

quest EDITORIAL

Proposed DEC toxic waste plan is dangerous

by William Rolland

The Town of Porter is destined to be the only solid toxic trash dump in the entire northeast, per the NYS Department of Environmental Conservation proposed "master plan." Residents must speak out for the health of our community and reject this plan. The final public hearing is March 16, 6 p.m. in the Lewiston-Porter High School auditorium.

Legally mandated 17 years ago, a DEC plan was rejected by the New York State Supreme Court in 1994. Last November's draft still lacks the following mandated requirements. And, it effectively sanctions Chemical Waste Management as the only commercial solid toxic waste dump in the northeast. CWM takes toxic trash from 30 states, Canada, and off shore. CWM operates on top of radiologically and chemically contaminated soil, even though there are federal and state legal restrictions not to disturb the soil or use it as a dump. The

DEC plan must address these limitations and set clean-up standards.

Despite known hot spots on the CWM site, they have no monitoring equipment for radioactivity in the areas where they excavate and move soil, or for the air which we breathe down wind. NYS Department of Health data has proven statistically significant elevated incidence of male cancers down wind, and the DoH web site shows 50 to 100 percent higher rates of prostate and other cancers. The DEC plan must address health, radiological monitoring and emergency procedures.

There are 2,500 Lew-Port students within 150 yards of where 20,000 trucks annually haul toxic waste. The DEC knows all toxic waste comes to CWM, so the proposal needs a transportation and evacuation plan.

This plan was required to assure Environmental Justice -- that no group of citizens are overburdened.

New York state says it intends to be a leader in the nation. Considering the impact on the Tuscarora Nation, economically depressed Niagara Falls, and local residents who have given their lives and health, I see it otherwise. The plan must address this requirement.

A missing requirement of the plan is use of alternative disposal technologies, starting from the DEC's stated position that land filling is least desirable. It proposes no methods to curtail waste at the point of generation, where the high paying jobs are. Alternatives must be in the plan.

Quantifiable standards on toxic trash operations are needed. CWM has paid over \$2,104,000 in penalties at this site. How can the state allow CWM to force the removal of one on-site DEC inspector? This person was the citizens' eyes -- our quality control inspector at CWM. After that, CWM got caught falsifying records and illegally burying toxic

materials. They paid \$178,000 in fines, but still operate without that DEC inspector. The plan must have criteria to cancel permits of "bad corporate citizens."

The plan must also consider the option to take no more toxic trash into the state. We import twice as much as we export. As a "commodity," it can come from anywhere. But, it can also go elsewhere as there is ample national capacity until 2013. The state has already taken more than its share. There is no requirement to continually expand. The plan needs to develop this "enough is enough" option as a viable solution.

As residents we must be part of the solution to guard our health and safety. Be at the March 16 hearing. Until these shortcomings are resolved in an acceptable regional plan, there should be an immediate moratorium on all pending or new permits or renewals for the CWM site in Porter.