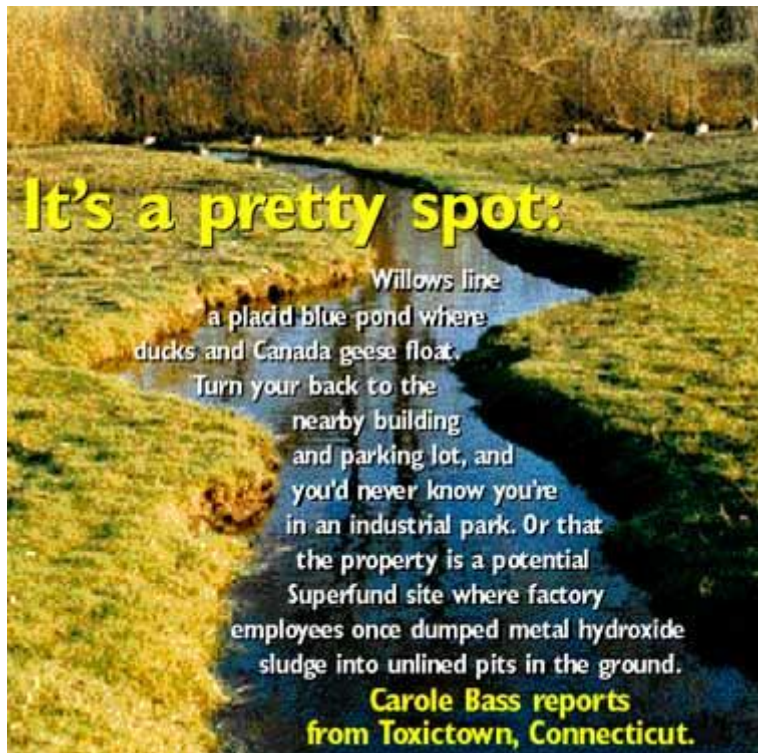


Advertisement

Toxictown, Connecticut



**The ghosts of polluters past haunt the
town of Cheshire.
They haunt us all.**

By Carole Bass

It's a pretty spot: Willows line a placid blue pond where ducks and Canada geese float. Turn your back to the nearby building and parking lot, and you'd never know you're in an industrial park. Or that the property is a potential Superfund site where factory employees once dumped metal hydroxide sludge into unlined pits in the ground.

It's a peaceful spot: Titmice, cardinals and red-bellied woodpeckers flutter around seven birdfeeders. Giant goldfish swish in a heated pond. Visit on a crisp November afternoon, when all is muted except for the blazing orange berries of a firethorn bush, and it's hard to imagine the colors that fill the yard as each of the 63 flower beds blooms in turn during the spring and summer. Or the tarry fumes from a nearby asphalt plant that send Inge Venus inside on some of those early summer mornings, eyes

burning, unable to work any longer in the backyard sanctuary she has spent 14 years planning and tending.

It's a cheerful family spot: a big, comfortable suburban home, a yard full of trees and play space, a kitchen full of sunshine and the aroma of fresh cookies. A perfect spot for Dan and Elizabeth Esty to raise their three school-age children. Watch Elizabeth pull the cookies out of the oven and a pitcher of water out of the refrigerator, and you'd never guess why the water is filtered: The town wellfields are contaminated with TCE, a cancer-causing industrial chemical. Even after treatment, there are traces of it in the drinking water.

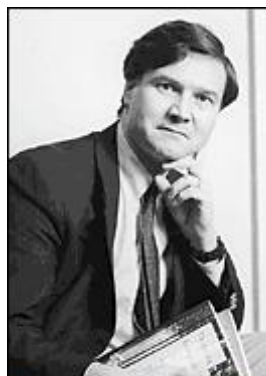
These are the ghosts of polluters past, and they haunt the town of Cheshire. They haunt us all.

As Bad as Waterbury?!

