

Gives stamp of approval for CWM facility

by John B. Battaglia, PE

I am a town of Porter resident and have lived in the Lewiston and Youngstown area for most of my life. I went to Lewiston-Porter schools (Lew-Port) from third grade on and graduated from the University at Buffalo. I have been an active member of the LOOW RAB (Lake Ontario Ordnance Works Restoration Advisory Board) and have extensive experience in the design, permitting and construction of waste management facilities in the eastern states over 20 years. I have personal experience at many landfills, including CWM.

I love the local area. My wife and I moved into Youngstown in 1991 and have never regretted it. This quiet village provides a source of pride as well as a secure environment to my family. One of our favorite pastimes is to sit down by the river on summer weekday evenings and enjoy the sunset. You cannot find a better place to raise a family.

I began working on landfills as a field engineer for several construction projects in 1985. During that period, I worked for a large engineering firm and performed many duties with the documentation and certification of landfill construction, including the construction oversight of the various secure landfills at CWM. Since this time, I have designed and managed many environmental projects across the northeast. I believe my staff and I have made a true contribution to the improvement of our environment.

When permitting a facility, the

state and federal governments have a very high level of detail and proof that must be maintained. In many cases, it takes several reviews and revisions to ensure that the most accurate information is presented before a permit application is approved. The New York State Department of Environmental Conservation Regional Permit administrator goes through great lengths to ensure this.

When looking at alternatives to reduce waste generation, we often believe the solution is the elimination of landfills. In reality, the elimination of landfills only further exacerbates the problem, as it does not address the inherent cause of waste generation. In order to eliminate the need for landfills, we need a cradle-to-grave approach on product production. That is, when you put a product on the market, you should be required to show the entire life cycle of the product and demonstrate the level of environmental harm and waste that the product creates. This is not a new theory and it is practiced in many countries in Europe.

Waste and consumption also go hand-in-hand. It is amazing to see the amount of usable products that are disposed at a landfill every day. A practical approach to the reduction of waste and land disposal is to reduce product consumption and use of energy.

There are all types of hazardous chemicals, right in our homes. Items such as the fuel we use to cut our grass or drive our car, nail polish

remover, oil base paints, driveway sealer, insecticides, pesticides and herbicides, just to mention a few. We don't even bother to consider the risk factors for these items.

The town of Porter is the host to a hazardous disposal facility, which resulted from being located on government land which supported our efforts in the Second World War. There are other municipalities that host hazardous waste facilities, such as Liverpool (near Cleveland), Detroit and Pittsburgh, to name a few. The CWM facility is a well-run, environmentally sound operation. When siting a facility, it is very impractical to relocate it. Instead, it is more prudent and environmentally sound to expand the operations of an existing facility and use the revenues to further improve the site (i.e., older areas) and provide for long-term maintenance and monitoring of the facility as a whole.

My company, as well as several others, performs design, construction management and oversight for CWM. As part of these services, we certify and stamp as licensed, professional engineers that the work is done right. I have a personal and professional obligation for the work performed by my company. I give my stamp of approval for the CWM facility.

As a professional engineer, I am obligated to protect human health and the environment, and find it rewarding to work with people with similar goals. Our experience with CWM

confirms that CWM is committed to do the right thing in all matters relating to waste and the environment, and its impact on the environment.

CWM supports the jobs of many local companies. I don't think people realize the number of businesses that have moved out of Western New York, and specifically Niagara County, in the past 20 years due to taxes, regulations (including environmental), and labor issues. I see it every day as our company goes in to close up industrial sites and turn the properties into vacant land. In turn, many local zoning rules have been crafted to allow businesses that have little or no impact.

Many people now want "high tech" or "green technology." Even the high-tech industrial plants producing silicone chips use some of the most toxic chemicals to clean the circuit boards during manufacturing. These chemicals cannot be placed in a landfill and must be incinerated in other states. Yes, hazardous waste is processed in other regions, including Pennsylvania, Ohio, Michigan and Canada. The most toxic chemicals are land-banned, and are taken to Michigan and Ohio for incineration. No, they are not placed in the CWM facility. Yes, they are tracked and monitored by the EPA to ensure that they are properly handled.

I would be more than willing to discuss my knowledge of these or any other environmental issues. I can be contacted at jbattaglia7261@hotmail.com.

