About the series

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A Times Union investigation of polluted Superfund sites across the region focused on locations where cleanups are unfinished or people are concerned about exposure to hazardous chemicals from manufacturing or dumping.

STORIES:

• Taxpayers spend millions to clean up and monitor polluted land and water, but hundreds of sites statewide remain contaminated. Thousands more await evaluation.

• The Superfund program is on "life support." More than 80,000 chemicals used in commerce have little or no studies on human health.

• Residents of a tiny Hudson Valley hamlet have lost hope about remedies for their toxic water as officials shift resources to Hoosick Falls.

• GE's Schenectady plant is still contaminated - 29 years after it was declared a Superfund site

• Gloversville tanneries leave questions about health issues from noxious fumes.

• Cancer worries concern some who grew up near "The Varnish Works" in Schenectady.

• A homeowner in Valley Falls bought his house in 1978 with little thought what a commercial laundry left behind.

• Al Tech, riddled with PCBs and heavy-metal contamination in Colonie, is about a mile from million-dollar homes.

• High levels of lead from old wrecking company pollute area near Albany's Westland Hills Park.

• Glenville residents fight for clean water 10 years after spill was discovered

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Paying the price of pollution

timesunion.com/tuplus-local/article/Paying-the-price-of-pollution-8336793.php

By Brendan J. Lyons
http://www.timesunion.com/tuplus-local/article/Paying-the-price-of-pollution-8336793.php

Federal, state funds for cleanup is a drop in a bucket to clean an ocean of toxic waste

Updated 3:15 pm, Friday, July 1, 2016

The Patroon Creek bubbles east from Colonie into the city of Albany, barely noticeable as it wends beneath Interstate 90 and a rail line, passing by fading industrial parks and struggling neighborhoods on its way to the Hudson River.

Few of the thousands of commuters who pass over the creek daily likely know of its history as a toxic courier, nor of what Patroon Creek exemplifies: how even the most aggressive efforts to clean up contamination usually fall victim to agonizing delay and inadequate funding, often leaving poisons to imperil upstate New York neighborhoods for decades.

"Superfund is running on fumes; if we had more resources we would see quicker cleanups," said Judith Enck, the U.S. Environmental Protection Agency's administrator overseeing Region 2, which includes New York and Puerto Rico. She added that it's also the polluters who sometimes "slow walk" and deliberately delay the cleanups. "They make it as lengthy a process as possible because they want to put off paying the cost."

As a result, toxic risks recognized long ago continue to confront New Yorkers throughout the state, a legacy of the lax dumping standards that characterized America's industrial sites for generations. Patroon Creek is but one example of the often slow response to citizens' health fears, a practice that's been repeated at Superfind sites around the region.

For years, the tiny stream carried mercury and PCBs, or polychlorinated biphenyls, that were dumped down the embankment of a Patroon Creek tributary at the former Mereco manufacturing plant on Railroad Avenue, about 1,000 feet north of the University at Albany.

The state of New York began documenting the contamination in 1981. Two years later, the EPA placed the site on its fledgling National Priorities List of the federal Superfund program, established in 1980 to clean up the nation's most polluted land and water.

Despite the earlier attention from regulators, the Mereco site took decades to clean up. The delay underscores the challenges that state and federal officials said they face in assessing thousands of polluted sites scattered across New York, from chemical spills on Long Island to toxic landfills near Buffalo.

Public records indicate there are 85 federal Superfund sites in New York, which are considered the most severe cases, and also roughly 465 state Superfund sites that pose "a significant threat" to public health or the environment. The Superfund sites don't include so-called brownfields, which are moderately contaminated sites, such as corner gas stations with leaky fuel tanks. There are also nearly 2,500 polluted sites that have not yet been evaluated, according to state records.

The backlog, in part, is a result of limited government resources.

Last year, the fallout of manufacturing pollution struck Hoosick Falls, a factory village in eastern Rensselaer County that for decades has been a hub for small plants that produce niche products such as heat-resistant wiring and nonstick coatings. The contamination of public water supplies in Hoosick Falls spurred criticism because the state Health Department and elected leaders told residents their water was safe to drink for more than a year after the officials were made aware that a dangerous chemical, perfluorooctanoic acid, had polluted the community's underground wells.

The discovery of elevated levels of the man-made chemical, PFOA, prompted the EPA in December to demand that state officials warn residents to stop consuming the water. A month later, as questions mounted about the actions of state and local officials in Hoosick Falls, New York's

environmental commissioner, Basil Seggos, declared PFOA is a hazardous chemical. He also announced several manufacturing plants believed to be responsible for the pollution would become state Superfund sites. Seggos did not respond to requests to be interviewed for this story.

Some residents in Hoosick Falls worry their long-term exposure to PFOA may have caused cancer or other serious illnesses, and their concerns are not unique.

The Times Union examined other communities where the public was exposed to toxic chemicals from manufacturing or dumping. In some instances, residents who live near polluted sites or former industries said they have suffered health effects due to possible exposure to chemicals. In other instances, people said they have lost hope that anything will be done to clean up their neighborhoods and water supplies.

In the Mereco case, records show it took eight years for the company, which reclaimed mercury from light bulbs and thermometers, to sign an agreement with the state to identify and fully clean up the pollution. The company initially removed a large amount of contaminated soil. By 1999, as the state struggled to get the company to comply with the plan, the EPA stepped in and took over. Still, it would take until 2013, more than 30 years after the contamination was discovered, for the EPA to secure removal of the remaining 173 tons of hazardous soil.

Lois Gibbs, who became a national environmental figure 35 years ago when she took on federal and state officials over the pollution of her neighborhood, Love Canal, that was built on a toxic landfill in Niagara Falls, said there is inconsistency in the 10 EPA regions in dealing with environmental disasters.

"In other states, EPA has just turned a deaf ear and a blind eye to every one of these problems," said Gibbs, who remains a prominent voice on environmental issues as founder of the Center for Health, Environment & Justice in Washington, D.C. She said that, while many other EPA regions do not do enough to protect the public, New York's EPA administrator, Enck, is an exception.

Toxic Risks

The center was involved in the water crisis in Flint, Mich., "for more than a year before their water was shut off," Gibbs said. "EPA's been really horrible under this administration with the exception of climate change. ... Historically, EPA has always been sort of the safety net, if you will. People could always appeal to the EPA and say our water is nasty ... but the EPA isn't always stepping in at these sites."

The region's most widely known Superfund site is a 200-mile stretch of the Hudson River from New York City to Hudson Falls, Washington County, where General Electric Co. operated a capacitor-manufacturing facility for decades. The EPA estimates that GE flushed more than 1.3 million pounds of PCBs into the river between the 1940s and 1970s, when the chemical was banned.

Although GE is completing a dredging project of the Hudson River that will cost more than $1 billion, the cleanup came only after the company spent millions of dollars opposing the project.

"General Electric fought EPA for a quarter century, including going to federal court to try to get the federal Superfund statute ruled unconstitutional, which luckily they did not prevail on," Enck said.

Travis Proulx, a spokesman for Environmental Advocates of New York, said funding for Superfund cleanups is growing thinner on the federal level but New York is in its first year of a $1 billion

program that calls for $100 million to be spent annually for 10 years on cleaning up state Superfund sites.

