

Lewiston Exploring Legal Ways to Fight Storage of N-Waste

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By JOANN SCELSA

LEWISTON — The Town Board at a special meeting Sunday directed its attorney to look for legal means to stop the federal government from turning the Niagara Falls Storage Site into a nuclear-waste repository.

The board told attorney Benjamin Hewitt to obtain a copy of a Bechtel International Inc. report recommending that the 191-acre federal government site on Fletcher Road become a repository even if he has to file under the Freedom of Information Act to get it.

The board asked Mr. Hewitt to report back with his recommendations as soon as possible. It scheduled a tentative meeting for 8 p.m. Wednesday to address any new developments or act on Mr. Hewitt's recommendations.

The often politically divided Town Board is unified in its opposition to the federal proposal to place a nuclear waste storage facility in the northern section of town, Councilman Richard Kolke said.

But Mr. Kolke advised against statements such as that made by Supervisor James Lombardi that the town would fight the federal government even to the point of "bearing arms." Mr. Kolke urged the board to be extremely careful about what it says and show good judgment in not inciting residents.

Councilwoman Joan Gipp told Mr. Kolke she appreciated his intentions but indicated a mistrust of the federal government and skepticism about the effectiveness of a "gentlemanly approach" since, she said, the government has repeatedly "lied to" the town in the past and broken promises that the site would be decommissioned.

"WE SHOULD turn this over to our attorney," Mr. Kolke said. "It is extremely important that we don't overreact at this point. We should be extremely careful about what we say and show good judgment. It's not right to talk about taking up arms. It may be good newspaper copy but it's not what we should be telling our residents."

"But, you will stand in front of a truck with me," Mrs. Gipp responded.

"I didn't say that," Mr. Kolke said.

Board members were angry at what Mr. Kolke called a "con job" by Bechtel officials last month at a briefing held for the town board, when no mention of the May report recommending a repository was mentioned.

Town Clerk Mary Beth Brado was equally angry because she said for the past several weeks she has been gathering information for Bechtel for an impact statement it is preparing on the use of the site as a repository. As late as last Friday she said she was providing data to Bechtel for the impact statement. She asked how a report could have been issued in May making recommendations when the impact study did not begin until September.

"They're making recommendations without an impact statement," Mrs. Brado said. "That's what should be questioned. Somebody's playing a game. It should be pointed out that they're perpetrating a fraud on this community. Why should I gather all this information if they're not going to use it?"

MR. HEWITT also was directed to study the possibility of rezoning the area where the storage site is located and looking at the possibility of prohibiting trucks carrying radioactive wastes from traveling town roads. Councilman Alvin Ogg suggested blocking the roads around the site to at least prevent the entrance of heavy equipment.

"It's a unique problem and unique problems require unique solutions," Mr. Ogg said, referring to a fight between the town and federal government as a "David and Goliath situation."

County Legislator Lee Simonson suggested the town pass a resolution requesting the county's help and offered to do "whatever I can."

"I think this affects Niagara County as much as the Town of Lewiston," he said. "I think this is terrible."

Deputy Superintendent Robert Lee, who chaired the meeting in the absence of Mr. Lombardi who remains hospitalized after an apparent heart attack, said the board should not rely on assurances from Rep. John J. LaFalce last week that the plan would be dropped, but should demand such assurances directly from the U.S. Department of Energy.