

US EPA ARCHIVE DOCUMENT

MARILYN LEISTNER

Community Member—
Times Beach Superfund Site

Interview Date: October 21, 2005

Location: Eureka, Missouri

EPA Interviewer: For the record, this is an interview with Marilyn Leistner, who is an alderwoman, and a member of the Planning and Zoning Commission in the City of Eureka, Missouri. She is also Co-Treasurer, lifetime corridor resident, and past President of the Henry Shaw Ozark Corridor, an area southwest of St. Louis, Missouri, deemed valuable for its aesthetic, economic, and natural assets. We're conducting this interview on October 21, 2005, for an oral history project in conjunction with the 25th anniversary of Superfund. Good morning, Marilyn.



Leistner: Good morning.

EPA Interviewer: Tell us if anything you do today in your work with planning and zoning in the City of Eureka is in any way connected with the federal Superfund statute? And if the answer to that is, "No," then tell us the last time you were involved in anything related to the Superfund.

Leistner: On planning and zoning, and as an elected official in the City of Eureka, there's very little that we do with Superfund. We do sometimes deal with tanks. We have a pipeline that runs right through the City of Eureka. We have to make sure that we follow all the regulations and the rules of the oil company in dealing with parking lots—can't build over them, etc. Sometimes we deal with storage issues, like gas tanks for barbecue grills, etc., but they're all minor issues compared to any issues dealing with Superfund.

EPA Interviewer: You probably know that Superfund was enacted in 1980—December 11, 1980. Tell us the first time you became aware that there was a federal law known as Superfund and how you came to know that, and in what context did it have any affect on your life?

Leistner: In 1980 I knew absolutely nothing about the EPA. I knew they were there. I knew nothing about Superfund and didn't care about Superfund, hadn't ever had any dealings with any kind of hazardous waste. That was very far from the life that I lived in that little community [the town of Times Beach, Missouri]. My first experience with Superfund was after we discovered that there was dioxin and other chemicals in the community. That was an issue that I learned about after November 10, 1982. I started looking into Superfund and

what it was, and we fought for a buyout. We realized early on, after reading Superfund, that we were not eligible for relocation or temporary housing assistance under Superfund, because it had not yet been declared a Superfund site. And it wasn't until Anne Burford came to Eureka and told us that the levels were high, they were going to buy us out, and temporary housing was made available to us under federal Superfund.

EPA Interviewer: I'm going to back us up a little bit and have you tell us where you were living when Superfund was first enacted.

Leistner: I was a resident of Times Beach, Missouri, a little community about 28 miles southwest of St. Louis. It was kind of a pie-shaped community. It was situated almost in the middle of Interstate Highway 44 and the Meramec River and the railroad tracks.

EPA Interviewer: What were you doing at that time? You were a married woman, you had children?

Leistner: In 1980, yes, I was a married woman. I was raising four of my children and two of my husband's children in the little community. We had a double-wide mobile home, and I was just a resident who was active in getting a playground and some activities in the community for the kids that lived there because there was nothing for them to do. We had to go away from the community. About the time that we learned about dioxin, I had just gotten a park cleaned up and ready for us to play ball on. We'd just installed the backstop, and we were ready to go.

EPA Interviewer: Times Beach, Missouri—December of 1982—Superfund was just a baby. Two years old, and, apparently, Times Beach was notified by EPA that there was contamination present. Tell us about receiving that news. What were you doing? How did it affect you? What was the effect on the community?

Leistner: The first notice I had about the streets being contaminated was a call to my work from the clerk at city hall.

EPA Interviewer: And your work at that time was?

Leistner: As a dental assistant, about seven miles from Times Beach. She said that the city hall had gotten a call from a reporter saying that Times Beach was on a list of sites suspected to have been sprayed with waste oil containing dioxin by a man called Russell Bliss. Later that reporter called me. But on the way home from work, I was listening to the radio, and that was the first announcement that I heard. And then they started talking about flooding on the Meramec River, and they were talking about the amount of rain we had received, and that the Corps of Engineers was warning residents in the low-lying areas to think about evacuating.

EPA Interviewer: So that was December '82?

Leistner: Right. I didn't know anything about dioxin. I had no idea what it was. The first thing I was told was that dioxin was the byproduct in the manufacture of a soap called exachlorophene, and that hexachlorophene was used in the hospitals by the nurses to wash

infants with when they were first born, and that infants were becoming ill and dying. Then I became a little bit alarmed because I thought about my own children who had health problems that were kind of out of the norm. I said that my mother and father raised 10 of us, and there was nothing but measles, mumps, chicken pox, a few stitches, maybe a broken arm. Nothing major, and here I had four children, three of whom were sick.

EPA Interviewer: Tell us about that for just a minute, if you would.

Leistner: One of my daughters, in '71 or '72, developed a condition that was very scary to me. She would get hives. Her whole body would be covered with these hives. She would itch. Her eyes would swell. Her nose would swell. Her lips would swell. Her throat would close. We didn't know what it was, and so after about two weeks of this, we took her to a specialist who put her in the hospital for a week. They did all kinds of tests. They couldn't find out what was wrong with her. She came home from the hospital, and four days after she was out of the hospital, the doctor called me and said, "Marilyn, we have a team of doctors coming in to Cardinal Glen, and we're going to be discussing your daughter's case, if that's OK with you." And, of course, I said it was because I wanted some answers. The next day he called me back to tell me that the only thing that they could determine was that she may be allergic to the dust on a bird's feathers, and he asked me if we had a bird. I said, "No, we don't have a bird." That was the end of that. He just didn't know what to tell me. That night at the dinner table we were discussing this with my husband—and the children, of course, were there—and my daughter pipes up and says, "But Mom, we have a bird in school, and I take care of it." So the next morning, I made a frantic call to school and told the nurse, and she, of course, had the teacher take the bird home. The room was cleaned very well with germicidal soap. She didn't go back to that classroom for a month, but in the meantime, the whole time she was out of the classroom, and even after she went back to the classroom, this condition continued. They started treating her with cortisone. That was the only thing that would give her any relief from the hives and the itching—the itching was really bad.