Cheshire is not Love Canal, crawling with men in white bunny suits. It's not Woburn, Mass., of *A Civil Action* notoriety, where very high levels of TCE were suspected to have caused a tragic cluster of childhood leukemia. Rather, Cheshire is a typical Connecticut suburb. It's got 25,000 people, low taxes, highly regarded schools, 11 potential Superfund sites, a carcinogen in the drinking water and at least one industry, the asphalt maker, that operates perfectly legally while making some of its neighbors sick with chemical fumes.

Like many other affluent suburbs, this farm town turned bedroom community struggles with growth. Quarter-million-dollar homes rise where there used to be wooded hillside; political battles rage over a proposed Super Stop & Shop in the center of town.

Those environmental issues are easy to see. But lately, some in Cheshire are alarmed at what is harder to see: the toxics that lurk in the ground, in the water, in the air.



"The town perceives itself as a clean and green suburb," says Dan Esty, an expert on environmental law and policy who teaches at Yale Law School and the Yale School of Forestry and Environmental Studies -- and drinks filtered water. "But we've got at least two problems: the very high number of toxic waste sites, and the TCE in the drinking water."

"The town perceives itself as a clean and green suburb," says Dan Esty, an expert on environmental law and policy who teaches at Yale Law School and the Yale School of Forestry and Environmental Studies -- and drinks filtered water. "But we've got at least two problems: the very high number of toxic waste sites, and the TCE in the drinking water."

says Dan Casy, a rare environmental expert who lives in Cheshire. "But we've got at least two problems: the very high number of toxic waste sites, and the TCE in the drinking water."

Neither problem is new. Government officials have known about them for 10, 15, 20 years. Those same officials consider both problems to be under control, posing little risk to health or the environment. But many townspeople became aware of Cheshire's toxic legacy only in recent months, thanks to a report by an environmental activist group and to new federal rules that require water authorities to tell customers what's coming out of their taps.

The report, *Toxics in Connecticut*, by the West Hartford-based Toxics Action Center, combined federal and state data in ranking Connecticut's top 10 towns by four measures of toxicity. One was the number of potential Superfund sites -- toxic waste sites that the federal Environmental Protection Agency has inspected and judged serious enough to warrant cleanup, but not necessarily serious enough to make the actual Superfund list. Cheshire tied for second in the state, with 11 sites.

That caused a jolt in the old hometown. It didn't help that the other silver medalist was Cheshire's next-door neighbor Waterbury, known for industry as dirty as its politics. Cheshire as polluted as *Waterbury*? How could that be?

Less noticed, in Cheshire at least, was the town that topped that list, with 14 potential Superfund sites: Farmington, surely nobody's image of industrial grime.

Other dirty surprises lurk throughout Connecticut. Bethel, a little town of white church steeples and homemade ice cream, is also home to a chemical company that reportedly stores more than 80,000 pounds of "extremely hazardous" chemicals. Tiny East Granby (pop. 4,300) ranks ninth for potential Superfund sites, with seven. Wherever we live in Connecticut, we live amid dirty air and water.

Much of the pollution is a reminder of a time when hardly anyone knew or thought about the health dangers of industrial chemicals, or how they can linger for generations. Workers routinely poured or swept toxic wastes out into the factory yard. Or put it in metal drums and buried them, never thinking about what would happen when the drums leaked. The results: contaminated soil -- a danger to anyone digging, playing, gardening or potentially even breathing in the area -- and contaminated groundwater, which can trickle through the bedrock to poison public and private wells nearby.

There are hundreds of these sites around Connecticut. Some big, some small, some not yet even catalogued by environmental investigators. Some, like those in Cheshire,

are partly cleaned up. Few are what you'd really call clean: In some instances, digging up the worst of the contamination and paving over the rest of it is considered sufficient.

Not all the pollution is historic. Connecticut ranks in the top 20 percent of states for increased cancer risk from hazardous air pollution, according to an online scorecard maintained by the advocacy group the Environmental Defense Fund (<www.scorecard.org>). The same source pegs New Haven County among the nation's top 20 percent of counties for cancer risk from air and water pollution, and among the dirtiest 10 percent for air releases of recognized carcinogens.

