

1 Conservation. It is separate from Counsel's Office,
2 the various Program Units and the Regional Offices.
3 The sole purpose of the Office of Hearings and
4 Mediation Services is to conduct public hearings such
5 as this one.

6 Consistent with the requirements outlined in
7 Environmental Conservation Law 27-1105, Governor Cuomo
8 constituted a Facility Siting Board to review and
9 decide CWM's application for a Certificate of
10 Environmental Safety and Public Necessity. Members of
11 the Siting Board are attending the public comment
12 hearing.

13 They are Paul D'Amato, on behalf of the
14 Department of Environmental Conservation. Matthew
15 Forcucci, on behalf of the Department of Health.
16 Darrell Kaminski, on behalf of the Department of
17 Transportation and three ad hoc members are here.

18 John Benoit, Lee Simonson and Scott Weber. Mr.
19 D'Amato is DEC Commissioner Martens' designee to the
20 Siting Board and is serving as Chair of the Board.

21 During today's public comment hearing sessions,
22 members of the public will have an opportunity to
23 comment about CWM's proposal, its application for a
24 Certificate of Environmental Safety and Public
25 Necessity and the applications pending before the

1 Department, as well as the draft Environmental Impact
2 Statement. Written comment may also be presented now
3 and will be weighed equally with oral statements made
4 during the legislative hearing sessions held today.

5 In addition, written comments may be filed until
6 September 5th, 2014 with my office; and I'll provide
7 the address during the break.

8 A combined Notice of Joint Public Statement
9 Hearing and Notice of Extension of Public Comment
10 Period was published in the Department's Environmental
11 Notice Bulletin on June 11th, 2014 and in the
12 following newspapers; The Niagara Gazette and the
13 Buffalo News on June 11th, 2014, and the
14 Lewiston-Porter Sentinel on June 14th, 2014.

15 On June 11, 2014, radio announcements regarding
16 the hearing were also broadcast at the following radio
17 stations: WJLJ, WLVL, WBEN and WGR.

18 Applicant has provided me with the Affidavits of
19 Publication of the combined Notice in the local
20 newspapers, Affidavits of broadcast of the radio
21 announcement, and Affidavits of mailing to the
22 landowners located within one-half mile of the
23 facility.

24 An additional legislative hearing session will
25 be held tonight and will begin at 6:30 p.m.

1 As I stated before we went on the record, anyone
2 wishing to speak today must fill out a speaker card.
3 The cards are available in the hallway on the table,
4 right outside the entrance to the auditorium. So far
5 I've collected about twenty-five cards.

6 If you have not completed a card and wish to
7 speak, please fill out a card and give it to the DEC
8 staff people at the table. They'll leave it here for
9 me and I'll periodically pick it up.

10 I'll call your name when it's your turn to
11 speak. As I indicated on the record, if a group of
12 you could sit in this front row here (indicating),
13 people are available in succession. Let me apologize
14 now if I mispronounce your name. If I do mispronounce
15 your name, please correct me. After I have called
16 your name, please come forward and speak into the
17 microphone. I ask you to use the podium, speak
18 clearly and slowly.

19 As I mentioned before, a stenographic proceeding
20 of today's proceedings is being made. I've asked the
21 stenographer if she cannot hear you, you're going too
22 quickly, to signal me. I'll ask you to slow down and
23 speak up. It's very important that we get everything
24 that everyone says today.

25 I request your cooperation when a speaker is

1 talking. Please extend the same courtesies and
2 respect that you would want when you are speaking.

3 If you do not wish to make an oral Statement,
4 you may submit a written Statement by mail or e-mail
5 or if you have a written Statement, you may hand it to
6 me this evening. The address for mailing comments is
7 Office of Hearings and Mediation Services, New York
8 State Department of Environmental Conservation, 625
9 Broadway, First Floor, Albany, New York 12233-1550.
10 The E-mail address is CWMRMU2@gw.dec.state.ny.us.

11 Now, there's a -- contact information is
12 available at the table in front of the -- in the
13 hallway in front of the auditorium. I'll also provide
14 that information again and during a break, I would be
15 happy to provide that contact information.

16 The Department staff will first provide a brief
17 presentation concerning a proposal, which will be
18 followed by members of the public.

19 The Department Staff speaker is Dave Denk. I
20 ask Mr. Denk to please come to the microphone and make
21 his presentation.

22
23 MR. DENK: Good afternoon, Judge O'Connell,
24 ladies and gentlemen, Siting Board members, elected
25 officials and representatives, my name is David Denk

1 and I'm the Regional Permit Administrator for the New
2 York State Department of Environmental Conservation
3 Region 9. CWM has proposed to construct and operate a
4 new landfill or Residual Management Unit, RMU-2,
5 within its existing Model City facility for the
6 continued disposal of hazardous and industrial
7 nonhazardous waste.

8 The proposed landfill would occupy approximately
9 forty-three acres, have a design capacity of
10 approximately four million cubic yards and a design
11 life of ten to twenty years. The proposed RMU-2
12 landfill would be designed with a double composite
13 liner system with primary and secondary systems for
14 leachate collection. Upon reaching capacity, RMU-2
15 would be closed, utilizing the composite final cover
16 to be maintained by CWM during the landfill's
17 post-closure period.

18 CWM is proposing to construct and operate a
19 number of new and modified waste storage treatment
20 units. The new units would replace existing units,
21 which would close during the course of RMU-2
22 construction. Another existing unit would be modified
23 to manage leachate from RMU-2.

24 The DEC has tentatively determined that the part
25 373 Hazardous Waste Management Facility Permit

1 Modification Application is technically and
2 administratively complete and has made a tentative
3 determination to issue the Part 373 Permit
4 Modification for the proposed RMU-2 landfill project.

5 A draft Part 373 Permit Modification has been
6 prepared for public review. The DEC has also
7 tentatively determined that the Part 663 Freshwater
8 Wetlands Permit and Water Quality Certification
9 Applications are technically and administratively
10 complete and has made a tentative determination to
11 issue that approval for CWM for land adjacent to
12 freshwater wetlands of RV-8. A draft of that approval
13 has been prepared for public review.

14 The State Environmental Quality Review Act
15 requires the proposed project to undergo department
16 review in conjunction with the permit applications.
17 CWM has prepared a Draft Environmental Impact
18 Statement or DEIS for this project. The proposed
19 RMU-2 landfill project is required to undergo
20 regulatory and public involvement process to allow for
21 the evaluation of the applications of DEIS and draft
22 permits in relation to applicable New York State Laws
23 and Regulations.

24 Hard copies of the permit applications, draft
25 permits and DEIS are available for review at the

1 following locations: The Youngstown Free Library, 240
2 Lockport Street in Youngstown; Porter Town Hall, 3265
3 Creek Road, Town of Porter; DEC Region 9 Office, 270
4 Michigan Avenue in Buffalo; DEC Central Office at 625
5 Broadway in Albany. In addition, two new document
6 repositories have been created to give the public
7 greater access to these documents. The Ransomville
8 Free Library at 3733 Ransomville Road in Ransomville
9 and the Lewiston Free Library at 305 8th Street in
10 Lewiston.

11 These documents will be placed at these two new
12 locations tomorrow. Electronic copies of permit
13 applications and DEIS are available through CWM's
14 website. Electronic copies of the draft permits and
15 CWM's compliance record is available through DEC's
16 website.

17 The public comment period began May 7th, 2014.
18 In response to request from the public, it's been
19 extended to September 5th, 2014. All written comments
20 must be submitted no later than September 5th, 2014.
21 All written comments and those recorded at this
22 hearing will be reviewed and considered prior to DEC's
23 final decision on the matter.

24 There's copies of the fact sheet available here
25 today. The fact sheet explains the project in greater

1 detail; explains where you can find paper and
2 electronic versions of documents and how to submit
3 written comments. There's another handout available
4 with the list of document repositories and a list of
5 the websites.

6 Thank you to the Lewiston-Porter school
7 officials for the use of this facility and thank you
8 for your attention.

9 JUDGE O'CONNELL: Member of New York State
10 Assembly, John Ceretto, followed by William Ross,
11 Chairman of Niagara County legislature.

12 MR. CERETTO: Good afternoon, everyone. I'm
13 John Ceretto. I'm the assemblyman for the New York
14 State District 145th. I just have a short comment I'd
15 like to read; a Statement, which I've already handed
16 in.

17 JUDGE O'CONNELL: Thank you.

18 MR. CERETTO: As both a resident of Niagara
19 County and as an elected official, I have opposed this
20 expansion of CWM. Our first and primary concern must
21 always be that of the health and safety of our
22 residents.

23 For too long, Niagara County has been a dumping
24 grounds of toxic waste and believe me, I'm a child of
25 Love Canal. I understand the problems of toxic waste.

1 Our County has done more than its share and it's no
2 longer appropriate to send this waste here.

3 As the assembly ranking member of Tourism
4 Committee I know that toxic waste landfills are not a
5 good fit for our area. If you don't mind, I'd like to
6 just say some personal things that have happened to me
7 and most recently in the Spring.

8 With these chemical waste management trucks that
9 are moving up and down the thruway. In the Spring, I
10 was behind one when a wheel shaft came off and knocked
11 off my front and back tires. Not only did it scare
12 the bajeezers out of me, but it also took out three
13 cars behind me and my life was in danger because of
14 this.

15 I'm lucky to be here, I feel, to tell this
16 story. It was very scary that day and for those
17 reasons, I do want to say that it's just -- it's just
18 when you're transporting this toxic waste around the
19 State on the thruways, everybody's health and safety
20 is truly in jeopardy. For those reasons, we should
21 not be moving toxic waste around this State for the
22 public concerns.

23 Also, I'd like to share another story. This
24 happened about four or five years ago when I was a
25 County Legislator. I actually came from a family that

1 a friend of mine that grew up where I grew up in
2 Niagara Falls, I went to LaSalle Senior High School,
3 he lived behind me and he calls me up late and night
4 and says that he has a concern.

5 His concern was one of these toxic waste trucks
6 going to CWM, the diaper was flapping and he and his
7 children were hit by a moisture. He said he didn't
8 know what to do, if it was a problem or not, so he
9 gave me a call.

10 Of course I notified, at that time, the County
11 Health Department, which got in touch with him and
12 they said, take these clothes and put them in a
13 dumpster can, put it out of the house and they'll come
14 and inspect it.

15 They were fortunate enough there wasn't any
16 danger to them, but I do want to say this; the people
17 here in this area, they're residents, they want a
18 quality of life. They do not want to have to worry
19 about their children or themselves if they're riding
20 their bikes in the neighborhood. That's not why we
21 chose to live in this community.

22 We chose to live in this community because we
23 care about our children and we want to raise our
24 family here. Believe me, I've been fortunate. I have
25 four children of my own that have went to this school

1 and they've done well. That's what we want, we want
2 to make sure that our children and families are safe.

3 So for that -- so for those reasons and all the
4 reasons that I said, it's time for the residents'
5 voices to be heard and acted upon. We must listen.
6 We must be heard. We must act now for our future
7 generations. The time is now. Thank you.

8 JUDGE O'CONNELL: Is Chairman Ross here?

9 MR. ROSS: My name is William L. Ross.
10 Currently I'm the Chairman of the Niagara County
11 Legislature. I've been a member of the Legislature
12 for twenty-one years. Prior to that time, nine years
13 as a councilman in two different towns within Niagara
14 County.

15 You know as an elected local Government
16 official, you have many priorities and there's many
17 issues. Certainly in local Government, you're a
18 service provider. The most important priority you
19 have, our Assemblyman just did it, and that is the
20 health, safety and well-being of our constituents and
21 that's something that we must constantly work on.

22 I was very fortunate to be in the Niagara County
23 Legislature where I had many colleagues that felt the
24 same way; the same way on a hazardous landfill. As a
25 matter of fact over the years, and it's not six months

1 ago or six years ago, I can go back twenty-one years
2 myself and I remember some of the points that we made.

3 Some of the resolutions we put forth myself,
4 both as a sponsor and a supporter, some of the doubt
5 in the early days with tonnage blocking out school
6 hours, number of trucks and as we move down through
7 the calendar years, it became a little different when
8 we got into the 2000s and we're looking at further
9 expansion, the Niagara County certainly took a
10 different stance and we were looking to stop this
11 expansion.

12 And finally we had to get to the point where it
13 was just beyond our Niagara County legislature but we
14 thought the best way to fight the problem was to get
15 the best environmental/legal expert that we could
16 procure and I believe we did this in Mr. Abraham and
17 we did that back in 2003, 2004 and we stayed with it
18 because it was a collaborative. It was a cooperative
19 and it was a continuous effort between the Niagara
20 County Legislature and of course the Town of Lewiston
21 because we believe so strongly in non-expansion of
22 hazardous landfill.

23 So as I wrap it up, and I do have my department
24 head coming up for health and the president of our
25 Board of Health coming up and I will submit a very

1 in-depth, written comment before the September 5th
2 deadline, but I think what our Board has to remember,
3 sagging Board has to remember, what the priority is,
4 doing the right thing and finally providing
5 environmental justice for the Lewiston-Porter people
6 and all of the residents of Niagara County.

7 JUDGE O'CONNELL: Our next set of speakers will
8 be AJ Wright, Daniel Stapleton, Robert Bauer and James
9 Hufnagel.

10 MR. WRIGHT: Good afternoon. Thank you for the
11 opportunity to speak before you today and add dialogue
12 to this important topic. My name is A.J. Wright and
13 I'm the Senior Director of Government Relations at the
14 Buffalo Niagara Partnership.

15 The Buffalo Niagara Partnership is the region's
16 private sector economic development organization and
17 regional chamber of commerce. We represent nearly two
18 thousand members and a quarter of million employees
19 across the Buffalo Niagara region. Our work has three
20 main focuses; advocacy, business development and
21 convening. By mobilizing members and strategic
22 partners around common goals, we grow private
23 investment and jobs in Buffalo Niagara.

24 On behalf of the members of the Partnership, I
25 stand in strong support of the New York State

1 Department of Environmental Conservation's immediate
2 approval of CWM Chemical Services L.L.C.'s proposal
3 for its facility in Model City, New York to build and
4 operate a new forty-four acre landfill, designated as
5 Residuals Management Unit - Two (RMU-2). The proposed
6 RMU-2 landfill and other units at CWM's existing
7 facility will be used to dispose of and manage
8 hazardous and industrial non-hazardous wastes and is
9 the only in-state option for these services.

10 CWM's Model City facility plays an instrumental
11 role in ensuring the cost-effective execution of the
12 State's successful Brownfield Cleanup Program, BCP, as
13 well as other critical remediation projects while
14 boasting a proven track record of adherence to the
15 highest levels of environmental stewardship.

16 The Partnership has identified the Brownfield
17 Cleanup Program as one of the State's most impactful
18 and successful economic development programs, and a
19 key factor in the revitalization of Buffalo Niagara's
20 economy and community. The BCP creates jobs, cleans
21 up our region from dangerous toxins and puts unusable
22 land back on the tax rolls, and without a well-run,
23 safe facility like Model City, the program would not
24 be nearly as successful.

25 CWM's state-of-the-art site has demonstrated not

1 only a conscientious commitment to the safe disposal
2 of hazardous and industrial non-hazardous waste but a
3 willingness to work closely and collaboratively with
4 the NYS DEC through a partnership that includes the
5 hosting on-site agency monitors that track and confirm
6 CWM's compliance with numerous stringent regulations.

7 As the only hazardous waste facility in the
8 State, CWM accepts waste from sites that are
9 transitioning from blighted Brownfields to remediated,
10 tax-generating properties, thereby offering
11 operational, economical and environmental efficiencies
12 for the NYS BCP and other remediation initiatives in
13 the State.

14 Beyond this vital role, CWM is also a multi-
15 million dollar contributor to the Niagara County tax
16 base while providing stable, competitive employment
17 for more than sixty local residents. The RMU-2
18 project will lead to over fifty-five million in
19 construction jobs, with a majority of that being spent
20 on local contractors.

21 Furthermore, while this application is for a new
22 landfill, it truly is a continuation of CWM's existing
23 operations. There would be no change to truck
24 traffic, nor any change to the footprint of the
25 facility or its visibility of the landfill from its

1 perimeter.

2 I've had the pleasure of touring CWM's facility
3 at Model City and came away impressed with the
4 professionalism demonstrated by all employees, the
5 state-of-the-art, cutting edge technology used in the
6 handling and storage of materials, and the overall
7 process CWM emphasizes in its efforts to maintain its
8 facility. CWM has demonstrated its belief in being a
9 community partner and its employees are proud of the
10 work they do, especially on their facility's impact on
11 turning around so many former industrial sites
12 otherwise unusable for revitalizing our region.

13 In conclusion, the Partnership strongly supports
14 CWM's proposal to build and operate a new forty-four
15 acre landfill and urges the New York State Department
16 of Environmental Conservation to immediately finalize
17 this site's Hazardous Waste Permit and Siting
18 Certificate. We have had the opportunity to witness
19 firsthand the positive economic impact that the Model
20 City facility has not only here in Buffalo Niagara,
21 but across New York State. We encourage New York
22 State to allow CWM to continue its track record of
23 success and safety. Thank you.

24 MR. DESTINO: Mr. O'Connell, my name is Johnny
25 Destino. I believe I was supposed to be number three.

1 JUDGE O'CONNELL: Destino?

2 MR. DESTINO: Yes.

3 JUDGE O'CONNELL: Thank you.

4 MR. DESTINO: My name is John Destino. I'm an
5 attorney in Niagara Falls. I'm also a Niagara Falls
6 School Board member and Orleans, Niagara BOCES Board
7 member. As an elected official charged with the
8 wellness and education of our children, I stand before
9 you today in opposition of this expansion.

10 In my opinion, increasing the capacity for
11 additional hazardous waste, when all the evidence
12 shows that our national capacity exceeds current
13 demand, it's unacceptable. We've been working so hard
14 to keep Western New York's image as a chemical waste
15 dumping ground with the Inspector of Love Canal
16 forever looming over us and the City of Niagara Falls,
17 it's time to put an end to further expansion.

18 I strongly urge the Governor for revitalizing
19 the Niagara region as a top priority, the State, DEC
20 and this Siting Board to deny CWM's permit application
21 for expansion. It's time for the Government to listen
22 to the people who've opposed this for so long. The
23 health and wellness of our region, both personal and
24 economical, depends on you making the right decision.
25 Thank you.

1 JUDGE O'CONNELL: Are you Mr. Stapleton?

2 MR. STAPLETON: Yes, I am.

3 JUDGE O'CONNELL: Thank you.

4 MR. STAPLETON: Good afternoon. Judge
5 O'Connell, Siting Board members and the members of the
6 communities that I serve, my name is Daniel Stapleton.
7 I'm the Public Health Director for Niagara County. I
8 have a short letter I'd like to read.

9 Niagara County has a rich and vibrant industrial
10 history that has shaped our communities through both
11 economic prosperity and scarred chemical
12 contamination. We've all learned hard lessons that
13 industry needs to be held to the highest standards of
14 environmental protection as well as protection of both
15 occupational and public health. New York State has
16 spent billions of dollars cleaning up the mistakes of
17 our past and has made significant strides in
18 regulating industry towards waste reduction and even
19 elimination.

20 As a county, a state and a country, industry
21 produces materials smarter, creating far less waste
22 than ever before. This has been recognized in the New
23 York State Hazardous Waste Facility Siting Plan of
24 2010. With this Plan, the New York State Department
25 of Environmental Conservation has determined that our

1 need for mega landfills for hazardous waste disposal
2 is not the same as it was thirty, twenty or even ten
3 years ago.

4 The Plan concludes that New York does not need
5 to provide additional landfill capacity as current
6 capacity is adequate. Niagara County does not need to
7 provide additional landfill capacity on behalf of the
8 North East United States at CWM.

9 But even if you dismiss the Siting Plan's
10 conclusions and forge ahead with another unnecessary
11 hazardous waste landfill in Niagara County, can it be
12 done safely? Based on the submitted application, the
13 answer seems to be no.

14 There are historic radiologic challenges at the
15 CWM site that must be fully acknowledged, researched
16 and documented. There is a need for a soil management
17 plan that includes radiological screening before and
18 during any significant movement of soil. Based on the
19 submitted application, CWM would not screen or
20 investigate subsurface soils before excavation.

21 Existing groundwater contamination compromises
22 the applicant's ability to monitor a new landfill's
23 leak detection system. The groundwater beneath the
24 site is already contaminated by CWM and others' past
25 operations. The application does not propose to fully

1 identify the contamination plumes west of the
2 landfill, nor fully identify the site hydrology
3 affecting the migration of this contamination.

4 Niagara County is home to so many industrial
5 disposal disasters that have directly and negatively
6 impacted hundreds, if not thousands, of our residents.
7 We have learned the lessons of safety and caution.
8 This hearing process will shine a light on our
9 concerns. The hearing process must adequately address
10 each of them before granting any approvals to the
11 applicant.

12 Allow me to emphasize two significant concerns.
13 Excavations of small projects for repair and
14 replacement of ancillary facilities provide a window
15 into the risks major excavation poses. Since 2006,
16 CWM has been under an obligation imposed by the
17 Department of Health and the Department of
18 Environmental Conservation to scan every excavation in
19 six-inch layers for radioactivity.

20 This protocol applies to small excavations such
21 as remediation of a surface spill, repair of a tank or
22 pipeline or other small project. No major excavation
23 has been allowed at CWM based upon the Department of
24 Health's findings that there is no assurance that such
25 an action would be safe.

1 Excavation of large amounts of contaminated
2 soils risk airborne exposure of the nearby public to
3 radioactive materials and workers could be at greater
4 risk from radiation exposure during a large scale
5 excavation if not carefully and diligently monitored
6 during soil movement.

7 The small excavation protocol has resulted in
8 the periodic elevated radiological detections,
9 consistent with diffuse radiological contamination.

10 We've supported the New York State Department of
11 Health's finding that without much more information,
12 major excavations are too risky. The radiological
13 scanning requirement has been instituted to date for
14 small excavations has provided the safety and
15 assurance to both this Department and the citizens of
16 Niagara County that no undocumented release of
17 elevated radiological constituents would occur when
18 small quantities of on-site soils are moved.

19 However, a large excavation has the potential of
20 larger uncontrolled releases of contaminated material.
21 Common sense would dictate a greater level of control
22 with the need for more diligent monitoring, compared
23 to what is needed for small excavations. But even
24 prior to allowing a major excavation, a full
25 radiological history of the site must be assembled and

1 characterization of known and suspected areas of
2 elevated radioactive materials below ground must be
3 completed.

4 The Department of Health told CWM that these
5 things would be required when denying CWM's 2004
6 request to drop the ban on major excavations. CWM's
7 application includes none of these basic safety
8 strategies. Let me repeat, CWM's application includes
9 none of these basic safety strategies.

10 This Department demands an excavation plan which
11 requires a detailed full site radiological history as
12 well as a plan that requires acceptable levels of
13 monitoring before, during and after any major
14 excavation.

15 Niagara County is an extremely fortunate County
16 in that almost all residents have access to public
17 drinking water derived from the fresh water of the
18 Niagara River. But this good fortune should never be
19 an excuse to disregard the protection of the
20 groundwater aquifer anywhere in the county. All
21 groundwater should be treated as a potential drinking
22 water source and as such, all due care is required to
23 protect that resource.

24 My Department, Niagara County Department of
25 Health, is concerned that simplistic groundwater

1 aquifer models depicting flow direction may be wrong
2 across portions of the CWM site and in fact, a more
3 complex glacial history formed our region resulting in
4 underground valleys and erosion channels that have
5 since been filled with a variety of deposits.

6 Hydrogeological data from soil borings and
7 monitoring wells provided by CWM and the Army Corps of
8 Engineers show that a sand and gravel aquifer is
9 aligned in an east-west pattern, flowing to the west.
10 This now covered underground valley underlies the
11 central area of the CWM site where RMU-2 is proposed.

12 This is troubling news as CWM has installed
13 monitoring wells into the aquifer on the north, east
14 and south sides of the proposed hazardous waste
15 landfill expansion, but none on the west side which is
16 down gradient and the direction a contaminant would go
17 should the proposed landfill leak.

18 It's also very concerning that PCB contamination
19 of groundwater to the west has reached thirty-five
20 thousand parts per billion, a significantly high
21 level, but no remediation or characterization of this
22 contamination has been required. It's noted that CWM
23 operates a PCB landfill under the Toxic Substance
24 Control Act and these concentrations seem far higher
25 than could be accounted for by Legacy Waste; meaning

1 waste from the past.

2 Not only should the regulatory agencies consider
3 a possible source, such an existing leaking landfill,
4 we must consider how one could effectively monitor for
5 a PCB leak from a new landfill when the baseline
6 contamination is already extraordinarily high. Proper
7 identification, area and depth as well as source
8 determination of the contamination plume is inherently
9 a logical step prior to allowing any additional
10 landfill construction.

11 In closing, this Department trusts that the New
12 York State Hazardous Waste Facility Siting Plan will
13 be carefully reviewed and you will determine, as we
14 have, and as I have, that continued operation of the
15 CWM facility at this site is not necessary or in the
16 public interest.

17 If it is determined more landfill capacity is
18 necessary contrary to the conclusion of the New York
19 State Hazardous Waste Facility Siting Plan, my
20 department's expectation is that construction occurs
21 in a manner that includes appropriate radiological
22 screening that is at least as protective as what is
23 required now under the small excavations protocol.

24 Prior to approving any construction, the
25 monitoring strategy for the proposed landfill must be

1 evaluated further to consider how effective it would
2 be given the contamination in the ground right now.
3 Evidence is being brought forward during this hearing
4 process that contradicts groundwater flow directions
5 predicted by CWM and as a result shows that the
6 monitoring strategy proposed by CWM would be
7 ineffective.

8 For these reasons, the Niagara County Department
9 of Health opposes this application.

10 JUDGE O'CONNELL: Robert Bauer.

11 MR. BAUER: Good afternoon. Judge O'Connell,
12 Board members, my name is Dr. Robert Bauer. I'm
13 president of the Board of Niagara County Department of
14 Health. The Niagara County Board of Health would like
15 to go on record as officially opposing the Residual
16 Management Unit hazardous waste landfill being
17 proposed at Chemical Waste Management in the Towns of
18 Lewiston and Porter. This is known as RMU-2.

19 The Niagara County Board of Health is the
20 oversight governing body of the Niagara County
21 Department of Health under the provisions of the New
22 York State Public Health Law. As a body with duties
23 and responsibilities concerning the health of the
24 citizens of Niagara County, it's our professional
25 opinion that the proposed expansion of hazardous waste

1 landfill facilities at CWM or in Niagara County will
2 have a negative impact on the health and welfare of
3 our community.

4 We have concerns based upon the unaddressed
5 issues that exist, which will be detailed by our
6 Public Health Director in future correspondence. As
7 an example, there are radiological health concerns
8 relating to large scale excavations when the property
9 does not have a detailed, full scale, completed site
10 radiological history characterization.

11 As the Niagara County Board of Health, we point
12 to the Hazardous Waste Facility Siting Plan which was
13 adopted in October 2010. The Plan's intent was to
14 assess the State's capacity for managing hazardous
15 waste in accordance with State and Federal Law and to
16 secure adequate availability of industrial hazardous
17 waste treatment, storage and disposal facilities into
18 the future. The final adoption of the Siting Plan is
19 a prerequisite for the siting or significant expansion
20 of certain new hazardous waste facilities in New York
21 State.

22 The principal finding of the Hazardous Waste
23 Facility Siting Plan is that, based upon present
24 national capacity, there's no need for additional
25 hazardous waste facilities or expanded hazardous waste

1 management facility in New York State. The plan finds
2 sufficient capacity within and beyond New York's
3 borders for the management of the hazardous waste
4 presently generated within the state.

5 As a result of good environment and business
6 practices, pollution prevention and hazardous waste
7 reduction efforts and economics, it's anticipated that
8 the private sector will continue to develop and
9 implement reuse, reduction and recycling options
10 beyond existing practices.

11 Based upon the Siting Plan and supporting data,
12 the Niagara County Board of Health would like to go on
13 record as opposing the expansions of hazardous waste
14 landfill capacity, specifically RMU-2, at Chemical
15 Waste Management in Niagara County.

16 JUDGE O'CONNELL: Mr. Hufnagel?

17 MR. HUFNAGEL: Good afternoon, Your Honor. My
18 name is James Hufnagel. The time has come for CWM to
19 put a stop to this toxic waste dump. This business
20 is -- this business is horribly incompatible with the
21 top two industries in Niagara County; agriculture &
22 tourism. The fact that this dump is here in Niagara
23 County at all is purely an accident of history and an
24 accident of geography.

25 The chemical industry has spawned its waste

1 dump, left Niagara County years ago, yet we are still
2 stuck with it. I've heard that one of the reasons it
3 remains here is that a clay layer exists below it. If
4 so, why does CWM have to rely on layers of impervious
5 plastic to keep it from migrating downward into the
6 water table?

7 Regardless, the problems have been with lateral
8 seepage into the river and elsewhere around the dump.
9 I have read in the newspapers the Point System is in
10 effect regarding whether the expansion will take place
11 or not. As if this panel will listen to us here today
12 and then vote so many points on the merits or demerits
13 of what you've heard.

14 No disrespect, but it seems to me like it's the
15 Olympics guiding our figure skating competition and at
16 the end you will all wave score cards above your head
17 as to whether our health and safety and the health and
18 safety of our children should be at risk for more
19 decades.

20 I don't think this approach is ideal. I think
21 it's a dodge by Governor Andrew Cuomo so he can avoid
22 making the decision himself. This is an act of
23 political cowardice on his part. He could shut this
24 thing down tomorrow if he wanted to, just like he
25 could band fracking tomorrow if he wanted to, but he's

1 taking the politically expedient cure and acting in
2 his own political self-interest, letting someone else
3 take responsibility over this decision as to whether
4 to close the facility or not.

5 I think it's very poor leadership by Governor
6 Cuomo. Thank you.

7 JUDGE O'CONNELL: Our next set of speakers are
8 Jim Bittner, Ronald Quiett, Isabel Beeher and Garold
9 Acker.

10 Is Mr. Bittner here?

11 MR. BITTNER: I think I'm the one on the list.
12 I'm Jim Bittner.

13 JUDGE O'CONNELL: Bittner, thank you.

14 MR. BITTNER: First of all, I would like to
15 thank the Department for allowing me to speak today on
16 the proposal of the expansion of the landfill.

17 I'm Jim Bittner. I'm a partner in Bittner-
18 Singer Orchards in Appleton where we grow cherries,
19 peaches and apples. We run a U-pick operation and
20 also sell fruit in the wholesale market. I'm also
21 here today to speak on behalf of the Niagara County
22 Farm Bureau and the New York Farm Bureau. We're the
23 largest general farm organization in New York with
24 twenty-five thousand members.

25 Today both organizations like to voice their

1 oppositions to the planned expansion of this facility.
2 Our Orchard has been a family operation since 1915.
3 We currently farm about four hundred and fifty acres
4 of fruit in Niagara County. We're here because
5 Niagara County has a unique climate and soils to allow
6 us to consistently grow a wide range of high quality
7 fruits.

8 Our farms are here because of the moderate
9 climate due to two natural boundaries; Lake Ontario
10 and the Niagara Escarpment. The lake moderates our
11 Winter and temperatures and the escarpment keeps
12 moderate temperatures during the Summers.

13 Our farms have rich, sandy loam soils which
14 helps our fruit crop thrive. We strive to maintain
15 quality land for future generations to feed hungry New
16 Yorkers. Agriculture is a vital part of the community
17 and roughly one-third of Niagara County is used to
18 support seven hundred and sixty farms.

19 Niagara County produces a wide range of
20 agricultural products; milk, beef, vegetable, fruit,
21 wine, grains and horticultural items. The market
22 value of these items is over a hundred and twenty-two
23 million dollars a year. It directly affects the local
24 economy. More importantly, farmers are stewards of
25 the land. We work hard to make sure that our land

1 that we farm today will stay to keep us healthy. The
2 proposed landfill has the potential of negatively
3 impacting the stewardship farms have instilled on our
4 land.

5 Adding to the discharge of PCBs and volatile and
6 semi-volatile chemicals from the CWM facility would
7 pose a risk to area farms. Landfill related
8 activities are inherently risky. There's a concern
9 about the radiation issues at this site. By bringing
10 more hazardous waste into the County the threatened
11 contamination increases.

12 There is not just the risk of leakage and
13 migration of contaminants from this site, but also
14 continuing instances of threats of spills, leaks,
15 accidents on roads surrounding highways from trucks
16 traveling to and from this facility. A new hazardous
17 waste landfill is a serious threat to our environment
18 with lasting implications.

19 Adding this kind of pollution to our waterways
20 and farmland would make them unusable in future years.
21 Niagara County is home to a vast wealth of natural
22 resources including Niagara River, Niagara Falls and
23 is part of the Great Lakes water shed; the largest
24 freshwater surface in the world.

25 The addition of another hazardous waste landfill

1 in the large associated lagoons of Niagara County
2 would add an unwise and unnecessary burden to our
3 waters. This has not only impacted Western New
4 Yorkers but millions of Americans/Canadians located
5 near these bodies of water.

6 Not only are these environmental concerns
7 associated with the new hazardous waste landfill, but
8 the significant economic costs to the community as
9 well. Reduction of property tax values, new housing
10 construction, attracting of new, clean sustainable
11 businesses, tourism and tax dollars are all a concern.

12 Recently Niagara County has experienced some
13 positive, economic developments; especially the area
14 tourism and New York State designated Niagara wine
15 trail that runs through the heart of Niagara County,
16 hosts thirteen wineries and rooms for community
17 events.

18 The trail's popularity has increased tourism and
19 tourism dollars. The trail supports not only
20 wineries, but vineyards and local farmers who market
21 their local goods. Why put all this in jeopardy and
22 restrain opportunity of future growth by importing
23 more hazardous waste into this County?

24 The proposed facility would have a detrimental
25 impact on farmers. Therefore, I respectfully request

1 that the Siting Board deny the application to expand
2 this facility.

3 I also respectfully ask, since it's a very
4 complicated application that's been submitted and
5 prepared over the years, I'd like to request there be
6 an extension to the public comment period. Right now
7 it ends in September. This is a very complicated
8 process, and I think the community needs a little more
9 time to digest what's actually been submitted to the
10 Department so they can review it and comment
11 intelligently.

12 Thank you very much. I appreciate it.

13 JUDGE O'CONNELL: Next speaker, Mr. Quiett.

14 MR. QUIETT: I'm Ronald Quiett. I live at 1632
15 Youngstown-Lockport Road by Porter Centerville. It's
16 about a mile and a half away from CWM.

17 Boy, the way they let stuff go over there at
18 night and everything else. The stuff in the air, it's
19 not as bad now as it used to be; I ended up losing my
20 wife back in '95. Her lungs were so bad from the
21 stuff in the air. She was on oxygen and she ended up
22 passing away.

23 I had a lady friend for eight years, same thing
24 happened to her. I told her, do not let the damn
25 windows be open at night because the stuff is so bad

1 you can't stand it. It isn't as bad now as it used to
2 be, but still, a lot of nights I go outside I still
3 smell the stuff out there and I'm here because of it.

4 I had problems. I live next to the Six Mile
5 Creek. Different spots you can see where the stuff is
6 coming up because of the pressure and stuff that is
7 going into the water. I've had the DEC there three
8 different times to come and get samples of stuff
9 coming up.

10 All of a sudden, two days later they happen to
11 close it. This has happened over a couple of years.
12 I'm sorry, I don't trust the DEC because that's
13 their big revenue.

14 My son got some of the samples of stuff. He
15 lives out-of-state. He took it to some places
16 out-of-state to have the stuff tested. As soon as
17 they found out where it came from, they would not do
18 it because they didn't want to lose the business with
19 the outfits that are doing that stuff and that's the
20 problem you're running into.

21 I have trucks going by my house every day,
22 because when the school is open, they're not allowed
23 to go by the school buses and stuff like that. They
24 go down the road. It's very rare that I ever see one
25 of them that has a New York State license. They're

1 all from out-of-state.

2 We don't have this stuff around here. We don't
3 have to be a dumping ground for it and I don't care to
4 see any more of it. So that's all I have to say on it
5 and hopefully that they don't approve it anymore.

6 JUDGE O'CONNELL: Come right up, please.

7 MS. BEEHER: Good afternoon to everyone. I'm
8 Isabel Beeher from Lewiston, New York. I'd like to
9 say "no" to CWM expansion, "no" to health threats,
10 "no" to the land devastation.

11 When we give the State the land, we devastate
12 the life on it as we did Love Canal. Thank you for
13 this.

14 MR. ACKER: Good afternoon. My name is Garold
15 Acker. I'd like to welcome you, Mr. Chairman and the
16 Siting Board, to Lewiston. We're a very welcoming,
17 friendly community. We're glad that you're here today
18 to listen to our concerns.

19 One of my concerns is the representation on the
20 Siting panel. I think the majority of you folks
21 should actually be Niagara County residents. Whether
22 you're with the DOT or Health Department or whatever
23 organization you represent, it would have been nice if
24 Governor Cuomo reached out to someone who is actually
25 in the community to represent those organizations.

1 I wasn't able to get a clear answer from the
2 folks that were manning the DEC table before I came in
3 this afternoon, but they weren't even telling me how
4 many people the ad hoc portion of your community is
5 from Niagara County. I know Mr. Simonson is.
6 Hopefully the other two are as well, but no one can
7 tell me that.

8 In any event, I'm here today as a lifelong
9 resident of Lewiston. I was born at old St. Mary's
10 fifty-eight years ago. My mom moved me into a home on
11 Creek Road and for the last forty-seven of the last
12 fifty-five years I've lived on Creek Road in two
13 different places. I think that qualifies me to speak
14 to -- directly to the issue of the traffic and the
15 noise and the dirt and the filth that go up and down
16 our streets, because I've had to put up with it for
17 the majority of my life. Actually for the better part
18 of the last thirty years, it's my understanding, since
19 CWM has been operating down here.

20 I didn't prepare a Statement, I just want to
21 check my talking points real quick.

22 I have many concerns, similar to those folks
23 that have preceded me and those folks that will
24 follow. Health and safety, the traffic and everything
25 else which, if it hasn't been addressed, it will be

1 I'm sure in more detail by folks that come behind me.

2 My biggest fear is this; I know it's inevitable
3 that one of these days, I'm going to wake up and I'm
4 either going to turn on the TV or radio and I'm going
5 to hear about a major, major problem. We've been
6 lucky in that sense so far.

7 There's been close calls, there's been leaks and
8 so on and so forth that have been managed, covered up,
9 whatever you might say. It's only a matter of time
10 before something huge happens; whether a major truck
11 accident or whether it's a leak that they discover it
12 can't be controlled.

13 You can't tell me with the volume of stuff going
14 in and what's already there, that something's not
15 going to happen. I don't need to be real smart to
16 know it's only a matter of time before something
17 significant happens.

18 That's what scares me. It scares me for me, it
19 scares me for my children and my grandchildren that
20 all live in this area and it should scare everybody in
21 the room and it's something that I hope this Siting
22 Board is concerned about as well.

23 A little bit about CWM. I never worked for CWM.
24 I have a couple of acquaintances that do and I would
25 like to say that the way that they portray themselves

1 as a community partner is positive. They're a large
2 employer, from what I can tell they pay their
3 employees a living wage; which is important in this
4 day and time. They're very benevolent.

5 Every time you turn around, you read in the
6 newspaper about donations they're making here,
7 donations they're making there. It's already been
8 spoken about the fact that they're a big taxpayer. I
9 want to say this. We can do without all of that. We
10 can survive.

11 I'm a taxpayer. I'm a proportional taxpayer and
12 I should have as big of a voice as they do and I say,
13 no. No more. You know, enough is enough. It truly
14 is. Enough is enough. I agree -- I couldn't disagree
15 more with the notion set forth by the DEC that Waste
16 Management facilities are equitably distributed. I
17 think it's a crock.

18 If that's the case, why are we taking waste from
19 Canada? Why are we taking waste from Puerto Rico?
20 Why are we taking waste from all over the northeast?
21 Someone spoke earlier about what a good job this
22 facility does for cleaning up Brown space. It may or
23 may not be the case. I don't really think it is
24 because I've read it isn't.

25 It would be one thing, which would be completely

1 unacceptable, if we were talking about stuff coming
2 from New York State, you know, or Western New York.
3 We're talking about crap that is being dumped in our
4 laps from all over the world and that's just crazy.
5 Enough is enough.

6 Please, Siting Board, put your political
7 whatever aside and listen to us today. We don't want
8 this facility here anymore. That's pretty much it.

9 I support the previous person's Statement, we
10 need more time as a community to try to evaluate this
11 huge, voluminous application. It takes me a long time
12 to read it, let alone understand it. The time cutoff
13 you have of September is much too quickly.

14 I was recently told lately -- parts of this are
15 crazy. Is it true that you guys are considering a
16 traffic pattern study that was done in 1993? I'm not
17 expecting an answer, it's rhetorical. If that's true,
18 back up and check yourselves. What are you guys doing
19 evaluating a document of this scope and this
20 importance based on traffic studies that were done in
21 1993?

22 Thank you for your time. I appreciate it and
23 please keep us in mind.

24 JUDGE O'CONNELL: Paul McCollum, Kellen Murphy,
25 John Battaglia and has Vincent Agnello returned yet

1 and Audrey Agnello?

2 Our next speaker please, Mr. McCollum.

3 MR. McCOLLUM: Good afternoon, everyone. Thanks
4 for taking the time to listen to us today. I'm here
5 to speak in favor of the new landfill, CWM.

6 JUDGE O'CONNELL: Please.

7 MR. McCOLLUM: Full disclosure; I'm a life-long
8 resident of the Town of Cambria. My total working
9 career has been in Niagara County. I'm a
10 representative of the international Union of operating
11 engineers. I represent about three hundred active and
12 retired heavy equipment operators. We're the people
13 that you see out there that build and repair your
14 roads and bridges, such as the 190 project we have
15 going up there by the Power Authority.