"These are horrifically polluted sites that are very dangerous to the communities that they're in," Proulx said. "Had this large investment over a long period of time not happened over the last year we'd probably be having a different conversation about Hoosick Falls right now. ... Historically, government has done just a very poor job of holding polluters accountable."

Rensselaer and Columbia counties are still dealing with the fallout of contamination at the Dewey Loeffel landfill in Nassau, where the EPA estimates at least 46,000 tons of industrial and hazardous waste were dumped in the 1950s and 1960s. The landfill, which was operated by Richard Loeffel and later his son, Dewey, became the dumping ground for toxic waste that included solvents, waste oils, sludges and liquid resins. The landfill's main customers included General Electric and Schenectady Chemicals, which later became SI Group, according to the EPA.

In 1968, the state pursued legal action against Dewey Loeffel after complaints that cattle and fish downstream from the landfill were dying.

Four years ago, the EPA reached an agreement with GE and SI Group calling for the companies to pay $10 million to filter the contaminated groundwater. But Nassau Supervisor David Fleming said concerns about what is one of the region's most-polluted sites continue, and last year he called on regulators to address increasing levels of an unregulated, cancer-causing chemical that is leaking from the landfill into the Valatie Kill, a protected trout stream that feeds into Kinderhook Lake in northern Columbia County.

More Information

Classifications?

Brownfield: Property where contaminants exceed health-based or environmental standards adopted by DEC, based on "anticipated use of the property."

State Superfund: A site that may pose "a significant threat to public health or the environment."

Federal Superfund: A site that is so severely polluted it's on the U.S. EPA's National Priorities List.

By the numbers

85 New York federal Superfund sites.

465 State Superfund sites.

2,484 New York sites needing environmental investigation.

312 Brownfield sites in New York.

Sources: New York State Department of Environmental Conservation; U.S. Environmental Protection Agency.

"As soon as the cameras and reporters go away it will be your fight and your fight to continuously push for," Fleming said. "It really is the squeaky wheel that gets the grease."

Fleming has pushed for a public water line to serve people who live near the landfill and have to rely on filtered water. But there are no government plans to do the project.

"I don't think they have the resources to truly clean up these sites," Fleming said.

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Lauren Stanforth contributed reporting for this story.

Lingering toll of a toxic legacy

timesunion.com/tuplus-local/article/Lingering-toll-of-a-toxic-legacy-8336775.php

By Brianna Snyder
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Feeling of abandonment by officials as lawsuit fails

Updated 3:15 pm, Friday, July 1, 2016

It's been 13 years since Hopewell Junction resident Debra Hall was told by the U.S. Environmental Protection Agency that her water was contaminated with something called TCE, or trichloroethylene — a tongue-twisting name for a toxic chemical that Hall easily pronounces.

The chemical can be lethal for humans exposed to it, including causing problems with liver, immune and kidney functions, as well as several types of cancers.

For residents in eastern Rensselaer County, who learned during the past 18 months their water supplies are polluted with another toxic chemical, PFOA, the situation in the small Dutchess County hamlet provides insight on what can happen years after the attention has faded.

The source of the Hopewell Junction contamination is thought to be Hopewell Precision, a former metal-equipment manufacturer about a mile away from Hall's neighborhood in southern Dutchess County. Hopewell Precision was investigated for dumping TCE — used in degreasers and cleaning solvents — on the grounds from 1977 to 1980, but the Department of Environmental Conservation dropped the case in 1994 for lack of evidence.

But in 2003, the EPA discovered TCE underground on the company's property and that's when residents of Hall's neighborhood started getting calls from regulators warning them of the pollution in their water. They quickly learned terms like "air-vapor intrusion," in which vapors from groundwater infiltrate and poison the air in homes. Air and water filters were fitted into dozens of homes in Hopewell Junction, where they still run today — sometimes breaking down, sometimes needing new parts — all maintained by the EPA.

After years of meetings, conferences, letters and phone calls, Hall and dozens of her neighbors in the small hamlet continue to live with water- and air-filtration systems in their residences to keep them safe from the dangerous chemical.

But the systems don't remove the stigma of the lingering pollution that has made it difficult to sell their homes. They also are left with the realization that their families may have endured years of exposure to TCE before the filters were installed.

The story of Hopewell Junction's pollution woes offers insight into what can happen in communities long after the regulators have turned their attention elsewhere, and chemical-removal systems or incomplete cleanup plans are left behind.

Not all environmental pollution cases bring government responses on the scale seen earlier this year in Hoosick Falls, where the 2014 discovery of the toxic chemical PFOA in public water supplies left a

community in fear. After weeks of withering criticism over the state's lackluster response, Gov. Andrew Cuomo finally ordered a full-scale investigation and cleanup in late January, when the situation in Hoosick Falls led to the declaration of a state Superfund site.

In the early stages of the Hopewell Junction crisis, Hall formed a collective called the Hopewell Junction Citizens for Clean Water. In Hoosick Falls, Michael Hickey, a resident who researched and discovered PFOA in the water in 2014, helped form the grass-roots Healthy Hoosick Water to urge village leaders to be more active. Last month, Hickey received an award for his actions from the EPA and has made rounds speaking publicly about water pollution. Hall also was acknowledged by the EPA for her efforts, and has spoken at forums in Philadelphia, San Diego, Buffalo and Binghamton about water and air contamination.

The parallel stories of Hall and Hickey raise questions about whether Hoosick Falls will someday be another Hopewell Junction, where filters that remove hazardous chemicals from drinking water became a permanent solution.

For her part, Hall said she was eventually worn down by the fight.

"They win," she says. "I'll go away. Really. Because I can't tell you how much time and money I spent on this and we're still there. We're still living with filters."

Along with the filters, questions and fear also linger over the health effects of TCE and the imperiled values of Hopewell Junction homes — "Who wants to buy a house when you know the water coming into it is contaminated? That your air is contaminated?," Hall says. "It's very hard to sell a house with the filters."

Anna Kover took a deep, hesitant breath when asked if she thinks her 25-year-old son Matthew's developmental disabilities might be related to the water she drank while pregnant. "I do," she says. "But that's me."

"He's legally and visually impaired, he has low muscle tone, he's had a kidney transplant," Kover says. Matthew's problems meet the criteria for a genetic disorder, except no one in the family has any history to trace a disorder to.

Kover is Hall's next door neighbor, and she fought alongside Hall for the better part of a decade for their properties to be fully remediated, with the groundwater and soil being completely purified. She says the past 13 years have felt like a lifetime. Since they were alerted to the poison in their water, the Kovers' daughter has graduated from high school and college, gotten married and had her first child. "To other people, it's a block of time. For me, this is my life," Kover said.

Hall and Kover said little has been accomplished in the few years since the group's legal action against Hopewell Precision fell through. The neighborhood was represented by Weitz & Luxenberg in New York City, which concluded the company suspected of being responsible for the pollution simply didn't have the money to pay out a meaningful settlement. The firm, which has actively solicited clients in Hoosick Falls, later dropped the Hopewell Junction case, writing in a letter: "The defendants have no insurance to cover the claim, and the assets of Hopewell Precision, a small worker owned company would not be sufficient to cover a verdict or justify the extraordinary costs to get to verdict. ... We are sorry that we can not pursue this further."

So now they wait, with little hope that the EPA will secure the $27.5 million in federal funding required to fully clean up the contamination from the soil and the groundwater and get them off the

filters. U.S. Rep. Sean Patrick Maloney, D-Cold Spring, N.Y., says he feels confident the cleanup will happen — just so long as the EPA has the funding to do the work.

