



# New York State Department Of Environmental Conservation



## Written Comment Form

(Written comments must be received by September 5, 2014)

To provide comments on CWM Chemical Services, LLC's draft chemical waste management permits, pending applications & draft EIS with DEC, please provide below and place in the box located at the registration table or mail to:

New York State Department of Environmental Conservation  
Attn: James McClymonds, Chief Administrative Law Judge  
Office of Hearing and Mediation  
625 Broadway  
Albany, NY 12233-5500

RECEIVED

JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name: Rebecca Navak Affiliation: (if any) \_\_\_\_\_

City, State, Zip: [REDACTED] Telephone No: (optional) [REDACTED]

\*\*\*\*\*

This area should be a world-class destination,  
but we have Mount Modern and CWM cess pool.  
With our lovely natural water sources we should  
have lovely sweet water, instead we have PCP laden  
water, and fish we shouldn't eat.

OPPOSE THIS PROPOSAL!

CWM expansion is Not in the Public's Interest!



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Albany, NY 12233-5500

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JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name:

Kathleen O'Farrell

Affiliation: (if any)

Resident (R.N.)

City, State, Zip:

[Redacted]

Telephone No: (optional)

[Redacted]

\*\*\*\*\*

Dolores Perri

7/16/14

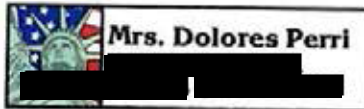
Dear Judge McClymonds,

I am strongly opposed to the expansion of CWM Chemical Services in Lewiston Porter facility.

Please listen + hear the public voices.

We Do Not want any more hazardous wastes!!

Thank You!  
Dolores Perri



*It starts with a gift. It leads to  
lives transformed by Christ.*



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JUL 21 2014

HEARINGS AND MEDIATION SERVICES

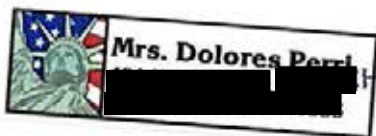


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*For more information about Angel Tree,  
visit us online at [www.angeltree.org](http://www.angeltree.org),  
or call us at [REDACTED] [REDACTED]*

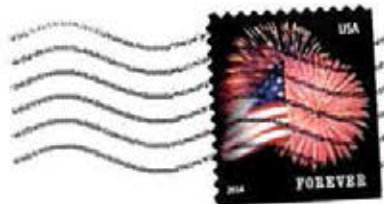
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19 JUL 2014 PM 1 L



James McClymonds, Law Judge  
NYSDEC Office of Hearings + Mediation Services  
625 Broadway, 1<sup>st</sup> Floor  
ALbany, NY 12233-1550





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Albany, NY 12233-5500

RECEIVED

JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name: April Peters Affiliation: (if any) St. Paul's UCC  
City, State, Zip: [REDACTED] Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

\*\*\*\*\*

The Great Lakes are cumulatively the largest reservoir of fresh water on the planet.

Storing more toxic waste a few miles from the shores of one of the Great Lakes is a terrible idea.

Not only are the lakes valuable fresh water, it is international in that parts of the lakes are in Canada.

More toxic chemicals should not be loaded into this watershed.



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Albany, NY 12233-5500

RECEIVED

JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name: Lynda Schneekloth Affiliation: (if any) WNYFA  
City, State, Zip: [REDACTED] Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*



**STATEMENT OF THE NEW YORK PUBLIC INTEREST RESEARCH GROUP  
ON THE APPLICATION OF CWM CHEMICAL  
TO THE N.Y.S. DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**YOUNGSTOWN, NEW YORK  
JULY 16, 2014**

The New York Public Interest Research Group (NYPIRG) opposes the expansion of the Chemical Waste Management (CWM) hazardous waste landfill facility in the Towns of Lewiston and Porter. This site is contaminated with untold quantities of hazardous and radioactive waste. In 1972, the State Health Department issued an Order on what is now CWM property due to concerns about the adequacy of an Atomic Energy Commission attempt to clean up the site, and yet hazardous waste disposal has been expanded several times since.

