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Local News

January 13, 2014

Months after violation, DEC's penalty for Covanta facility still not finalized

By Mark Scheer mark.scheer@niagara-gazette.com
Niagara Gazette

Niagara Gazette — The New York State Department of Environmental Conservation says it is still negotiating the terms of a penalty for a local waste-to-energy facility that violated state law when it installed a new smokestack without an approved air permit last year.

DEC spokesperson Megan Gollwitzer confirmed last week that agency officials are still working on a consent order tied to last year's decision by Covanta Niagara to start construction on a boiler system and smokestack at its facility off 56th Street without having a state-sanctioned permit in place.

Gollwitzer indicated that the DEC would make a copy of the final consent order available to the media and the public once it is completed.

"DEC is currently in negotiations with Covanta on a consent order that will include a penalty," Gollwitzer said in an emailed response to questions from the Niagara Gazette. "Since it is an ongoing enforcement action, we are unable to comment in greater detail at this time."

Covanta Niagara burns hundreds of thousands of tons of waste at its Falls facility, turning it into steam and electricity. Last year, the company embarked on an expansion project at its 56th Street plant that will include the installation of a new natural gas boiler and a 190-foot smokestack as well as the development of a rail spur to accommodate additional waste by train.

The DEC later confirmed that Covanta started work months before the public comment period on the project had closed.

At the time, officials at Covanta Niagara said the company "immediately" ceased construction, indicating that they misunderstood directions from the DEC that led them to believe they had authorization to move ahead with construction as long as a permit was in place before the boiler operated.

In an emailed response to the Niagara Gazette this week, Covanta Niagara spokesman James Regan said his company is currently working with the DEC to finalize a consent order and resolution. He said company officials were unable to comment further on those discussions at this time.

Related Photos



photos by Dan Cappellazzo/staff photographer A motorist drives past the Covanta Energy Plant on 56th Street on Saturday. The facility violated state law when it installed a new smokestack without an approved air permit last year.



Dan Cappellazzo/staff photo The Covanta Energy Plant on 56th Street.



Dan Cappellazzo/staff photographer The Covanta Energy Plant on 56th Street.

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"Covanta Niagara's planned upgrades and improvements, which include building new rail infrastructure and a natural gas boiler, are important projects," Regan said in a statement. "The new boiler will ensure a consistent supply of steam energy for all the businesses in Niagara Falls that depend on Covanta and the new rail infrastructure will reduce truck deliveries to the facility by 30 (to) 50 percent."

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◦ **UPDATE: Car hits house at Porter and Hyde Park**



A Niagara Falls rental property had to be condemned Wednesday morning after it was struck by a motor vehicle, causing extensive damage. A vehicle traveling along Porter Road exited the roadway at just after 9 a.m. Wednesday and plowed into the front of a home at 2008 Hyde Park Blvd. No injuries were reported. City police were called to investigate and have not yet determined the cause of the accident. The driver's condition was not immediately available.

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◦ **Lockdown drill today at Niagara Falls High School alarms some radio listeners**

A safety drill at Niagara Falls High School, alarmed some fans of a local radio show this morning after a listener called in and reported it as a real lockdown.

January 15, 2014



AP Video

◦ **Suspect sought in Pine shooting** Falls police detectives are trying to figure out what triggered a brazen day-light shooting in the Pine Avenue business district Tuesday afternoon.



January 15, 2014 4 Photos



Raw: California Island Fire Out-of-Control



Gov. Martinez: New Mexicans Always Pull Together



Performance Cars Take Center Stage in Detroit



Raw: Snow Blamed for 20-Car Wisconsin Pile-Up

◦ **Jury begins deliberations in Marchant trial** The jury began its deliberations Tuesday in the manslaughter trial of Jennifer R. Marchant following closing arguments at Niagara County Court.

January 15, 2014

◦ **Relief may be in sight at the Peace Bridge**

Sen. Charles Schumer says there may be some relief in sight for travelers stuck in long lines at the Peace Bridge in Buffalo.

January 13, 2014

◦ **Drug suspect sought after escaping custody**

Niagara County Sheriff's investigators and other members of the U.S. Marshals Service Felony Fugitive Task Force are on a manhunt for a Falls escapee.



January 14, 2014 1 Photo

◦ **Police investigating Tuesday afternoon shooting on Pine Avenue**

The glass door of a Pine Avenue clothing shop was shattered this afternoon during a brazen shooting.



January 14, 2014 1 Photo

◦ **Bill may bring 2,000 new Customs agents to border**

As many as 2,000 new Customs and Border Protection agents could be hired as part of an appropriations bill announced Tuesday by federal lawmakers.



January 14, 2014 1 Photo

◦ **Wheatfield convenience store held up at gunpoint Monday night**

The Niagara County Sheriff's Office is investigating a Monday night armed robbery of a Wheatfield convenience store.



January 14, 2014 1 Photo

◦ **Falls DPW 'branching out' this week**

City crews will continue to work this week to clear downed tree limbs and brush from an ice storm last month, a task that has been delayed by a series of serious weather events.



January 13, 2014 3 Photos

◦ **More Local News Headlines**

Opinion



BRADBERRY: Dr. King's birthday, artistry of change

Music, poetry, theater ... can reflect the mood of a nation, affect and inspire a nation changing movement. No doubt, the music and literary art of the '60s did both.

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◦ **CONFER: What Common Core means to education's stakeholders**

◦ **HIGGS: Bringing St. Paul's into the present**

◦ **GUEST VIEW: The core problem with Common Core**

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CALLERI: Murder among the Beats, and the best films of 2013

In "Kill Your Darlings," Daniel Radcliffe attempts to throw off the mantle of Harry Potter and succeeds, proving that he has immense talent.

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◦ **'Wicked' casts a new spell on Shea's with month-long engagement**

◦ **JENNINGS: Mike Epps ready to warm things up**



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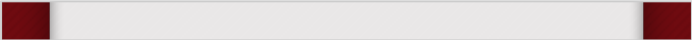


Poll

Do you think cigarette sales to non-Native American customers should be taxed on reservations?

- Yes. Items should be taxed like they are everywhere else.
- No, the indian reservations are sovereign land and they are selling them on their land.
- Not up to me. Native Americans decide the rules on their land.
- Don't care. Smoking isn't good for you.

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