

Saturday, March 30, 2013

Ashford Town Board opens bids for trash pickup, chassis

By Jessie Owen
SPRINGVILLE JOURNAL EDITOR

The Ashford Town Board opened bids for two previously-advertised items, during its March 13 meeting.

Clerk Patricia Dashnaw unsealed and presented the bids for the town's annual trash pickup, which has traditionally been held in late April.

Nu Way Sanitation of Arcade bid \$14,400 for the pickup. The company also presented a waiver of immunity and collision coverage, with its packet.

A bid of \$9,300 was also received from Community Disposal of Chaffee. The company also offered to provide a 30-yard roll-off for appliances, at no additional charge. This bid also included the waiver of immunity and collision.

According to Town Supervisor Chris Gerwitz, Ashford has historically never had residents bring their items to a central location. Trash pickups have always been done at individuals' homes, via the usual trash route.

The low bid from Community Disposal was accepted.

A representative from that company was in attendance, to speak about the logistics. Board Member John Pfeffer asked that a day be designated for the appliance drop-off and Dashnaw recommended having a police officer on hand, during that event.

"We need to make sure we schedule this, ahead of time," Pfeffer said.

The pickup will be held in the town of Ashford, during the week of April 27. More information will be released, at a later date.

Bids for a town Ford F-550 chassis and equipment were also opened.

Delacy Ford of Elma presented a bid of \$89,284. Regional International, Commercial Truck and Trailer of Henrietta bid \$102,540.50 and West Herr of Hamburg presented a bid of \$96,626. Vision Ford of Rochester bid \$95,508 and Emerling Ford of Springville pre-

sented a bid with multiple equipment options, at a total of \$88,483.

While Highway Superintendent Tim Engels said he plans to look over all of the bids in more detail, the board accepted the low bid from Emerling Ford, with equipment from Viking-Cives of Batavia.

In other matters:

— Phil Moyer, president of Weast Insurance Agency, returned to the board with more information about damage incurred to a town truck on Nov. 7, 2011.

According to Moyer, the town's insurance claim had been denied, because the other driver had been using his vehicle to deliver papers, an activity that had not been covered under that driver's insurance.

Moyer clarified that the only option would have been to take the other driver to small claims court, to cover the \$1,000 deductible. "Even if we got the judgment, it would not have happened," he

said, of the money. "I went back to your current carrier, Trident, and asked them to reduce your premium, for this year, by \$1,000."

Gerwitz has received a check for \$1,000 from the insurance carrier, to cover the 2011 premium. "That's the best I can do, to get it solved," Moyer said. The board members expressed their thanks, for his work on this issue.

— New York State Energy Research and Development Agency Program Director Paul Bembia announced that "the sequester will actually improve the federal funding picture, for the West Valley Demonstration Project for fiscal year 2013."

The site was proposed to have had a bigger cut, through what Bembia called "the normal process for 2013," than what will be enacted, through the sequester.

"Since the sequester has now become real, I've heard that Congress is considering legislation that would enable federal agencies to move money around, within their agency, to lessen the impact of the sequester to critical

activities,” he said.

– Two Ashford residents addressed the board, regarding recent damage incurred to their mailbox. Engels pointed out that the box in question was mounted on a railroad tie on town property, not a breakaway post, as mandated by law. “You and the town are liable, if someone hits that tie,” he said.

The residents asked that the town’s plows be more careful, when plowing near mailboxes. Engels said that the drivers do their best, but “unfortunately, we have mailbox problems, all the time.”

– The board received a survey from the West Valley Post Office. Pfeffer reported on a recent meeting that had been held, to discuss changes at that post office, and said that there would be “very little impact, at all. They are only reducing hours there by about 15 minutes, per day. I don’t see it as a big issue.” Code Enforcement Officer Gary Perkins said, “It’s affecting the help. This is going to set the postmaster back.”

– Bembia announced that the second part of the demolition on building 01-14 has now been completed. The third phase, which includes the contaminated portion of the building, will begin soon.

– Dog Control Officer Bernadette Skelton was approved to attend an upcoming training conference.

The next Ashford Town Board meeting will be held April 10 at 7:30 p.m. at the community center.

Few love Obama's 2014 budget

By Jerry Zremski | News Washington Bureau Chief | @JerryZremski
on April 10, 2013 - 9:03 PM, updated April 11, 2013 at 2:17 AM

WASHINGTON — President Obama on Wednesday proposed a \$3.8 trillion budget for fiscal 2014, but the plan's mix of cuts to programs such as Social Security combined with tax increases including a near-doubling of the federal levy on cigarettes drew a tepid response from the president's fellow Democrats and disdain from congressional Republicans.

Most controversial, it seemed, was the president's attempt to reach out to Republicans: a proposed revision in how inflation is calculated for many federal benefits.

The change would mean smaller increases in Social Security and veterans benefits in the coming years, prompting criticism from Democrats and Republicans alike.

"Like any budget proposal, there are things to like in this budget, such as expanding pre-K for children, and things I strongly object to, such as cutting Social Security and disability benefits for seniors and veterans that they have rightfully earned," said Sen. Kirsten E. Gillibrand, D-N.Y. "We must have a balanced approach to reducing the deficit and growing our economy."

Sen. Charles E. Schumer, D-N.Y., said he, too, disagreed with the proposed change in benefits — as did Republican Reps. Chris Collins of Clarence and Tom Reed of Corning.

"If you change the calculation of the Consumer Price Index and how you calculate inflation, that's going to continue to pinch our seniors who, come the end of the month, the stories I hear, are having trouble putting food on the table," Collins said.

The proposed cut in the growth of benefits highlighted a spending plan that eliminates the deep automatic spending cuts that took place under the March 1 "sequestration" but that proposes few other major changes for federal programs important to the Buffalo area.

The change to Social Security and veterans benefits would be a significant one.

The government now calculates benefit increases on the basis of an inflation index that uses price increases encountered by city dwellers.

Obama wants to replace that with what's known as the "chained" Consumer Price Index.