CWM contends that without an expansion the landfill will reach capacity and be forced to close, leaving New York without an operating commercial hazardous waste landfill. As a practical matter, this would have no adverse impact on New York. Most of the waste disposed of at CWM landfills has come from sources outside New York. According to both the DEC and the U.S. Environmental Protection Agency, there is adequate landfill capacity nationwide. In fact, the largest toxic waste cleanup in the state, GE's Hudson River PCB dredging project, sends all its contaminated dredge spoils to facilities in other states for disposal. Furthermore, the progress made in reducing hazardous waste generation, combined with new technologies for hazardous waste treatment and remediation, has reduced the need for new landfill space.

The communities surrounding the CWM landfills have borne far more than their fair share of New York's – and indeed the entire nation's - toxic burden. This is a gross environmental injustice, and it is time to put a stop to the dumping. Allowing the CWM landfill to expand will only worsen the injustice and put surrounding communities and the Great Lakes ecosystem at greater risk.

NYPIRG urges the DEC to deny CWM's expansion proposal. In addition, we request a 60-day extension of the public comment period given the complexity of CWM's permit applications.

*Statement prepared by Laura Haight, Senior Environmental Associate, NYPIRG*



# The Western New York Environmental Alliance



Ryan A. McPherson  
Chair

Loren Smith  
Vice Chair

Lindsay Amico  
Secretary

Arthur Wheaton  
Treasurer

Board Members:

Justin Booth  
Jay Burney  
Brian Dold  
Andrew Goldstein  
Erin Heaney  
Robert E. Knoer  
Alexandra McPherson  
Micaela Shapiro-Shellaby  
Karen Wallace  
Rebekah Williams  
Terry Yonker

January 31, 2014

Hon. Andrew Cuomo, Governor  
State Capitol  
Albany, NY

**Re: Opposition to an Application by CWM for Expansion of a Hazardous Waste Landfill in New York**

Dear Governor Cuomo,

The Western New York Environmental Alliance opposes the application by CWM Chemical Services, LLC to expand the hazardous waste landfill in Niagara County.

We base this position on four factors:

1. Equitable Distribution and WNYEA Report on *Mapping Waste: Setting the Stage to Clean Up Niagara*
2. NYS DEC and U.S. EPA conclude that the proposed facility is not necessary
3. Hazardous Waste Landfills pose risk to human health and the environment
4. The proposal conflicts with WNY Regional Economic Development Council strategic objectives

**"[In]Equitable Distribution of Hazardous Waste Storage Sites:**

In 2009, the Waste and Pollution Working Group of the Western New York Environmental Alliance received funding from the Community Foundation for Great Buffalo for a project, *Mapping Waste: Setting the Stage to Clean Up Niagara*. The research addressed two questions: What is the current state of 'waste' – both active and legacy in three WNY Counties (Erie, Niagara and Cattaraugus) and, second, is our region unduly burdened with waste?

The Urban Design Project of the UB School of Architecture and Planning completed the study in 2012 under the direction of Joseph Gardella of the UB Chemistry Department and Lynda Schneekloth, of Architecture and Planning. The study used existing data available from DEC, EPA and other agency websites. The project: *Mapping Waste; Setting the Stage to Clean-Up Niagara* (May 2012), was reviewed by DEC and EPA staff to ensure accuracy. This information is publicly accessible to the WNY Environmental Alliance members and also to the public-at-large through the Alliance's GrowWNY.org website.

## The Western New York Environmental Alliance

One of the longer term goals of the Alliance in the support of the project is to develop a broadly based comprehensive strategy and campaign to clean-up and restore the Niagara region in Western New York. This mapping project is the first step in the development of a region-wide comprehensive argument for *stopping the use of this region as a storage and dumping ground for waste from others.*

Western New York has a substantial burden of both legacy and ongoing contamination in comparison to the rest of NYS. In general, the data show that of the 62 counties in New York State, these three counties have more than their share of toxic sites. At least one of the three study counties was near the top of the list in total number of sites with each contamination issue studied, *leading us to conclude that WNY and its residents are unfairly burdened compared to the rest of NY.* These conditions suggest that WNY is one of the 'toxic' hot spots in New York State, and perhaps in the United States. Further, there is the concern that much of our legacy waste was left before there was effective environmental legislation for managing the material. Such legacy sites are particularly unsuited for new hazardous waste storage and disposal facilities because new facilities will further delay the cleanup of legacy wastes. The *Mapping Waste* study clearly shows that there is NOT an equitable distribution of sites across New York State, and the further expansion of CWM would exacerbate this situation. The current conditions are not equitable and approval of this expansion permit would not be 'equitable.'