16 We build new facilities. We're currently
17 building a new addition to the Factory Outlet Mall.
18 We're doing a lot of positive things for the future.
19 We also have to deal with our past and in the past, in
20 the construction and in the industry in Western New
21 York, there has been a lot of heavy industry in the
22 past and has created a considerable amount of
23 hazardous waste. We have to deal with that also.

24 Past technologies to deal with that waste
25 weren't very good. It consisted mostly of digging a

1 hole, dumping waste and burying it. It resulted in
2 facilities we have such as Love Canal. Obviously
3 that's not a very good situation for us, but we've
4 learned from those.

5 There's been a lot of new laws and lots of new
6 technologies that have been developed from past
7 industries' practices such as those. We've learned
8 how to deal with those types of waste. We spent a lot
9 of time, in the past thirty some years, cleaning up
10 those wastes.

11 We learned from our past mistakes. Going
12 forward, what do we do with the waste? The waste
13 doesn't go away, it has to go somewhere. That is what
14 CWM is. That's where the waste is going. We've
15 learned how to do it, the industry has learned how to
16 do it.

17 Instead of digging a hole and dumping it in, we
18 built the secure landfills with liner systems,
19 leachate collection systems that collect all of it.
20 Anything that leaks out, potentially, is workers.

21 I've been an OSHA Outreach Safety Health
22 Instructor for twenty-five years. We teach each of
23 our members how to deal -- how to work with hazardous
24 waste tactfully. There's been a lot of scare tactics
25 and stuff like that has been said here today.

1 We've learned over the years how to deal with it
2 and how to work with it safely. Concerns about
3 injuring the workforce are not needed. We have spent
4 a lot of years learning how to do that type of work;
5 do it safely and handle it so that we can all go home
6 at night.

7 As far as the economic benefits of the facility,
8 I'll let others talk about that, that are a lot more
9 verse than I am on that. I am going to say a few
10 things you probably really won't like to hear, but the
11 reality is that CWM is there. People address the need
12 for capacity.

13 Ask yourself this question; if the capacity
14 wasn't needed, is CWM going to spend fifty-five
15 million dollars in construction costs to build a
16 landfill that is not needed or not used? So if
17 they're going to spend the money in our community to
18 do that, they're going to use it.

19 The reality of the property down there is that
20 CWM is there. And talk about expansion; when people
21 say "expansion", they think it's getting bigger. In a
22 sense, it is. If you haven't looked at the map, look
23 at the map on the way out and see where the property
24 is.

25 It's a fifty acre parcel. Where the new

1 landfill is going to go is directly right in the
2 center of CWM's property. It's not expanding the
3 footprint of their property into any other towns or
4 communities. It's going right smack in the middle of
5 the property they already have that is surrounded by
6 other landfills and other CWM processes.

7 It's making use of a fifty acre parcel of
8 property that will never be used for anything else.
9 Not that anybody wants to hear that, but you're never
10 going to put -- any other kind of civic organization
11 is not going to go in there. It's never going to be a
12 playground or park or golf course or anything else.
13 Never. Big word, never. If we can make the economic
14 use of the property that is there, what else are we
15 going to do?

16 To summarize a bit for the Siting Board, the
17 economic benefits for the community are extensive.
18 Good jobs for -- construction jobs and the jobs of the
19 people that work at CWM. Many thousands of hours that
20 our members and other members of the construction
21 building trades in Niagara County that live and work
22 here, have put in thousands and thousands of hours
23 over the years working there and they will in the new
24 landfill. I emphasize we can do this work and do it
25 safely. We're very well-trained workers and we can do

1 it safely.

2 Again, the new landfill will be right in the
3 center of CWM's property. Their property will never
4 be used for anything else. Based on these issues, I
5 would ask that the Siting Board please approve the new
6 landfill for CWM. Thank you for your time.

7 JUDGE O'CONNELL: Mr. Murphy?

8 MR. MURPHY: Hello. My name is Kellen Murphy.
9 I live on Pletcher Road. I appreciate this
10 opportunity to submit comments to the New York State
11 DEC, members of the Siting Board, my friends and
12 neighbors and my community. I feel any comments,
13 opinions surrounding this proposed landfill expansion
14 of CWM off of Baumer Road must take into account the
15 historic uses of this property; most importantly its
16 incorporation to Lake Ontario Water Works in 1943.

17 During the operation the Lake Ontario Water
18 Works and later on the Niagara Falls Storage site,
19 this property was used for storage of highly
20 radioactive isotopes including radium 238, radium 235,
21 radium 226, radon 222 and potassium 65 which was used
22 in processing radioactive uranium ore.

23 In my opinion, the Federal Government chose this
24 site to accomplish its production and storage in some
25 of the years most toxic and destructive substances for

1 several reasons. Its proximity to an abundant source
2 of energy and hydroelectric generations that were then
3 in the City of Niagara Falls. It's sparsely populated
4 area in 1942. To gain seventy-five hundred acres in
5 eminent domain they only had to remove a handful of
6 farmers.

7 And thirdly, the soil consists mostly of silt
8 and clay loams, which are custom deposits. They tend
9 to hold water. This third reason, the clay soil,
10 allows for easy creation of almost impermeable
11 containment structures and clay paths to help keep
12 contaminants on-site better than any other naturally
13 occurring soils. It's not perfect, but it's a lot
14 better than sand and gravel and it's all underneath us
15 right here.

16 I don't live in the Village of Lewiston,
17 Youngstown or Ransomville. I don't live on top of the
18 Niagara Escarpment. I live less than a mile from this
19 place. My backyard is this school. You can walk
20 through the woods right here. I hear them play
21 football every Friday and I'm entirely in favor of
22 expanding this landfill one hundred percent.

23 It's the only appropriate use of this property
24 in the future. It has all the natural characteristics
25 of a good site for long-term storage of hazardous

1 waste. It's proposed expansion of forty-three and a
2 half acres exists within the current footprint of an
3 already existing landfill site.

4 Most importantly, it has already been
5 contaminated and will continue to be contaminated for
6 thousands of years. The half life of uranium 238 is
7 sixteen hundred years. That means in the year 3542
8 there will be half as much radiation in the ground,
9 below our feet, as there was when they stuck it there
10 in 1942. We don't allow this property to be continued
11 to be utilized as a hazardous waste containment site,
12 which property will become next; an abandoned area in
13 Batavia, maybe a hayfield in West Valley; there's
14 already a low level radiation deposit site there.

15 A river in China? Maybe we should leave it all
16 in China. Maybe we send it over there. I say we can
17 no longer afford to pollute and contaminate whatever
18 we feel like and move on as nobody will ever go there.

19 We have to manage lives of the land we already
20 occupy so we can continue to occupy it for generations
21 to come, not make it somebody else's problem to clean
22 up.

23 AUDIENCE MEMBER: Did you get cancer yet?

24 MR. MURPHY: It's already at a ten percent rate.
25 Do you realize the incidents of childhood cancer in

1 this area are almost double what they expect to find?
2 That's from a 1991-2000 survey cancer in
3 Lewiston-Porter. It's already here. We already have
4 it here. Why do you want to put it on everybody else?
5 Why do you want everybody else to get cancer? Why
6 can't we man up and take a problem?

7 JUDGE O'CONNELL: Order. Stop.

8 THE WITNESS: We live in a society that benefits
9 greatly from technology.

10 JUDGE O'CONNELL: Mr. Murphy, I directed the
11 stenographer to stop.

12 MR. MURPHY: Thank you, sir.

13 JUDGE O'CONNELL: When there's quiet, I'll let
14 Mr. Murphy continue.

15 AUDIENCE MEMBER: We're not allowed to speak?

16 JUDGE O'CONNELL: You are, but I've asked you to
17 extend the courtesy to every speaker.

18 I have thirty-seven cards, I think we can get
19 through this, this afternoon if I don't impose a
20 timer.

21 Mr. Murphy, how much more do you have?

22 MR. MURPHY: Just a short paragraph, sir.

23 JUDGE O'CONNELL: We'll take a short break after
24 Mr. Murphy's comments. Please, go ahead, Mr. Murphy.

25 MR. MURPHY: We live in a society that benefits

1 greatly from technological advancements of
2 manufactured products previous generations could
3 hardly dream of. These products come at a cost.
4 Mining rare earth materials like nickel, zinc and
5 lithium sulphur dioxides use acids to dissolve metal
6 out of rock. We mine these metals from China, the
7 acids seep into agriculture poisoning local farmers
8 and livestock. A main component of solar panels is
9 polysilicon, a semi-conductor used to transfer
10 sunlight into electricity. The production of
11 polysilicon can create silicon tetrachloride; a highly
12 toxic byproduct that poses environmental hazards.

13 Denying this landfill will not make these
14 pollutants and byproducts disappear, it moves them to
15 another part of our State, another part of our
16 country. Most assuredly a place that isn't already
17 contaminated. This property is already contaminated.
18 Keep the contaminants here. Don't spread them all
19 over for future generations to deal with.

20 JUDGE O'CONNELL: We'll reconvene at
21 two-thirty-five. Thank you.

22 (Whereupon a recess was taken.)

23 JUDGE O'CONNELL: If you could take your places,
24 please. We have three speakers on deck; John
25 Battaglia, Vincent Agnello and Audrey Agnello. As

1 requested, you've asked for the time clock. I'm
2 imposing a five-minute limit, please. Mr. Battaglia.

3 MR. BATTAGLIA: Good afternoon. My name is John
4 Battaglia. I'm a resident of the Village of
5 Youngstown, New York. I'd like to thank Your Honor
6 and the Government officials and CWM staff for hosting
7 this public hearing and allowing us to prevent and
8 safeguard abuse of the incoming decision affecting our
9 community. I'm a Town of Porter resident and have
10 lived in the Lewiston, Youngstown area for most of my
11 life.

12 My family and I were all born in Niagara Falls,
13 New York. I moved to the Town of Lewiston in 1968
14 where I attended high school at Lewiston-Porter. I'm
15 a University of Buffalo engineering graduate and
16 professional engineer. My wife and I moved to
17 Youngstown in 1991, raising three children and several
18 canines. All my children went to Lewiston-Porter High
19 School. My friends and family have swam, fished and
20 played in and around the Town of Lewiston and Porter.

21 My experience over the past thirty years has
22 been in waste management remediation materials and
23 recycling recovery. I work with solid waste,
24 hazardous waste, CMBs, soils, recyclables, radioactive
25 storage and more, pretty much dealing in states of New

1 York, Pennsylvania, Massachusetts, Virginia, Florida
2 and Texas. I also currently have some work at CWM and
3 also work in New York State, across New York State at
4 several landfill disposal facilities.

5 This experience provides me with a unique
6 backdrop, understanding and putting environmental
7 impacts into perspective. My company and staff have
8 made numerous contributions to the improvement of our
9 environment. We are very familiar with the area and
10 have worked in many local landfill remediation and
11 recycling projects. I've personally been a member of
12 the LORAB committee; dealing and assessing issues
13 regarding the radioactive material storage site on
14 Pletcher Road.

15 I can say with firsthand knowledge I perform
16 inspection certifications for Waste Management over
17 the past thirty years and that CWM's facility is a
18 professionally run facility with a quality staff.
19 There is words such as "risk factors". Environmental
20 impact brings about many strong feelings.

21 I do not fear the operation of a properly
22 managed facility. I went to Lew-Port schools and my
23 children went to Lew-Port schools. I hope I see the
24 day that my grandchildren attend my high school. I do
25 not fear the landfill because I understand it and I'm

1 comfortable with the appropriate measures that are
2 taken to ensure my family's safety.

3 When permitting a facility, the State and
4 Federal regulators have a very high level of detail
5 and proof must be maintained. In most cases, it takes
6 several integrations of review and revisions to permit
7 applications to ensure the most accurate detail is
8 presented. The New York State DEC regional permit
9 administrator goes to great lengths to assure this.

10 There's a benefit to the community to provide
11 and inject information prepared under the direction of
12 the regulators. The CWM facility in Lewiston or Town
13 of Porter, has a host of landfill disposal facilities;
14 so are Rochester, Seneca falls, Albany, and many other
15 communities across New York as well.

16 The CWM facility is a well-rounded,
17 environmentally sound operation. There's no
18 measurable risk to human health or the environment
19 from the facility. It's very impracticable to
20 relocate or construct a new waste management facility.
21 Instead it's more prudent and environmentally sound to
22 expand the operations of an existing facility and use
23 the revenues to further improve this site and provide
24 long-term maintenance and monitoring of the facility
25 as a whole.

1 CWM supports local companies and their
2 employees. As a professional engineer, I'm obligated
3 to protect human health and the environment. We work
4 with CWM because we know the company is committed to
5 protecting the environment and community. I urge New
6 York State Siting Board to recognize the need for this
7 facility for the safe handling and disposal of
8 hazardous materials, for the jobs provided to our
9 community and for the benefits received by our local
10 Government. Thank you.

11 JUDGE O'CONNELL: Our next speaker, please.

12 MR. AGNELLO: Good afternoon Judge O'Connell,
13 Siting Board. My name is Vince Agnello. I live in
14 Youngstown, New York. Before I start my remarks, I
15 want to preface one comment. There's been a lot of
16 yelling and arguing in the audience here. I'm a past
17 president of Residents for Central Government. I
18 appreciate all of you residents for attending. If you
19 did want to make an impact, come up here and tell the
20 Siting Board exactly what you think.

21 Today I will focus my comments on the issue of
22 economic and fiscal impact of CWM Chemical Services
23 Hazardous Waste Landfill prepared by Bonadio &
24 Company, L.L.P., Certified Public Accountants.
25 Certified Public Accountants or CPAs are used to

1 verify the company's adherence to GAAP, Generally
2 Accepted Accounting Practices in their financial
3 records by using audit procedures such as a sampling
4 of data, with the understanding that the remaining
5 numbers are also presumed correct.

6 Let me preface my remarks by stating that I'm a
7 professor of law in the Department of Accounting and
8 Law at Niagara University where I've completed
9 thirty-one years of service. One topic I cover in my
10 classes is liability of CPAs, so it's a topic with
11 which I'm current and understand fully.

12 In addition, I have served as chair for the
13 Department of Accounting and Law for over ten years.
14 I wanted to cover this issue today because while many
15 people have heard of CPAs, they do not really
16 understand what they do and what they are certifying.
17 While this economic and fiscal impact report was not
18 an audit, CWM has promoted this document as being
19 prepared and verified by a large, respected certified
20 public accounting firm.

21 The most important part of the CPA's report is
22 what they were engaged to complete and their opinion
23 as to what they found and any limitations. This is
24 important because it reveals to what extent the CPA
25 firm is willing to be held legally liable to third

1 parties. It's the CPA's opportunity to let the public
2 know what they did, how they did it and whether they
3 meet established auditing standards.

4 So let's look at what Bonadio & Company is
5 legally taking responsibility for in their report.
6 They write, quote, "The information and assumptions
7 underlying this analysis and the related estimates are
8 the representations of CWM. Therefore, Bonadio &
9 Company does not express an opinion on them.
10 Furthermore, there will usually be differences between
11 the estimated and actual results, because events and
12 circumstances frequently do not occur exactly as
13 estimated; these differences may be material.", end
14 quote. Material means significant and the differences
15 may cause a reasonable person to change their opinion
16 or mind.

17 This report does not state anywhere that this
18 report was done to any established Government or
19 economic analysis standard. More importantly, nowhere
20 the document is Bonadio certifying any of their work
21 and they stress that the numbers were given to them by
22 CWM.

23 In summary, this report is worthless. This
24 report is also flawed, in that it does not discuss the
25 negative financial and economic impacts of another

1 thirty-two years of toxic landfilling in our
2 community. Nor does it take into account that if CWM
3 was denied the right to build a new toxic landfill,
4 they'd still need to have some employees monitoring
5 the site, perpetually, and the Town, County and School
6 real estate taxes will still need to be paid.

7 So what are some of the negatives not included
8 in the report? Each year, CWM discharges between
9 twenty and thirty million gallons of liquids into the
10 Niagara River. The EPA mandates that firms report
11 toxic chemicals that have been released into the
12 environment each year. The numbers reported by CWM,
13 of what was dumped into the Niagara River are
14 staggering. During a ten-year period, 1998 to 2008,
15 CWM reported that they had dumped three thousand,
16 seven hundred and forty pounds of toxins into the
17 river. These are all toxic to humans. Most, if not
18 all, are cancer causing. Three thousand, seven
19 hundred forty pounds of toxins dumped into the water
20 that forty-three million Americans and millions of
21 Canadians rely on for safe drinking water; into the
22 water that we and our children swim in each Summer and
23 dumped into the water where people come to fish.

24 A few years ago, I read an article in the Sunday
25 Buffalo News that left me totally shocked. Nine

1 thousand, five hundred people in Western New York are
2 diagnosed with cancer each year. According to the New
3 York State Department of Health, the Towns of Lewiston
4 and Porter and the Sanborn area surrounding CWM's
5 toxic landfill bears the highest percentage of cancers
6 in the area and the State.

7 JUDGE O'CONNELL: Mr. Agnello, your time is up.

8 MR. AGNELLO: With all do respect, I've been
9 fighting this for twelve years. I realize this is a
10 very important decision. The five-minute limit is
11 outrageous. I have one more page to read.

12 AUDIENCE MEMBER: Please let him finish.

13 MR. AGNELLO: You're holding this hearing to
14 listen to our comments. Please listen to our
15 comments. If I may finish now?

16 JUDGE O'CONNELL: You may.

17 MR. AGNELLO: This area has an overabundance of
18 other diseases, especially those affecting children as
19 well. This area has been identified as having high
20 incidences of Lupus. Why does the report not include
21 this negative impact? Who would dare say what
22 monetary value to put on a loved one and especially a
23 child with cancer?

24 Our community was once a great fishing
25 community. What is the negative economic impact on

1 our community when fishing visitors are advised they
2 should limit or not eat the fish? How many have
3 decided not to return? A thriving fish area has an
4 abundance of motel rooms and campsites. These are
5 lacking in the Lewiston-Porter area.

6 In April 1997, President Clinton issued an
7 Executive Order requiring each federal agency to
8 assess risks of toxins that disproportionately affect
9 children, many of which was on the list I just read.
10 On April 7th, 1997, the United States and Canada
11 signed the Bi-national Toxics Strategy developed under
12 the Great Lakes Water Quality Agreement. The
13 Bi-national Toxics Strategy was designed to reduce
14 toxics in the Great Lakes.

15 How does granting permission to build a new
16 toxic landfill fit with this Bi-national Toxics
17 Strategy and with the Toxic Substances Act? Is this
18 within the strategy and goals of the USEPA Persistent,
19 Bioaccumulative and Toxic Pollutants action plan?
20 What are the negative impacts that should have been
21 included in the impact report?

22 What is the negative impact of all of the truck
23 traffic on our roadways? The cost of rebuilding the
24 roads was not included nor was the negative impact on
25 housing values for those residents living on the truck

1 routes included in the report.

2 Developers who came to our community have fled
3 once they discovered the environmental mess in our
4 community.

5 In the New York State Hazardous Waste Facility
6 Siting Plan the New York DEC reported that there is no
7 need for a new toxic waste landfill.

8 In Chapter 9 it states, "The plan identifies
9 hazardous waste generation in New York that requires
10 management by all facility types; recycling,
11 incineration, treatment, landfill and storage. Based
12 on the capacity data and analysis, the Plan finds
13 sufficient capacity within and beyond New York's
14 borders for the management of the hazardous waste
15 presently generated within the State.

16 The projection of the amount of hazardous waste
17 that will be generated in the longer term is
18 complicated by the variable nature of remedial waste
19 generation. Based on the substantial number of past
20 remedial cleanups and anticipated future projects
21 within New York, however, it appears that national
22 capacity exists for the management of this and other
23 hazardous waste for at least another twenty years.

24 It would be circular logic to think that we
25 should build a toxic hazardous waste landfill just to

1 create an impact. If the end goal is fiscal and
2 economic impact, let's put all of the options on the
3 table and select the best alternative. While I am not
4 advocating this, building a new stadium for the
5 Buffalo Bills in our community would have a greater
6 positive impact than a toxic landfill.

7 It's time to stop the negatives in our community
8 and start building a future for us, our children and
9 grandchildren. Stop making money for CWM at the risk
10 of our children and our community members. I am
11 urging the New York State Department of Environmental
12 Conservation and the Siting Board not to be duped by a
13 worthless report. Contrary to the propaganda by CWM,
14 we will be better off without them. Thank you. Thank
15 you for that time.

16 JUDGE O'CONNELL: Audrey Agnello.

17 MS. AGNELLO: Good afternoon. My name is Audrey
18 Agnello. I reside at 3314 East Avenue in the Town of
19 Porter. I thank you for the opportunity to speak with
20 you today. I'm speaking to follow up on what my
21 husband, Vince Agnello, addressed, which is the report
22 on the economic and fiscal impact of CWM's hazardous
23 waste landfill, issued by Bonadio & Company, L.L.P.,
24 CPAs.

25 It is important that you fully understand the

1 implications of the cover letter in their report. I
2 am speaking as an accountant and I have high regard
3 for the Bonadio & Company, L.L.P. CPA firm, but unless
4 one is well-versed in the various services that CPAs
5 provide and how they state their findings, one could
6 misunderstand what they are saying. Here are the
7 facts as I see them.

8 First, CWM needs to demonstrate that a toxic
9 waste landfill is needed, since the October 2010 New
10 York State Hazardous Waste Facility Siting Plan stated
11 that there is no need for a toxic waste landfill.

12 Second, CWM contracted with Bonadio & Company
13 L.L.P. for services, but since we do not have a copy
14 of their engagement letter or specifics on what they
15 were supposed to do, we really cannot be sure.

16 Fact three; what we can be sure of, because it
17 is stated in their letter, is that Bonadio & Company
18 L.L.P. prepared estimates of the current and potential
19 economic and fiscal impact of CWM based on the
20 information and assumptions that CWM gave them.
21 Bonadio & Company specified very clearly in the letter
22 that they do not, quote, "not express an opinion", end
23 quote, on the underlying assumptions and information.
24 They weren't negligent based on their arrangement with
25 CWM, it was not their job to check on CWM's

1 assumptions and data. That information, unless CWM
2 can prove otherwise, has not been audited or checked.

3 How much trust can we place in their estimates
4 when they have not been verified and when they were
5 provided by the company that paid for the report and
6 needs a positive fiscal impact in order that the
7 expansion be approved.

8 What about the other data that were not given to
9 Bonadio & Company? Were all the possible fiscal and
10 economic factors considered? We know that they were
11 not, but again, the fault does not lie with Bonadio,
12 they were just using data from CWM.

13 Lastly, back to the trust issue; before you are
14 tempted to trust CWM's assertions, let me remind you
15 that Waste Management, CWM's parent company, between
16 1992 and 1997, perpetrated one of the largest
17 accounting frauds, until Enron in 2001. They falsely
18 reported one point seven billion in fake earnings.

19 You now know the scope of the report that has
20 been presented to you. Dear members of the Committee,
21 please do not be misled by this report and do not
22 approve CWM's application. Thank you.

23 JUDGE O'CONNELL: Before we continue, I'd like
24 to note that Board member Lynn Marinelli is here on
25 behalf of the New York State Department of Economic

1 Development and Dierdre Scozzafava is also here on
2 behalf of the Secretary of State.

3 The next group of speakers will be Linda
4 Schneekloth, Charles Lamb, Tim Henderson and Nils
5 Olsen.

6 MS. SCHNEEKLOTH: Good afternoon. My name is
7 Linda Schneekloth. Thank you all for being here for
8 the opportunity to speak to you today. I'm going to
9 speak on behalf of two organizations. One is NYPIRG;
10 New York State Public Interest Research Group and also
11 the Western New York Environmental Alliance.

12 I'll begin with comments from NYPIRG. NYPIRG is
13 opposed to the expansion of the CWM site and suggests,
14 as a practical matter, that this closing of it will
15 have no adverse affect on the State of New York as
16 most of the waste deposited there comes from sources
17 outside of New York. They also cite, as many people
18 have before us, that both DEC and EPA says we actually
19 have adequate storage area and there's no need for
20 hazardous waste disposal storage areas at this time.

21 They bring up an interesting point, which is the
22 progress that is being made right now, the waste
23 remediation has reduced the need for new landfill
24 space. Landfill is the poorest option for being able
25 to take care of toxic waste material. We need to find

1 other options for taking care of this or stop using
2 them.

3 The community surrounding CWM's landfills have
4 borne more than their fair share of New York's
5 waste -- toxic waste burden. It's a gross miscarriage
6 of justice and it's an environmental injustice issue
7 that's going on right now. It's time to stop the
8 dumping.

9 Allowing CWM landfill to expand will only worsen
10 that injustice surrounding the community and ecosystem
11 and I will submit that letter on behalf of NYPIRG.

12 We'd like to speak briefly for the Western New
13 York Environmental Alliance. The Western New York
14 Environmental Alliance is an organization of over a
15 hundred different environmental organizations in
16 Western New York, primarily in Erie and Niagara
17 County. Their concerns are the protection of our
18 natural resources, number one. The public health of
19 our community and issues of environmental justice.

20 In 2009, one of the working groups, the Waste
21 and Pollution Working Groups in the alliance actually
22 contracted to have a study done called Mapping Waste,
23 Setting the Stage to Clean Up Niagara. The research
24 asked two different questions, what is the current
25 state of waste in Western New York, as both active and

1 Legacy Waste and second is our region unduly burdened
2 with waste.

3 This study was performed by the University of
4 Buffalo. It was checked by the DEC and EPA using
5 existing data available not necessarily (inaudible)
6 but available on-line and was a map. What we found in
7 the Legacy Waste issues that were like Super Funds,
8 DEC classes of radioactivity material, et cetera. And
9 active waste, which is water pollution, air pollution,
10 transfer storage systems, which are the issues going
11 on right now, is that yes, Western New York is
12 unfairly burdened.

13 We did this for three counties. We did this for
14 Erie, Niagara and Cattaraugus County and it turns out
15 of the sixty-two counties in the State of New York,
16 these three counties are on the top three of every
17 category that we looked at. In other words, Western
18 New York already has a huge environmental burden.
19 Expanding the waste site will not help this in any
20 way, shape or form.

21 The second issue has to do with what is our
22 vision of Western New York; what we really want to see
23 this area have. Turns out Western New York Regional
24 Economic Development Council strategy calls for
25 sustainable economic growth and improvement in the

1 region's image. Another expansion of toxic waste is
2 not going to help our vision in any way, shape or
3 form.

4 It's -- as a matter of fact, according to the
5 Siting Plan, one point four percent of CWM's landfill
6 is actually produced by New York State businesses.
7 New York State is taking the burden that perhaps
8 should be expanded in a larger area.

9 Further, there's questions about public
10 subsidies, such as low cost power, when those
11 subsidies can be used for clean industries rather than
12 toxic industries. It seems giving them subsidies will
13 compete with new and different technologies that we
14 need to take care of.

15 Every time hazardous waste is relocated to CWM,
16 it helps to create a massive new Super Fund site with
17 associated taxpayer liability well beyond financial
18 assurances of the operator.

19 I'd like to mention two things. One is that we
20 may be talking about this being safely operated, but
21 we know that every single thing human beings make will
22 some day fall apart. It may not be this generation,
23 it may not be the next generation, but we are creating
24 Legacy for future generations we have no control over.

25 We need to stop it. We just need to stop it.

1 Not just this landfill, we need to stop it. The
2 implication for that means that you and I and all the
3 rest of us are going to have to find new ways to live
4 that don't depend on this toxic material that we have
5 in our lifestyle we're used to.

6 Secondly, the irony of this CWM being on Model
7 City. Remember Model City and Love Canal are part of
8 the utopian project to make life wonderful and better
9 for all of us at the turn of the last century with new
10 hydroelectric power and the fact that both Love Canal
11 and CWM are part of the same project now has given us
12 a toxic Legacy is most unfortunate.

13 We know if CWM closes, it's going to be there
14 for a very, very long time and we need to start taking
15 care of it now. Thank you very much.

16 MR. LAMB: Hi. My name is Charles Lamb. I'm a
17 clergyman. I've lived in the Town of Porter since
18 1979. I have a prepared Statement. I'm going to hand
19 it in and depart from it and talk more off-the-cuff
20 right now.

21 First of all, I'm very glad at the amount of
22 booing on speakers who were in favor of the approval
23 has stopped, because I'm convinced the facts will
24 speak for themselves and the reasons to vote "no" on
25 the permit will be so convincing that the truth will

1 come out.

2 And we're trusting you to look very carefully at
3 the evidence that is presented and I'm confident
4 you'll be convinced. Some of us have been going to
5 hearings like this or similar to this for many years
6 and the same things have been said over and over.
7 This is the showdown and this time it really counts.

8 You've heard about health concerns. You can
9 trust, I think, what the Niagara County Health
10 Department says about that. Even if there's already
11 pollution here, it certainly isn't going to help by
12 bringing in more.

13 When I taught environmental fraud at Niagara
14 University, I used to bring in speakers from many
15 environmental groups, but I also brought in speakers
16 from Waste Management to be fair and CWM was asked if
17 their trucks ever leak. They said, Oh, yes. They do,
18 but take that up with the trucking company.

19 We have to take care of our children. That is a
20 religious duty. Having all these trucks passing the
21 school doesn't make sense and the Lewiston-Porter
22 School Board has said so. Don't do that to us.

23 We know that there's leaks sometimes into the
24 water. The Great Lakes are one of the greatest
25 suppliers of fresh water in the whole world; a

1 resource becoming more and more precious. What sense
2 does it make to put a toxic landfill in the watershed
3 area?

4 What about the economy? The Niagara County
5 legislature are the group that know us best, and we've
6 elected them. Unanimously they say that CWM is a
7 detriment to our community, economically, not a help.
8 So many of these things have been said over and over
9 but we're still saying them.

10 Just recently, six doctors from Niagara Family
11 Medicine have signed a letter, you'll be getting,
12 saying, "Say no to this for the sake of our children."

13 And you heard a few moments ago that the
14 Department of Environmental Conservation already said,
15 in the Siting Plan, there's no need for a toxic waste
16 facility now. There's other ways of disposing of
17 toxic waste.

18 I guess we're here today and tonight to say it's
19 certainly not in the public interest to have it for
20 all of the reasons that I've already given and so many
21 more.

22 Over the years, those who have spoken up against
23 CWM include the Town of Lewiston, the Village of
24 Lewiston, the Village of Youngstown. And then
25 speaking as a clergyman, I'm proud that the religious

1 community sees a religious duty to protect our
2 children and environment. So no to CWM from the
3 network of religious communities formerly the Council
4 of Churches. The Presbyterian of Western New York.
5 The New York Conference of the United Church of
6 Christ. A caucus of local Lewiston and Youngstown
7 clergy. The Episcopal Diocese of Western New York.
8 The Environmental Task Force of the United Church of
9 Christ and Disciples of Christ. And environmental
10 you've heard from Residents of Responsible Government
11 and Linda just spoke about other environmental groups.

12 That's not even all of it. Plus the people that
13 you're hearing here saying we don't need it. It's not
14 in the public interest. It's a detriment any way you
15 look at it. We're counting on you to say "no" to this
16 permit application and do the right thing.

17 MR. HENDERSON: My name is Tim Henderson and
18 I've been active in the environmental movement for
19 about thirty years now. I've been to hundreds of
20 public hearings over the years, but today's is
21 probably the most important one of all because if you
22 do your job, it will be the last one.

23 If you listen to the people of this community
24 and not those with ties to CWM, you will hear in their
25 voices a plea for you to finally do the right thing

1 and close CWM down.

2 I've always been amazed at how hard we have to
3 fight our own Government for what should be our basic
4 right to safety, health and peace of mind. The right
5 to live in a community free from the fear of what will
6 happen to our water supply when the eight million tons
7 of poisons already buried at CWM begin to leak into
8 our creeks and well water.

9 The EPA has told us all landfills will
10 eventually leak. The fear of what is happening to our
11 air quality like when there's fires, like just last
12 month in the lithium drum storage area, because rain
13 was allowed to leak on the water reactive metal drums.
14 Where is the science and state-of-the-art when fifty
15 gallon drums of lithium are exposed to rain?

16 As representatives of New York State Government
17 Departments, each of you took an oath of office to
18 serve the residents of this State. Representatives
19 from the Health Department, you must know that the
20 cancer rates surrounding this facility are in many
21 cases more than a hundred percent above levels
22 expected.

23 Your reports all carry an additional note that
24 states the high rates are not due to chance. You must
25 know this, because it was your department that issued

1 the report.

2 The representative from the Department of
3 Transportation, you must have seen the accident
4 reports from overturned hazardous waste trucks in our
5 area; one less than a mile from this very school.

6 There was a fatality involving a CWM truck three
7 years ago that had gone fifteen miles out of its way
8 to avoid the blackout during school bus arrival times.

9 I remember that accident every day because it
10 took the life of my son, Ryan. The representative
11 from the DEC must know about the New York State
12 Hazardous Waste Siting Plan that states, no additional
13 landfill space is needed. Now if that is true and you
14 helped write the final plan, why the hell are we even
15 having these hearings?

16 There's currently eight million tons of
17 hazardous waste and carcinogens buried beyond the
18 gates of CWM in the landfill that will eventually
19 leak, equivalent to four hundred Love Canals less than
20 a mile from this school. How is that even remotely
21 possible that it can be deemed in our community's best
22 interest and they want to double that?

23 That's not a company looking to expand, that's
24 an undeclared environmental disaster waiting to
25 happen. This expansion shouldn't even be considered,

1 let alone be permitted. Permits are just licenses to
2 pollute via State agency of the DEC whose admission it
3 is to protect our environment.

4 RMU-2; Residual Management Unit Number 2, it
5 sounds so scientific and business like it should be
6 called by its proper name; Toxic D-U-M-P Number 2. It
7 will certainly be another forty acres of land
8 destroyed forever.

9 Now you have a very important job to do today
10 and tonight. CWM's future is in your hands but more
11 importantly this community and the people who you work
12 for and took an oath of office to protect, their
13 future is in your hands. Our safety, health and peace
14 of mind for the next thirty years will be determined
15 by you.

16 There will always be jobs at CWM by taking this
17 site after closure. CWM will try to convince you
18 today and tonight how important they are and how much
19 they give to the community. More importantly,
20 however, you need to understand how much they take
21 away. Thank you.

22 JUDGE O'CONNELL: I'd like to stand this way so
23 I can face my friends and neighbors as well as the
24 Siting Board. My name is Nils Olsen. I reside at 650
25 Main Street in the Village of Youngstown. I am a

1 member of the faculty of the University of Buffalo Law
2 School, where I teach the Environmental Justice
3 Litigation Clinic. I'm here this afternoon on behalf
4 of our client, Residents for Responsible Government,
5 which will be seeking priority status before the
6 Siting Board. I also will be representing the
7 Lewiston-Porter Central School District, for whom I'm
8 speaking tonight as well as the Niagara County Farm
9 Bureau and Coalition of Local Faith. There's an
10 unprecedented level of interest in trying to get the
11 facts out to you so you do the right thing.

12 I begin by formally requesting an extension of
13 time for comments from the public. The DEC has been
14 meeting with CWM representatives for years developing
15 the proposed permits and draft environmental impact
16 statement at issue in these proceedings. The relevant
17 documents are well over a thousand pages.

18 In order to provide the public effected by these
19 proceedings any realistic opportunity for meaningful
20 comment, we have to read it, have to think about it
21 and try to develop comments, to do it in the Summer
22 and get it done by September is simply not going to
23 happen. I therefore request a ninety-day extension.

24 The failure to grant the extension, at least in
25 my opinion, communicates the impression that the

1 public comments will not address the technical issues
2 in any detail and that necessarily they will be worthy
3 of less consideration than those from the professional
4 engineers of CWM.

5 Given the history of this community, that is not
6 an impression I don't think you want to leave. People
7 care deeply about this and they're almost universally
8 involved directly with the facility they're opposed to
9 and they want to do it right. Not just dumping a pile
10 of papers and telling them, go to it, is simply not
11 adequate.

12 The hazardous waste, you've heard many times
13 here again, the hazardous waste facility site was
14 adopted about twenty-five years after the statutory
15 deadline. The DEC quite properly concluded that no
16 new hazardous waste landfills are necessary to
17 accommodate New York's waste for the foreseeable
18 future.

19 All this talk about, we have to have them, where
20 will it go, what will happen; the DEC and EPA said
21 it's totally unnecessary. The waste will find its
22 way. The plan makes it clear that the commerce in
23 hazardous waste is not local. Local generators
24 frequently send their waste out-of-state. It's a
25 national, in some cases international market and it

1 important for you to consider the total amount of
2 waste that's within the area, in which their request
3 is made. That's page 9-5 of the Hazardous Waste
4 Facility Siting Plan; a guidance for you, the Siting
5 Board.

6 Closed landfills at CWM are permanent storage
7 facilities, subject to perpetual care monitoring and
8 treatment under the supervision and oversight of the
9 DEC. When these closed landfills are considered along
10 with the permitted capacity of RMU-1, CWM's currently
11 permitted landfill, the amount of waste subject to
12 long-term management in our community is nearly an
13 unimaginable six million tons. You got to keep that
14 in mind when you think about the expansion. Six
15 million tons buried here forever.

16 I challenge you, DEC, to identify any other
17 municipality in New York State that has any hazardous
18 waste permanently buried at a commercial facility,
19 much less six million tons. By my calculation it's
20 nine million tons, close to six million cubic feet and
21 the engineers can correct me if I'm wrong. It's an
22 extraordinary burden on this community.

23 Approving CWM's request for a new landfill for
24 disposal of an additional four million cubic yards,
25 six million additional tons, is not any matter in the

1 community's interest and only further completes a
2 picture of the Town of Lewiston, Town of Porter as a
3 sacrifice zone for New York State's warped vision of
4 environmental justice and equitable distribution of
5 hazardous waste disposal all for us, none for anyone
6 else.

7 That's apparently the definition of
8 environmental justice. Think about environmental
9 justice when you do your job; what does it mean. It
10 means communities that are disproportionately affected
11 by the regulatory actions of the State in this case.
12 That's you gentlemen and it's all here.

13 If you approve six more million tons, in my
14 opinion this area will go the way Alabama went. CWM
15 doesn't talk about that town like that town doesn't
16 exist anymore. Big landfill; schools closed,
17 businesses went elsewhere.

18 Second, the economic effects of the proposed
19 RMU-2 with tens of thousands of large trailer truck
20 tractors carrying loads of hazardous waste for the
21 next twenty-five, thirty years through well-
22 established residential areas -- you should follow the
23 truck route before you make your decision. It goes
24 down Creek Road Extension; a lovely area. It also
25 goes right, obviously, in front of the school and has

1 for thirty years.

2 Think of it; you're thinking about moving into
3 the area, you have lovely kids, you've heard things
4 about the beautiful homes, waterfront access. You go
5 to the school and you see all these trucks going by,
6 you say, "What are these trucks?" The superintendent
7 says, "That's hazardous waste trucks from Chemical
8 Waste Management. They drive eight to ten hours a day
9 and dump their stuff a mile from the school where it
10 will remain forever."

11 In my experience, parents are misdiverse. There
12 are plenty of comparably excellent school districts
13 that don't have this problem. How this benefits the
14 school is beyond me. They pay school tax. It doesn't
15 begin to address the cost that they impose.

16 You're going to hear a lot of talk about the
17 costs and benefits. I was like to go to the great
18 poet, Bob Dylan who many years ago penned the
19 memorable line, "You don't need a weather man to know
20 which way the wind blows." That aphorism applies
21 directly to the question of the economic effects of
22 the proposed RMU-2 here.

23 Do you really have to be an economist or
24 sociologist to question what is the effect in an area
25 that has beautiful historic homes, farms, orchards,

1 State parks, are putting in there one of the largest
2 commercial hazardous waste disposal facilities in the
3 United States. And having this go on for fifty years,
4 sixty years, is that going to have a positive effect?
5 What do you think?

6 You listen to the accountants, although I think
7 the Agnellos pretty much shredded that. Property
8 values within the towns are stagnant, are dropping.
9 Associated property tax receipts are as well. The
10 migration of new, young families from outside the area
11 to the towns decreases as they find out about the
12 environmental issues notoriously risk adverse.
13 Comparable residential and educational opportunities
14 exist elsewhere without hazardous waste traffic and
15 disposal. You don't have to be a weather man to know
16 which way that wind is blowing and it's not blowing in
17 a very healthful way to the people of this community.

18 RRG is prepared to prove the obvious. Many
19 beautiful historic homes in the area languish on the
20 market, literally for years, and sales prices are
21 lower than comparable homes in other areas, despite
22 all the benefits I talked about. They're not located
23 on the Niagara River and Lake Ontario. They don't
24 have a private State Park for nine months of the year,
25 Fort Niagara Park, yet it's very hard to sell houses

1 in the area because it's closest to the problem here.

2 Efforts to support clean, sustainable industry
3 are hardly benefited by having this massive, heavy
4 industry of trucking in and disposing of hazardous
5 waste. They go elsewhere. They go to Lockport to
6 promote the region's assets. They didn't come here,
7 they went to Lockport.

8 Those sort of industries are not going to come
9 here. We're the dump. We have other dumps, too. I
10 won't even talk about them. We're talking about this
11 one and the nine million tons of it here. No
12 community wants to support its development with direct
13 or indirect payments from the hazardous waste
14 industry.

15 Come on. You wonder why these cities are not
16 going along here. If the applicant's extravagant
17 claims of a positive and productive influence on our
18 economy and way of life were even half-true, other
19 communities would be lining up to lure CWM away, as
20 so-often occurs with more acceptable industrial
21 enterprises through the efforts of local Economic
22 Development Corporations.

