



photo courtesy of Gordon Wolford

11-30-2015

Drinking Water of Upstate New York and Canada (15,000,000 Citizens) **At Risk From Toxic Waste on Lackawanna's Waterfront** (Will we take action before an ecological catastrophe occurs?)

My name is John Nowak a lifetime resident for 50 years of the City of Lackawanna, N.Y., previously a candidate for third ward councilman (1993) and mayor (1995 and 2011), and co-founder of Citizens United for a Clean Lackawanna Waterfront. I have been advocating for 25 years for the proper cleanup and development of Lackawanna's waterfront at the former Bethlehem Steel plant site. In 1990 I became involved writing to politicians, because I believed how we treat our waterfront, our waterfront will treat us back. I participated in the successful grass roots citizens movement in 1993 stopping a tire and medical-waste burning facilities from being built on Lackawanna's waterfront. Try to imagine today what our city's waterfront would be like if the tire and medical waste burning facilities were built (along with all the other polluting industries that would have followed) emitting their smog and smoke. Would there be a resurgence of the City of Buffalo's waterfront we call "Canalside" today?



Citizens surrounding Eastern Lake Erie, Niagara River, Lake Ontario and the Saint Lawrence River should be very concerned about a particular toxic waste pit called “Acid Tar Pits” located 140 feet from Smokes Creek on Lackawanna's waterfront. Smokes Creek has fast moving water during downpours and spring conditions which flows immediately into Lake Erie.

To pinpoint concerns of the area and benefits to properly cleaning up the area, a basic knowledge of the history about the layout of the land and the acid tar pits is needed. When the steel plant was in operation, there was created large amounts of a by-product called slag (non-hazardous). The slag was simply taken behind the plant and dumped, creating a large 408 acre slag infill area with a gradual incline reaching approximately 40 feet high, reclaimed from Lake Erie's waters. Steel plant by-product toxic waste was dumped in some simple pits dug out of the slag infill area, without any care for pollution barriers.

Fortunately, nature had placed a natural lake sediment floor at the bottom of the Acid Tar Pits and the rest of the slag infill area. The floor consisting of blanket sands, beach ridges (Lackawanna's original beach and lake floor), underlying by lacustrine silts and clays and/or glacial till. Particularly the underlying deeper lacustrine clays and glacial tills acted as a non-permeable swimming pool liner effect. In other words, had kept the Acid Tar Pits contaminants from passing through to the deeper, larger confined fractured bedrock aquifer groundwater. This natural barrier will remain as long as the sediment glacial clay floor is not ruptured.

In 2003, ArcelorMittal Tecumseh Redevelopment, Inc., through the bankruptcy court, bought approximately 1070 acres of the former Bethlehem Steel property. Tecumseh Redevelopment, Inc. is a subsidiary of ArcelorMittal (India owned), the largest steel company in the world, with a 2014 revenue of \$79 billion.

In may 2009, a F.C.M.S.W.P. (Focused Corrective Measures Study Work Plan) by Turn Key Environmental Restoration LLC had described the Acid Tar Pits shallow groundwater (above the clay layers) and surface water, is suspected as the source of contamination to the lower section of Smokes Creek. The F.C.M.S.W.P. contained six remediation options for the “Acid Tar Pits”. The N.Y.D.E.C. provided oversight and approval of which remediation plan would go forward. Tecumseh Redevelopment, Inc., obligations were for funding and implementing the remediation.

The remediation plan that was chosen was the second lowest cost (5.2 million), the lowest cost plan was doing nothing (cost 0). The D.E.C. granted permits and may have not first envisioned would amount to five years later a “three tier wedding cake effect” of toxic waste 140 feet from Smokes

Creek.

In 2010, the remediation plan began to be implemented. A perimeter slurry wall of concrete was built down to the natural sediment floor, surrounding the preexisting Acid Tar Pits area which contained 100,000 cubic yards of semi volatile organic compounds consisting of: (naphthalene, phenanthrene, phenol, pyrene; benzene); metals (arsenic, barium, lead, nickel, other), sulfide and spent pickle liquor (acid). On the opposite side of Smokes Creek, Tecumseh excavated approximately 23,000 to 35,000 cubic yards of waste (test shown “presence of 8 VOCs, 23 SVOCs, 15 metals, and cyanide”, “...is characteristically hazardous for benzene, pyridine, and nitrobenzene...”), was transported and placed on top of the Acid Tar Pits.