### **NYS DEC and U.S. EPA conclude that a new hazardous waste landfill in NY is not necessary**

Probably most important, the New York State Hazardous Waste Facility Siting Plan (Siting Plan) adopted Oct. 2010 states that **no additional hazardous waste disposal capacity is required.** In 1995, the EPA eliminated the requirement that states provide hazardous waste management capacity assurance, due to long-term excess capacity. Excess capacity continues, as noted in the Siting Plan's Ch. 6:

"Based on the national availability of facilities, there are sufficient transfer, storage and disposal facilities for management of hazardous waste generated in New York, and will be for the foreseeable future. Periodically, USEPA will revisit the issue of national capacity and need through analysis of available data, and regulators at both a state and federal level will have years of lead time to address potential capacity shortfalls."

### **Hazardous Waste Landfills pose risk to human health and the environment**

In addition to compliance with New York's State Environmental Quality Review act, regulation specific to hazardous waste landfills requires the evaluation of contamination of groundwater, risk from fires, transportation and to public health. The regulation



## The Western New York Environmental Alliance

seeks to operate these facilities as safely as possible. This is not synonymous with "safe." CWM also has a long history of state and federal fines for permit violations.

The designated inbound truck route to CWM passes in front of all public schools serving two towns in Niagara County. These trucks originate from throughout the country on interstate highways that typically merge in greater Buffalo. In addition, monthly "monitor" reports issued by NYS Department of Environmental Conservation (DEC) frequently cite hazardous waste trucks arriving at CWM's gate as already leaking.

However, according to the New York State Dept. of Health study,<sup>1</sup> children living in the school district hosting CWM Chemical experienced nearly double the rate of expected childhood cancers compared to the rest of the state. The cases identified were downwind, downgradient or in areas hosting CWM's truck route.

### The Waste Economy Conflicts with WNY Regional Economic Development Council (REDC) Strategic Objectives

The WNY REDC Development Plan calls for "Sustainable Economic Growth" and "improvement upon region's image." A hazardous waste landfill is unsustainable and has a negative image that has been publicized by media across Upstate and also the *New York Times*.

There are 17 commercial hazardous waste landfills left in the United States. Several have closed in the past 20 years and more may close over the 30-year term of CWM Chemical's application. Hosting one of the last toxic waste dumps in the U.S. is incompatible with REDC objectives.

We also note the REDC strategy to promote Advanced Manufacturing, Health and Life Sciences, and Tourism does not benefit from hosting hazardous waste landfill.

*(Any) Manufacturing:* Per the Siting Plan, just 1.4% of CWM landfill volume was produced by a New York business.<sup>2</sup> Moreover, much if not most (of the just 1.4%) was treated to non-hazardous limits, and therefore, **did not even require** disposal in a hazardous waste landfill.<sup>3</sup>

<sup>1</sup> Cancer incidence study issued by DOH in 2008, covering a 10-year period of data from its State Cancer Surveillance Registry

<sup>2</sup> NYS DEC Hazardous Waste Facility Siting Plan, Appendix A (2008)

<sup>3</sup> Ex. from NYS Haz Waste Manifest System. 99% of this haz waste shipped was treated to non-haz. prior to disposal: GEN: NYD002123503. RECEIVER: CWM. TOTAL QUANTITY(Tons): **416.19** TOTAL QUANTITY FOR LANDFILL: **4.41**



## The Western New York Environmental Alliance

*Tourism:* The operation of a hazardous waste landfill in an area the state seeks to make a world-class tourist destination is conflictive if not irrational.