"I'm going to get this fixed," Maloney said. "It's been a top priority of mine to get this fixed. We're going to get it cleaned up once and for all, within the next year or two."

Lorenzo Thantu, the EPA's remedial project manager for the site, adds that competition is stiff for funding. There's a finite amount of cash designated to federal EPA regions around the nation, and Hopewell Junction is just one of many towns and cities vying for the Superfund money.

"There's no money," Kover says. "There's a plan in place, but there's no money. What good is a plan if there's no money?"

Kover and Hall each expressed resentment that, compared with pollution cases in Flint, Mich., and Hoosick Falls, Hopewell Junction has received little attention and no compensation for their trouble.

"Pictures of children with lead poisoning is a lot more sympathetic than 100 or so families who've been living with this for any number of years," Kover says. "I understand what's happening in Flint is a horrible, horrible tragedy, but what makes their tragedy more of a tragedy than what happened to us? We feel abandoned. Nobody cares."

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Pressure brings clean water to Glenville

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By Lauren Stanforth

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Toxic private wells are replaced with public water line

Updated 7:30 am, Wednesday, July 6, 2016

Margie Miller has a copy of the first letter she got in 2010 about a chemical spill that happened a half-mile north of her Sunnyside Road home.

At the time, she said it didn't cause her much concern. Miller and other residents were preoccupied with another environmental problem, a cleanup that happened two years earlier off Freeman's Bridge Road at a former barrel recycling facility. That remediation involved cleaning up 71,000 tons of soil polluted with PCBs, benzene and lead.

Miller said the state Department of Health was intermittently testing her private well to make sure the dry cleaning chemicals referenced in the spill letter, which came from the former Kenco Chemical Co. at 107 Freeman's Bridge Road, didn't contaminate her drinking water.

But in November 2013, her well went just over the safe limit for consumption of dichlorethene, a byproduct of a common dry cleaning chemical called perc.

"That's when it hit," said Miller, who has lived in her home for 33 years. "This is real. This is going to affect everyone on this street."

Miller said even after receiving her test result, it took multiple phone calls to state agencies to find someone who knew about the spill. And even then, putting a filtration system on her well was offered

as an option, not a necessity. Possible health risks of long-term exposure to perc byproducts can include liver problems and cancer. She later found out that others nearby already had filtration systems put in because of the encroaching plume.

Miller also said a young mother who was renting a home on her block never received the notifications about the contaminated drinking water, likely because she wasn't the property's owner.

A public relations specialist and lobbyist for the building industry, Miller was comfortable reaching out to those in elected office and began contacting all town, state and federal officials she could think of to push for a solution that would be more permanent than a filter.

"They just needed to keep hearing it and have someone raise the alarm," Miller said.

The contamination had actually been found around 2006 when Lowe's Home Improvement was studying the location of a new store on Freeman's Bridge Road. The U.S. Environmental Protection Agency investigated the former Kenco site, a shuttered warehouse once used to store dry cleaning and pool chemicals, and found tetrachloroethene, also known as perc, at levels more than 7,000 times greater than safety standards.

Despite the EPA's efforts to treat the affected groundwater, the chemicals seeped northwest through groundwater toward the Sunnyside Gardens neighborhood. A nearby tributary that feeds into Warner Creek, which then connects to the Mohawk River, was also contaminated.

In 2013, at the same time of Miller's public campaign, neighbor Ralph Ruggiero became concerned after seeing a story in The Daily Gazette about the Kenco investigation, which by then had been taken over by the state Department of Environmental Conservation. He heard Miller was trying to rattle cages, and took it upon himself to read DEC documents filed at the Glenville Public Library, print fliers, and visit 119 residences on Sunnyside Road and in the nearby Sunnyside Gardens neighborhood to explain to residents what was happening.

What Ruggiero said he found was a neighborhood filled with older residents, some of whom had not even allowed the state to test their wells for fear they would lose the free water source they had enjoyed since the 1950s and 1960s.

Miller, Ruggiero and a handful of other residents said local and state officials began to respond, holding public meetings in which state DEC and Department of Health officials answered questions. Also, "I think Ralph called them every week," Miller said in relation to the pressure exerted by the Sunnyside neighborhood.

Chris Koetzle, Glenville's supervisor, said he also made multiple trips to meet with DEC officials about the contamination.

"It wasn't until a couple of years (into my full term) that DEC really moved on it," Koetzle said. "In their defense, they did their due diligence on testing and how the plume was moving." He added: "They always understood if there was going to be a danger they would react."

In 2014, the state said it would pay most of the $1.7 million bill to hook up residences around Sunnyside to a public water line that exists on Freeman's Bridge Road. The water line work, which is expected to affect more than 100 homes, started in fall 2015 and is continuing this summer. The old Kenco warehouse has also been cleaned of asbestos and torn down.

"We had to keep on pushing and pushing to say 'I think this is the right thing to do,' and they did it," Ruggiero said. "When you bring 70 people to a meeting they have to listen."

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Decades of contamination at General Electric's main plant

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By Lauren Stanforth

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It took years for GE, state to agree on how to proceed at main plant

Updated 10:59 am, Thursday, July 7, 2016

General Electric's main campus in Schenectady has been declared an inactive hazardous waste site since 1987. GE dumped toxic PCBs into three landfills at the plant for decades, in addition to keeping other chemicals in lagoons and flushing them down drains and into storm sewers.

General Electric's best-known legacy of environmental contamination is the estimated 1.3 million pounds of PCBs the company discharged for decades into the Hudson River from its Fort Edward and Hudson Falls capacitor plants.

But inside the security gates of GE's sprawling 640-acre plant on the Schenectady-Rotterdam border are the remnants of more than 40 years worth of unsafe discharges, spills, building demolitions and dumping that were deemed "a current or potential significant threat to public health and/or environment" by the state Department of Environmental Conservation.

GE's main regional plant, which started as two vacant factories that Thomas Edison purchased in 1886, was declared an inactive hazardous waste site in 1987, with GE signing an agreement with the state to start investigating the contamination in 1995. More than 20 years later, the company has not finished the cleanup.

GE spokeswoman Chris Horne said GE has completed $78 million worth of remediation, and that there is already a means to prevent PCBs from making their way to the Mohawk River, which lies just north of the plant across Interstate 890. Some of the final work will be completed this year, the company said, including an expanded system to catch and treat polluted groundwater and more vegetative cover for the former East and West landfills, 100 acres located behind GE's offices and manufacturing facilities near the site's western border.

"GE has done a significant amount of cleanup work at its Schenectady campus and the time span involved isn't unusual for a remedial site of this size and complexity," Horne said in a statement.

Still, the ongoing cleanup underscores how many Superfund sites in New York state take decades to clean up, even with companies that have deep pockets and a history of compliance.

Contaminants at the main campus in the past included 2.6 tons of PCB-laden transformers and liquids, according to DEC records. Polychlorinated biphenyls, a suspected human carcinogen, were banned in the U.S. in 1979 but widely used for years in machining because of its low flammability. The plant has also been contaminated with 1 ton of solvents and an unknown quantity of what the state called "organic and inorganic lab wastes." PCBs, which were seeping from the Eastlandfill into the nearby Poentic Kill, were also found onsite in fish, crayfish and frogs, according to DEC's 2005

remediation plan for the site. The Poentic Kill empties into the Mohawk River.