On May 6, 2015 the D.E.C. came out with another fact sheet for 915009 – OU02 and OU03 containing a proposed remediation plan, allowing for public comment. The plan called for the excavation of three more sites S-18b/c, P-9, P-18, total of 8,600 more cubic yards of contaminated dust, tar, and solids (containing - Lead - Arsenic - Benzene - Ammonia - Semi Volatile Organic Compounds (SVOCs), to be transported closer to Smokes Creek and placed also on top of the Acid Tar pits.

On May 20, 2015, Channel 4 News (WIVB) reported that Lackawanna's Mayor Geoffrey M. Szymanski publicly declared his opposition to the new plan, and in the video interview stated **“You have one earthquake or something to disrupt that ground, and all of a sudden those chemicals are going into the Great Lakes. And they don’t want to do a more thorough job cleaning it.”** The report goes on to say “Stan Radon, an engineering geologist for the DEC” in the video interview Stan Radon stated **“I would never say never. I’m not aware of anything that would do that.”**

Soon joining the mayor of Lackawanna was New York State Senator Timothy Kennedy and Erie County Legislator Lynn Dixon who called for the complete removal of all contaminants. Lynn Dixon began an online petition at Change.org title “Completely and properly remove toxic remnants from the Bethlehem Steel Co. coke plant and other facilities from the City of Lackawanna”. It eventually received over a thousand signatures.

In June 2015, the D.E.C. released a F.S.B.C.M.S. (FINAL STATEMENT OF BASIS CORRECTIVE MEASURES SELECTION), signed off with the May 6, 2015 proposed remediation plan excavation of three sites S-18b/c, P-9, P-18, to be transported closer to Smokes creek, and placed also on top of the Acid Tar Pits.

The lower section of Smokes Creek has been dredged since 2009, to remove contaminants in the creek bed floor and for flood control.

In October 2015, the D.E.C. spokesperson stated words to the effect that the recent plan of adding more toxic waste on top of the Acid Tar Pits is nearly finished, they may even be able to cap it if the weather holds out. He also stated the installment of a slurry wall (concrete) has mitigated much of the contaminants migration into Smokes Creek but not all. The N.Y.D.E.C. does not know the exact amount of contaminant migration into Smokes Creek until further testing.

The first major concern is the fact that there is still ongoing contamination of Smokes Creek waters flowing into Lake Erie and the City of Buffalo's drinking water intake is five miles down lake.



A second major concern is the three-tier wedding cake effect of layered toxic waste increasing the hydraulic pressure stress on the sediment floor and slurry walls of the containment unit. This compounds the safety risk to public health if an earthquake was to occur, increasing the chances of a ruptured floor, fractured slurry wall and the amount of toxins flowing into Lake Erie.

A third major concern that exists and is another danger is what is called soil liquefaction (Wikipedia) "Soil liquefaction describes a phenomenon whereby a saturated or partially saturated soil substantially loses strength and stiffness in response to an applied stress, usually earthquake shaking or other sudden change in stress condition, causing it to behave like a liquid." According to the Geo Institute, certain types of underlying soils, sands, and silt like clay, particularly man-made infill or even

naturally filled in land areas that are a few hundred years old are susceptible to soil liquefaction during an earthquake.

There is a layer of sand and silty clay several feet thick under the Acid Tar Pit and slag in fill area that is very prone to liquefaction. This may destabilize the slurry wall and cause the land mass above to slide which is referred to as lateral spreading or flow, causing tremendous forces on the sides of containment slurry wall to cause it to fracture. Ground water could disperse to the surface, mix with toxic waste and be lake bound in seconds.

Visual example of this can be found at: (<https://www.youtube.com/watch?v=KLZFlnND0hA>) For more examples type into YouTube search “City of Christchurch, 2011 earthquake liquefaction”. Other earthquakes that had liquefaction were: 1964 Niigata earthquake, 1964 Alaska earthquake, 1989 Loma Prieta earthquake (destruction in San Francisco's Marina District), 1995 Great Hanshin earthquake (Port of Kobe).