We also note:

- Public subsidies for CWM such as low cost power (from NYPA) for what agencies consider the worst cleanup practice (land disposal) are at the expense of preferred cleanup practices (ex. treatment that substantially reduces or eliminate the contamination.)
- Public subsidies for CWM effectively reduce competition for technology, and therefore, would be expected to increase the overall cost of remediation and decrease the speed of progress.
- Each time hazardous waste is relocated to CWM it helps create a massive new superfund site with the associated taxpayer liability, well beyond financial assurances from the operator. As a part of the *Mapping Waste* agenda, we believe it would be better for our community as stated by Niagara County if the Corrective Action program would result in making the site available for future reuse instead of a forever hazardous waste site requiring its isolation for hundreds of years.

Please protect the health and well-being of citizens in Niagara County and Western New York by declining CWM's application to import 30 years of hazardous waste into the state and our region.

Thank you.

Sincerely,



Ryan A. McPherson  
Chair, Western New York Environmental Alliance

cc: Joe Martens, DEC Commissioner  
DEC Region 9 Administration



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Albany, NY 12233-5500

RECEIVED

JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name: Thomas Schofield Affiliation: (if any) LAWYER

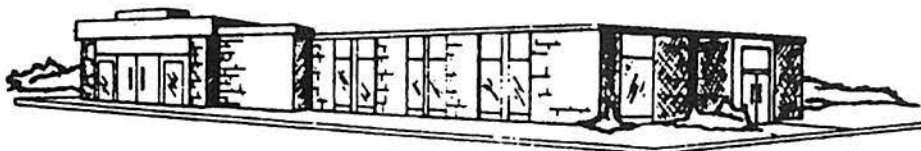
City, State, Zip: [REDACTED] Telephone No: (optional) [REDACTED]

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\*\*\*\*\*

This expansion is not needed and should not be permitted as a matter of community environmental justice.

# Town of Lewiston



## SUPERVISOR

Dennis J. Brochey

## DEPUTY SUPERVISOR

Sean Edwards

## COUNCIL MEMBERS

Alfonso M. Bax

Michael J. Marra

William C. Conrad

Ronald R. Winkley

## TOWN CLERK/REGISTRAR

Donna R. Garfinkel

Box 330

Lewiston, NY 14092

## RECEIVER OF TAXES

Joan Brandel Stephens

Box 109

Model City, NY 14107

## HIGHWAY

Supt. Douglas Janese

1445 Swann Road

Lewiston, NY 14092

754-8218

## TOWN JUSTICES

Thomas J. Sheeran

Hugh C. Gee

## ASSESSOR

Linda E. Johnson

Box 330

Lewiston, NY 14092

## ATTORNEY

Mark Davis

665 Main Street

Buffalo, NY 14203

## ASSISTANT ATTORNEY

Brian D. Seaman

## BUILDING INSPECTOR

## PLANNING-ZONING

Timothy B. Masters

## CHIEF OF POLICE

Christopher P. Salada

4059 Creek Road

Youngstown, NY 14174

## LWPCC

## CHIEF OPERATOR

Jeffrey Ritter

501 Pletcher Road

Lewiston, NY 14092

## WATER DEPARTMENT

Box 109

Model City, NY 14107

## SENIOR SERVICES

Jeanette L. Collesano

4361 Lower River Road

Youngstown, NY 14174

July 16, 2014

James T. McClymonds, Chief Admin Law judge  
NYSDEC Office of Hearings and Mediation Services  
625 Broadway, 1<sup>st</sup> Floor  
Albany, NY 12233-1550

Hon. James T. McClymonds,

The Town of Lewiston Environmental Conversation Commission at a scheduled meeting held June 23, 2014, went on record opposing Chemical Waste Management's application for a new hazardous waste landfill in the towns of Lewiston and Porter.