Some environmental risks, while small, seem more dramatic. The Connecticut Public Interest Research Group reported last month that five Connecticut chemical facilities are storing larger amounts of "extremely hazardous" chemicals (according to the U.S. Environmental Protection Agency) than were released in the world's worst chemical disaster: the 1984 Union Carbide explosion in Bhopal, India, which killed 2,000 people and injured 300,000. Six of the top 10 -- including No. 1, Cytec Industries in Wallingford, and No. 4, H. Krevit & Co. in New Haven -- are in New Haven County. No. 15 on ConnPIRG's list, a Bozzutto's Inc. warehouse, is in Cheshire.

The same day ConnPIRG issued its report -- titled *Accidents Waiting to Happen* -- a chemical tank broke at Circuit-Wise in North Haven, spilling toxic ammonia compounds and sending an employee to the hospital.

Don't Drink the Water?

TCE, or trichloroethylene, was once considered one of the least harmful industrial solvents available. It was so widely used for dissolving grease and oils, cleaning metal parts and even dry cleaning that it's now often impossible to trace the source of TCE in drinking water.

Water authority officials discovered TCE in both the North Cheshire and South Cheshire wellfields in the late '70s and early '80s. Environmental investigations have found the chemical in the soil and groundwater at several nearby industrial sites, including some on the potential Superfund list. But authorities say it's impossible to pin down who poisoned the wells.

The New York Times reported recently that a U.S. Geological Survey study found industrial solvents in the

groundwater that supplies drinking water for 35 to 50 million Americans. (Because they evaporate easily, solvents are much less of a problem in reservoirs.)

In Cheshire, the South Central Connecticut Regional Water Authority has known about TCE for 20 years. But many townspeople didn't find out about it until last summer. A new federal law required the water authority to send customers a "Consumer Confidence Report" spelling out exactly what's in their water. (It's also available online at <www.rwater.com/ccr>.) The weekly *Cheshire Herald* followed up with a front-page story.

Not all consumers find the Confidence Report so confidence-inspiring.

"Some people who drink water containing trichlorethylene in excess of the MCL [federally established maximum contaminant level] over many years could experience problems with their liver and may have an increased risk of cancer," says the report.

Other health authorities issue stronger warnings. California lists TCE as a known human carcinogen. The U.S. EPA suspects it is toxic to human development, gastrointestinal system or liver, kidneys, reproductive system and skin or sense organs. The Environmental Defense Fund ranks it as "one of the most hazardous compounds (worst 10 percent) to ecosystems and human health."

At the North Cheshire wellfield, the water authority treats the water to bring TCE levels below the maximum contaminant level of 5 parts per billion, says Darrell Smith, the authority's vice president of water quality and research. In South Cheshire, the levels "have dropped [below the MCL] by themselves," Smith says. "Which means in effect that the groundwater is cleaning itself up" over time and no longer needs treatment.

But just as it took years to discover the contamination, science often takes years to catch up to the damage pollution can do to the human body, even at low levels, Dan Esty points out. What's considered safe today could land on somebody's list of carcinogens 10 years from now.

"People are waking up to [the drinking water contamination] and saying, 'Why is this carcinogen in our water at all?'" he declares. "'And how did it get there? And how could it have been prevented?'"

Don't Breathe the Air

The conflict between Dalton Enterprises and its neighbors could've been prevented with one word: zoning.

An asphalt business has occupied the spot at 131 Willow St. in west Cheshire since 1965, and Peter Dalton has owned it since 1980, he says. The old Ball & Socket factory building next door on West Main Street, which Dalton bought two years ago, dates to the turn of the last century. When the town adopted zoning regulations, the existing industries were grandfathered into an otherwise residential zone.

The houses start directly across Willow Street from Dalton and continue up the hillside for blocks.

"We looked at the place on the weekend," Lisa Moran says of the fixer-upper she bought two years ago, dead across the street from Dalton. "And it was the winter," when Dalton shuts down for the season. "So we really didn't know."