What if the worst case scenario occurred? City of Buffalo's water intake for drinking water is only 5 miles down lake from the toxic waste. City of Tonawanda, Amherst, Clearance, Newstead, parts of Lancaster and Cheektowaga's drinking water comes from the Van de Water Treatment Plant (Erie County Water Authority) on the east side of the Niagara River, approximately 12 miles from the toxic waste. Town of Tonawanda drinking water comes also from the east side of the Niagara River approximately 18 miles from the toxic waste. There are more water intakes along the Niagara River supplying drinking water to Grand Island, Niagara County, Niagara Falls U.S.A. and Niagara Falls Canada. Toronto, Kingston, Montreal and Quebec receives their drinking water from Lake Ontario and/or the Saint Lawrence River which both can become contaminated.



Toxic waste would settle on the lake floors, river floors, invade coastal wetlands, wash up on beaches and contaminate drinking water of Eastern Lake Erie, Niagara River, Lake Ontario and the Saint Lawrence River. Areas in the U.S.A. and Canada would remain contaminated for centuries,

affecting aquatic life, waterfowl and drinking water of approximately 15,000,000 citizens.

Never say never as we learned from the Fukushima nuclear power plant in Japan and a place not known for earthquakes (USGS website) “Earthquake 1811, December 16, 08:15 UTC Northeast Arkansas - the first main shock 2:15 am local time Magnitude ~7.5 This powerful earthquake was felt widely over the entire eastern United States. People were awakened by the shaking in New York City, Washington, D.C., and Charleston,

South Carolina. ... In the epicenter area the ground surface was described as in great convulsion with sand and water ejected tens of feet into the air (liquefaction). It should be noted that in August 2015, how the EPA accidentally caused a major contamination, accidentally releasing one million gallons of waste mine water in the Animas River in the state of Colorado.

On the other hand, if the D.E.C. followed through in 2009 with the alternative remediation plan 6 for the Acid Tar Pits, the complete removal of contaminants off-site, the plan stated could take a minimum of nine months. The area of land could even be returned to a pristine state, due to the natural clay floor pool liner effect, which allows for every molecule of contaminate to be readily scraped clean. That's unless it becomes ruptured by an earthquake, we would lose forever our chance of a totally clean waterfront. The 2009 cost of \$52 million would then be seen as a very inexpensive lost opportunity, compared to if a worst case scenario occurred that would potentially cost 100's of billions in a widespread environmental catastrophe affecting the U.S.A. and Canada.

We should also wisely consider potential benefits of why we should clean up the Acid Tar Pits and the rest of the 1270 acres of land. The tremendous benefits to the region in development of the very limited but highly sought after waterfront property.



There can be a return of the uninterrupted tract of land one mile deep and two miles long to prime clean waterfront land. That's if the Acid Tar Pits and also the remaining smaller pits of significantly smaller amounts of contaminants were to be properly cleaned up, and if the D.E.C. were to stop classifying large sections of land such as "Business Park III" for industrial use only. This would stop the covering over of contaminants with simply a layer of slag as in previous sections III-1, III-5, III-6,, III-10 and saying job well done. An example is shown in the picture as sections III-5 and III-6, the contaminants were simply covered over with slag.

If there is any sand and silty material beneath, leaves open to liquefaction and only feet from Smokes Creek.



Another possible scenario is if near the mouth of Smokes Creek an earthquake were to cause an underlying liquefaction lateral spreading of the 40 foot high slag infill, it could slide into the creek. This would cause a dam effect. Smokes Creek would then flood the upstream lower elevation contaminated land, many housing areas, hamburg turn pike, dislodged toxic contaminants into the surrounding areas and Lake Erie.

There are a few large pits (one pit is empty) adjacent to the Acid Tar Pits, that contains non-hazardous "Mill Scale" (Wikipedia) "is the flaky surface of hot rolled steel, consisting of the iron oxides". Mill Scale can be sold for profit, and loaded on a ship to be taken away for recycling. Example <https://www.youtube.com/watch?v=IUWgpbGH5iQ>

The D.E.C. has recently rolled out more remediation plan fact sheets, with their allotted time for the public to send in their comments. The proposed remediation plans involve Business Park III sections III-3 and III-2, for a planned solar panel installation on the site. The proposals are again to simply cover over contaminates with a simple layer of slag, also only a few feet from Smokes Creek. The solar installation company is hurrying to receive final clearance to begin installing, before the deadline runs out to receive government subsidies.