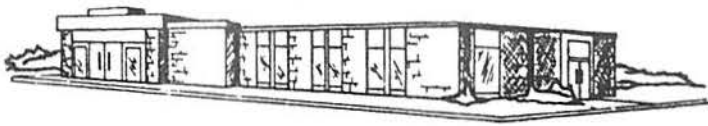
Sincerely,

Carole N. Schroeder  
Secretary, Environmental Commission

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JUL 18 2014

HEARINGS AND MEDIATION SERVICES



# TOWN OF LEWISTON

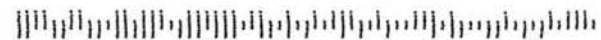
Donna R. Garfinkel, Town Clerk



James T. McClymonds, Chief Admin Law judge  
NYSDED Office of Hearings and Mediation Services  
625 Broadway, 1<sup>st</sup> Floor  
Albany, NY 12233-1550



1223331550







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Albany, NY 12233-5500

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JUL 16 2014

HEARINGS AND MEDIATION SERVICES

Name: Suzanne Shears Affiliation: (if any) \_\_\_\_\_

City, State, Zip: [REDACTED] Telephone No: (optional) [REDACTED]

\*\*\*\*\*

Please no expansion.

FROM  
THE DESK OF  
David & Sandra Wright

7/17/2014

Gentlemen,

I'm a 66 year old mother of 3, and Grandmother of 1, and I live in the quiet hamlet of Pansenville, N.Y. I am seriously concerned about a D.E.C. decision that would allow one of the last toxic waste dumps to be hosted by my area, for the next 30 years! C.W.M. Chemical Services would situate lagoons between Creek and Portwint roads, big enough to store 66 million gallons of toxic wastewater! The chemicals in the lagoons evaporate into our air, with leftovers then dumped into the Niagara River! This is the most insulting, injurious, and outrageous proposal I have ever heard, and I am imploring you to give C.W.M. a resounding No to this hideous idea! Our air, soil, water, and health are far too precious to allow this hideous proposal to occur! To give C.W.M. a permit to double their size and destroy another 40 acres of land forever is unthinkable! Such lack of concern by C.W.M. for our area, and the health of all who live here, should be considered criminal! Say NO! Say NO! Say NO! C.W.M. should be stopped, right now!!

Thankyou!  
David & Sandra Wright



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JUL 21 2014

HEARINGS AND MEDIATION SERVICES





ROCHESTER NY 146  
19 JUL 2014 PM 4 L



James T. Mc Clemonds  
Chief Administrative Law Judge  
NY & DEC Office of Hearings & Mediation Services  
625 Broadway, First Floor  
Albany, New York 12233-1550  
922331550



July 18, 2014

The Honorable James T. McClymonds  
Chief Administrative Law Judge  
Office of Hearings and Mediation Services  
NYS DEC  
625 Broadway, First Floor  
Albany, NY 12233-1550

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JUL 23 2014

HEARINGS AND MEDIATION SERVICES

Dear Judge McClymonds:

Enclosed is a resolution adopted by the Orleans/Niagara Board of Cooperative Educational Services (BOCES) at their July 10, 2014 meeting, regarding the opposition to the addition of hazardous waste land disposals in our area.

Sincerely,

Clark J. Godshall, Ed.D.  
District Superintendent

CJG/cph  
enclosure

c: Board of Education

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*District Superintendent & Orleans Career and Technical Education Center • 4232 Shelby Basin Road, Medina, New York 14103*  
*Niagara Career and Technical Education Center & Niagara Academy • 3181 Saunders Settlement Road, Sanborn, New York 14132*  
*Niagara Conference and Technology Center • [REDACTED]*

---

ALBION • BARKER • LEWISTON-PORTER • LOCKPORT • LYNDONVILLE • MEDINA • NEWFANE • NIAGARA FALLS  
NIAGARA-WHEATFIELD • NORTH TONAWANDA • ROYALTON-HARTLAND • STARPOINT • WILSON



I, Cynthia P. Hurt, Clerk of the Board of Cooperative Educational Services for the Sole Supervisory District of Orleans and Niagara Counties, New York, **HEREBY CERTIFY** that the foregoing is a true and duplicate excerpt of the minutes of the regular meeting of the Orleans/Niagara Board of Cooperative Educational Services held on July 10, 2014.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of said Board of Cooperative Educational Services this 18<sup>th</sup> day of July, 2014.

