



March 18, 2021

Mr. Adam Turner, Director  
Martha's Vineyard Commission  
PO Box 1447  
Oak Bluffs, MA 02557

Re: MVC DRI #352-M4: Objection to Expert Testimony

Dear Mr. Turner,

I am writing to strongly object to specific expert testimony provided by the following individuals:

1. Ms. Kristen Mello. Ms. Mello provided expert testimony during the toxicology presentation regarding our application at the MVC public hearing held on March 4, 2021. Ms. Mello's experience on which she testified was related to PFAS in firefighting foam used at Barnes Air National Guard Base in Westfield, Massachusetts. Based upon the results of the testing conducted by TetraTech, it is not appropriate or scientifically accurate to compare the issues in Westfield to the trace amount of any substances identified in the testing of the products proposed for use at MVRHS.

Further, Ms. Mello did not speak directly to the test results under review, she did not explain the levels of contaminants discovered in Westfield, nor did she provide analysis of the relevance of levels of contamination found at Barnes Air National Guard Base as compared to the test results provided by TetraTech, which are specific to this project. In short, Ms. Mello provided no relevant connection between the issues in Westfield and the results of TetraTech's review of available information for the products proposed in our application. Likewise, her testimony regarding bio-accumulation in fish was not supported by any evidence relevant to our application. Finally, Ms. Mello's testimony with respect to potential liability relating to environmental contamination was clearly beyond her expertise as an analytical chemist. We request that the testimony of Ms. Mello be stricken from the record and not considered during the MV Commissioner's deliberation of the application.

2. Mr. Jeff Gearhart. Mr. Gearhart provided written testimony on November 16, 2020 to the MVC.. Mr. Gearhart's letter dated November 16, 2020 makes the argument that the testing to be conducted by TetraTech should include testing for 'total oxidizable precursors and total fluorine'. Given that those tests have already been conducted and the results are published, we see no reason for the MVC to take additional testimony from Mr. Gearhart. Any information Mr. Gearhart could offer the MVC at this late date would be either repetitive and/or irrelevant to the current application.

Further, Mr. Gearhart has failed to submit any new information or updated testimony that may be deemed relevant to our application in advance of 12 PM on Wednesday March 17, 2021. The information that was recently submitted by Mr. Gearhart, dated March 18, 2021, provides test results on synthetic turf products manufactured by "**Shaw and Turf Factory Direct Brands**". As you are aware, these are NOT the products we intend to use at MVRHS, nor are these the products that were tested by TetraTech as part of our

third-party independent review. To allow testimony by Mr. Gearhart on products that you are aware that we do not intend to use is intentionally misleading. Finally, in review of Mr. Gearhart's recently submitted presentation it is obviously a presentation made for others regarding non-stick pans and Teflon. The only addition Mr. Gearhart has made is to tack on the words "...and turf" into slide #7. I would offer that this does not rise to the level of "expert testimony" as indicated on the agenda published by the MVC. We request that Mr. Gearhart's testimony be removed from the agenda for March 18, 2021 and not considered during the MV Commissioner's deliberation of the application.

The MVC has rightfully engaged their own third-party peer review with TetraTech and Horsley Witten Group, at a cost in excess of \$30,000, which has been paid for by the Martha's Vineyard Regional High School. We would encourage the MVC to rely on that testimony, and not that of 'experts' offered by the Field Fund who are clearly opposed to the project as submitted.

TetraTech's testing, risk characterization and findings are specific to the products we intend to use and was conducted under strict chain of custody documentation. The same cannot be said for expert testimony offered by Ms. Mello and Mr. Gearhart.

Respectfully submitted

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Sella". The signature is fluid and cursive, with a long horizontal stroke at the end.The logo for CIA, consisting of the letters "CIA" in a bold, sans-serif font. A thin, curved line sweeps across the bottom of the letters, starting under the "C" and ending under the "A".