The Great Flats Aquifer, a prehistoric underground lake that supplies much of Schenectady County with its municipal water, is only a half-mile from the GE plant. DEC records say the geologic makeup underneath GE keeps contaminated groundwater from reaching the aquifer. There is currently a different remediation going on in Glenville for a 50-year-old chlorinated solvent spill, which happened at the former Scotia Navy Depot, that is threatening the aquifer.

The DEC, in response to an inquiry from the Times Union, said interim measures at the GE plant have already been put in place to address much of the contamination. The state said it is a complicated site and projects of such magnitude take time.

GE has done various cleanups over the years, like removing 430 above ground and underground storage tanks, cleaning PCB-tainted sediment from storm sewers and treating 4.2 million gallons of contaminated water that was left in a holding pond. The company's investigation between the years 2000 and 2003 also included testing more than 1,000 soil borings and almost 1,500 groundwater samples.

But there is more that needs to be done — like excavation of PCB-contaminated soil, covering contaminated areas near manufacturing facilities with asphalt, and building a bigger seep collection system to catch PCBs that are still leaking from the East landfill. The East and West landfills are bisected by a road that's used for maintenance, but otherwise the areas are fenced and thick with trees planted as part of previous remediations.

In the end, the final remediation plan agreed to by GE and the DEC took from 2005 to 2014 to negotiate. "GE is proud of the progress achieved thus far at its Schenectady campus," Horne said in a statement.

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Gloversville tanneries fade away, but illness remains

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By Brianna Snyder

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Nearly 30 Superfund and brownfield sites are listed in Fulton County

Updated 10:21 am, Thursday, July 7, 2016

Talk to almost anyone who grew up around the tanneries in Gloversville and they'll tell you about how they gagged on the smell of the fumes as they walked to school. That the fumes sometimes reeked of rotting flesh.

The experience has left some wondering if those noxious fumes caused health problems.

Richard Tesiero, 48, felt fine the day he got up to go to his maintenance job at Perrone Aerospace in Fultonville. That is, he felt fine until he did not. "It just came onto me," Tesiero said. "I thought it was vertigo. I got all lightheaded. I fell down, passed out, everything was spinning around. I started to feel like a [limp] coming on as I walked."

Everything changed after that. He couldn't work. He couldn't walk the way he used to. And now it's

three years later and Tesiero still doesn't know what's wrong with him.

Initially treated for multiple sclerosis, tests eventually revealed he didn't actually have it. He's seen two neurologists, endured four agonizing spinal taps and traveled hundreds of miles between Albany, Boston and New York City in search of a diagnosis.

He grew up in Gloversville, near the mostly defunct tanneries still left there. Today, he lives in a nicely kept double-wide mobile home on an acre of land in Fort Johnson, not far from where he grew up. He's been renovating the place — giving the kitchen new countertops and cabinets, installing hardwood and a wall to divide up the roomy living areas — but progress is slow. When you rely on a cane to get around, he said, you get used to limits.

Though he works part time now, he can't work like he used to, which makes him frustrated and restless. He used to work 80-hour weeks, which afforded him a fairly comfortable living. He used to own a couple of snowmobiles that he and his three kids revved up every winter when the snow got deep, but sold them to make up for lost income. The disability payments aren't much and the medical bills take their cut.

Many of the tanneries in Gloversville have shuttered by now, leaving behind dilapidated old buildings, barren plots and a toxic legacy.

Most recently, his doctors thought Tesiero might have something called hereditary spastic paraparesis, a disorder characterized by stiffness or weakness in the legs. And then a genetic test ruled that out like everything else.

"They're telling me I'm a puzzle," he said.

As its name suggests, Gloversville was historically a center for glove-making.

Making gloves begins with processing animal hides into leather — a grisly operation requiring the use of harsh chemicals like formaldehyde, chromium and tannins. Cow, sheep and pig skins are cured and "fleshed" to clean them of blood, tissue and fat. They're limed, which removes the hair. Then they're de-limed and "bated," a soaking process that makes the leather supple.

The pollution of the Cayadutta Creek, which wends its way through Gloversville and Johnstown's city centers, is practically legendary here. The creek changed colors day to day based on the dyes dumped in the water; suds reaching heights of 10 feet floated on top of the creek, which was barren of fish and other aquatic life for decades.

The tannery waste in the creek, processed by sewage-treatment centers, was described by one 1989 news report as "foamy effluent" that turned the water into a "chemical cesspool as unwholesome as any in the state." Over the last couple of decades, Gloversville and neighboring Amsterdam and Johnstown have made significant strides in cleaning up the pollution and contamination of the tanneries and textile mills there, according to Department of Environmental Conservation records.

There are nearly 30 Superfund and brownfield sites in Fulton County, though many have been remediated by the DEC and the Environmental Protection Agency. The Cayadutta Creek has been repopulated with fish, but the DEC's records indicate that some areas of the creek are still contaminated with sediment. Most people living here drink public water — not well water — because much of the groundwater remains polluted, according to DEC reports.

Many of the tanneries are closed now, leaving behind dilapidated old buildings, barren plots, a

higher-than-average unemployment and poverty rate and a dwindling population.

Richard Tesiero, who lives in Fort Johnson, hasn't been able to work full time since he came down with a mysterious illness. He has to use a cane because of his health problems. (Paul Buckowski / Times Union)

And there are many in the area, like Richard Tesiero, who say growing up around the contamination in the '70s and '80s has made them sick.

The effects of contamination can endure for generations, according to Rennie Sanges, an environmental activist who, with his wife, Sandy Fonda, led the Rainbow Alliance for a Clean Environment in Gloversville, which sued several of the tanneries for violating water discharge permits with the EPA.

"There's no doubt in my mind that the practices back then had a health effect on numerous people and even for future generations," Sanges, who still lives in Gloversville, says. "Back when we were working on [these cases], people were saying that there was a lot of asthma and a lot of respiratory problems."

"I just noticed in this area, there seems to be a lot of people getting sick," Tesiero said. "And that was always a concern to me because I thought about [the pollution]. Did I get into something? I don't know."

Debbie, who asked that we use a pseudonym (she works with mental health patients and wishes to remain anonymous), grew up in Gloversville and now lives in Johnstown. She's 48 now and wonders if the old pollution had anything to do with her long history of health problems. Her grandfather and mother both worked in the tanneries, she said, and she grew up with several women who've had cervical or breast cancer.

"I had endometriosis for years, had two bouts with cervical cancer, a recent bout with skin cancer, and for the past year I've had a chronic cough that they can't determine what is causing it," she says. She struggled with fertility, too. "I had two miscarriages before I had my son and one after I had him." Debbie is on municipal water, but says she hasn't drunk it in 10 years. There's a plastic bag full of empty water bottles sitting in her kitchen.

"I'm sure that chemicals seeped into the water when we were kids," she said. "You can't tell me that there isn't something around here that has caused all of this. There are too many of us."

Diane Lockwood, 47, who grew up here, too, says her father worked in the tanneries, and that the doctor found leather dust in her dad's lungs. He eventually was diagnosed with terminal lung cancer, but because he was a smoker, "he kind of shrugged it off," she said. "The cancer was probably a combination" of the dust and the tobacco, they figured.

