

JM



GREAT LAKES UNITED

December 22, 1992

M E M O R A N D U M

TO: Great Lakes United Board of Directors
FROM: Terry L. Yonker
RE: January 15-17, 1993, Board of Directors Meeting

Enclosed please find an agenda for the January 15-17, 1993, Board of Directors Meeting in Milwaukee, Wisconsin. On the back of the agenda is a map to the Quality Inn Airport where we will be meeting.

Also enclosed are several additional items of information for your review:

- * Memo from Karen Murphy re: Canada's National Pollutant Release Inventory
- * Memo from Jeanne Jabanoski re: draft strategy document
- * CC of letter to Bruce Kershner and Karen Murphy from Katherine Kenwell
- * Miscellaneous newsclippings

An international organization dedicated to conserving and protecting the Great Lakes and St. Lawrence River
 State University College at Buffalo, Cassety Hall • 1300 Elmwood Avenue, Buffalo, New York 14222
 (716) 886-0142
 Canadian Address: P.O. Box 548 Station A • Windsor, Ontario N9A 6M6

**GREAT LAKES UNITED
BOARD OF DIRECTORS'S MEETING**

January 15-17, 1993
Milwaukee, Wisconsin

AGENDA

Friday Evening

7:30 Meeting with the Public/Press
Presentation on the Snow Forest-Chris Clark
Presentation on Lake Michigan Issues-Kathy Bero (tent.)

Saturday Morning

8:00 Coffee, Tea, Juice
8:30 Announcements and Communications
President's Report
Executive Director's Report
Treasurer's Reports
Salaries and Benefits
FY 93 Budget-Canada

12:00 Lunch

1:00 FY 93 Budget-US
Executive Committee Report on Goals and Objectives
Fund Raising (Past due members, Bequests, Airline
refunds, Bookstore proposal, Grants,
Combined giving campaigns, Belden
proposal, corporate campaign (water
users))
Grant Status (Including new proposals)

