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CWM’S DEC permit renewal effort draws criticism, praise

By Justin Sondel
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Niagara Gazette — PORTER — Residents, environmental advocates and business community leaders spoke out on a hazardous waste facility’s efforts to renew its permit with the New York State Department of Environmental Conservation at a public hearing Monday night.

CWM Services, LLC, the company that operates the 710-acre hazardous waste storage and disposal facility in the towns of Lewiston and Porter, has applied to renew its permit to operate with the state agency. The new permit would be good for five years and would not expand the facility’s capacity, though the company has another application pending for an expansion.

David Denk, the regional permit administrator for the DEC, said the agency plans to renew the permit which he described as “technically and administratively complete” at the hearing in the auditorium of the Lewiston-Porter Senior High School — just a few miles away.

“The changes proposed have been evaluated by the department and have been found to be acceptable since the changes meet relevant and regulatory criteria and present no significant adverse impact to the environment, to the public health or worker safety in and around the facility,” Denk said.

The hearing was part of a DEC public comment process that has been extended because of public interest. Monday night’s comment will be submitted for the record and interested parties have until March 29, 2013 to submit their written comments to the agency.

Speakers commenting in opposition to the renewal — made up largely of concerned residents and environmental advocates — outnumbered those in favor by two to one.

Timothy Henderson, a Lewiston resident, said that DEC assurances do not make him feel as though he is safe from the hazardous waste the company takes in.

“In many cases permits are nothing more than licenses to pollute, settling on standards and lowering bars until there is virtually no airspace left” he said.

Nils Olsen, a law professor at the University at Buffalo, teaches an environmental policy clinic at the university. The Youngstown resident said he has commented on CWM Services at DEC public hearings many times before but has seen few results.

“T’ll be familiar both with the history of the symbiotic relationship between CWM and DEC as well as the
negative effects on our community that has resulted from this relationship and the ongoing activities of the facility,” Olsen said.

Those who spoke in favor of the permit renewal — mostly members of the business community — argue that the DEC regulations are strict enough to ensure that no harm will come from allowing the company to accept more waste and that the jobs and tax revenue created by the business are good for the community.

Nadine Powell is the director of business development for the Buffalo Niagara Partnership, an employer-funded economic development organization with a stated mission of expanding private sector jobs.

Powell said the company gives remediation projects a place to send hazardous waste while “adhering to the highest standards of environmental stewardship.”

“CWM is also a multi-million contributor to the Niagara County tax base while providing stable, competitive employment for more than 60 local residents,” she said.

Jeff Brylski, the president of the International Brotherhood of Teamsters Local 449, said the company employs 25 members of his union who take pride in helping to ensure that “highly-regulated” waste is properly disposed of.

“This site has an excellent safety and compliance record,” Brylski said. “Much of this is the result of these workers and the care and dedication that they bring to the site every day.”

Bart Klettke, a life-long Niagara County resident who has worked as an engineer in the waste management field, said CWM is doing the community a service by creating tax revenues for the county on land that was contaminated before the company purchased it and has few uses.

“You’re not going to put a shopping mall, you’re not going to put an orchard in there, you’re not going to put in hotels, motels, whatever,” Klettke said. “You might as well utilize that land with proper land practice and utilize that land for land-filling activities.”

Klettke declined to say which company he worked for, but said that it was not CWM Services.

Amy Hope Witryol, a former state senatorial candidate who has monitored the activities of CWM Services for more than a decade, read off a list of environmental concerns during the hearing, but also questioned how much economic value the company creates for the county.

She said while the company does pay a substantial amount in taxes, that contribution is far outweighed by the depression in real estate values caused by the presence of a hazardous waste site.

“We are the largest destination of toxic waste which is one of the key reasons that we are not the largest destination for industry or jobs,” Witryol said.