A measure of inflation that takes into account the fact that consumers might buy less-costly products if prices start going up, chained CPI is considered more accurate than the current measure, running about 0.3 percent lower in any given year.

So what difference would a switch to that measure make for the average Social Security recipient?

Buffalo News, April 11, 2013

Not much at first. The calculation would only cost the average Social Security recipient about \$39 in the first year of the switch.

But the change would add up over time. Presuming fairly low inflation rates of 3 percent under the new measure, the switch would mean that within a decade, the average Social Security recipient would receive about \$584 a year less than such a recipient would receive if the government stuck with the current inflation measure.

Obama portrayed his proposal to switch inflation measures, along with a proposed \$400 billion cut in Medicare over 10 years, as a difficult move toward compromise with Republicans on a comprehensive budget deal. The Medicare cuts would hit medical providers rather than benefit recipients, with drug companies taking the biggest hit in the form of lower federal payments.

"I don't believe that all these ideas are optimal, but I'm willing to accept them as part of a compromise – if, and only if, they contain protections for the most vulnerable Americans," Obama said as he unveiled his budget.

Since top Republicans have long supported a move to chained CPI as well as far bigger changes in Medicare, some GOP leaders offered modest praise for Obama's entitlement proposals.

"The president seems prepared to finally concede this time that at least something needs to be done to save entitlements from their inevitable slide toward bankruptcy," said Sen. Mitch McConnell of Kentucky, the Republican minority leader.

But the president and GOP leaders clashed on the rest of his spending plan – particularly its tax increases.

Obama proposes a 94-cent per pack increase in the federal cigarette tax, along with several tax hikes he has proposed before, such as the elimination of loopholes enjoyed by wealthy taxpayers and corporations.

"If we're serious about deficit reduction, then these reforms [in entitlements] have to go hand in hand with reforming our tax code to make it more simple and more fair, so that the wealthiest individuals and biggest corporations cannot keep taking advantage of loopholes and deductions that most Americans don't get," Obama said.

Republicans saw things far differently.

"The president got his tax hikes in January," said House Speaker John Boehner, R-Ohio, in reference to the higher tax rates on the wealthy agreed to in the bipartisan deal to avert the "fiscal cliff." "We don't need to be raising taxes on the American people."

Obama also proposed capping deductions for wealthier taxpayers, a move that would have a particular impact in New York State, which has an unusually large number of top wage earners and unusually high state and local taxes that now can be deducted in full.

Buffalo News, April 11, 2013

That fact prompted Schumer to say: "I am against a decrease in state and local deductibility, which hurts New York more than almost any other state."

Otherwise, Schumer praised the Obama budget.

"Overall, this is a jobs-focused budget that invests in infrastructure, education and scientific research," Schumer said. "It will strengthen our competitiveness and help middle-class incomes rise."

The spending plan includes a one-year, \$50 billion increase in spending on highways and infrastructure. Rep. Brian Higgins, D-Buffalo, who has proposed \$1.25 trillion in increased infrastructure spending over five years, termed Obama's offering "wholly inadequate."

Also under the Obama spending plan, education funding would increase 4.6 percent, in part to fund the president's call to make preschool available to all 4-year-olds from low- to moderate-income families.

Implementation of his health care reform law would continue apace, with a big expansion of Medicaid, the health care program for lower-income Americans, moving forward largely as planned.

Meanwhile, the departments of Defense and Homeland Security would endure major cutbacks, and farm subsidies would be slashed.

Overall, the Obama spending plan would replace the controversial sequester with \$1 trillion in cuts and \$800 billion in new revenues over a decade.

Most programs with an especially large impact in Western New York would be spared the worst of the cuts. Funding for Great Lakes cleanup would be steady, and Community Development Block Grants, which provide Buffalo with about \$11 million a year, would be trimmed modestly.

The West Valley Demonstration Project, the target of frequent proposed cuts in recent years, would see its funding fall by only \$1 million, to \$64 million.

Only one program of local note – Low Income Home Energy Assistance – would face a huge cut, with proposed funding shrinking from \$3.7 billion this year to \$2.9 billion in fiscal 2014. But Congress has long refused to agree to such deep cuts in that program.

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THE WALL STREET JOURNAL.

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Western NY toxic sites could endanger Great Lakes

Associated Press

BUFFALO, N.Y. — Thirty-five years after underground toxics turned the Niagara Falls neighborhood of Love Canal into a ghost town, researchers are warning that Western New York is still home to nearly 800 hazardous waste sites that could someday lead to big trouble, not only for local residents, but for the entire Great Lakes region.

A recently completed study, believed to be the most comprehensive look ever at hazardous waste sites in Western New York, finds potential chemical hazards lurking across Erie, Niagara and Cattaraugus counties:

- Half of the world's known radium is stored about a mile from the Lewiston-Porter schools.
- The most deadly wastes from all over the Northeast are hauled along local roads to a dump site in Niagara County.
- Lead from a former smelting plant is believed to be linked to a deadly outbreak of lupus on Buffalo's East Side.
- Radioactive waste from the West Valley nuclear storage facility in Cattaraugus County could someday endanger the Great Lakes.

The vast majority of these waste sites are located in the Great Lakes watershed, the largest source of fresh water in the world.

Many of the sites are either directly adjacent or close to Lake Erie, Lake Ontario, the Niagara and Buffalo rivers, or other waterways that feed the Great Lakes.

An estimated 26 million to 40 million people drink the water from the Great Lakes, which contain more than one-fifth of the world's fresh surface water.

"It's important . It's overwhelming," said Joseph A. Gardella Jr., an environmentalist and University at Buffalo chemistry professor who co-authored the study that was completed by the Western New York Environmental Alliance, the Community Foundation for Greater Buffalo and the University at Buffalo's Urban Design Project.

"This information is a wake-up call," said Brian P. Smith, program director for the Western New York Citizens Campaign for the Environment. "Policymakers need to look at it, digest it and find out what wastes are in their districts. We need to work to comprehensively clean up the waste in a way that is protective of public health. Protecting the Great Lakes has to be one of our top priorities."