She found out soon enough. Having quit her photo lab job to avoid the chemical fumes when she was pregnant with her daughter, Moran now found herself pregnant again -- and living with a thick, heavy tar smell. A couple of times she called local health authorities when "it was really rank, just kind of oozing and hanging in the air." Last summer was not as bad, but still there were times when "I would take the kids and go shopping or something," just to get away from the smell. "I would hope it would get better by afternoon. Or maybe a breeze would pick up."

Joe Plitnick lives a few blocks up the hill. "In August 1996, I was new to the neighborhood," he says. "One night around midnight I woke up and went out the front door. I actually saw a mist in the air -- like a fog. And the smell was probably 100 times worse than a normal tar smell. I literally crawled back to my house" and closed all the windows.

Betty King also lives nearby. "I have very young grandchildren who come to visit me." When the fumes are bad, she makes them play inside. "It's a sickening smell. Especially in the summertime when it's hot and humid. In the spring you go out and you want to smell the flowers, but you smell tar." She put brand-new windows in her house; soon, she says, they were covered with soot.



Then there's Inge Venus, with her 63 flower beds -- including the circular one called Gaia, for the Greek Earth goddess, with a section



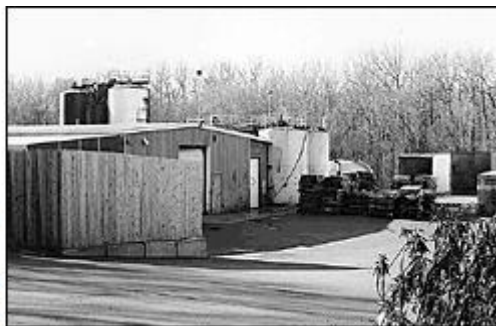
Inge Venus has spent 14 years building a backyard sanctuary of flowers, birds and butterflies. But some summer mornings, fumes from a nearby asphalt plant send her inside, eyes burning.

for each continent. She's fenced her yard to keep out the cats that invaded her bird sanctuary. She's got a little screenhouse where she can sit peacefully in the dark on warm summer evenings, sheltered from mosquitoes. But no barrier keeps out the smell.

The kind of petroleum-based products that Dalton makes -- driveway sealers and road patch material, among others -- can irritate eyes, nose, throat, lungs and skin. California and New Jersey both consider asphalt fumes generically to be cancer-causing. But it's unclear what concentrations and lengths of exposure are needed to cause the disease. And nobody's sure what chemicals are in the fumes Dalton emits.

"Does the odor necessarily mean that there's going to be a health effect? No. But it doesn't mean that there isn't, either," says David Brown, a public health toxicologist at Northeast States for Coordinated Air Use Management, or NESCAUM, in Boston. While he's not familiar with Dalton's operations, Brown says that generally, the key to understanding health risks of asphalt fumes is measuring what chemicals are going into the air, and in what quantities. But no one seems to have done that. Without that information, Dalton's neighbors "are rightly concerned," Brown says.

The neighbors have complained. They've called the local health district. They've called the state Department of Environmental Protection. Joe Plitnick even called the police once. At a May 1998 public information session, called by the town to see if Dalton was violating any zoning ordinances, 20 residents spoke against Dalton and only three in support.



Neighbors keep complaining about asphalt fumes from Dalton Enterprises, but state officials say there are no environmental violations.

Hear No Evil?

Nobody's trying to shut Dalton down. The neighbors all acknowledge the company is within its legal rights to operate as it does. They want the smell to go away, or at least get better.

They're frustrated that at least a dozen complaints to the state Department of Environmental Protection and the local health district have produced inspections and reports but no action. According to two years worth of inspection reports, DEP found just one violation, on which it changed its mind when the company disagreed. The department's usual recommendation in following up on Dalton complaints: "Keep under surveillance. Log & file." (See accompanying story, "DEP: Dalton Enterprises Protection?")