LETTERS

Says Gazette needs 'a refresher course on professional journalism'

The *Niagara Gazette* recently ran an article about New York lobbying activity by Waste Management and CWM. The article, like most we have seen from the *Niagara Gazette* on the issue of CWM, was completely one-sided and the paper failed to tell the whole story.

Waste Management is a national environmental services company with locations around the country. The company has facilities throughout New York state to help safely dispose of the waste each and every one of us generates. Many corporations utilize the services of lobbyists to help monitor legislation impacting the company.

The *Niagara Gazette's* coverage failed to shine any attention on the people that are lobbying locally and in Albany against CWM. Exactly who is paying for these lobbying efforts

and what is their real objective?

Public records from the New York state lobbying commission show no individuals or groups have registered as lobbyists on a bill drafted in the final days of the legislative session that would require CWM to prove the facility has no potential to discharge any pollutants into the Great Lakes.

According to New York state's official Web site, lobbying is legally defined as "attempts to influence the passage or defeat of legislation" or "the approval or disapproval of any legislation by the governor."

Surely, that cannot be correct. Anyone that has picked up a copy of the *Gazette* in recent weeks has read or seen firsthand Amy Witryol's aggressive, if not threatening, comments about the pressure she and members of RRG have applied to Sen. George Maziarz, Sen. Joseph

Bruno and Gov. George Pataki.

Lewiston supervisor Fred Newlin was quoted in an article in the July 1, 2006, *Lewiston-Porter Sentinel* saying that Witryol picked up all of the expenses for him and County Legislative Chairman William Ross to travel to Albany to lobby elected leaders for passage of the bill, a cost that Newlin estimated at \$1,300. By the way - is it legal or ethical for elected officials to allow anyone to pay for their trips?

Obviously Witryol and her friends at RRG are not required to live by the same standards and laws as everyone else.

By not raising the issue of why Witryol and other local activists failed to report their lobbying activities, the *Niagara Gazette* seems to condone that one set of laws applies to individuals and groups who oppose CWM while those that sup-

port the facility should be held to a higher standard.

The *Niagara Gazette's* coverage on lobbying is representative of the paper's coverage overall of the facility. Niagara County residents are not getting the entire story from our "hometown" newspaper.

The truth is that CWM provides an important environmental service to all of us who live and work in New York state.

Even many of CWM's toughest critics recognize the company operates safely and meets the strict standards set upon them by the DEC.

I am tired of the *Gazette* and its one-sided, biased issues. The next time you read a story in the *Gazette* ask yourself, "Are two sides presented here?" Maybe the *Gazette* needs a refresher course on professional journalism.

Michael McCabe

Says CWM has and continues to dispose of waste properly

My name is Gary Catlin. I am the owner of Tri-C Inc., an earthworks construction company, and I have a long history with the CWM site. In the past, I have been a part owner of a company that has constructed many landfills in New York, Pennsylvania, Maine and Ohio.

After graduating with a degree in engineering, I was on site and was part of the team that constructed the first Chemtrol landfill in 1972. Due to the geographic condition of this region, the soil here is ideal for landfills. While not a popular business, it is a necessary one and one that generates money for this region through jobs.

Over the years, I have been part of the construction efforts of several

of the landfills located at CWM and have been aware of the tremendous

advances of technology and new materials that make this a "state-of-the-

art" facility.

SEE CWM continued on page 5

Page Four Policy

Letters to the editor are limited in length to 650 words. Guest editorials carry a word count of 750 to 1,000 words - depending on newsworthy content and relevance.

Use of all submitted letters and editorials will continue to be at *Niagara Frontier Publications'* discretion. All entries should include the writer's/organization's name, contact number and address.

Readers are reminded that they can only submit one letter or guest editorial per month.

Content does not necessarily reflect the opinion of NFP staff.

Sayings to live by

"Punctuality is the virtue of the bored."

- Evelyn Waugh

Say You Saw It In The

 Sentinel

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LETTERS

Says DelMonte works for her constituents

Francine DelMonte, our representative in the state Assembly, has my support in the upcoming primary and election. I find her to be a person of integrity, courage, and common sense. We could not wish for a better assemblywoman, and her record commends her for reelection.