Some of the material is leftover from industry or war projects. And more dangerous material continues to be hauled here from elsewhere because this region has become a dumping ground for other communities' poisons and wastes.

Among the most significant findings:

—Niagara County has more than twice as many federal- and state-designated hazardous waste sites as comparably sized counties throughout the state.

—The three counties contain 174 federal or state "Superfund" hazardous waste sites, 43 designated as "significant threats" to public health.

—Erie County has almost eight times as many brownfield cleanup sites as the average county in the state, and Niagara County has more than twice as many as the average county.

"Are we overburdened with waste? Yes, with all kinds of waste," said Lynda H. Schneekloth, a professor at UB's Urban Design Project. "We never knew how much of it was out there until we conducted this study."

The job of protecting people in Western New York from hazardous waste mainly falls on two watchdog agencies - the state Department of Environmental Conservation and the U.S. Environmental Protection Agency. The DEC has a much bigger presence than the EPA in Western New York and is more actively involved on a day-to-day basis.

Despite the presence of these hundreds of waste sites, the public safety situation is "light-years better" than it was in the late 1970s, said EPA spokesman Michael J. Basile. That's because the two agencies constantly monitor the sites, he said.

"We have better regulation of these sites, much more attention is paid to environmental issues, and we have a much better-educated public than we did in the '70s," Basile said. "Whether you live around the corner from a dry cleaners or an industrial waste landfill, there are environmental regulations. We work hard to enforce them. So does the state."

Reacting to the claim that Western New York is overburdened with hazardous waste sites, Basile said he does not believe so. He added that the DEC would be better equipped to answer that question.

"I will say that, in the Northeast, there is a historical preponderance of industrial activity, whether you are talking about Buffalo, Pittsburgh or Niagara Falls," Basile said. "(Western New York) is not the toxic capital of the world. It's easy for someone to make that claim, but it's not the case."

A DEC spokeswoman declined to comment for this story, but according to Gardella, much of the data in the "Mapping Waste" study came directly from DEC records.

So how did all this waste get here in the first place? Much of it was produced here. Decades ago, during the 1900s, chemical companies were attracted to Niagara County because of the proximity to the cheap and plentiful electrical power generated by Niagara Falls. Easy access to fresh water, another key component in the chemical industry, also was important.

Another reason why Niagara County has such a big share of radioactive waste is that much of the work on the Manhattan Project, which led to the development of the atomic bomb during World War II, was done here.

And then there is all the waste that is still being hauled here - to the Chemical Waste Management landfill in the Town of Porter - from other areas of New York State and the Northeast.

About 100 local environmental groups worked on the 223-page study. The information they examined has been available in complicated reports from a variety of government agencies for years, but never before assembled into one comprehensive report.

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CITY & REGION

Toxic legacy's time bomb



Nearly 800 hazardous waste sites are located in Erie, Niagara and Cattaraugus counties, and the majority of them are a threat to the largest source of fresh water in the world – the Great Lakes

By Dan Herbeck | News Staff Reporter , T.J. Pignataro | News Staff Reporter | @TJPignataro
on April 20, 2013 - 11:40 PM, updated April 21, 2013 at 7:54 AM

First of a three-part series

Thirty-five years after underground toxics turned the Niagara Falls neighborhood of Love Canal into a ghost town, researchers are warning that Western New York is still home to nearly 800 hazardous waste sites that could someday lead to big trouble, not only for local residents, but for the entire Great Lakes region.

A recently completed study, believed to be the most comprehensive look ever at hazardous waste sites in Western New York, finds potential chemical hazards lurking across Erie, Niagara and Cattaraugus counties.

- Half of the world's known radium is stored about a mile from the Lewiston-Porter schools, where approximately 2,300 students attend classes each day.
- The most deadly wastes from all over the Northeast are hauled along local roads to a dump site in Niagara County.
- Lead from a former smelting plant on East Ferry Street is believed to be linked to a deadly outbreak of lupus on Buffalo's East Side.
- And radioactive waste from the West Valley nuclear storage facility in Cattaraugus County could someday endanger the Great Lakes.

What makes this information important and worrisome – not only to Western New Yorkers, but to tens of millions of other Americans and Canadians – is that the vast majority of these waste sites are located in the Great Lakes watershed, the largest source of fresh water in the world.

Many of the sites are either directly adjacent or close to Lake Erie, Lake Ontario, the Niagara and Buffalo rivers, or other waterways that feed the Great Lakes.

An estimated 26 million to 40 million people drink the water from the Great Lakes, which contain more than one-fifth of the world's fresh surface water.

"It's important ... It's overwhelming," said Joseph A. Gardella Jr., an environmentalist and University at Buffalo chemistry professor who co-authored the study that was completed by the Western New York Environmental Alliance, the Community Foundation for Greater Buffalo and the University at Buffalo's Urban Design Project.

"This information is a wake-up call," said Brian P. Smith, program director for the Western New York Citizens Campaign for the Environment. "Policymakers need to look at it, digest it and find out what wastes are in their districts. We need to work to comprehensively clean up the waste in a way that is protective of public health. Protecting the Great Lakes has to be one of our top priorities."

Some of the material is leftover from industry or war projects. And more dangerous material continues to be hauled here from elsewhere because this region has become a dumping ground for other communities' poisons and wastes.

Among the most significant findings:

- Niagara County has more than twice as many federal- and state-designated hazardous waste sites as comparably sized counties throughout the state.
- The three counties contain 174 federal or state "Superfund" hazardous waste sites, 43 designated as "significant threats" to public health.
- Erie County has almost eight times as many brownfield cleanup sites as the average county in the state, and Niagara County has more than twice as many as the average county.

"Are we overburdened with waste? Yes, with all kinds of waste," said Lynda H. Schneekloth, a professor at UB's Urban Design Project. "We never knew how much of it was out there until we conducted this study."

Niagara County, which is much smaller than the average county in the state in terms of population and area, is especially overburdened, she said.

The job of protecting people in Western New York from hazardous waste mainly falls on two watchdog agencies – the state Department of Environmental Conservation and the U.S. Environmental Protection Agency. The DEC has a much bigger presence than the EPA in Western New York and is more actively involved on a day-to-day basis.