4:30 Recess

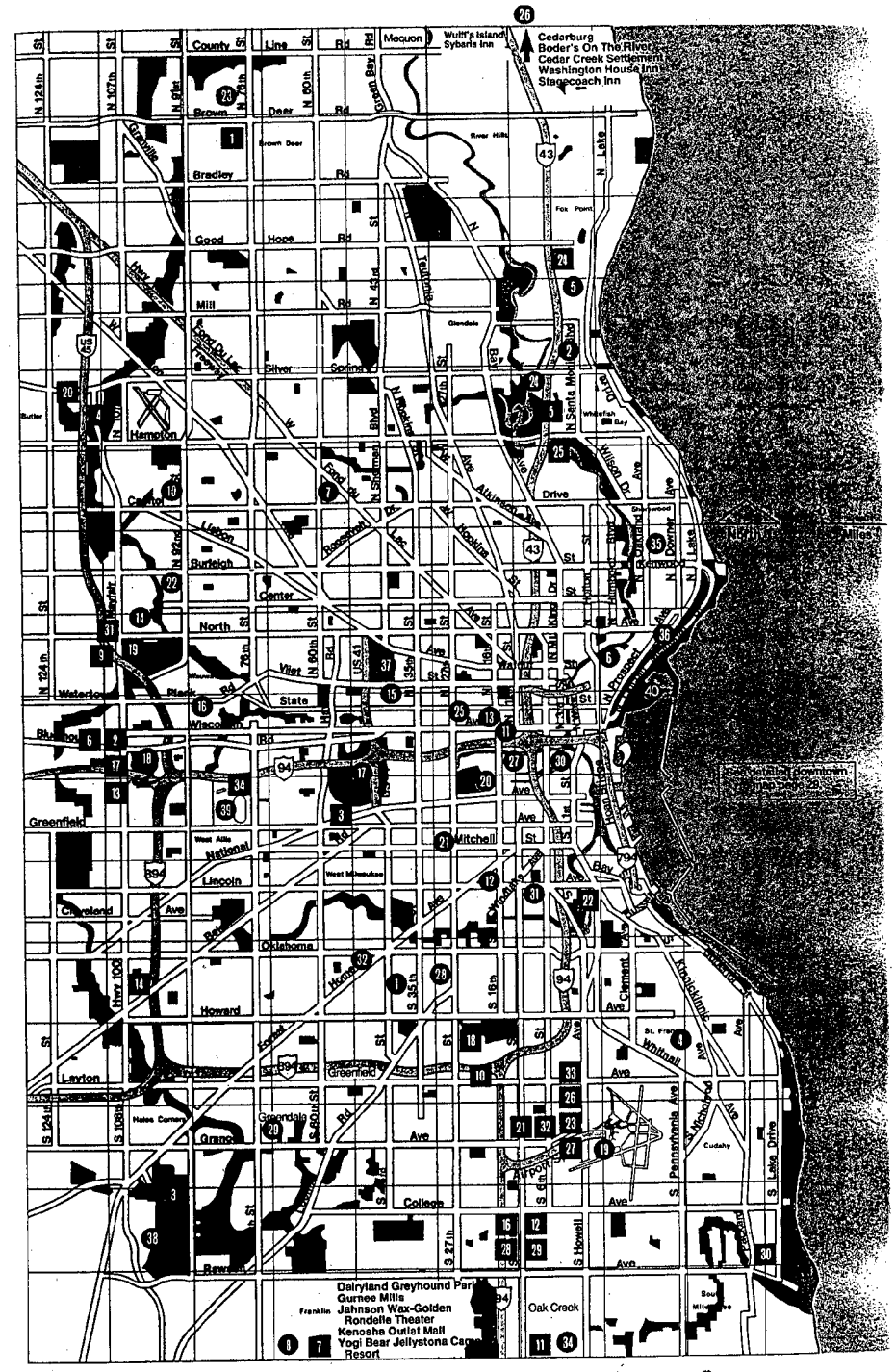
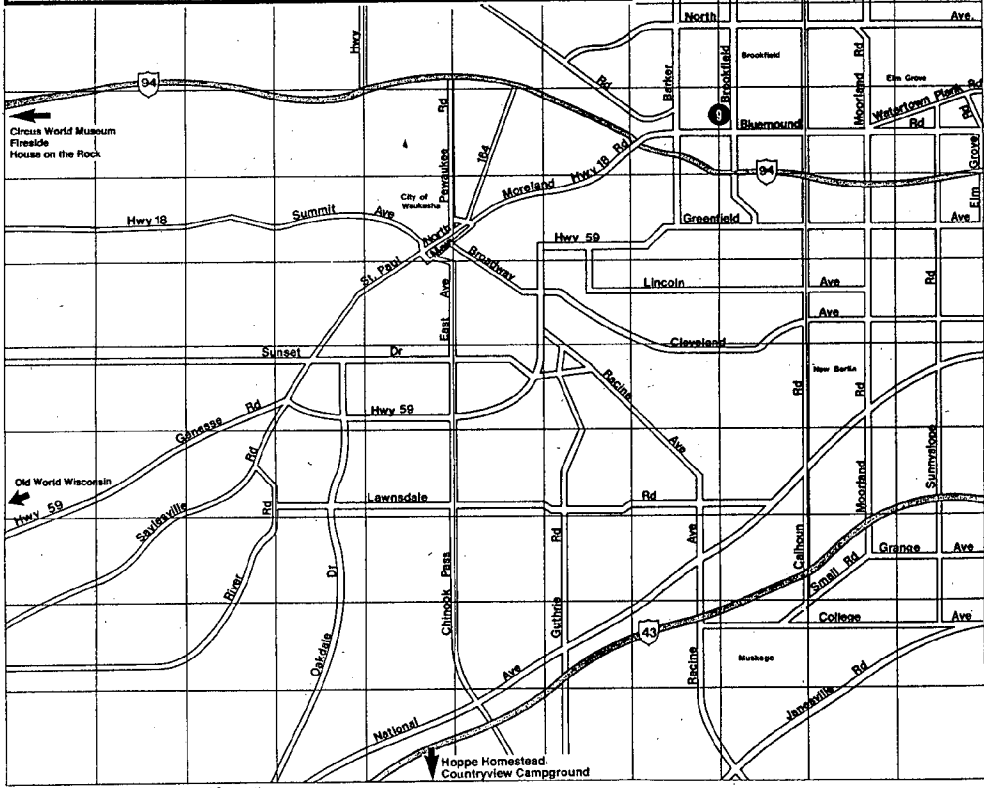
Sunday Morning