23 That's not happening here. It's not going to
24 happen here obviously. No one is going to say, "I
25 want all this benefit in our town. Let's put it in

1 Lockport. Let's put it in Cambria." It's easy to
2 drive down here and drive home if you're employed
3 there.

4 JUDGE O'CONNELL: Mr. Olsen --

5 THE WITNESS: I know. I'll wrap it up as
6 quickly as I can. Lawyers have a problem with that;
7 I'm sure you're familiar.

8 Further harm to the well-being and reputation of
9 our community from the expansion and continuous
10 operation of CWM is apparent to anyone that wants to
11 look. Thus, serious questions persist as to the
12 effects of this massive accumulation of hazardous
13 waste on our community's public health. Studies
14 undertaken by the New York State Department of Health,
15 the Center for Community Health, the New York Cancer
16 Registry, and the Center for Environmental Health
17 report statistically significant instances of cancer
18 beyond that reasonably expected that are consistent
19 with exposure to environmental contaminants in our
20 community.

21 Efforts of the DEC and CWM to discount these
22 conclusions point to the fact that there is no direct
23 causation proven. You can't prove that this cancer is
24 caused by CWM. They point their finger at the Niagara
25 Falls Storage site.

1 We shouldn't have to prove that. You can't
2 prove that. What you can prove is this is a facility
3 that is not needed. This is a community that has had
4 public health studies that have shown problems. It's
5 not right to bring another one in no matter what
6 causes it. Don't take a chance with the public health
7 here.

8 Again, people who are thinking of moving here
9 will be scared away by a community where it's
10 necessary to do public health studies on a regular
11 basis. There's lots of other communities that will
12 never have a public health study done. They don't
13 have these environmental issues.

14 Keep this in mind when you're concerned about
15 what you do. Additionally, the Hazardous Waste
16 Facility Siting Plan requires consideration of whether
17 the proposed facility will promote moving up the
18 hazardous waste treatment hierarchy for management of
19 hazardous waste and employ sustainable options for the
20 management of hazardous waste; page 9-6. Under
21 controlling law, land disposal is considered the least
22 desirable management option.

23 In fact, the Department of Environmental
24 Conservation is told to phase it out. Incredibly the
25 DEC has been ignoring this since the inception of the

1 landfill in the community. I'll skip the rest of it.

2 In 1971, SLF-1, secure a landfill, that's
3 reassuring, the facility's first landfill was approved
4 for a capacity of seven thousand, four hundred seven
5 cubic yards. It doesn't sound so bad, seven thousand.

6 In 1990, SLF-12, secure landfill twelve -- they
7 went through eleven others -- was approved with a
8 capacity of nine hundred and forty thousand cubic
9 yards; quite an increase. Doesn't sound like they're
10 phasing out land disposal to me.

11 The current proposal for RMU-2 seeks approval
12 for an estimated four million cubic yards of waste.
13 So we've gone from seven thousand, four hundred cubic
14 yards to four million. Take the hierarchy seriously,
15 all right? They want to band them for a reason.
16 There's better ways to deal with the waste, right?
17 The engineers on the panel will know that.

18 There's all sorts of alternatives being
19 developed; some of them right here. Having a cheap --
20 relatively cheap hazardous waste landfill competes
21 with those opportunities; makes it all the harder.

22 I point to PCBs. There's a lot of ways to treat
23 PCBs on-site. They don't have to send them here.
24 It's cheaper to send them here so those wastes don't
25 get followed.

1 Finally, you look at it, there's literally
2 hundreds of violations of their license; of their
3 permits that have gone on over the years. These are
4 not minor violations, there's fires, explosions, the
5 unlawful burying of Mercury, which is prohibited by
6 the land band.

7 All these things go on. If a new facility isn't
8 necessary, don't make us look at that and ponder how
9 much money can you find. I'm tired of hearing this is
10 a really good deal for us; that somehow this community
11 is going to be better off because of this huge, mega
12 landfill. It's not even solid waste, it's hazardous
13 waste.

14 Use your common sense. Is it really a benefit
15 for the public here, particularly if it's not needed?
16 Who is really going to benefit from this when people
17 talk about it?

18 Hold them to their assertions. If they say it's
19 necessary for Brownfields, notwithstanding the
20 Department of Environmental Conservation saying it's
21 not necessary, make them prove it. They can't.
22 Brownfields are not generally disposed of at
23 commercial hazardous waste facilities.

24 I appreciate your time. I know I've run over;
25 that's the purview of a lawyer. We're putting our

1 faith in you, those of us that have done this over the
2 years. We have our skepticism. As Tim has said, we
3 spend a lot of time at a lot of these meetings.
4 People here don't know what's going on half the time
5 because there's so many of them.

6 This is a big one. This is like the last nail
7 in the coffin for this community. You say "no" to it,
8 it becomes news. There's no longer a commercial
9 hazardous waste facility operating in this area.
10 They'll still be paying taxes, they'll still be
11 cleaning up their site, addressing new leaks that have
12 occurred. They'll be studying the radioactivity of
13 the site. All that will occur.

14 People will be employed. The operating
15 engineers will still be there. Look at the big
16 picture. Look at the interest of the community, not
17 those who have a financial or other stake in the
18 operation. Thank you.

19 JUDGE O'CONNELL: Next group is Rick Penale,
20 Marilyn Millen, Janie Tussing and Kim Hill. Is Mr.
21 Penale here? Marilyn Millen?

22 MS. MILLEN: Hello, I'm Marilyn Millen. I used
23 to live at 1878 Baumer Road. The last thirty years
24 I've seen, down the creek where I live, there would be
25 no water there. A couple days later, it would be

1 filled right up and black silt would be running right
2 down the creek.

3 I have moved to 180 -- 500 Willow Avenue, North
4 Tonawanda and I got three letters from you guys
5 stating you had my address, but you had my sister's
6 name up there and I got the letters. She lived down
7 here and she does not own the property and you got it
8 that she owned the property down here.

9 I called up and they said, "Oh, we'll take care
10 of that." I got two more letters, nothing was done.
11 Still got her as owning the property down here.
12 Because of that, she did not ever receive a letter
13 stating about this meeting and I only live less than a
14 mile. She does right now live less than a mile from
15 here.

16 So I am against this expansion and this
17 community, because there will be heartache for the
18 next generation for the next twenty, thirty, fifty,
19 hundred years. You will never be able to clean up
20 this mess you made.

21 It should never have been approved thirty years
22 ago. It's all about the big dollar money. We don't
23 care about human beings no more. Think about your own
24 children. How many of them live here?

25 So many people in this community have passed

1 away because of cancer. Sure, you can't say that you
2 caused it, but you certainly haven't improved this
3 community at all. Nobody want to come here to live;
4 nobody's business or nothing. We just burying this
5 community. Thank you.

6 JUDGE O'CONNELL: Is Janie Tussing here?
7 Mr. Hill?

8 MR. HILL: Judge, I'm a fellow Niagara County
9 and Lewiston resident. My name is Kim Hill. I live
10 over on Pletcher Road right behind the school. I just
11 had a couple of common sense items I thought I'd touch
12 on.

13 Some of the speakers are talking about putting
14 in a new hazardous waste site like we've never had one
15 before. It's there, it's been there. This community,
16 none of it is probably alive, made a deal with the
17 devil seventy-five years ago. Some other poor
18 community is going to get it if we don't.

19 There's a couple of points that I wanted to
20 make. CWM, if they go -- and this -- the extension
21 project is not approved, they will not shut down. The
22 DEC won't let them. They will have people here to
23 monitor the landfill, but I ask you, a company that is
24 making money is going to fall over itself to make sure
25 that there's less instances than a company sitting

1 there not making money off of it.

2 I think it's there. I don't like it there. I'm
3 not thrilled when I found out about it being there in
4 the first place, but it is there.

5 The second part of the common sense facts I want
6 to bring up is there's literally millions of dollars
7 that CWM gives to this community. Lewiston is a
8 thriving community. If you talk to people who are
9 from other communities, they wonder how the heck we
10 put on all the festivals, do the things that we do. A
11 lot of it is because of the donations and tax money
12 that come in from this community from CWM and say
13 Modern also.

14 So if you shut that down -- I'm standing here in
15 a school that is part of the Lew-Port School District
16 that is hurting. Matter of fact, I suspect taxes will
17 be going up shortly. They had to cancel adult
18 education because they're low on money. I'm thinking
19 what is going to happen if they stop getting millions
20 of dollars they get from CWM?

21 Your taxes are going to go up and they're going
22 to go up anyway, it's just how much is it going to go
23 up? That's part of the problem there.

24 In conclusion, I feel that it's here. If
25 they're making money off of it, it's going to be

1 watched a little more carefully. I do want to state
2 that I live behind Lew-Port. I have no association
3 whatsoever with CWM.

4 I work for the Buffalo News for thirty years.
5 I'm tourism management. I'm going to tourism
6 management school at NCCC. I have a Bachelor's Degree
7 from Buff State. Thank you.

8 JUDGE O'CONNELL: Our next group of speakers are
9 Joseph Paduano, Brian Smith, Dennis Duling and Karen
10 A. Rader.

11 MR. PADUANO: I'm Joseph Paduano. I reside at
12 4124 Calkins Road. I'm a hundred percent disabled
13 Vietnam War Veteran. I'm also a retired professional
14 safety engineer and am also a capitalist. What I have
15 to say is based on life experiences and results of
16 working for two of the best insurance companies in the
17 world; Aetna Fireman's Fund as a safety engineer and
18 loss control specialist.

19 I devoted my entire adult life for the safety
20 and security of others. I served honorably and
21 proudly as a military policeman in the United States
22 Air Force. My experiences have given me the ability
23 to reach, understand this problem in those three
24 phases of my life I just explained. I will
25 extrapolate here.

1 I've had the privilege of being exposed by
2 inspecting, surveying large commercial accounts to
3 determine their eligibility for commercial insurance.
4 I've dealt with accounts where the annual premium was
5 five hundred thousand dollars to thirty million
6 dollars a year. That was twenty-five years ago. I
7 have no idea, they must be skyrocketed by now.

8 I'm not a geologist or an arborist but my job
9 took me from Buffalo to Mohawk Long Island and from
10 Malone to White Plains. I see the same trees that are
11 native to that area in this area, which means the soil
12 must be the same. I'm not advocating that chemical
13 waste should move to other parts of New York State.
14 I'm advocating they get out of New York State.

15 There's millions of other acres unspoiled, and
16 I've seen them at my job experience, if you can get
17 the public surrounding and living in that area to
18 accept you.

19 As far as what you contribute to the area of
20 having the ability for different events in the school
21 district, half of my family are educators in Niagara
22 Falls. I would be happy to have a tax increase, I'm
23 speaking permanently, to keep the school system as
24 functional and well-known as this one is; happy to.

25 The fact that I live in the Town of Lewiston

1 is -- I couldn't -- my wife and I could have retired
2 anywhere we chose. We chose this area because we're
3 both from Western New York.

4 The other thing that I want to say is because of
5 our -- we both worked for the insurance companies.
6 When we transferred, which we had to, three times in
7 twelve years, the companies were very generous in
8 their pocket money to help us move; paid for the move,
9 bought our homes.

10 If CWM wants to move to another location, again,
11 if the community will accept them, they can offer
12 their employees the same thing. That's the capitalist
13 in me. I want to see companies make money. I want
14 them to prosper and profit, but I want them to do it
15 for the health, safety and security of the inhabitants
16 of wherever they are. Thank you.

17 JUDGE O'CONNELL: Mr. Smith.

18 MR. SMITH: My name is Brian Smith and I'm
19 Associate Executive Director for Citizens Campaign for
20 the Environment or CCE. Here today on behalf of our
21 eight thousand members, I thank you for the
22 opportunity to provide testimony today.

23 However, given the volume of information that
24 needs to be reviewed and commented on and of course,
25 the magnitude of impact that this facility has in the

1 community, CCE respectfully urges the Department to
2 further extend the public comment period to ensure
3 opportunities for meaningful public input.

4 We'll submit more extensive written comments by
5 the end of the comment period. However I want to
6 touch on a couple of priority issues today. The CCE,
7 on behalf of our eight thousand members, is strongly
8 opposed to the expansion of the CWM landfill. After
9 four decades of being disproportionately burdened by
10 hazardous waste landfill, this community has had
11 enough.

12 From trucks carrying dangerous PCBs in our
13 streets, to threatening the health of our school
14 children located just a mile from the facility.
15 Again, this community has had enough.

16 There is significant concern, from the EPA and
17 others, about the long-term containment of hazardous
18 waste in the landfill. We know that landfills will
19 leak exposing the community and Great Lakes to
20 dangerous hazardous waste. While monitoring a closed
21 landfill in perpetuity will already be a major
22 challenge, if we're bringing an additional four
23 million cubic yards of hazardous waste over the
24 decades to come, this is an unacceptable risk to
25 public health and our Great Lakes.

1 Regarding our Great Lakes; in recent years have
2 been unprecedented local, State and Federal
3 investments in protecting these Great Lakes. More
4 than one point six billion dollars has been invested
5 in Great Lakes restoration to do, among other things,
6 cleaning up the Legacy of toxic contamination we have
7 in the Great Lakes. This includes a toxic hot spot or
8 area of concern right here in the Niagara River.
9 Making these investments and cleaning up this toxic
10 Legacy is a wise investment because the lakes
11 contain ninety percent of the nation's fresh water
12 supply, drinking water, to more than forty million
13 people. They support multi-billion dollar industries.

14 The economic impact of healthy Great Lakes is
15 far, far greater than anything CWM could ever dream to
16 do. Expanding the CWM facility threatens to undermine
17 these investments we're making in Great Lakes
18 restoration and the efforts and our progress to
19 restore the Great Lakes.

20 Aside from the significant environmental and
21 public health impacts associated with CWM, and this
22 has been said but I'm going to say it again, there's
23 no need to expand the facility. A principal finding
24 in the New York State Hazardous Waste Siting Plan is
25 that there is no need for new or expanded hazardous

1 waste management in New York State.

2 Also want to touch on the fact that dumping
3 hazardous waste in landfills is not the answer. It's
4 not the answer here in Niagara County, it's not the
5 answer anywhere. There's a hierarchy for managing
6 hazardous waste, established in New York State law,
7 that clearly indicates that landfilling is the least
8 preferential method of managing hazardous waste.

9 Rather than depending upon antiquated hazardous
10 waste disposal methods like land filling you must,
11 instead, work towards more cost effective and
12 environmentally friendly alternatives including first
13 reducing the amount of waste that we're generating in
14 the first place and also investing in things like
15 recycling and reuse.

16 That all being said, it's been an important
17 issue for CCE and its eight thousand members for many
18 years and we're calling on the Siting Board to do the
19 right thing and say "no" to expansion. Thank you.

20 JUDGE O'CONNELL: Can we go off the record,
21 please.

22 (Whereupon a discussion was held off the record.)

23 JUDGE O'CONNELL: Mr. Duling? Can we go back on
24 the record.

25 MR. DULING: Your Honor and members of the

1 effect relationships.

2 That wasn't there. I'm going to give you my
3 conclusions now. Given the Department of
4 Environmental Conservation's mandates, its statements
5 and health and economic factors in the community, the
6 Department of Environmental Conservation and the
7 Siting Board should recall the Department of
8 Environmental Conservation's own historically informed
9 moral obligation to be the people's trusted gatekeeper
10 for health and safety.

11 Neither the Department of Environmental
12 Conservation nor the Siting Board, I would say, should
13 allow CWM to guide its decisions. Both must carefully
14 consider Department of Environmental Conservation
15 statements and environmental justice principles.

16 So, to the Department of Environmental
17 Conservation and Siting Board; please listen to the
18 majority of the people, please listen to their
19 representatives, please recall this historical mandate
20 of Department of Environmental Conservation in the
21 1970s. Please remember its statements about the need
22 and lack thereof. Please consider environmental
23 medicine and environmental justice and please reject
24 CWM's proposed permit to expand. Thank you.

25 MS. RADER: I'm Karen A. Rader. I was born and

1 raised in Niagara County. I've lived in Niagara
2 County over sixty some years and I'm from Sanborn and
3 belong to the Sierra Club and I'm pleased to say that
4 Sanborn was able to put on a festival this past
5 weekend without the help of CWM and we're putting
6 another one on at the end of the month without their
7 help.

8 You don't have to worry, I'm not going to talk
9 about all this. This is a report shows that there are
10 two hundred and fifteen hazardous waste sites in Erie
11 and Niagara Counties. Of these, a hundred and six are
12 in Niagara County. Many of them have been remediated
13 and are inactive and are now Brownfields.

14 However, none of us would want to live on top of
15 them or near them. We don't need any more here. This
16 report does not include incinerated sites, water
17 bodies or settling ponds. They're not even addressed.
18 We have a very precious, as I heard someone else use,
19 precious bodies of water here that we should not
20 spoil.

21 When I'm out visiting my daughter, in one of the
22 many places out there, her father-in-law talks about
23 how they're going to try to get our Great Lakes water
24 for them to use to make up for what little they have
25 out there. In my generation of eight people in my

1 generation; myself, my sister and brother and five
2 cousins, three of us have died from cancer. Three of
3 us have cancer. One died from something else.
4 There's only one out of the eight that does not have
5 cancer. In previous generations in my family, no one
6 died from cancer.

7 I would just like to repeat that I think that we
8 don't need any more dump sites in Niagara County.
9 We've had more than our share and we need to
10 appreciate the water supply that we have here in
11 Niagara and Lake Ontario. Thank you.

12 I've given you a DVD copy of this and I have a
13 couple of more if anyone wants them.

14 JUDGE O'CONNELL: Thank you. Our next group,
15 please. Bill Jolbert, Nancy Fortkort, Kenneth Warren
16 and Jane Richardson.

17 Mr. Jolbert. Is that an "M" or an "R"?

18 MR. JOLBERT: "R". My name is Bill Jolbert from
19 Ransomville. I apologize for my appearance. I came
20 off of my farm where I spend a lot of time; a lot of
21 time exposed to airborne, toxic materials that come
22 off of CWM.

23 First of all, I'd like to really ask you to
24 think about and extend the public hearing period. I
25 know that this CWM calculated this hearing to make

1 sure that it was done in July when people are off on
2 vacation; when people are not around, they're busy, so
3 to limit the amount of people that would be in
4 attendance of this.

5 So for that reason and for the reason that only
6 people within a half mile radius of this site were
7 notified is, in my opinion, ridiculous. CWM owns most
8 of that property as far as I know and the fact that
9 you have people who were not really notified.

10 You see the volume of information that's being
11 presented. There's no way for us, as individuals, to
12 fight this. We need to group together to band and to
13 protect ourselves, protect our families. The only way
14 we can do that is with time.

15 I'm here to ask the committee to please, please
16 consider the lives of the people in this community. I
17 know that most of you are not from this community, but
18 you are -- and you have families. You have loved ones
19 that you care for and we do too. So please, take our
20 individuals into consideration.

21 Besides protecting the individuals of this
22 region, you're also responsible for the Great Lakes.
23 Every bit of runoff that comes from CWM, and there's a
24 lot of it, ends up in the Great Lakes. As long as
25 companies have a place to dump this toxic material,

1 there's no reason for them to stop generating it.

2 Yes, it costs them a lot of money, so what.

3 They just make it back up. As long as we continue to
4 give them a place to dump this, there's no reason for
5 them to reduce their emissions. There's no reason for
6 them to recycle. In other countries they do give them
7 this reason and their toxic materials and pollutants
8 are significantly less than what we're driving here in
9 the United States.

10 Every environmental disaster that's happened
11 over the years has two things in common; one is the
12 company that is lining their pockets with these
13 projects bring up an expert witness that tells
14 everybody how it's completely safe, there's no
15 problems, we'll never have any problems. That's
16 pretty predictable.

17 The other part of that is there's a Government
18 agency that gives them approval to do it and we're
19 begging you, please take our lives into consideration
20 when you're making this decision, please. But we, as
21 citizens, cannot expect the Department of
22 Environmental Conservation or CWM will do the right
23 thing.

24 We have to join together. We can't fight a
25 multi-billion dollar company. We cannot do it alone.

1 Together we have to do this and that means -- and that
2 means we must hold our officials who came up here and
3 said all the right things, we need to hold their feet
4 to the fire and make sure that they do the right
5 thing. We need to make sure that they fund our legal
6 defense.

7 Again, we're praying for you to do the right
8 thing, but we can't let our lives depend on you doing
9 the right thing. We need to get our Government
10 officials together, make sure that we're funding this
11 even if it costs us money to make sure that we defend
12 ourselves.

13 I apologize. This is our lives. This is our
14 financial well-being. This is our quality of lives
15 that's on the line here. We're asking you, please, do
16 the right thing. Thank you.

17 MS. FORTKORT: My name is Nancy Fortkort and I
18 am a sister of St. Francis from Stella Niagara in
19 Lewiston. I represent myself and the deep concern I
20 have for our sixty sisters; twenty-nine of whom are
21 infirm who live on our site on the lower Niagara
22 River.

23 I'm concerned about our students. I'm concerned
24 about the retreatants that come to our retreat center.
25 I'm concerned about the Niagara University graduate

1 students who live at our facility part-time. I'm
2 concerned about the people who come to the Theatre in
3 the Mist.

4 Anyone who thinks this chemical dump is in the
5 middle of nowhere, it's in the middle of a vibrant
6 community. Now, what I'm asking for is if you'll
7 humor this old lady and let her share some of her
8 personal history with you since I've been fighting
9 this chemical dump since the early seventies. I'll
10 tell you my story.

11 At that time, the citizens of the lower Niagara
12 River formed a citizens committee and began to look
13 into the problems that we had. Also, because of my
14 membership in that committee, I was appointed to the
15 Citizens Advisory Committee of New York State and met
16 monthly with Mario Cuomo also to discuss chemical
17 waste and waste management and problems along our
18 waterways.

19 It's because of that contact that I was privy to
20 maybe some information that not every citizen knew.
21 But what I knew was that as a result of the Vietnam
22 War Peace Treaty, it was decided that the chemical or
23 the radioactive waste from all over the world would be
24 taken to this site here in Niagara County, which is
25 now known as the Chemical Waste Management, but

1 it's -- it changes its name. I'll explain that.

2 They were told -- Mario Cuomo told me that they
3 were told that they had this special machine that
4 could make this radioactive material not radioactive.
5 So nobody knew that much about it to inspect this
6 machine. However, in the Citizens Committee, we had
7 owners of big chemical plants and they went down, in
8 the middle of the night, and took samples of the
9 water. And we would see these trucks bringing this
10 radioactive material down to the site and then in the
11 middle of the night, it was taken to the Niagara River
12 and dumped in the river and we had copies of the
13 chemicals that were there.

14 It was reported to Department of Environmental
15 Conservation who, in the morning, went down and
16 checked it and because the Niagara River has such a
17 rapid flow, it wasn't there anymore.

18 Now, of course, these people don't work in the
19 middle of the night, we understand that, but we
20 finally got enough proof that we could consider
21 ourselves doing a lawsuit against this company because
22 of this practice.

23 And the company changed its name. It became a
24 new corporation. It was the initials of the names of
25 the children of the owners, but it was the same

1 people. But, you know, every time they changed their
2 name, you had to start a new lawsuit. These were very
3 clever capitalists, if you want to call them that.

4 This is something that I personally have been
5 opposing and fighting every opportunity that I get,
6 and I hope that this is the opportunity that's going
7 to make a difference and the expansion of this
8 facility will be stopped.

9 Even if the things are going to be put in the
10 middle of the present facility, the trucks that go
11 there go by not only Lew-Port School, but when they
12 complain enough, it goes down all the other streets
13 and we all see them and those trucks are not heavily
14 protected for those of us that live in the area. So
15 please, please, let this be the end, do not let them
16 expand.

17 JUDGE O'CONNELL: Kenneth Warren.

18 MR. WARREN: Thank you, Your Honor. DEC and
19 Siting Board, my name is Kenneth Warren. I live in
20 Ransomville. I stand here opposed to this application
21 and permit issuance. I stand here in solidarity with
22 my neighbors, farmers, small business owners, faith
23 leaders and children in their interest to life, safe
24 water, land and the human ecology of our nation that
25 stands dependent upon clean, affordable water. A

1 water supply -- a groundwater supply presently under
2 siege by fracking.

3 I expect my elected officials to defend and
4 protect our territory from toxicity. You've heard the
5 little old lady today; PCBs, radioactivity, cancer.
6 This area is not a road to nowhere, but we've been
7 placed in the position of being an abused spouse in a
8 marriage to economic abuse and environmental
9 injustice.

10 I'm here to tell you today that I don't say that
11 "I do" with that marriage and I'm pleading with you
12 not to be there in a corporate shotgun marriage that
13 keeps this woman, our environment, abused by this
14 corporation. Thank you very much.

15 JUDGE O'CONNELL: Ms. Richardson.

16 MS. RICHARDSON: My name is Jane Richardson.
17 I've lived in the Town of Porter for seventy-seven
18 years. I was fortunate enough to grow up during the
19 era before the chemical dump site. I grew up in a
20 clean, pristine environment which is no longer here.

21 Later in 1980, after the dump sites were going
22 full bore, I did become ill. I succumbed to the
23 environmental pollution that I was being surrounded
24 with. I live on a seventy-five acre farm that has two
25 wells; one to service the house and one for the

1 barnyard. We disconnected the one that services the
2 house and capped off that pipe and we took the handle
3 off the pump from the one that goes to the barnyard so
4 no one would inadvertently drink that water.

5 I had a prepared Statement here, but much of
6 what I have on here has already been reiterated by
7 previous people, but I just want to say to the Siting
8 Board, most of you people don't live in this area.
9 And although you're getting all this input, you have
10 no idea what we, who live here, are going through.

11 I could try to describe to you what a migraine
12 headache is like, but trust me, unless you've actually
13 had one, you cannot imagine what it does to your body.
14 And unless you have actually lived here in the Town of
15 Porter and Lewiston for five or ten years, you have no
16 idea what we are going through.

17 We've had these hearings before on previous
18 occasions and you listened to us. Each and every time
19 in the past, you had betrayed us and you went ahead
20 and granted the permit anyhow, despite the
21 overwhelming evidence. And I can only ask; what ever
22 have the residents of the Town of Lewiston-Porter done
23 to warrant such cruel and unusual punishment? I
24 beseech you to listen to the people.

25 Don't listen to CWM. They have an agenda. They

1 will fill your ears with all kinds of propaganda. But
2 listen to the people and I implore you, do not betray
3 us this time. Do not grant this permit. Thank you.

4 JUDGE O'CONNELL: We'll take a ten-minute break
5 and reconvene at four-ten please. Thank you.

6 (Whereupon a recess was taken.)

7 JUDGE O'CONNELL: Our next group will be Ed
8 McGreevy, Claudia Carnes, Maribeth Coleman.

9 MR. MCGREEVY: Thank you. My name is Ed
10 McGreevy. My address is 370 Howard Drive, Youngstown,
11 New York. I've been a resident of the Town of Porter
12 for more than fifteen years. When I moved to Porter,
13 I did not know that a hazardous landfill existed here.

14 When I purchased a home in the Town of Porter,
15 the realtor did not mention the existence of a
16 hazardous waste landfill as an inducement to consider
17 the area. After moving here, local residents provided
18 information on the CWM landfill. Community
19 organizations helped me begin to understand the
20 potential consequences of the existence of a hazardous
21 landfill. I wanted to express my thanks to those
22 individuals and organizations.

23 I also wish to thank the local media for
24 publishing articles, Letter to the Editor, providing
25 additional information, on the low side, where the CWM

1 hazardous waste site is located. In the last month,
2 there -- these have included Letters to the Editor
3 offering opinion on CWM's application. I wish to
4 thank the writers for sharing their views.

5 Unfortunatley one of the writers, in a Letter to
6 the Editor that appeared on July the 5th, attempted to
7 support CWM's application by offering conclusions
8 without offering facts to support the conclusions.
9 One example from that letter to the editor, quote,
10 "Over the years, engineers and scientists from local
11 industries have made the effort to understand the site
12 practice and become familiar with the long service
13 personnel overseeing the operations have become
14 comfortable with both." In the Letter to the Editor,
15 no local industry is identified. No engineer. No
16 scientist.

17 A second example of a number, quote, "The
18 trucks' loads coming to the CWM facility are dirt
19 only, partially filled with minor contaminants." In
20 the Letter to the Editor, there's no definition of the
21 term "minor" or the names of even one of the minor
22 contaminants.

23 This was contradicted by a CWM staff during a
24 tour that I took of the CWM site on July the 11th of
25 this year. The CWM staff member conducting the tour

1 specifically said that the only waste -- that only
2 waste above a certain level of toxicity was expected
3 by CWM. Waste below that certain level of toxicity
4 was delivered to Modern.

5 I made copies of that letter and have them
6 available for anybody that is interested in seeing the
7 other examples that were cited in the Letter to the
8 Editor. More important, perhaps, may be reports that
9 CWM sites receive toxic waste for more than half of
10 all states and from foreign countries.

11 Question; should toxic waste be transported over
12 very long distances? Thank you.

13 JUDGE O'CONNELL: Ms. Carnes.

14 MS. CARNES: Good afternoon. My name is Claudia
15 Carnes. I live at 275 North Fourth Street in the
16 Village of Lewiston. I purchased my home in the
17 charming historic Village of Lewiston because of all
18 the rich history and culture.

19 I especially enjoy the festivals, restaurants
20 and events at Art Park. I love the ambiance that
21 living near a river that runs through my community
22 offers. The peaceful countryside and farms I pass
23 while I'm driving to work in the morning, is also a
24 reason why I treasure this area. Our school system,
25 Lewiston-Porter, is a source of pride for all of us.

1 Knowing that there is eight million tons of
2 carcinogens buried less than one mile from our school
3 upsets me tremendously. We have lived with the
4 scourge of hazardous waste trucks on our highways for
5 long enough. CWM is not compatible with the life we
6 are blessed with in this community.

7 Please protect our quality of life and close
8 them down. We've been dumped on long enough. They've
9 overstayed their welcome here. This community should
10 be known as a tourist destination, not a hazardous
11 dumping ground. Thank you.

12 MS. COLEMAN: My name is Maribeth Coleman. I
13 live in the Village of Lewiston. My children and
14 grandchildren live in the Town of Lewiston. I'm
15 opposed to any expansion of CWM.

16 The rule to allow toxic material to be brought
17 to Lewiston is in the past. What is done is done.
18 Trucking this material from thirty states, Puerto Rico
19 and ironically Lewiston, is a travesty. It's caused
20 medical harm to our residents. CWM trucks, often
21 leaking, drive past this very school.

22 This area has a much higher level of cancer and
23 multiple sclerosis. Enough is enough. This area does
24 not produce toxic waste. Let states and companies who
25 produce this material expose of it in their own

1 backyards. Nothing can be done about the past, but
2 it's beyond reason to ask us to approve an expansion
3 of a deadly waste land. Find someplace else to dump
4 this hazardous material. We've done our bit. Enough
5 is enough. Stop the expansion of CWM now.

6 JUDGE O'CONNELL: Our next group is Shirley
7 Hamilton, Eileen LappHastings, Margery Beanflossom.

8 MS. HAMILTON: Good afternoon. My name is
9 Shirley Hamilton. I reside at 1155 Ontario Avenue in
10 Niagara Falls, New York. I currently serve as
11 president of the Niagara Falls Branch of the NAACP;
12 the National Association for the Advancement of
13 Colored People. I can assure you the NAACP considers
14 maintaining and developing a healthy environment and
15 environmental justice as a civil rights issue.

16 The Niagara Falls branch of the NAACP recently
17 passed a resolution which I will -- which I have
18 already submitted. It states, "Whereas the mission of
19 the National Association for the Advancement of
20 Colored People, NAACP, is to ensure the political,
21 educational, social and economic equality of rights of
22 all persons and to eliminate racial hatred and racial
23 discrimination, we're asking the New York State
24 Department of Environmental Conservation, the DEC,
25 Commissioner of Policy 29 defined as Environmental

1 Justice and Permitting as the fair treatment and
2 meaningful involvement of all people regardless to
3 race, color or income with respect to the development,
4 implementation and enforcement of environmental laws,
5 regulations and policies.

6 Fair treatment means that no group of people,
7 including a racial, ethnic or social economic group,
8 should bear a disproportionate share of negative
9 environmental consequences resulting from industrial,
10 municipal and commercial operations or the execution
11 of State, Federal, Local and Tribal programs and
12 policies.

13 And whereas the New York State Hazardous Waste
14 Facility Siting Plan was adopted by the Department of
15 Environmental Conservation in 2010, and I also
16 submitted a copy of that, and whereas the principal
17 findings of the Siting Plan was there is no need for
18 additional hazardous waste management facilities or
19 expanded hazardous waste management capacity in New
20 York State.

21 And whereas there's an estimated two million
22 tons of hazardous waste permanently managed in closed
23 landfills in Niagara County and Niagara Falls and
24 another eight million tons in the Town of Porter.

25 And whereas this PCBs and hazardous waste was

1 imported from outside of New York State and whereas
2 Niagara County is the only area of the State to ever
3 host a commercial hazardous waste land disposal
4 facility.

5 And whereas there's an application pending to
6 site approximately six million more tons of hazardous
7 waste land disposal capacity in Niagara County,
8 requiring upwards of a quarter of a million PCBs and
9 hazardous waste fill trucks to travel New York State
10 highways, through Niagara Falls, past our public
11 schools, along our rural roads for an estimated thirty
12 years.

13 Be it resolved that the NAACP Niagara Falls
14 branch objects to this siting of any more hazardous
15 waste land disposal capacity in Niagara County and the
16 State of New York because the City of Niagara Falls
17 and Niagara County already bears a disproportionate
18 burden and because agencies have established there is
19 no need for additional capacity."

20 I am speaking today to ask you to live up to the
21 mission of the Department of Environmental
22 Conservation which is to conserve, improve, protect
23 New York natural resources and environment and to
24 prevent, abate and control water, land and air
25 pollution in order to enhance the health, safety,

1 welfare of the people of this State and their overall
2 economic and social well-being.

3 The Department of Environmental Conservation's
4 goal is to achieve, through simultaneous pursuit of
5 environmental quality, public health, economic
6 prosperity, social well-being, including environmental
7 justice and the empowerment of individuals to
8 participate in environmental decisions that affect
9 their lives.

10 As you allow us to participate with this
11 process, I would also ask you to allow us to share in
12 your decision, to be part of that decision, to allow
13 what was said to have meaning and have weight as you
14 make your decision.

15 This is about social well-being, this is not
16 about -- this is not only about this community, but
17 any and all communities where this hazardous waste
18 would travel. This is about enhancing the health of
19 this community, this is about the health, safety and
20 welfare of the people of New York State.

21 At times I think our regulatory agencies forget
22 their mission. They forget why they were created and
23 whom they are supposed to protect. They forget about
24 people. They forgot about the people living at
25 Tonawanda Coke where they found benzene levels

1 seventy-five times higher than the recommended
2 guidelines until the Federal Government, the EPA,
3 stepped in.

4 They forgot about the people living around the
5 Peace Bridge when they failed to monitor the air
6 during the Summer months; the busiest times. They are
7 also forgetting about the people in Niagara Falls when
8 they decided not to perform a cumulative air impact
9 study and requiring constant air monitoring at
10 Covanta.

11 I'm asking you to vote "no" on the CWM
12 expansion. I'm asking you today to not forget about
13 the mission when it comes to your decision. I'm
14 asking you to please, don't forget about us, the
15 people of this community; the people of New York
16 State. Thank you.

17 JUDGE O'CONNELL: Is Eileen LappHastings or
18 Margery Beanflossom here?

19 Our last group is Gina Gigliotti, Rebecca Strong
20 and Amy Witryol.

21 MS. STRONG: I'm Rebecca Strong.

22 JUDGE O'CONNELL: What is your name again?

23 MS. STRONG: Rebecca Strong.

24 JUDGE O'CONNELL: Thank you.

25 MS. STRONG: I'm currently a resident of

1 Lockport, but I grew up in Niagara County and I grew
2 up in Gasport. As a resident of Niagara County, we're
3 the national stewards of the waters of the Niagara
4 River and of Lake Ontario. In traditional
5 communities, when we're born, we're first introduced
6 to the place and to the elements and we're introduced
7 into our human birth and given the privilege to
8 steward that place.

9 What we know is there are limits to growth,
10 right? We're learning this with the economic
11 collapse. We're learning this with climate change.
12 We're learning this all over the place and that we
13 live on a finite planet.

14 As a human species, unlike most other species,
15 we do not have a natural predator so that means we
16 have to keep ourselves in check. I celebrate how many
17 people showed up today and how many people have been
18 showing up for this conversation; individuals who are
19 saying "no".

20 "No" to the expansion of the CWM. It's my
21 assessment that we have a moral obligation to protect,
22 yes, the health of our children, but we also have the
23 moral obligation to protect the quality of the air,
24 the soil and the water.

25 These are the elements that sustain us. How can

1 we fight cancer without drawing the link to what we're
2 doing to our environment? We have to use our
3 intellect. We have to draw the link.

4 I ask the people making the decision, I ask us,
5 I speak today as a concerned citizen; who will benefit
6 from this expansion?

7 Now really, can we think like cathedral
8 builders? Can we employ the kind of thinking that the
9 people of the six nations model; thinking in seven
10 generations, right?

11 So who will benefit from this expansion; a
12 handful of individuals in a financial way and how long
13 will that financial benefit last them? But when we
14 think of the deficit we create to the web of life, to
15 the water, to the quality of air, to the quality of
16 soil, ultimately toxic waste production needs to be
17 stopped.

18 We must employ our intelligence to limit
19 ourselves in what we're doing to the earth; what we're
20 doing to ourselves. What we do to the earth, we do to
21 ourselves. What we do to the earth, we do to
22 ourselves. What we do to the earth, we do to
23 ourselves.

24 So we think who will benefit from this
25 expansion? Less than one percent of one percent of

1 one percent of human beings who do not live in this
2 community will benefit on a financial level for how
3 long after they've purchased their fifteenth house or
4 maybe their fourth? Is that what we're feeding, that
5 pocket? And the deficit we're creating for
6 generations to come is on our shoulders. We're the
7 ancestors of the future.

8 So I leave us with this question; it's an ethic
9 for the 21st century. Thank you for bringing
10 environmental justice into the story. Thank you.
11 Thank you. What would the water say if it could
12 speak?

13 And the question; can we use this ethic for the
14 21st century? Will this decision benefit life,
15 enhance life? When we say "life", yes, the life of
16 the human community, the life of our human children,
17 but also the life of the children of other species,
18 the life of the soil, the life of the air, the life of
19 the water.

20 Will this decision enhance life or will it not?
21 We know the answer. Will we use our intellect? Will
22 we live our moral obligation as ancestors to the
23 future to protect the life that we are given as
24 stewards and value that, more than putting a few green
25 pieces of paper, a human invention, in the pockets of

1 a few?

2 What do you want to wake up thinking about in
3 the morning? What would the water say if it could
4 speak? Thank you so much.

5 JUDGE O'CONNELL: Is Gina Gigliotti here?
6 Ms. Witryol.

7 MS. WITRYOL: I'm your last speaker for this
8 afternoon. My name is Amy Witryol. I live in
9 Lewiston. And Karen, if you want to open up Number 1,
10 double click and then go up to view from beginning.
11 That will be great. Thank you.

12 If hazardous waste and PCB dumps are so safe, so
13 economic, why doesn't everyone want one? Next slide
14 please. Why the State should say no. Number one, the
15 State loses money on CWM.

16 I spent my career as a banker. I'm not an
17 environmentalist. I came to this community and found
18 an awful lot of people sick for reasons I couldn't
19 understand that I think unfortunately I understand a
20 lot better.

21 But I can tell you, looking at the financial
22 information that CWM has submitted, and I'll submit
23 this in detail, written testimony; the State is losing
24 money. And this is not the single most important
25 issue to us, but I put it Number 1, because I believe

1 it's the single most important issue to the State
2 unfortunately.

3 Number 2, the facility is dangerous and poses
4 unacceptable risk. Number 3, in my opinion the DEC is
5 covering up a leaking radioactive waste site next-door
6 to protect the CWM application. Number 4, the
7 facility is primarily self-monitored and I will be
8 expanding on that in written testimony as well.

9 We do not have two full-time monitors out there.
10 We've never had two, full-time monitors out there.
11 And Number 5, the cumulative impacts, which I actually
12 had a separate PowerPoint on and, Your Honor,
13 depending upon the number of people tonight, if
14 there's time at the end of that session -- I skipped
15 that particular PowerPoint -- I'd be pleased to show
16 that again.

17 And part of those cumulative impacts are
18 recognized in the legislation passed by Governor Mario
19 Cuomo that says you can't keep siting a hazardous
20 waste landfill in the same place in the State over and
21 over and over again. That law has been broken a
22 number of times in the past. We're hoping that the
23 law will be upheld this time.

24 Next slide, please. Why is CWM here? Not
25 because they do a lot of business here. The two

1 largest dumps that I imagine they've referred to in
2 their applications, which I haven't been able to read
3 thoroughly yet, had original record decisions that
4 called for on-site treatment that didn't need to go to
5 any landfill. So the suggestion that waste disposed
6 from a landfill, if not coming here, would have to go
7 to another landfill is simply untrue. I'm sure there
8 are many DER professionals at DEC who understand that.

9 Number 2, in comparison to at least one
10 competitor I've looked at so far, whose waste analysis
11 plans are rather lengthy and expensive, DEC provides
12 exemptions for sampling incoming waste that other
13 facilities don't get the benefits of. They do
14 screening, but there are enormous loop holes in their
15 screening practices. These exemptions save the
16 companies millions and millions of dollars.

17 Lax monitoring, the biggest reason not to site
18 RMU-2 is because it's in the footprint. You need the
19 monitoring wells for RMU-1. I'm sure it will be a
20 topic of extensive discussion which I'll discuss at
21 least some of the key points of in a few more slides.