(SEAL)

Cynthia P. Hurt  
Cynthia P. Hurt, District Clerk

Moved by Mrs. Swearingen, seconded by Mr. Joslyn, that the following resolution be approved:

Whereas, the United States Environmental Protection Agency (EPA), the New York State Department of Environmental Conservation (DEC), and the United State Congress state that land disposal is the least desirable method of managing hazardous waste; and

Whereas, there is an application pending to site a massive new hazardous waste landfill in Niagara County, with capacity that would require upwards of a quarter of a million heavy truckloads of PCBs and hazardous waste to travel New York state highways, rural roads, and past all public schools located in the Towns of Lewiston and Porter; and

Whereas, the federal Agency for Toxic Substances and Disease Registry states that "Children who live near hazardous waste sites should be discouraged from playing in the dirt near these sites"; and

Whereas, hazardous waste landfill operations have a history of fires, leaks, spills and contamination of groundwater in the State of New York; and

*Continued on Reverse Side*

District Superintendent & Orleans Career and Technical Education Center • 4232 Shelby Basin Road, Medina, New York 14103  
Niagara Career and Technical Education Center & Niagara Academy • 3181 Saunders Settlement Road, Sanborn, New York 14132  
Niagara Conference and Technology Center • [REDACTED]



Whereas, the State of New York has been a net importer of hazardous waste for land disposal for decades; and

Whereas, regulatory records published by the DEC show that numerous trucks have arrived at the hazardous waste landfill facility gate leaking and were fined, illustrating the likelihood they were leaking on the way to the site; and

Whereas, the EPA has stated that the hazardous waste land disposal industry operates in a national marketplace, and since 1995, capacity has been adequate "now, and in the foreseeable future"; and

Whereas, the NYS Department of Environmental Conservation has issued a Hazardous Waste Siting Plan which also states there is no need to site additional hazardous waste capacity in New York; and

Whereas, expanding hazardous waste land disposal capacity in New York State is likely to restrain investment in and competition with safer hazardous waste management practices such as recycling and treatment; and

Whereas, the State of New York must, now and in the future, adhere to EPA guidelines taking into account permanency and environmental harm when addressing the issue of hazardous waste disposal, recognizing that land disposal is not a permanent solution and poses risks; and

Whereas, Orleans/Niagara Board of Cooperative Educational Services supports healthy school districts, sustainable economic growth and regards hazardous waste landfill operations as an unsustainable practice, a permanent risk to public health and the environment, and adverse to the image of the host communities.

Now, Therefore, Be It Resolved, that the Orleans/Niagara Board of Cooperative Educational Services opposes the CWM Chemical Services Proposed Landfill Residual Management Unit 2(RMU-2) For Model City, Niagara County, New York, and the addition of any commercial hazardous waste land disposal capacity in the State of New York; and

Be It Further Resolved, that copies of this resolution be conveyed to Governor Andrew Cuomo, NYSDEC Commissioner Joseph Martens, James T. McClymonds, Chief Admin. Law Judge, NYSDEC Office of Hearings and Mediation Services, Attorney General Eric T. Schneiderman, and the Niagara County Legislature.

8 Yes, 0 No. Carried unanimously.



Hasler

016H26511156

\$00.48<sup>0</sup>

07/21/2014

Mailed From 14103

US POSTAGE

The Honorable James T. McClymonds  
Chief Administrative Law Judge  
Office of Hearings and Mediation Services  
NYS DEC  
625 Broadway, First Floor  
Albany, NY 12233-1550

1223331550





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HEARINGS AND MEDIATION SERVICES

Name: DuWayne Brabec Affiliation: (if any) \_\_\_\_\_City, State, Zip: [REDACTED] / [REDACTED] Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

I ATTENDED THE 6:30 PM MEETING AT THE LEWISPORT SCHOOL AND SAW HOW MANY PEOPLE WERE AGAINST THE PERMITTING OF THE CWM LANDFILL EXPANSION. I WORKED FOR CHEMTROL & SCA AND CWM FOR A PERIOD OF 13 YRS. AS AN OWNER OPERATOR TRUCKER. I LIKED WORKING FOR THEM.