Despite the presence of these hundreds of waste sites, the public safety situation is "light-years better" than it was in the late 1970s, said EPA spokesman Michael J. Basile. That's because the two agencies constantly monitor the sites, he said.

"We have better regulation of these sites, much more attention is paid to environmental issues, and we have a much better-educated public than we did in the '70s," Basile said. "Whether you live around the corner from a dry cleaners or an industrial waste landfill, there are environmental regulations. We work hard to enforce them. So does the state."

Reacting to the claim that Western New York is overburdened with hazardous waste sites, Basile said he does not believe so. He added that the DEC would be better equipped to answer that question.

"I will say that, in the Northeast, there is a historical preponderance of industrial activity, whether you are talking about Buffalo, Pittsburgh or Niagara Falls," Basile said. "[Western New York] is not the toxic capital of the world. It's easy for someone to make that claim, but it's not the case."

A DEC spokeswoman declined to comment for this story, but according to Gardella, much of the data in the “Mapping Waste” study came directly from DEC records.

Much waste produced here

So how did all this waste get here in the first place? Much of it was produced here. Decades ago, during the 1900s, chemical companies were attracted to Niagara County because of the proximity to the cheap and plentiful electrical power generated by Niagara Falls. Easy access to fresh water, another key component in the chemical industry, also was important.

“Sixty years ago, Niagara Falls was like the Silicon Valley of the chemical industry. Many chemical plants were built in the city,” Schneekloth said. “It brought great wealth to the region, but also a great negative legacy. Today, the wealth is mostly gone, but the negative legacy is still with us. Love Canal is the most famous example, but there are many others.”

Another reason why Niagara County has such a big share of radioactive waste is that much of the work on the Manhattan Project, which led to the development of the atomic bomb during World War II, was done here.

After the Manhattan Project was completed, radioactive waste generated by the bomb project was gathered, then deposited and stored in the Niagara Falls Storage Site off Pletcher Road in Lewiston.

And then there is all the waste that is still being hauled here – to the Chemical Waste Management landfill in the Town of Porter – from other areas of New York State and the Northeast.

Gardella, the UB chemistry professor, suggests an inordinate number of landfills were started in Western New York because land is cheaper here than downstate. In addition, he said, the region has always lacked political clout.

“Do you think that if the [Chemical Waste Management] waste facility was in the Catskills, or on Long Island, rather than the Town of Porter, the people in New York City would tolerate it for a minute?” Gardella said. “We became the dumping ground for other parts of the state.”

Massive effort to compile

About 100 local environmental groups worked on the 223-page study. The information they examined has been available in complicated reports from a variety of government agencies for years, but never before assembled into one comprehensive report. Even the federal government has not done it before.

The study compiles information from the EPA, the DEC, the state Health Department, the U.S. Army Corps of Engineers, the U.S. Defense Department, the U.S. Department of Energy and other government agencies.

The study is based on a 2010 “snapshot” of the region’s waste sites, but there has been little change since then.

“Yes, this information has been available for years, but only in ways that are very difficult for the average person to access and decipher,” Gardella said. “We’re professionals, and we were tearing our hair out trying to make sense out of some of these government reports.”

All the government agencies – especially the state DEC – were helpful and cooperative with researchers, rather than trying to hide information, he added.

The report identifies Superfund sites as the most heavily polluted, and the study lists a total of 174 state or federal Superfund sites in the three counties.

Of those, the state DEC classifies 22 sites in Erie County, 15 sites in Niagara County and six in Cattaraugus County as “Class 2 Superfund” sites, meaning they pose a current threat to human health and are being remediated.

Many of these most serious waste sites are located near neighborhoods, schools and places of work.

In Erie County, the Class 2 Superfund sites include the American Axle plant on East Delavan Avenue, the Radio Tower site at 901 Fuhrmann Blvd. on Buffalo’s outer harbor, the Tonawanda Coke plant on River Road in the Town of Tonawanda, and the former Bethlehem Steel property at 3555 Lake Shore Drive, Lackawanna.

Class 2 Superfund sites in Niagara County include the arsenic-tainted FMC Corp. site near the Royalton-Hartland High School in Middleport, and the former Forest Glen mobile home park in Niagara Falls.

Greg Evans, 48, a disabled truck driver, has lived all his life within a few blocks of two major hazardous waste sites in Niagara Falls – the Love Canal landfill and another former Hooker Chemical waste site along the Niagara River on Buffalo Avenue.

Like many people in Niagara Falls, he is concerned about the chemical waste in his community.

“In my opinion, there are chemicals all over this city. I’ve been fortunate. I’ve never gotten sick from them,” Evans said. “I do think it’s something to be concerned about. It should be constantly studied and tested.”

Falls has most sites in state

Niagara Falls has more hazardous wastes than any other in New York State.

The EPA currently lists 211 hazardous waste cleanup sites in the state. These are sites contaminated by hazardous waste currently stored there or stored there in the past.

Twelve of those sites are in Niagara Falls. No other city, town or village in the state has more than six.

The Niagara Falls cleanup sites include the mammoth CECOS International waste dump, a huge garbage hill off the Niagara Thruway; the Durez Corp. chemical waste site off Packard Road; and the former Forest Glen mobile home park off Porter Road, where 150 people had to be relocated in the early 1990s after the discovery that toxic waste had been illegally dumped there.

Also included on the EPA’s Niagara Falls list are the Frontier Chemical waste site on Royal Avenue, where oily contaminants called non-aqueous phase liquids have been found in the groundwater; the Hooker Chemical Hyde Park site, where groundwater contains dioxin and volatile organic compounds; and the Occidental Chemical plant on Buffalo Avenue, where chlorine, caustic soda and other chemical compounds are made.

Many of the sites in Niagara Falls are close to the Niagara River, which connects lakes Erie and Ontario.

A Cattaraugus County site that concerns environmentalists is the West Valley Demonstration Project, a nuclear waste facility in the Town of Ashford. A nuclear fuel reprocessing center was operated on the site from 1966 to 1972, and radioactive waste from atomic weapons and nuclear power plants was shipped there from other regions of the U.S.