22 But I will also tell you that we not only host
23 the only hazardous waste landfill in the State of New
24 York, right next-door to it is a temporary storage
25 site for radioactive waste that's been temporary here

1 since 1944 and also the State's second largest solid
2 waste landfill, so we know landfills around here.

3 The monitoring in some of the regulations
4 required for the solid waste landfill, Modern
5 Corporation, more rigorous than the monitoring and
6 regulatory requirements that DEC has decided to impose
7 or I guess not impose on CWM.

8 CWM is the only facility that I know of, and I
9 haven't done a national survey in the last few years,
10 that doesn't pay a hazardous waste disposal tax. Its
11 gross receipts are a fraction. I think it's difficult
12 for any New Yorker to understand how, of all things,
13 we could not have a hazardous waste disposal tax.

14 It costs twenty-five dollars to apply for a
15 fishing license in New York State. It costs zero to
16 apply for a hazardous waste landfill that the DEC has
17 spent twelve years processing at our expense.

18 Another reason why I believe that CWM is here is
19 they have a synergy to their solid waste operations
20 throughout the State. And Mr. D'Amato knows better
21 than anyone else, his region hosts large waste
22 management landfills. Thankfully the Region 8 permit
23 that was awarded to Waste Management in Orleans County
24 was defeated and with the full support of the people
25 of Orleans County, but it is a built-in sales force

1 and certainly gives the company an enormous bang for
2 its buck when dealing with Government in New York;
3 which as you can see I'll get to.

4 This company, for reasons that are absolutely
5 astonishing to me, as an ex-banker, receives subsidies
6 from the New York State Power Authority. Because
7 airspace is permanent and fixed and capped for these
8 permits, CWM can't make any more money and hire more
9 people if they get a discount. All those funds go
10 back to the head office in Houston.

11 When CWM transferred from the Power For Jobs to
12 the Recharge Program, in my view, they violated the
13 statute because the statute says you can't transfer in
14 employees from other affiliates and have them count
15 towards your head count for your electricity
16 discounts. But they did that in the transition and of
17 course their latest application, since I caught them
18 and wrote to NYPIRG about it, was both CWM and Waste
19 Management.

20 So when you read about the number of jobs at the
21 site, first of all the one with the Siting Certificate
22 says eighty jobs. They tell the press sixty-six. For
23 the last couple of years, we haven't been able to find
24 enough evidence beyond the total of thirty-seven
25 affiliated with the CWM Outreach and that's when they

1 did two hundred thousand tons in 2012 and they've done
2 a pittance since then. Thankfully this facility is
3 near closing.

4 Last, but not least, as a tribute to the
5 Mastercard commercials, Number 7, pay to pay
6 politicians in the State of New York, priceless.

7 Next slide, please. Okay. This is not just
8 about wrecking fifty acres. You've heard a number of
9 people say, this place is so contaminated CWM spent
10 thirty-five years trying to clean it up. They still
11 can't clean it up.

12 Part of it is because Department of
13 Environmental Conservation has allowed them to put
14 monitoring wells in areas that are cheaper to clean up
15 because they have less contamination.

16 Next slide, please. This is not just about
17 wrecking a neighborhood. Here, you see kind of a zoom
18 out of that same photo of the massive facility,
19 massively complex facility that we have even if the
20 Federal Government hadn't brought in every defense
21 activity known to man before they got here.

22 Next slide, please. Or about wrecking a
23 community. There you see Fort Niagara, the Niagara
24 River, our schools, a fish hatchery that had its
25 beginnings from clay mining for CWM of all things.

1 Not a place I'd want to fish. And one of the most
2 notorious storage sites in the United States, the
3 Niagara Falls Storage Site, and just beneath it
4 Modern.

5 Next slide, please. It's about people's health.
6 Click, please. You've heard reference to New York
7 State Department of Health Cancer study that covered a
8 ten-year period that was covered just a few years ago
9 here.

10 Next click, please. Children living in our
11 school district had nearly double the rate of
12 childhood cancers compared to the expected rate for
13 the State.

14 Next click, please. The DEC was so concerned it
15 asked an engineer to respond. The responses to
16 comments this community was given last year on CWM's
17 permit renewal, which I think was eight years late;
18 massively complicated. You think the Siting
19 Certificate is long, multiple that by a thousand.

20 DEC's response, it went -- provided with that
21 comment was no, we're not going to check with the
22 Department of Health. No, we're not going to consult
23 an epidemiologist. We're going to say well, most of
24 the cancers are up-radiant, upwind and I can't
25 remember what else from the facility, but first of

1 all, our schools are not upgraded from this facility.

2 Secondly, if you have a neighborhood that is
3 double the size of another neighborhood, it ought to
4 have twice as many cancers, that's not the case here.

5 So when faced with these comments, the lack of
6 response, the way for those of you who don't know, and
7 including the Siting Board, when you submit public
8 comments for a permit renewal and your questions, you
9 get your answers simultaneously with the permit
10 renewal.

11 So if there was a factual error or a gross
12 misrepresentation, you better go get a lawyer because
13 you don't get a second chance. How on earth are we
14 expected to provide a response to comments when we
15 can't even get some of these questions answered; like
16 how many trucks are sampled. Gee, we don't know.

17 And I will be submitting in detail a list, which
18 if I started today I am not sure I could finish by
19 September 5th, of all the factual errors and omissions
20 in the responses to comments that this community
21 received.

22 I've asked repeatedly, everyone you talk to in
23 the Department of Environmental Conservation, which
24 most professionals will tell you this, probably
25 ninety-nine percent of the staff of the department, to

1 find out who reviewed those responses to comments
2 before they were issued last year. The short answer
3 is nobody.

4 Next slide, please. You've heard references to
5 our house statistics, we'll be talking about that more
6 in detail. You see CWM over in the upper left-hand
7 corner of the County and the areas of elevated
8 incidents not likely due to chance that Mr. Henderson
9 mentioned.

10 Relative to our variability and prevailing wind
11 direction, CWM is smack at the source of this
12 particular cancer cluster. I would have had a more
13 recent map for you. It was a PILOT Program,
14 Mr. Forcucci could tell you. After the maps were
15 published, the PILOT was over.

16 Next slide, please. This is colorectal cancer.
17 CWM, it's only my crude rendition of Four Mile Creek
18 which CWM discharges into. There's CWM (indicating.)
19 There's the creek and there's the colorectal cancer,
20 fifty to one hundred percent above expected.

21 Okay. Next slide, please. You've heard about
22 the Great Lakes.

23 Next slide. Okay. This is really important. I
24 have to tell you reading -- I'm a frequent visitor to
25 the DEC FOIL site. Reading the correspondence between

1 the professionals hired by Niagara County and its
2 Health Department and the Department of Environmental
3 Conservation, we've got so many problems with
4 groundwater contamination moving off-site that's been
5 ignored.

6 I don't know if it's a matter of resource
7 problems or they too are drinking out of a fire hose,
8 but we're standing just one mile from the Epicenter of
9 this chart from the annual, technical memorandum from
10 the U.S. Army Corps of Engineers from Niagara Falls
11 Storage Site which is adjacent to CWM's property.
12 That is our temporary radioactive storage site from
13 the 1940s.

14 You can see there's a little chart for
15 population density. You have Toronto in the upper
16 left-hand corner, you can see Erie, in the dark spot
17 there is Buffalo and this slide is a tribute to Clyde
18 Burrmaster. If you see him, tell him. I think it's
19 one of his favorites. One of the most notorious
20 FUSRAP sites in the nation.

21 Next slide. Where did that radioactive waste
22 come from? The waste in producing this -- I can't
23 remember if this is the bomb they dropped on Nagasaki
24 or Hiroshima (indicating.) The stuff in the Niagara
25 Falls storage site is as high as anything that comes

1 out of a reactor.

2 Next slide, please. The Niagara Falls Storage
3 Site, now you can see we're looking northeast. CWM is
4 up there to the left. You can see the second largest
5 solid waste landfill in the State of New York and this
6 nice -- ten-acre nicely mowed cap beneath it, which is
7 called the Niagara Falls Storage Site.

8 Next slide, please. We've tried repeatedly to
9 discuss with the Department of Environmental
10 Conservation the issues of that storage site leaking.
11 Usually, when there's an Army Corps remedial project,
12 it's handled by a remedial professional from DER
13 region.

14 But for some reason, the Niagara Falls Storage
15 Site is handled out of Albany by the same member of
16 staff who's been working with CWM for over twenty
17 years. That's a concern. I can tell you as a banker,
18 that's a major institutional problem.

19 Next click, please. In a FOIL request,
20 remarkably I got a slide presentation that was given
21 to internal staff last December that says, "Jim,
22 here's responses to Amy's questions that we will
23 discuss in the meeting.", and in boldface, "Not To Be
24 Sent Back To Her". Your Honor, if that isn't a reason
25 alone to grant me party status, I don't know what is.

1 Next click, please. His supervisor, who we
 2 invited to a meeting of the Restoration Advisory Board
 3 that the Army Corps of Engineers has refused to
 4 acknowledge or recognize, since we recognized that the
 5 cell is leaking, declined to dial into a meeting and
 6 let us send him slides and talk about why we think the
 7 cell was leaking. More troubling, he said he doesn't
 8 know anything about the brown water on the site.

9 This is the guy that signs the letter for the
 10 Department's position as an interested agency to the
 11 Army Corps of Engineers about this notorious site.

12 Next slide, please. Now, this is part of the
 13 internal slide show I was never supposed to see. This
 14 is a terrible description of the Niagara Falls Storage
 15 Site. Yes, it's ten acres. Yes, the contaminated
 16 soil is maybe three hundred seventy thousand cubic
 17 yards. There's lots of questions about inventory
 18 taken at the time.

19 Built between 1982 and 1986, used existing
 20 structures to obtain slurried waste. Slurried waste
 21 is radium-226. The amount considered safe for soil is
 22 one trillion of one curie. If we had one curie, we'd
 23 be worried. We'd be concerned. We'd be watching that
 24 site like a hawk. We not only have one curie, we have
 25 two thousand curies of radium 226, not in using

1 existing structures. They were put in a World War II
2 era basement after they patched up the cracks and
3 tried to fill in all the joints from the piping from
4 this old water treatment plant. So I think the
5 stability of what was represented to this staffer's
6 colleagues is -- was quite questionable.

7 Next slide. Okay. Here is from the Restoration
8 Advisory Board, this -- wild crazy people trying to
9 scare you to death group. Looking at the Army Corps'
10 remedial investigation, I should take this opportunity
11 to tell you that the staffer watching that for
12 Department of Environmental Conservation told me, back
13 in 2003, that he disagreed with the Department's
14 position they ought to leave that waste in the Niagara
15 Falls Storage Site.

16 And coincidentally, CWM's engineer told me the
17 exact same thing; that CWM hired a consultant. They
18 said, leave that hot, dangerous stuff in the middle of
19 this community. Why was that an outrageous comment
20 from a regulator? Because the Army Corps hadn't
21 started its remedial investigation, which was
22 concluded five years later.

23 To me, that suggests someone who has formed an
24 opinion and is looking for a way to get information,
25 you know, by omitting it or otherwise. There's

1 examples there of huge increases in uranium and
2 groundwater. Uranium was looked at. Certainly not
3 the worst stuff we have out there, but the background
4 level of uranium, when the Department of Energy first
5 got here, in the order of three micrograms per liter
6 and then the background kind of morphed up to nine
7 micrograms per liter.

8 Within a few years, the Department of Energy was
9 very alarmed that the detections in groundwater rose
10 to sixty micrograms per liter. Look at the numbers on
11 this chart. In 2003 we're up at nine hundred and
12 fifty-eight and in ten years, we're up to seventeen
13 hundred and forty and this guy in the Army Corps is
14 telling us this cell is not leaking? What are we,
15 stupid?

16 Next slide, please. And here is the explanation
17 for where the suspicion is that the cell is leaking,
18 in the south area, and underground utility pipelines
19 that are transporting that contamination to well
20 detections that were on a very steep increase.

21 Next slide, please. Then we go back to the
22 secret, "not be sent back to Amy" slides that were
23 given to, I guess, snooker DEC staff executive, where
24 they say, "Increasing detections in this particular
25 well suggests that the cell is leaking."

1 And it says at the bottom, well, they're
2 comparing apples and oranges, knowing full well that
3 those wells were just a few feet away from what they
4 were being compared to ten years ago and the Army
5 Corps explained why they had to replace the wells and
6 couldn't sample in the exact, identical place.

7 If you believe this Department of Environmental
8 Conservation staffer, all groundwater, all geology on
9 this site is the same. What difference would it make
10 that one sample was taken in one place and the other
11 sample was taken in Timbuktu?

12 That wasn't the case. So remember, bogus
13 explanation to their own staff. I'm not supposed to
14 see it, maybe presumably because I know it's bogus.

15 Next slide, please. Here's the rationale that's
16 given to Department of Environmental Conservation
17 professionals to discredit the information put forth
18 by the community. And for the sake of time, I'll
19 prepare this in written comments. Let me say, it's
20 ridiculous.

21 Next slide, please. Theory two, that the --
22 it's the area of the south side of the cell that's
23 leaking; again, with comparison of Army Corps data and
24 the Army Corps telling us that the groundwater is
25 interacting with the sewer line, which makes perfect

1 sense to us.

2 Next slide. Again, this is the attempt of the
3 Department of Environmental Conservation staffer to
4 discredit that. If you know what's in the
5 investigations, this information was cherry picked and
6 misleading; and I will expand on that in written
7 testimony.

8 Next slide, please. Again, I cannot
9 overemphasize the severity of the problems at the
10 Niagara Falls Storage Site. When I spoke to the head
11 of the EPA Radiation Bureau, nearly ten years ago at
12 this point, he was there in 1984 when the radioactive
13 material was deposited in that World War II era
14 basement. And he told me, "I never thought I'd be
15 sitting here today still talking about getting that
16 stuff out of there."

17 He expected there would have been a record of
18 decision to get that stuff out of there by 1994.
19 Everyone wants that stuff out of there except the
20 Department of Environmental Conservation staffer
21 working on CWM permitting.

22 Next slide, please. Again, I just want to
23 remind you how hot that place is. I can't say it
24 enough.

25 Next slide, please. Okay. I didn't have time

1 to finish out this slide but what I will suggest,
2 because of so many contradictions and inaccurate
3 information from the Department of Environmental
4 Conservation; for example, I've written the Department
5 of Environmental Conservation five times that your
6 excavation plan for radiation must include sampling
7 for plutonium and I've never gotten a response except
8 in a document -- don't quote me on which document it
9 came in, but the Department of Environmental
10 Conservation said well, we would expect plutonium and
11 gamma rays to be collocated.

12 That's important because they're using image
13 detection equipment. If you're not emitting gamma
14 rays, your plutonium isn't going to get detected.
15 It's more than an alpha emitter. There's no great
16 detection equipment. You have to sample it and that
17 costs money. It's really expensive. That's the stuff
18 that never gets done at CWM. The most dangerous
19 stuff, if it's the most expensive, it doesn't get
20 done.

21 In any case, the Army Corps, because they were
22 doing a massive investigation, they had the funds to
23 do the sampling on CWM property; a property that was
24 called a vicinity property that was contaminated with
25 radioactive contamination that has not been closed out

1 yet; by the way, where they like to mitigate their
2 wetlands which is another amazing aspect of this
3 application.

4 The Army Corps sampled the plutonium and there
5 was no gamma emitter and there was no caesium-137 or
6 anything else. Even responding back to the Department
7 of Environmental Conservation again to try to get
8 clarity on this, when talking to the Department of
9 Energy official who flew in here from Colorado for an
10 Army Corps meeting we're being told, "Don't worry
11 about sampling for plutonium because it will be
12 collocated with the caesium."

13 I swear to God they laughed in my face. The
14 mobility of caesium is very different. They said the
15 caesium would have washed away years ago. That's
16 ridiculous.

17 So I'm sure you will be invited to visit the
18 site in the not-to-distant future. I would strongly
19 urge you, wait until the hearings are over. Wait
20 until the adjudicatory hearings are over. Get the
21 benefit on all the information on radiation out there
22 before you decide whether you want to make a site
23 visit, because people who I know that walked the
24 properties, not the tour on the dog and pony show for
25 the annual CWM employee picnic, the people who

1 actually walked the site within three years, got
2 cancer.

3 We know that one in three Americans are going to
4 get cancer. We know that. We're not complaining we
5 have cancer, we're complaining we have more than our
6 share; just like our hazardous waste.

7 Next slide, please. CWM -- and this is --
8 again, I've asked so many people at every level in
9 Albany and Buffalo, would you please, please, please
10 talk to us about groundwater. This application never
11 should have been declared complete.

12 CWM's expert, Golder Associates said, to my
13 knowledge, before I started looking closely, a firm
14 with hydrology expertise that is generally well
15 regarded, they're saying that CWM's lower groundwater,
16 which is contaminated, moves only three feet a year so
17 don't worry. Nothing's leaving the site. That's the
18 theory. We're just destroying our own property.

19 Next click, please. The Erie/Niagara County
20 Regional Planning Board, when looking where they
21 needed to implement public water first, looked here
22 because they found boron four and a half miles away
23 and estimated it took twenty years to get there. You
24 do the math, that's eleven hundred feet per year.
25 That's a quarter of a mile per year.

1 The Department of Environmental Conservation
2 staffer knows about this. We've discussed it at
3 meetings he's been in. You would think that someone
4 would take a second look and nobody has. One
5 explanation that I got from a Department of
6 Environmental Conservation official was, well, you
7 know the EPA does the same thing; they have one
8 professional look at something and nobody else checks
9 their work.

10 I don't know if you saw in September, I think
11 maybe it was 60 Minutes, about an EPA deputy who told
12 his supervisors that he worked for the CIA and didn't
13 show up to work for two and a half years. For twenty
14 years he got away with this. The United States
15 Inspector General said the EPA is devoid of the most
16 basic institutional checks and balances.

17 I can certainly tell you, from my experience
18 being involved with a lot of mergers and acquisitions
19 being a senior credit officer looking at what the
20 sales side of the business, loan officers are doing,
21 and reporting to an entirely separate management. We
22 didn't even meet until we got to the Chairman of the
23 Board and then additionally had an audit function that
24 reported directly to the Board of Directors.

25 It's no wonder we've had such ridiculous,

1 horrible and painful decisions from the Department of
2 Environmental Conservation at this site over many
3 years.

4 Next clip, please. This is background. It was
5 a well on River Road in Youngstown that documented the
6 contamination. It was a guy that ran a greenhouse and
7 went out of business, partly because his plants were
8 dying and Cornell Extension helped him out and they
9 traced it back to the well water and they found boron.

10 I don't have time to show you the cumulative
11 impact slide show tonight. If I don't, I'll send it
12 to you. It will take you through an automated review
13 of the history and you'll see the four areas of CWM
14 that boron was produced.

15 Next slide, please. Okay. CWM moving the goal
16 posts on monitoring and corrective actions.
17 Corrective actions is a euphemism for cleanup. It's
18 like a teacher correcting your paper. You got it
19 wrong, so you're going to try to get it right. These
20 are usually taken after a permit is granted.

21 You don't have to prove you can clean up the
22 site before Department of Environmental Conservation
23 gives you a permit. And if you didn't get it cleaned
24 up, the next time the permit renewal comes around you
25 get more corrective actions. The football at the

1 bottom says "health" on it.

2 Next one, please. Okay. I said, back in 1977,
3 the engineers advising the Regional Planning Board on
4 groundwater quality and how to triage the instillation
5 of public water and 2013, CWM said three feet. CWM
6 bought this landfill operation what, Dan, '83, '84?
7 It was SCA for a little while until it changed their
8 name to Waste Management.

9 Next clip, please. 1985, we're at fourteen feet
10 a year. I wonder why groundwater slowed. Maybe there
11 was a glacier that came by between 1985 and 2013, you
12 know, it's several times faster. What was happening
13 in 1985, Waste Management wanted a landfill in a part
14 of the site that wasn't so hot.

15 While I haven't looked at the regulatory impact,
16 Department of Environmental Conservation knows it was
17 in the mid '80s when REPA was really kind of
18 reinvigorated and got its teeth. Let's see what the
19 predecessor's hydrologist said about the flow rate of
20 groundwater back in 1977.

21 Next clip, please. Between eighty-eight and
22 three hundred and twenty-four feet a year; this is
23 what the consultant for the operator said and I didn't
24 have time to put in a slide that suggests Department
25 of Environmental Conservation has its head in the

1 silt. Where the alteration of information that took
2 place in 1985 occurred is also the gravel became
3 densely packed sand to slow the rate of contamination
4 off that site.

5 Next slide, please. What went on at Waste
6 Management headquarters at the time this data was
7 being altered or the analysis was being reinterpreted,
8 certainly they were like, "that's an outlier", and
9 they disappeared. As if you could even have an
10 outlier on the site because of the variability.

11 Next clip, please. CWM wrote off three and a
12 half billion dollars of earnings it had falsely
13 reported during the prior ten years.

14 Next clip, please. Waste Management violated
15 the antifraud books and records and internal controls
16 provisions of the Securities Exchange Act. They were
17 defying their stockholders. Wouldn't it make sense
18 for the Department of Environmental Conservation to go
19 back and look at what their reporting was doing at
20 that time?

21 Next slide, please. I'm not going to go through
22 this in detail, but it's basically price fixing, price
23 fixing, price fixing, violations, bribery.

24 Next slide, please. Exactly the same, except
25 throw in mixed PCBs with oil and selling it as fuel.

1 Next slide, please. Same thing price fixing,
2 price fixing, waste lagoon violations, anti-trust,
3 explosion shut down incinerators. Thank you, Dr. Nils
4 Olsen, who negotiated with Waste Management in 1994
5 and saved us from having a similar incinerator here.

6 Next slide, please. With CWM's poor
7 environmental track record, I could not prove their
8 expansion request. CWM in Indiana closed in recent
9 years. An attorney for the City in that State said
10 the State, quote "Would have to grant a permit to
11 Satan before they could grant a permit to this
12 outfit."

13 Next slide, please. Next, please. Okay.
14 Access reports, in reasonable time to review
15 historical data. Your Honor, I've asked for every
16 report prior to 1995 from the Department of
17 Environmental Conservation. They don't,
18 unfortunately, have a list of the reports. The
19 application says they were relying on geology reports
20 from 1985. I'd like to see all of the reports leading
21 up to that.

22 We found some data that has a lot of
23 significance that has been altered. It's kind of like
24 a jigsaw puzzle. Therefore -- and believe me, after
25 working on this for twelve years, I have no desire to

1 delay this process. I'd like my life back.

2 But if the Department of Environmental
3 Conservation -- because we tried for a year to talk to
4 them -- for whatever reason doesn't want to
5 reconstruct that data and figure out what is going on
6 at the groundwater at that site, Your Honor, I ask for
7 the availability of reports and the time to do that;
8 starting with list all of the reports that you have
9 that are related to engineering on the site, operation
10 of the site and the geology of the site that are
11 available in Albany or Buffalo.

12 Next slide, please. I thought I removed this
13 one. This one is something that our County
14 legislature used to describe the Department of
15 Environmental Conservation. I make no apologies for
16 forgetting to remove that, but that's how this
17 community feels.

18 I can't -- we don't have enough time for me to
19 list all of the problems and errors that we found. I
20 hope that's the end of this segment. Your Honor,
21 I'm -- can we click that again and hope that it will
22 close? Yeah. Great. Aren't you happy that segment
23 is over?

24 We have a couple of more segments, Your Honor,
25 that I think are quite important but, as you know, I

1 wanted to go last to make sure that everyone in the
2 public had an opportunity to speak. Would -- and this
3 is the longest of the segments, by the way. I've got
4 a couple of more that don't have very many slides.
5 Would you like me to go through them or would you like
6 me to step down?

7 JUDGE O'CONNELL: How long is the next section?

8 MS. WITRYOL: Karen, could you bring up number
9 three? The public orientation, I can probably get
10 through that one in five minutes and then I'm going to
11 skip the fourth one and the fifth one is sixty
12 seconds.

13 JUDGE O'CONNELL: I'd like to see this one then.
14 Please, you may continue, Ms. Witryol.

15 MS. WITRYOL: Karen, next slide, please. I'm
16 afraid this is more criticism for the Department of
17 Environmental Conservation and even though I've read
18 the instructions to clients from CWM's attorneys
19 about, never lose your temper with the regulator on
20 the theory that if we get angry or critical of them
21 that they can't be objective.

22 I'm going to be blunt and have faith, despite my
23 criticisms, my complaints and my anger and absolutely
24 worse public participation process I've seen in twelve
25 years. Just in the past sixty days, the Department of

1 understandable when we drop down.

2 Next slide, please. If you were able to find
3 the twelve page fact sheet which started with a useful
4 life of ten to twenty years, it's impossible, it's
5 mathematically impossible to site four million
6 whatever cubic yards and do it in ten years if you're
7 applying for four hundred twenty-five thousand.

8 Even with a seventy-five thousand variance from
9 in-State actions, that means you would have to do six
10 hundred thousand tons per year. This application
11 maxes out at five hundred thousand tons. I'm reading
12 the fax sheet and wondering who the heck wrote it or
13 who checked it, but it's twelve pages and I'm still
14 trying to figure it out because when I go to the fax
15 sheet -- next click -- it sends me to this laundry
16 list; we got sixty days notice.

17 When I stood up here in the beginning of 2006,
18 Your Honor, I thanked DEC Region 9 for giving us sixty
19 days and holding the meeting here instead of that fire
20 hall where CWM wanted it. Sixty days for just the
21 scoping document and we're being given a hundred and
22 twenty days for this mess. And at the bottom it says
23 when we get the air permit, we'll let you know.

24 Where is the water division? Where is the air
25 division? I'm supposed to prepare testimony in thirty

1 days on all these permits and try and gear it
2 towards -- this is going to be my one chance to talk
3 to the Siting Board. My one chance and the public's
4 one chance.

5 How should I spend my time? I can't possibly
6 read all of this and start searching for the data
7 that's been falsified on the groundwater.

8 I can't tell people in the community what this
9 means or walk Creek Road and say, make sure you get to
10 the hearing because no one knew what this hearing was
11 about or to get here and would not have been here
12 today without the fine work of RRG with only thirty
13 days notice. I thought there would be fifty people
14 here this afternoon.

15 Next click, please. The community understands
16 so far. Next click. We can go to the next click,
17 please. It's as clear as mud. Hard copy
18 availability; Albany, Buffalo, Youngstown, Youngstown.

19 Mr. Fiodaro (sic), you made reference to
20 something in a package -- a letter from the Town of
21 Lewiston; just asked for a hard copy so people in
22 Lewiston can go into their Town Hall or library or
23 people serving on the RMU-1 Citizens Advisory
24 Committee could go look at didn't make the agenda for
25 first Siting Board meeting two weeks ago.

1 Next slide. Can't get into Town Hall. Can't
2 get into the library.

3 Next slide. Here, electronic copies of -- if
4 you can figure out what's an application, what is a
5 permit. Go look here, it says CWM's website. Click
6 on that website. It says, Waste Management Model City
7 and another laundry list.

8 I urge the Siting Board, go to the Department of
9 Environmental Conservation's website, think of
10 yourself as a member of the public; even an informed
11 member of the public like someone from RRG. See if
12 you can figure out what you ought to be reading and
13 what is going to be used to make what decision by
14 which agency.

15 Next slide, please. The Siting Certificate
16 under application on the DEC website, I eventually
17 found it on the Waste Management website, but there's
18 a section called Siting Certificate and Permit Joint
19 Hearing documents. There's no Siting Certificate
20 Application there.

21 Next slide, please. That's easier. Next click,
22 please. That would be easier than getting through the
23 Department of Environmental Conservation's website.

24 Next click, please. And that's Mt. Everest.
25 That would be easier than finding the documents and

1 getting through this complicated process.

2 Next slide, please. Why was there no public
3 availability on the outset? I've been told twice in
4 the past four days that the Department of
5 Environmental Conservation would host a public
6 availability.

7 By the way, the staffer involved in CWM in the
8 Niagara Falls Storage Site is one of the people out
9 there hosting the public information session; which
10 is, again, horrifying to me. Why wouldn't we have
11 immediately had a public availability session to
12 answer questions and have a two-way dialogue?

13 I asked as many questions as I could have of
14 Department of Environmental Conservation and most of
15 the answers were, I don't know. When the ALJ and
16 Siting Board Chair are appointed, you can talk to them
17 about it.

18 I go to the Siting Board meeting and I find out
19 I'm not allowed to talk about it. I don't have party
20 status. It's not going to be decided until October.

21 Keep going, please. I go to the Siting Board
22 meeting, Mr. D'Amato, and I don't know if Mr. Caruso
23 is here today, and you vote on a Memorandum of
24 Understanding that still hasn't been posted. And for
25 all I know, the Siting Board voted to delegate all of

1 its authority to the ALJ; with such that I won't even
2 be able to make a presentation to you on the fifteen
3 points on the Siting Certificate that the ALJ could
4 say, these aren't important.

5 I'll tell you why, and it has nothing to do with
6 the skill or integrity of the ALJ. I'm about to show
7 you why that's an enormous risk and also extremely
8 disturbed, Mr. D'Amato, extremely disturbed that the
9 letter that is simply referred to as "being in the
10 package" about letting the community speak with the
11 Siting Board about whatever way you want to run this,
12 whatever you think is in the public good, to at least
13 let us and CWM tell you how it might adversely or
14 positively impact our ability to even participate in
15 this massive nightmare.

16 Next slide, please. Here is the community.

17 Next click. The RMU-1 permit, as I said,
18 massive didn't get answers to the questions last year.
19 Factual inaccuracies, and I'm not nitpicking, but
20 major, major issues there where Department of
21 Environmental Conservation told us they didn't have
22 information relating to a plume of plutonium or
23 plutonium found in pipe scaling of a wastewater plant
24 that once serviced CWM properly when I know, in fact,
25 we were copied on the same E-mail. He's got it, yet

1 this response to common sense, "We don't know about
2 it."

3 Let's say somebody else wrote the response. If
4 a member of the public says, "Did you know about the
5 plutonium at the Army Corps found fifty years later
6 just a couple of years ago in the pipe scaling of the
7 pipe that took the water off CWM's property?",
8 wouldn't you pick up the phone and say, "Amy, I don't
9 know about this. Send me the report." Not an order.
10 As a matter of fact, the opposite.

11 And I will, Your Honor, give examples,
12 innumerable, over the past year when I begged and
13 pleaded for opportunities to have conversations with
14 the Department of Environmental Conservation staff
15 supposedly reviewing these issues.

16 Next clip, please. Draft Environmental Impact
17 Statement. If I started on that tomorrow, I couldn't
18 finish by September 5th.

19 Next clip, please. The RMU-2 modification. I
20 presume the Siting Board has seen the application.
21 When you met the first time in two weeks, you must
22 have read everything by now so you could really
23 maximize any technical testimony today and get the
24 full understanding and be able to immediately reflect
25 that into your thinking as opposed to memorize what we

1 told you and then maybe see what it relates to when
2 you go and read these applications.

3 Next click. The Siting Certificate. I'm going
4 to ask that the Siting Board hold another hearing so
5 we can talk to you about all fifteen categories on the
6 Siting Certificate. I'm going to show you why in just
7 a minute.

8 Another click, please. Air permit. I haven't
9 even been notified as to whether or not it's even been
10 opposed yet, but they never even had an air permit.
11 They count the density in the dust. They don't sample
12 what's in it. When they were sampling many, many
13 moons ago, they stopped sampling when a lagoon dried
14 up and PCBs blew into the community. That's when they
15 stopped doing air sampling, decades ago.

16 Next clip, please. Storm water. Water Division
17 has found PCBs and VOCs in storm water discharges.
18 This alone is a complicated permit. This alone, we
19 were told years ago, we were going to get a hearing on
20 it and who was dispatched to lobby the Water Division
21 on behalf of the applicant? The same guy that
22 oversees the NFSS and CWM. The one same person.
23 Maybe he works for the CIA as well.

24 Next clip, please. River discharges. Big
25 disagreement with the Clean Water Act. CWM used the

1 new PCB detection method for mercury a few years ago
2 for water that went into the Niagara River. They
3 flunked. No wonder this (inaudible) permit is years
4 behind and they are dumping it all at once figuring we
5 won't have time, we won't have the hearing we were
6 promised three years ago to look at those important
7 and complicated issues.

8 Next clip, please. Wetlands. Oh, my gosh. I
9 can't even -- I'm speechless on the wetlands
10 mitigation that is proposed. Not only is the
11 Department of State and everybody else concerned about
12 preserving wetlands near the Great Lakes, but you want
13 to build a new wetland on the part of the property
14 where they actually burned plutonium that's never been
15 investigated? That the Army Corps hadn't gone in and
16 remediated because there was massive lagoons on there
17 and beneath them are the Linde site residues (sic)
18 from Tonawanda. The Army Corps can't go in there
19 because CWM is busy using it.

20 Next click, please. Next click, please. RMU-1.
21 Next click, please. The DEIS, I'm supposed to be done
22 and finished talking to you by September 5th on all of
23 these. RMU-2.

24 Click, please. Keep clicking. Here, this is
25 what the Department of Environmental Conservation and

1 CWM are doing to this community with these
2 applications. Piling on would be an understatement.
3 We have never, ever received this kind of treatment
4 before and I'm quite surprised if Region 9 is involved
5 at all or maybe they're being overruled on the
6 procedural aspects that didn't even make the Siting
7 Board agenda two weeks ago for their first meeting.

8 Next slide, please. I'm requesting public
9 extension through December 5th, provided we can get
10 some assurance we got the reports that we need and we
11 have a reasonable time to reconstruct that groundwater
12 data and then look at the seven other permits and you
13 might want to think about having the Water Division
14 conduct a hearing for the three water permits.

15 Next click, please. Okay. Your Honor,
16 depending on how tonight goes, I would like to show --
17 that slide show is automated so the Siting Board
18 wouldn't have to listen to me speak on the cumulative
19 impacts.

20 There's one more, the sixty seconds I would like
21 to show that would be something to address one aspect,
22 number five, please, of impacts and economic
23 development in our area, Your Honor, and I won't speak
24 because this one is automated as well. Sixty seconds,
25 is that okay?

1 JUDGE O'CONNELL: Yes, it is. The problem is
2 because you're not speaking, it's not being recorded.
3 I'm not sure what benefit you're going to have from
4 it.

5 MS. WITRYOL: We will hand in the slides. The
6 only benefit is the music, which may not cue very
7 well. We will see. These are our tourism assets
8 (indicating.) Thank you, Your Honor.

9 JUDGE O'CONNELL: Before we adjourn this
10 session, I just want to check and make sure; is there
11 anyone else with a comment to make? We're adjourned
12 until six-thirty when we'll reconvene for the second
13 public comment session.

14
15
16
17
18
19
20
21
22
23
24
25

* * * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

STATE OF NEW YORK
COUNTY OF ERIE

I, LISA A. PETERSON, Notary Public in and for
the State of New York do hereby certify:

That the transcript appearing hereinbefore was
taken pursuant to notice at the time and place as
herein set forth; that said transcript was
stenographically recorded through machine shorthand by
me and thereafter computer transcribed into laser
printing.

I HEREBY CERTIFY, that the foregoing transcript
is a full, true and correct transcription of my
machine shorthand notes so taken.

IN WITNESS WHEREOF, I have hereunto subscribed
my name and affixed my stamp this 6th day of August
2014.

BY: _____

LISA A. PETERSON

WORD INDEX			
< 0 >	1997 62:6, 10 66:16	401 1:7	ability 24:22 94:22
00225 1:8	1998 60:14	4061 2:3	95:20 155:14
00231 1:13	< 2 >	4124 94:12	able 41:1 67:24
00232 1:13	2 77:4, 6 125:3	< 5 >	91:19 102:4 126:2
00249 1:14	126:9	5 125:11	128:23 151:2 155:2
< 1 >	2000s 17:8	500 91:3	156:24
1 124:9, 25	2001 66:17	5th 3:3 7:6 12:19,	Abraham 17:16
1:00 2:5	2003 17:17 136:13	20 18:1 113:6	absolutely 128:4
11 7:15	137:11	131:19 156:18	149:23
1155 116:9	2004 17:17 27:5	158:22 159:9	abundance 62:4
11th 7:11, 13 113:24	2006 25:15 151:17	< 6 >	abundant 50:1
12233-1550 9:9	2008 60:14 100:14	6 1:6, 7, 8, 19 5:10	abuse 54:8 110:8
135 100:3	2009 68:20	6:30 7:25	abused 110:7, 13
145th 13:14	2010 23:24 31:13	60 143:11	accept 95:18 96:11
14th 7:14	65:9 117:15	608.9 1:8	acceptable 27:12
15222 3:3	2012 129:1	624 5:10	85:20
1550 5:18	2013 145:5, 11	625 3:3 9:8 12:4	Accepted 58:2
16 2:4	2014 2:4 7:6, 11, 13,	65 49:21	accepts 20:8
1632 38:14	14, 15 12:17, 19, 20	650 77:24	access 12:7 27:16
17 1:4	161:17	663 1:5 11:7	83:4 147:14
180 91:3	21st 123:9, 14	6th 161:16	accident 32:23, 24
1878 90:23	222 49:21	< 7 >	42:11 76:3, 9
190 45:14	226 49:21 135:25	7 129:5	accidents 36:15
1915 35:2	235 49:20	70 5:8	accommodate 79:17
1940s 133:13	238 49:20 51:6	750 1:6	80:17
1942 50:4 51:10	24 1:4	7th 12:17 62:10	accomplish 49:24
1943 49:16	240 12:1	8 127:22	account 49:14 60:2
1944 127:1	27 1:4 5:8	80s 145:17	accountant 65:2
1968 54:13	270 12:3	83 145:6	Accountants 57:24,
1970s 101:21	27-1105 6:7	84 145:6	25 84:6
1971 88:2	275 114:15	8th 12:9	accounted 28:25
1977 145:2, 20	29 116:25	< 8 >	Accounting 58:2, 7,
1979 71:18	29th 100:14	8 127:22	13, 20 66:17
1980 110:21	< 3 >	80s 145:17	accounts 95:2, 4
1982 135:19	3 125:4	83 145:6	accumulation 86:12
1984 139:12	305 12:9	84 145:6	accurate 56:7
1985 145:9, 11, 13	3265 12:2	8th 12:9	achieve 119:4
146:2 147:20	3314 64:18	< 9 >	acids 53:5, 7
1986 135:19	3542 51:7	9 10:3 12:3 63:8	Acker 34:9 40:14, 15
1990 88:6	361 1:19 5:10	151:18 159:4	acknowledge 135:4
1991 54:17	370 112:10	9-2934-00022 1:8, 13,	acknowledged 24:15
1991-2000 52:2	373 1:5 10:25 11:3,	13, 14	acquaintances 42:24
1992 66:16	5	95 38:20	acquisitions 143:18
1993 44:16, 21	3733 12:8	9-5 81:3	acre 19:4 21:15
1994 139:18 147:4	< 4 >	9-6 87:20	47:25 48:7 110:24
1995 147:16	4 125:6	< A >	acres 10:9 35:3 50:4
		A.J 18:12	51:2 77:7 95:15
		abandoned 51:12	129:8 135:15
		abate 118:24	

Act 1:8 11:14 16:6
28:24 33:22 62:17
146:16 157:25
acted 16:5
acting 34:1
action 25:25 62:19
actions 82:11 144:16,
17, 25 151:9
active 45:11 68:25
69:9 74:18
activities 36:8
activity 129:21
actual 59:11
AD 4:1 6:17 41:4
add 18:11 37:2
Adding 36:5, 19
addition 7:5 12:5
36:25 45:17 58:12
additional 7:24
22:11 24:5, 7 29:9
31:24 75:23 76:12
81:24, 25 97:22
112:25 117:18
118:19
Additionally 87:15
143:23
address 7:7 9:6, 10
25:9 47:11 79:1
83:15 91:5 112:10
159:21
addressed 41:25
64:21 102:17
addressing 90:11
adequate 24:6 31:16
67:19 79:11
adequately 25:9 80:1
adherence 19:14 58:1
adjacent 11:11
133:11
adjourn 160:9
adjourned 160:11
adjudicatory 141:20
Administrative 2:2
5:5, 22
administratively 11:2,
9
Administrator 10:1
56:9
admission 77:2

adopted 31:13 79:14
117:14
adoption 31:18
adult 93:17 94:19
Advancement 116:12,
19
advancements 53:1
adverse 67:15 84:12
adversely 155:13
advised 62:1
advising 145:3
Advisory 107:15
135:2 136:8 152:23
advocacy 18:20
advocating 64:4
95:12, 14
Aetna 94:17
affect 62:8 67:15
119:8
Affidavits 7:18, 20, 21
affiliated 128:25
affiliates 128:14
affixed 161:16
afford 51:17
affordable 109:25
afraid 149:16
afternoon 5:4 9:23
13:12 18:10 23:4
30:11 32:17 40:7, 14
41:3 45:3 52:19
54:3 57:12 64:17
67:6 78:3 114:14
116:8 124:8 152:14
agencies 29:2 118:18
119:21
agency 20:5 62:7
77:2 105:18 135:10
153:14
agenda 111:25
152:24 159:7
Agnello 44:25 45:1
53:25, 25 57:12, 13
61:7, 8, 13, 17 64:16,
17, 18, 21
Agnellos 84:7
ago 14:24 17:1, 1
24:3 33:1 41:10
60:24 73:13 76:7
83:18 91:22 92:17
95:6 130:8 138:4

