



# SIERRA Hudson/Mohawk CLUB Group

FOUNDED 1892



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*"Aspens" by Ansel Adams in This is the American Earth*

## Our Political Endorsements

**Congressman Michael McNulty, Assemblyman Ronald Canestrari, Assemblyman John McEneny, Senator Neil Breslin and Albany County Legislator Lucille McKnight get the Club's Nod.**

It is that important time of year where we as Sierra Club members have to make critical decisions of who should be our public representatives. This year many of the local political office holders are coming up for re-election and we must take an active part to ensure that the local environment continues to be among our public officials' top priorities. The group is happy to release its first round of endorsements for the 2002 elections.

### Congressional Endorsements

Congressman Mike McNulty, 21st Congressional District, is one elected official who turns on its head the bumper sticker aphorism "When the people lead the leaders will follow." On the contrary, Congressman McNulty has often been far in front of the Sierra Club on key environmental issues.

He was a very early advocate of the need to require GE to dredge PCBs from the Hudson River to restore this historic waterway. Recently, he has been a vocal advocate for continued funding for Amtrak, recognizing that by promoting mass transit, we can reduce acid rain-forming and ozone-forming auto emissions. The Congressman also was an early opponent of the Bush administration plan to drill in Alaska's Arctic National Wildlife Refuge. He voted to increase the automobile fuel economy standard and voted for more stringent standards for arsenic in water. He was one of the first Congressional Representatives to sign a "Dear Colleague" letter encouraging other House members to pass the "National Forest Roadless Area Conservation Act," which would protect millions of acres of national forest lands from taxpayer-subsidized road building for the timber industry. It is a pleasure once again to offer Congressman McNulty the Sierra Club endorsement. We look forward to a continued strong relationship working to improve this nation's environment.

### New York State Assembly and Senate Endorsements

This past year the Albany and Saratoga areas have moved forward with one of the most important steps to remediate the largest Superfund site in history—the Hudson  
*Con't on p. 2*

## Nightmare in Nassau

by John Van Deloo

POPs, VOPs, Arsenic - the Dewey Loeffel landfill has it all. These wastes include solvents, waste oils, PCBs, scrap material, sludges and solids - TWICE the amount of POPs, VOPs, heavy metals, and other pollutants as found at Love Canal. This is the Dewey Loeffel site, a 19.6 acre hazardous waste disposal site located in the town of Nassau. There are dozens of dangerous other substances in the leachate, such as benzene, carbon tetrachloride, chloroform, freon, toluene, vinyl chloride, xylenes, phenols, arsenic, thallium; for example, at levels sometimes at thousands of times above ambient water quality levels and guidance values.

What is DEC's answer to 37,530 tons of GE waste materials and 8,790 tons of toxic waste from Bendix and Schenectady Chemical? In January 2002 DEC issued a Record of Decision after completing a remedial investigation and feasibility study. They determined that a significant risk to public health existed based on the PCBs released to the surface water system downgradient of the site. PCBs are no longer leaking from the landfill to surface water, but sediments in a drainage ditch, Mead Road Pond, the Valatie Kill, a tributary to the Valatie Kill, and Nassau Lake hold the PCBs. Similar to the Hudson River, PCBs have flowed downstream and been trapped in sediment. The dam on the Valatie Kill that forms Nassau Lake seems to be holding back further migration for now— if not the PCBs would flow to the Kinderhook and then the Hudson.

The 2002 decision considered seven alternative remedial plans ranging from no action to removing all PCBs in the area of surface contamination. The chosen alternative (D) includes removal of contaminated sediments from the Valatie Kill and a tributary at a cost of \$2,856,000. Alternative F would remove all of the estimated 292 pounds of PCBs from the area, including dredging Nassau Lake, at a cost of \$172,617,000. Why spend millions to remove a few hundred pounds of PCBs without removing the capped toxic waste dump? Surface water contamination has already moved up the food chain from plants and insects to fish and turtles, some of which have PCB levels up to 150 ppm.