The following is a news release concerning the solar panels.

Lackawanna “About Face” or “Same Old, Same Old?”

Lackawanna Citizens for a Clean Waterfront-Press release 9-29-2015

To all Lackawanna citizens regarding the public held meeting 9-24-2015 in the city council room, concerning the installation of solar Panels phase II on the former Bethlehem plant site.

Perspective, Lackawanna is sitting on a golden egg of an uninterrupted waterfront property that is two miles long and one mile deep. Any other city would be envious of our stretch of waterfront, the immense potential of a tourist attraction it holds. The potential for forty million dollars in yearly tax revenue it can provide to the city by way of a Stadium district's privately funded billion dollar dollar spin off projects.

Look at Buffalo's waterfront. Do you see them erect even one wind mill on their waterfront, or any proposal of solar panels taking up land space on their waterfront. The answer is a resounding no. Why? Because they are smart, very wise, they won't be bought by a cheap ploy that will take away their waterfront that is worth hundreds of millions if not billions when properly developed in due time and will increase quality of life for its citizens.

The excessive number of wind mills and solar panels are simply an environmental ploy to shield and produce a phony argument we can't change course with so much money has already been spent in industry, we must continue with heavy industry's same old, same old and make its grip even stronger. Also when we clean Lackawanna's waterfront and build it into a grand waterfront tourist attraction, the solar panels will be in the way and will need to be removed, which will be a waste of tax dollars it was subsidized.

You can place solar panels anywhere. There are 8,973 square miles, (5,742,720 acres) across Western New York. They can be placed on the roofs of homes and businesses. Why our precious, the most valuable, very limited resource waterfront? There is no justified reason, except for assuring heavy industry never relinquishes its tight grip of the citizen's waterfront.

Recently we have Lynn Dixon, Timothy Kennedy, the Mayor of Lackawanna and some council members if not all standing together for the removal of all contaminants from our waterfront. This can be done, because mother nature or some say God had placed a natural clay barrier liken to a pool liner, just below the contaminated areas. Which has not only contained the contaminants, but would make it much more efficient in time and cost in their removal. Also the natural clay liner even puts it in our grasp of returning the area to a pristine state for a park, public access, the extension of Wood Lawn Beach for Lackawanna's very own beach for swimming and attracting tourist. Recently I met professor Joseph Gardella at UB, who is involved in many clean up projects throughout Western New York. He had stated the clean up can be safely done.

Standing united, we can see in our lifetime a total clean up of Lackawanna's waterfront and redevelopment. Carefully planned it would be a true benefit for the community, in contrast to a piece meal approach in letting heavy industry dictate its plans and shield itself in green ploy projects, to further its grip.

Sincerely, respectfully and with gentleness, we ask all city officials to please follow the lead of the City of Buffalo. Give our citizens their waterfront back and bring honor to us all. Send a clear message. Don't follow the old city unofficial logo "SAME OLD, SAME OLD". Instead, really mean it when using the new logo of the city "About Face".

The D.E.C. had an alternative remediation plan for all 10 sections 148 acres of Business Park III, to remove contaminants off site. The primary cost is for transportation, 125 million. The cost may be reduced by up to 50 percent if they incorporate using the railroad.

Fortunately, the natural clay sediment floor pool liner effect is only about 12 feet below the surface of "Business Park III". The fact sheets suggest, with some exceptions, the contaminants are mostly a sporadic, shallow thin layer. The contaminants are common with the steel industry, railway mechanical dropping of grease and the burning of petroleum residues.

The proper cleanup method should incorporate a simple line grid over the sections of land and at each intersection of lines, borehole test for contaminants. With this information uploaded to a computer can be created a digital graphical 3d map of any contaminants. With the 3d mapping, sensors on excavator buckets and a GPS control & antenna could efficiently and precisely scrape clean the shallow contaminates. As with all cleanup, precautionary safeguards would need to be applied to eliminate possible emissions into the air. Anything less is shabby work and shows disrespect for citizens' health concerns.