139:11 141:15
152:25 156:6 157:13,
15, 19 158:1, 6 159:7
agree 43:14
Agreement 62:12
agricultural 35:20
agriculture 32:21
35:16 53:7
ahead 24:10 52:24
111:19
air 38:18, 21 69:9
75:11 94:22 118:24
120:5, 8, 9 121:23
122:15 123:18
150:21 151:23, 24
157:8, 10, 15
airborne 26:2 103:21
airspace 128:7
AJ 18:8
Alabama 82:14
alarmed 137:9
Albany 9:9 12:5
56:14 134:15 142:9
148:11 152:18
ALEXANDER 4:3
aligned 28:9
alive 92:16
ALJ 154:15 155:1, 3,
6
Alliance 67:11 68:13,
14, 21
allow 11:20 21:22
25:12 35:5 51:10
101:13 115:16
119:10, 11, 12
allowed 25:23 39:22
52:15 75:13 129:13
154:19
allowing 26:24 29:9
34:15 54:7 68:9
allows 50:10
alpha 140:15
alteration 146:1
altered 146:7 147:23
alternative 64:3
alternatives 88:18
99:12
altitude 150:25
amazed 75:2

amazing 141:2
ambiance 114:20
Americans 37:4
60:20 142:3
amount 45:22 63:16
71:21 81:1, 11 99:13
104:3 135:21
amounts 26:1
Amy 120:20 124:8
137:22 156:8
Amy's 134:22
analysis 59:7, 19
63:12 126:10 146:7
ancestors 123:7, 22
ancillary 25:14
Andrew 33:21
anger 149:23
angry 149:20
announcement 7:21
announcements 7:15
annual 95:4 133:9
141:25
answer 24:13 41:1
44:17 99:3, 4, 5
123:21 132:2 154:12
answered 131:15
answers 131:9
154:15 155:18
anticipated 32:7
63:20
antifraud 146:15
antiquated 99:9
anti-trust 147:2
anybody 48:9 114:6
anymore 40:5 44:8
82:16 108:17
anyway 93:22
apart 70:22
aphorism 83:20
apologies 148:15
apologize 8:13
103:19 106:13
apparent 86:10
apparently 82:7
appearance 103:19
APPEARANCES 3:1
appeared 113:6
Appearing 3:4 161:6
appears 63:21

apples 34:19 138:2
Appleton 34:18
applicable 11:22
Applicant 1:8, 23
 7:18 25:11 157:21
applicant's 24:22
 85:16
Application 1:8, 15
 3:4 6:9, 23 11:1
 20:21 22:20 24:12,
 19, 25 27:7, 8 30:9
 38:1, 4 44:11 66:22
 74:16 109:20 113:3,
 7 118:5 125:6
 128:17 141:3 142:10
 147:19 151:10 153:4,
 16, 20 156:20
Applications 1:4
 5:12 6:25 11:9, 16,
 21, 24 12:13 56:7
 126:2 157:2 159:2
applies 25:20 83:20
apply 127:14, 16
applying 151:7
appointed 107:14
 154:16
appreciate 38:12
 44:22 49:9 57:18
 89:24 103:10
approach 33:20
appropriate 14:2
 29:21 50:23 56:1
approval 11:11, 12
 19:2 71:22 88:11
 105:18
approvals 25:10
approve 40:5 49:5
 66:22 82:13 116:2
approved 66:7 88:3,
 7 91:21 92:21
approving 29:24
 81:23
approximately 10:8,
 10 118:6
April 62:6, 10
aquifer 27:20 28:1, 8,
 13
arborist 95:8
area 14:5 15:17
 28:11 29:7 36:7

37:13 42:20 50:4
 51:12 52:1 54:10
 55:9 61:4, 6, 17, 19
 62:3, 5 67:19 69:23
 70:8 73:3 75:12
 76:5 81:2 82:14, 24
 83:3, 24 84:10, 19
 85:1 90:9 95:11, 11,
 17, 19 96:2 98:8
 109:14 110:6 111:8
 112:17 114:24
 115:22, 23 118:2
 137:18 138:22
 159:23
areas 27:1 67:20
 82:22 84:21 129:14
 132:7 144:13
arguing 57:16
Army 28:7 133:10
 134:11 135:3, 11
 136:9, 20 137:13
 138:4, 23, 24 140:21
 141:4, 10 156:5
 158:15, 18
arrangement 65:24
arrival 76:8
Art 114:20
article 60:24
Articles 1:4 5:8
 112:24
aside 44:7 98:20
asked 8:20 52:16
 54:1 68:24 72:16
 130:15 131:22 142:8
 147:15 152:21
 154:13
asking 106:15 107:6
 116:23 120:11, 12, 14
aspect 141:2 159:21
aspects 159:6
assembled 26:25
Assembly 13:10 14:3
assemblyman 13:13
 16:19
assertion 80:23
assertions 66:14
 89:18
assess 31:14 62:8
assessing 55:12

assessment 121:21
assets 85:6 160:7
assigned 5:23
Assistant 4:3
Associate 96:19
associated 37:1, 7
 70:17 84:9 98:21
Associates 142:12
association 94:2
 116:12, 19
assumptions 59:6
 65:20, 23 66:1
assurance 25:24
 26:15 159:10
assurances 70:18
assure 56:9 116:13
assuredly 53:16
astounding 128:5
attempt 139:2
attempted 113:6
attempts 100:25
attend 55:24
attendance 104:4
attended 54:14
attending 6:11 57:18
attention 13:8
attorney 22:5 147:9
attorneys 149:18
attracting 37:10
AUDIENCE 51:23
 52:15 57:16 61:12
audit 58:3, 18 143:23
audited 66:2
auditing 59:3
Auditorium 2:3 8:4
 9:13
Audrey 45:1 53:25
 64:16, 17
August 161:16
Authority 45:15
 128:6 150:15 155:1
automated 144:12
 159:17, 24
availability 31:16
 148:7 152:18 154:3,
 6, 11
available 8:3, 13
 9:12 11:25 12:13, 15,
 24 13:3 69:5, 6
 114:6 148:11

Avenue 3:3 12:4
 64:18 91:3 116:9
avoid 33:21 76:8
awarded 127:23
awful 124:18

 < B >
Bachelor's 94:6
back 14:11 17:1, 17
 19:22 38:20 44:18
 66:13 80:12 99:23
 105:3 128:10 134:24
 136:12 137:21, 22
 141:6 144:9 145:2,
 20 146:19 148:1
backdrop 55:6
background 137:3, 6
 144:4
backyard 50:19
backyards 116:1
bad 38:19, 20, 25
 39:1 88:5
bajeezers 14:12
balances 143:16
Balmer 5:18
ban 27:6
band 33:25 88:15
 89:6 104:12
bang 128:1
banker 124:16
 134:17
barnyard 111:1, 3
base 20:16
Based 24:12, 18
 25:23 31:4, 23 32:11
 44:20 49:4 63:11, 19
 65:19, 24 94:15
baseline 29:5
basement 136:2
 139:14
basic 27:7, 9 75:3
 143:16
basically 146:22
basis 87:11
Batavia 51:13
Battaglia 44:25
 53:25 54:2, 3, 4
Bauer 18:8 30:10, 11,
 12

Baumer 49:14 90:23
BCP 19:12, 20 20:12
Beanflossom 116:7
 120:18
bear 117:8
bears 61:5 118:17
beautiful 83:4, 25
 84:19
becoming 73:1
beef 35:20
Beeher 34:8 40:7, 8
began 12:17 107:12
begged 156:12
begging 105:19
beginning 124:10
 151:17
beginnings 129:25
behalf 6:13, 15, 16
 18:24 24:7 34:21
 66:25 67:2, 9 68:11
 78:3 96:20 97:7
 157:21
beings 70:21 91:23
 123:1
belief 21:8
believe 13:24 15:24
 17:16, 21 21:25
 80:14 124:25 127:18
 138:7 147:24
belong 102:3
beneath 24:23 130:3
 134:6 158:17
benefit 56:10 80:3
 85:25 89:14, 16
 122:5, 11, 13, 24
 123:2, 14 141:21
 160:3, 6
benefited 85:3
benefits 47:7 48:17
 52:8, 25 57:9 83:13,
 17 84:22 126:13
benevolent 43:4
BENOIT 4:2 6:18
benzine 119:25
besech 111:24
best 17:14, 15 64:3
 73:5 76:21 94:16
betray 112:2
betrayed 111:19

better 41:17 50:12,
 14 64:14 71:8 88:16
 89:11 124:20 127:20
 131:12
beyond 17:13 20:14
 32:2, 10 63:13 70:17
 76:17 83:14 86:18
 116:2 128:24
big 39:13 43:8, 12
 48:13 82:16 90:6, 15
 91:22 108:7 157:24
bigger 47:21
biggest 42:2 126:17
bikes 15:20
Bill 103:15, 18
billion 28:20 66:18
 98:4 146:12
billions 23:16
Bills 64:5
Bi-national 62:11, 13,
 16
Bioaccumulative
 62:19
birth 121:7
bit 42:23 48:16
 104:23 116:4
Bittner 34:8, 10, 11,
 12, 13, 14, 17, 17
black 91:1
blackout 76:8
blessed 115:6
blew 157:14
blighted 20:9
blocking 17:5
blowing 84:16, 16
blows 83:20
blunt 149:22
BOARD 1:15 3:4, 4
 4:8 5:7 6:8, 11, 20,
 20 9:24 17:25 18:2,
 3 22:6, 6, 20 23:5
 30:12, 13, 14, 19
 31:11 32:12 38:1
 40:16 42:22 44:6
 48:16 49:5, 11 57:6,
 13, 20 64:12 66:24
 72:22 77:24 78:6
 81:5 99:18 100:1
 101:7, 12, 17 109:19
 111:8 131:7 135:2

136:8 142:20 143:23,
 24 145:3 152:3, 25
 153:8 154:16, 18, 21,
 25 155:11 156:20
 157:4 159:7, 17
boasting 19:14
Bob 83:18
BOCES 22:6
bodies 37:5 102:17,
 19
body 30:20, 22
 111:13
bogus 138:12, 14
boldface 134:23
bomb 133:23
Bonadio 57:23 59:4,
 8, 20 64:23 65:3, 12,
 17, 21 66:9, 11
booming 71:22
books 146:15
borders 32:3 63:14
bore 110:22
borings 28:6
born 41:9 54:12
 101:25 121:5
borne 68:4
boron 142:22 144:9,
 14
bottom 138:1 145:1
 151:22
bought 96:9 145:6
boundaries 35:9
Boy 38:17
Branch 116:11, 16
 118:14
break 7:7 9:14
 52:23 112:4
Brian 94:9 96:18
bribery 146:23
Bridge 120:5
bridges 45:14
brief 9:16
briefly 68:12
bring 67:21 72:14
 87:5 93:6 105:13
 149:8
bringing 36:9 72:12
 97:22 108:9 123:9
brings 55:20

Britain 100:19
broadcast 7:16, 20
Broadway 9:9 12:5
broken 125:21
brother 103:1
brought 30:3 72:15
 115:16 129:20
Brown 43:22 135:8
Brownfield 19:12, 16
Brownfields 20:9
 80:17, 19 89:19, 22
 102:13
buck 128:2
Buff 94:7
Buffalo 7:13 12:4
 18:14, 15, 19, 23
 19:19 21:20 54:15
 60:25 64:5 69:4
 78:1 80:10, 12 94:4
 95:9 100:2 133:17
 142:9 148:11 152:18
build 19:3 21:14
 45:13, 16 47:15 60:3
 62:15 63:25 150:16
 158:13
builders 122:8
building 45:17 48:21
 64:4, 8
built 46:18 135:19
built-in 127:25
Bulletin 7:11
burden 37:2 68:5
 69:18 70:7 81:22
 118:18
burdened 69:1, 12
 97:9
Bureau 34:22, 22
 78:9 139:11
buried 75:7 76:17
 81:15, 18 115:2
burned 158:14
Burrmaster 133:18
burying 46:1 89:5
 92:4
bus 76:8
buses 39:23
busiest 120:6
business 18:20 32:5,
 19, 20 39:18 77:5

<p>92:4 109:22 125:25 143:20 144:7 businesses 37:11 70:6 82:17 busy 104:2 158:19 buy 80:22 BY: 161:22 byproduct 53:12 byproducts 53:14</p> <p>< C ></p> <p>caesium 141:12, 14, 15 caesium-137 141:5 calculated 103:25 calculation 81:19 calendar 17:7 Calkins 94:12 call 8:10 15:9 109:3 called 8:15 68:22 77:6 91:9 126:4 134:7 140:24 153:18 calling 99:18 calls 15:3 42:7 69:24 Cambria 45:8 86:1 Campaign 96:19 campsites 62:4 Canada 43:19 62:10 Canadians 37:4 60:21 Canal 13:25 22:15 40:12 46:2 71:7, 10 Canals 76:19 cancel 93:17 cancer 51:23, 25 52:2, 5 60:18 61:2, 23 75:20 86:15, 17, 23 92:1 100:13 103:2, 3, 5, 6 110:5 115:22 122:1 130:7 132:12, 16, 19 142:2, 4, 5 cancers 61:5 100:15 130:12, 24 131:4 canines 54:18 Canisius 100:2 cap 134:6 capacity 10:9, 14 22:10, 12 24:5, 6, 7 29:17 31:14, 24 32:2, 14 47:12, 13 63:12,</p>	<p>13, 22 80:1 81:10 88:4, 8 117:19 118:7, 15, 19 capitalist 94:14 96:12 capitalists 109:3 capped 111:2 128:7 carcinogens 76:17 115:2 card 8:2, 6, 7 cards 8:3, 5 33:16 52:18 care 15:23 27:22 40:3 67:25 68:1 70:14 71:15 72:19 79:7 81:7 91:9, 23 104:19 career 45:9 124:16 carefully 26:5 29:13 72:2 94:1 101:13 Carnes 112:8 114:13, 14, 15 carry 75:23 carrying 82:20 97:12 cars 14:13 CARUSO 4:6 154:22 case 43:18, 23 82:11 131:4 138:12 140:21 cases 56:5 75:21 79:25 categories 157:5 category 69:17 cathedral 122:7 Cattaraugus 69:14 caucus 74:6 caught 128:17 causation 86:23 cause 59:15 100:16, 25 caused 86:24 92:2 115:19 causes 87:6 causing 60:18 caution 25:7 CCE 96:20 97:1, 6 99:17 celebrate 121:16 cell 135:5, 7 137:14, 17, 25 138:22 center 48:2 49:3</p>	<p>86:15, 16 106:24 Centerville 38:15 Central 12:4 28:11 57:17 78:7 century 71:9 123:9, 14 Ceretto 13:10, 12, 13, 18 certain 31:20 114:2, 3 Certainly 16:17 17:9 72:11 73:19 77:7 92:2 128:1 137:2 143:17 146:8 Certificate 1:15 3:8 6:9, 24 21:18 128:21 130:19 150:12 153:15, 18, 19 155:3 157:3, 6 Certification 11:8 Certifications 1:8 55:16 Certified 57:24, 25 58:19 certify 161:5, 12 certifying 58:16 59:20 cetera 69:8 Chair 6:20 58:12 154:16 Chair-Designee 3:9 Chairman 13:11 16:8, 10 40:15 143:22 challenge 80:16 81:16 97:22 challenges 24:14 chamber 18:17 chance 75:24 87:6 131:13 132:8 152:2, 3, 4 change 20:23, 24 59:15 121:11 changed 108:23 109:1 145:7 changes 108:1 channels 28:4 Chapter 63:8 characteristics 50:24 characterization 27:1</p>	<p>28:21 31:10 charged 22:7 Charles 67:4 71:16 charming 114:17 chart 133:9, 14 137:11 cheap 88:19, 20 cheaper 88:24 129:14 check 41:21 44:18 65:25 121:16 130:21 160:10 checked 66:2 69:4 108:16 151:13 checks 143:8, 16 Chemical 1:8, 22 3:4 5:12, 18 14:8 19:2 22:14 23:11 30:17 32:14, 25 57:22 83:7 95:12 107:4, 9, 16, 22, 25 108:7 110:19 150:17 chemicals 36:6 60:11 108:13 150:21 cherries 34:18 cherry 139:5 child 13:24 61:23 childhood 51:25 130:12 children 15:7, 19, 23, 25 16:2 22:8 33:18 42:19 54:17, 18 55:23 60:22 61:18 62:9 64:8, 10 72:19 73:12 74:2 91:24 97:14 108:25 109:23 115:13 121:22 123:16, 17 130:10 China 51:15, 16 53:6 chose 15:21, 22 49:23 96:2, 2 Christ 74:6, 9, 9 Church 74:5, 8 Churches 74:4 CIA 143:12 157:23 circular 63:24 circumstances 59:12 cite 67:17 cited 114:7 cities 85:15 citizen 107:20 122:5</p>
--	--	---	---

citizens 26:15 30:24
 96:19 105:21 107:11,
 12, 15 108:6 152:23
City 5:19 10:5 19:3,
 10, 23 21:3, 20 22:16
 50:3 71:7, 7 100:12
 118:16 147:9 150:5
 153:6
civic 48:10
civil 116:15
claims 85:17
clarity 141:8
classes 58:10 69:8
Claudia 112:8 114:14
clay 33:3 50:8, 9, 11
 129:25
Clean 1:8 37:10
 51:21 68:23 70:11
 85:2 91:19 109:25
 110:20 129:10, 11, 14
 144:21 157:25
cleaned 80:19 144:23
cleaning 23:16 43:22
 46:9 90:11 98:6, 9
cleans 19:20
Cleanup 19:12, 17
 144:17
cleanups 63:20
clear 41:1 79:22
 80:24 152:17
clearly 8:18 65:21
 99:7
clergy 74:7
clergyman 71:17
 73:25
clever 109:3
click 124:10 130:6,
 10, 14 134:19 135:1
 142:19 148:21 150:8
 151:15 152:15, 16, 16
 153:5, 21, 24 155:17
 157:3, 8 158:20, 20,
 21, 24 159:15
clicking 158:24
client 78:4
clients 149:18
climate 35:5, 9
 121:11
Clinic 78:3
Clinton 62:6

clip 144:4 145:9, 21
 146:11, 14 156:16, 19
 157:16, 24 158:8
clock 54:1
close 10:21 34:4
 39:11 42:7 75:1
 81:20 115:7 148:22
closed 10:15 81:6, 9
 82:16 97:20 117:22
 140:25 147:8
closely 20:3 142:13
closes 71:13
closest 85:1
closing 29:11 67:14
 129:3
closure 77:17
clothes 15:12
Club 102:3
cluster 132:12
Clyde 133:17
CMBs 54:24
Coalition 78:9
Codes 1:7 5:11
coffin 90:7
COHEN 3:2
coincidentally 136:16
Coke 119:25
Coleman 112:8
 115:12, 12
collaborative 17:18
collaboratively 20:3
collapse 121:11
colleagues 16:23
 136:6
collect 46:19
collected 8:5
collection 10:14
 46:19
College 100:2
collocated 140:11
 141:12
color 117:3
Colorado 141:9
colorectal 132:16, 19
Colored 116:13, 20
combined 7:8, 19
come 8:16 9:20
 15:13 32:18 39:8
 40:6 42:1 51:21
 53:3 57:19 60:23

72:1 85:6, 8, 15 92:3
 93:12 97:24 103:21
 106:24 107:2 123:6
 133:22
comes 67:16 104:23
 120:13 133:25
 144:24
comfortable 56:1
 113:14
coming 17:24, 25
 39:6, 9 44:1 113:18
 126:6
commencing 2:5
comment 5:23 6:11,
 21, 23 7:2, 9 12:17
 13:14 18:1 38:6, 10
 57:15 78:20 97:2, 5
 130:21 136:19
 160:11, 13
commented 96:24
comments 7:5 9:6
 12:19, 21 13:3 49:10,
 12 52:24 57:21
 61:14, 15 67:12
 78:13, 21 79:1 97:4
 130:16 131:5, 8, 14,
 20 132:1 138:19
commerce 18:17
 79:22
commercial 81:18
 84:2 89:23 90:8
 95:2, 3 117:10 118:3
commercials 129:5
Commissioner 4:6
 6:19 116:25
commitment 20:1
committed 57:4
Committee 14:4
 55:12 66:20 104:15
 107:12, 14, 15 108:6
 152:24
common 18:22 26:21
 89:14 92:11 93:5
 105:11 156:1
communicates 78:25
communities 23:6, 10
 48:4 56:15 74:3
 82:10 85:19 87:11
 93:9 100:12 119:17
 121:5

community 15:21, 22
 19:20 21:9 31:3
 35:16 37:8, 16 38:8
 40:17, 25 41:4 43:1
 44:10 47:17 48:17
 49:12 54:9 56:10
 57:5, 9 60:2 61:24,
 25 62:1 63:2, 4 64:5,
 7, 10 68:3, 10, 19
 73:7 74:1, 23 75:5
 77:11, 19 79:5 81:12,
 22 84:17 85:12 86:9,
 15, 20 87:3, 9 88:1
 89:10 90:7, 16 91:17,
 25 92:3, 5, 15, 18
 93:7, 8, 12 96:11
 97:1, 10, 15, 19 101:5
 104:16, 17 107:6
 112:18 114:21 115:6,
 9 119:16, 19 120:15
 123:2, 16 124:17
 129:23 130:16
 131:20 136:19
 138:18 148:17 152:8,
 15 155:10, 16 157:14
 159:1
community's 76:21
 82:1 86:13
companies 57:1
 94:16 96:5, 7, 13
 104:25 115:24
 126:16
company 55:7 57:4,
 24 59:4, 9 64:23
 65:3, 12, 17, 21 66:5,
 9, 15 72:18 76:23
 80:5 92:23, 25
 105:12, 25 108:21, 23
 128:1, 4
company's 58:1
Comparable 84:13, 21
comparably 83:12
compared 26:22
 130:12 138:4
comparing 138:2
comparison 126:9
 138:23
compatible 115:5
compete 70:13

<p>competes 88:20 competition 33:15 competitive 20:16 competitor 126:10 Compilation 1:7 5:10 complain 109:12 complaining 142:4, 5 complaints 149:23 complete 11:2, 10 58:22 142:11 completed 8:6 27:3 31:9 58:8 completely 43:25 105:14 completes 82:1 complex 28:3 129:19 compliance 12:15 20:6 complicated 38:4, 7 63:18 130:18 154:1 157:18 158:7 component 53:8 composite 10:12, 15 compromises 24:21 computer 161:10 concentrations 28:24 concern 13:20 15:4, 5 36:8 37:11 97:16 98:8 106:19 134:17 concerned 27:25 42:22 87:14 106:23, 23, 25 107:2 122:5 130:14 135:23 158:11 concerning 9:17 28:18 30:23 concerns 14:22 25:9, 12 31:4, 7 37:6 40:18, 19 41:22 47:2 68:17 72:8 concluded 79:15 100:14 136:22 concludes 24:4 conclusion 21:13 29:18 93:24 conclusions 24:10 86:22 101:3 113:7, 8 conduct 5:23 6:4 159:14</p>	<p>conducting 113:25 Conference 74:5 confident 72:3 confirm 20:5 conjunction 11:16 connections 100:20 conscientious 20:1 consequences 112:20 117:9 CONSERVATION 1:2, 5 3:11 5:6, 9, 21 6:1, 7, 14 9:8 10:2 21:16 23:25 25:18 64:12 73:14 87:24 89:20 101:6, 12, 14, 17, 20 105:22 108:15 116:24 117:15 118:22 129:13 131:23 133:3 134:10 136:12 138:8, 16 139:3, 20 140:4, 5, 10 141:7 143:1, 6 144:2, 22 145:16, 25 146:18 147:17 148:3, 15 149:17 150:1 154:5, 14 155:21 156:14 158:25 Conservation's 19:1 101:4, 8 119:3 153:9, 23 conserve 118:22 consider 5:12 29:2, 4 30:1 81:1 101:14, 22 104:16 108:20 112:16 considerable 45:22 consideration 79:3 87:16 104:20 105:19 considered 12:22 66:10 76:25 81:9 87:21 135:21 considering 44:15 80:24 considers 116:13 consisted 45:25 Consistent 6:6 26:9 86:18 consistently 35:6 consists 50:7</p>	<p>constant 120:9 constantly 16:21 constituents 16:20 26:17 constituted 6:8 construct 10:3, 18 56:20 constructed 5:17 construction 10:22 20:19 29:10, 20, 24 37:10 45:20 47:15 48:18, 20 consult 130:22 consultant 136:17 145:23 contact 9:11, 15 107:19 contain 98:11 containment 50:11 51:11 97:17 contaminant 28:16 contaminants 36:13 50:12 53:18 86:19 113:19, 22 contaminate 51:17 contaminated 24:24 26:1, 20 51:5, 5 53:17, 17 129:9 135:15 140:24 142:16 contamination 23:12 24:21 25:1, 3 26:9 28:18, 22 29:6, 8 30:2 36:11 98:6 129:15 133:4 137:19 140:25 144:6 146:3 continuation 20:22 continue 21:22 32:8 51:5, 20 52:14 66:23 105:3 149:14 continued 10:6 29:14 51:10 continuing 36:14 continuous 17:19 86:9 contracted 65:12 68:22 contractors 20:20 contradicted 113:23</p>	<p>contradictions 140:2 contradicts 30:4 contrary 29:18 64:13 contribute 95:19 contributions 55:8 contributor 20:15 control 26:21 28:24 70:24 94:18 118:24 controlled 42:12 controlling 87:21 controls 146:15 convening 18:21 conversation 121:18 conversations 156:13 convince 77:17 convinced 71:23 72:4 convincing 71:25 cooperation 8:25 cooperative 17:18 copied 155:25 copies 11:24 12:12, 14, 24 108:12 114:5 153:3 copy 65:13 103:12 117:16 152:17, 21 Cornell 144:8 corner 132:7 133:16 corporate 110:12 corporation 108:24 110:14 127:5 Corporations 85:22 Corps 28:7 133:10 134:11 135:3, 11 136:9, 20 137:13 138:5, 23, 24 140:21 141:4, 10 156:5 158:15, 18 correct 8:15 58:5 81:21 161:13 correcting 144:18 corrective 144:16, 17, 25 correspondence 31:6 132:25 cost 53:3 62:23 70:10 83:15 99:11 cost-effective 19:11 costs 37:8 47:15 83:17 105:2 106:11</p>
---	--	--	---

127:14, 15 140:17
Council 69:24 74:3
councilman 16:13
Counsel 4:8
Counsel's 6:1
count 128:14, 15
 157:11
counties 69:13, 15, 16
 102:11
counting 74:15
countries 105:6
 114:10
country 23:20 53:16
countryside 114:22
counts 72:7
County 5:15, 19
 13:11, 19, 23 14:1, 25
 15:10 16:10, 14, 22
 17:9, 13, 20 18:6
 20:15 23:7, 9, 20
 24:6, 11 25:4 26:16
 27:15, 15, 20, 24 30:8,
 13, 14, 19, 20, 24 31:1,
 11 32:12, 15, 21, 23
 33:1 34:21 35:4, 5,
 17, 19 36:10, 21 37:1,
 12, 15, 23 40:21 41:5
 45:9 48:21 60:5
 68:17 69:14 72:9
 73:4 78:8 92:8 99:4
 102:1, 2, 12 103:8
 107:24 117:23 118:2,
 7, 15, 17 121:1, 2
 127:23, 25 132:7
 133:1 142:19 148:13
 150:7 161:2
couple 39:11 42:24
 90:25 92:11, 19 97:6
 103:13 128:23
 148:24 149:4 156:6
course 10:21 15:10
 17:20 48:12 96:24
 108:18 128:17
courtesies 9:1
courtesy 52:17
cousins 103:2
Covanta 120:10
cover 10:15 58:9, 14
 65:1

covered 28:10 42:8
 130:7, 8
covering 125:5
cowardice 33:23
CPA 58:24 65:3
CPAs 57:25 58:10,
 15 64:24 65:4
CPA's 58:21 59:1
cracks 136:2
crap 44:3
crazy 44:4, 15 136:8
create 53:11 64:1
 70:16 122:14
created 12:6 45:22
 119:22
creates 19:20
creating 23:21 70:23
 123:5
creation 50:10
credit 143:19
Creek 2:3 12:3 39:5
 41:11, 12 82:24
 90:24 91:2 132:17,
 19 152:9
creeks 75:8
critical 19:13 149:20
criticism 149:16
criticisms 149:23
crook 43:17
crop 35:14
crude 132:17
cruel 111:23
cubic 10:10 81:20,
 24 88:5, 8, 12, 13
 97:23 135:16 151:6
cue 160:6
culture 114:18
cumulative 120:8
 125:11, 17 144:10
 159:18
Cuomo 6:7 33:21
 34:6 40:24 107:16
 108:2 125:19
cure 34:1
curie 135:22, 22, 24
curies 135:25
current 22:12 24:5
 51:2 58:11 65:18
 68:24 88:11

currently 5:17 16:10
 35:3 45:16 55:2
 76:16 81:10 116:10
 120:25
custom 50:8
cutoff 44:12
cutting 21:5
CWA 1:8
CWM 1:8, 22 3:4
 5:12, 18 10:3, 16, 18
 11:11, 17 13:20 15:6
 19:2 20:8, 14 21:7, 8,
 22 24:8, 15, 19, 24
 25:16, 23 27:4 28:2,
 7, 11, 12, 22 29:15
 30:5, 6 31:1 32:18
 33:4 36:6 38:16
 40:9 41:19 42:23, 23
 45:5 46:14 47:11, 14,
 20 48:6, 19 49:6, 14
 54:6 55:2 56:12, 16
 57:1, 4, 22 58:18
 59:8, 22 60:2, 8, 12,
 15 64:9, 13 65:8, 12,
 19, 20, 25 66:1, 12
 67:13 68:9 70:15
 71:6, 11, 13 72:16
 73:6, 23 74:2, 24
 75:1, 7 76:6, 18
 77:16, 17 78:14 79:4
 80:4 81:6 82:14
 85:19 86:10, 21, 24
 92:20 93:7, 12, 20
 94:3 96:10 97:8
 98:15, 16, 21 100:6, 7
 101:13 102:5 103:22,
 25 104:7, 23 105:22
 111:25 112:18, 25
 113:18, 23, 24, 25
 114:3, 9 115:5, 15, 20
 116:5 120:11 121:20
 124:15, 22 125:6, 24
 127:7, 8, 18 128:8, 11,
 18, 25 129:9, 25
 132:6, 11, 17, 18, 18
 134:3, 16 136:17
 139:21 140:18, 23
 141:25 142:7 144:13,
 15 145:5, 5 146:11
 147:8 150:15 151:20

154:7 155:13, 24
 157:22, 25 158:19
 159:1
CWMMU2@gw.dec.s
tate.ny.us 9:10
CWM's 6:9, 23
 12:13, 15 19:6, 10, 25
 20:6, 22 21:2, 14
 22:20 27:5, 6, 8 48:2
 49:3 55:17 61:4
 64:22 65:25 66:14,
 15, 22 68:3 70:5
 77:10 81:10, 23
 101:24 113:3, 7
 130:16 133:11
 136:16 142:12, 15
 147:6 149:18 153:5
 156:7

< D >
D'AMATO 3:9 6:13,
 19 127:20 154:22
 155:8
damn 38:24
Dan 145:6
danger 14:13 15:16
dangerous 19:21
 97:12, 20 125:3
 136:18 140:18
DANIEL 2:1 3:2
 5:20 18:8 23:6
dare 61:21
dark 133:16
DARRAGH 3:2
DARRELL 3:18 6:16
data 28:6 32:11
 58:4 63:12 66:1, 8,
 12 69:5 138:23
 146:6 147:15, 22
 148:5 152:6 159:12
date 26:13
daughter 102:21
Dave 9:19
David 9:25
day 14:16 39:21
 43:4 55:24 70:22
 76:9 83:8 100:5
 161:16
days 17:5 39:10
 42:3 90:25 149:25

<p>151:16, 19, 20, 22 152:1, 13 154:4 deadline 18:2 79:15 deadly 116:3 deal 45:19, 23, 24 46:8, 23 47:1 53:19 88:16 89:10 92:16 dealing 54:25 55:12 128:2 dealt 95:4 Dear 66:20 death 136:9 debated 100:18 DEC 1:8 6:19 8:7 10:24 11:6 12:3, 4 20:4 22:19 39:7, 12 41:2 43:15 49:11 56:8 63:6 67:18 69:4, 8 76:11 77:2 78:13 79:15, 20 81:9, 16 86:21 87:25 92:22 109:18 116:24 125:4 126:8, 11 127:6, 16 130:14 132:25 137:23 150:17 151:18 153:16 decades 33:19 97:9, 24 157:15 December 134:21 159:9 decide 6:9 141:22 decided 62:3 107:22 120:8 127:6 154:20 decision 12:23 22:24 33:22 34:3 54:8 61:10 82:23 105:20 119:12, 12, 14 120:13 122:4 123:14, 20 139:18 153:13 decisions 101:13 119:8 126:3 144:1 deck 53:24 declared 142:11 declined 135:5 decreases 84:11 DEC's 12:15, 22 130:20 deemed 76:21</p>	<p>deep 106:19 deeply 79:7 defeated 127:24 defend 106:11 110:3 defense 106:6 129:20 deficit 122:14 123:5 defined 116:25 definition 82:7 113:20 defying 146:17 Degree 94:6 DEIS 11:18, 21, 25 12:13 158:21 delay 148:1 delegate 154:25 delivered 114:4 demand 22:13 demands 27:10 demerits 33:12 demonstrate 65:8 demonstrated 19:25 21:4, 8 denied 60:3 Denk 9:19, 20, 23, 25 Dennis 94:9 100:1 densely 146:3 density 133:15 157:11 deny 22:20 38:1 denying 27:5 53:13 depart 71:19 DEPARTMENT 1:2 3:11, 13, 15, 16, 18 5:6, 20, 25 6:14, 15, 16 7:1 9:8, 16, 19 10:2 11:15 15:11 17:23 19:1 21:15 23:24 25:17, 17, 23 26:10, 15 27:4, 10, 24, 24 29:11 30:8, 13, 21 34:15 38:10 40:22 58:7, 13 61:3 64:11 66:25 72:10 73:14 75:19, 25 76:2 86:14 87:23 89:20 97:1 101:3, 6, 7, 11, 14, 16, 20 105:21 108:14 116:24 117:14 118:21 119:3 129:12 130:7, 22 131:23, 25</p>	<p>133:2, 2 134:9 136:12 137:4, 8 138:7, 16 139:3, 20 140:3, 4, 9 141:6, 8 143:1, 5 144:1, 22 145:16, 24 146:18 147:16 148:2, 14 149:16, 25 153:8, 23 154:4, 14 155:20 156:14 158:11, 25 Departments 75:17 Department's 7:10 29:20 135:10 136:13 depend 71:4 106:8 dependent 109:25 depending 99:9 125:13 159:16 depends 22:24 depicting 28:1 deposit 51:14 deposited 67:16 139:13 deposits 28:5 50:8 depth 29:7 deputy 143:11 DER 126:8 134:12 derived 27:17 describe 111:11 148:14 description 135:14 design 10:9, 10 designated 19:4 37:14 designed 10:12 62:13 Designee 3:11, 13, 16, 18 6:19 desirable 87:22 desire 147:25 despite 84:21 100:14 111:20 149:22 destination 115:10 DESTINO 21:24, 25 22:1, 2, 4, 4 destroyed 77:8 destroying 142:18 destructive 49:25 detail 13:1 42:1 56:4, 7 79:2 124:23 131:17 132:6 146:22</p>	<p>detailed 27:11 31:5, 9 detected 140:14 detection 24:23 140:13, 16 158:1 detections 26:8 137:9, 20, 24 determination 11:3, 10 29:8 determine 29:13 95:3 determined 10:24 11:7 23:25 29:17 77:14 detriment 73:7 74:14 detrimental 37:24 devastate 40:11 devastation 40:10 develop 32:8 78:21 developed 46:6 62:11 88:19 Developers 63:2 developing 78:14 116:14 Development 3:13 18:16, 20 19:18 67:1 69:24 85:12, 22 117:3 159:23 developments 37:13 devil 92:17 devoid 143:15 devoted 94:19 diagnosed 61:2 dial 135:5 dialogue 18:11 154:12 diaper 15:6 dictate 26:21 died 103:2, 3, 6 DIERDRE 3:16 67:1 difference 109:7 138:9 differences 59:10, 13, 14 different 16:13 17:7, 10 39:5, 8 41:13 68:15, 24 70:13 95:20 141:14 difficult 127:11 diffuse 26:9 digest 38:9</p>
---	--	--	---

digging 45:25 46:17
diligent 26:22
diligently 26:5
Diocese 74:7
dioxides 53:5
direct 85:12 86:22
directed 52:10
direction 28:1, 16
 56:11 132:11
directions 30:4
directly 25:5 35:23
 41:14 48:1 79:8
 80:8 83:21 143:24
Director 18:13 23:7
 31:6 96:19
Directors 143:24
dirt 41:15 113:18
disabled 94:12
disagree 43:14
disagreed 136:13
disagreement 157:25
disappear 53:14
disappeared 146:9
disaster 76:24 105:10
disasters 25:5
Discharge 1:6 36:5
 100:7
discharges 60:8
 132:18 157:17, 24
Disciples 74:9
disclosed 80:15
disclosure 45:7
disconnected 111:1
discount 86:21 128:9
discounts 128:16
discover 42:11
discovered 63:3
discredit 138:17
 139:4
discrimination 116:23
discuss 59:24 107:16
 126:20 134:9, 23
discussed 143:2
discussion 99:22
 126:20
diseases 61:18
dismiss 24:9
dispatched 157:20
disposal 10:6 20:1
 24:1 25:5 31:17

55:4 56:13 57:7
 67:20 81:24 82:5
 84:2, 15 87:21 88:10
 99:10 118:3, 7, 15
 127:10, 13
dispose 19:7
disposed 89:22 126:5
disposing 73:16 85:4
disproportionate
 117:8 118:17
disproportionately
 62:8 82:10 97:9
disregard 27:19
disrespect 33:14
dissolve 53:5
distances 114:12
distinct 5:25
distributed 43:16
distribution 82:4
District 13:14 78:7
 93:15 95:21 130:11
districts 83:12
disturbed 155:8, 8
division 151:24, 25
 157:16, 20 159:13
doctors 73:10
document 12:5 13:4
 44:19 58:18 59:20
 140:8, 8 151:21
documented 24:16
 144:5
documents 12:7, 11
 13:2 78:17 150:24
 153:19, 25
dodge 33:21
dog 141:24
doing 18:4 39:19
 44:18 45:18 106:8
 108:21 122:2, 19, 20
 140:22 143:20
 146:19 157:15 159:1
dollar 20:15 91:22
 98:13 105:25
dollars 23:16 35:23
 37:11, 19 47:15 93:6,
 20 95:5, 6 98:4
 126:16 127:14
 146:12
domain 50:5

donations 43:6, 7
 93:11
DOT 40:22
double 10:12 52:1
 76:22 124:10 130:11
 131:3
doubt 17:4
downward 33:5
Dr 30:12 147:3
draft 7:1 11:5, 12, 17,
 21, 24 12:14 78:15
 156:16
draw 122:3
drawing 122:1
dream 53:3 98:15
dried 157:13
drink 111:4
drinking 27:17, 21
 60:21 98:12 133:7
drive 80:11 83:8
 86:2, 2 112:10
 115:21
driving 105:8 114:23
drop 27:6 151:1
dropped 133:23
dropping 84:8
drum 75:12
drums 75:13, 15
due 27:22 35:9
 75:24 132:8
Duling 94:9 99:23,
 25 100:1
dump 32:19, 22 33:1,
 8 83:9 85:9 103:8
 104:25 105:4 107:4,
 9 110:19, 21 116:3
 150:12
D-U-M-P 77:6
dumped 44:3 60:13,
 15, 19, 23 108:12
 115:8
dumping 13:23
 22:15 40:3 46:1, 17
 68:8 79:9 99:2
 115:11 158:4
dumps 85:9 124:12
 126:1
dumpster 15:13
duped 64:12

dust 157:11
duties 30:22
duty 72:20 74:1
DVD 103:12
dying 144:8
Dylan 83:18

 < E >
earlier 43:21
early 17:5 107:9
earnings 66:18
 146:12
ears 112:1
earth 53:4 122:19, 20,
 21, 22 131:13
easier 153:21, 22, 25
East 24:8 28:13
 64:18
east-west 28:9
easy 50:10 86:1
eat 62:2
ECL 1:5
ecology 109:24
Economic 3:13 18:16
 19:18 21:19 23:11
 37:8, 13 47:7 48:13,
 17 57:22 58:17
 59:19, 25 61:25 64:2,
 22 65:19 66:10, 25
 69:24, 25 82:18
 83:21 85:21 98:14
 101:5 110:8 116:21
 117:7 119:2, 5
 121:10 124:13
 159:22
economical 20:11
 22:24
economically 73:7
economics 32:7
economist 83:23
economy 19:20 35:24
 73:4 85:18
ecosystem 68:10
Ed 112:7, 9
edge 21:5
Editor 112:24 113:2,
 6, 9, 14, 20 114:8
educate 100:25
education 22:8 93:18

educational 84:13
 116:21
educators 95:21
effect 33:10 83:24
 84:4 100:16 101:1
effected 78:18
effective 30:1 99:11
effectively 29:4
effects 82:18 83:21
 86:12
efficiencies 20:11
effort 17:19 113:11
efforts 21:7 32:7
 85:2, 21 86:21 98:18
eight 38:23 75:6
 76:16 83:8 96:21
 97:7 99:17 102:25
 103:4 115:1 117:24
 130:17
eighty 128:22
eighty-eight 145:21
Eileen 116:7 120:17
either 42:4
elected 9:24 13:19
 16:15 22:7 73:6
 110:3
electricity 53:10
 128:15
Electronic 12:12, 14
 13:2 153:3
elements 121:6, 25
elevated 26:8, 17
 27:2 132:7
eleven 88:7 142:24
eligibility 95:3
eliminate 116:22
Elimination 1:6
 23:19
else's 51:21
e-mail 9:4, 10 155:25
eminent 50:5
emissions 105:5
emitter 140:15 141:5
emitting 140:13
emphasize 25:12
 48:24
emphasizes 21:7
employ 87:19 122:8,
 18

employed 86:2 90:14
employee 141:25
employees 18:18
 21:4, 9 43:3 57:2
 60:4 96:12 128:14
employer 43:2
employment 20:16
empowerment 119:7
encourage 21:21
endeavor 150:1
ended 38:19, 21
ends 38:7 104:24
energy 50:2 137:4, 8
 141:9
enforcement 117:4
engaged 58:22
engagement 65:14
engineer 54:16 57:2
 94:14, 17 113:15
 130:15 136:16
engineering 54:15
 148:9
Engineers 28:8
 45:11 79:4 80:9
 81:21 88:17 90:15
 113:10 133:10 135:3,
 11 145:3
enhance 118:25
 123:15, 20
enhancing 119:18
enjoy 114:19
enormous 126:14
 128:1 150:20, 20
 155:7
Enron 66:17
ensure 56:2, 7 97:2
 116:20
ensuring 19:11
enterprises 85:21
entire 94:19
entirely 50:21 143:21
entrance 8:4
environment 32:5
 36:17 55:9 56:18
 57:3, 5 60:12 74:2
 77:3 96:20 110:13,
 20 116:14 118:23
 122:2
ENVIRONMENTAL
 1:2, 4, 19 3:8, 11 5:6,