Then there's Kathryn Murphy, who also grew up in Gloversville, right across the street from the tanneries and the toxic creek. But she moved away when she was 18. (She's 64 now and living in Virginia.) In 1986, Murphy was diagnosed with Hodgkin's lymphoma, but she got lucky. "One of my childhood friends received the same diagnosis and succumbed to the disease in his early 20s," she said. She's been in remission for decades. But she doesn't think it's a coincidence that her father's four sisters all died from breast cancer within years of each other. "They lived across the street from the same tannery for years," she said.

You could light tap water on fire back then, Sanges remembers. And: "You could see the creek be

different colors on different days. They dumped whatever they wanted into the stream and everyone thought that's just the color of money."

Michael Muller is a toxic torts attorney based in Glens Falls. He says in the past five years, he's had some residents of the mill towns approach him to represent them in suits against the tanneries and the city. He's had to turn them away.

"I don't have the ability to put together a strong case," he said. And that goes for pretty much all lawyers, Muller said. When a person who's sick seeks legal recourse, it's up to him to prove that it's the leather dust in his lungs — and not the decades-long smoking habit — that gave him cancer. "Wait till you see what it takes to fund" a class-action suit against a company for damages from contamination, he added.

No hard medical studies exist to prove what sick people here suspect is the cause of their illness. And Gloversville's current mayor, Dayton King, said he hasn't heard about anyone being sick from the tannery pollution. "I'm not saying people couldn't be sick," he says. "But nobody's brought it to my attention." Nathan Littauer, a local hospital, also said they weren't familiar with any illnesses associated with contamination in the area.

When asked why they hadn't moved away, most of the people interviewed for this story said the same thing: "Where would we go?"

"The damage is already done," Tesiero said.

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Remnants of Schenectady factory, landfill linger

TU timesunion.com/tuplus-local/article/Remnants-of-Schenectady-factory-landfill-linger-8345856.php

By Lauren Stanforth

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Schenectady residents wonder about impacts from "Varnish Works"

Updated 1:42 pm, Monday, July 11, 2016

Many people who grew up in the working-class neighborhood that surrounded what was known as "The Varnish Works" remember vividly the stench from the 10th Avenue factory smokestacks.

Marc Della Villa, 64, grew up in the small collection of streets across the Cowhorn Creek from the former Varnish Works, an area called Hungry Hill that is sandwiched between Schenectady and Rotterdam. He recalls playing in the creek as a boy, and it often changed colors when you skipped rocks on it.

For the last two decades, Della Villa has made claims that many of Hungry Hill's former residents developed cancer, possibly because of the 10th Avenue factory or the 70-acre Cheltingham landfill, across from Cowhorn Creek, where factory operator Schenectady International and other companies are alleged to have dumped materials.

The landfill, while closed in 1980, shows little sign the city is maintaining the property.

Production at the factory stopped in 1997 and the buildings are gone. But the impact of an unknown

number of discharges and spills remains as the soil and groundwater are still contaminated with unsafe levels of various chemicals, including those typically used as disinfectants or to make resins and plasticizers, according to state records on the site. The company said a final cleanup is happening this summer.

On a recent tour of the neighborhood, Della Villa pointed out each house where he knew someone who was diagnosed with cancer at a relatively young age.

"The second house in, the kid there died at 38 or 40 from cancer," Della Villa said about a house on Sterling Avenue. "His best friend who lived up in the street there died with almost the same kind of cancer. They would play together down here," he said gesturing toward the creek.

The Varnish Works was likely the first plant operated by Schenectady International, now called SI Group, which was started in the late 1800s by a General Electric Co. chemist. The factory, built in the early 1900s, made electrical insulation materials for GE and other companies.

"I don't miss the smell the factory put out," said Anthony Ferrari, who grew up helping in his family's restaurant that is directly across from the factory site on 10th Avenue. He now owns the restaurant with his brothers. While Ferrari said his family has joked the factory's emissions must have miraculously done wonders for his mother, who lived until she was 92, it's well known that's not the case for others. "Definitely other people got sick," Ferrari said.

Albert DeMarco, 66, a retired Schenectady police officer, grew up around the corner from the factory on Lakeview Avenue. He said he remembers his father's 1958 Buick often being covered in a sticky, orange residue. Sometime in the late 1980s, while responding to a call beneath the factory around the Oak Street Bridge, DeMarco said he found a discarded jar near the creek filled with a sick-smelling liquid. He said he gave it to a city fire chief for testing, but he presumes nothing was ever done with it.

In 2002, four months after DeMarco's retirement from the force, doctors found a malignant tumor in his sinus. He has also battled non-Hodgkin's lymphoma and leukemia, but is now in remission. The former police sergeant, who is living again in his childhood home, said he recognizes many things could have caused his cancer. But when he recently read an obituary of a classmate who died from cancer DeMarco said to himself, "that darn varnish company struck again."

The removal of all the factory buildings took place from 2004 to 2011; black fabric now draped behind a chain-link fence shields eyes from concrete slabs that remain. A sign vandalized with graffiti was posted near the entrance gate for years that stated "pardon our appearance" and noted the demolition would be done in January 2004, followed by remediation of the ground contamination.

The company, which still owns the site, only removed the sign last month after being asked about it by the Times Union.

Former Schenectady Councilman Tom Isabella, whose grandfather worked at the factory, said he drives by the site regularly. Isabella's sister still owns their childhood residence in Schenectady's Mont Pleasant neighborhood. "You would think the state would take the necessary action to finally stabilize that area," said Isabella, who served on the City Council from 1980 to 1995.

The state Department of Environmental Conservation finished a record of decision on the cleanup needed in 1998, and interim remediation has been done. But eradicating the source of the underground pollution still has not been addressed.

SI Group said a treatment system has been in place since 2002 to decontaminate the polluted groundwater before it reaches Cowhorn Creek, which drains into the Mohawk River. The company said an employee goes to the site five days a week to monitor the system.

Developing a final cleanup plan took four years as SI Group went through reviews and comment periods with the state, the company said. Now, a plan to treat the remaining contaminated soil with heat is scheduled to start this month, according to both the DEC and SI Group.

The DEC, in response to a Times Union inquiry, said it's normal for a cleanup project like the Schenectady International site to take years to engineer and implement.

As for the Cheltingham landfill, Della Villa was one of about 100 residents in 1999 who signed a petition and threatened legal action if the city of Schenectady didn't stop liquid from oozing out of the landfill. The residents couldn't prove a direct correlation, but suspected that the landfill was contributing to residents' health problems.

The DEC investigated and found landfill byproducts, including ammonia and iron, leeching into Cowhorn Creek. The city signed a consent order with the DEC saying it would stop the illegal releases, and install a better landfill cap and new fencing. DEC records say the landfill's contents are listed as solid waste, and are therefore not hazardous to human health.

But issues continue on that property today, with many of the old metal tubes once used to vent methane gas now broken and knocked over. Gray Street resident Crystal Hiscock said she called the city about fixing the landfill fence after a tree fell and crushed it during Tropical Storm Irene. She installed a camera outside her house because of all the teenagers entering the landfill through her property. She said her calls to City Hall have gone unanswered.

There are piles of what look like road debris also visible on the landfill.

