

Dayton City Commissioner Idotha Bootsie Neal
Testimony Before the House Subcommittee on National Security
Concerning Proposed Agreement Between the Army and Perma-Fix
Wednesday, October 22, 2003

Good afternoon and thank you for allowing me to speak before you today. In light of recent decisions that have been announced regarding the proposed agreement between the Army and Perma-Fix of Dayton, I want to thank the House Subcommittee on National Security for proceeding with today's hearing as a way to officially document the community's position.

From the outset of discussions in March regarding the proposed agreement between the Army and Perma-Fix, I submit that the public has voiced consistent, rationale and fair opposition on numerous fronts.

The City of Dayton is on record as one of 33 regional government agencies or organizations opposed to the proposed agreement. We believe such concerted and overwhelming opposition to the agreement is a clear signal of the public's sentiment. To ignore such evidence would be in direct violation of the requirement to gain public acceptance before any final agreement could be consummated.

It is clearly a failure on the part of the key parties involved to galvanize community support and gain acceptance of the proposed agreement. In fact, despite attempts to educate and sway the public into accepting the proposal, the community used the information that was supplied as a way to clearly and rationally outline further public health concerns and justification for its opposition.

The response by the community to oppose the Army's contract with Perma-Fix should in no way be considered a rash, impulsive reaction. The volume and scope of information that the public has effectively presented to help justify its opposition demonstrates that considerable thought and review went into reaching its conclusions.

Experts in various fields carefully analyzed the impacts if the agreement were to take effect. Questions raised by City of Dayton and Montgomery County environmental experts indicated that many issues were unresolved. The City of Dayton's own staff and Environmental Advisory Board had outlined numerous unresolved issues even as last week's decision to terminate the agreement was announced. These included lingering questions about the reliability of chemical detection levels as well as various transportation-related concerns.

The research and analysis conducted by experts led them to essentially the same conclusion – that safety and operational issues of both the transportation and treatment processes remain very much in doubt, and the community could be negatively impacted as a result.

The Montgomery County Commission relied on such expert feedback to deny the necessary permits required for Perma-Fix to perform its neutralization process. We commend and support the County in this important decision.

In addition, the formation of a grass roots organization – called Citizens for the Responsible Destruction of Chemical Weapons of the Miami Valley – illustrated the degree to which local residents were concerned about the proposed agreement. The group helped present good, cogent questions that needed to be addressed in a forthright manner.

The filing of a lawsuit in federal court further highlighted that the public was unmistakably opposed to the treatment of a toxic nerve agent in the community.

The fact that we are even conducting this hearing today, given the circumstances that have transpired over the past 10 days, is compelling evidence of the public's strong opposition to the proposed agreement.

Although we support U.S. and international efforts to destroy chemical weapons, this process must be completed in a manner that protects the public health of the surrounding community. Clearly, this was not the case at the Perma-Fix facility.

It is obvious that the contracting parties in this proposal have not achieved the measure of public acceptance required for the contract to proceed. We are pleased that this lack of support played at least some role in the ultimate decision to terminate plans to move forward. That decision is most assuredly one that the citizens of Dayton do support.

Thank you again for allowing me to present this testimony before you today.