

'Green Goo' Revealed Toxic Leak At DuPont Zinc Plant

VICKI SMITH Associated Press Writer - July 30, 2009

MORGANTOWN, West Virginia (AP) — For at least five years before Rebecca Morlock noticed what she calls "a green goo" seeping out of the ground below a former zinc-smelting plant in the town of Spelter, water loaded with potentially toxic heavy metals was trickling into the West Fork River.

State environmental inspectors didn't spot it, even though they are required to walk the site twice a year.

Neither did the engineering firm hired by DuPont to inspect the site monthly to ensure toxic waste remains sealed under a layer of earth and plastic. "How this missed us is, to this point, a mystery," says Ron Potesta, president of Potesta & Associates.

Instead, it was Morlock, a 41-year-old homemaker and mother of three, who took it upon herself to patrol the site after she and nine other plaintiffs won a class-action lawsuit against DuPont in 2007 over long-term exposure to toxins from the site.

"When I saw that, I knew there was something wrong," she said.



Rebecca Morlock, 41, of Spelter, WVa., stands in front of the fence of former DuPont zinc-smelting plant in the town of Spelter, WV on July 27, 2009. Morlock keeps watching the demolished factory. "I'll stay on top of it because people's lives could possibly be at stake," she says. (AP Photo/Lingbing Hang)

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Morlock, one of thousands who may eventually share in \$380 million in damage awards, did not believe DuPont's claims during the trial that Spelter was clean and ready for redevelopment.

Certain metals at the DuPont site, including arsenic, cadmium and lead, can in high concentrations cause serious health problems ranging from developmental disabilities and cancers to low fertility. The site is fenced and inaccessible to the public, making runoff the only potential threat.

Although the seep Morlock noticed last year is sealed now, Morlock does not buy the state Department of Environmental Protection's assertion that no harm was done.

The DEP says high levels of dissolved metals in the seep rapidly dispersed, soaking into the soil as they flowed downhill, then were further diluted in a river that no one downstream uses for drinking water. The only risk, the agency says, might be to fish.

Morlock disagreed: "People swim there. They fish there all the time. And people eat fish out of that river. What are they eating?"

During more than 90 years of operation, the Spelter smelter produced more than 4 billion pounds of slab zinc and 400 million pounds of zinc dust for use in rustproofing products, paint pigments and battery anodes. By 1971, a toxic waste pile stood 100 feet (30 meters) tall and covered nearly half of the 112-acre (45-hectare) site. Dust often blew from the site into homes in nearby communities.

The plant closed in 2001, and DuPont worked with state regulators to demolish factory buildings and cap the site with plastic and clean soil.

But two years ago, after a lengthy trial, a jury ruled that DuPont was negligent in creating the waste pile, and that it had deliberately downplayed and lied to its neighbors about possible health threats.

Damages now on appeal to the state Supreme Court included \$196 million meant to punish DuPont for its conduct, \$130 million to fund a 40-year health screening program and \$55.5 million to clean up private properties.

When the trial ended, Morlock started watching the site more closely, seeing the movements of men in trucks and taking photos from a house on an adjacent hilltop before crossing a field owned by a local water utility and climbing down a bank to the West Fork River to get closer.

When she saw what looked like a green-tinged erosion, she turned to the Internet and contacted the DEP, engineering companies and professors to examine her photos. She filed a Freedom of Information Act request for trace elements in the river and was given "complex spread sheets that I don't even pretend to understand."

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She began working with DEP's project manager for the Spelter site, David Hight, to get answers.

Hight began to consider and rule out things like fertilizer that could turn the ground green. He arranged a site walk, took samples and eventually confirmed Morlock's suspicion that pollutants were leaking out.

Investigators determined that an unmapped gravel drain had been left in place below the area being capped, Hight says. Neither he nor Potesta & Associates spotted the drain because it was low on the riverbank outside the cap area, and vegetation made it difficult to see.

DuPont referred questions to Potesta, who said the seep was sealed with clay in March. His crew has since done a thorough review to ensure there are no other drains, and Potesta says his employees will now include the river bank in their monthly walkthroughs.

Samples taken directly from the seep showed high levels of dissolved zinc, copper, iron, lead, aluminum and manganese, and smaller amounts of other metals, the DEP says. They may have come not only from the smelter, but also old coal mines at the site.

But samples taken from a West Fork monitoring station six times a year since 2001 show few metals were making it into the river. DEP charts show steadily falling levels of manganese, with spikes in zinc, aluminum and iron during the demolition and cap-construction periods in 2002 and 2003.

Overall, the trends are downward, and neither Spelter nor any downstream community relies on the West Fork for drinking water.

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