

RESOLUTION NO. 378

HOLDING A HEARING ON NL INDUSTRIES

Introduced: 10/14/08

By Mr. Bullock:

WHEREAS, The NL Industries factory, located at 1130 Central Avenue in Colonie, NY emitted over 5 tons of radioactive depleted uranium aerosols into a residential and commercial area from 1958 to 1982 while manufacturing armor-piercing munitions (projectiles) and other products, and

WHEREAS, Depleted uranium is a toxic chemical due to its heavy metal and radiological properties, and according to Dr. David Carpenter, Institute for Health & the Environment, University at Albany, "Depleted uranium is a radioactive substance, and we know that ionizing radiation causes cancer and birth defects", and

WHEREAS, In 1979 the NYS Department of Environmental Conservation investigated claims that NL's air stack filters were bypassed, and subsequently forced the temporary closure of the plant for excessive emissions of uranium compounds to the atmosphere and NL's consultant conducted a soil survey in 1980 which found high levels of depleted uranium contamination in the surrounding neighborhood and in addition, NL illegally dumped over 1500 cubic feet of uranium waste in drums in an adjacent stream and woods where children played, and

WHEREAS, The NL plant was permanently closed in 1984 and the property was transferred to the federal Department of Energy to remediate both the site and more than 50 contaminated residential properties and the site has now been remediated by the U.S. Army Corps of Engineers, under the Formerly Utilized Sites Remedial Action Program except for remaining contaminated groundwater and household dust, and

WHEREAS, Scientists in 2007 conducted tests of household dust in a few homes and a business near the NL Industries site and discovered depleted uranium contamination in excess of the federal site cleanup standard and these startling results came just two months after the federal government ended a "clean up" of the site and surrounding neighborhood and 27 years after the NYS Supreme Court closed the NL Industries factory for illegal uranium emissions, and

WHEREAS, Professor John Arnason, Earth & Atmospheric Sciences, University at Albany has stated that, "Because depleted uranium occurs as microscopic particles that are potentially harmful when inhaled, resuspension of contaminated dust is a concern", and

WHEREAS, A December 2007 scientific report documents that depleted uranium was detected in former NL workers and nearby residents more than 20 years after exposure when using high sensitivity urine tests and internal depleted uranium contamination was found in 5 former NL employees and 4 residents who lived or worked in close proximity to the plant during 1958 to 1982, according to Professor Randall Parrish, University of Leicester and British Geological Survey, Keyworth, UK and Dr. David Carpenter, and

WHEREAS, Five former NL factory workers continue to excrete high amounts of uranium dominated by a depleted uranium (DU) isotopic signature. The persistence of high excretion rates of uranium in urine in workers, more than 20 years since active exposure, indicates that the body burden of uranium must still be significant, whether retained in lungs, lymphatic system, kidneys or bone and of 18 individuals that either lived or worked near the plant for many years, DU was detected in up to four, with DU being 1-12% of the excreted uranium and the results were published in an international journal, *Science of the Total Environment*, and

WHEREAS, Community Concerned About NL Industries is seeking support for a Depleted Uranium Exposure Testing Project to conduct a health exposure study by testing 150 Albany and Colonie residents and former NL workers and the scientists who conducted the 2007 tests believe that "individuals exposed to substantial quantities of DU aerosols are likely to retain a DU-positive signature for the rest of their lives" and the Test Project would first focus on individuals with the longest and most proximal history of residence or work time near or at the factory, and

WHEREAS, People have a right to know if they have internal depleted uranium contamination from their past exposure to NL's emissions so they can take appropriate preventative health measures and they can have regular kidney function tests since this is the target organ for depleted uranium or they can choose to reduce their exposure to other contaminants, such as quitting smoking or avoiding pesticides. DU exposure combined with smoking causes a greater risk of lung cancer than either factor alone, and

WHEREAS, Community Concerned About NL Industries has officially requested the Army Corps of Engineers to come back to Colonie to test homes and clean up the contaminated household dust, and the Army Corps and Department of Health are considering the request, and

WHEREAS, Community Concerned About NL Industries is seeking support for the Depleted Uranium Exposure Testing Project from the Albany County Legislature, NYS Department of Health, and other governmental bodies, now, therefore be it

RESOLVED, The Albany County Legislature will hold a hearing on the NL Industries health and environmental issues, including contaminated household dust and the Uranium Testing Project, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Health Committee. 10/14/08