



MATTHEW J. TITONE
Assemblyman 61st District
Richmond County

Chair
Office of State-Federal Relations

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NEW YORK CITY COUNCIL COMMITTEES ON ENVIRONMENTAL PROTECTION AND WATEFRONTS JOINT PUBLIC HEARING ON THE RAHWAY ARCH PROJECT

TESTIMONY OF ASSEMBLYMAN MATTHEW TITONE
as delivered by Coordinator of Legislative & Community Affairs Lonnie Baron

June 12, 2014

On behalf of Assemblyman Matthew Titone, I'd like to thank the City Councilmembers for holding this hearing, and I'd like to thank all those who made the time to be here today.

Just three months ago, Assemblyman Titone, who sits on the Environmental Conservation Committee, signed on to a letter calling for the federal EPA and State DEC to properly assess this proposed "soil recycling." As New Jersey News 12's *Kane in Your Corner* has found, the "independent remediation professional" proposing this environmental atrocity has falsely claimed that Soil Safe will be using an EPA-reviewed and approved method.

Indeed, the EPA has stated unequivocally in writing, "EPA does not endorse the Soil Safe product." This should serve as reason enough to hit the pause button on this terribly misguided idea. Therefore, we are asking that the DEC, EPA, and Army Corps of Engineers use the authority granted by the Clean Water Act to require a thorough permit review of this disaster in the making.

Frankly, the idea of covering a cyanide-filled wetland with two million tons of contaminated soil, towering at 29 feet high, sounds like a way of effectively establishing a chemical waste repository along the Rahway River. As the property is in a federally designated flood zone, underwater during Hurricane Sandy, it's highly probable that a similar storm could wash this soil into both the Raritan Bay and the Arthur Kill, leaving a toxic mess along and beyond Staten Island's shoreline.

Though big money has seemingly guided this project so far, we are asking that historical fact, scientific evidence, ethics, and compassionate common sense take the reins from here.