Mayor Gary McCarthy said the piles were put there two years ago, and he thinks the placement is OK because it's on the landfill's perimeter. He also said he doesn't know what maintenance is required on the landfill vents or if they still emit gas. "I am not briefed on it and I'd have to pull a file to tell you the technical criteria. It's been a long time since I looked at any of that."

Hungry Hill's Della Villa, meanwhile, has a past with the DEC himself — he served six months in a county jail in the mid-2000s for violations related to his own construction and debris landfill on nearby Westside Avenue.

But he said his complaints about the Cheltingham landfill have not been just payback for DEC's actions against him, which required Della Villa to cap his one-acre landfill. He said the charges against him were minor compared to the widespread contamination that's affected his neighborhood.

"The big companies like (SI Group) , they should be paying a fine for every day they're violating their consent order. But the DEC lets them put in a little stipulation that it's 'under review,' and lets the big guys off the hook," Della Villa said. "Me? They just crushed us."

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Dry cleaners pollute region's environment

TU **timesunion.com**/tuplus-local/article/Dry-cleaners-pollute-region-s-environment-8345866.php

By Lauren Stanforth

http://www.timesunion.com/tuplus-local/article/Dry-cleaners-pollute-region-s-environment-8345866.php

Laundry chemicals taint water, destroy value of nearby homes

Updated 7:11 am, Monday, July 11, 2016

When Ted Chmielewski bought a house to rehabilitate in the quaint Rensselaer County village of Valley Falls in 1978, he didn't think much about the adjoining storage building the previous owners used to run a laundry business.

But 38 years later, Chmielewski is still paying for his choice. A well test by a concerned neighbor in 1991 sparked an emergency investigation by the U.S. Environmental Protection Agency, which found Chmielewski's well and others nearby were contaminated with dangerous levels of a hazardous chemical, tetrachloroethylene or perchloroethylene, commonly known as perc and still used in the dry-cleaning industry.

Investigators found the laundry discharged perc into an on-site septic system for years, contaminating the groundwater, according to state Department of Environmental Conservation records on the case. The EPA eventually turned the case over to DEC, which oversaw the excavation of 75 yards of contaminated soil and the drilling of new wells for some nearby property owners. Around 2013, a monitoring well still showed elevated levels of perc, so the DEC did ozone injection last year in an attempt to break the chemical down.

Chmielewski's small property is still listed as a Superfund site — a designation that gives the state legal grounds to investigate and clean up a property, including targeting those responsible. A carbon filter attached to Chmielewski's water supply will likely be there permanently, he suspects.

"I could never sell this place," said Chmielewski, 61. "No one would list a mortgage on this."

The Valley Falls case is one of thousands of examples in New York of the legacy left by dry-cleaning businesses. The greatest impact is in New York City's five boroughs, where the bulk of the state's dry cleaners exist. Most of those dry cleaners are also on the ground floor of apartment buildings — a concern because of the effects perc vapors can have on indoor air quality.

The Capital Region has cases as well, with the DEC listing about 25 current and former dry cleaners from the eight-county region in an online environmental remediation database.

Contamination from current perc use is less of an issue because of newer regulations concerning disposal and better designed machines. But for decades perc, which is heavier than water, entered storm sewers or polluted soil from leaking machines, spills, or irresponsible and illegal disposal by some dry-cleaner operators.

Perc is valued because it's one of the most-effective chemicals for removing grease and other stubborn stains and leaves very little trace on laundered clothing. But straight perc can be toxic even at low levels. Inhaling vapors from perc can cause dizziness, loss of coordination and memory loss. Ingestion through drinking water over many years can cause liver problems and increase the risk of cancer. Federal and state officials have also found that chemicals trapped in soil and groundwater can evaporate and emerge as vapor into buildings.

Some former dry-cleaning sites in the Capital Region have been fully remediated, but others remain polluted.

A former Roxy Cleaners on Main Avenue in Wynantskill was responsible for a 55-gallon spill in 1984 that contaminated 14 private wells, according to DEC records. The town of North Greenbush responded by connecting residences and businesses to a public water line in the late 1990s. In April, the building was finally renovated by a different owner and turned into a restaurant.

DEC has also overseen the installation of underground depressurization systems in many buildings that are near former dry cleaners. The systems typically involve drilling a hole into a basement floor and venting any vapors outside. The Golub Corp. headquarters in Schenectady was a brownfield site built over a former shopping plaza and dry cleaner, calling for such a ventilation system to be installed. The nearby Rivers Casino and Resort is also located on a site that was contaminated with chlorinated solvents that are similar to perc, and may need ventilation systems once it's completed, according to DEC records on the cleanup.

But pollution at many other contaminated sites has endured for years. The DEC is still working on a situation discovered 15 years ago when leaking machines at the former Damshire Cleaners at 1205 Central Ave. in Colonie caused contaminated groundwater to migrate under the road and possibly affect residences and businesses nearby.

DEC fined Damshire's former operator in 2001, and the business later closed. Records show the site's current owner has accumulated $94,000 in unpaid property taxes since 2008, and the building has broken windows and is overgrown with weeds. In 2015, the DEC tested the immediate area and found unsafe levels of perc vapor around properties just to the southwest of the building. The DEC said three property owners either declined or did not answer the state's call to participate in a voluntary program that tests indoor air quality. The state said it is working on a plan to permanently clean up the site.

Elmhurst Avenue resident Mark Simonian said he remembers getting a letter from the DEC about the former Damshire cleaners sometime last year, but he said he dismissed it because the area has public water. "I don't have any colored water or anything," he said.

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No end in sight for Colonie Superfund cleanup

TU**timesunion.com**/tuplus-local/article/No-end-in-sight-for-Colonie-steel-cleanup-8347927.php

By Lauren Stanforth

http://www.timesunion.com/tuplus-local/article/No-end-in-sight-for-Colonie-steel-cleanup-8347927.php

Former steel plant a dumping ground and neighborhood eyesore

Updated 1:11 pm, Monday, July 11, 2016

Sue Trevellyan often takes walks near her home on Grenada Terrace with a trash grabber.

She needs it to pick up the empty food wrappers, plastic cups and other debris that's discarded next to the deteriorating buildings of the former Al Tech Specialty Steel Co. plant on Spring Street Road.

Al Tech is at the bottom of a steep hill about a mile east of million-dollar homes that abut Schuyler Meadows golf club in Loudonville's tony East Hills neighborhood.

The old industrial site is a massive collection of blighted empty warehouses, offices, tanks and pumping stations overtaken by vegetation and squatters. It is also riddled with PCBs and heavy-metal contamination.

Trevellyan cherishes the handful of residential streets that make up her little-known neighborhood, but not Al Tech, which has sat untouched since it closed 14 years ago.

"Everyday I walk by it, there's more and more junk," said Trevellyan, a state prison counselor who has lived in the neighborhood for 20 years. "Just around the corner people would dump paint, tires, and all kinds of TVs just because — it looks crappy so why just not dump more stuff on it. No one would care."

Any hopes the site will be cleaned up in the near future, however, are slim. After the state Department of Environmental Conservation oversaw remediation in the early 2000s that was billed as a "comprehensive cleanup," the agency recently announced the polluted site will need additional years of investigation.

Meanwhile, Al Tech's former president, who runs the limited liability company that owns the property, has abandoned the site, telling the Times Union the money set aside during bankruptcy proceedings is gone and he's not paid property taxes in 11 years.