Tecumseh and the D.E.C. have applied a stretched out remediation piece meal approach, leaving behind great safety risk, forever to the public health of 15,000,000 citizens and this would need continue monitoring for centuries.

In contrast, there can occur with a one large swoop, a proper clean up in a precise removal of all contaminants in a relatively short period of time. Where other cost savings can be found in the efficiency of a much larger work force, contaminate testing and results on site, more efficient heavy machinery, latest advance technologies for removal of contaminants, use of train transportation and simply with heavy earth moving machinery and other equipment remaining on the site until the job is complete, equates to less repeated project set up and break down cost. If the project is properly supervised, cost can be kept to a minimum.

If we did remove all the contaminants off site, what will we do with the 408 acres of the non-hazardous slag? A large amount of the slag has already been removed, sold for decades for profit, used as subgrade all across Western New York. Slag is used in dozens of applications for construction. Slag has similar characteristics of volcanic rock that created the paradise islands of Hawaii out of the ocean.

Slag was used to create the barrier wall of the small boat harbor. The remaining uncontaminated slag is free building material and also already on site that saves on transportation cost. The slag can be used as subgrade for roads and parking lots for a park if advance methods are incorporated to overcome frost lift, but mainly, the slag could be used as subgrade to shape the contours of a park. By simply adding 12 to 18 inches of soil on top and grass seed and by planting trees you have the beginnings of green space to landscape further.

Adjacent land in the City of Buffalo, there is a park named Ship Canal Commons. This park is an example of land previously used for a hundred years for heavy industry. Recently (2011) was properly cleaned up of contaminates and transformed into a park for recreation. Before and after pictures.



Photo courtesy of Buffalo Urban Development Corporation

Another example is “SteelStacks” in Bethlehem, Pa., which has been cleaned of contaminants and has become a new local and national identity/image, major attraction.

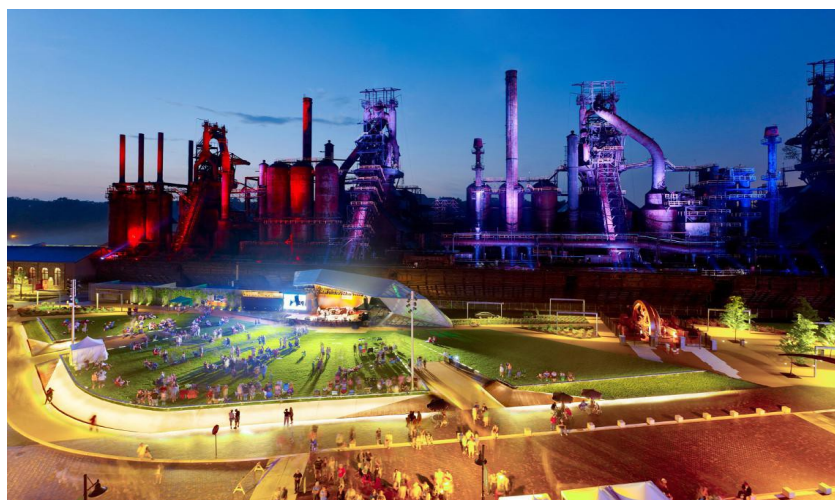


Photo © courtesy of Jeffrey Totaro

History shows us Frederick Law Olmsted, who designed Central Park of New York City and the park system of Buffalo N.Y., 125 years ago had envisioned and planned a park on the waterfront called Stony Point, today known as Lackawanna's waterfront. In the Survey of Buffalo's Olmsted Parks, Patricia Marrie O'Donnell wrote Mr. Olmsted reported **“many qualities of the park were the ability to sail to and from, the navigation of boats along its channels, the smooth bathing beach, and the broad overlook of the lake are very attractive features.”**

A cleaned-up site could be combined with a 25 year old vision of mine. The vision is a restoration and rebeautification of the adjacent Woodlawn Beach, by way of extending its California style 300 ft across flat sand beach to its full length of one mile and extending another mile partly into Lackawanna.



Then connect the beach to an uninterrupted green parkway with the rest of Buffalo's revitalized waterfront, would have the tremendous potential of a new local and national identity/image. This could become a major star attraction, combined with other star attractions of the park could draw a couple of million or more tourists for the entire region, to turbo charge the region's recent embrace of tourism involving the waterfront, increasing prosperity and quality of life for Western New York citizens. The details are contained in my clean up and development prospectus submitted to many officials and the media in 2014.