After the May 1998 hearing, town Zoning Enforcement Officer Lisa Murphy found no violations. The problem, she says, is the "bad mix" of an old industrial property next to a residential area. "I feel bad for the people who live there," she adds. "I wouldn't want to live there."

Peter Dalton himself doesn't acknowledge a problem.

"This is all form and no substance. I haven't met anybody that's complained personally," he says. "They haven't come here. We've been here since 1965."

"When you live next to an industrial zone, there [are] a lot of folks that complain about a lot of things. I think [DEP] had two complaints in 1997. It's 1999."

Actually, DEP files recorded nine complaints to the state agency and another three to local health authorities between August 1997 and October 1999.

Any "fumes that may or may not emanate from our operations or from incoming trucks" are "kind of a subjective thing," Dalton says. "You may like one color; I like another. It's not offensive to me or my employees."

"Do I sound defensive? I am defensive. You operate under all the laws. You're a good neighbor, you try to get along. We will continue to make every possible effort to accommodate our neighbors over and above the regulations." For example, "We make every attempt to require [delivery trucks] to come in during normal hours, not to interrupt somebody's sleep." Another example: An optional anti-odor apparatus -- which DEP reported on Sept. 1, 1999, was installed but had not yet been used -- is now operational, Dalton says. "We're constantly upgrading our equipment."

Ernie Hallbach, Dalton's vice president and general manager, says the odor neutralizing equipment "does work,

but it doesn't work 100 percent." So he'll keep trying different approaches to controlling the "aroma," he says.

How Dirty Is It?

Oil sludge and solvents. PCBs and heavy metals. A slimy soup of industrial wastes -- all toxic, some cancer-causing -- poured down storm drains, sprayed on factory lawns, stored in leaky drums and dumpsters for years by local businesses and even the town landfill.

That's a sampling of what federal Environmental Protection Agency staff found when they inspected some of the 11 potential Superfund sites in Cheshire. In nearly every case, they found that the sites' former occupants -- mostly metal-products manufacturers of one kind or another -- had caused actual or potential contamination of groundwater and drinking water. In nearly every case, homes or businesses lie within a half-mile of the contamination.

The state DEP has done some cleanup on most of the sites. In some cases, EPA believes more cleanup is needed, according to a checklist filed with the federal General Accounting Office. DEP rates most of the sites as posing a low risk to health and the environment, although two are branded an "average" risk. DEP officials couldn't explain what an average risk to health or environment is.

The EPA deems four of the 11 sites "not likely to become eligible" for the National Priorities List -- the actual Superfund properties that EPA considers the country's most severe hazardous waste sites. The other seven languish as "potential," along with about 3,000 other properties around the nation.

Independent of DEP and EPA, environmental activists like Merc Pittinos of Toxics Action Center and Curt Johnson of Connecticut Fund for the Environment note that it's impossible to gauge how dangerous the Cheshire sites are. "If there's significant contamination, it's only been partly remediated and there's continuing exposure, that's a serious issue," Johnson says. "How big a concern," he couldn't guess.

"It may be that all of these sites are not that bad -- that they're 'watch' sites but not crisis sites," says Dan Esty. "The problem is, we don't know."

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DEP: Dalton Enterprises Protection?

DEP stands for the state Department of Environmental Protection. But some in Cheshire might be forgiven for wondering if it also means Dalton Enterprises Protection.

Dalton is a west Cheshire manufacturer of driveway sealant and other asphalt products. The plant, which predates zoning, abuts a residential neighborhood. During Dalton's April-through-October busy season, tarry asphalt fumes drift out of the plant and into nearby yards and houses.

DEP records show a dozen citizen complaints about fumes from Dalton between August 1997 and October 1999. In most, but not all, cases, the agency sent out an inspector a few days or weeks later. Sometimes the inspector found a mild tar odor, sometimes none.

Dalton officials gave DEP different explanations for the odor on different occasions: kettles being cleaned, vendors who delivered chemicals at too high a temperature, one of the processes inside the plant itself. On Sept. 1, 1999, a DEP inspector reported: "They have installed a masking & neutralizing mister to the stack in question but haven't used it yet."