Then, in 1975, another daughter developed a seizure disorder. It was very strange. She would get this twitching at both corners of her mouth and just above her eyebrows. I talked to her doctor about it. It's really amazing when I looked at her record after we learned about the dioxin, the doctor had written down "epilepsy" with a question mark. But, of course, we took her into Children's Hospital, and she had an exceptional doctor. They did all kinds of tests. They did not, at that time, say that it was epilepsy while the doctor explained that any time you have a disorder like that it's called epilepsy, but they called it a psychosomatic traumatic experience, but they didn't know what to associate with it. As she got older, she would start having one, two, three at a time. Of course, we put her on medicine, and we kept her medicated so that she could continue in school. The seizures continued until about 11 years ago. Today she's now off all the seizure medicine, and she hasn't had any seizures. She's doing great. She has a little boy. Of course they didn't want her to have any children.

A third daughter was losing weight. Her hair was getting very thin. Her fingernails would just almost fall off; they were very soft. Her heart was racing. I kept telling the doctor—the pediatrician in the office where I worked—that there was something wrong with her. I would explain it to him, and he would say, "Oh, it's probably some kind of anxieties from school." Finally, I convinced him something was wrong when I took her blood pressure at home; her blood pressure was very high. I finally got him to look at it. She had the shakes. He

said something is wrong. So he tested her, and it turned out she was hyperthyroid. She was in the hospital for about six weeks on medicine to regulate the hyperthyroid problem. It took about 18 months for her condition to stabilize. Today she's the opposite, but she had developed... When she was 18 years old, she developed a condition called endometriosis. On her first medical records, when we started reading them for the lawyers at Times Beach, the doctor put on there "cancer." But she'd had the surgery, and everything was OK. However, it continued to come back. They were wanting to have children, so she had the surgery for the endometriosis, and the doctor said she had a very short window to get pregnant in, because it would come back. She managed to get pregnant, and he told her that it may or may not come back after she had the first child. She had the first child—a daughter and just the sweetiepie—and then they decided they wanted a little boy, so she got pregnant again. She had a son, and then she suffered from something called dysplasia, and they recommended that she not have any more children.

My son—I said all those years when I would talk about Times Beach—he was extremely healthy, but about five years after we moved from Times Beach, he developed hyperthyroidism, the same thing as his sister. He was losing weight. He really looked great, because he was overweight. We took him down to the Wohl Clinic and they treated him with the radioiodide, and he's not had any recurrences today. He's doing extremely well.

EPA Interviewer: It sounds like Times Beach had a lot of problems.

Leistner: It was very difficult for me even before I knew about the dioxin to deal with their health problems because they just...

EPA Interviewer: It was outside any experience that you had?

Leistner: Right. And all my family members, my brothers, my sister, they were healthy—nothing out of the norm. They just were healthy, and I couldn't understand why I had these children with all these health problems. I listened to the radio, and I read the papers, and all of the documents that were sent to me. It was difficult for me to believe that it was caused by the dioxin, but I couldn't believe that it wasn't. I had this question mark in my head.

[*Interruption*] After reading a lot of the material that had been given to me as a result of knowing about the dioxin at Times Beach, I learned that even if their problems were associated to exposure to not only the dioxin but the PCBs and other chemicals, there was no cure. All the doctors could do was treat the symptoms. So I made sure that they had the best care that I could get for them, and they were taken care of. We just dealt with it on a day-by-day basis.

EPA Interviewer: That's Times Beach 1982, and maybe just for the smallest amount of background. Of course later you found out how the dioxin got into Times Beach, but maybe you could just tell us a little bit about that.

Leistner: Early on, we learned about the contamination and the man that had done it. As it turned out, my son-in-law had gone to work for him, and had been working for him for about 10 months when this happened. I was kind of the eternal optimist and felt like it isn't here. So

I decided to call Russell Bliss and ask him, “Did he do this and were our streets contaminated?” We talked about it, and he told me about how he went down and picked it up.

EPA Interviewer: He picked up waste oil, and he used it for dust-suppression measures as I understand it.

Leistner: We contracted with Russell Bliss. The City of Times Beach contracted with Russell Bliss in 1972 to spray the streets at will for six cents a gallon to suppress the dust, and this is what he did.

EPA Interviewer: That was a common practice, actually, in much of Missouri.

Leistner: Yes, it was. Our roads were dirt. Some of them were asphalt, but they were very dusty in the summer months. In order to deal with that dust, the people either had it done themselves in front of their house for \$50 a barrel, which was happening in 1971, and we think that maybe some of that—the contamination—may have happened in 1971. So Russell Bliss told me, when I talked with him, he said, “If I sprayed your streets in 1971, they’re contaminated. If I sprayed them in 1972, they are not contaminated.”

And he said, “I’ll bet you two weeks’ pay you’re not going to find dioxin in Times Beach.”

EPA Interviewer: Of course, you never collected that two weeks’ pay, did you?

Leistner: I never collected that two weeks’ pay.

EPA Interviewer: Do you have any hope that you ever will?

Leistner: Oh no. In fact...

EPA Interviewer: But Russell Bliss is still alive.

Leistner: Oh yes, Mr. Bliss is still alive. He lost his wife some years ago to cancer of the stomach. A short while later, there was so much controversy in the newspapers, and I learned a lot about the newspapers and reporters and articles. I wrote a letter to the editor saying that Russell Bliss violated the terms of our agreement with him by spraying the streets with oil that was laced with chemicals. Two days after the letter was published, my son-in-law called me up and he said, “If you want me to continue to feed your daughter and myself, you can’t write any more of those letters.” So I tried to avoid doing anything to make my son-in-law lose his job, because I sure couldn’t afford to feed him; [*laughing*] he had a big appetite! Russell Bliss and I never ever spoke again after that, and I tried not to harass him. I tried just to avoid any conversations about Russell Bliss.

EPA Interviewer: Did your son-in-law continue to work for him?

Leistner: My son-in-law continued to work for him until sometime after the dioxin was discovered. The company was bought out by a company called Safety Clean. Eventually my son and my daughter went into business for themselves at Lake of the Ozarks.

EPA Interviewer: Now let's move forward one year. It's 1983, and EPA had placed Times Beach on its National Priorities List of the most seriously contaminated sites in the country. What was the local reaction in Times Beach when it was placed on the National Priorities List?

