

U.S. court grants Canadian groups dump voice



JOHN ROBERTS
Lends support

BUFFALO, N.Y. (AP) — A United States court will hear Canada's side of the Hooker Chemical Co. issue.

Supported by Canada's Environment Minister John Roberts, two Canadian groups were granted permission yesterday to appear in U.S. federal court to voice concerns about a pending settlement for cleaning up a former Hooker Chemical Co. waste dump near the Niagara River.

U.S. District Court Judge John Curtin is weighing a proposal for cleaning up the Hyde park landfill. Located on Bloody Run Creek immediately north of Niagara Falls, the dump was operated by what now is the Hooker Chemicals and Plastics Corp. between 1953 and 1974.

It is believed to contain 80,000 tons of wastes — four times the amount in Niagara Falls's Love Canal — including almost 2,000 pounds (900 kilograms) of dioxin, among the deadliest of poisons known.

The proposal, worked out among what now is the Hooker Chemicals and Plastics Corp., the U.S. Justice department and Environmental Protection Agency, as well as the state attorney-general's office, would commit Hooker to a \$16.5-million cleanup and monitoring program.

But two Canadian groups, the Toronto-based Pollution Probe and Operation Clean-Niagara of Niagara-on-the-Lake, said through their lawyer Toby Vigod of the Canadian Environmental Law Association that they fear the settlement is inadequate.

The plan's supporters say it is the best possible because it enables cleanup work to get started immediately. Without it, state and federal officials said in a recent letter, lawsuits would continue for years while the problem will continue to fester without action.

Because she is not an American citizen licensed to practise law in the United States, Mrs. Vigod was first

status by Judge Curtin at the request of Barbara Morrison, an American lawyer involved in the case.

Contained in motions submitted for the hearing was a May 15 letter from Mr. Roberts.

"I share the concerns which have been expressed that the provisions contained in the settlement do not appear adequately to prevent the leaching of highly toxic chemicals into the Niagara river and Lake Ontario," Mr. Roberts wrote.

He said that in a diplomatic note, the Canadian government is formally conveying to the U.S. government its concern and requesting that the matter be reviewed by the Environmental Protection Agency.

He also promised that his ministry would provide technical assistance to the petitioners.

Objection

Speaking for Pollution Probe in an earlier letter to Mr. Roberts, Anne Wordsworth called the containment systems and liability provisions placed on Hooker appallingly inadequate.

She also objected to plans to treat the wastes at two centres that have not proven completely effective: The Niagara Falls sewage treatment plant, and a Hooker incinerator.

She said provisions for monitoring are inadequate and that those granting Hooker limits of financial liability should be dropped.

Judge Curtin gave Mrs. Vigod until June 30 to submit a brief in the case.

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BUFFALO — David Bruce Twedell, the government's expert witness in geology during Love Canal litigation, pleaded guilty to charges he misrepresented himself. Twedell claimed he had bachelor of science and doctoral degrees from the University of Houston when he had neither. .,

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