

# Hazardous waste site expansion on hold

## *State needs to finish wider siting plan first*

BY ANDREW Z. GALARNEAU

NEWS NIAGARA BUREAU

Activists opposed to expanding Chemical Waste Management's hazardous waste landfill in Porter applauded a new law that puts a hold on the landfill's expansion until state regulators finish a statewide hazard-

ous waste siting plan.

The law, signed this week by Gov. George Pataki, declares that such license expansion applications cannot be complete without such a plan. The state Department of Environmental Conservation was directed to come up with one in 1994, but hasn't finished it yet.

A 1987 law requiring the plan calls for it to take geographic fairness into account. Since the Town of Porter is already home to the only hazardous waste site in the northeastern United

States, fairness requires another answer for New York State's waste needs, the head of a grassroots environmental citizens group said Wednesday.

"This legislation means the governor believes in environmental justice for this community," said Vince Agnello, president of Residents for Responsible Government. "The Town of Porter has become the dumping ground for 30 states, Puerto Rico and Canada, and this law says the DEC has to come up with another plan."

For 17 years, the DEC has been working on a plan to ensure that hazardous waste is fairly distributed in the state. The plan was required by a law enacted with the recognition that Niagara County has been impacted like no other in New York State by hazardous industrial wastes.

Yet much to the ire of some Niagara County citizens and elected leaders, the first plan, thrown out by a judge 10 years ago, is similar to a 2004 ver-

See **Chemical** on Page B2

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## Legislators'

## CHEMICAL • from B1

sion. The current proposal, the subject of a public hearing in May 2004, says that the Chemical Waste Management facility in Porter will be full this year.

It also says there's no need to look for any new sites. That, combined with Chemical Waste Management's plans to expand the landfill to continue accepting wastes, makes the DEC plan a blueprint for expansion in the Town of Porter, Agnello said.

For the last 14 months, the DEC has said its officials are reviewing feedback on its proposed plan, Agnello said. DEC's Albany press office did not respond to a request for comment.

"It's a lousy plan, right now," said State Sen. George Maziarz, R-Newfane, who with Assemblywoman Francine DelMonte, D-Lewiston, co-sponsored the bill

that created the new law. "Hopefully they're going to make some dramatic improvements to it."

At present, DEC's plan for handling the state's ongoing waste disposal needs seems to amount to expanding the Town of Porter landfill. "That's not an acceptable answer," said Maziarz.

The new law is only part of the good news for concerned citizens this week, Maziarz said, noting that the U.S. Environmental Protection Agency recently decided PCB-laden sludge dredged from the Hudson River won't be sent to the Town of Porter.

"There can't just be one location in the state that has to be the repository for all these wastes," said DelMonte. "It's not right, and it's not fair."

State regulators seem to believe that the Town of Porter is the state's designated dumping ground, DelMonte said. "Just because a piece of land was already contaminated, with waste from

the Manhattan Project and the atomic bomb, doesn't mean you just keep piling more and more waste there."

Chemical Waste Management's local spokesman, Dick Sturges, issued a statement saying that his company "has always supported efforts by New York State leaders to develop a long-term plan for handling hazardous waste."

Its Town of Porter landfill "provides an important service to over 800 manufacturers in New York State and any has a good record with state and federal regulators," said Sturges.

For New York industry to remain competitive, it needs access to cost-effective hazardous waste disposal, Sturges said. Based on CWM's track record, he said, "We believe CWM is best suited to be a part of New York's state's long-term solution."

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By ANNA MILLER

NEWS STAFF REPORTER

Residents praying for rain to appease the droughtlike conditions sweeping the region this month were answered last night.

But it might have been more than they bargained for.

A series of thunderstorms swept across parts of Buffalo and the suburbs, leaving flooded streets and downed trees as remnants of their brief stay.

"The storms brought the area some much-needed rain," said Steve McLaughlin, National Weather Service meteorologist, "though (in most cases) it rained too hard."

The storms focused on North Buffalo, Kenmore and the Town of Tonawanda, where as much as 1.5 inches of rain fell in less than



George Draca, 17, kneeling  
toppled onto his family's

for residents of the city and  
northtowns who have received  
the rain in the past few months.  
rain along the