Leistner: Actually, we then became eligible for housing under the federal Superfund act, which was a relief to the residents, because many of them were in temporary housing. They were having to pay their rent in their temporary homes and continue to make the payments on their homes in Times Beach, which was a real drain on their finances. That was one of the reasons we really welcomed Superfund. There were some residents who really studied Superfund to see what it did, what it didn't do, how it was going to help them. At that time, we learned from our private testing in early December that the dioxin was there, and that there was also PCBs, but the test results that we paid for only determined that the chemical was there. It didn't tell us the levels.

EPA Interviewer: Tell us how the town managed to accumulate enough money to pay for some private testing.

Leistner: The business community and some of the private residents made this bumper sticker that had a waste oil truck on it, and the side of the truck said "Bliss." The saying on the bumper sticker was "Ignorance is Bliss." We sold them for \$10 each to get enough money to pay for the private testing. Of course, we never did get enough money. When the lab did the testing for the dioxin, something jammed the spectrometer, and the lab tech told us there was only one thing that would do that to the equipment, and that was PCB. So then we spent the money and authorized the lab to test for the PCBs. Of course the PCBs were at 50 parts per billion, which I believe at that time was the level that they'd set as the level not to exceed. Below that the PCBs wouldn't have been harmful, and they wouldn't have taken any action. We never did get all the lab tests paid for, but because of their work with us, the EPA hired this lab, and the lab made a lot of money as a result of us using them for our private test. At the time...

EPA Interviewer: Made a lot of money because then they got to be the lab for Superfund?

Leistner: Right. At the time, we were told that Times Beach was on a list of sites. We didn't want to live with the uncertainty, so that was one of the reasons why we wanted to have private testing done. There was construction going on in the community. The businesses were expanding, and they didn't want to put any more money into homes or businesses if there was a problem with the roads. Everything stopped, and when we learned about the chemicals, then the businessmen... There were so many things happening. Once the city was... Well, let's talk a little bit first about Anne Gorsuch coming and telling us about the buyout.

EPA Interviewer: Yes, let's do. Paint a word picture for us, Marilyn.

Leistner: She was scheduled to come on February the 22nd of 1983. We set up a site at the local—what was then our old Holiday Inn. Today we have a new modern Holiday Inn.

EPA Interviewer: Was that in Times Beach, or outside?

Leistner: No, it was not. I don't even know if she saw Times Beach when she was here. I believe I read in the paper that she didn't want to go there. We all met with the city officials and the local elected officials. State and federal elected officials were also there when she told us that they were going to buy out Times Beach. Before she made the announcement, I was just a little taken back by her, because the city officials were all standing in a semicircle, and she came over, and we introduced ourselves to her, and I, of course, was the last one. She shook hands with everyone in front of me, but when I extended my hand, she just looked at me and wouldn't shake my hand. To today, I often wonder, "Why didn't she shake my hand? Was I a formidable character?" I thought, "Well, is it protocol for a woman not to shake hands with a woman?" I always said I was going to research that, but I never did. I was just a little bit surprised that she wouldn't extend her hand to shake my hand.

EPA Interviewer: That was February of '83. I'm wondering if everyone in Times Beach equally shared the news as good news, that is, that Times Beach is going to be bought out and then, presumably, razed.

Leistner: I always said that, and I used figures, not ever knowing exactly that 98 percent of the people wanted to be bought out and move on. There was that small percentage, like first it was 12 families, then it went down to nine, then to seven, then to five, and it just kept decreasing. The people who didn't want to be bought out just really fought the people who wanted a buyout. There were threats. It was kind of a nightmare. The first Mayor had resigned because he worked for Monsanto, and he had been convinced the dioxin wasn't harmful. He just wanted to rebuild his house and move on with his life in Times Beach because he loved the community. When he resigned, Sid Hammer, who was the Chairman of the Board, moved on to be Acting Mayor, and then I was moved up to Acting Chairman of the Board. A short while later, Sid Hammer, our Acting Mayor, became embroiled in a divorce. His wife was leaving him. He wanted to stay in the community. She did not want to stay. They ended up filing for divorce, and Sid locked himself up in a room at the local Holiday Inn with a gun and was going to take his life. Then Sid resigned, because he couldn't deal with the pressure of his mom and dad living up above his home—he had restored the home and wanted to stay here—and losing his wife, and he told me he was going to have to resign. I begged him not to resign, because that would mean that I would move into his position as Acting Mayor. I told him, "If you'll just stay, I'll take on more responsibility if you just handle the press," because I was not good with the press. The minute that camera would go on and the microphone would be stuck in my face, I would just go numb. I could not talk. Nothing made sense that I would say. My mind was so busy racing ahead to what I should say that I couldn't say the right things, and so I hated interviews. When they wanted to interview me about Anne—eventually being Anne Burford—coming, I just couldn't do an interview. They wanted me to tell them about her not shaking my hand. I could never talk about that.

EPA Interviewer: It seems to me there must have also been turmoil on a different level with children, because you have children—not just your children, but the children of Times Beach. They were school-age, many of them. What happened to them after this period of time when the buyout was announced, but it didn't take place immediately.

Leistner: The children, I think, were most impacted by being uprooted and put in temporary housing. The first fight was, if they lived outside the school district, the school said they couldn't go to school there. FEMA [Federal Emergency Management Agency], Pat Breheny, who was in charge of the local branch of FEMA that was helping us, went to bat for us. It was then agreed that the children could stay in their own school district, but there was one classroom where the teacher brought all the children... She announced at the start of the class, "We want all the Times Beach children to come to the front of the classroom." From that day on, the Times Beach children sat in the front of the classroom.

EPA Interviewer: But it was not because everyone wanted to welcome them?

Leistner: No, it had nothing to do with them being welcome or the teacher wanting to put them in front of the room. It had to do with the fact that other parents outside Times Beach were concerned that the Times Beach children may have something that was contagious, and their children would get it. It was about that time there was an article in the paper that said there was a condition associated to exposure to dioxin called chloracne, and this chloracne was highly contagious. People outside Times Beach didn't want their children playing with children from Times Beach. There was regression. There was bed-wetting. There were bad dreams. The children just had a really rough time in dealing with everything that was happening to them.

EPA Interviewer: In June of 1983, you became the Mayor.

Leistner: Yes. In February, when the buyout was announced, we should have been planning a local election. We decided that we wouldn't have the election, because the community was going to be bought out anyway. Why spend what little money we had and hold an election? So we passed an ordinance saying we would not hold the election. The small percentage of people that didn't want to be bought out took us to court. A local minister financed an attorney for them...