I have worked closely with her for several years because of my interest in preserving our environment and stopping the flow of dangerous toxic wastes to our area. She has always been an effective ally in this effort. One does not have to wonder about her commitment; she is eager and ready to attend meetings, introduce legislation, and fight for it. She never wavers in this, and the passage of the recent bill A-11713 in the Assembly, which she introduced, proves

this point.

A few years ago she took a brave stand to stop smoking in public places. Despite a loud outcry from some, she stood her ground. The legislation passed, and has been greatly appreciated by the majority of people who enjoy eating in a smoke-free environment. It also helped employees in restaurants and bars not to have to choose between their health and their employment. She took a principled stand.

I have not agreed with Francine DelMonte on every issue, but when I felt differently about something and phoned her, a return phone call always came. She was willing to enter into sensible, non-emotional dialogue about the issue. Once I was able to persuade her to reconsider her po-

sition. In every case, she was a person who was willing to speak frankly about her views and listen to mine. I do not expect any elected representative to agree with me on everything. I am not a one-issue voter. I don't know what more I could hope for than someone who was honest, open, and ready to consider what is best for her constituents.

So, because of the kind of person she is, her strong stand to preserve our environment and health, her courage and integrity, her common sense and communication skills, I feel we are blessed with a fine person in our Assembly. We are fortunate that she is willing to continue to serve.

Charles Lamb

Offers comments on 'the bad neighbor'

Sitting through the public scoping sessions for Chemical Waste Management's proposed new landfill was just a harrowing experience. I mean, I love it here. I love the escarpment, the river, the lake, the villages, the people, the weather. The trouble is, CWM is my neighbor.

With neighbors, there are some things you can ignore, and some you can't. For five hours (and I left the second session early), I sat in the Lew-Port school auditorium and listened to a litany of things I can't ignore.

In case you missed the meetings, here are a few choice bits. Niagara County Department of Health maps show elevated rates of prostate and colorectal cancer in our communities, in a bull's eye pattern centered just downwind and downstream of the dump.

The trucks laden with hazardous waste that hurtle past my house, like all trucks, leak, roll over (remember last year's crash?), and spill their cancer-causing contents into our front yards - including the front yard of Lew-Port.

A New York State Department of Health order banning any digging on the CWM site, for the sensible reason that thousands of plutonium-injected carcasses from Manhattan project experiments are miscellaneously bur-

ied there, was violated by CWM for 20 years, until 2004. Other "residual" radioactive contamination on the site includes nuclear reprocessing waste and high activity radioactive waste from atom bomb production.

The nearly 3,000 students and employees of Lew-Port, people who spend large portions of their lives literally on the dump's western border as well as on the truck route, were not even considered as a population in the draft scoping document.

The document assures us that the dump is not in a fault zone, disputing both our own local experts at UB's Earthquake Center and a recent article in National Geographic, likening our earthquake risk to that of California. The site is supposedly safely underlain by solid clay - yet farmers have been irrigating their fields from wells in sand pockets in that clay for the better part of two centuries.

Many decision-makers - from Porter Town Board members to the New York State Department of Environmental Conservation - have a direct stake in CWM's continued operation, creating an ugly potential conflict of interest that undermines the very permitting and review processes designed to protect us. Awake now? I sure am.

According to the U.S. Environmen-

tal Protection Agency, CWM's track record, and common sense, all landfills eventually leak. We now have one leaking hazardous waste dump in our community that we will have to deal with - forever.

Anyone under the impression that a legacy of wandering PCBs, dioxin and other poisons is good for the economy should have a chat with our neighbors in Niagara Falls. Have no doubt that for every cent we get from CWM today, our kids will be paying back a dollar. If they stay here - and if they don't get sick.

Right now, there is a bill on Governor Pataki's desk - bill A-11713 - that would prevent the siting of new hazardous waste dumps with potential to leak into the Great Lakes. That includes the new CWM dump.

If you care, give the governor a call at (518) 474-8390 and ask him to sign it, so we can all breathe a little easier.

The CWM situation exemplifies all that is wrong with the way we treat the land, the water and our own people. One leaking waste dump, one massive blight on our landscape, one polluter of our fresh water, one threat to our health, one blow to the future prosperity of our towns, ought to be enough. How can we consider allowing the construction of another?