8, 21, 25 6:7, 10, 14,
 24 7:1, 10 9:8 10:2
 11:14, 17 17:15 18:5
 19:1, 15 20:11 21:16
 23:14, 25 25:18 37:6
 53:12 55:6, 19 63:3
 64:11 67:11 68:6, 13,
 14, 15, 19 69:18
 72:13, 15 73:14 74:8,
 9, 11, 18 76:24 78:2,
 15 82:4, 8, 8 84:12
 86:16, 19 87:13, 23
 89:20 98:20 100:23
 101:4, 6, 8, 11, 14, 15,
 16, 20, 22, 23 105:10,
 22 108:14 110:8, 23
 116:15, 24, 25 117:4,
 9, 15 118:21 119:3, 5,
 6, 8 123:10 129:13
 131:23 133:2 134:9
 136:12 138:7, 16
 139:3, 20 140:3, 5, 9
 141:7 143:1, 6 144:2,
 22 145:16, 25 146:18
 147:7, 17 148:2, 15
 149:17 150:1 153:9,
 23 154:5, 14 155:21
 156:14, 16 158:25
environmentalist
 124:17
environmentally
 56:17, 21 99:12
EPA 60:10 67:18
 69:4 75:9 79:20
 97:16 120:2 139:11
 143:7, 11, 15 150:11,
 15, 19
Epicenter 133:8
epidemiologist 130:23
Episcopal 74:7
equality 116:21
equally 7:3
equipment 45:12
 140:13, 16
equitable 82:4
equitably 43:16
equivalent 76:19
era 110:19 136:2
 139:13

Erie 68:16 69:14
 102:10 133:16
 142:19 161:2
erosion 28:4
error 131:11
errors 131:19 148:19
Escarpment 35:10, 11
 50:18
especially 21:10
 37:13 61:18, 22
 114:19
ESQ 3:2
established 59:3, 18
 82:22 99:6 118:18
estate 60:6
estimated 59:11, 13
 88:12 117:21 118:11
 142:23
estimates 59:7 65:18
 66:3
et 69:8
ethic 123:8, 13
ethnic 117:7
euphemism 144:17
evaluate 44:10
evaluated 30:1
evaluating 44:19
evaluation 11:21
evening 9:6
event 41:8
events 37:17 59:11
 95:20 114:20
eventually 75:10
 76:18 153:16
Everest 153:24
everybody 42:20
 52:4, 5 105:14
 158:11
everybody's 14:19
evidence 22:11 30:3
 72:3 80:18, 18, 23
 111:21 128:24
exact 136:17 138:6
exactly 57:20 59:12
 146:24
example 31:7 100:19
 113:9, 17 140:4
examples 114:7
 137:1 156:11
ex-banker 128:5

<p>excavation 24:20 25:15, 18, 22 26:1, 5, 7, 19, 24 27:10, 14 140:6 Excavations 25:13, 20 26:12, 14, 23 27:6 29:23 31:8 exceeds 22:12 excellent 83:12 exception 100:11 excess 80:1 Exchange 146:16 excuse 27:19 execution 19:11 117:10 Executive 62:7 96:19 137:23 exemptions 126:12, 15 exist 31:5 82:16 84:14 existed 112:13 existence 112:15, 20 existing 10:5, 20, 22 19:6 20:22 24:21 29:3 32:10 51:3 56:22 69:5 135:19 136:1 exists 33:3 51:2 63:22 expand 38:1 56:22 68:9 76:23 98:23 101:24 109:16 139:6 expanded 31:25 70:8 98:25 117:19 expanding 48:2 50:22 69:19 98:16 125:8 expansion 13:20 17:9, 11 22:9, 17, 21 28:15 30:25 31:19 33:10 34:16 35:1 40:9 47:20, 21 49:13 51:1 66:7 67:13 70:1 76:25 80:7 81:14 86:9 91:16 97:8 99:19 100:8 109:7 115:15 116:2, 5 120:12 121:20 122:6, 11, 25 147:8 expansions 32:13</p>	<p>expect 52:1 105:21 110:3 140:10 expectation 29:20 expected 75:22 86:18 114:2 130:12 131:14 132:20 139:17 expecting 44:17 expedient 34:1 expense 80:20 127:17 expensive 126:11 140:17, 19 experience 54:21 55:5 83:11 95:16 100:20 143:17 experienced 37:12 experiences 94:15, 22 expert 17:15 100:22 105:13 142:12 expertise 142:14 experts 100:13 explain 108:1 explained 94:24 138:5 explains 12:25 13:1 explanation 137:16 138:13 143:5 explosion 147:3 explosions 89:4 expose 115:25 exposed 75:15 95:1 103:21 exposing 97:19 exposure 26:2, 4 86:19 express 59:9 65:22 112:21 extend 9:1 52:17 97:2 103:24 extended 12:19 Extension 7:9 38:6 78:12, 23, 24 82:24 92:20 144:8 159:9 extensive 48:17 97:4 126:20 extent 58:24 extraordinarily 29:6 extraordinary 80:20 81:22 extrapolate 94:25 extravagant 85:16</p>	<p>extremely 27:15 155:7, 8 < F > face 77:23 141:13 faced 131:5 Facilities 1:5, 20 25:14 31:1, 17, 20, 25 43:16 45:16 46:2 55:4 56:13 81:7 84:2 89:23 117:18 126:13 FACILITY 1:15 3:4 4:8 5:7 6:8 7:23 10:5, 25 13:7 19:3, 7, 10, 23 20:7, 25 21:2, 8, 20 23:23 29:12, 15, 19 31:12, 23 32:1 34:4 35:1 36:6, 16 37:24 38:2 43:22 44:8 47:7 55:17, 18, 22 56:3, 12, 16, 19, 20, 22, 24 57:7 63:5, 10 65:10 73:16 75:20 79:8, 13 81:4, 18 87:2, 16, 17 89:7 90:9 96:25 97:14 98:16, 23 100:6 107:1 109:8, 10 113:18 117:14 118:4 125:3, 7 127:8 129:2, 18, 19 130:25 131:1 facility's 21:10 88:3 fact 12:24, 25 16:25 28:2 32:22 43:8 65:16 70:4 71:10 80:5, 18 86:22 87:23 93:16 95:25 99:2 104:8 151:3 155:24 156:10 factor 19:19 factors 55:19 66:10 101:5 Factory 45:17 facts 65:7 71:23 78:11 93:5 113:8 factual 131:11, 19 155:19 faculty 78:1</p>	<p>failed 120:5 failure 78:24 fair 68:4 72:16 117:1, 6 Faith 78:9 90:1 109:22 149:22 fake 66:18 fall 70:22 92:24 Falls 15:2 22:5, 5, 16 36:22 49:18 50:3 54:12 56:14 86:25 95:22 116:10, 11, 16 117:23 118:10, 13, 16 120:7 130:3 133:10, 25 134:2, 7, 14 135:14 136:15 139:10 154:8 falsely 66:17 146:12 falsified 152:7 familiar 55:9 86:7 113:12 families 16:2 84:10 100:20 104:13, 18 family 14:25 15:24 35:2 54:12, 19 73:10 95:21 103:5 family's 56:2 far 8:4 23:21 28:24 42:6 47:7 95:19 98:15, 15 104:8 126:10 152:16 Farm 34:22, 22, 23 35:3 36:1 78:8 103:20 110:24 farmers 35:24 37:20, 25 50:6 53:7 109:22 farmland 36:20 farms 35:8, 13, 18 36:3, 7 83:25 114:22 faster 145:12 fatality 76:6 father-in-law 102:22 fault 66:11 favor 45:5 50:21 71:22 favorites 133:19 fax 151:12, 14 fear 42:2 55:21, 25 75:5, 10</p>
---	---	--	--

Federal 1:8 31:15
 49:23 56:4 62:7
 98:2 117:11 120:2
 129:20
feed 35:15
feeding 123:4
feel 14:15 49:12
 51:18 93:24
feelings 55:20
feels 148:17
feet 51:9 81:20
 106:3 138:3 142:16,
 24 145:5, 9, 22
fellow 92:8
felt 16:23
festival 102:4
festivals 93:10 114:19
field 100:23
fifteen 76:7 102:10
 112:12 155:2 157:5
fifteenth 123:3
fifth 149:11
fifty 35:3 47:25
 48:7 75:14 84:3
 91:18 129:8 132:20
 152:13 156:5
fifty-eight 41:10
 137:12
fifty-five 20:18 41:12
 47:14
fight 17:14 75:3
 104:12 105:24 122:1
fighting 61:9 107:8
 109:5
figure 33:15 148:5
 151:14 153:4, 12
figuring 158:4
filed 5:12 7:5
fill 8:2, 7 112:1
 118:9 136:3
filled 28:5 91:1
 113:19
filling 99:10
filth 41:15
final 10:15 12:23
 31:18 76:14
finalize 21:16
finally 17:12 18:4
 74:25 89:1 108:20

financial 58:2 59:25
 70:17 90:17 106:14
 122:12, 13 123:2
 124:21
find 13:1 52:1 67:25
 71:3 79:21 84:11
 89:9 116:3 128:23
 132:1 150:24 151:2
 154:18
finding 26:11 31:22
 98:23 153:25
findings 25:24 65:5
 117:17
finds 32:1 63:12
fine 152:12
finger 86:24
finish 61:12, 15
 131:18 140:1 156:18
finished 158:22
finite 121:13
Fiodaro 152:19
fire 106:4 133:7
 151:19
Fireman's 94:17
fires 75:11 89:4
firm 58:20, 25 65:3
 142:13
firms 60:10
First 9:9, 16 13:20
 34:14 65:8 71:21
 88:3 93:4 99:12, 14
 103:23 121:5 128:21
 130:25 137:4 142:21
 152:25 156:21 159:7
firsthand 21:19 55:15
fiscal 57:22 58:17
 64:1, 22 65:19 66:6,
 9
fish 60:23 62:2, 3
 129:24 130:1
fished 54:19
fishing 61:24 62:1
 127:15
fit 14:5 62:16
five 14:24 61:1 95:5
 103:1 111:15 136:22
 140:5 149:10 151:11
 159:22
five-minute 54:2

61:10
fixed 128:7
fixing 146:22, 23, 23
 147:1, 2
flapping 15:6
flawed 59:24
fled 63:2
flew 141:9
Floor 3:3 9:9
Florida 55:1
flow 28:1 30:4
 108:17 145:19
flowing 28:9
flunked 158:3
focus 57:21
focuses 18:20
FOIL 132:25 134:19
folks 40:20 41:2, 22,
 23 42:1
follow 41:24 64:20
 82:22
followed 9:18 13:10
 88:25
following 7:12, 16
 12:1
football 50:21 144:25
footprint 20:24 48:3
 51:2 126:18
Force 74:8 94:22
 127:25
FORCUCCI 3:13
 6:15 132:14
foregoing 161:12
foreign 114:10
foreseeable 79:17
forever 22:16 77:8
 81:15 83:10
forge 24:10
forget 119:21, 22, 23
 120:12, 14
forgetting 120:7
 148:16
forgot 119:24 120:4
form 69:20 70:3
formally 78:12
formed 28:3 107:12
 136:23
former 21:11
formerly 74:3
Fort 84:25 129:23

forth 17:3 42:8
 43:15 138:17 161:8
Fortkort 103:15
 106:17, 17
fortunate 15:15, 24
 16:22 27:15 110:18
fortune 27:18
forty 60:16, 19 77:7
 88:8 98:12 137:13
forty-four 19:4 21:14
forty-seven 41:11
forty-three 10:9 51:1
 60:20
forward 8:16 30:3
 46:12
found 39:17 58:23
 69:6 93:3 119:25
 124:17 142:22 144:9
 147:22 148:19
 153:17 155:23 156:5
 157:17
four 10:10 14:24
 15:25 35:3 70:5
 76:19 81:24 88:4, 12,
 13, 14 97:9, 22
 132:17 142:22
 144:13 151:5, 7
 154:4
fourteen 145:9
four-ten 112:5
Fourth 114:15 123:4
 149:11
fracking 33:25 110:2
fraction 127:11
Francis 106:18
fraud 72:13
frauds 66:17
Free 12:1, 8, 9 75:5
frequent 132:24
frequently 59:12
 79:24
fresh 27:17 72:25
 98:11
Freshwater 1:5 11:7,
 12 36:24
Friday 50:21
friend 15:1 38:23
friendly 40:17 99:12
friends 49:11 54:19
 77:23

front 8:12 9:12, 13
14:11 82:25
fruit 34:20 35:4, 14,
20
fruits 35:7
fuel 146:25
full 26:24 27:11
31:9 45:7 110:22
127:24 138:2 156:24
161:13
full-time 125:9, 10
fully 24:15, 25 25:2
58:11 64:25
function 143:23
functional 95:24
Fund 70:16 94:17
106:5
funding 106:10
Funds 69:7 128:9
140:22
further 17:8 22:17
30:1 56:23 70:9
82:1 86:8 97:2
Furthermore 20:21
59:10
FUSRAP 133:20
future 16:6 31:6, 18
35:15 36:20 37:22
45:18 50:24 53:19
63:20 64:8 70:24
77:10, 13 79:18
123:7, 23 141:18

< G >
GAAP 58:1
gain 50:4
gallon 75:15
gallons 60:9
gamma 140:11, 13
141:5
Garold 34:8 40:14
Gasport 121:2
gatekeeper 101:9
gates 76:18
Gazette 7:12
gear 152:1
Gee 131:16
general 34:23 143:15
Generally 58:1 89:22
142:14

generated 32:4 63:15,
17
generating 99:13
105:1
generation 63:9, 19
70:22, 23 91:18
102:25 103:1
generations 16:7
35:15 50:2 51:20
53:2, 19 70:24 103:5
122:10 123:6
generators 79:23
80:10
generous 96:7
gentleman 80:11
gentlemen 5:4 9:24
82:12
geography 32:24
geologist 95:8
geology 138:8 147:19
148:10
getting 47:21 73:11
93:19 111:9 139:15
153:22 154:1
Gigliotti 120:19
124:5
Gina 120:19 124:5
give 8:7 12:6 40:11
77:19 100:9 101:2
105:4, 6 150:19
156:11
given 30:2 59:21
66:8 71:11 73:20
79:5 80:5 94:22
96:23 101:3 103:12
121:7 123:23 130:16
134:20 137:23
138:16 151:21
gives 93:7 105:18
128:1 144:23
giving 70:12 151:18
glacial 28:3
glacier 145:11
glad 40:17 71:21
go 5:3 17:1 28:16
30:15 32:12 38:17
39:2, 23, 24 41:15
46:13, 13 47:5 48:1,
11 51:18 52:24
79:10, 20 82:14 83:4,

17 84:3 85:5, 5 89:7
92:20 93:21, 22, 22
99:20, 23 109:10, 11
124:10 126:4, 6
128:9 131:12 137:21
146:18, 21 149:1, 5
150:12, 24 151:14
152:16, 22, 24 153:5,
8 154:18, 21 157:2
158:18
goal 64:1 119:4
144:15
goals 18:22 62:18
God 141:13
goes 56:9 82:23, 25
100:4 109:12 111:3
159:16
going 8:21 15:6
39:7, 21 42:3, 4, 4, 13,
15 45:15 46:11, 14
47:9, 14, 17, 18 48:1,
4, 10, 11, 11, 15 67:8
68:7 69:10 70:2
71:3, 13, 18 72:4, 11
78:22 80:3, 6 83:5,
16 84:4 85:8, 16, 23,
24 89:11, 16 90:4
92:18, 24 93:17, 19,
21, 21, 22, 25 94:5
98:22 100:9 101:2
102:8, 23 109:6, 9
110:21 111:10, 16
130:21, 22, 23 140:14
142:3 144:19 146:21
148:5 149:10, 22
152:2 153:13 154:20,
21 157:3, 6, 19 160:3
Golder 142:12
golf 48:12
Good 5:4 9:23
13:12 14:5 18:10
23:4 27:18 30:11
32:5, 17 40:7, 14
43:21 45:3, 25 46:3
48:18 50:25 54:3
57:12 64:17 67:6
89:10 114:14 116:8
155:12
goods 37:21

Gorge 100:4
gosh 158:8
gotten 140:7
governing 30:20
Government 16:15,
17 18:13 22:21
49:23 54:6 57:10, 17
59:18 74:10 75:3, 16
78:4 105:17 106:9
120:2 128:2 129:20
Governor 6:7 22:18
33:21 34:5 40:24
125:18
gradient 28:16
graduate 54:15
106:25
grains 35:21
grandchildren 42:19
55:24 64:9 115:14
grant 78:24 112:3
134:25 147:10, 11
granted 80:2 111:20
144:20
granting 25:10 62:15
gravel 28:8 50:14
146:2
Great 36:23 56:9
61:24 62:12, 14
72:24 83:17 97:19,
25 98:1, 3, 5, 7, 14, 17,
19 102:23 104:22, 24
124:11 132:22
140:15 148:22
158:12
greater 12:7, 25 26:3,
21 64:5 98:15
greatest 72:24
greatly 52:9 53:1
green 123:24
greenhouse 144:6
grew 15:1, 1 110:19
121:1, 1
GRIGSBY 3:2
gross 68:5 127:11
131:11
ground 22:15 27:2
30:2 40:3 51:8
115:11
grounds 13:24

groundwater 24:21, 23 27:20, 21, 25 28:19 30:4 110:1 133:4 137:2, 9 138:8, 24 142:10, 15 145:4, 10, 20 148:6 152:7 159:11
group 8:11 67:3, 10 73:5 90:19 94:8 103:14 104:12 112:7 116:6 117:6, 7 120:19 136:9
groups 68:20, 21 72:15 74:11
grow 18:22 34:18 35:6 110:18
growth 37:22 69:25 121:9
guess 73:18 127:7 137:23
guidance 81:4
guide 101:13
guidelines 120:2
guiding 33:15
guy 135:9 137:13 144:6 157:21
guys 44:15, 18 91:4
< H >
half 38:16 51:2, 6, 8 90:4 95:21 104:6 114:9 142:22 143:13 146:12
half-true 85:18
Hall 12:2 151:20 152:22 153:1
hallway 8:3 9:13
Hamilton 116:7, 8, 9
hand 9:5 71:18 160:5
handed 13:15
handful 50:5 122:12
handle 47:5 111:2
handled 134:12, 15
handling 21:6 57:7
handout 13:3
hands 77:10, 13
happen 39:10 42:15 75:6 76:25 78:23 79:20 85:24 93:19

happened 14:6, 24 38:24 39:11 105:10
happening 75:10 85:23 145:12
happens 42:10, 17
happy 9:15 95:22, 24 148:22
Hard 11:24 22:13 23:12 35:25 75:2 84:25 152:17, 21
harder 88:21
harm 86:8 115:20
hatchery 129:24
hatred 116:22
hawk 135:24
hayfield 51:13
Hazardous 1:5, 20 10:6, 25 16:24 17:22 19:8 20:2, 7 21:17 22:11 23:23 24:1, 11 28:14 29:12, 19 30:16, 25 31:12, 14, 16, 20, 22, 25, 25 32:3, 6, 13 36:10, 16, 25 37:7, 23 45:23 46:23 50:25 51:11 54:24 57:8, 23 63:5, 9, 14, 16, 23, 25 64:22 65:10 67:20 70:15 76:4, 12, 17 79:12, 13, 16, 23 80:20 81:3, 17 82:5, 20 83:7 84:2, 14 85:4, 13 86:12 87:15, 18, 19, 20 88:20 89:12, 23 90:9 92:14 97:10, 17, 20, 23 98:24, 25 99:3, 6, 8, 9 100:17 102:10 112:13, 16, 20 113:1 115:4, 10 116:4 117:13, 18, 19, 22, 25 118:3, 6, 9, 14 119:17 124:12 125:19 126:23 127:10, 13, 16 142:6 150:9
hazards 53:12
head 17:24 33:16 128:10, 15 139:10 145:25

headache 111:12
headquarters 146:6
Health 3:15 6:15 13:21 14:19 15:11 16:20 17:24, 25 22:23 23:7, 15 25:17 27:4, 25 30:9, 14, 14, 19, 21, 22, 23 31:2, 6, 7, 11 32:12 33:17, 17 40:9, 22 41:24 46:21 56:18 57:3 61:3 68:18 72:8, 9 75:4, 19 77:13 86:13, 14, 15, 16 87:4, 6, 10, 12 96:15 97:13, 25 98:21 101:5, 10 118:25 119:5, 18, 19 121:22 130:5, 7, 22 133:2 145:1
healthful 84:17
Health's 25:24 26:11
healthy 36:1 98:14 116:14
hear 8:21 42:5 47:10 48:9 50:20 74:24 83:16 150:14
heard 16:5, 6 33:2, 13 58:15 72:8 73:13 74:10 79:12 83:3 102:18 110:4 129:8 130:6 132:4, 21
Hearing 5:5, 23 6:12, 21 7:4, 9, 16, 24 12:22 25:8, 9 30:3 54:7 61:13 74:13 89:9 103:24, 25 152:10, 10 153:19 157:4, 19 158:5 159:14
Hearings 4:6 5:21, 24 6:3, 4 9:7 72:5 74:20 76:15 111:17 141:19, 20
heart 37:15
heartache 91:17
heavily 109:13
heavy 45:12, 21 85:3
heck 93:9 151:12
held 2:1 5:7 7:4, 25

23:13 58:25 99:22
hell 76:14
Hello 49:8 90:22
help 50:11 69:19 70:2 72:11 73:7 96:8 102:5, 7
helped 76:14 112:19 144:8
helps 35:14 70:16
Henderson 67:4 74:17, 17 132:8
hereinbefore 161:6
hereunto 161:15
Hi 71:16
hierarchy 87:18 88:14 99:5
High 2:3 15:2 28:20 29:6 35:6 54:14, 18 55:24 56:4 61:19 65:2 75:24 133:25 150:24
higher 28:24 100:14 115:22 120:1
highest 19:15 23:13 61:5
highly 49:19 53:11
highways 36:15 115:4 118:10
Hill 90:20 92:7, 8, 9
hire 128:8
hired 133:1 136:17
Hiroshima 133:24
historic 24:14 49:15 83:25 84:19 114:17
historical 101:19 147:15
historically 101:8
history 23:10 26:25 27:11 28:3 31:10 32:23 79:5 107:8 114:18 144:13
hit 15:7
HOC 4:1 6:17 41:4
hold 50:9 89:18 106:2, 3 157:4
holding 61:13 151:19
hole 46:1, 17
holes 126:14

home 25:4 36:21
41:10 47:5 86:2
112:14 114:16
homes 83:4, 25 84:19,
21 96:9
Honor 32:17 54:5
99:25 109:18 125:12
134:24 147:15 148:6,
20, 24 151:18 156:11
159:15, 23 160:8
honorably 94:20
hope 42:21 55:23
109:6 148:20, 21
150:25
hopefully 40:5 41:6
hoping 125:22
horrible 144:1
horribly 32:20
horrifying 154:10
horticultural 35:21
hose 133:7
host 56:13 118:3
126:22 154:5
hosting 20:5 54:6
154:9
hosts 37:16 127:21
hot 98:7 136:18
139:23 145:14
hours 17:6 48:19, 22
83:8
house 15:13 39:21
100:5 110:25 111:2
123:3 132:5
houses 84:25
housing 37:9 62:25
Houston 128:10
Howard 112:10
Hufnagel 18:9 32:16,
17, 18
huge 42:10 44:11
69:18 89:11 137:1
human 56:18 57:3
70:21 91:23 109:24
121:7, 14 123:1, 16,
16, 25
humans 60:17
humor 107:7
hundred 35:3, 18, 22
45:11 50:4, 22 51:7
60:16, 19 61:1 68:15

75:21 76:19 88:4, 8,
13 91:19 94:12 95:5
102:10, 11 129:1
132:20 135:16
137:11, 13 142:24
145:22 151:7, 10, 11,
21
hundreds 25:6 74:19
89:2
hungry 35:15
hurting 93:16
husband 64:21
hydroelectric 50:2
71:10
Hydrogeological 28:6
hydrologist 145:19
hydrology 25:2
142:14
< I >
idea 95:7 111:10, 16
ideal 33:20
identical 138:6
identification 29:7
identified 19:16
61:19 113:15
identifies 63:8
identify 25:1, 2 81:16
ignored 133:5
ignoring 87:25
II 136:1 139:13
ill 110:22
image 22:14 70:1
140:12
imagine 111:13 126:1
immediate 19:1
immediately 21:16
154:11 156:24
Impact 7:1 11:17
21:10, 19 31:2 37:25
55:20 57:19, 22
58:17 61:21, 25
62:21, 22, 24 64:1, 2,
6, 22 65:19 66:6
78:15 96:25 98:14
120:8 144:11 145:15
155:14 156:16
impacted 25:6 37:3
impactful 19:17
impacting 36:3

impacts 55:7 59:25
62:20 98:21 125:11,
17 159:19, 22
impermeable 50:10
impervious 33:4
implement 32:9
142:21
implementation 117:4
implication 71:2
implications 36:18
65:1
implore 112:2
importance 44:20
important 8:23
16:18 18:12 43:3
58:21, 24 61:10
64:25 74:21 77:9, 18
81:1 99:16 114:8
124:24 125:1 132:23
140:12 148:25 155:4
158:6
importantly 35:24
49:15 51:4 59:19
77:11, 19
imported 118:1
importing 37:22
impose 52:19 83:15
127:6, 7
imposed 25:16
imposing 54:2
impossible 100:15
151:4, 5
impracticable 56:19
impressed 21:3
impression 78:25
79:6
improve 56:23
118:22
improved 92:2
improvement 55:8
69:25
inaccuracies 155:19
inaccurate 140:2
inactive 102:13
inadvertently 111:4
inaudible 69:5 158:3
inception 87:25
incidences 61:20
incidents 51:25 132:8

incinerated 102:16
incineration 63:11
incinerator 147:5
incinerators 147:3
include 61:20 73:23
102:16 140:6
included 60:7 62:21,
24 63:1 113:2
includes 20:4 24:17
27:7, 8 29:21 98:7
including 36:22
49:20 99:12 117:7
119:6 131:7
income 117:3
incoming 54:8 126:12
incompatible 32:20
incorporation 49:16
increase 88:9 95:22
137:20
increased 37:18
increases 36:11 137:1
increasing 22:10
137:24
Incredibly 87:24
in-depth 18:1
Indiana 147:8
indicated 8:11
indicates 99:7
indicating 8:12
132:18 133:24 160:8
indirect 85:13
individuals 104:11, 20,
21 112:22 119:7
121:18 122:12
inducement 112:16
Industrial 1:20 10:6
19:8 20:2 21:11
23:9 25:4 31:16
85:20 117:9
industries 32:21 46:7
70:11, 12 85:8 98:13
113:11
industry 23:13, 18, 20
32:25 45:20, 21
46:15 85:2, 4, 14
113:15
ineffective 30:7
inevitable 42:2
infirm 106:21
influence 85:17

information 9:11, 14, 15 26:11 56:11 59:6 65:20, 23 66:1 96:23 104:10 107:20 112:18, 25 124:22 136:24 138:17 139:5 140:3 141:21 146:1 154:9 155:22
informed 101:8 153:10
inhabitants 96:15
inherently 29:8 36:8
initials 108:24
initiatives 20:12
inject 56:11
injuring 47:3
injustice 68:6, 10 110:9
innumerable 156:12
input 97:3 111:9
inspect 15:14 108:5
inspecting 95:2
inspection 55:16
Inspector 22:15 143:15
installed 28:12
instances 36:14 86:17 92:25
in-state 19:9 151:9
instillation 145:4
instilled 36:3
instituted 26:13
institutional 134:18 143:16
instructions 149:18
Instructor 46:22
instrumental 19:10
insurance 94:16 95:3 96:5
integrations 56:6
integrity 155:6
intellect 122:3 123:21
intelligence 122:18
intelligently 38:11
intent 31:13
interacting 138:25
interest 29:16 67:10 73:19 74:14 76:22 78:10 80:7, 25 82:1 90:16 109:23

interested 114:6 135:10
interesting 67:21
internal 134:21 135:13 146:15
international 45:10 79:25
introduced 121:5, 6
invention 123:25
inventory 135:17
invested 98:4
investigate 24:20
investigated 158:15
investigation 136:10, 21 140:22
investigations 139:5
investing 99:14
investment 18:23 98:10
investments 98:3, 9, 17
invited 135:2 141:17
involved 79:8 143:18 154:7 159:4
involvement 11:20 117:2
involving 76:6
ironically 115:19
irony 71:6
Isabel 34:8 40:8
Island 95:9
isotopes 49:20
issuance 109:21
issue 11:3, 11 41:14 57:21 58:14 66:13 68:6 69:21 78:16 80:13 99:17 116:15 124:25 125:1
issued 62:6 64:23 75:25 132:2
issues 16:17 31:5 36:9 49:4 55:12 68:19 69:7, 10 79:1 80:5 84:12 87:13 97:6 134:10 155:20 156:15 158:7
items 35:21, 22 92:11
its 6:23 10:5 14:1 19:3 20:25, 25 21:7, 7, 8, 9, 22 32:25 49:15, 24 50:1 76:7

77:6 79:21 85:12 99:17 100:17 101:4, 13, 21 108:1, 23 127:10 128:2 129:24 133:1 136:21 145:18, 25 155:1
 < J >
James 18:8 32:18
Jane 103:16 110:16
Janie 90:20 92:6
jeopardy 14:20 37:21
jigsaw 147:24
Jim 34:8, 12, 17 134:21
job 43:21 65:25 74:22 77:9 82:9 95:8, 16
jobs 18:23 19:20 20:19 48:18, 18, 18 57:8 77:16 128:11, 20, 22
JOHN 4:2 6:18 13:10, 13 22:4 44:25 53:24 54:3
Johnny 21:24
join 105:24
Joint 5:5, 23 7:8 153:18
joints 136:3
Jolbert 103:15, 17, 18, 18
Joseph 94:9, 11
Judge 2:2 5:3, 22 9:23 13:9, 17 16:8 18:7 22:1, 3 23:1, 3, 4 30:10, 11 32:16 34:7, 13 38:13 40:6 44:24 45:6 49:7 52:7, 10, 13, 16, 23 53:20, 23 57:11, 12 61:7, 16 64:16 66:23 77:22 86:4 90:19 92:6, 8 94:8 96:17 99:20, 23 103:14 109:17 110:15 112:4, 7 114:13 116:6 120:17, 22, 24 124:5 149:7, 13 160:1, 9

July 2:4 104:1 113:6, 24
June 7:11, 13, 14, 15
justice 18:5 68:6, 19 78:2 82:4, 8, 9 101:15, 23 116:15 117:1 119:7 123:10
 < K >
KAMINSKI 3:18 6:16
Karen 94:9 101:25 124:9 149:8, 15
keep 22:14 33:5 36:1 44:23 50:11 53:18 81:13 87:14 95:23 121:16 125:19 154:21 158:24
keeps 35:11 110:13
Kellen 44:24 49:8
Kenneth 103:15 109:17, 19
key 19:19 126:21
kids 83:3
Kim 90:20 92:9
kind 36:19 48:10 122:8 129:17 137:6 145:17 147:23 159:3
kinds 112:1
knew 107:20, 21 108:5 152:10
knocked 14:10
know 14:4 15:8 16:15 41:5 42:2, 16 43:13 44:2 57:4 59:2 66:10, 19 70:21 71:13 72:23 73:5 75:19, 25 76:11 83:19 84:15 86:5 88:17 89:24 90:4 97:18 103:25 104:8, 17 109:1 112:13 121:9 123:21 127:2, 8 131:6, 16 133:6 134:25 135:8 136:25 138:14 139:4 141:23 142:3, 4 143:7, 10 145:12 148:25 150:6, 23 151:23 154:15, 22,

25 155:24 156:1, 4, 9
Knowing 115:1 138:2
knowledge 55:15
 142:13
known 27:1 30:18
 107:25 115:10
 129:21
knows 127:20 143:2
 145:16

< L >
L.L.C 1:8, 22 3:8
 5:13, 18
L.L.C.'s 19:2
L.L.P 57:24 64:23
 65:3, 13, 18
lack 101:22 131:5
lacking 62:5
ladies 5:4 9:24
lady 38:23 107:7
 110:5
lagoon 147:2 157:13
lagoons 37:1 150:20
 158:16
Lake 35:9, 10 49:16,
 17 84:23 100:5
 103:11 121:4
Lakes 36:23 62:12,
 14 72:24 97:19, 25
 98:1, 3, 5, 7, 10, 14, 17,
 19 102:23 104:22, 24
 132:22 158:12
Lamb 67:4 71:16, 16
land 11:11 19:22
 35:15, 25, 25 36:4
 40:10, 11 51:19 77:7
 87:21 88:10 89:6
 99:10 109:24 116:3
 118:3, 7, 15, 24
landfill 5:14, 16 10:4,
 8, 12 11:4, 19 16:24
 17:22 19:4, 6 20:22,
 25 21:15 24:5, 7, 11
 25:2 28:15, 17, 23
 29:3, 5, 10, 17, 25
 30:16 31:1 32:14
 34:16 36:2, 7, 17, 25
 37:7 45:5 47:16
 48:1, 24 49:2, 6, 13
 50:22 51:3 53:13

55:4, 10, 25 56:13
 57:23 60:3 61:5
 62:16 63:7, 11, 25
 64:6, 23 65:9, 11
 67:23, 24 68:9 70:5
 71:1 73:2 76:13, 18
 80:21 81:11, 23
 82:16 88:1, 2, 3, 6, 20
 89:12 92:23 97:8, 10,
 18, 21 100:17 112:13,
 16, 18, 21 125:20
 126:5, 6, 7, 23 127:2,
 4, 16 134:5 145:6, 13
 150:10, 16
landfilling 60:1 99:7
landfills 14:4 24:1
 46:18 48:6 68:3
 75:9 79:16 81:6, 9
 97:18 99:3 117:23
 127:2, 22
landfill's 10:16 24:22
landowners 7:22
languish 84:19
LappHastings 116:7
 120:17
laps 44:4
large 26:1, 4, 19 31:8
 37:1 43:1 58:19
 82:19 95:2 127:21
larger 26:20 70:8
largest 34:23 36:23
 66:16 84:1 126:1
 127:1 134:4
LaSalle 15:2
laser 161:10
lasting 36:18
Lastly 66:13
late 15:3 130:17
lately 44:14
lateral 33:7
latest 128:17
laughed 141:13
laundry 151:15 153:7
Law 1:5 2:2 5:9, 22
 6:7 30:22 31:15
 58:7, 8, 13 78:1
 87:21 99:6 125:21,
 23
Laws 11:22 46:5

117:4
lawsuit 108:21 109:2
lawyer 89:25 131:12
Lawyers 86:6
Lax 126:17
layer 33:3
layers 25:19 33:4
leachate 10:14, 23
 46:19
lead 20:18
leaders 109:23
leadership 34:5
leading 147:20
leak 24:23 28:17
 29:5 42:11 72:17
 75:7, 10, 13 76:19
 97:19
leakage 36:12
leaking 29:3 115:21
 125:5 134:10 135:5,
 7 137:14, 17, 25
 138:23
leaks 36:14 42:7
 46:20 72:23 90:11
learned 23:12 25:7
 46:4, 7, 11, 15, 15 47:1
learning 47:4 121:10,
 11, 12
leave 8:8 51:15 79:6
 123:8 136:14, 18
leaving 142:17
LEE 4:2 6:18
left 33:1 60:25
 80:11 134:4
left-hand 132:6
 133:16
Legacy 28:25 69:1, 7
 70:24 71:12 98:6, 10
legal 17:15 106:5
legally 58:25 59:5
legislation 125:18
legislative 7:4, 24
Legislator 14:25
legislature 13:11
 16:11, 11, 23 17:13,
 20 73:5 148:14
lengths 56:9
lengthy 126:11
lessons 23:12 25:7

letter 23:8 65:1, 14,
 17, 21 68:11 73:11
 91:12 112:24 113:5,
 9, 14, 20 114:5, 7
 135:9 152:20 155:9
letters 91:4, 6, 10
 113:2
letting 34:2 155:10
level 26:21 28:21
 51:14 56:4 78:10
 114:2, 3 115:22
 123:2 137:4 142:8
levels 19:15 27:12
 75:21 119:25
Lewiston 12:9, 10
 17:20 30:18 40:8, 16
 41:9 50:16 54:10, 13,
 20 56:12 61:3 73:23,
 24 74:6 82:2 92:9
 93:7 95:25 106:19
 111:15 114:16, 17
 115:13, 14, 17, 19
 124:9 150:6 152:21,
 22
Lewiston-Porter 2:2
 7:14 13:6 18:5 52:3
 54:14, 18 62:5 72:21
 78:7 111:22 114:25
Lew-Port 55:22, 23
 93:15 94:2 109:11
liability 58:10 70:17
liable 58:25
Liberty 3:3
Library 12:1, 8, 9
 152:22 153:2
license 39:25 89:2
 127:15
licenses 77:1
lie 66:11
life 10:11 14:13
 15:18 40:12 41:17
 51:6 54:11 71:8
 76:10 85:18 94:15,
 19, 24 109:23 115:5,
 7 122:14 123:14, 15,
 15, 15, 16, 17, 18, 18,
 18, 20, 23 148:1 151:4
lifelong 41:8
life-long 45:7

<p>lifestyle 71:5 light 25:8 limit 54:2 61:10 62:2 104:3 122:18 limitations 58:23 limits 121:9 Linda 67:3, 7 74:11 Linde 158:17 line 83:19 106:15 138:25 liner 10:13 46:18 lining 85:19 105:12 link 122:1, 3 liquids 60:9 LISA 161:4, 23 list 13:4, 4 34:11 62:9 131:17 147:18 148:8, 19 151:16 153:7 listen 16:5 22:21 33:11 40:18 44:7 45:4 61:14, 14 74:23 84:6 101:17, 18 111:24, 25 112:2 159:18 listened 111:18 liter 137:5, 7, 10 literally 84:20 89:1 93:6 lithium 53:5 75:12, 15 Litigation 78:3 little 17:7 38:8 42:23 94:1 102:24 110:5 133:14 145:7 150:25 live 15:21, 22 38:14 39:4 42:20 48:21 49:9 50:16, 17, 18 52:8, 25 57:13 71:3 75:5 90:23, 24 91:13, 14, 24 92:3, 9 94:2 95:25 102:14 106:21 107:1 109:14, 19 110:24 111:8, 10 114:15 115:13, 14 118:20 121:13 123:1, 22 124:8 lived 15:3 41:12 54:10 71:17 91:6</p>	<p>102:1 110:17 111:14 115:3 lives 39:15 51:19 104:16 105:19 106:8, 13, 14 119:9 livestock 53:8 living 43:3 62:25 95:17 114:21 119:24 120:4 130:10 loads 82:20 113:18 loam 35:13 loams 50:8 loan 143:20 lobby 157:20 local 7:19 16:15, 17 20:17, 20 35:23 37:20, 21 53:7 55:10 57:1, 9 74:6 78:9 79:23, 23 85:21 98:2 112:17, 23 113:10, 15 117:11 located 5:18 7:22 37:4 84:22 97:14 113:1 location 96:10 locations 12:1, 12 Lockport 12:2 85:5, 7 86:1 121:1 150:5 logic 63:24 logical 29:9 long 13:23 22:22 44:11 71:14 95:9 104:24 105:3 113:12 114:12 115:5, 8 122:12 123:3 130:19 149:7 longer 14:2 51:17 63:17 90:8 110:20 longest 149:3 long-term 50:25 56:24 81:12 97:17 look 47:22 59:4 72:2 74:15 86:11 89:1, 8 90:15, 16 107:12 137:10 143:4, 8 146:19 150:3 152:24 153:5 158:6 159:12</p>	<p>looked 47:22 69:17 126:10 137:2 142:21 145:15 looking 17:8, 10 76:23 124:21 134:3 136:9, 24 142:13, 20 143:19 looming 22:16 loop 126:14 LORAB 55:12 lose 39:18 149:19 loses 124:15 losing 38:19 124:23 loss 94:18 lot 39:2 45:18, 21 46:5, 8, 24 47:4, 8 50:13 57:15 83:16 88:22 90:3, 3 93:11 103:20, 20 104:24 105:2 124:18, 20 125:25 143:18 147:22 lots 46:5 87:11 135:17 LOUIS 4:3 Love 13:25 22:15 40:12 46:2 71:7, 10 76:19 114:20 loved 61:22 104:18 lovely 82:24 83:3 low 51:14 70:10 93:18 100:6 112:25 lower 84:21 106:21 107:11 142:15 lucky 14:15 42:6 lungs 38:20 Lupus 61:20 lure 85:19 LYNN 3:11 66:24 < M > machine 108:3, 6 161:9, 14 magnitude 96:25 mail 9:4 mailing 7:21 9:6 main 18:20 53:8 77:25 100:3 maintain 21:7 35:14</p>	<p>maintained 10:16 56:5 maintaining 116:14 maintenance 56:24 major 25:15, 22 26:12, 24 27:6, 13 42:5, 5, 10 97:21 100:21 134:18 155:20, 20 majority 20:19 40:20 41:17 101:18 making 22:24 33:22 43:6, 7 48:7 64:9 92:24 93:1, 25 98:9, 17 105:20 122:4 Mall 45:17 Malone 95:10 man 52:6 83:19 84:15 129:21 manage 10:23 19:7 51:19 managed 42:8 55:22 117:22 Management 1:5, 8, 23 3:8 5:13 10:4, 25 14:8 19:5 24:16 30:16, 17 32:1, 3, 15 43:16 54:22 55:16 56:20 63:10, 14, 22 66:15 72:16 77:4 80:4, 13 81:12 83:8 87:18, 20, 22 94:5, 6 99:1 107:17, 25 117:18, 19 127:22, 23 128:19 143:21 145:8, 13 146:6, 14 147:4 153:6, 17 managing 31:14 99:5, 8 mandate 101:19 mandates 60:10 101:4 manner 29:21 manning 41:2 manufactured 53:2 map 47:22, 23 69:6 132:13 Mapping 68:22 maps 132:14</p>
---	---	---	--