EPA Interviewer: Over the issue of the election?

Leistner: ...to take us to court to have the courts make us hold an election. The issue was that if you were living outside of the community in temporary housing, you couldn't run for office. Of course, everyone that was an elected official at that time was living outside the community. The people that didn't want to be bought out sued the elected officials. The judge ruled that we had to hold an election. So in April we held the election, and I was elected Mayor. On June 7, we signed the buyout agreement. My husband in this whole process was kind of on the side saying, "I have to do something. I have to do something." He decided if I was going to run for Mayor, he was going to run for City Marshal. He ran for City Marshal, and he had more votes than I did. So he became the City Marshal.

EPA Interviewer: So the whole family was then involved in being elected officials.

Leistner: That's right. It was just very interesting.

[*Interruption*]

EPA Interviewer: So, Marilyn, you must have had a platform for your run for the Mayor's position in Times Beach. How did you go about getting yourself elected?

Leistner: My group, then the group that were the elected officials at that time, were running on the platform. The issue was to accelerate the buyout. Of course, the people who were running against us were wanting to stop the buyout. The majority of the people living in the community supported the buyout. A lot of people who wouldn't have turned out for the election turned out for the election because they wanted to be bought out. I think the lady that ran against me for Mayor got 25 votes, and I got 325 votes. We judged the number of people that wanted to be bought out not only by the petition we had, which had hundreds of signatures on it, but based on the fact that these people came from all over to vote for the officials that were accelerating the buyout.

EPA Interviewer: When were you officially pronounced the winner? When did you officially take the position of Mayor?

Leistner: On June 7th of 1983, I was officially announced the winner. We went down to St. Louis to the Wainwright Building and met Kit Bond and John Ashcroft.

EPA Interviewer: Kit Bond was the Governor.

Leistner: Kit was the Governor at the time, and John Ashcroft was the Attorney General. They had the buyout agreement.

EPA Interviewer: It was my understanding that your first act as an elected Mayor was to enact an ordinance to allow Times Beach to take title to the land that was being bought out.

Leistner: Yes, I did that. Actually, that didn't happen until later. My first act was to sign the buyout agreement. We struggled with the community. It was no longer a viable community, because we couldn't get the taxes that we got, and nobody was there. There was no one there to pay the taxes. So we gradually became a city that had no monies. Another issue that came up was a local minister had collected money for the city to keep it afloat.

EPA Interviewer: That's one of the people opposing the buyout?

Leistner: That was one of the people opposing the buyout. When we needed the money, we went to get the money, and he refused to give it to us. We got a lawyer, and the lawyer got the money for the city. He had to give it to us, because in the local newspapers, when he did the fundraiser, he said that it was to keep the city afloat. We got that money, and, of course, we used it. In 1985, it became apparent that the city could no longer function as a city, and the officials were being bought out one at a time, and there weren't going to be any more officials. So we passed an ordinance to disincorporate the city.

EPA Interviewer: So that was two years that had passed from the time you were elected Mayor until you got your ordinance in place.

Leistner: Right. At the time that we signed the ordinance to disincorporate the city, John Ashcroft appointed me trustee. I served as the trustee from April of 1985 to December of 1992.

EPA Interviewer: Your position as trustee was to take title to each property as it was bought out?

Leistner: That's correct.

EPA Interviewer: That must have been a very long and tedious process of evaluating the claims, having people sign papers to accept the offer.

Leistner: I actually had nothing to do with any of that paperwork. That paperwork was done by the FEMA representatives that were close to the site that were handling the buyout. There was a problem with the way the properties had been acquired. I can use our property as an example. When we bought the property, there were some clouds on the title.

EPA Interviewer: When did you buy?

Leistner: We bought the property in 1962. When you buy property, it goes back to everybody that's owned the property, and they have to sign off on it. In our case, there was one instance where the property... Someone who had ownership to the property hadn't signed off on it.

EPA Interviewer: And you needed a quit claim deed or something of that sort.

Leistner: Right. So the government had a big problem with the way the properties were titled. There were all kinds of clouds on the title. It took a while to get everything cleared up to where you could buy a piece of property. The State of Missouri said, "We will not take title to the property until all the titles are clear." To get the buyout to that point, it was very difficult. Of course, the Governor's office had a law firm that made sure the titles were clear. I had an attorney that represented me as trustee to make sure I did all the things that I was charged with doing. Of course the city was titled to me, and I was concerned about my liability as a result of holding title to all that property. So my attorney was there to protect me and make sure I didn't do anything that would get myself, or, ultimately, the state and the EPA in trouble. I handled the security of the site which sometimes people just got really aggravated, because the security was so stringent, but we were dealing with a big liability problem in that anybody that went on that site could file a lawsuit.

EPA Interviewer: Tell us a little bit about the security issues, because obviously when people move out of their homes, they're not happy about leaving everything that belongs to them behind.

Leistner: Early on, people wanted to take things with them. They wanted to go back and get things. There were people that didn't want anything. Some homes were left just like they were.

EPA Interviewer: Dinner still on the table?

Leistner: That's right. There were other residents who wanted things: family heirlooms, Christmas ornaments in the attic, things like that. I was very concerned about my liability and my husband's liability as a result of letting them go in. Oftentimes, my husband and I would go in and get whatever it was they wanted. We would try to wash it off and bring it out and give it to them. There were some things in attics that hadn't been in the floodwater; we wouldn't have to wash them off. But we did go in and get things and bring them out to the residents that wanted them. At times, until their property was bought out, and until they'd signed the papers over to the trustee, they were allowed to go onsite. They owned the property. The state early on said, "It's theirs. There's not a lot we can do about not letting them take it." The EPA issued a pretty standard document that said, "This is what you need to do: wash them, etc." The residents made sure that they did that.

EPA Interviewer: So, basically, residents could do this on their own. They didn't have to have some government person overseeing what they were doing or OKing how they were cleaning things up before they were carrying them out.

Leistner: At the gate, when they went out...

EPA Interviewer: So you had a gate. You had limited access.

Leistner: We did have limited access, and we had a pass system. You had to have that pass displayed before you could go into the community.

EPA Interviewer: So legitimate residents of Times Beach had some sort of an identification pass?

