

QUESTION 1

What does Modern Disposal, Chemical Waste Management, and Old Ordinance Works have in common?

1. They are all companies that deal with waste. They differ only by the type of waste, non-hazardous, hazardous, and nuclear.

2. These waste facilities are all in the Town of Porter and The Town of Lewiston. By looking at a local area map, you could see a large oval connecting the two communities in a common bond.

3. Late 1990's these three companies decided they had problems.

Modern and **CWM** felt they needed to expand vertically and horizontally. The Corps of Engineers is spending \$400,000 a year just to monitor the **Old Ordinance Works**

Modern requested to expand landfill in order to continue to do business for the next 30 years. This change would amend/change Town Local Law 11 1995, which stated that Modern could not ask for expansion until 2011.

CWM requested to change from a general industrial(M2) to heavy industrial(M3) on two plots of land about 75 acres in size. This would also include a height variance. Their present RMU-1 chemical waste landfill is projected to reach capacity in 5 to 10 years. The M3 designation allows for the treatment, storage and disposal of waste. M2 does not allow for waste handling said Rebecca Zayatz, **CWM** environmental engineering manager.

The **Old Ordinance Works** was tested by" an Assembly task force in 1981 and concluded that contaminants had been released into the air and into the water table" (B.N. 1 O/25/99). Judith S. Leithner, Corps of Engineers project manager for the 91 -acre Niagara Falls Storage Site, said "The material was tested in 1985 . . .The radioactivity at that time was very high." A National Research Council study in 1995 of "high-level uranium ore residues" at the site stressed "the large potential risk to the public" of leaving the residues at the site permanently.

4. Pros and Cons of landfills in any area:

Pros

. helps the local **economy** thru:

- a. jobs
- b. taxes
- c. community support

Cons

.encourages an **unhealthy environment** thru:

- a. landfill leaks
- b. water pollution
- c. radiation, cancer, etc.

5. **Public is becoming more aware of the pros and cons to issues through the State Environmental Quality Review Act which allows for public input. Since this can be a lengthy process businesses are pushing for early implementation of the process. (examples Modern & CWM)**

6. Two of the 3 mentioned companies definitely provide a service to the community, try to use state-of-the-art technology to ensure safety, and try to educate the community. ...which leads into question #2

QUESTION 2

During the last five years, three large waste management companies have presented their concerns to the public. What will be the ultimate cost to the citizens of these respective communities by either accepting or rejecting these requests ?

Points to consider before responding:

1. regarding **Modern Disposal**

a. according to John Marino at 12/9/99 public hearing, the governing board of the Town of Lewiston in 1995 had valid reasons for their Local Law 11 in regard to **Modern Disposal** and any request regarding expansion/extension of contract. The 1999 board is ready to amend!

b. research shows that the citizens in the Town of Porter and the Town of Lewiston are not the only ones having a garbage problem.

(examples: 1978 - **Mobro 4000** or the 40 year old **Fresh Kills Landfill** in Staten Island making the Guinness Book of World Records for its height and volume)

c. Extending a contract so far into the future does not give the company incentives to continue the search for new technology. It does not give the people the incentive to continue reducing, recycling, and reusing. (As Assemblywoman Deiaine Eastin describes fellow Californians as having "**TWABAL**" ("There Will Always Be a Landfill") **mentality**. (Bender/Leone p.149)

d. **All landfills leak.**

2. regarding **Chemical Waste Management**

a. A change from **M2 general industrial** to **M3 heavy industrial** will allow for the treatment, storage and disposal of waste, while M2 doesn't allow for waste handling. The Federal Government is in desperate need of hazardous waste handling. Even though spokesperson George Spira said that CWM has no plans now or in the future for handling nuclear wastes, they are handling TNT. (**DGEIS CWM page 2-14, 2.5.1 Federal Permits and Approvals "Federal permits and approvals may be required based on the potential future use of these areas, as described below."**) Ditto for State Permits and Approvals ... "Hazardous waste treatment, storage and disposal activities proposed for the two areas will require issuance of a Certification of Environmental Safety and Public Necessity from the New York State Industrial Hazardous Waste Facility Siting Board."

b. Rebecca Zayatz, CWM environmental engineer manager, said RMU-1 has between five and seven years of air space left, and in order for the company to continue its business, it must expand outward." **Re Eastern Area she said, "Twelve Mile Creek runs through the eastern portion of the land, and depending on future environmental studies, the company could reroute the creek to allow for the expansion."** Re Western Area, she said "the company doesn't have any specific plans yet for its use as an M3 site. The company is always considering opportunities for possible waste handling activities." (N.G. 4/8/99)

c. CWM's total contribution to local and state economies shows a decrease of more than \$10 million dollars from 1996 to 1998.

d. **All landfills leak.**

3. regarding Old Ordinance Works

a. Richard M. Tobe, Erie Co. environmental commissioner & chairman of the Coalition Against Nuclear Waste, "This material even though it has been diluted in the earth, is as dangerous as it was in its natural state."

b. "Government documents examined by the Assembly task force in 1981 showed that federal officials misled local government representatives and the public on several occasions about the danger of radiation at the site... Nonetheless, after decades of being ignored, it was only in June that the Corp of Engineers formed a special committee to deal with the problems of the former ordinance site" (B.N. 10/25/99)

c. "Fifty years we've been baby-sitting this," said Tim Henderson, environmental activist, "...The clock is running."

d. Six mile creek runs right through the **Old Ordinance Works** but then appears to stop.

4. My remarks regarding our landfill problems

a. In addition to good citizen participation in the 3R's Reducing, Recycling, and Reusing... our businesses need to do the same with the added 4th R task of Rethinking and using available technology to solve our landfill problems. (B.N. 11/21/99 Ontario greenhouse building wetlands to treat sewage)

b. Let's PREVENT problems so we constantly don't have to MITIGATE.

c. In the end we will all be rewarded by having a much healthier community economically, as well as, environmentally.

My thanks to the individuals that took the time to prepare the environmental statement and the Town of Porter for hosting this meeting.

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