While the landfill may not be leaking into surface water, it is leaking into groundwater. On November 27, 2000, residents were advised that a 70 foot wide fracture in the bedrock existed, allowing the waste to leach into the groundwater. This leak was discovered after several remedial

*Con't on p. 2*

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The Hudson-Mohawk Group Executive Committee meets the first Tuesday evening of every month (except July). Members are encouraged to attend! Please call Pete Sheehan to confirm.

This newsletter is published 5-6 times per year by the Hudson-Mohawk Group of the Sierra Club's Atlantic Chapter. Submit all letters to the editor to: Hudson-Mohawk Group, Capitol Station, Box 7194, Albany, NY 12224. Include the author's name and telephone number. We reserve the right to edit and keep all articles. Views expressed by the contributors may or may not be those of the Sierra Club or the Hudson-Mohawk Group. The subscription rate is \$5/5 issues; subscriptions for members are free.

## Endorsements, con't

River. For their active roles and input into the process to push for the full remediation of the Hudson, we are happy to endorse Assemblyman Ronald Canestrari, of the 106th Assembly District; John McEneny, of the 104th Assembly District; and Neil Breslin, of the 46th Senate District.

These elected officials have fought vigorously on other environmental fronts as well:

\* Assemblyman Canestrari voted for an asthma disease management and control program within the department of health and also supported a bill that would create a sustainable development task force to study the feasibility of adopting a goal oriented and performance based regulatory system to achieve the goal of sustainable development in the state.

\* Assemblyman McEneny has supported and voted on a number of crucial environmental issues including: pesticide phase-out, mercury reduction, grants for urban greenmarkets and letting schools test for lead in their drinking water.

\* Senator Breslin has supported the reduction of light pollution, the protection of open space, petroleum storage testing and pollution reductions by new energy facilities.

## Local Endorsements

On the local level were are proud to endorse Lucille McKnight for Albany County Legislature 2nd District once again. McKnight has served in the legislature since 1992 and has pushed for many

## Nassau, con't

plans have been tried, including a cutoff wall, leachate collection system, and a 4.5 to 6 foot clay cap in 1983-84. The DEC issued a Record of Decision in January 2001 which required an upgraded water management system at the disposal site, as well as a groundwater recovery and treatment program. This system has not even begun to be planned!

environmentally friendly issues, such as community brownfield redevelopment on South Pearl Street. She consistently strives for environmental justice in her South End district through her vigilance on polluting industries (e.g., the Mobil gasoline facility) and ensuring that green benefits such as parks and trails are funded and consistently maintained in her community.

## Key Abstentions

While several key races are still being examined by the Hudson Mohawk Group, this year the Sierra Club has abstained from endorsing any person in the 105th Assembly District. While the Club has endorsed 105th District's Assemblyman Paul Tonko in the past, we have great concerns about the Assemblyman's position and proposed legislation on siting of new power plants. Siting of power plants remain one of the Club's top priorities in New York and Assemblyman Tonko (the Chair of the Assembly's Energy Committee) has refused to push for additional action on renewables, conservation, and efficiency in a comprehensive manner, instead relying on putting conservation measures into separate legislation that will not be considered in the negotiations with the Senate and Governor's Office.

Because Assemblyman Tonko is the Chair of the Energy Committee and because of his unresponsiveness addressing renewables, conservation, and efficiency that the Sierra Club supports, we are withholding our support in the 105th District.

Consecutive remedial plans have not addressed the real problem—limited cleanup is not the answer to this environmental time bomb. Questions and comments can be directed to the Division of Environmental Remediation at (518) 402-9768. Ask your state to force the total cleanup of this hazardous waste site. A local group called UNCAGED is advocating full remediation of this site. For information visit [www.blameGE.org](http://www.blameGE.org) or call 1-888-764-4692.