Leistner: Right. And it's really funny. The local department of the State Highway Patrol made these passes. There was a pass called a "Visitor's Pass" that was for EPA, the State of Missouri, the reporters. They had to display that pass before they were allowed to go in. The residents had a pass that said "Resident." The officials had a pass that said "Officials." When I got the official passes, I looked at them, and the word "Official" was spelled "Offical." And I thought, "This isn't gonna work." And so I called the State Highway Patrol, and I told the man that they had spelled the word "official" wrong, and would he please get us some new passes. He says, "Those passes will work." He said, "Marilyn, that's o-fickle. That's for officials in a pickle." And so we didn't get new passes, and official continued to be spelled wrong.

EPA Interviewer: Very funny. So there was limited access, but were there any problems with looting.

Leistner: There was a big problem with looting. In my case, one of my neighbors, a couple of doors down, went in and took some things out of the house. I learned about it later. But we had people coming up the river by boat to our boat ramp and coming in and taking things out. Eventually we had dirt hauled in and put over the ramp so that they couldn't come up the ramp. I remember one instance. We had a truck driver park on the shoulder of the highway and go in and was looting the houses. He came out with like 27 cents in very muddy coins, a pair of panties, and we had to arrest him. Of course, nothing was done, because what he had taken had no value. Eventually we slapped his hands and turned him loose. There were

people from all over coming into the site. Finally, the state said, "Let's take the Times Beach city limit sign off the highway, and they won't know where it is." Well, that immediately got the ire up of the residents, because now they were taking their community off the map. They felt like they took it away from them. Now they're taking it off of the map, and they're trying to erase their lives there. That was the feel of the residents, and there was a lot of upset over that.

EPA Interviewer: Plus, there were people that hadn't yet agreed to the buyout, right?

Leistner: Oh, when that happened, there wasn't anyone that agreed to the buyout. The first offers were made in July of 1983. When those offers came out, I was amazed at how the residents reacted. We were told that the people with the older homes were going to be compensated better than the people with the newer homes, because it was done on a square foot basis. But when the first offers came out, they were low.

EPA Interviewer: Give us an idea of the amount. Now remember, what is this, '83?

Leistner: Uh-huh, anywhere from \$16,000 to \$100,000. The first resident with a can of spray paint contacted the press, and they spray-painted the price of the home that they'd been offered on the home with the TV cameras going. As the offers were made, the residents would call up the press and they'd come out, and we'd go through this same procedure. It seemed like they made the lower offers first. After much bad publicity about the offers, it seemed as though the offers got better. What really happened was they were moving in to the homes that were a little higher priced.

EPA Interviewer: You're saying that the buyout started covering homes that had more value to begin with?

Leistner: Right.

EPA Interviewer: So then the offer amounts had to go up.

Leistner: Yes, the offer amounts went up. The people were given fair market value for their home. They were offered up to \$15,000 relocation supplemental assistance and \$500 moving money. Most of the time, the \$500 didn't cover anything that was moved because they didn't want to take what was there to be moved, but they were still given the \$500 moving money. The way it worked was the relocation supplemental assistance would kick in if the home similar to that home outside the community cost more than the one in Times Beach, they were given up to \$15,000. They called it relocation supplemental assistance to fill in some of the gaps. Most often it didn't, because Times Beach was in a flood plain. In the buyout, we could not buy a home in a flood plain. We had to make sure that we relocated to a home that was not in a flood plain. The homes outside the community, of course, cost more. In most cases, the up to \$15,000 still didn't cover, and people were having to make house payments.

EPA Interviewer: Do you think there was any unfair advantage being taken of the dislocated Times Beach residents as they sought to acquire new homes someplace else?

Leistner: That did happen, and I did report it to FEMA. Realtors and people that were selling their homes outside Times Beach raised the price, because they knew these Times Beach people were going to be looking for homes. Prices did accelerate outside the community. It did make a difference.

EPA Interviewer: Of course the Times Beach people had to scatter all over so that the sense of community that you had enjoyed in Times Beach was forever lost.

Leistner: That was forever lost. They did offer to rebuild Times Beach on a hillside east of Times Beach. That was rejected by the residents because they thought they would just be tract homes and they would all look alike, and the residents just absolutely rejected that. I think the government finally just scrapped that.

EPA Interviewer: When you look back, do you think that the residents made the right choice in rejecting that offer or not?

Leistner: I feel very strongly that the right choices and the right decisions were made. The buyout was the best decision they could make at the time. They were housing the people until they had their money to buy new homes, and they gave them a length of time to stay in temporary housing until they could relocate to the new home. There were those people that were very pleased with the amount of money they were offered, and there was an appeals system. After the spray-painting of the prices on the homes, there was an appeal system set in place. If they were not happy with the price that they had been offered, they could appeal it and get some more money.

EPA Interviewer: To whom?

Leistner: They appealed to the Federal Emergency Management Agency, and they would go out and reassess what the appraisers had done, and they would take into account any new information that they received. If you appealed it, you got an additional up to five percent.

EPA Interviewer: Could people who were relocating take their clothing? Was there concern that clothing was contaminated?

Leistner: There were people that had already taken their clothing out prior to the flood. I lost everything I owned. I didn't want to wash it and wear it. I was just very concerned because of the fact that I had three children that had health problems that in my mind, I associated to their exposure. It was very difficult for me to believe that it was not.

EPA Interviewer: So the Leistner family really walked away with nothing.

Leistner: We started with nothing. We were given clothes by a lot of people. Oftentimes they didn't fit. Of course, we were very thankful for what we got, because without it, we wouldn't have had clothes to wear.

EPA Interviewer: What do you think the biggest mistake that the Superfund program made in Times Beach was? Is there a biggest mistake that you can identify?

Leistner: I can't think right this minute. There were mistakes made in dealing with Times Beach, in dealing with testing. I think the way the government failed the people early on, even prior to Superfund, was that they were given, in 1972, a list of sites that Russell Bliss had sprayed at, and they took no action.

EPA Interviewer: Meaning the state government.

Leistner: The state government.

EPA Interviewer: Because there was no federal law at that time that would have applied.

Leistner: And there was no federal law that controlled what Russell Bliss did, so there was no way to prosecute him for what he did. I think he eventually went to jail for income tax evasion. As I look back at Superfund, I will not forget how glad I was when they announced that there would be temporary housing under the federal Superfund, because people could not go on making payments in Times Beach and making payments on a new place. So Superfund really filled in the gaps there.

