

CWM's special permit request remains tabled

by Larry Austin

CWM Chemical Services' request for a special permit to excavate its storm water drainage system remained tabled after a special Zoning Board of Appeals meeting held Thursday at Porter Town Hall.

The Porter ZBA decided to wait until after both the State Department of Environmental Conservation and the state Department of Health approve the excavation plan before issuing their own permit.

Meanwhile, the board appointed three liaisons to CWM during the interim: ZBA chairman William Tower and board members Joe Fleckenstein and Peter Jeffery.

The board met July 22 and called the special meeting to receive technical answers from the town engineering firm, R&D Engineering, regarding the CWM permit request.

The hazardous waste company is seeking a permit to dig 20,000 cubic yards of material from its storm water retention pond and drainage ditches outside of the RMU-1 landfill area. CWM plans to hire an outside company to test the soil for any possible radiological material, and non-contaminated soil would remain on-site. The project carries an estimated \$500,000 cost to the company.

"I don't want to be in a hurry with this," Tower said of the delay. He added the start of the project depends on how fast the company can receive DEC and Department of Health approval.

Asked if the board favored granting the permit, Tower said, "I think it's a common sense thing. Nobody wants the water run-off to leave the site without being tested."

"As you know, we've had some

terrific rainfalls here in the last ten days, beyond anything that we've ever known in our lifetimes," he said, noting a recent four-inch rain in Sanborn and a gullywasher along the lake Saturday morning. "And this (project) is for a retention pond and to clean drainage ditches that haven't been cleaned in 20 years."

Town attorney Michael Dowd said the excavation permit is strictly within the town's domain, but environmental questions must be answered first by the DEC.

"All we're talking about is excavating soil," Dowd said. "The town's not equipped to handle questions regarding radiological waste and that sort of thing. Better to get the answer from (the DEC) first before we take any action."

Richard Sturges, general manager at CWM, agreed with a request from ZBA member William Leggett that the company will notify the town if any material is found in the soil that would halt the project.

Sturges said he hopes for an answer from the Department of Health within the next 30 days. The company would postpone the excavation until next year if delays push the start of the work beyond construction season.

The DEC requires CWM's drainage system have the capacity to handle four-inch rainfall in a 24-hour period. Stormwater at the site is collected in a retention pond and tested.

The facility's present state of the drainage system meets current regulations of capacity for the four-inch rain, Sturges said, and the special permit request is not indicative of any deficiency. Rather, the state is recommending the company provide "additional factor of safety and

additional capacity," Sturges said.

Steve Rydzyk, facility engineer at CWM, said the recommendation for additional capacity is based on surveys and calculations done at the site. The DEC has historically been on conservative side in their estimations, Rydzyk said, and the company agrees with the DEC's requests.

Sturges dismissed suspicions that CWM has undertaken the excavation permit process with an eye toward expanding their landfill operations.

"We would hope that people, once they fully understand the project, would say, 'This is a good thing. It should happen,'" he said.

"This really is an environmental enhancement to our system," Rydzyk said. "Bottom line, that's what it is."

"The expansion permitting process is a different process altogether," Sturges added. "This in no way shape or form gets us any closer to that process."

Transplant support group to meet Aug. 10

Mount St. Mary's Hospital and Health Center will host a meeting of the Niagara County Chapter of the Transplants Save Lives Inc. of Western New York Support Group on Tuesday, Aug. 10, at 7 p.m. in Room 723A on the 7th floor of the hospital.

The meeting is open to organ transplant recipients, individuals waiting for an organ and donor family members.

For more information contact Joanne at 731-4697.