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# Six implicate Army in Canal dumping

## Woman says troops from Ft. Knox

By Carolyn McMeekin  
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BUFFALO — A picture of Army dumping in Love Canal was painted by six eyewitnesses Thursday as the trial to determine liability for the site continued in U.S. District Court.

The testimony of the six — five of them Niagara Falls-area residents — seemingly continued to bolster the Occidental Chemical Corp.'s contention that the military contributed to what eventually became a disaster at the canal. Thursday was the third day of the company's case against the federal government.

While some of the witnesses admitted to sketchy memories about the events of nearly 50 years ago and most could not say for sure that the dumpers they saw were from the Army, one witness was more descriptive.

Linda Heisner, 51, said she saw "Army trucks and Army men" dumping waste in the canal when she was about 11 years old. When asked how she knew they were from the Army, she replied that they were wearing green fatigues with name tags and driving trucks with stars on the side.

Then Ms. Heisner, a cashier at Junior's Truck Stop on Niagara Falls Boulevard, said she spoke with the men. She said they told her they were from Fort Knox, Ky., but were based at the Packard Road base in Niagara Falls.

Ms. Heisner said she lived in various parts of Love Canal until 1978. As a child, she said she also saw men in jeeps come to the canal on Saturdays. Unlike the other men, whose names were in fabric, these men had their names on gold bars, she said.

Another eyewitness, Francis Rowe, 72, of 97th Street, said he used to walk over Love Canal during World War II to catch a ride to work because of gas rationing. One time, he said, men wearing fatigues told him, "The U.S. Army says don't walk here." He conceded he did not see markings or insignia on their trucks.

Alfred Jones, 60, of Ransomville, recalled swimming in Love Canal when he was 14 and lived in the neighborhood. While he and some friends were swimming at one end, men wearing green fatigues were dumping drums and cylinders at the south end of the canal. He could not remember any markings on their

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clothing or trucks. He said he remembered the incident because his eyes and skin were burned that day while swimming and he never swam in the canal again.

Leonard Riegler, 71, of Amherst, also testified that he saw Army trucks dumping. But under questioning by U.S. District Court Judge John T. Curtin, who is hearing the case without a jury, Riegler conceded that the trucks he saw while living in Love Canal during World War II could have been surplus Army vehicles.

Ronald J. Mahar, 73, of Newfane, testified that he worked for the Chemical Warfare Service on Buffalo Avenue — then run by the DuPont Co. — from 1941-42. He said he hauled waste to Love Canal. But under cross-examination by federal attorney Lewis M. Barr, Mahar said he took his orders from his supervisor, who was an employee of DuPont, not the Army.

Charles R. Daving, a retired Occidental employee now living in Mobile, Ala., testified that he saw men in fatigues unloading drums at Love Canal when he visited the site once during World War II. He said he could not say for sure they were the Army.

Daving also testified that he was involved with the company's manufacture of MFL, a substance used in uranium processing for the military's atomic bomb. He said that waste from that process, toxic but not radioactive, was taken to Love Canal.

The company is seeking to have liability placed on the government for the nearly \$700 million it has cost to clean up and relocate people from the canal, which means taxpayers may have to help foot the bill. Occidental claims the Army dumped in the canal and that the government should be held responsible for the wastes created from wartime chemicals produced for it by the former Hooker Chemicals and Plastics Corp., now Occidental.

The government denies the claims. The case is now in recess until June 11, when more eyewitnesses will be called.

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