EPA Interviewer: But that didn't happen until Superfund placed Times Beach on its National Priorities List.

Leistner: Right, and that wasn't until 1983. As I look back over the years, I did not have a lot of dealing with the EPA. Anything that came to me, came down from the state. The state, I cannot say enough that the state was very cooperative, and if it was something that wasn't in the best interest of the city or the residents, or my best interest, they were very emphatic in saying, "No, Marilyn, we can't do that." I was very new at all of this. I knew nothing about Superfund or hazardous waste or dealing with it. I was dealing with residents that liked me one day and didn't like me the next day. It was a very difficult position to be in. I just wanted to see that my friends and neighbors were relocated in a safe place outside the community and could get on with their lives, because there was so much insecurity. Husbands and wives were divorcing, there was spousal abuse. Children were being abused. There was excessive drinking. There was just so much going on, and I felt like we had to move on, we had to get on with this program. I will say that it was accelerated.

EPA Interviewer: And yet, your position as trustee lasted for eight years.

Leistner: It lasted that long because of all the problems with the way people took title to the property. They didn't do title searches. They didn't get things cleared up.

EPA Interviewer: So they couldn't sell to the buyout until all of the other claims on their property were satisfied, whatever they were.

Leistner: The biggest thing were those cases... It seems to me like there were five cases that went to condemnation. It took a while to get it on the docket. It was like two years from when a case was filed for condemnation before it got to hearing. One of those cases was a man who didn't even live in the community. He was a land speculator. He would go down to Clayton and he would buy.

EPA Interviewer: What's Clayton?

Leistner: Clayton, Missouri, is the county seat. He would buy the property as it went up for auction on the courthouse steps. He may have paid \$9 or \$10 for it and was selling it for \$300 a lot. Of course, he did OK. But, there were a lot of his parcels that he didn't like the offers. The jurors were not sympathetic to the plight of these people. There was one lady who was a friend who was offered a fair amount of money, I felt, for her home. She wanted much more. You know, we all think our homes are worth much more than they're actually worth. This couple felt that they hadn't been offered enough. So they went to condemnation, and they didn't move out of the community until 1986, I guess. They stayed there forever. But they lived on a side of the community where there was no contamination. They argued that point. But, had they not gone to court, they would have come out with a substantial amount of money more. When you went to court, you lost the relocation supplemental assistance, and you lost the moving money. Plus, you had to pay an attorney, and this attorney took 40 percent of the money that they got. They really came out with much less money than had they gone ahead and accepted the offer.

EPA Interviewer: I know you've already alluded to this a little bit, but what do you think the best thing is that the Superfund managed to do for Times Beach?

Leistner: I think the best thing, when you look at it this way, and there are many people who would disagree with me, is they came in and they cleaned up the site. We all know they didn't clean it up 100 percent. But now we have a site that's usable. The second best thing they did was to house the people under the federal Superfund program. Today the residents can go there, and there are residents who still say that if they could ever move back to Times Beach, if they could ever take their new house and put it back in Times Beach where the old house was, they would be the first one in line on the bridge. Of course, that's not going to happen.

EPA Interviewer: The bridge going over the river is blocked off, right?

Leistner: Yes, it is. It's closed. It's open in the morning for people to go into the park, and it's closed at night, at dusk.

EPA Interviewer: Tell us about what is on the site that was the town of Times Beach.

Leistner: Syntex, the company that came in and oversaw the cleanup of the site—well, EPA actually was the big guns on the site and in the state, and Syntex... they had tested some of the homes, and I don't think that they found any levels higher than five parts per billion in the homes. They built this enormous mound. They were very careful about the liner that they put in it, and they put a very expensive leachate collection system around the mound. They continue today to monitor.

EPA Interviewer: So the mound is still there.

Leistner: The mound is still there. The residents call it a monument to what they went through at Times Beach. All the homes, everything that was in Times Beach, even the city equipment, was scooped up and put into this enormous... It was larger than a football field.

And they would compact it, and put dirt in, and today it's right there just next door to where my house was. Residents go in, and they talk about that monument. They actually wanted a plaque made with all their names on it and then put on the top of the monument. At one time I went to O.R. Colan, the man who was doing the buyout, and I asked him if we couldn't do that and as the people were bought out, their names be put on the plaque and he said no, he wouldn't do that.

EPA Interviewer: Sounds like a good idea to me. But I understand it's a park now.

Leistner: It's a park, yes.

EPA Interviewer: People can go there. What does the park offer?

Leistner: It has covered pavilions. Over the years, as it's been cleaned up, they've added new improvements to it. We have the covered pavilions. We have barbecue pits. We have portable johnny-on-the-spots. We have a very nice museum that documents some of the very old history of Times Beach in photos. Of course, there are still offices on the site, and I believe the EPA may still have an office there. The state has an office there, and the state parks system runs the site. They have people that come from all over, even scientists and chemists to look at what's there today.

EPA Interviewer: During the period of time that you were an elected official from Times Beach, were your offices in the same place where these offices you just referenced are located now?

Leistner: Yes. There was only one structure in Times Beach that didn't suffer damage from the flood. And that was what we called the Galley West. The old Steiny's Inn was built... They started construction of it in '31 and finished it in '38.

EPA Interviewer: So it was a restaurant?

Leistner: Yes, it was a restaurant. They had very good catfish and fried chicken. The end of the building over the Meramec River was my office, and I was in that office alone for a long time.

EPA Interviewer: You mean like years?

Leistner: Years I was in that little office. I shared it with the raccoons and the snakes and...

EPA Interviewer: Did the town marshal [Marilyn's husband] have an office anyplace?

Leistner: He had a security trailer where his office was.

EPA Interviewer: In the same general area?

Leistner: Right next door to my office there was a security trailer that you had to go through in order to get into the community, and that was his office. He had the little back room.

EPA Interviewer: So you did occasionally see your husband.

Leistner: Oh yes, I did.

EPA Interviewer: Good. As an elected official, and later as an appointed official, tell us what you think the most significant issue is that you had to wrestle with.