I CAN UNDERSTAND THEIR CONCERNS, I ALWAYS FELT THEY WERE DOING A GOOD JOB. I UNDERSTAND THAT NO CO. IS 100%, BUT I THINK THEY DO THE BEST THAT IS POSSIBLE!

I LIVE ON THE NIAGARA RIVER. IN 1963 I MOVED HERE. THE WATER WAS TERRIBLE. NOW IT IS CLEAR AND ODORLESS. FISHERMEN ARE CATCHING A LOT OF FISH NEAR MY HOME.

I AM 83 AND LIVED HERE 57 YRS. YES I HAD STOMACH CANCER OF WHICH I CURED MYSELF. I DO NOT BLAME LIVING NEAR MODEL CIT FOR IT. I DO BLAME PESTICIDES USED ON VEGETABLES + FRUIT TREES AND GENETICALLY MODIFIED FOOD THAT WE MUST EAT. I ALSO FEEL THE LAND FILL WILL RETAIN AND CREATE EMPLOYMENT, WHICH IS BADLY NEEDED.

I DO NOT LIKE BRINGING IN WASTE FROM OTHER COUNTRIES. I ALSO FEEL THAT CWM (PARENT CO) SHOULD BE MADE <sup>TOTALY</sup> RESPONSIBLE <sup>IF</sup> THIS LOCAL CO. GOES BROKE OR IN CASE OF A DISASTER.

OTHERWISE, I AM FOR THE PERMIT. CWM DOES A LOT OF GOOD FOR OUR COMMUNITY.

Sincerely,



MR DUWAYNE G BRABEC

BUFFALO NY 142  
17 JUL 2014 PM 5 L



James McLymenda  
New York State Dept of Environment  
605 Broadway  
Albany, N.Y.  
12233-5500

122335500







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JUL 21 2014

HEARINGS AND MEDIATION SERVICES

Name: Orlene Chestman Affiliation: (if any) \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

Please do not expand this location  
its been awful, awful!  
We are tax payers and we demand  
some questions on this horrible situation  
all these deaths, problems and illnesses  
we are not a dumping ground;  
I could go on & on. Amen!

Help!



BUFFALO NY 142  
18 JUL 2014 PM 5 L



N.Y.S. Dept. of Environmental Conservation  
Office of Hearing and Mediation  
635 Broadway

ATTN: Mr. William Kelly  
New York 12233-5500

122335500



James L. Davis  
Chief Law Judge



## New York State Department Of Environmental Conservation



## Written Comment Form

(Written comments must be received by September 5, 2014)

To provide comments on CWM Chemical Services, LLC's draft chemical waste management permits, pending applications & draft EIS with DEC, please provide below and place in the box located at the registration table or mail to:

New York State Department of Environmental Conservation  
Attn: James McClymonds, Chief Administrative Law Judge  
Office of Hearing and Mediation  
625 Broadway  
Albany, NY 12233-5500

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JUL 21 2014

HEARINGS AND MEDIATION SERVICES

Name: Nancy Deering Affiliation: (if any) Resident  
[REDACTED] 1409 Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

Enough is Enough - No expansion, please  
Too close to our schools - truck routes  
Endangers health of our children - indeed all  
Residents - higher rates here of cancer, MS,  
Lupus, etc.

It will eventually leak into nearby Lake Ontario &  
the Niagara River  
CWM has a very bad safety & inspection records

Contrary to Gov. Cuomo's own WNY Regional Economic  
Development Council Strategic Plan which calls for  
improvement of the region's image - CWM has given us  
a negative image which certainly hurts tourism one of our  
largest industries



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NYS DEC

Attn: James M. Clemente, Chief Ad. Law Judge  
Office of Hearing & Mediation  
625 Broadway

Albany, N.Y. 12233-5568

122335568







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HEARINGS AND MEDIATION SERVICES

Name: Sean Eber Affiliation: (if any) Resident  
City, State, Zip: [REDACTED] Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