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## Hudson-Mohawk Group is a Party in Besicorp Project

By Susan Lawrence

The State Public Service Commission (PSC) has designated the Hudson Mohawk Group as a "party" in the review of an application for State approval to build a new power and paper recycling plant in Rensselaer. The PSC also awarded our Group \$40,000 in "intervenor funds," put into a public pot by the corporation applying, so that interested municipal and not-for-profit organizations can hire consultants to critically look at the application, raise issues, recommend improvements, and help with litigation. This is the first time the Sierra Club has become a party and received intervenor funds to review power plant applications under Article X of the Public Service Law.

The Besicorp-Empire State Newsprint Project involves the construction of a 505-megawatt gas-fired power plant and a plant to recycle 430,000 metric tons of newspaper yearly. The bulk (460 megawatts) of the electricity produced will be sold to the merchant market and the balance, plus the steam produced, will be used for the paper plant.

Our Group's consultants are focusing primarily on issues of air pollution. In particular, gray water (treated sewage water) from the Albany County sewer plant in south Albany will be used in the power plant cooling process and vaporized into the air, potentially releasing dangerous pathogens and other toxins. Also of concern is the amount of fine particulate matter that may be emitted by both the plants and the many diesel trucks and trains that will service them. Another issue is that the application does not take into account the unique meteorological conditions of the plant, located near the river, in a large urban area, with frequent air inversions.

We are also concerned because the proposed site is a Superfund site from the old BASF plant, and should be adequately cleaned up before any

construction begins on the Besicorp project. BASF has agreed to the clean up but has not yet begun. Finally, the proposed power and newspaper recycling plants are environmental justice concerns as the cumulative effects of pollution emissions may pose health hazards to minority and/or poor neighborhoods in Rensselaer, Albany, and Troy.

For more information on this project or to volunteer to help us with the many tasks of review, please contact Susan Lawrence (489-5721) or Pete Sheehan (489-5803).

"Every good thing, great and small, needs defense." — *Simon Star*

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# Power Plant Update

by Clarence Gregory

The status of applications for proposed power plants which have a capacity greater than 80 MW and are to be sited throughout New York under Article X of the New York Public Service Law is as follows:

Applications filed: 10

Plants approved: 6

Preliminary scoping statements submitted: 2

Plants announced: 1

Inactive: 4

Withdrawn: 1

Plant approved then cancelled: 1

Two of the approved plants - the Athens Generating Plant and the Bethlehem Energy Center - are being sited at locations within the Hudson-Mohawk area. Two of the locations for plants for which applications have been filed - Besicorp and the Glenville Energy Park - are also within our area.

Construction of the Athens Generating Plant is in progress with operations scheduled for the summer of 2003. Based on the February, 2002 recommendation of its examiners, the Siting Board issued a Certificate of Environmental Compatibility and Public Need for the Bethlehem Energy Center subject to 14 pages of conditions. The tentative in-service date for this plant is late 2003 or 2004.

On April 9, 2002 the Siting Board determined that the application for the Glenville Energy Park in Schenectady County was complete. A prehearing conference was held on April 23, 2002. Subsequently, on May 6 and June 10, rulings were issued distributing the \$300,000 intervenor fund among Municipalities (Town of Glenville, Intermunicipal Watershed Board, Village of Scotia, Scotia-Glenville School Board), Citizens Advocating Responsible Development (CARD), and the City of Schenectady. Initial public statement hearings were held on May 28 and 29 during both afternoons and evenings. One speaker was neutral, about four were in favor of the plant, and about 60 were opposed.

On July 8 the applicant submitted a request to the Public Service



Commission to allow the transfer of ownership interests in the proposed plant from Glenville Energy Park, LLC to Duke Energy Schenectady, LLC, a wholly-owned subsidiary of Duke Energy North America, LLC, which, in turn, is a wholly-owned subsidiary of Duke Energy Corporation. In response to another request from the applicant, the examiners agreed to waive the statutory deadline for the Siting Board's decision from April 8, 2003 to June 30, 2003, and an issues conference scheduled for July was cancelled. The applicant requested that the issues conference be rescheduled for October.