Leistner: The most significant issue was in trying to figure out what it was I could or couldn't do, and what was mandated under state and federal Superfund. In dealing with the site, that was a big issue. Not letting anything go out that was contaminated, and, of course, people had to wash everything off before they took it out.

EPA Interviewer: And you had legal counsel at that time.

Leistner: Oh yes.

EPA Interviewer: Where did the funding for this legal counsel come from?

Leistner: I had a grant that the State of Missouri supplied the money for. Monthly, I would send an estimated request for the amount of money I thought it was going to take to get by...

EPA Interviewer: Based on hours...?

Leistner: Not based on hours. My salary was set at so much money a year, and it was divided by the twelve months, and the state paid that. The big expense we had was the security. The security was very expensive. In the early years, I think it was like \$500,000 a year. As things moved along, it got less and less, and I didn't have to ask for any money.

EPA Interviewer: When is the last time that you worked as trustee or in your capacity as Mayor. When did that come to an end?

Leistner: In December of 1992, John Ashcroft signed a document releasing me as trustee.

EPA Interviewer: By that time everybody had been relocated.

Leistner: Everybody was gone. The only thing left was the deer and the turkey, and what wildlife was still there.

EPA Interviewer: And the mound of...

Leistner: And the mound. Well, the mound wasn't there then. The cleanup started in 1992, while I was still there.

EPA Interviewer: There were some issues with an incinerator.

Leistner: Oh, man, were there some issues.

EPA Interviewer: You want to talk about that a little bit?

Leistner: Early on, there was no technology available to clean up Times Beach. That was one of the reasons we fought for a buyout, because we knew we could be in temporary housing for a long time. Because of Times Beach, there were all these meetings that were held with federal and state officials, and the representatives of the chemical companies involved. It was determined that this incinerator could do this. So this enormous incinerator was brought into Times Beach.

EPA Interviewer: Like a portable incinerator.

Leistner: Yes. It was later moved when the cleanup was complete. The local residents were convinced that the ash from the stack was going to be very harmful. There was a lot of fighting over the incinerator. The people in the surrounding areas did not want it.

EPA Interviewer: People outside of Times Beach.

Leistner: Right. Well, there was nobody left in Times Beach. It was my friends and neighbors, and a lot of my family, were very opposed to this incinerator, because of what was going to be emitted from the stack. A lot was done by the company that was doing the cleanup and the state and federal officials to make sure that there wasn't anything emitted from that stack that would be harmful to the people living nearby or the residents. I felt very strongly that, and my platform and my comments to the press were, that it would be better for this site to house this incinerator and get this property cleaned up as opposed to leaving it the way it was, because it was continually exposed to flooding, which could wash any of the contaminated material into the river, and, if left alone, we had all these wildlife running around in there. The deer would be outside the area, they would be shooting these deer and eating them, and I was concerned about the amount of dioxin they were consuming as a result of eating an animal that had been running around in Times Beach. I just felt very strongly that incineration was the best way to go. That was my stance when I was still at Times Beach. But when I left Times Beach, and I was no longer trustee, the pressure on me as someone that was there and knew firsthand was very strong from the officials in Eureka and my neighbors—that I had all this inside information.

EPA Interviewer: You were so closely associated with what was happening.

Leistner: I was not a scientist or a chemist. I had no knowledge of what was going to be happening in that incinerator or what it was going to do. I just felt strongly that it needed to be cleaned up. But my neighbors didn't feel that way. So many of them... I was called a traitor...

EPA Interviewer: Did your children suffer any stigma?

Leistner: No, because my children were all relocated away from here.

EPA Interviewer: They were gone.

Leistner: Yes. So they didn't have to deal with any of that. You know, people were very kind to my kids. They had a lot of friends, kids they went to school with. Most people were very kind to my kids, and they never commented to them about their mother, so that was one very fortunate thing.

EPA Interviewer: So did the incinerator come in and incinerate or did it not?

Leistner: Yes, and I kind of tried, when I left there, to... I was fighting hyperthyroidism, and I was not feeling real well, and I was very down in the mouth about not being there anymore. I got all these letters thanking me for the service that I had done for the State of Missouri. I had asked to be allowed to stay on the site, you know, as some sort of an employee. I don't know what happened there. Eventually I just withdrew from the site.

EPA Interviewer: And the cleanup proceeded.

Leistner: And the cleanup proceeded, and today, the cleanup is complete. The incinerator was removed. The site, in the summer months, is just very, very pretty, and you still see a lot of the wildlife there. You can drive through the center of the community. You can still see the mound. You can drive in and out. People walk there, they ride bicycles there. It's a very usable site.

EPA Interviewer: I am sorry that I don't have the information for you about whether it's been delisted [from the National Priorities List].

Leistner: I knew that there was a very long process that the government had to go through to get it delisted, and I've not followed up on any of that to see if that in fact has happened.

EPA Interviewer: I will do that. Now, looking back at the beginning of Superfund, maybe this is not anything you've thought about, but did you have any inkling how things were going to be different after you learned what had happened at Times Beach, and what the Superfund and FEMA were going to do?

Leistner: I just kind of went in there and played it by the seat of my pants, I guess you could say. But the State of Missouri was very effective in keeping me up on everything that was happening and telling me we can do this, we can't do this and that. This is something that the EPA can reimburse us for. Don't do anything that the EPA isn't going to give us our match for. So we were very careful about making sure I had the right instructions in dealing with the monies that had to be used for the site. As far as the cleanup at the site and how that was handled, it was just my job to acquire all the properties and to sign them over to the State of Missouri and to avoid any confrontations or arguments about incineration. My attorney had instructed me not even to say that word "incinerator."

EPA Interviewer: So it took 10 years from the time you knew about the contamination until the cleanup actually commenced.

Leistner: Right. At first, in fact, my husband [Marilyn's first husband], who developed some health issues that could have been associated to his exposure, we were told, would not go back. He never returned to the site. The day he walked away from the site, he never returned.

EPA Interviewer: When was that? When did he walk away?

Leistner: In 1985, when I was appointed trustee. He would come to my office from time to time to see me, but he would not go back on the site.

EPA Interviewer: He died last year?

Leistner: Yes. He passed away last year. At the time he passed away, he had never been back.

EPA Interviewer: If Love Canal had not spurred Congress to pass the Superfund law when it did, what do you think would have happened with Times Beach?