CWM is damaging our environment + health  
Air + soil are unsafe + dangerous to our children + families  
Too close to our watershed Lake Ontario + Niagara R -  
will eventually leak into them.  
Negative impact on tourism  
Fewer people attracted to our area + schools - Loss of  
students + employees  
Stop making our once beautiful area a dumping ground  
for dangerous toxic waste  
We have had (carried) more than our share of this burden  
No Expansion, please



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Name: Barbara Freedman Affiliation: (if any) \_\_\_\_\_

City, State, Zip: [REDACTED] Phone No: (optional) \_\_\_\_\_

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HEARINGS AND MEDIATION SERVICES

Name: Mary Lou Hallatt Affiliation: (if any) \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Telephone No: (optional) \_\_\_\_\_

\*\*\*\*\*

Bringing in hazardous waste and chemical toxins from places outside Niagara County, is unfair to the natural grandeur of the region and to the residents who live there. It is enough to pick and choose the types and quality of the industries located in Niagara County and to provide for the proper disposal of their waste material within Niagara County.

The practice of transporting waste from other states, countries and even other parts of NYS needs to be stopped. Lewiston Port has done way more than its share



Mary Lou Hallatt

BUFFALO NY 142

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USA forever

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JUL 21 2014

HEARINGS AND MEDIATION SERVICES

Name: NANCY McAllister Affiliation: (if any) NONE

City, State, Zip: [REDACTED] Telephone No: (optional) [REDACTED]

\*\*\*\*\*

after attending the hearing on July 16<sup>th</sup> at  
Lew Post High School. Why is there any  
question that this should not be  
allowed to be expanded.

I thought the environment protection agency  
was to protect us from things like this  
happening... Who are they protecting?

As taxpayers in this area what are our rights.  
Shouldn't we decide by a VOTE on such an  
important issue. No wonder so many people  
are leaving N.Y. State.

A panel of 10 men will decide the fate and  
future of this area, and they probably all  
live in Albany - far enough away not to be  
bothered by the problem. Please vote No to this  
proposed expansion... No more hazardous waste here  
over

cont.

This area is a tourist attraction and we should capitalize on this.

The health problems we have in this area should be reason enough to say NO!

Now is the time to do the right thing. How can one company CWM have so much power to be able to expand, given all the proof of how dangerous this will be to our community.

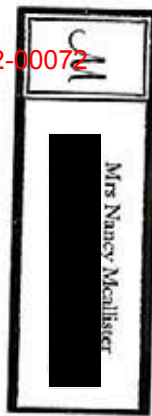
My children are raised, and they have all moved away - No reason to stay. The quality of life has gone down over the years, and it will go down further if this project is allowed.

Thank you

Sincerely,

Nancy McAllister





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625 Broadway  
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HEARINGS AND MEDIATION SERVICES

Name: PEGGY A. NASHT Affiliation: (if any) resident

City, State, Zip: [REDACTED] Telephone No: (optional) [REDACTED]

\*\*\*\*\*

Our family moved to Jewston 15 years ago. I wasn't wild about Niagara County's history of dumping from long lost chemical plants. When the need for a second RLU came up, and they needed a permit, I became interested.

Having attended still another meeting with DEC where the majority of residents say "NO"; the local politicians say "NO" - even Nancy Regan would say "NO"! Yet, my cynicism tells me the answer is already "Yes - of course" and this is just a dog and pony show. Please, prove me wrong.

The people have spoken - for many years now. They have presented their concerns for: Trucks often leaking, driving past our schools; fragile soils; earthquake faults; the close proximity of Lake Ontario; the Niagara River & 12 mile creek; the health concerns of close neighbors; the objections of Health Departments; EPA statements; the refusal of

parent company Waste Management refusing to support financial obligations of their toxic offspring - CWM, and so forth, and so, and on and on go the concerns.

Please listen to us - the residents of this community. We do not want more toxic materials brought into our community.

It would be nice if the headline read "PERMIT DENIED". Victory for the people

Byron R. Nash

Mr. and Mrs. George R. Nash

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