

Federal Decision to Leave Wastes At Lewiston Site Stirs Little Notice

By JOANN SCELSE

News Niagara County Bureau

LEWISTON — The federal government's formal announcement that it will leave radioactive wastes and contaminated soils at the Niagara Falls Storage Site, formerly the Lake Ontario Ordnance Works, elicited little response from the Town Board at its meeting Monday night.

The only reference to the announcement came from Councilman Richard W. Kolke, who said he had read a published report of it. Councilwoman Joan E. Gipp, a perennial opponent of leaving the wastes, responded that the decision had been made a long time ago.

Some town officials and local environmentalists have been critical of the federal government's management of the 190-acre site, where 15,000 cubic yards of nuclear residues left over from the World War II development of the atomic bomb and 250,000 cubic yards of other contaminated wastes and soils are stored.

The critics have called the process of public hearings and environmental impact statements leading

up to the decision to leave the wastes a sham, charging the decision had already been made and the process was just a formality.

Supervisor James J. Lombardi has been a proponent of seeking some financial redress from the federal government to compensate the town for loss of real estate values because of the site.

The final environmental impact study recommending that the wastes remain was issued in April. The publishing of the decision Monday in the Federal Register formally completes the process.

In an unrelated matter, the board set a public hearing for 8 p.m. Sept. 22 on a proposed law allowing the town to assess a 5 percent annual tax on the gross receipts of commercial hazardous waste facilities located wholly or partially within the town. Municipalities were empowered to impose the tax under a recently adopted state law.

The board also authorized Lombardi to sign a contract with the Town of Porter agreeing to a 50-50 split of an estimated \$700,000 the tax

will bring from SCA Chemical Services Inc., which is located primarily in Porter, with a small portion in Lewiston.

If the new law is adopted this month, the towns probably will be able to begin collecting the tax on SCA's 1986 receipts in March, Benjamin Hewitt, attorney for the Town Board, said.

In another matter, the board accepted the retirement of Calvin C. Schultz as town highway, water and drainage superintendent as of Nov. 8. Schultz was elected as highway superintendent and appointed by the Town Board to the water and drainage positions. The two posts will be separated after his retirement.

Lombardi said Steve Reiter, Schultz's administrative assistant in the Water Department, will take over water and drainage responsibilities. Francis Mahar, deputy highway superintendent, will take over the highway superintendent's responsibilities until next year's general election, Lombardi said.

In other business, the board:

- ✓ Hired F. Warren Kahn to act as a fact finder and negotiator with the town's three volunteer fire companies at a fee not to exceed \$2,000. Kahn is the attorney for the Town of Wheatfield and Wilson School District and is familiar with state fire codes, Lombardi said. He said he proposed Kahn because he has no personal interest in the town and can act as an impartial fact finder. A scheduled meeting between the board and the presidents of the fire companies for Thursday evening has been canceled, and Kahn will meet with the fire officials instead. The companies each recently asked for a \$15,000-a-year increase in town funding to cover insurance costs.

- ✓ Agreed to try to renegotiate with the state Department of Environmental Conservation a \$25,000 fine for bypassing its sewage treatment plant and discharging untreated domestic sewage into the Niagara River during peak rainfall periods on nine occasions during the past four years. Lombardi said he and DEC officials had worked out an agreement under which no fine would be imposed if the town followed a preset timetable for rectifying the problem. Lombardi said he received a copy of the consent order calling for a \$25,000 penalty Monday. He said he will arrange to meet with the DEC to discuss the order.

- ✓ Agreed to accept and treat 85,000 gallons a month of domestic sewage from SCA if the DEC approves and if the wastes are compatible with the town treatment plant and contain no industrial waste contaminants.

- ✓ Received a petition with 147 signatures from Pletcher Road residents asking the town to pursue a lowering of the speed limit to 35 mph with the county and state and for a resurfacing and narrowing of the road for safety reasons and to deter drag racing. The road is currently unposted. Donald Burns, spokesman for the residents, also asked for a 10-ton limit on the road but Lombardi said that is not allowable under state law.

- ✓ Set meetings at 7:30 p.m. Thursday with the Lewiston Public Library and village boards regarding the proposed library expansion and at 7:30 p.m. Sept. 17 on the proposed excavation law. The next regular Town Board meeting will be at 7:30 p.m. Oct. 6.

Pendleton Reviews Plans On 'Quarry Lake' Cleanup

By SHERRILL MCCLELLAN

PENDLETON — The Town Board Monday discussed plans proposed by Frontier Chemical Waste Process Inc. to clean up its landfill on Townline Road where 55 barrels of chemical contaminants were found buried last year.

The 45-acre "Quarry Lake" site was used as a landfill by Frontier until 1974, when it moved its operations to Niagara Falls. The lake will be cleaned and closed off to the public by Oct. 31, 1987, according to the planning report sent to the board by Glynn Geotechnical Engineering, the firm hired by Frontier to oversee the cleanup program.

The procedure will include scraping the bottom of the lake and depositing the sediments into a "stockpile" at one end of the lake. A clay cap will be built over the pile and a waterproof dirt or cement divider will be built between the lake and

the stockpile. The lake eventually will fill with fresh water, according to the report. The work is slated to start Monday, the report said.

Town Attorney Richard Kloch said the report stated that all materials to be deposited in the lake during the process will come from the area around the site and that no fill from any other areas will be brought in. He added that he feels the closure plan is a good one.

Supervisor Larry Chapman said the town ordinance regarding the matter is "pretty specific and pretty tough" and that the town should be well-protected from contaminated fill being brought to the site.

Chapman said the lake, after being cleaned, will be contained and closed to the public "forever." The property cannot be disturbed after that time, he said. The state will then take control of the property and will continue to monitor it for seepage or spread of contaminated materials.