If the nuclear waste is not removed from West Valley, environmentalists warn that it will eventually leak into the region’s creeks and migrate to the Great Lakes. “This is a situation that is not going away,” said Smith, of the citizens for the environment group.

Making legislators aware

So now that this report is completed and the breadth of the poisoned sites has been identified, what to do with it?

In recent weeks, Gardella and other environmentalists associated with the study have met and briefed several legislators about problems in their communities.

“We’re going out and telling them what sites they have in their districts, what needs to be done about them and what government agencies are responsible for them,” Gardella said.

The recent Tonawanda Coke trial in federal court is seen by some as evidence that people and community groups can force government watchdog agencies to investigate and punish polluters.

Tonawanda Coke had been polluting for years at its plant along the Niagara River, but the EPA and U.S. Attorney’s Office didn’t begin major investigations until a public outcry from neighborhood residents and the Clean Air Coalition of Western New York, a grass-roots organization.

Last month, the company that runs Tonawanda Coke and a top plant official were convicted of criminally polluting the air and ground in the neighborhood. The company and the convicted official face potential fines of up to \$200 million. People who live near a contamination site cannot rely on government to fix the problem, said Erin Heaney, executive director of the Clean Air Coalition.

Citizen groups such as the Clean Air Coalition and Buffalo Niagara Riverkeeper “are fantastic,” said the EPA’s Basile. “They get involved. They keep our agencies on our toes, and sometimes act as our eyes and ears.”

It’s unfortunate, Basile said, that groups such as Riverkeeper have to spend time cleaning up thousands of tons of garbage that is illegally dumped in waterways and on beaches by average citizens each year.

“That is a problem you can’t lay at the feet of government or industry,” Basile said.

In terms of government cleanup efforts at waste sites, tough and expensive decisions lie ahead.

Environmentalists admit it would cost untold billions of dollars to clean up all the contamination in Western New York. Gardella said it would cost \$1.5 billion to \$2 billion to clean up waste at the Niagara Falls Storage Site at 1397 Pletcher Road, where radioactive waste from the atomic bomb project, including half the world’s known radium, are stored.

“There are major decisions that have to be made all over Western New York,” said Smith, from the Western New York Citizens Campaign for the Environment. “But if we don’t clean these sites up now, they will cost us much more later.”

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Ashford Town Board officially opposes NY SAFE Act

Monday April 22, 2013 | By: Jessie Owen, Journal editor | News



ASHFORD — While the Ashford Town Board members have discussed the New York Secure Ammunition and Firearms Enforcement Act of 2013 in past meetings, the board had not taken any official steps, to oppose or support this legislation, prior to its April 10 meeting.

Board Member John Pfeffer said that he believed it was time that the officials take a stance. "I have had numerous conversations, about the gun issue," he said. "I've been asked why we do not stand up and say something. If you do not stand for something, you don't stand for anything."

Town Supervisor Christopher Gerwitz said that he agreed with Pfeffer. "Not saying something is saying something," he said.

"The SAFE Act would not have stopped anything bad that has happened," Pfeffer said, about recent events, such as the December 2012 school shooting at Sandy Hook Elementary School in Newtown, Conn. "The only way would be to confiscate every gun in the world."

Pfeffer proposed a resolution, officially stating the Ashford Town Board's opposition to the SAFE Act, as written. That resolution pointed out that the United States and New York state constitutions guarantee the right of the people to keep and bear arms and that the town of Ashford recognizes the right of its people to keep and bear arms, for defense of life, liberty and property.

The proposition said that the people living in Ashford "derive economic benefit and recreation from all safe forms of firearms, conducted within the town of Ashford, using all types of firearms allowable under the United States Constitution and the Constitution of the state of New York."

"I'm a hunter. I am a believer in the Second Amendment," Gerwitz said, in expressing his support for the board resolution, which stated the board's belief that the SAFE Act's new rules and regulations would not have prevented the recent shootings in Newtown and in Aurora, Colo.

"The legislation passed by the New York State Legislature and signed by the governor, on Jan. 15, infringes upon the right to keep and bear arms and bans the possession of firearms, now employed by individual citizens of the town of Ashford, N.Y., for defense of life, liberty and property, and bans the possession and use of firearms now legally owned for safe forms of firearms, conducted within the town of Ashford," the resolution continued.

"The town of Ashford's town board hereby calls for the repeal of the New York Secure Ammunition and Firearms Enforcement Act of 2013 and declares that such legislation infringes upon the right of the people to keep and bear arms [and] thereby considers such an act an over-reach of legislative authority and is unconstitutional."

"Where is the line?" Pfeffer asked. Gerwitz said, "If you start picking away at laws and rules, you will have nothing at all. If we keep on regulating and regulating, we will have no laws, at all."

Pfeffer said he questioned the reasoning behind limiting magazine clips to seven rounds. "How is that going to help? So, one less kid will die at the next shooting?" he asked.

Board Member Charlie Davis said he believed the government took "a situation like this and had a knee-jerk reaction to it. And we don't even enforce the laws we already have."

The board's resolution, opposing the NY SAFE Act, was unanimously approved. Ashford will be added to a list of municipalities that oppose this act. More information may be found at www.nysaferesolutions.com.

In other board news:

– New York State Energy Research and Development Authority Program Director Paul Bembia announced that NYSERDA will work with Cattaraugus County, to replace a bridge on Thomas Corners Road, later this year.

– According to West Valley Demonstration Project Director Bryan Bower, the third demolition phase of that facility's 01-14 building is now being completed.

– The town-wide trash pickup will be held April 22 – 27.

– Bower announced that President Barack Obama's fiscal year 2014 budget request included a \$64 million request for the WVDP. While the budget is still being finalized, "there is the potential that [the] WVDP could receive higher than anticipated funding, in FY 2013," Bower said. The original funding request from the WVDP was \$48 million.

The next Ashford Town Board meeting will be held at 7:30 p.m. on May 8.

