

Nov 30
U.S. E.P.A.

PRESS RELEASE

The Department of Justice in papers filed today in the United States District Court for the Western District of New York requested Judge John T. Curtin to strike testimony given by David Twedell, a consultant employed by the Environmental Protection Agency (EPA) in connection with the suit against Hooker Chemical and Plastics Corporation's Hyde Park landfill in Niagara Falls, New York. The government has made this request because of allegations that Mr. Twedell had misrepresented his academic credentials. However, the government reaffirmed its request that the Consent Decree now pending before the Court should be entered because Mr. Twedell's testimony was not essential to approval of the Consent Decree, was cumulative of other experts who testified in this case, and review by EPA personnel of the record in the case supports approval of the Consent Decree. The Hyde Park site is one of four sites in Niagara Falls, including the Love Canal area, about which the government has instituted litigation seeking clean-up of hazardous chemicals dumped there by Hooker over a period of many years.

A hearing is scheduled before Judge Curtin on Monday, November 30, 1981, at which time Department attorneys will report their preliminary findings on this matter to the Court and the other parties and request permission to withdraw Twedell's testimony.

The affidavits and memorandum filed with the Court detail the Department's receipt on November 19, 1981 of allegations concerning Twedell's misrepresentation of his academic credentials.

The allegations under investigation are that Mr. Twedell, a former employee of JRB Associates, Inc., an environmental consulting firm under contract to EPA's Office of Waste Programs, did not have a Ph.D. in geology as had been previously represented by him. JRB was involved with the geologic investigation of the Love Canal landfill and also provided technical advice during settlement negotiations with Hooker regarding the S-Area and Hyde Park landfills. Mr. Twedell has been associated with these projects. Recently, Mr. Twedell testified on behalf of the United States at hearings held in federal court in Buffalo, New York concerning a proposed Settlement Agreement which requires Hooker to undertake a comprehensive clean-up program of Hyde Park landfill.

The allegations have been referred to the Criminal Division of the Justice Department for investigation.