There exists my 2011 graphic design that shows 28 detailed features of the proposed park and development district.



The Bethlehem Waterfront Park Project plan would dedicate three miles of waterfront shoreline and its immediate waterfront land of approximately a thousand acres stretching an approximate mile inland, to be properly cleaned up and rebeautified into a grand State Park.

The plan calls for the total removal of all the Acid Tar Pits Area and adjacent large pits of non hazardous mill scale area down to the pristine clay, straightening and moving Smokes Creek lower section further north. Then clean sand will be added on top of the pristine clay to extend the beach. The park will have the rebeautification and extension of Woodlawn's California style beach, a total of two miles of unobstructed waterfront lake views and sunsets as its major star attraction. The project will also reduce potential flooding upstream.

The approximate remaining 235 acres that begins a half a mile inland and stretches another half mile further inland to the end of Ridge road, could be used for an impressive development district. At the end of Ridge Road you drive through a grand north entrance. On each side of you, are manicured lawns, landscaping and set back are aesthetically designed high-rise hotels. Driving pass the hotels opens up to a large open public plaza, looking towards your right side of the large plaza, could be an indoor splash lagoon type attraction. Further right a condo district and looking on the opposite left side of the large plaza another possible major attraction. You would see in the far opposite end of the plaza,

a wide open boardwalk patio extending out into a magnificent large inland “South Harbor” full of sail boats, power boats, and yachts. The harbor surrounded partially by the 1,000 acre wide open park of green space, an outside art sculpture area, athletic fields area for the youth, garden area and its major star attraction the two mile California style beach facing west, allowing for unobstructed magnificent colored sunsets. The development district would spin off more privately funded projects within close walking distance onto Ridge Road and spread throughout the city of Lackawanna, for much needed tax property revenue for the City of Lackawanna.

Some additional transportation routing is contained in the 2014 prospectus, such as extending the light rail transit system out along the waterfront to the park, a fast track Hamburg Turnpike (no stop lights) with a park setting service road, connecting the thruway 1.6 miles to the fast track Hamburg Turnpike and park. Further transportation still needs to be refined, especially if a very large main attraction is built.

The goal is to become liken to a book end to support Buffalo's waterfront in between and compliment, work in harmony with the opposite book end City of Buffalo favorable uniquely urban assets of sightseeing of renowned architectural designs buildings, their shops, restaurants, hotels, a magnificent theater district, easy access to offices, housing and Canalside.

Its the connection of the light rail system out to the waterfront and to the parks that is the key to accessibility for many tourists, citizens of all ages, to the many broad and interesting destinations along its route. Tourist want to see a complete beautified total waterfront and urban downtown settings that have both quaint old world and modern aesthetics.

The surrounding region, in recent years, has the economic renaissance growth of 871 projects, total amount 19.5 billion (published by “Buffalo Business First” Nov 6, 2015), justifies a project of this magnitude. The project itself will sustain continued economic renaissance growth many years, perhaps decades in the future for the region.

There are many reasons to properly clean up the Acid Tar Pits and the rest of Lackawanna's waterfront; foremost, to assure safe drinking water for approximately 15 million people in the U.S.A. and Canada, safeguard lake and river ecology, increase tourism and to continue the economic renaissance of Western New York for many years.

There remains one other reason of unmeasurable worth – the restoration to the citizens of Lackawanna, their long-lost unobstructed lake views, magnificent colored sunsets taken away from them for over 100 years. Imagine living 50, 60, 70, 80, 90 or 100

years, and never once allowed to stand on your own city's waterfront shore line to see the sunset? Lackawanna citizens deserve the same as other Western New York citizens to have a clean and public accessible waterfront.