THE BUFFALO NEWS

WNY's most toxic site defies U.S. effort, threatens water

Despite billions in federal spending, the West Valley nuclear waste facility remains dangerous place, potential threat to region's drinking water

Tuesday, April 23, 2013

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City & Region



A sign warning of radioactive contamination is posted at a holding pond where treated wastewater is stored to be tested before it is released at the West Valley Demonstration Project. Derek Gee/Buffalo News file photo

By Dan Herbeck | News Staff Reporter , T.J. Pignataro | News Staff Reporter | @TJPignataro

on April 23, 2013 - 1:01 AM, updated April 23, 2013 at 6:21 AM

— Last of a three-part series —

If nature runs its slow course, West Valley's hilltop plateau where nuclear wastes are stockpiled could erode in as soon as 150 years.

Or, some fear that fueled by dramatic climatic events, the plateau could wash away in torrential downpours like the one that hit nearby Gowanda four summers ago.

Either way, radioactive material would wash through several feeder streams into Cattaraugus Creek and then into Lake Erie, the Niagara River and on into Lake Ontario, fouling the drinking water for millions of people in Western New York and southern Ontario.

More than 40 years after the nation's only commercial effort to reprocess nuclear fuel was closed down, the West Valley nuclear waste site is arguably Western New York's most toxic location. Despite billions of dollars in federal spending – and ambitious efforts to turn highly radioactive waste into something safer and easier to manage – West Valley remains a dangerous place.

Located in northern Cattaraugus County less than 50 miles from Buffalo, West Valley has 275 two-foot-wide stainless steel canisters containing highly radioactive glass – byproducts of a groundbreaking six-year process designed to stabilize liquid nuclear waste. The canisters are stacked in the belly of the main plant behind six-foot-thick protective concrete and glass. Separately, lower-level radioactive waste is buried in two underground storage areas.

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Among the highly toxic elements present at the three West Valley sites: cesium, strontium, thorium, uranium and plutonium. The longest lasting radioactive element on site – Thorium-232 – has a half-life of more than 14 billion years.

Federal law says the most-toxic waste – the glass in the steel canisters – must eventually be moved out of West Valley, likely out West. But for now, the West Valley waste has nowhere to go. Federal statutes provide depository space only for high-level nuclear waste used in weapons programs, not byproducts of commercial nuclear energy uses.

“Water, water, water,” said Joanne E. Hameister of the West Valley Citizen Task Force, a group closely monitoring the site. “The overarching concern is water. If you think about radioactivity getting into the water intake – I don’t care what level it’s at – it’s going to contaminate all the infrastructure of the water intake, and then it goes into the sewer outflow and into our lakes. Our whole infrastructure could be affected.”

How West Valley grew

Most of the most deadly materials are remnants from the 1960s partnership between the private company Nuclear Fuel Services and state and federal governments in a collaborative cutting-edge effort to reprocess spent nuclear fuel. The reprocessing occurred at West Valley from 1966 to 1972 but was closed down following regulatory reform of the nuclear industry. Left behind were 600,000 gallons of liquid, high-level radioactive waste.

In 1980, Congress passed a plan to contain and remove the liquid waste. Since then, 875 spent fuel assemblies have been removed, the toxic liquid waste has been turned into glass, and work has begun to put the 275 stainless steel canisters in a safer place.

Low-level radioactive waste is leaving the site for destinations in Utah and Nevada regularly nowadays – nearly 1 million cubic feet dating back to 1998, about the volume of 11 Olympic-sized swimming pools. Full remediation of the site is estimated to be a \$6 billion to \$8 billion endeavor.

Bryan C. Bower, director of the project for the U.S. Department of Energy, said the risk is ameliorated so long as the site is maintained and remains under constant government watch. “Our job is to make sure, while we’re here, that catastrophic release never occurs,” said Bower, acknowledging that some citizens may be “disappointed at the pace” of efforts to clean up the site.

Until the government finds a place to send the most toxic waste, it plans to build better storage at West Valley.

Starting in 2015, as part of the site’s decommissioning process, the high-level waste canisters will, one by one, be robotically shifted into a nearby building. There, they will be packed five at a time inside 55 stainless steel-covered, two-foot-thick concrete cask lined with carbon steel for permanent storage. That will take three years.

Then the 55 concrete casks, which are being designed now, will be moved onto an above-ground, 110-by-144-foot concrete pad that is three feet thick at West Valley. Bower said the casks are licensed for 50 years and are impervious to external environmental conditions.

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Bower noted similarly designed casks performed flawlessly in Japan during the 2011 earthquake there that resulted in the release of radiation from the Fukushima Daiichi reactor.

West Valley's casks, Bower said, would remain on the concrete pad until a permanent federal repository is established, then they will be transported, likely by rail, somewhere out West, to be buried a mile or so underground.

"You never have to touch it again, never have to open it again," he said.

The strontium plume

When activists paint the dangers of keeping high-level waste in West Valley, they point to the strontium plume.

Sometime between the late 1960s and early 1970s, radioactive strontium escaped from the nuclear fuel-reprocessing site and started slowly seeping toward the water table. Strontium is dangerous. If ingested, it deposits itself in bone and bone marrow. It is linked to bone cancer, cancer of the soft tissue near the bone and leukemia, according to the federal Environmental Protection Agency.

"There's this giant dragon just there, and it's very alive," said Judith Einach, a member of the Coalition on West Valley Wastes.

The plume is slow-moving. So far, it hasn't gone much beyond the building it leaked from. Since 1995, federal managers have been trying to stop the plume. After a pair of marginally successful experimental ventures, in 2010 they built a sophisticated 860-foot-long underground barrier "wall" that is three feet wide and up to 30 feet deep in places.

The wall has seemed to quell that tide for now, Bower said. Filters in the underground wall at the West Valley site catch the strontium and keep nearly all of it from entering the groundwater.

The other waste

The other waste stored at West Valley – a pair of underground, low-level waste disposal areas and buried high-level tanks on site – poses a tough choice, Bower said. Environmental activists want them exhumed and removed from West Valley. Bower said the long-term risks of keeping that material on site, which could threaten the local area, must be weighed against the costs and risks of transporting it to places off-site, which could threaten the workers who excavate it and those who could come in contact with it during transport and during its eventual re-deposit where ever that might be.