"We don't have any more money so we're not doing anything," said Jin Park, who lives in Florida and works as a real estate agent. When asked how the site should be redeveloped, Park said, "I don't know who's going to buy it in their right mind. There's no value."

Steel was made at the site between 1908 to 2002 — which meant the use and disposal of heavy metals and wastes associated with such production. The manufacturing included the use of chemical substances with names like "spent pickle liquor" and "pickle rinse water" that removed impurities from the metal's surface. Many of the buildings were also covered in materials made using PCBs, a chemical banned in 1979.

In 1983, when much of the plant was still operational, a portion of the property was declared a Superfund site. It would take another 14 years for Al Tech's owners to agree to cleanup stipulations, and another two years for the DEC and then state Attorney General Eliot Spitzer to agree on an $8.9 million remediation fund that would also "preserve hundreds of local jobs," Spitzer said in a statement at the time. Meanwhile, Al Tech went through bankruptcy proceedings, scaled back its production and sold the business. The remediation money was also to be spent at a second Al Tech site 50 miles south of Buffalo in Dunkirk, Chautauqua County.

Cleanups at the time in Colonie included groundwater treatment around a former waste-acid pit, draining a chemical-tainted lagoon and remediating and covering a landfill that was near the East Hills neighborhood. In 2002, production at the factory ended for good.

But in January 2016, the state said the original Superfund designation only included 31 of the plant's 112 acres, and that more remediation is needed across the entire property.

State Assemblyman Phil Steck, a Democrat who lives in Colonie, said the state likely didn't want to spend a large amount of money on the site in the early stages. But when new contamination was found, the scope of the project was expanded. The state now puts $100 million into the budget for Superfund cleanup each year, but sites still have to be a high priority to receive funding, Steck said. However, the assemblyman said there should be money to clean up Al Tech. "All these Superfund

sites are very similar, the litigation process is very time consuming," Steck said. "The legal process is extremely slow."

New testing, which started in 2014, revealed that groundwater beneath the site is poisoned with arsenic. Tests of sediment in the Kromma Kill, a tributary of the Hudson River that runs through the property, showed exceedingly high levels of lead, and PCB-laden weather coating on some of the buildings is deteriorating and leaching into the soil.

Just to the west on Spring Street Road is another Superfund site, the former Bearoff Metallurgical, a now-wooded area that was once used for Al Tech dumping. There are no plans for remediation there. And just to the north is the former Adirondack Steel Casting Co., where the U.S. Environmental Protection Agency did an initial remediation in 1993. But soil at the site is still contaminated with PCBs. The DEC held a public meeting this past March to discuss what might be done about it.

Schuyler Heights Fire Chief Jonathan Dudley said its known that homeless people often seek shelter in Al Tech's main office building. He said most of the structures are made of metal, but if one of them went up in a fire, he has instructed his crews not to endanger their lives by entering buildings.

DEC records say the site, which has signs warning people that it is a hazardous waste area, is fenced to restrict public access. But entrance is easily gained, as evidenced by bent fencing, broken windows, graffiti and other visible vandalism. RealCo Inc., the LLC the former Al Tech president runs that owns the property, owes more than $500,000 in local taxes. Albany County does not initiate foreclosure proceedings on contaminated land, however, because the state and federal government could then seek to recoup the clean up costs from the county if it takes ownership.

"The homeowners over there must be sick of seeing that," Dudley said. "That's prime real estate if it wasn't a Superfund site."

Joe and Eleanor Anthony, both 88, have an intimate relationship with the hulking property. Eleanor's grandfather would ride his bicycle to the main office building to work as a night janitor. The couple bought the house they still live in on Grenada Terrace in 1947, the same year they got married and Joe went to work at Al Tech, which was then called Allegheny Ludlum Steel. Twenty years later he would go down the street to work at Adirondack Steel. Many other family members also worked at the steel factories.

Joe Anthony, who was a supervisor at the factory, said he remembers workers would take grinders that were stripped from too much use and throw them into piles at a location nearby.

The Anthonys said they wish the old Al Tech buildings would be demolished and built into something useful. But they said they feel no one ever focuses on their little neighborhood that's surrounded on three sides by crumbling former factories and a rail yard.

"It's like no-man's land down here," Eleanor Anthony said.

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Lead lurks under land near Albany park

TU **timesunion.com**/tuplus-local/article/Lead-lurks-under-land-near-Albany-park-8347921.php

By Lauren Stanforth

http://www.timesunion.com/tuplus-local/article/Lead-lurks-under-land-near-Albany-park-8347921.php

Lead-polluted soil in area once considered for Albany school

Updated 9:54 pm, Sunday, July 10, 2016

A wooded area next to Westland Hills' dog park looks like land that is just an extension of the park, an uncleared area that is adjacent to Westland's tennis courts.

But unbeknownst to most who play or walk their dogs there, high levels of lead are underneath the surface, remnants of a wrecking company that existed there some 50 years ago.

The Times Union found information on the parcel after researching hundreds of contaminated sites around the Capital Region — many of which have yet to be cleaned up.

Around 2002, the Westland contamination was found after Albany City School District voters approved using the site to build the district's third middle school.

Much of Westland Hills Park between Anthony Street and Colvin Avenue was once used by a wrecking company — which is why an environmental investigation was done before the plan to build a new school could move ahead. That plan was later scuttled. Former Albany Mayor Jerry Jennings said he recalls concerns about traffic on nearby Central Avenue contributed more to the school site being rejected than the finding of heavy metal contamination.

Michael Loudis, who has lived on neighboring Rosemont Street since 1963, said he remembers broken-up concrete piled high at the site. But it was all hauled away after the wrecking company went under and the city acquired the property sometime in the 1970s, turning most of the area into a park.

While the state Department of Environmental Conservation has not classified the land as an inactive hazardous waste site, the investigation revealed that soil below the surface showed lead in some areas 15 times more than what is safe for non-play areas.

Loudis said after the contamination was revealed, the residents moved their community garden several blocks south to Brevator Street, and their former garden area became the Westland Hills dog park.

City of Albany officials said the rest of Westland Hills Park was tested in the mid-2000s, including the dog park area, and contamination was found only on the Anthony Street property where there was apparently once a construction and debris landfill, said city of Albany water commissioner Joe Coffey. The toxic soil is one to almost two feet below the surface, according to a 2003 Albany County health department letter the city of Albany provided to the Times Union.

"There was no lead detected on the playground and the ball fields or anything of that nature," Coffey said. "All the fill area is heavily wooded. Any of the lead is below surface."

When the city school district in 2003 abandoned plans to build on the site any chance for a cleanup there appeared to end. "The city was unable to complete the remediation due to a lack of available funding," according to DEC records.

The land was included as part of the city of Albany's 2030 comprehensive plan as a "brownfield opportunity area," noting it needs government assistance in order to be cleaned up and built upon.

Coffey said the land will likely never be developed because it's inside the park. But because of the

Times Union's inquiries into the property, the city might now install a fence to ensure no one attempts to disturb the contaminated soil below the surface.

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Funds, cleanups fewer

TU timesunion.com/local/article/Funds-cleanups-fewer-8350154.php

By Brendan J. Lyons

http://www.timesunion.com/local/article/Funds-cleanups-fewer-8350154.php

Superfund remediation drops as federal support declines

Updated 10:00 pm, Sunday, July 10, 2016

The 2002 chemical release would haunt the tiny village near Rochester for years. The accidental discharge at the Diaz Chemical plant showered contaminants on the residential neighborhood surrounding the facility, blanketing homes and playgrounds with potentially toxic substances.