Leistner: You know, a lot of the things that they did at Times Beach were based on what... They tried to correct mistakes they made at Love Canal by not doing them at Times Beach. Paul Ward and Pat Breheny from FEMA were very careful to make sure that they didn't do those same things. They did a great job in protecting me to make sure I wasn't open to the criticism.

EPA Interviewer: To legally protect you?

Leistner: Yes, they gave me good advice, and made sure that I wasn't open to any of the same problems or criticism that happened at Love Canal. Of course, there are people that are going to criticize you regardless of how well you're protected or what you do. I do recall, prior to learning about Times Beach, seeing on the news Lois Gibbs in these homes that were covered with this black goo on the wall, and I remember how they called it Love Canal. I remember feeling sorry for those people and wondering if what was on the walls was really hazardous to their health. You know, I have said for years now that until they can take 50 or 100 people and set them down in a room and feed them dioxin every day, they will never know what health effects are associated to dealing with this chemical dioxin.

EPA Interviewer: Do you think a law like Superfund was inevitable?

Leistner: It was inevitable. I'm just sorry that it wasn't in place at the time that the streets were sprayed. It may have kept this from happening.

EPA Interviewer: Any concluding words of wisdom from someone whose life has been very much affected by contamination that you had no role in bringing to your living area?

Leistner: I was a housewife and a mother, and I didn't give a darn about government. I didn't go to the polls to vote. I didn't claim I was a Republican or a Democrat until I became involved in the government at Times Beach. And then, when all of this happened, I make sure I get to the polls and vote. But I am well aware that laws enacted, like Superfund, are for the better protection—the health and well being—of the people of this country. I feel strongly that Superfund is one of the best laws that I have seen enacted in this country, because it does protect the people of the United States. I'm sure that other countries have followed the EPA Superfund regulations in order to protect the people of their countries.

EPA Interviewer: Marilyn, I really appreciate the time you've taken this morning. Thank you very much.

Leistner: You're welcome.

[tape off, then on again]

Leistner: There are some things that happened that I feel, or I felt at the time, needed to be changed. They selected so many people from the sites in Missouri for a health study.

EPA Interviewer: "They" meaning?

Leistner: The government. The Center for Disease Control, which is what it was at that time, and the Missouri Department of Health selected people to monitor as a result of their exposure. There were no monies to continue. The studies were very limited.

EPA Interviewer: So the studies were commenced, but then?

Leistner: I don't know if they're still monitoring these people today, but there were like 110 people, or 102 people, that were part of the study that they continued to monitor.

EPA Interviewer: To learn about the effects of dioxin?

Leistner: To learn about the effects of dioxin. I think it's very important that there be funds available when these kinds of things happen. Fortunately with Superfund and the regulations on polluters and industry today are what they are, because hopefully there won't be another Love Canal or Times Beach. But, there just wasn't enough money available for them to study the long-term effects of the people from that community.

EPA Interviewer: Were you part of the study?

Leistner: No. I was not. And I often felt that it was because I was an elected official and very public that I wasn't included in the study. There were many times when I tried to be included.

EPA Interviewer: So the study participants were not self-selected, they were selected by someone outside.

Leistner: We filled out a questionnaire, and they selected people from the questionnaires that they received to make a part of the study.

EPA Interviewer: So you really didn't know why you weren't selected.

Leistner: No. No one ever told me. I tried my darndest to be included. One time, the doctor that was on loan to the State of Missouri from the CDC said I'll come to your home. Well, I kept waiting for him to set up the appointment and come, and he never did set up the appointment and come. So I felt like they didn't want to include myself or my family in the study. But another thing that happened that we kind of hit on a little bit last night was my first husband, who is deceased, was a road commissioner at the time. When the doctor that was on loan to the state from the CDC and the State of Missouri's rep came to Times Beach to talk to us about what they were looking for.

EPA Interviewer: And that was a long time ago...

Leistner: That was a long time ago. That was in 1983. They came to give us a list of the health problems that they wanted us to look at, and to tell them if we knew of any residents that had these particular health problems. It was about that time my first husband was seeing a doctor down in the country who was amazed at what was wrong with him, and he referred him to Dr. Hope, who was the surgeon for the City of St. Louis. Dr. Hope diagnosed him with a condition that was on the top of the list.

EPA Interviewer: You're going to tell us its name, aren't you?

Leistner: *[Laughing]* Yes, if I can remember it today.

EPA Interviewer: It's a long one.

Leistner: The day that the doctors came to talk to us, my first husband came and brought me one of Dr. Hope's script pads on which was written the name of his condition. I had just listened to the doctor from the CDC say that porphyria cutanea tarda [PCT] is one of the things we're looking for. And I looked at that piece of paper my first husband had given me, and that was his condition, porphyria cutanea tarda. So on top of the health problems that my children had, here my husband had...

EPA Interviewer: Your first husband. Your late first husband.

Leistner: Yes. He had this PCT. When I handed it to the doctor, his mouth just dropped open and he just kept looking at the piece of paper. He didn't say anything, and I thought—that terrified me—I thought, "Oh my gosh," because somewhere I had read about this condition in some paperwork that had been given to me that there was a predisposition to this, and that it could be like a hereditary thing so that if my first husband had it, my children could also get it. I was just a little bit shocked when my husband gave it to me, but I was even more shocked to see the look on the doctor's face when I handed it to him. I always wanted, in the back of my mind, I wanted to believe that none of these health problems were associated to any of the chemicals. It's difficult, and all the residents that I talk to tell me, you know, they feel like it's associated to their exposure. But I am not certain in my mind that any of these health problems that my family have are because of the dioxin, because there isn't enough evidence to prove that it is. This is why I feel strongly that there needs to be—if this ever happens again in this country—there needs to be some studies, some very detailed, extensive studies, to determine if, in fact, the health problems experienced by the residents are associated to the exposure to the chemicals. There's been a lot of progress made in eliminating a lot of the things that cause health problems that are in our environment, but you know, we still have a big fight there, because there are so many new things coming on the market that need to be looked at and monitored. Sometimes things are approved in a hurry that later cause death and illnesses. I think that we need to really oversee these new items on the market, as well as what's there today to make sure that we don't wipe ourselves out from within because of hazardous materials in our workplace and in our home and in the environment.

EPA Interviewer: I appreciate your concluding words, Marilyn. Thank you so much.