples indicate radioactive contamination above acceptable background levels.

Dawn Chapman of Maryland Heights, who leads a community group on landfill issues, said nearby residents are concerned about the youth ball fields at the Bridgeton Municipal Athletic Complex less than a mile from the landfill.

"I can guarantee you that's where everybody's minds are going to go," Chapman said. "There are going to be a lot of really, really scared people in Bridgeton tonight."