

LETTERS**Says DEC should obey its own hazardous waste law**

I was disappointed to read in Wednesday's paper that New York State DEC official Dan David stated DEC is close to action on "renewing" CWM hazardous waste land filling permits in Niagara County. Such action would be unethical, let alone illegal, because the permit has undergone wholesale changes since the public was allowed to comment on it more than two years ago, and because DEC's own regulation deems this hazardous waste permit application a new application.

DEC says there are now a host of radiological testing requirements in the CWM "renewal" where there were NONE in April 2003 - the last time we saw DEC's draft.

DEC still refuses to respond to public comments made in April 2003 until it acts on CWM's permit renewal - why bother, after-the-fact?

CWM's most recent radiation test plan falls way short of fully characterizing its former Manhattan Project dumpsite property or adequately assessing all operating risk (due to a legal tactic change by CWM attorneys.) Even so, DEC's latest draft permit for CWM contains dramatic changes deserving public comment, before, not after they are approved.

The DEC and EPA stood behind a 20-year-old U.S. Department of Energy assessment of radiation safety at CWM, but last year the NYS Department of Health Radiation Protection Bureau took great exception. The Army Corps of Engineers takes precautions when working on CWM property that CWM failed to incorporate into its worker safety practices. And in the past two years radiological waste from nuclear weapons production and experiments were found at CWM, almost by accident, not by adequate investigative design.

Moreover, there was extremely dangerous nuclear material stored on CWM for which there has never been ANY investigation conducted. It is worrisome to consider that we have documentation of nuclear reactor and weapons production waste that came to CWM property, but we have no accounting of where it all went. We only know it was grossly mishandled on premises.

The public deserves the right to see and comment on the DEC's latest attempt to renew CWM permits that expired many years ago, not just because of past failures and false information, and not just because it's the law, but because it's the right thing to do.

Amy Witryol