Duke Energy presently owns the Maine Independence Station in Veazie, Maine. Although Veazie residents are reported to be generally satisfied with the plant in their community, opponents of the Glenville plant have identified a number of concerns about the Glenville plant that are not applicable to the Veazie plant.

The applicant has proposed discharging waste water to the Scotia Village sewer system. However, the Scotia Village Board voted not to allow the proposed plant to use its sewer system. The applicant has also proposed purchasing water from the City of Schenectady. Both plant proponents and opponents have been lobbying Schenectady officials and citizens groups on whether the City should contract to sell the water. Other options for waste water disposal and for procurement of fresh water are available but likely more expensive.

# Outings

## Sat. Sept. 4 - Cascade Lakes Stewardship Project.

These spectacular lakes are exceedingly stressed by salt and sand from road maintenance. Join us for a rewarding morning clean-up of the lake shore, then a picnic lunch and a short hike in the afternoon. A fun and educational family outing in a beautiful setting. Call Roger at 434-8681.

**Sat. Oct. 5 - Canoe Little Tupper Lake.** An easily accessed canoe area, Little Tupper Lake provides a rare opportunity to paddle a large Adirondack lake without power boats! We will spend our time exploring this beautiful and scenic lake which is part of a historic Adirondack canoe route. A side trip can be made up to Rock Pond and would involve a short carry. Join NYS guide Jeff Dickinson for Adirondack canoeing like it used to be. Gear and canoe rentals available. Call Jeff at 648-5302.

## Sun., Oct. 20, 9 AM - Fall Foliage Fire Tower Hike and Breakfast

We will take a moderately strenuous 5 mile woodland hike on the Rensselaer Plateau, beginning at Grafton Lakes State Park, past two scenic lakes, following trails and back roads, and stopping at the Dickinson Hill Fire Tower. The Fire Tower, constructed in 1924, commands mountain views in all directions.

A breakfast will be held from 9 to 11 AM at the Grafton Inn to help raise funds for the fire tower restoration. Members of the Friends of Grafton Lakes State Park will be on hand to explain the restoration project and information on the history of the fire tower will be provided free of charge to all participants. In addition, natural history books and books relating to Grafton and author Granville Hicks will be on sale. The breakfast will be served buffet style, and costs only \$10 per person for adults and \$5 for children. Reservations are limited and must be made by Wednesday, October 16th. For reservations call Grafton Lakes State Park at (518) 279-1155.

Persons wishing to participate in the hike only should meet at the Shaver Pond Nature Center at 11 AM. Call the hike leader, Warren Broderick, at (518) 235-4041 for details about the hike. (This is a joint outing with the Mohawk-Hudson Chapter, AMC, and Friends of Grafton Lakes State Park.)

# Events

## Hike for Clean, Safe, Affordable Water

**Saturday, October 5th**  
**Tivoli Preserve, Albany**

**Water** is a precious resource that needs to be protected! On Saturday, October 5th, all across the state, folks will be hiking or walking to emphasize the need for clean water to drink, swim, and navigate. The funds raised will be used to keep our water safe, clean, and affordable for us and future generations.

Some of the Capital District's groundwater is facing unprecedented threats from various toxic forms of pollution (see Dewey Loeffel Landfill article, p. 1). We urge you as an American who cares about our planet to take part in this event to help heighten public awareness.

Come to beautiful Tivoli Preserve with your neighbors, friends, and co-workers and hike with us around Tivoli Lake. Come walk/hike on the newly

widened trails on a soft cushion of recently installed wood chips. Or, more importantly, get them to sponsor you as you hike up to five circuits (each one is approximately ¾ mile) through this urban oasis.

Use the form on page 5 of this newsletter to register and sign up sponsors. Additional copies can be obtained by leaving a message at (518) 489-5803 or e-mail psheeha5@nycap.rr.com.

## Sierra Club Awards Banquet

**Friday, October 25<sup>th</sup>**  
**5:30 PM**

**Location:**  
**The Parting Glass, Saratoga Springs**

Special Awards, Raffle Prizes, Slide Presentation

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