Said Bower: "It's about weighing the risks. There's nothing that's risk-free."

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Historical timeline of West Valley Demonstration Project site

From nuclear fuel-reprocessing center to disposal of radioactive waste

on April 23, 2013 - 1:18 AM, updated April 23, 2013 at 6:40 AM

- 1962 – Nuclear Fuel Services Inc., a private corporation, reaches agreement with the federal Atomic Energy Commission and New York State to build a first-of-its-kind commercial nuclear fuel-reprocessing plant on a 3,300-acre site at West Valley in the Cattaraugus County Town of Ashford.
- 1966 – Reprocessing of spent nuclear fuel begins at West Valley. It results in the creation of 600,000 gallons of liquid high-level radioactive waste.
- Late 1960s – An unknown volume of nitric acid that contained radioactive fission products leaks from the acid recovery system, housed in the southwest corner of the main plant. The acid flows down the walls of the building, migrates into the sand and gravel underlying the plant, and eventually mixes with groundwater. It is believed to be the source of the existing radioactive strontium plume.
- 1972 – The reprocessing plant is shut down for modifications. Operations never resume after more rigorous federal standards for the nuclear industry are enacted.
- 1975 – Burial of radiological waste generated from hospitals, universities, industry and commercial nuclear power plants in the New York State Licensed Disposal Area at West Valley ceases. It marks the last time any wastes are brought to West Valley from off-site.
- 1980 – The West Valley Demonstration Project Act is passed by the U.S. Congress and signed into law by President Jimmy Carter in Niagara Falls. The act requires the solidification of high-level radioactive waste at the site as well as the development of permanent disposal containers and transport to a federal repository along with the disposal of low-level and other radioactive wastes and the decontamination and decommissioning of equipment and material used in the project there.
- 1985 – 625 spent fuel assemblies are shipped back to their original owners. The Department of Energy took title to the remaining 125 spent fuel assemblies and shipped them to Idaho in 2003.
- 1986 – Burial of radiological waste from the reprocessing plant in the Nuclear Regulatory Commission Licensed Disposal Area ceases.
- 1988-95 – The high-level radioactive waste is pretreated to remove sodium salts and sulfates prior to vitrification. In all, 1.7 million gallons of liquid waste and sludge wash water are treated, producing 19,877 drums of cement-stabilized low-level waste. The drums of cemented waste are shipped off-site for disposal.
- 1995 – A “pump and treat” recovery system is installed to remove strontium from the western portion of the migrating plume heading in a northeasterly direction toward Franks Creek. In 1999, a pilot-scale permeable treatment wall is installed on the eastern portion of the site.

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- 1996-2002 – Nearly all of West Valley’s high-level liquid waste, 24 million curies, are transformed into glass in an innovative process known as vitrification in order to stabilize the materials. The molten glass is poured into 275 stainless steel cylinders where it solidifies into a hard, Pyrex-like glass. By comparison, the then-Soviet government estimated that 50 million curies escaped in the April 1986 Chernobyl disaster.
 - 2004-05 – Operations to remotely process and package the high-level waste behind six-foot-thick concrete walls begin, and the cell where the vitrification process took place is dismantled.
 - 2010 – A two-phase decommissioning and “long-term stewardship” Environmental Impact Statement for the West Valley site is published by the DOE. The first phase, estimated to take 10 years and \$750 million to complete, is already in motion and includes relocating the 275 high-level waste canisters into a dry cask storage system with the demolition of structures on the site and continued shipping of low-level waste out West. That work would be followed by extensive soil-remediation work.
 - December 2010 – An 860-foot-wall is installed along the site perimeter and proves effective in capturing the migrating strontium plume.
 - 2012 – Contractors start demolishing “01-14 Building” formerly used during the vitrification process. Demolition expected to be finished in June 2013. More than 42,000 cubic feet of low-level waste shipped for disposal out West.
 - 2013-15 – Preparatory facility modifications to be performed that will allow for removal of the 275 high-level waste canisters stored in the main process plant building.
 - 2014 – Forecasted completion of off-site disposal for all “legacy waste.”
 - 2015-18 – The 275 vitrified high-level waste canisters, robotically packed five at a time into concrete casts, will be placed on an above-ground pad in preparation for future removal to a permanent federal repository.
 - 2018-20 – Demolition of the site’s main process plant building.
 - 2020 – Final decisions to be reached about where the buried high-level waste tank farm – the emptied tanks that formerly held the liquid waste before vitrification – as well as the eight-acre NRC-licensed and 15-acre state-licensed disposal areas will be for the long-term future.
- T.J. Pignataro

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April 23, 2013

Editorial: Enough Toxic Waste: Dump Shouldn't be in Niagara County at all, much less be allowed to expand

Question: If there were no toxic waste dump already operating on the doorstep of both the Niagara River and Lake Ontario, would officials today suggest putting one there?

Answer: Only if they were gluttons for punishment. That's why the existing dump there shouldn't be expanded, despite the consequential loss of \$500,000 in additional tax revenue to the Town of Porter.

The location of the only hazardous waste landfill in the entire Northeast is one of the worst imaginable. Not only do its toxic contents percolate next to a critical water system – one that accounts for 21 percent of the world's fresh water – it is even closer to the collection of buildings that make up the Lewiston-Porter School District, which serves about 2,300 students.

Plainly, this kind of operation should be in no one's back yard, let alone the back yards that make up this sensitive ecological and educational landscape.

Some of the nation's worst refuse has been handled by this landfill: anthrax-contaminated furniture, PCB contaminants dredged from the Hudson River, toxic samples pulled from Love Canal, lead- and asbestos-contaminated fill from the Erie County Medical Center property and hundreds of tons of contaminated soil, concrete, clay tile and other materials from a recent hazardous materials cleanup in Rochester.

Not only are these and other materials being contained in this area, but they are trucked to the site along a two-lane road past the Lew-Port schools. It's a preposterous location, and one that would never survive scrutiny if the landfill was being initially sited today.