The DEP file yields just one Notice of Violation, the mildest enforcement action the agency can take. The notice, issued in November 1997, cited Dalton's failure to apply for permits for three mixing tanks with the capacity to process more than 16,000 pounds a day. Dalton responded that DEP was mistaken about its capacity. DEP dropped the matter.

Since it's not a permitted facility, Dalton has no obligation to monitor its air pollution levels.

Over and over, DEP inspection reports note that the odors are an "ongoing problem." Over and over, they reach the same recommendation: "Keep under surveillance. Log and file."

DEP Commissioner Art Rocque himself went to bat for Dalton once, after a neighbor wrote to U.S. Rep. James Maloney and Maloney inquired of DEP.

"Our inspectors have had many years of dealing with odors and regularly exhibit excellent judgement in making a determination of nuisance," Rocque wrote to the neighbor

on May 17, 1998. Dalton, he wrote, was not a nuisance.

One week later, an inspector for the regional Chesprocott Health District -- responding to a complaint immediately, rather than days or weeks later, like DEP -- noted a "very strong almost nauseating petroleum odor in [the complainant's] home living room & outside."

It's easy to see conspiracy theories where there's really just an overworked, understaffed DEP with more environmentally urgent priorities.

On the Notice of Violation, for example -- which the department issued, pursued for a time and then dropped when Dalton objected -- the DEP's Patrick Bowe notes: "That kind of stuff happens. Sometimes we make a call and they dispute it. That type of issue comes up regularly."

A Notice of Violation "is an allegation that we think you've done something wrong," says Bowe, assistant director of the DEP's air bureau. "This is your opportunity to either correct it or correct us."

Still, this is the same DEP that made headlines over the past two years as employees accused political appointees of trying to "fix" pollution problems for friends and campaign contributors of Gov. John Rowland. There's a paper trail to back up some of those claims.

In Cheshire, some Democrats -- the town's perpetual minority party -- murmur about Dalton Enterprises owner Peter Dalton's political clout. And Dalton did contribute \$1,250 to the Republican Rowland's 1998 re-election campaign. He says he has met the governor personally, at a fundraiser, and that he has hosted Rowland fundraisers as well.

But that has nothing to do with DEP's handling of complaints against his company, Dalton says.

"I don't have any pull with any governor. I can tell you that," he asserts. "I don't have any pull with anybody. I earn my way. I started with nothing and whatever I've built, I've built on my own."

The department's Pat Bowe likewise dismisses the idea that DEP is doing Dalton favors.

"He may or may not have clout. I have no idea," Bowe says. "But for somebody to actually influence something, somebody would actually have to tell me, 'You can't do that.' Nobody has. To me it would be just amazing to be in a situation where somebody would say, 'So-and-so's got

political clout.' It makes for good speculation, but it doesn't make for good reality."

Three years ago, Dalton Enterprises bought the adjacent Ball & Socket property, a defunct button factory. Contaminated with metals and solvents, the place was partly cleaned up in the 1980s, and there's no outstanding cleanup order. Still, in buying the property, Dalton had to certify under the Connecticut Property Transfer Act that the company will be responsible for additional environmental work there.

Ray Frigon, a DEP environmental analyst, says he asked Dalton to undertake a voluntary cleanup that would be "more aggressive" than required by law. Dalton agreed, he says. He cites a Feb. 24, 1997, letter from Dalton: "In the not-too-distant future we will begin to attack the area more aggressively," with the ultimate goal of removing soil contaminated with the solvent tetrachloroethylene.

Dalton is supposed to make annual progress reports on the work, Frigon says. The company hasn't done so -- "not that I see in this file."

Asked how DEP normally follows up on such matters, Frigon says, "The first thing I would do is just to contact Dalton Enterprises to see if they have any additional information." He hasn't, he says, but "your inquiry will prompt me to do so."

-- C.B.

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