Robbeyn Drake

CWM waste (cont.)

continued from page 4

When Waste Management took over the landfill, it assumed the responsibilities of the prior owners. An enormous amount of money was spent to clean up the facility to insure the safety of its employees, contractors, and surrounding community. Vast improvements were made and a new precedence that placed the environment ahead of any profits became a priority.

I use this example when I explain to people the meticulous nature of working with Waste Management: Last year while I was capping a portion of the landfill, it was discovered that the waste grading had inadvertently left a small area of the landfill above its permitted waste elevation by 0.1 feet (approximately 1.2 inches). When CWM was made aware of this by their construction consultant,

they immediately requested that I remove the cover soil and waste to get this area below the permitted waste grade. This effort cost CWM an additional several thousand dollars and a couple of days of construction schedule. I was very impressed with their commitment to compliance.

I become agitated when I read reports of the landfill leaking, or wild stories of waste finding its way into the Niagara River. I am there. I see the way that these landfills are constructed and lined, waste liquids are never placed directly into the landfill and everything that is disposed of is secure. The monitoring of the site is extensive and no corners are cut for expenses.

Being from this area, I would never want to see our environment suffer at the hands of big business and I can attest that this is not the case. We have

a landfill here, a secure, "state-of-the-art" landfill. It's not going anywhere. We can't build houses or anything on it. It's never going to be used for any other purpose than this.

But, if the expansion of RMU-2 does happen it will bring jobs to this region: laborers, heavy equipment operators, electricians, mechanical plumbers and teamsters will all be needed for this expansion. The CWM facility should be utilized as a resource, not as an excuse for the declining population or lack of tourism.

I think we need to use some common sense here. These folks don't create the waste - everyone who owns a car or a home helps to create the waste - they just dispose of it. I can tell you first hand that they are disposing of it properly.

Gary Catlin

Good Neighbor Award recipient wears man



Joe Paonessa was honored with the Niagara Falls Memorial "Good Neighbor Award" on The Iney Wallens Show, on 1440 AM radio. The show took place last week at Church Main Street in Niagara Falls. Paonessa was recognized for his long-time commitment to the community. These and current vice president of the AARP Niagara Falls Association. Shown in the photo are show hostess Iney Wallens, Paonessa, and Melissa Morinello. (photo by Trudy Christman)

5 WEEKS AWAY
PARADE OF HOMES
HOME SHOW 2006 • 3 GREAT DAYS
Sept. 16th & 17th • 23rd & 24th • Sept. 30th

The "Innsbruck" by Ryan Homes is one of the twelve homes that will be showcased in the Niagara County Builders Association 2006 Parade of Homes. At 2319 square feet, the "Innsbruck," located at 7022 Rock Dove Lane in Wheatfield, is a four bedroom, two and one half bath colonial featuring a formal dining room with roman columns and a bay window boasts a gourmet kitchen that opens to the great morning room. The cathedral owner's suite includes a private master bath with whirlpool tub and separate shower. The "Innsbruck" model also features a first floor unique side staircase and a two-car side entry. One of the top ten builders in the country, Ryan Homes believes the American dream come true for thousands of families. For more information call the model home information line at 9950 or visit them online at www.ryanhomes.com.

The "Edgewater" by David Homes is also being featured in this year's Parade of Homes. Located at 7023 Rock Dove Lane in Wheatfield, this four-bedroom New England style home boasts natural birch hardwood flooring in the foyer, great room, kitchen, sunroom, back entry hall, and half bath. The reverse staircase leading to the second floor opens to an executive master suite complete with a walk-in closet, a double-sink vanity, whirlpool tub, and separate shower. The "Edgewater" also features a convenient second floor laundry room. The first floor features top-of-the-line mechanics a Silent Floor System® used throughout this David Homes model. The David Homes was founded in 1994 by David Staple recognized by Business First as one of the top 10 Western New York. For more information, call the information center at 691-6900 or visit www.davidhomes.com. Both the "Edgewater" by David Homes and the "Innsbruck" by Ryan Homes have earned the ENERGY STAR® rating, which means they have been inspected and tested to use less energy, providing greater value, safety, and durability.

The Parade of Homes 2006 takes place on three days: Sept. 16-17, 23-24, and Sept. 30-Oct. 1 from noon to 5 p.m. For more information on this free admission, multiple-site event, call the NCBA office at 693-5736 or visit www.ncbaill.com.

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