And that, of course, is the point. The landfill is already here, built on the site of the former Lake Ontario Ordnance Works, which began receiving radioactive wastes and residues in 1944 as part of the development of the atomic weapons that were used on Japan to end World War II. Politically, it is much easier to build a companion hazardous waste landfill adjacent to this nearly full facility than to try to site a new one.

But that can't be the point. While the landfill has apparently operated safely, it simply doesn't belong in this location. There is no point in doubling down on the risk that plainly exists, despite assurances that toxic chemicals will not leak from the site, potentially to contaminate the Niagara River, Lake Ontario or 2,300 school children.

Western New York has done its part and then some, regarding its exposure to hazardous wastes. Between this landfill, the West Valley nuclear storage site in Cattaraugus County and other contaminated locations, we have met any reasonable obligation to help keep the rest of the country clean and safe.

It is now time to find another, more appropriate location to dump materials that no person wants to have anywhere near his back yard.

The region's state and federal legislative delegations need to make that clear and work on behalf of the people and the environment of Western New York to prevent expansion of the landfill.



Senator seeks more funding for West Valley nuclear site cleanup

WASHINGTON - U.S. Senator Charles Schumer urged Department of Energy (DOE) nominee Ernest Moniz to adequately fund the West Valley Demonstration Project, a federal initiative to clean a former nuclear site in Western New York. In a personal meeting ahead of his Senate approval for the Secretary position, Senator Schumer highlighted to Mr. Moniz that this project is a top priority and he would continue to advocate for the funding that was committed to West Valley. Schumer pressed Mr. Moniz on the importance of pursuing full clean-up because it's the only way to fully protect public health, and urged Mr. Moniz to commit to aid in the completion of the West Valley cleanup thoroughly and with all necessary resources.

"The federal government cannot balk at a longstanding commitment to contain and clean up the West Valley nuclear site in Western New York," said Schumer. "Ahead of Ernest Moniz's approval as the next Energy Secretary, I've doubled down on my emphasis that West Valley cannot go another year without the necessary funding to complete the cleanup process. I have long fought for adequate cleanup funding for the West Valley Demonstration Projects in addition to compensation for former employees of the plant who suffered health problems due to exposure to nuclear materials."

The West Valley Demonstration Project needs at least \$75 million per year to fully clean up the out-of-use nuclear site, and in 2010, the DOE committed to provide that funding for ten years. However, to date, the West Valley cleanup site has been considerably underfunded by the DOE and now represents a major environmental risk to the residents of Western New York. Despite the DOE's promise of \$75 million per year, in FY 2012 the West Valley site only received \$64 million for cleanup efforts. Next year, the funding will drop to \$47 million unless the DOE changes course. These drops in funding to the West Valley are out-of-step with other DOE cleanup sites, which have seen either sustained or increased funding.



DOE's inability to adequately fund the West Valley cleanup site has put the effort significantly behind schedule and continued delays only increase the risk to public health posed by the remaining contaminated material at the site. Schumer emphasized in his meeting with Moniz that DOE should pursue an approach to the cleanup process that prioritizes full clean-up, and takes into account the potential impacts of environmental factors like erosion on the site. It is only through full and swift clean-up that the damage to public health, the watershed, and the surrounding community can be mitigated.

West Valley is the site of the first and, to date, only commercial reprocessing plant in the United States. After beginning operations in 1966 with a theoretical capacity to reprocess 300 metric tons of spent nuclear fuel per year, the facility processed a total of 640 tons of waste in six years before shutting down in 1972. The West Valley Demonstration Project Act, signed into law on October 1, 1980, required that the Department of Energy be responsible for solidifying the high-level waste, disposing of waste created by the solidification, and decommissioning the facilities used in the process.

West Valley Reprocessing Plant was a formerly operational plant for the reprocessing of used nuclear fuel at West Valley, New York. It was operated from 1966-72. During this time period, 600,000 gallons of highly radioactive waste accumulated in an underground waste tank. Escalating regulation required plant modifications which were deemed uneconomic and the plant was shut down.

FOR IMMEDIATE RELEASE: April 19, 2013

**SCHUMER URGES FEDS TO ADEQUATELY FUND
CONTAMINATED WEST VALLEY NUCLEAR SITE
IN WNY – CURRENTLY WEST VALLEY
DEMONSTRATION PROJECT NOT RECEIVING
NECESSARY FUNDING TO COMPLETE CRUCIAL
ENVIRONMENTAL CLEANUP**

***In Personal Meeting, Schumer Pushes Nominee
for Energy Secretary, Ernest Moniz, to
Sufficiently Fund West Valley Demonstration
Project After DOE Committed \$75 Million in
Annual Cleanup Funds, But Only Allocated \$64
Million Last Year***

***Schumer Warned Underfunding Project Will
Spur Dangerous Shortcuts in Cleanup Process;
Ahead of His Pending Senate Approval, DOE
Nominee Moniz Must Prioritize DOE's Funding
Issue***

***Schumer: Feds Must Not Balk at Commitment to
Clean West Valley Site***

Today, U.S. Senator Charles E. Schumer urged Department of Energy (DOE) nominee Ernest Moniz to adequately fund the West Valley Demonstration Project, a federal initiative to clean a former nuclear site in Western New York. In a personal meeting ahead of his Senate approval for the Secretary position, Senator Schumer highlighted to Mr. Moniz that that this project is a top priority and he would continue to advocate for the funding that was committed to West Valley. Schumer pressed Mr. Moniz on the importance of pursuing full clean-up because it's the only way to fully protect public health, and urged Mr. Moniz to commit to aid in the completion of the West Valley cleanup thoroughly and with all necessary resources.

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underfunded by the DOE and now represents a major environmental risk to the residents of Western New York. Despite the DOE's promise of \$75 million per year, in FY 2012 the West Valley site only received \$64 million for cleanup efforts. Next year, the funding will drop to \$47 million unless the DOE changes course. These drops in funding to the West Valley are out-of-step with other DOE cleanup sites, which have seen either sustained or increased funding.

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