<p>Margery 116:7 120:18 Maribeth 112:8 115:12 Marilyn 90:20, 21, 22 MARINELLI 3:11 66:24 Mario 107:16 108:2 125:18 market 34:20 35:21 37:20 79:25 84:20 marriage 110:8, 11, 12 Martens 6:19 Mary's 41:9 Massachusetts 55:1 massive 70:16 85:3 86:12 129:18 140:22 155:15, 18 158:16 massively 129:19 130:18 Mastercard 129:5 material 26:20 55:13 59:13, 14 67:25 69:8 71:4 104:25 108:4, 10 115:16, 18, 25 116:4 139:13 materials 21:6 23:21 26:3 27:2 53:4 54:22 57:8 103:21 105:7 math 142:24 mathematically 151:5 Matter 1:4, 15 3:4 12:23 16:25 42:9, 16 67:14 70:4 81:25 87:5 93:16 133:6 156:10 matters 100:24 MATTHEW 3:13 6:14 maxes 151:11 maximize 156:23 McCollum 44:24 45:2, 3, 7 McGreevy 112:8, 9, 10 mean 82:9 meaning 28:25 119:13 meaningful 78:19 97:3 117:2</p>	<p>means 51:7 59:14 71:2 82:10 95:11 106:1, 2 117:6 121:15 151:9 152:9 measurable 56:18 measures 56:1 media 112:23 Mediation 4:6 5:22, 24 6:4 9:7 medical 115:20 Medicine 73:11 100:24 101:23 meet 59:3 143:22 meeting 78:14 91:13 134:23 135:2, 5 141:10 151:19 152:25 154:18, 22 159:7 meetings 90:3 143:3 mega 24:1 89:11 Member 13:9 14:3 16:11 22:6, 7 51:23 52:15 55:11 61:12 66:24 78:1 80:14 113:25 134:15 153:10, 11 156:4 MEMBERS 4:1 6:10, 17, 22 9:18, 24 18:18, 21, 24 23:5, 5 30:12 34:24 46:23 48:20, 20 49:11 64:10 66:20 96:21 97:7 99:17, 25 membership 107:14 memorable 83:19 memorandum 133:9 154:23 memorize 156:25 mention 70:19 112:15 150:20 mentioned 8:19 132:9 Mercury 89:5 158:1 mergers 143:18 merits 33:12 mess 63:3 91:20 151:22 met 80:1, 12 107:15 156:21 metal 53:5 75:13</p>	<p>metals 53:6 method 99:8 158:1 methods 99:10 MICHAEL 4:6 Michigan 12:4 micrograms 137:5, 7, 10 microphone 8:17 9:20 mid 145:17 middle 48:4 107:5, 5 108:8, 11, 19 109:10 136:18 migraine 111:11 migrating 33:5 migration 25:3 36:13 84:10 mile 7:22 38:16 39:4 50:18 76:5, 20 83:9 91:14, 14 97:14 104:6 115:2 132:17 133:8 142:25 miles 76:7 100:5 142:22 military 94:21 milk 35:20 Millen 90:20, 21, 22, 22 million 10:10 18:18 20:15, 18 35:23 47:15 60:9, 20 75:6 76:16 81:13, 15, 19, 20, 20, 24, 25 82:13 85:11 88:12, 14 95:5 97:23 98:12 115:1 117:21, 24 118:6, 8 151:5 millions 37:4 60:20 93:6, 19 95:15 126:16, 16 mind 14:5 44:23 59:16 75:4 77:14 81:14 87:14 mine 15:1 53:6 minimum 80:21 Mining 53:4 129:25 minor 89:4 113:19, 21, 21 minute 157:7</p>	<p>Minutes 143:11 149:10 miscarriage 68:5 misdiverse 83:11 misleading 139:6 misled 66:21 mispronounce 8:14, 14 misrepresentation 131:12 mission 116:18 118:21 119:22 120:13 Mist 107:3 mistakes 23:16 46:11 misunderstand 65:6 mitigate 141:1 mitigation 158:10 mitts 100:17 mixed 146:25 mobility 141:14 mobilizing 18:21 Model 5:19 10:5 19:3, 10, 23 21:3, 19 71:6, 7 100:12 122:9 150:5 153:6 models 28:1 moderate 35:8, 12 moderates 35:10 Modern 93:13 114:4 127:4 130:4 150:12 Modification 11:1, 4, 5 156:19 modified 10:19, 22 Mohawk 95:9 moisture 15:7 mom 41:10 moments 73:13 monetary 61:22 money 47:17 64:9 89:9 91:22 92:24 93:1, 11, 18, 25 96:8, 13 105:2 106:11 124:15, 24 128:8 140:17 monitor 24:22 29:4 92:23 120:5 monitored 26:5 monitoring 26:22 27:13 28:7, 13 29:25</p>
--	--	---	--

30:6 56:24 60:4
 81:7 97:20 120:9
 126:17, 19 127:3, 5
 129:14 144:16
monitors 20:5 125:9, 10
month 75:12 102:6 113:1
monthly 107:16
months 16:25 84:24 120:6
moons 157:13
moral 101:9 121:21, 23 123:22
morning 108:15 114:23 124:3
morphed 137:6
motel 62:4
move 17:6 51:18 95:13 96:8, 8, 10
moved 26:18 41:10 54:13, 16 91:3 112:12
movement 24:18 26:6 74:18
moves 53:14 142:16
moving 14:9, 21 83:2 87:8, 17 112:17 133:4 144:15
mowed 134:6
Mt 153:24
mud 152:17
multi 20:14
multi-billion 98:13 105:25
multiple 115:23 130:19
municipal 117:10
municipality 81:17
Murphy 44:24 49:7, 8, 8 51:24 52:10, 12, 14, 21, 22, 24, 25
Murphy's 52:24
music 160:6

< N >
NAACP 116:11, 13, 16, 20 118:13
Nagasaki 133:23
nail 90:6

name 5:20 8:10, 14, 15, 16 9:25 16:9
 18:12 21:24 22:4
 23:6 30:12 32:18
 40:14 49:8 54:3
 57:13 64:17 67:6
 71:16 74:17 77:6, 24
 91:6 92:9 96:18
 100:1 103:18 106:17
 108:1, 23 109:2, 19
 110:16 112:9 114:14
 115:12 116:8 120:22
 124:8 145:8 161:16
names 108:24 113:21
Nancy 103:15 106:17
nation 109:24 133:20
national 22:12 31:24 63:21 79:25 116:12, 19 121:3 127:9
nations 122:9
nation's 98:11
native 95:11
natural 35:9 36:21 50:24 68:18 118:23 121:15
naturally 50:12
nature 63:18
NCCC 94:6
near 37:5 102:15 114:21 129:3 158:12
nearby 26:2
nearly 18:17 19:24 81:12 130:11 139:11
necessarily 69:5 79:2
necessary 29:15, 18 79:16 80:17 87:10 89:8, 19, 21
Necessity 1:19 3:8 6:10, 25
need 24:1, 4, 6, 16 26:22 31:24 42:15 44:10 47:11 57:6 60:4, 6 63:7 65:11 67:19, 23, 25 70:14, 25, 25 71:1, 14 73:15 74:13 77:20 83:19 98:23, 25 101:21 102:15 103:8, 9 104:12 106:3, 5, 9 117:17 118:19 126:4,

18 150:11, 16, 19 159:10
needed 26:23 47:3, 14, 16 65:9 76:13 87:3 89:15 142:21
needs 23:13 38:8 65:8 66:6 80:16 96:24 122:16
negative 31:2 59:25 61:21, 25 62:20, 22, 24 117:8
negatively 25:5 36:2
negatives 60:7 64:7
negligent 65:24
negotiated 147:4
neighborhood 15:20 129:17 131:2, 3
neighbors 49:12 77:23 109:22
Neither 101:11
network 74:3
never 27:18 42:23 48:8, 9, 11, 13, 13 49:3 87:12 91:19, 21 92:14 105:15 125:10 135:13 139:14 140:7, 18 142:10 149:19 157:10 158:14 159:3
NEW 1:1, 7, 15 2:4 3:16, 18 5:5, 7, 9, 11, 19 9:7, 9 10:1, 4, 19, 20 11:22 12:5, 11 13:9, 13 18:25 19:3, 4 20:21 21:14, 15, 21, 21 22:14 23:15, 22, 24 24:4, 22 26:10 29:5, 11, 18 30:21 31:20, 20 32:1, 2 34:22, 23 35:15 36:16 37:3, 7, 9, 10, 14 39:25 40:8 44:2, 2 45:5, 16, 17, 20 46:5, 5 47:25 48:23 49:2, 5, 10 54:5, 13, 25 55:3, 3 56:8, 15, 20 57:5, 14 60:3 61:1, 2 62:15 63:5, 6, 7, 9, 13, 21 64:4, 11 65:9 66:25 67:10, 11, 15, 17, 23 68:4, 12, 13,

16, 25 69:11, 15, 18, 22, 23 70:6, 7, 13, 16 71:3, 9 74:4, 5, 7 75:16 76:11 79:16, 17 81:17, 23 82:3 84:10 86:14, 15 89:7 90:11 92:14 95:13, 14 96:3 98:24, 25 99:1, 6 100:3 107:15 108:24 109:2 112:11 116:10, 23 117:13, 19 118:1, 9, 16, 23 119:20 120:15 126:23 127:12, 15 128:2, 6 129:6 130:6 134:5 150:16 158:1, 13 161:2, 5
News 7:13 28:12 60:25 90:8 94:4
newspaper 43:6
newspapers 7:12, 20 33:9
next-door 125:5 126:24
NFSS 157:22
Niagara 5:14, 19 7:12 13:11, 18, 23 15:2 16:10, 13, 22 17:9, 13, 19 18:6, 14, 15, 19, 23 20:15 21:20 22:5, 5, 6, 16, 19 23:7, 9 24:6, 11 25:4 26:16 27:15, 18, 24 30:8, 13, 14, 19, 20, 24 31:1, 11 32:12, 15, 21, 22 33:1 34:21 35:4, 5, 10, 17, 19 36:21, 22, 22 37:1, 12, 14, 15 40:21 41:5 45:9 48:21 49:18 50:3, 18 54:12 58:8 60:10, 13 68:16, 23 69:14 72:9, 13 73:4, 10 78:8 84:23, 25 86:24 92:8 95:21 98:8 99:4 100:4, 4 102:1, 1, 11, 12 103:8, 11 106:18, 21, 25 107:11, 24 108:11, 16 116:10, 11, 16 117:23,

23 118:2, 7, 10, 13, 15, 16, 17 120:7 121:1, 2, 3 129:23, 23 130:3 133:1, 10, 24 134:2, 7, 14 135:14 136:14 139:10 142:19 150:7 154:8 158:2
Niagara's 19:19
nice 40:23 134:6
nicely 134:6
nickel 53:4
night 15:3 38:18, 25 47:6 108:8, 11, 19
nightmare 155:15
nights 39:2
Nils 67:4 77:24 147:3
nine 16:12 60:25 81:20 84:24 85:11 88:8 137:6, 11
ninety 98:11
ninety-day 78:23
ninety-nine 131:25
nitpicking 155:19
nobody's 92:4
noise 41:15
non-expansion 17:21
nonhazardous 10:7 150:10
non-hazardous 19:8 20:2
North 24:8 28:13 91:3 114:15
northeast 43:20 134:3
Nos 1:8
Notary 161:4
note 66:24 75:23
noted 28:22
notes 161:14
Nothing's 142:17
Notice 7:8, 9, 11, 19 150:4, 8 151:16 152:13 161:7
notified 15:10 104:7, 9 157:9
notion 43:15
notorious 130:2 133:19 135:11

notoriously 84:12
not-to-distant 141:18
number 10:19 17:6 21:25 63:19 68:18 77:4, 6 113:17 124:9, 14, 25 125:3, 4, 6, 11, 13, 22 126:9 128:20 129:5, 8 149:8 159:22
numbers 58:5 59:21 60:12 137:10
numerous 20:6 55:8
NYCRR 1:7, 8, 19
NYPIRG 67:9, 12, 12 68:11 128:18
NYS 3:11, 13, 15 20:4, 12

< O >
oath 75:17 77:12
objective 149:21 150:2
objects 118:14
obligated 57:2
obligation 25:16 101:9 121:21, 23 123:22
obtain 135:20
obvious 84:18
Obviously 46:2 82:25 85:24
occasions 111:18
occupational 23:15
occupy 10:8 51:20, 20
occur 26:17 59:12 90:13
occurred 90:12 146:2
occurring 50:13
occurs 29:20 85:20
O'CONNELL 2:1 5:3, 20 9:23 13:9, 17 16:8 18:7 21:24 22:1, 3 23:1, 3, 5 30:10, 11 32:16 34:7, 13 38:13 40:6 44:24 45:6 49:7 52:7, 10, 13, 16, 23 53:20, 23 57:11, 12 61:7, 16 64:16 66:23 77:22 86:4 90:19 92:6

94:8 96:17 99:20, 23 103:14 109:17 110:15 112:4, 7 114:13 116:6 120:17, 22, 24 124:5 149:7, 13 160:1, 9
October 31:13 65:9 154:20
offer 96:11
offering 20:10 113:3, 7, 8
offers 114:22
Office 5:21, 24 6:1, 3 7:6 9:7 12:3, 4 75:17 77:12 128:10
officer 143:19
officers 143:20
Offices 6:2
Official 1:7 5:10 13:19 16:16 22:7 141:9 143:6
officially 30:15
officials 9:25 13:7 54:6 106:2, 10 110:3
off-site 133:4
off-the-cuff 71:19
Oh 72:17 91:9 158:8
oil 146:25
Okay 129:7 132:21, 23 136:7 139:25 144:15 145:2 147:13 159:15, 25
old 41:9 107:7 110:5 136:4
Olsen 67:5 77:24 86:4 147:4
Olympics 33:15
omissions 131:19
omitting 136:25
once 61:24 63:3 155:24 158:4
one-half 7:22
ones 104:18
one-third 35:17
on-line 69:6
on-site 20:5 26:18 50:12 88:23 126:4
Ontario 35:9 49:16, 17 84:23 100:5 103:11 116:9 121:4

open 38:25 39:22 124:9
operate 10:3, 18 19:4 21:14
operated 70:20
operates 28:23
operating 41:19 45:10 90:9, 14
operation 29:14 34:19 35:2 49:17 55:21 56:17 86:10 90:18 145:6 148:9
operational 20:11
operations 20:23 24:25 56:22 113:13 117:10 127:19
operator 70:18 145:23
operators 45:12
opinion 22:10 30:25 49:23 58:22 59:9, 15 65:22 78:25 82:14 104:7 113:3 125:4 136:24
opinions 49:13
opportunities 84:13 88:21 97:3 156:13
opportunity 6:22 18:11 21:18 37:22 49:10 59:1 64:19 67:8 78:19 96:22 109:5, 6 136:10 149:2
opposed 13:19 22:22 67:13 79:8 97:8 100:8 109:20 115:15 156:25 157:10
opposes 30:9
opposing 30:15 32:13 109:5
opposite 156:10
opposition 22:9
oppositions 35:1
option 19:9 67:24 87:22
options 32:9 64:2 68:1 87:19
oral 7:3 9:3
oranges 138:2
Orchard 35:2

Orchards 34:18
83:25
Order 52:7 62:7
66:6 78:18 118:25
137:5 156:9
ore 49:22
organization 18:16
34:23 40:23 48:10
68:14 80:14
organizations 34:25
40:25 67:9 68:15
112:19, 22
orientation 149:9
original 126:3
Orleans 22:6 127:23,
25
OSHA 46:21
ought 80:21 131:3
136:14 153:12
outfall 100:7
outfit 147:12
outfits 39:19
Outlet 45:17
outlined 6:6
outliner 146:8, 10
out-of-state 39:15, 16
40:1 79:24
outrageous 61:11
136:19
Outreach 46:21
128:25
outset 154:3
outside 8:4 39:2
67:17 84:10 118:1
overabundance 61:17
overall 21:6 119:1
overemphasize 139:9
overruled 159:5
overseeing 113:13
oversees 157:22
oversight 30:20 81:8
oversimplification
150:18
overstayed 115:9
overturned 76:4
overwhelming 111:21
owned 5:17 91:8
owners 108:7, 25
109:22

owning 91:11
owns 104:7
oxygen 38:21

< P >
P.E 3:18
p.m 2:5 7:25
package 152:20
155:10
packed 146:3
Paduano 94:9, 11, 11
page 61:11 81:3
87:20 151:3
pages 78:17 151:13
paid 60:6 66:5 96:8
painful 144:1
panel 33:11 40:20
88:17 100:22
panels 53:8
paper 13:1 123:25
144:18
papers 79:10
paragraph 52:22
parcel 47:25 48:7
parent 66:15 80:4
parents 83:11
park 48:12 84:24, 25
114:20
parks 84:1
Part 1:19 10:24
11:3, 5, 7 33:23
35:16 36:23 41:17
53:15, 15 58:21 71:7,
11 93:5, 15, 23
105:17 119:12
125:17 129:12
135:12 145:13
150:14 158:13
partially 113:19
participate 119:8, 10
155:14
participation 149:24
particular 125:15
132:12 137:24
particularly 89:15
parties 59:1
partly 144:7
partner 21:9 34:17
43:1
partners 18:22

Partnership 18:14, 15,
24 19:16 20:4 21:13
80:10
Parts 1:5 5:9 28:20
44:14 95:13
part-time 107:1
party 80:3 134:25
154:19
pass 114:22
passed 91:25 116:17
125:18
passing 38:22 72:20
patched 136:2
paths 50:11
pattern 28:9 44:16
PAUL 3:9 6:13
44:24
pay 43:2 83:14
127:10 129:5, 5
paying 90:10
payments 85:13
PCB 28:18, 23 29:5
124:12 158:1
PCBs 36:5 88:22, 23
97:12 110:5 117:25
118:8 146:25 150:20
157:14, 17
peace 75:4 77:13
107:22 120:5
peaceful 114:22
peaches 34:19
Penale 90:19, 21
pending 6:25 118:5
penned 83:18
Pennsylvania 3:3
55:1
people 8:8, 13 15:16
18:5 22:22 41:4
45:12 47:11, 20
48:19 58:15 60:23
61:1 67:17 74:12, 23
77:11 79:6 84:17
87:8 89:16 90:4, 14
91:25 92:22 93:8
98:13 101:18 102:25
104:1, 2, 3, 6, 9, 16
107:2 108:18 109:1
111:7, 8, 24 112:2
116:13, 20 117:2, 6
119:1, 20, 24, 24

120:4, 7, 15, 15
121:17, 17 122:4, 9
124:18 125:13
127:24 128:9 129:9
136:8 141:23, 25
142:8 150:5, 7 152:8,
13, 21, 23 154:8
people's 101:9 130:5
percent 50:22 51:24
70:5 75:21 94:12
98:11 122:25, 25
123:1 131:25 132:20
percentage 61:5
perfect 50:13 138:25
perfectly 80:1
perform 55:15 120:8
performed 69:3
perimeter 21:1
Period 7:10 10:17
12:17 38:6 60:14
97:2, 5 103:24 130:8
periodic 26:8
periodically 8:9
permanent 81:6
128:7
permanently 81:18
95:23 117:22
permission 62:15
150:16, 19
Permit 1:6, 8 10:1,
25 11:3, 5, 8, 16, 24
12:12 21:17 22:20
56:6, 8 71:25 74:16
101:24 109:21
111:20 112:3 127:22
130:17 131:8, 9
144:20, 23, 24 147:10,
11 150:11, 11, 14, 15,
17 151:23 153:5, 18
155:17 157:8, 10, 18
158:3
Permits 1:4, 6 11:22,
25 12:14 77:1 78:15
89:3 128:8 152:1
159:12, 14
permitted 77:1 81:10,
11
permitting 56:3
117:1 139:21

perpetrated 66:16
perpetual 81:7
perpetually 60:5
perpetuity 97:21
persist 86:11
Persistent 62:18
person 59:15 157:22
personal 14:6 22:23 107:8
personally 55:11 109:4
personnel 113:13
persons 116:22
person's 44:9
perspective 55:7
PETERSON 161:4, 23
Ph.D 4:3
phase 87:24
phases 94:24
phasing 88:10
phone 156:8
photo 129:18
physicians 100:25
pick 8:9 156:8
picked 139:5
picnic 141:25
picture 82:2 90:16
pieces 123:25
pile 79:9
Piling 159:2
PILOT 132:13, 15
pipe 111:2 155:23 156:6, 7
pipeline 25:22
pipelines 137:18
pipng 136:3
pittance 129:2
Pittsburgh 3:3
place 33:10 50:19 53:16 66:3 93:4 99:14 104:25 105:4 121:6, 8, 12 125:20 129:9 130:1 138:6, 10 139:23 146:2 150:5 161:7
placed 12:11 110:7
places 39:15 41:13 53:23 102:22
Plains 95:10

Plan 23:23, 24 24:4, 17 27:10, 12 29:12, 19 31:12, 18, 23 32:1, 11 62:19 63:6, 8, 12 65:10 70:5 73:15 76:12, 14 79:22 80:24 81:4 87:16 98:24 117:14, 17 140:6
planet 121:13
planned 35:1
Planning 142:20 145:3
plans 126:11
Plan's 24:9 31:13
plant 136:4 155:23
plants 108:7 144:7
plastic 33:5
play 50:20
played 54:20
playground 48:12
plays 19:10
plea 74:25
pleaded 156:13
pleading 110:11
please 5:4 8:7, 15, 16 9:1, 20 40:6 44:6, 23 45:2, 6 49:5 52:24 53:24 54:2 57:11 61:12, 14 66:21 99:21 101:17, 18, 19, 21, 22, 23 103:15 104:15, 15, 19 105:19, 20 106:15 109:15, 15 112:5 115:7 120:14 124:14 125:24 129:7, 16, 22 130:5, 6, 10, 14 132:4, 16, 21 134:2, 8, 19 135:1, 12 137:16, 21 138:15, 21 139:8, 22, 25 142:7, 9, 9, 9, 19 144:4, 15 145:2, 9, 21 146:5, 11, 14, 21, 24 147:1, 6, 13, 13 148:12 149:14, 15 150:23 151:2 152:15, 17 153:15, 21, 22, 24 154:2, 21 155:16 156:16, 19 157:8, 16,

24 158:8, 20, 20, 21, 24 159:8, 15, 22
pleased 102:3 125:15
pleasure 21:2
plenty 83:12
Pletcher 49:9 55:14 92:10
plume 29:8 155:22
plumes 25:1
Plus 74:12
plutonium 140:7, 10, 14 141:4, 11 155:22, 23 156:5 158:14
pocket 96:8 123:5
pockets 105:12 123:25
podium 8:17
poet 83:18
point 17:12 31:11 33:9 66:18 67:21 70:5 86:22, 24 88:22 98:4 100:11, 21 139:12
points 17:2 33:12 41:21 92:19 126:21 155:3
poisoning 53:7
poisons 75:7
policeman 94:21
policies 117:5, 12
Policy 116:25
political 33:23 34:2 44:6 116:20
politically 34:1
politicians 129:6
Pollutant 1:6
pollutants 53:14 62:19 105:7
pollute 51:17 77:2
pollution 32:6 36:19 68:21 69:9, 9 72:11 110:23 118:25
polysilicon 53:9, 11
ponder 89:8
ponds 102:17
pony 141:24
poor 34:5 92:17 147:6
poorest 67:24

popularity 37:18
populated 50:3
population 133:15
Porter 12:2, 3 30:18 38:15 54:9, 20 56:13 61:4 64:19 71:17 82:2 110:17 111:15 112:11, 12, 14 117:24 150:6
portion 41:4
portions 28:2
portray 42:25
pose 36:7
poses 25:15 53:12 125:3
position 110:7 135:10 136:14
positive 21:19 37:13 43:1 45:18 64:6 66:6 84:4 85:17
positively 155:14
possible 29:3 66:9 76:21 100:11
possibly 152:5
post-closure 10:17
posted 154:24
posts 144:16
potassium 49:21
potential 26:19 27:21 36:2 65:18 112:20
potentially 46:20
pounds 60:16, 19
Power 45:15 70:10 71:10 128:6, 11
PowerPoint 125:12, 15
practical 67:14
practice 108:22 113:12
practices 32:6, 10 46:7 58:2 126:15
praying 106:7
preceded 41:23
precious 73:1 102:18, 19
predator 121:15
predecessor's 145:19
predictable 105:16
predicted 30:5

<p>preface 57:15 58:6 preferential 99:8 premium 95:4 prepare 41:20 138:19 151:25 prepared 11:6, 13, 17 38:5 56:11 57:23 58:19 65:18 71:18 84:18 111:5 prerequisite 31:19 Presbyterian 74:4 present 31:23 109:10 presentation 9:17, 21 134:20 155:2 presented 7:2 56:8 66:20 72:3 104:11 presently 32:4 63:15 110:1 preserving 158:12 president 17:24 30:13 57:17 62:6 116:11 press 128:22 pressure 39:6 presumably 138:14 presume 156:20 presumed 58:5 pretty 44:8 54:25 84:7 100:10 105:16 prevailing 132:10 prevent 54:7 118:24 prevention 32:6 previous 44:9 53:2 103:5 111:7, 17 price 146:22, 22, 23 147:1, 2 priceless 129:6 prices 84:20 pride 114:25 primarily 68:16 125:7 150:9 primary 10:13 13:20 principal 31:22 98:23 117:16 principles 101:15 printing 161:11 prior 12:22 16:12 26:24 29:9, 24 146:13 147:16 priorities 16:16</p>	<p>priority 16:18 18:3 22:19 78:5 97:6 pristine 110:20 private 18:16, 22 32:8 84:24 privilege 95:1 121:7 privy 107:19 probably 47:10 74:21 80:15 92:16 131:24 149:9 150:6 problem 15:8 17:14 39:20 42:5 51:21 52:6 83:13 85:1 86:6 93:23 94:23 134:18 160:1 problems 13:25 33:7 39:4 87:4 105:15, 15 107:13, 17 133:3, 7 139:9 148:19 procedural 159:6 procedures 58:3 proceeding 8:19 Proceedings 2:1 8:20 78:16, 19 process 11:20 21:7 25:8, 9 30:4 38:8 119:11 148:1 149:24 154:1 processes 48:6 processing 49:22 127:17 procure 17:16 produce 80:17 115:24, 25 produced 70:6 144:14 produces 23:21 35:19 producing 133:22 production 49:24 53:10 122:16 productive 85:17 products 35:20 53:2, 3 professional 30:24 54:16 57:2 79:3 94:13 134:12 143:8 professionalism 21:4 professionally 55:18 professionals 126:8</p>	<p>131:24 133:1 138:17 professor 58:7 100:2 profit 96:14 Program 6:2 19:12, 17, 23 128:12 132:13 programs 19:18 117:11 progress 67:22 98:18 prohibited 89:5 project 11:4, 15, 18, 19 12:25 20:18 25:22 45:14 71:8, 11 92:21 134:11 projection 63:16 projects 19:13 25:13 55:11 63:20 105:13 promised 158:6 promote 85:6 87:17 promoted 58:18 proof 56:5 108:20 propaganda 64:13 112:1 Proper 29:6 77:6 properly 55:21 79:15 155:24 properties 20:10 141:24 property 5:17 31:8 37:9 47:19, 23 48:2, 3, 5, 8, 14 49:3, 3, 15, 19 50:23 51:10, 12 53:17 84:7, 9 91:7, 8, 11 100:6 104:8 133:11 140:23, 23, 24 142:18 156:7 158:13 proportional 43:11 proposal 6:23 9:17 19:2 21:14 34:16 88:11 propose 24:25 proposed 5:13, 16 10:3, 8, 11 11:4, 15, 18 19:5 28:11, 14, 17 29:25 30:6, 17, 25 36:2 37:24 49:13 51:1 78:15 82:18 83:22 87:17 101:24 158:10 proposing 10:18 prosper 96:14</p>	<p>prosperity 23:11 119:6 protect 27:23 57:3 74:1 77:3, 12 104:13, 13 110:4 115:7 118:22 119:23 121:21, 23 123:23 125:6 protected 109:14 protecting 57:5 98:3 104:21 protection 23:14, 14 27:19 68:17 protective 29:22 protocol 25:20 26:7 29:23 proud 21:9 73:25 proudly 94:21 prove 66:2 84:18 86:23 87:1, 2, 2 89:21 144:21 147:7 proven 19:14 86:23 provide 7:6 9:13, 15, 16 24:5, 7 25:14 56:10, 23 65:5 78:18 96:22 131:14 provided 7:18 26:14 28:7 57:8 66:5 112:17 130:20 159:9 provider 16:18 provides 55:5 126:11 providing 18:4 20:16 112:24 provisions 30:21 146:16 proximity 50:1 prudent 56:21 Public 1:19 3:8 5:23 6:4, 10, 11, 21, 22, 24 7:8, 9 9:18 11:6, 13, 20 12:6, 17, 18 14:22 23:7, 15 26:2 27:16 29:16 30:22 31:6 38:6 54:7 57:24, 25 58:20 59:1 67:10 68:18 70:9 73:19 74:14, 20 78:13, 18 79:1 80:7, 8, 25 86:13 87:4, 6, 10, 12 89:15 95:17 97:2, 3,</p>
--	--	---	---

25 98:21 103:24
 118:10 119:5 131:7
 142:21 145:5 149:2,
 9, 24 150:4 153:10,
 11 154:2, 5, 9, 11
 155:12 156:4 159:8
 160:13 161:4
Publication 7:19
public's 152:3
published 7:10
 132:15
publishing 112:24
Puerto 43:19 115:18
pump 111:3
punishment 111:23
punitive 100:13
purchased 112:14
 114:16 123:3
purely 32:23
purpose 6:3
pursuant 1:4, 19 5:8
 161:7
pursuit 119:4
purview 89:25
put 15:12, 13 17:3
 22:17 32:19 37:21
 41:16 44:6 48:10, 22
 52:4 61:22 64:2
 73:2 85:25 86:1
 93:10 102:4 109:9
 124:25 129:13 136:1
 138:17 145:24
puts 19:21
putting 55:6 84:1
 89:25 92:13 102:5
 123:24
puzzle 147:24

< Q >
qualifies 41:13
Quality 1:8 11:8, 14
 15:18 35:6, 15 55:18
 62:12 75:11 106:14
 115:7 119:5 121:23
 122:15, 15 145:4
quantities 26:18
quarter 18:18 118:8
 142:25
question 47:13 83:21,

24 114:11 123:8, 13
questionable 136:6
questions 68:24 70:9
 86:11 131:8, 15
 134:22 135:17
 154:12, 13 155:18
quick 41:21
quickly 8:22 44:13
 86:6
quiet 52:13
Quiett 34:8 38:13, 14,
 14
quite 79:15 88:9
 136:6 148:25 159:4
quote 59:6, 14 65:22,
 23 113:9, 17 140:8
 147:10

< R >
race 117:3
racial 116:22, 22
 117:7
Rader 94:10 101:25,
 25
radiation 26:4 36:9
 51:8, 14 139:11
 140:6 141:21
radio 7:15, 16, 20
 42:4 150:4
radioactive 26:3 27:2
 49:20, 22 54:24
 55:13 107:23 108:4,
 4, 10 125:5 126:25
 133:12, 21 139:12
 140:25
radioactivity 25:19
 69:8 90:12 110:5
radiologic 24:14
radiological 24:17
 26:8, 9, 12, 17, 25
 27:11 29:21 31:7, 10
radium 49:20, 20, 21
 135:25
radium-226 135:21
radius 104:6
radon 49:21
rain 75:12, 15
raise 15:23
raised 102:1

raising 54:17
ran 144:6
range 35:6, 19
ranking 14:3
Ransomville 12:7, 8, 8
 50:17 103:19 109:20
rapid 108:17
rare 39:24 53:4
rate 51:24 130:11, 12
 145:19 146:3
rates 75:20, 24
 100:15
rationale 138:15
rays 140:11, 14
reach 94:23
reached 28:19 40:24
reaching 10:14
reactive 75:13
reactor 134:1
read 13:15 23:8
 33:9 43:5, 24 44:12
 60:24 61:11 62:9
 78:20 126:2 128:20
 149:17 152:6 156:22
 157:2
reading 132:24, 25
 151:11 153:12
real 41:21 42:15
 60:6
realistic 78:19
reality 47:11, 19
realize 51:25 61:9
really 43:23 47:10
 58:15 65:15 69:22
 72:7 83:23 89:10, 14,
 16 103:23 104:9
 122:7 132:23 140:17
 145:17 156:22
realtor 112:15
reason 50:9 88:15
 104:5, 5 105:1, 4, 5, 7
 114:24 116:2 126:17
 127:18 134:14, 24
 148:4
reasonable 59:15
 147:14 159:11
reasonably 86:18
reasons 14:17, 20
 16:3, 4 30:8 33:2

50:1 71:24 73:20
 100:9 124:18 128:4
reassuring 88:3
Rebecca 120:19, 21, 23
rebuilding 62:23
recall 101:7, 19
receipts 84:9 127:11
receive 91:12 114:9
received 57:9 131:21
 159:3
receives 128:5
recess 53:22 112:6
Recharge 128:12
recognize 57:6 135:4
recognized 23:22
 100:23 125:18 135:4
recommended 120:1
reconstruct 148:5
 159:11
reconvene 53:20
 112:5 160:12
record 5:3 8:1, 11
 12:15 19:14 21:22
 30:15 32:13 99:20,
 22, 24 126:3 139:17
 147:7
recorded 12:21
 160:2 161:9
records 58:3 146:15
recovery 54:23
recyclables 54:24
recycle 105:6
recycling 32:9 54:23
 55:11 63:10 99:15
reduce 62:13 105:5
reduced 67:23
reducing 99:13
reduction 23:18 32:7,
 9 37:9
reference 130:6
 152:19
references 132:4
referred 126:1 155:9
reflect 156:24
refused 135:3
regard 65:2
regarded 142:15
regarding 7:15 33:10
 55:13 98:1

<p>Regardless 33:7 117:2 150:2 Region 10:3 12:3 18:19 19:21 21:12 22:19, 23 28:3 69:1 104:22 127:21, 22 134:13 151:18 159:4 Regional 6:2 10:1 18:17 56:8 69:23 142:20 145:3 region's 18:15 70:1 85:6 Registry 86:16 regular 87:10 regulating 23:18 regulation 150:18 Regulations 1:7 5:11 11:23 20:6 117:5 127:3 regulator 136:20 149:19 regulators 56:4, 12 regulatory 11:20 29:2 82:11 119:21 127:6 145:15 reinterpreted 146:7 reinvigorated 145:18 reiterated 111:6 reject 101:23 related 5:14, 16 36:7 59:7 148:9 relates 157:1 relating 31:8 155:22 relation 11:22 Relations 18:13 relationship 100:16 relationships 101:1 Relative 132:10 relatively 88:20 release 26:16 released 60:11 releases 26:20 releasing 150:21 relevant 78:16 religion 100:2 religious 72:20 73:25 74:1, 3 relocate 56:20 relocated 70:15</p>	<p>rely 33:4 60:21 relying 147:19 remain 83:10 remaining 58:4 remains 33:3 remarkably 134:20 remarks 57:14 58:6 remedial 63:18, 20 134:11, 12 136:10, 21 remediated 20:9 102:12 158:16 remediation 19:13 20:12 25:21 28:21 54:22 55:10 67:23 remember 17:2 18:2, 3 71:7 76:9 101:21 130:25 133:23 138:12 remind 66:14 139:23 remotely 76:20 remove 50:5 148:16 removed 148:12 rendition 132:17 renewal 130:17 131:8, 10 144:24 REPA 145:17 repair 25:13, 21 45:13 repeat 27:8 103:7 repeatedly 131:22 134:8 replace 10:20 138:5 replacement 25:14 report 58:17, 21 59:5, 17, 18, 23, 24 60:8, 10 61:20 62:21 63:1 64:13, 21 65:1 66:5, 19, 21 76:1 86:17 102:9, 16 147:16 156:9 reported 60:12, 15 63:6 66:18 100:13 108:14 143:24 146:13 reporting 143:21 146:19 reports 75:23 76:4 114:8 147:14, 18, 19, 20 148:7, 8 159:10 repositories 12:6 13:4</p>	<p>represent 18:17 40:23, 25 45:11 106:19 representation 40:19 representations 59:8 representative 45:10 76:2, 10 representatives 9:25 75:16, 18 78:14 101:19 represented 136:5 representing 78:6 reputation 86:8 request 8:25 12:18 27:6 37:25 38:5 78:23 80:2 81:2, 23 134:19 147:8 requested 54:1 requesting 78:12 159:8 required 11:19 27:5, 22 28:22 29:23 127:4 requirement 26:13 Requirements 1:6 6:6 127:6 requires 11:15 27:11, 12 63:9 87:16 requiring 62:7 118:8 120:9 Research 67:10 68:23 researched 24:15 reside 64:18 77:24 94:11 100:3 116:9 resident 13:18 41:9 45:8 54:4, 9 92:9 112:11 120:25 121:2 residential 82:22 84:13 residents 13:22 15:17 16:4 18:6 20:17 25:6 27:16 40:21 57:17, 18 62:25 74:10 75:18 78:4 100:12 111:22 112:17 115:20 Residual 5:13 10:4 30:15 77:4 Residuals 1:8, 23 3:8</p>	<p>19:5 residues 158:17 resolution 116:17 resolutions 17:3 resolved 118:13 resource 27:23 73:1 133:6 resources 36:22 68:18 118:23 respect 9:2 61:8 80:10 117:3 respected 58:19 respectfully 37:25 97:1 respectively 38:3 respond 130:15 responding 141:6 response 12:18 130:20 131:6, 14 140:7 156:1, 3 responses 130:15 131:20 132:1 134:22 responsibilities 30:23 responsibility 34:3 59:5 Responsible 74:10 78:4 104:22 rest 71:3 88:1 restaurants 114:19 restoration 98:5, 18 135:2 136:7 restore 98:19 restrain 37:22 result 30:5 32:5 107:21 resulted 26:7 46:1 resulting 28:3 117:9 results 59:11 94:15 retains 150:15 retired 45:12 94:13 96:1 100:1 retreat 106:24 retreatants 106:24 return 62:3 returned 44:25 reuse 32:9 99:15 reveals 58:24 revenue 39:13 revenues 56:23</p>
--	--	--	---

review 6:8 11:6, 13, 14, 16, 25 38:10 56:6 144:12 147:14
reviewed 12:22 29:13 96:24 132:1
reviewing 156:15
revisions 56:6
revitalization 19:19
revitalizing 21:12 22:18
rhetorical 44:17
rich 23:9 35:13 114:18
Richardson 103:16 110:15, 16, 16
Rick 90:19
Rico 43:19 115:18
ridiculous 104:7 138:20 141:16 143:25
riding 15:19
right 8:4 18:4 22:24 30:2 38:6 40:6 48:1, 4 49:2 50:15, 20 60:3 67:22 68:7 69:11 71:20 74:16, 25 75:4, 4 78:11 79:9 80:11 82:25 87:5 88:15, 16, 19 91:1, 1, 14 92:10 98:8 99:19 105:22 106:3, 4, 7, 9, 16 121:10 122:10 126:24 144:19
rights 116:15, 21
rigorous 127:5
risk 26:2, 4 33:18 36:7, 12 55:19 56:18 64:9 84:12 97:24 125:4 155:7
risks 25:15 62:8
risky 26:12 36:8
River 27:18 33:8 36:22 51:15 60:10, 13, 17 84:23 98:8 100:4, 4, 6 106:22 107:12 108:11, 12, 16 114:21 121:4 129:24 144:5 157:24 158:2

RMU-1 81:10 126:19 152:23 155:17 158:20
RMU-2 1:8, 23 5:14, 16 10:4, 11, 14, 21, 23 11:4, 19 19:5, 6 20:17 28:11 30:18 32:14 77:4 82:19 83:22 88:11 126:18 156:19 158:23
Road 2:3 5:19 12:3, 8 38:15 39:24 41:11, 12 49:9, 14 55:14 82:24 90:23 92:10 94:12 110:6 144:5 152:9
roads 36:15 45:14 62:24 118:11
roadways 62:23
Robert 18:8 30:10, 12
Rochester 56:14
rock 53:6
role 19:11 20:14
rolls 19:22
Ronald 34:8 38:14
room 42:21
rooms 37:16 62:4
rose 137:9
Ross 13:10 16:8, 9, 9
roughly 35:17
route 82:23
routes 63:1
row 8:12
RRG 84:18 152:12 153:11
rule 115:16
Rules 1:7 5:11
run 34:19 55:18 89:24 155:11
running 39:20 91:1
runoff 104:23
runs 37:15 114:21
rural 118:11
RV-8 11:12
Ryan 76:10
< S >
sacrifice 82:3
safe 16:2 19:23 20:1 25:25 57:7 60:21