A few months later, the U.S. Environmental Protection Agency, which would declare the plant a federal Superfund site, took over responsibility for relocating the occupants of eight homes who fled and refused to return to their residences. It took another nine years for the EPA to settle on a plan to fully clean up the site. Two weeks ago, workers finally began relocating a public water line that runs through the abandoned factory site in Orleans County.

"Anytime you have a time lag like we experienced, it's always frustrating," said John W. Kenney Jr., who was mayor of the village of Holley for 10 years beginning in 2006, and a village trustee for three years before that.

A 75-year-old who has lived in the village for more than 50 years, Kenney said it was frustrating that it took so long for the EPA to mobilize its cleanup plan and arrange for the eventual sale of the abandoned residences, which the EPA last week said is "being worked on in preparation to have the eight homes placed back on the real estate market."

For the embattled EPA, the arguably slow response times to many environmental disasters — some of which cost hundreds of millions of dollars to clean up — may be tied to dwindling funding rather than a lack of urgency.

A trust fund that was set up when President Jimmy Carter signed the 1980 law establishing the federal Superfund program began to run short of cash in the 1990s. The decline came after Congress — and also President George W. Bush during his two terms — repeatedly declined to support renewing a federal tax previously imposed on petroleum and chemical companies, which are often blamed for the nation's worst environmental disasters.

The "polluter pays" tax, as it's sometimes called, expired in 1995 and was never restored despite urgings to Congress from every U.S. president since Carter — except the most recent Bush.

Without the money, many Democratic lawmakers say the EPA has been hobbled and fallen behind in its mission to clean up the nation's most severely polluted sites. In a report to Congress last year, the U.S. Government Accountability Office said that in 2013 roughly 39 million people — 13 percent of the U.S. population — lived within three miles of a federal Superfund site. The report said more

than a third of those living near the sites were either under the age of 18 or were 65 years or older. The EPA's Region 2, which includes New York, had the largest number of people — 10 million, or about one-third of the region's population — living within a three-mile radius of a federal Superfund site.

"We have a serious problem in our country with these Superfund sites, and nobody is doing enough to address it," said U.S. Sen. Cory Booker, D-New Jersey, who is the driving force behind a stalled congressional bill that would restore the excise tax on petroleum and chemical companies.

The measure, which Booker has introduced repeatedly in the Senate, has not gained traction with the Republican majority, which opposes the measure and has been highly critical of the EPA and its administrator, Gina McCarthy.

Booker, whose home state has more federal Superfund sites (114) than any other state, said the GAO report revealed that funding of the EPA has declined — from $2 billion in 1999 to about $1.1 billion in 2013 — while the number of Superfund sites has increased.

There are more than 1,300 federal Superfund sites.

"This is a problem growing worse," Booker said. "We now know the health perils for families living within three miles of these sites is extremely dangerous," he added, saying increased cases of autism and birth defects have been documented in populations living near Superfund sites.

The GAO report noted that in the 15-year period it examined, the EPA saw a steady decline in cleanups and completions of remedial action plans, while experiencing an increase in the number of unfunded projects, which at one point included the abandoned Diaz Chemical company site in Orleans County.

New York's U.S. senators, Kirsten Gillibrand and Charles E. Schumer, both Democrats, declined to be interviewed for this story. Still, Schumer has publicly supported Booker's bill, and in August 2014 he visited the village of Holley to boost it. "I will do everything in my power to get the funding the program needs so cleanup projects like the one at Diaz Chemical can get under way," Schumer told the Democrat & Chronicle newspaper at the time.

In an analysis of the EPA on its 35th anniversary last year, the Center for Health Environment and Justice, a Washington D.C.-based environmental advocacy group, said the "decreased funding and the slowdown of the cleanup of Superfund sites have resulted in increased toxic exposures and health threats to communities across America. ... Without industry fees to replenish Superfund, there is simply not enough money to do the critical job of cleaning up hundreds of abandoned toxic waste sites and the American taxpayers are unfairly burdened by paying 100 percent of the annual costs."

U.S. Rep. Chris Gibson, R-Kinderhook, who successfully urged a House congressional oversight committee to investigate the state and federal government's handling of a water-contamination crisis in Hoosick Falls and Petersburgh, said the government needs to do more to address the fallout from the toxic waste that has permeated communities across the country. Gibson also said the crisis in Rensselaer County reflected failures at the state and federal level. Health officials did not warn residents in the Rensselaer County communities for more than a year to stop drinking the water contaminated with a toxic chemical, PFOA or perfluorooctanoic acid, once used by several small manufacturing companies in that area.

"We need to use all the powers of information technology to go through and sort through these unregulated chemicals and find out what risks we have," Gibson said.

The congressman, who is stepping down after his current term ends in January, said the shuttering of factories should oblige regulators to determine what contaminants were left behind.

"This is the legacy of the larger issue of the transformation of the economy," Gibson said. "We are left with legacy (pollution) issues. What I have been pressing government to do is ... look at the legacies of former manufacturing and industrial sites and look at the risk to human life and to the environment, and then budget for actions to properly address those risks."

There has also been intense criticism of McCarthy's management of the Superfund program. In its report on the 35th anniversary of the Superfund program last year, the Center for Health, Environment and Justice accused McCarthy, who was appointed head of the EPA in 2013, of delegating Superfund duties and contributing to the slide in the cleanup of Superfund sites the group said has continued under President Barack Obama.

Booker, who was the mayor of Newark before becoming a U.S. senator in 2013, said the GAO's report concluded the EPA lacks the resources to clean up all the sites on the agency's list of most polluted areas, including 89 locations that have "unacceptable human exposure" risks to substances that can cause cancer, birth defects and developmental disorders.

In New York, home to 85 federal Superfund sites, state officials said they have maintained a long-term commitment to cleaning up hundreds of state-level Superfund sites, which are generally not as severely polluted as federal sites.

The state Department of Environmental Conservation said that as of March there were 775 state Superfund sites "scheduled to be addressed." Of these, 449 are "class 2" sites which are in the investigation, design or construction phases of the Superfund program "being led by a responsible party or the state," the agency said in a statement.

Last year, state leaders authorized the commitment of $1 billion to fund the state's Superfund program, established in 1986, for at least another 10 years.

"I would say absolutely it is one of the most important tools in our arsenal," DEC Commissioner Basil Seggos said. "We are the envy of many states that don't have similar programs."

Since 1986, New York has spent more than $2.3 billion on the state Superfund program, not including an estimated $10-$12 billion that has been leveraged from suspected polluters.

"I can't tell you in New York state whether the lack of federal funds is impeding federal cleanups," Seggos said. "We're taking a fresh look at all Superfund sites ... and making sure there is an aggressive approach to clean-ups. That has been one of my priorities."

On the federal level, Booker said the bipartisan support that once existed for the EPA and the federal taxes used to fund it have faded. Several Republican senators on the Senate's Environment and Public Works Committee did not respond to requests for interviews.

"We need to get some Republican support for this bill or it's going nowhere," Booker said. "People want these Superfund sites gone from our country, especially these orphan sites where there's no businesses to hold accountable. We still need more public outrage. ... As each day goes by without actions, the health of more Americans is being threatened."

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