The ownership of the property would need to be addressed to assure a proper cleanup of all contaminates. In the same spirit of Mr. Olmsted which called for the use of eminent domain saved areas from industrial encroachment surrounding the Niagara Falls for green space. Citizens United for a Clean Lackawanna Waterfront calls upon leading politicians to use eminent domain, except if a mutual reasonable price can be agreed upon, to save Lackawanna's waterfront land for green space. This for the greater public interest, due to industry, has been very poor stewards for a century of the waterfront land, and shown they will not properly clean up the land. Lackawanna's waterfront, if properly cleaned up and rebeautified, would not only become a shining example of environmental conservation restoration for NEW YORK STATE, will have the combination of unique qualities of nature, that must be protected for later generations for the public interest. New York State is not a third world region. If it chooses, it could alone afford to purchase the land, do a proper clean up and a rebeautification. Most of the few businesses that exist on the waterfront don't need the waterfront.

All of the land on Lackawanna's waterfront, between the Hamburg Turnpike and the lake shore, which would be the south buffalo rail road property, Tecumseh property, any business and the Gateway metro port property could be bought, paid for by the State and Federal government seed money. As an incentive to Tecumseh, it could then be released from its remediation obligations, handing over remediation and rebeautification to the State and Federal government. Then particularly the land set aside for the development district owned by the State, each parcel would be sold to the developer that has the best all around proposal. The sale proceeds will go to the State and Federal government to recuperate some of its expenses for purchasing the land, and for the remediation and rebeautification. A certain amount of the remaining sale proceeds could go to the City of Lackawanna, if needed to sustain the city for the temporary lost revenues of a few businesses removed or relocated off the waterfront. If a certain parcel in the development district is necessary for a major attraction for the public, perhaps as an incentive, a much reduced price, or for (one dollar) can be sold to the developer.

Another possible incentive for Tecumseh and for the owner of the Gateway Metroport, might be to offer small parts in the development district, keeping with the districts theme. The port can be relocated, possibly its operations split up, there are several sites available. It comes down to a trade off, securing Lackawanna's prime waterfront location for the regional public interest over less desirable

land for the new port location.

State officials have been conditioned for over a hundred years to look the other way when it involves Lackawanna's waterfront which still manifest unfavorable action in its proper clean up. Other locations in Western New York received favorable action returning land to public access. A recent example in the Buffalo News (Nov 9, 2015) is D.E.C.'s handling of **“Contaminated soil removed from former Central Park Plaza site”**:

“Reports state that some residual contamination remains on site below cleanup thresholds.

However, the entire site was covered with clean soil at least 2 feet deep.

So as far as state environmental officials are concerned, that’s sufficient to ensure the safety of site for housing.’

“Since some contaminated soils remain at the site below concrete or clean backfill, people will not come in contact with contaminated soils unless they dig below the surface materials,” according to the DEC’s site health assessment.

“People are not drinking the groundwater because the area is served by a public water supply that is not impacted by the site.”

It is time that officials begin to show favorable action in properly cleaning up Lackawanna's waterfront and its return to public access.

Citizen's involvement is crucial to persuade the D.E.C. to reconsider their 2009 detail alternative plan of complete removal of all contaminants of the acid pits off-site. We hope other politicians will join us and the N.Y.D.E.C. will become partners with citizens, to truly see our dreams visualized of a big picture, grand waterfront stretching unbroken from the Niagara River to Woodlawn Beach before our eyes for the greater interest of all the region.

Protest for a Proper Cleanup of Lackawanna's Waterfront

Please join our peaceful protest **Saturday, Dec 5th at 1:00 pm**

Where: Very end of Ridge Rd., Fuhrmann Blvd. (Commerce Drive) intersection, Lackawanna N.Y. at Tecumseh's property gate. Postponed if inclement weather to Saturday Dec 12, 2015.

The public allotted time to send in your comments for the section III-2 ends Dec. 14, 2015. Please contact, D.E.C. by phone, email and/or mail to voice your opposition:

Maurice Moore

Department of Environmental Conservation Division of Environmental Remediation
270 Michigan Ave Buffalo, NY 14203-2915, 716-851-7220 maurice.moore@dec.ny.gov

Matthew Forcucci
New York State Department of Health
584 Delaware Avenue Buffalo, NY 14202, 716-847-4501 BEEI@health.state.ny.us

Please consider calling upon your local representatives and Governor Cuomo, telling them your drinking water matters, encourage them to support and move forward with a proper clean up and tourism development for waterfront property.

Questions: Contact lackawannacleanwaterfront@gmail.com or join Facebook Group “Lackawanna Citizens for a Clean Lackawanna Waterfront.”

DRINKING WATER MATTERS!