105:14 109:23 124:12 135:21
safeguard 54:8
safely 24:12 47:2, 5 48:25 49:1 70:20
Safety 1:19 3:8 6:10, 24 13:21 14:19 16:20 21:23 25:7 26:14 27:7, 9 33:17, 18 41:24 46:21 56:2 75:4 77:13 94:14, 17, 19 96:15 101:10 118:25 119:19
sagging 18:3
sake 73:12 138:18
sales 84:20 127:25 143:20
sample 138:6, 10, 11 140:16 157:11
sampled 131:16 141:4
samples 39:8, 14 108:8
sampling 58:3 126:12 140:6, 23 141:11 157:12, 13, 15
Sanborn 61:4 102:2, 4
sand 28:8 50:14 146:3
sandy 35:13
Satan 147:11
save 126:15
saved 147:5
saw 143:10
saying 65:6 73:9, 12 74:13 89:20 121:19 142:15
says 8:24 15:4 67:18 72:10 80:16 83:7 125:19 128:13, 22 134:21 138:1 145:1 147:19 151:22 153:5, 6 156:4
SCA 145:7
scale 26:4 31:8, 9
scaling 155:23 156:6
scan 25:18
scanning 26:13

scare 14:11 42:20 46:24 136:9
scared 87:9
scares 42:18, 18, 19
scarred 23:11
scary 14:16
Schneekloth 67:4, 6, 7
School 2:3 13:6 15:2, 25 17:5 22:6 39:22, 23 50:19 54:14, 19 55:24 60:5 72:21, 22 76:5, 8, 20 78:2, 7 82:25 83:5, 9, 12, 14, 14 92:10 93:15, 15 94:6 95:20, 23 97:13 109:11 114:24 115:2, 21 130:11
schools 55:22, 23 82:16 118:11 129:24 131:1
science 75:14 150:11
scientific 77:5
scientist 113:16
scientists 113:10
sclerosis 115:23
scope 44:19 66:19
scoping 151:21
score 33:16
SCOTT 4:3 6:18
scourge 115:4
SCOZZAFAVA 3:16 67:1
screen 24:19
screening 24:17 29:22 126:14, 15
searching 152:6
Second 65:12 69:1, 21 82:18 93:5 113:17 127:1 131:13 134:4 143:4 160:12
secondary 10:13
Secondly 71:6 131:2
seconds 149:12 159:20, 24
secret 137:22
Secretary 67:2
Section 1:7 149:7 153:18
sector 18:16 32:8

secure 31:16 46:18
88:2, 6
Securities 146:16
security 94:20 96:15
see 39:5, 24 40:4
45:13 47:23 55:23
65:7 69:22 83:5
95:10 96:13 104:10
108:9 109:13 128:3
129:17, 23 132:6
133:14, 16, 18 134:3,
4 135:13 138:14
144:13 145:18
147:20 149:13
153:11 157:1 160:7
seeing 114:6
seeking 78:5
seeks 88:11
seen 76:3 90:24
95:16 149:24 156:20
seep 53:7
seepage 33:8
sees 74:1
segment 148:20, 22
segments 148:24
149:3
select 64:3
self-interest 34:2
self-monitored 125:7
sell 34:20 84:25
selling 146:25
semi-conductor 53:9
semi-volatile 36:6
send 14:2 51:16
79:24 88:23, 24
135:6 144:11 156:9
sending 80:20
sends 151:15
Seneca 56:14
Senior 15:2 18:13
143:19
sense 26:21 42:6
47:22 72:21 73:1
89:14 92:11 93:5
139:1 146:17 156:1
Sent 134:24 137:22
Sentinel 7:14
separate 6:1 125:12
143:21

September 7:6 12:19,
20 18:1 38:7 44:13
78:22 100:14 131:19
143:10 156:18
158:22
serious 36:17 86:11
seriously 88:14
serve 23:6 75:18
116:10
served 58:12 94:20
service 16:18 58:9
110:25 113:12
serviced 155:24
Services 1:8, 22 3:8
4:6 5:13, 18, 22, 24
6:4 9:7 19:2, 9
57:22 65:4, 13 111:1
serving 6:20 152:23
session 7:24 125:14
154:9, 11 160:10, 13
sessions 6:21 7:4
set 18:7 34:7 43:15
161:8
Setting 68:23
settling 102:17
seven 35:18 60:16,
18 66:18 88:4, 4, 5,
13 122:9 159:12
seventeen 137:12
seventies 107:9
seventy 135:16
seventy-five 50:4
92:17 110:24 120:1
151:8
seventy-seven 110:17
severity 139:9
sewer 138:25
shaft 14:10
shape 69:20 70:2
shaped 23:10
share 14:1, 23 68:4
103:9 107:7 117:8
119:11 142:6
sharing 113:4
shed 36:23
sheet 12:24, 25 151:3,
12, 15
shine 25:8
Shirley 116:6, 9
shocked 60:25

short 13:14 23:8
52:22, 23 132:2
shorthand 161:9, 14
shortly 93:17
shotgun 110:12
shoulders 123:6
show 28:8 100:15
125:15 135:13
141:24 143:13
144:10, 11 155:6
157:6 159:16, 17, 21
showdown 72:7
showed 121:17
showing 121:18
shown 87:4
shows 22:12 30:5
80:19 102:9
shredded 84:7
shut 33:23 92:21
93:14 147:3
sic 152:19 158:17
sick 124:18
side 28:15 112:25
138:22 143:20
sides 28:14
siege 110:2
Sierra 102:3
signal 8:22
signed 62:11 73:11
significance 147:23
significant 23:17
24:18 25:12 31:19
37:8 42:17 59:14
86:17 97:16 98:20
significantly 28:20
105:8
signs 135:9
silicon 53:11
silt 50:7 91:1 146:1
similar 41:22 72:5
147:5
SIMONSON 4:2
6:18 41:5
simplistic 27:25
simply 78:22 79:10
126:7 155:9
simultaneous 119:4
simultaneously 131:9
Singer 34:18

single 70:21 100:22
124:24 125:1
sir 52:12, 22
sister 103:1 106:18
sisters 106:20
sister's 91:5
sit 8:12
site 19:25 24:15, 24
25:2 26:25 27:11
28:2, 11 29:15 31:9
36:9, 13 49:18, 24
50:25 51:3, 11, 14
55:13 56:23 60:5
67:13 69:19 70:16
77:17 79:13 86:25
90:11, 13 92:14
104:6 106:21 107:24
108:10 110:19 113:1,
11, 24 118:6 125:5
126:17, 25 128:21
130:3 132:25 133:11,
12, 25 134:3, 7, 10, 15
135:8, 11, 15, 24
136:15 138:9 139:10
141:18, 22 142:1, 17
144:2, 22 145:14
146:4, 10 148:6, 9, 10,
10 151:5 154:8
158:17
sites 20:8 21:11
102:10, 16 103:8
110:21 114:9 130:2
133:20
site's 21:17
SITING 1:15, 20 3:4,
4 4:8 5:7 6:8, 11, 20
9:24 21:17 22:20
23:5, 23 24:9 29:12,
19 31:12, 18, 19, 23
32:11 38:1 40:16, 20
42:21 44:6 48:16
49:5, 11 57:6, 13, 20
63:6 64:12 65:10
70:5 73:15 76:12
77:24 78:6 81:4, 4
87:16 98:24 99:18
100:1 101:7, 12, 17
109:19 111:7 117:14,
17 118:14 125:19
128:21 130:18 131:7

152:3, 25 153:8, 15, 18, 19 154:16, 18, 21, 25 155:3, 11 156:20 157:3, 4, 6 159:6, 17
sitting 92:25 139:15
situation 46:3
six 16:25 17:1 39:4 73:10 81:13, 14, 19, 20, 25 82:13 98:4 102:11 118:6 122:9 151:9
six-inch 25:19
sixteen 51:7
six-thirty 160:12
sixty 20:17 35:18 84:4 102:2 106:20 137:10 149:11, 25 151:16, 18, 20 159:20, 24
sixty-six 128:22
sixty-two 69:15
size 131:3
skating 33:15
skepticism 90:2
skill 155:6
skip 88:1 149:11
skipped 125:14
skyrocketed 95:7
SLF-1 88:2
SLF-12 88:6
slide 124:13 125:24 129:7, 16, 22 130:5 132:4, 16, 21, 23 133:17, 21 134:2, 8, 20 135:12, 13 136:7 137:16, 21 138:15, 21 139:2, 8, 22, 25 140:1 142:7 144:11, 15 145:24 146:5, 21, 24 147:1, 6, 13 148:12 149:15 150:23 151:2 153:1, 3, 15, 21 154:2 155:16 159:8, 17
slides 126:21 135:6 137:22 149:4 160:5
slow 8:22 146:3
slowed 145:10
slowly 8:18
slurried 135:20, 20
smack 48:4 132:11

small 25:13, 20, 22 26:7, 14, 18, 23 29:23 109:22
smart 42:15
smarter 23:21
smell 39:3
Smith 94:9 96:17, 18, 18
snooker 137:23
social 116:21 117:7 119:2, 6, 15
society 52:8, 25
sociologist 83:24
soil 24:16, 18 26:6 28:6 50:7, 9 95:11 121:24 122:16 123:18 135:16, 21
soils 24:20 26:2, 18 35:5, 13 50:13 54:24
solar 53:8
sole 6:3
solid 54:23 89:12 127:1, 4, 19 134:5
solidarity 109:21
somebody 51:21 156:3
someplace 116:3
something's 42:14
son 39:14 76:10
so-often 85:20
soon 39:16
sorry 39:12
sort 85:8
sorts 88:18
sound 56:17, 21 88:5, 9
sounds 77:5
source 27:22 29:3, 7 50:1 114:25 132:11
sources 67:16
south 28:14 137:18 138:22
space 43:22 67:24 76:13
sparsely 50:3
spawned 32:25
SPDES 1:6
speak 8:2, 7, 11, 16, 17, 23 18:11 34:15, 21 41:13 45:5 52:15

64:19 67:8, 9 68:12 71:24 80:8, 9, 9 122:5 123:12 124:4 149:2 155:10 159:18, 23
speaker 8:2, 25 9:19 38:13 45:2 52:17 57:11 124:7
speakers 18:7 34:7 53:24 67:3 71:22 72:14, 15 92:13 94:8
speaking 9:2 64:20 65:2 73:25 78:8 95:23 118:20 160:2
special 108:3
specialist 94:18
specializes 100:24
species 121:14, 14 123:17
specifically 32:14 114:1
specifics 65:14
specified 65:21
speechless 158:9
spend 47:14, 17 90:3 103:20 152:5
spent 20:19 23:16 46:8 47:3 124:16 127:17 129:9
spill 25:21
spills 36:14
spoil 102:20
spoke 43:21 74:11 80:11 139:10
spoken 43:8 73:22
sponsor 17:4
spot 98:7 133:16
spots 39:5
spouse 110:7
spread 53:18
Spring 14:7, 9
St 41:9 106:18
stability 136:5
stable 20:16
stadium 64:4
STAFF 4:3 8:8 9:16, 19 54:6 55:7, 18 113:23, 25 131:25 134:16, 21 137:23 138:13 156:14

staffer 136:11 138:8 139:3, 20 143:2 154:7
staffer's 136:5
Stage 68:23
staggering 60:14
stagnant 84:8
stake 90:17
stamp 161:16
stance 17:10
stand 18:25 22:8 39:1 77:22 109:20, 21
standard 59:19
standards 23:13 59:3
standing 93:14 133:8
stands 109:25
Stapleton 18:8 23:1, 2, 4, 6
start 57:14 64:8 71:14 109:2 152:6
started 131:18 136:21 142:13 151:3 156:17
starting 148:8
STATE 1:1, 6, 7, 15 3:16, 17, 18 5:6, 7, 9, 11 9:8 10:2 11:14, 22 13:9, 14 14:19, 21 18:25 20:8, 13 21:15, 21, 22 22:19 23:15, 20, 23, 24 26:10 29:12, 19 30:22 31:15, 21 32:1, 4 37:14 39:25 40:11 44:2 49:10 53:15 55:3, 3 56:3, 8 57:6 59:17 61:3, 6 63:5, 15 64:11 65:5, 10 66:25 67:2, 10, 15 68:25 69:15 70:6, 7 75:16, 18 76:11 77:2 81:17 82:11 84:1, 24 86:14 94:1, 7 95:13, 14 98:2, 24 99:1, 6 107:15 116:23 117:11, 13, 20 118:1, 2, 9, 16 119:1, 20 120:16 124:14, 15, 23 125:1, 20 126:23

127:15, 20 128:6
 129:6 130:7, 13
 134:5 147:9, 10
 158:11 161:2, 5
stated 8:1 65:10, 17
Statement 7:2, 8 9:3,
 4, 5 11:18 13:15
 41:20 44:9 71:18
 78:16 111:5 156:17
statements 7:3 101:4,
 15, 21
state-of-the-art 19:25
 21:5 75:14
States 24:8 54:25
 62:10 63:8 75:24
 76:12 84:3 94:21
 105:9 114:10 115:18,
 24 116:18 130:2
 143:14
State's 19:12, 17
 31:14 82:3 127:1
stating 58:6 91:5, 13
stations 7:17
statistically 86:17
statistics 132:5
status 78:5 134:25
 154:20
statute 128:13, 13
statutory 79:14
stay 36:1
stayed 17:17
steep 137:20
Stella 106:18
stenographer 8:21
 52:11
stenographic 8:19
stenographically
 161:9
step 29:9 149:6
stepped 120:3
steward 121:8
stewards 35:24 121:3
 123:24
stewardship 19:15
 36:3
stockholders 146:17
stood 151:17
stop 17:10 32:19
 52:7, 11 64:7, 9 68:1,

7 70:25, 25 71:1
 93:19 105:1 116:5
stopped 71:23 109:8
 122:17 157:13, 15
storage 10:19 21:6
 31:17 49:18, 19, 24
 50:25 54:25 55:13
 63:11 67:19, 20
 69:10 75:12 81:6
 86:25 126:24 130:2,
 3 133:11, 12, 25
 134:2, 7, 10, 14
 135:14 136:15
 139:10 154:8
Storm 157:16, 17
story 14:16, 23
 107:10 123:10
strategic 18:21
strategies 27:8, 9
strategy 29:25 30:6
 62:11, 13, 17, 18 69:24
Street 12:2, 9 77:25
 100:3 114:15
streets 41:16 97:13
 109:12
stress 59:21
strides 23:17
stringent 20:6
strive 35:14
strong 18:25 55:20
 120:19, 21, 21, 23, 23,
 25
strongly 17:21 21:13
 22:18 97:7 141:18
structures 50:11
 135:20 136:1
stuck 33:2 51:9
students 106:23
 107:1
studies 44:20 86:13
 87:4, 10 100:11, 18
study 44:16 68:22
 69:3 87:12 100:22
 120:9 130:7
studying 90:12
stuff 38:17, 18, 21, 25
 39:3, 5, 6, 8, 14, 16, 19,
 23 40:2 42:13 44:1
 46:25 83:9 133:24
 136:18 137:3 139:16,

18, 19 140:17, 19
 150:17
stupid 137:15
subject 81:7, 11
 100:18
submit 9:4 13:2
 17:25 49:10 68:11
 97:4 124:22 131:7
submitted 12:20
 24:12, 19 38:4, 9
 116:18 117:16
 124:22
submitting 131:17
subscribed 161:15
subsidies 70:10, 11,
 12 128:5
Substance 28:23
 150:3
substances 49:25
 62:17
substantial 63:19
subsurface 24:20
success 21:23
successful 19:12, 18,
 24
succession 8:13
succumbed 110:22
sudden 39:10
sufficient 32:2 63:13
suggest 140:1
suggestion 126:5
suggests 67:13
 100:21 136:23
 137:25 145:24
sulphur 53:5
summarize 48:16
summary 59:23
Summer 60:22 78:21
 120:6
Summers 35:12
Sunday 60:24
sunlight 53:10
Super 69:7 70:16
superintendent 83:6
supervision 81:8
supervisor 135:1
supervisors 143:12
suppliers 72:25
supply 75:6 98:12
 103:10 110:1, 1

SUPPORT 4:3 18:25
 35:18 44:9 85:2, 12
 98:13 113:7, 8
 127:24
supported 26:10
supporter 17:4
supporting 32:11
supports 21:13 37:19
 57:1 80:18
supposed 21:25
 65:15 119:23 135:13
 138:13 151:25
 158:21
supposedly 156:15
sure 16:2 35:25
 42:1 65:15, 16 80:22
 86:7 92:1, 24 104:1
 106:4, 5, 10, 11 126:7,
 19 131:18 141:17
 149:1 152:9 160:3,
 10
surface 25:21 36:24
surprised 159:4
surrounded 48:5
 110:23
surrounding 36:15
 49:13 61:4 68:3, 10
 75:20 95:17
survey 52:2 127:9
surveying 95:2
survive 43:10
suspect 93:16
suspected 27:1
suspicion 137:17
sustain 121:25
sustainable 37:10
 69:25 85:2 87:19
swam 54:19
swear 141:13
swim 60:22
synergy 127:19
System 1:6 10:13
 24:23 33:9 95:23
 114:24
systems 10:13 46:18,
 19 69:10

 < T >
table 8:3, 8 9:12

33:6 41:2 64:3
tactfully 46:24
tactics 46:24
take 15:12 33:10
 34:3 49:14 52:6, 23
 53:23 60:2 67:25
 70:14 72:18, 19
 77:20 87:6 88:14
 91:9 104:19 105:19
 112:4 136:10 143:4
 144:12 150:19
taken 2:4 53:22
 56:2 107:24 108:11
 112:6 135:18 138:10,
 11 144:20 161:7, 14
takes 44:11 56:5
talk 47:8, 20 71:19
 79:19 80:6 82:15
 83:16 85:10 89:17
 93:8 102:8 131:22
 135:6 142:10 148:3
 152:2 154:16, 19
 157:5
talked 80:5, 12 84:22
talking 9:1 41:21
 44:1, 3 70:20 85:10
 92:13 132:5 139:15
 141:8 158:22
talks 102:22
tank 25:21
Task 74:8
taught 72:13
tax 19:22 20:15
 37:9, 11 83:14 84:9
 93:11 95:22 127:10,
 13
taxes 60:6 90:10
 93:16, 21
tax-generating 20:10
taxpayer 43:8, 11, 11
 70:17
teach 46:22 78:2
teacher 144:18
technical 79:1 133:9
 156:23
technically 11:1, 9
technological 53:1
technologies 45:24
 46:6 70:13

technology 21:5 52:9
teeth 145:18
tell 14:15 41:7
 42:13 43:2 57:19
 107:10 110:10
 124:21 126:22
 128:22 131:24
 132:14, 24 133:18
 134:17 136:11
 143:17 152:8 155:5,
 13
telling 41:3 79:10
 137:14 138:24
tells 105:13
temper 149:19
temperatures 35:11,
 12
temporary 126:24, 25
 133:12
tempted 66:14
ten 10:11 24:2
 51:24 58:13 83:8
 111:15 135:15
 137:12 138:4 139:11
 146:13 151:4, 6
ten-acre 134:6
tend 50:8
ten-minute 112:4
tens 82:19
tentative 11:2, 10
tentatively 10:24 11:7
ten-year 60:14 130:8
term 63:17 113:21
terrible 135:14
territory 110:4
tested 39:16
testimony 96:22
 124:23 125:8 139:7
 151:25 156:23
tetrachloride 53:11
Texas 55:2
Thank 13:6, 7, 17
 16:7 18:10 21:23
 22:3, 25 23:3 34:6,
 13, 15 38:12 40:12
 44:22 49:6 52:12
 53:21 54:5 57:10
 64:14, 14, 19 66:22
 67:7 71:15 77:21
 90:18 92:5 94:7

96:16, 21 99:19
 101:24 103:11, 14
 106:16 109:18
 110:14 112:3, 5, 9, 23
 113:4 114:12 115:11
 120:16, 24 123:9, 10,
 11 124:4, 11 147:3
 160:8
thanked 151:18
Thankfully 127:22
 129:2
Thanks 45:3 112:21
Theatre 107:2
Theory 138:21
 142:18 149:20
thereof 101:22
thing 18:4 33:24
 38:23 43:25 70:21
 74:16, 25 78:11 96:4,
 12 99:19 105:23
 106:5, 8, 9, 16 136:17
 143:7 147:1
things 14:6 27:5
 45:18 47:10 70:19
 72:6 73:8 83:3 89:7
 93:10 98:5 99:14
 105:11 106:3 109:9
 127:12 129:25
think 18:2 33:20, 20
 34:5, 11 38:8 40:20
 41:13 43:17, 23
 47:21 52:18 57:20
 63:24 72:9 78:20
 79:6 80:21 81:14
 82:8 83:2 84:5, 6
 91:23 93:2 100:9
 103:7, 24 119:21
 122:7, 14, 24 124:19
 127:11 130:17, 18
 133:18 135:6 136:4
 143:3, 10 148:25
 153:9 155:12 159:13
thinking 83:2 87:8
 93:18 122:8, 9 124:2
 156:25
thinks 107:4
third 50:9 58:25
thirdly 50:7
thirteen 37:16

thirty 24:2 41:18
 46:9 54:21 55:17
 60:9 74:19 77:14
 82:21 83:1 90:23
 91:18, 21 94:4 95:5
 115:18 118:11
 151:25 152:12
thirty-five 28:19
 129:10
thirty-one 58:9
thirty-seven 52:18
 128:24
thirty-two 60:1
thoroughly 126:3
thought 17:14 92:11
 139:14 148:12
 152:13
thousand 18:18
 28:20 34:24 60:15,
 18 61:1 78:17 88:4,
 5, 8, 13 95:5 96:21
 97:7 99:17 129:1
 130:19 135:16, 25
 151:7, 8, 10, 11
thousands 25:6
 48:19, 22, 22 51:6
 82:19
threat 36:17
threatened 36:10
threatening 97:13
threatens 98:16
threats 36:14 40:9
three 6:17 14:12
 18:19 21:25 39:7
 45:11 53:24 54:17
 60:15, 18 65:16
 69:13, 16, 16 76:6
 91:4 94:23 96:6
 103:2, 2 135:16
 137:5 142:1, 3, 16
 145:5, 22 146:11
 149:9 158:6 159:14
thrilled 93:3
thrive 35:14
thriving 62:3 93:8
throw 146:25
thruway 14:9
thruways 14:19
ties 74:24

Tim 67:4 74:17 90:2
Timbuktu 138:11
time 15:10 16:4, 7, 12 22:17, 21 32:18 38:9 42:9, 16 43:4, 5 44:10, 11, 12, 22 45:4 46:9 49:6 54:1 61:7 64:7, 15 67:20 68:7 70:15 71:14 72:7 78:13 89:24 90:3, 4 103:20, 21 104:14 107:11 109:1 111:18 112:3 125:14, 23 135:18 138:18 139:25 144:10, 24 145:24 146:6, 20 147:14 148:7, 18 152:5 156:21 158:5 159:11 161:7
timer 52:20
times 39:8 76:8 79:12 96:6 119:21 120:1, 6 125:22 140:5 145:12
tired 89:9
tires 14:11
Title 1:6 5:10
today 7:4 8:2, 24 12:25 18:11 22:9 33:11 34:15, 21, 25 36:1 40:17 41:8 44:7 45:4 46:25 57:21 58:14 64:20 67:8 73:18 77:9, 18 96:20, 22 97:6 100:10 110:5, 10 118:20 120:12 121:17 122:5 131:18 139:15 152:12 154:23 156:23
today's 6:21 8:20 74:20
told 27:4 38:24 44:14 75:9 87:24 108:2, 2, 3 136:12, 16 139:14 141:10 143:11 150:24 154:3 155:21 157:1, 19
tomorrow 12:12 33:24, 25 156:17

Tonawanda 91:4 119:25 158:18
tonight 7:25 73:18 77:10, 18 78:8 125:13 144:11 159:16
tonnage 17:5
tons 75:6 76:16 81:13, 15, 19, 20, 25 82:13 85:11 115:1 117:22, 24 118:6 129:1 151:10, 11
top 22:19 32:21 50:17 69:16 102:14
topic 18:12 58:9, 10 126:20
Toronto 133:15
total 45:8 81:1 128:24
totally 60:25 79:21
touch 15:11 92:11 97:6 99:2
tour 113:24, 25 141:24
touring 21:2
Tourism 14:3 32:22 37:11, 14, 18, 19 94:5, 5 160:7
tourist 115:10
Town 12:2, 3 17:20 45:8 54:9, 13, 20 56:12 60:5 64:18 71:17 73:23 82:2, 2, 15, 15 85:25 95:25 110:17 111:14, 22 112:11, 14 115:14 117:24 152:20, 22 153:1
towns 16:13 30:17 48:3 61:3 84:8, 11
toxic 13:24, 25 14:4, 18, 21 15:5 28:23 32:19 49:25 53:12 60:1, 3, 11, 17 61:5 62:16, 17, 19 63:7, 25 64:6 65:8, 11 67:25 68:5 70:1, 12 71:4, 12 73:2, 15, 17 77:6 98:6, 7, 9 103:21

104:25 105:7 114:9, 11 115:16, 24 122:16
toxicity 110:4 114:2, 3
Toxics 62:11, 13, 14, 16
toxins 19:21 60:16, 19 62:8
traced 144:9
track 19:14 20:5 21:22 147:7
tractors 82:20
trades 48:21
traditional 121:4
traffic 20:24 41:14, 24 44:16, 20 62:23 84:14
trail 37:15, 19
trailer 82:19
trail's 37:18
transcribed 161:10
transcript 161:6, 8, 12
transcription 161:13
transfer 53:9 69:10 128:13
transferred 96:6 128:11
transition 128:16
transitioning 20:9
Transportation 3:19 6:17 76:3
transported 114:11
transporting 14:18 137:19
travel 118:9 119:18
traveling 36:16
travesty 115:19
treasure 114:24
treat 88:22
treated 27:21
treatment 10:19 31:17 63:11 81:8 87:18 117:1, 6 126:4 136:4 159:3
Treaty 107:22
trees 95:10
tremendously 115:3
triage 145:4
Tribal 117:11
tribute 129:4 133:17

tried 134:8 136:3 148:3
trillion 135:22
troubling 28:12 135:7 150:8
truck 20:23 42:10 62:22, 25 76:6 82:19, 23
trucking 72:18 85:4 115:18
trucks 14:8 15:5 17:6 36:15 39:21 72:17, 20 76:4 83:5, 6, 7 97:12 108:9 109:10, 13 113:18 115:4, 20 118:9 131:16
true 44:15, 17 76:13 161:13
truly 14:20 20:22 43:13
trust 39:12 66:3, 13, 14 72:9 111:12
trusted 101:9
trusting 72:2
trusts 29:11
truth 71:25
try 44:10 77:17 78:21 102:23 111:11 141:7 144:19 152:1
trying 78:10 129:10 136:8 151:14
TSCA 150:11, 14
turn 8:10 42:4 43:5 71:9
turning 21:11
turns 69:14, 23
Tussing 90:20 92:6
TV 42:4
twelve 61:9 88:6 96:7 127:17 147:25 149:24 151:3, 13
twenty 10:11 24:2 60:9 63:23 91:18 134:16 142:23 143:13 151:4, 22
twenty-five 8:5 34:24 46:22 79:14 82:21 95:6 127:14 151:7

twenty-four 145:22
twenty-nine 106:20
twenty-one 16:12
 17:1
twenty-two 35:22
twice 131:4 154:3
Two 1:23 5:14 12:5,
 11 16:13 18:17 19:5
 25:12 32:21 35:9
 39:10 41:6, 12 67:9
 68:24 70:19 91:10
 94:16 100:5 102:10
 105:11 110:24
 117:21 125:9, 10, 25
 129:1 135:25 138:21
 143:13 152:25
 156:21 159:7
two-thirty-five 53:21
two-way 154:12
type 47:4
types 46:8 63:10

< U >
U.S 133:10
ultimately 122:16
unacceptable 22:13
 44:1 97:24 125:4
unaddressed 31:4
Unanimously 73:6
uncontrolled 26:20
undeclared 76:24
undergo 11:15, 19
underground 28:4, 10
 137:18
underlies 28:10
underlying 59:7
 65:23
undermine 98:16
underneath 50:14
understand 13:25
 44:12 55:25 58:11,
 16 64:25 77:20
 94:23 108:19 112:19
 113:11 124:19, 19
 126:8 127:12
understandable 151:1
understanding 41:18
 55:6 58:4 154:24
 156:24

understands 152:15
understatement 159:2
undertaken 86:14
undocumented 26:16
unduly 69:1
unfairly 69:12
unfortunate 71:12
Unfortunately 113:5
 124:19 125:2 147:18
unimaginable 81:13
Union 45:10
unique 35:5 55:5
Unit 1:23 5:14, 25
 10:4, 22 19:5 30:16
 77:4
United 24:8 62:10
 74:5, 8 84:3 94:21
 105:9 130:2 143:14
units 5:14, 16 6:2
 10:20, 20, 20 19:6
Unit-Two 1:8 3:9
universally 79:7
University 54:15
 58:8 69:3 72:14
 78:1 106:25
unlawful 89:5
unnecessary 24:10
 37:2 79:21
unprecedented 78:10
 98:2
unspoiled 95:15
untrue 126:7
unusable 19:21
 21:12 36:20
unusual 111:23
unwise 37:2
upgraded 131:1
upheld 125:23
U-pick 34:19
upper 132:6 133:15
up-radiant 130:24
upsets 115:3
upwards 118:8
upwind 130:24
uranium 49:22 51:6
 137:1, 2, 4
urge 22:18 57:5
 141:19 153:8
urges 21:15 97:1
urging 64:11

use 8:17 13:7 47:18
 48:7, 14 50:23 53:5
 56:22 89:14 102:18,
 24 122:2 123:13, 21
useful 151:3
USEPA 62:18
uses 49:15
usually 59:10 134:11
 144:20
utility 137:18
utilized 51:11
utilizing 10:15
utopian 71:8

< V >
vacation 104:2
valley 28:10 51:13
valleys 28:4
value 35:22 61:22
 123:24
values 37:9 62:25
 84:8
variability 132:10
 146:10
variable 63:18
variance 151:8
variety 28:5
various 6:2 65:4
vast 36:21
vegetable 35:20
verified 58:19 66:4
verify 58:1
verse 47:9
versions 13:2
Veteran 94:13
vibrant 23:9 107:5
vicinity 140:24
Vietnam 94:13
 107:21
view 124:10 128:12
views 113:4
Village 50:16 54:4
 73:23, 24 77:25
 114:16, 17 115:13
Vince 57:13 64:21
Vincent 44:25 53:25
vineyards 37:20
violated 128:12
 146:14

violations 89:2, 4
 146:23 147:2
Virginia 55:1
visibility 20:25
vision 69:22 70:2
 82:3
visit 141:17, 23
visiting 102:21
visitor 132:24
visitors 62:1
vital 20:14 35:16
VOCs 157:17
voice 34:25 43:12
voices 16:5 74:25
volatile 36:5
volume 42:13 96:23
 104:10
voluminous 44:11
vote 33:12 71:24
 120:11 154:23
voted 154:25

< W >
wage 43:3
wait 141:19, 19
waiting 76:24
wake 42:3 124:2
walk 50:19 152:9
walked 141:23 142:1
want 9:2 14:17
 15:16, 17, 18, 23 16:1,
 1 39:18 41:20 43:9
 44:7 52:4, 5 57:15,
 19 69:22 76:22 79:6,
 9 85:25 88:15 92:3
 93:5 94:1 96:4, 13,
 13, 14 97:5 99:2
 100:21 102:14 109:3
 111:7 124:2, 9, 13
 130:1 139:22 141:22
 148:4 150:12 155:11
 158:12 159:13
 160:10
wanted 33:24, 25
 58:14 92:19 112:21
 145:13 149:1 151:20
wants 48:9 85:12
 86:10 96:10 103:13
 139:19 150:16

War 94:13 107:22
 136:1 139:13
warped 82:3
warrant 111:23
Warren 103:15
 109:17, 18, 19
washed 141:15
Waste 1:5, 20 10:7,
 19, 25 13:24, 25 14:2,
 4, 8, 18, 21 15:5 20:2,
 7, 8 21:17 22:11, 14
 23:18, 21, 23 24:1, 11
 28:14, 25 29:1, 12, 19
 30:16, 17, 25 31:12,
 15, 17, 20, 22, 25, 25
 32:3, 6, 13, 15, 19, 25
 36:10, 17, 25 37:7, 23
 43:15, 18, 19, 20
 45:23, 24 46:1, 8, 12,
 12, 14, 24 51:1, 11
 54:22, 23, 24 55:16
 56:20 57:23 63:5, 7,
 9, 14, 16, 18, 23, 25
 64:23 65:9, 10, 11
 66:15 67:16, 20, 22,
 25 68:5, 5, 20, 22, 25
 69:1, 2, 7, 9, 19 70:1,
 15 72:16 73:15, 17
 76:4, 12, 17 79:12, 13,
 16, 17, 21, 23, 24 80:4,
 9, 13, 21 81:2, 3, 11,
 18 82:5, 20 83:7, 8
 84:2, 14 85:5, 13
 86:13 87:15, 18, 19,
 20 88:12, 16, 20
 89:12, 13, 23 90:9
 92:14 95:13 97:10,
 18, 20, 23 98:24 99:1,
 3, 6, 8, 10, 13 100:17
 102:10 107:17, 17, 23,
 25 112:16 113:1
 114:1, 2, 3, 9, 11
 115:4, 24 116:3
 117:13, 18, 19, 22, 25
 118:3, 7, 9, 15 119:17
 122:16 124:12 125:5,
 20 126:5, 10, 12, 23,
 25 127:2, 4, 10, 13, 16,
 19, 21, 23 128:18
 133:21, 22 134:5

135:20, 20 136:14
 142:6 145:8, 13
 146:5, 14 147:2, 4
 150:10, 13 153:6, 17
wastes 19:8 46:10
 88:24
wastewater 155:23
watched 94:1
watching 135:23
 136:11
Water 1:8, 8 11:8
 27:17, 17, 22 33:6
 36:23 37:5 39:7
 49:16, 17 50:9 60:19,
 21, 22, 23 62:12 69:9
 72:24, 25 75:6, 8, 13
 90:25 98:11, 12
 102:16, 19, 23 103:10
 108:9 109:24, 25
 110:1 111:4 118:24
 121:24 122:15
 123:11, 19 124:3
 135:8 136:4 142:21
 144:9 145:5 151:24
 156:7 157:16, 16, 17,
 20, 25 158:2 159:13,
 14
waterfront 83:4
waters 37:3 121:3
watershed 73:2
waterways 36:19
 107:18
wave 33:16
way 16:24, 24 17:14
 38:17 42:25 47:23
 69:20 70:2 74:14
 76:7 77:22 79:22
 82:14 83:20 84:16,
 17 85:18 104:11, 13
 122:12 131:6 136:24
 141:1 149:3 154:7
 155:11
ways 71:3 73:16
 88:16, 22
WBEN 7:17
wealth 36:21
weather 83:19 84:15
web 122:14
WEBER 4:3 6:18

website 12:14, 16
 153:5, 6, 9, 16, 17, 23
websites 13:5
Wednesday 2:4
weekend 102:5
weeks 152:25 156:21
 159:7
weighed 7:3
weight 119:13
welcome 40:15 115:9
welcoming 40:16
welfare 31:2 119:1,
 20
well 7:1 16:1 19:13
 23:14 27:12 29:7
 37:9 41:6 42:22
 56:15 61:19 70:17
 75:8 77:23 78:8, 17
 82:21 84:9 100:23
 125:8 130:23 137:19,
 25 138:1, 2 140:10
 142:14 143:6 144:5,
 9 157:23 159:24
 160:7
well-being 16:20
 86:8 106:14 119:2, 6,
 15
well-known 95:24
wellness 22:8, 23
well-rounded 56:16
well-run 19:22
wells 28:7, 13 110:25
 126:19 129:14 138:3,
 5
well-trained 48:25
well-versed 65:4
went 8:1 15:2, 25
 54:18 55:22, 23
 82:14, 17 85:7 88:7
 108:7, 15 111:19
 130:20 144:7 146:5
 158:2
we're 17:8 34:22
 35:4 40:16, 17 44:3
 45:12, 16, 18 48:25
 52:15 71:5 72:2
 73:9, 18 74:15 80:6
 85:9, 10 89:25 96:2
 97:22 98:17 99:13,
 18 102:5 105:8, 18

106:7, 10, 15 116:23
 121:2, 5, 5, 6, 10, 11,
 12 122:1, 19, 19
 123:4, 5, 6 125:22
 130:21, 22, 23 133:8
 134:3 137:11, 12
 141:10 142:4, 5, 18
 145:9 151:21 160:11
west 25:1 28:9, 15,
 19 51:13 100:5
Western 22:14 37:3
 44:2 45:20 61:1
 67:11 68:12, 13, 16,
 25 69:11, 17, 22, 23
 74:4, 7 96:3
wetland 158:13
Wetlands 1:5 11:8,
 12 141:2 158:8, 9, 12
We've 22:13 23:12
 26:10 42:5 46:3, 7,
 14 47:1 73:5 88:13
 92:14 103:9 110:6
 111:17 115:8 116:4
 125:10 133:3 134:8
 143:2, 25
WGR 7:17
whatsoever 80:23
 94:3
wheel 14:10
WHEREOF 161:15
White 95:10
wholesale 34:20
who've 22:22
wide 35:6, 19
wife 38:20 54:16
 96:1
wild 136:8
William 13:10 16:9
willing 58:25
willingness 20:3
Willow 91:3
wind 83:20 84:16
 132:10
window 25:14
windows 38:25
wine 35:21 37:14
wineries 37:16, 20
Winter 35:11
wise 98:10

wish 8:6 9:3 112:23
113:3
wishing 8:2
withstanding 89:19
witness 21:18 52:8
86:5 105:13 161:15
Witryol 120:20
124:6, 7, 8 149:8, 14,
15 160:5
WJL 7:17
WLVL 7:17
woman 110:13
wonder 85:15 93:9
143:25 145:10 158:3
wonderful 71:8
wondering 151:12
woods 50:20
word 48:13
words 55:19 69:17
work 16:21 18:19
20:3 21:10 35:25
46:23 47:2, 4 48:19,
21, 24 54:23 55:2, 3
57:3 59:20 77:11
94:4 99:11 108:18
114:23 143:9, 13
152:12
worked 42:23 55:10
96:5 143:12
workers 26:3 46:20
48:25
workforce 47:3
working 22:13 45:8
48:23 68:20, 21
94:16 134:16 139:21
147:25
Works 49:16, 18
157:23
world 36:24 44:4
72:25 94:17 107:23
136:1 139:13
worried 135:23
worry 15:18 102:8
141:10 142:17
worse 149:24
worsen 68:9
worst 137:3
worthless 59:23
64:13

worthy 79:2
wrap 17:23 86:5
wrecking 129:8, 17, 22
Wright 18:8, 10, 12
write 59:6 76:14
writers 113:4, 5
Written 7:2, 5 9:4, 5
12:19, 21 13:3 18:1
97:4 124:23 125:8
138:19 139:6 140:4
wrong 28:1 81:21
144:19
wrote 128:18 146:11
151:12 156:3

< Y >
yards 10:10 81:24
88:5, 9, 12, 14 97:23
135:17 151:6
Yeah 148:22
year 35:23 51:7
60:8, 12 61:2 84:24
95:6 113:25 130:16
132:2 142:16, 24, 25
145:10, 22 148:3
150:22 151:10
155:18 156:12
years 10:11 14:24
16:12, 12, 25 17:1, 1,
7 24:3 33:1 36:20
38:5, 23 39:11 41:10,
12, 18 46:9, 22 47:1,
4 48:23 49:25 51:6,
7 54:21 55:17 58:9,
13 60:1, 24 61:9
63:23 72:5 73:22
74:19, 20 76:7 77:14
78:14 79:14 82:21
83:1, 18 84:3, 4, 20
89:3 90:2, 23 91:19,
21 92:17 94:4 95:6
96:7 98:1 99:18
102:2 105:11 110:18
111:15 112:12
113:10 118:12 127:9,
17 128:23 129:10
130:8, 17 134:17
136:22 137:8, 12
138:4 139:11 141:15
142:1, 23 143:13, 14

144:3 146:13 147:9,
25 149:25 151:4, 6
156:5, 6 157:19
158:1, 3, 6
yelling 57:16
YORK 1:1, 7, 15 2:4
3:16, 18 5:5, 7, 9, 11,
19 9:7, 9 10:2 11:22
13:9, 13 18:25 19:3
21:15, 21, 21 23:15,
23, 24 24:4 26:10
29:12, 18 30:22
31:20 32:1 34:22, 23
37:14 39:25 40:8
44:2, 2 45:21 49:10
54:5, 13 55:1, 3, 3
56:8, 15 57:6, 14
61:1, 3 63:5, 6, 9, 21
64:11 65:10 66:25
67:10, 11, 15, 17
68:13, 13, 16, 25
69:11, 15, 18, 22, 23
70:6, 7 74:4, 5, 7
75:16 76:11 81:17
82:3 86:14, 15 95:13,
14 96:3 98:24 99:1,
6 100:3 107:15
112:11 116:10, 23
117:13, 20 118:1, 9,
16, 23 119:20 120:15
126:24 127:15 128:2,
6 129:6 130:6 134:5
161:2, 5
Yorker 127:12
Yorkers 35:16 37:4
York's 22:14 32:2
63:13 68:4 79:17
young 84:10
Youngstown 2:3
12:1, 2 50:17 54:5,
10, 17 57:14 73:24
74:6 77:25 100:3
112:10 144:5 152:18,
18
Youngstown-Lockport
38:15

< Z >
zero 127:15

zinc 53:4
zone 82:3
zoom 129:17