8:00 Coffee, Tea, Juice
8:30 Labor Environment Task Force-GATT/NAFTA & GLU
Annual Meeting
IJC Lake Levels Study Briefing
Michigan RAP's Briefing
Other (Please communicate agenda items to the GLU
Office by January 5th, if possible)

Noon Adjourn

POINTS OF INTEREST / SHOPPING	
1	Alverno College
2	Bay Shore Mall
3	Boerner Botanical Gardens
4	Buddy Squirrel / Quality Candy
5	Cardinal Stritch College
6	Charles Allis Art Museum
7	Capitol Court
8	Site of Greater Milwaukee Open
9	Galleria West
10	Greek Orthodox Church
11	Hagerup Museum of Art
12	Lincoln Village
13	Marquette University
14	Mayfair Shopping Center
15	Milwaukee Brewing Company
16	Milwaukee County Medical Complex
17	Milwaukee County Stadium
18	Milwaukee County Zoo
19	Mitchell International Airport
20	Mitchell Park Horticultural Conservatory
21	Historic Mitchell Street
22	Mount Mary College
23	Northridge Shopping Center
24	Old Heidelberg Park
25	Captain Frederick Pabst Mansion
26	Pavilion at Mequon
27	Potawatomi Blings
28	Southgate Shopping Center
29	Southridge Shopping Center
30	Sprecher Brewery
31	St. Joseph's Basilica
32	St. Sava Serbian Orthodox Cathedral
33	Stenewood Village
34	The Marketplace
35	U.W. - Milwaukee
36	Villa Terrace
37	Washington Park Temple Of Music
38	Wehr Nature Center
39	Wisconsin State Fair Park
40	McKinley Marina

LODGINGS	
1	Arborsgate Inn - Milwaukee North
2	Midway Motor Lodge "100"
3	Best Western Woods View Inn
4	Budgetel Inn
5	Budgetel Inn - Northeast
8	Camelot Inn
9	Dorville's Bed & Breakfast
10	Holiday Inn Express
9	Howard Johnson's Airport
11	Knights Inn Milwaukee - South
12	East Inn of Milwaukee - South
13	East Inn of Milwaukee - West
14	Golden Key Motel
15	Milwaukee - Northwest
16	Holiday Inn - South/Airport
17	Holiday Inn - West
18	Hospitality Inn
19	Howard Johnson's - West/Wauwatosa
20	Manchester Suites - Northwest
21	Manchester Suites - Airport
22	Marie's Bed and Breakfast
23	Midway Hotel - Airport
24	Manchester East Hotel & Suites
25	Milwaukee Riverfront Inn
27	Quality Inn - Airport
28	Spring Tree Conference Center
29	Red Roof Inn
30	Riley House Bed and Breakfast
31	Sherraton Mayfair
32	Super 8 Motel Milwaukee - Airport
33	The Grand Milwaukee Hotel
34	Wisconsin State Fair R.V. Park



Map courtesy of Milwaukee Redevelopment Corporation

5311 S. Howell Avenue See #27 - Quality Inn - airport
414-481-2400

Memorandum

TO: Board Members
FROM: Karen
DATE: December 21, 1992
RE: Canada's National Pollutant
Release Inventory

I'm writing this brief memo to bring you up-to-date on the National Pollutant Release Inventory in Canada. Under the Green Plan the Canadian Federal Government committed to develop a public release inventory. We call this the Federal Community Right-to-Know program. In the fall of 1991 the Federal Government set up a multi-stakeholder committee to work out the details of the program, such as who would be required to report, what chemicals would be covered, and what information would be reported. Several GLU Board Members participated on the committee including John Jackson, Rick Coronado, Bruce Walker, and Paul Muldoon.

Great Lakes United received a grant from the Laidlaw Foundation to conduct research, develop an environmental position paper, and conduct some initial education and outreach on this program. Our initial interest in the NPRI was really an outgrowth of our work on pollution prevention. Getting information on polluters in Canada is difficult, the NPRI offered the potential for an incredible new tool for environmental and labour activists.

GLU provided research support to environmental and labour representatives on the Multi-Stakeholder Committee. In addition, we developed an advisory committee of right-to-know and toxic use reduction experts to review position papers and provide additional assistance on difficult questions. We also developed an action alert and a series of fact sheets that were distributed nationally through the Canadian Environmental Network committee working on the National Pollutant Release Inventory, as well as in Ontario and Quebec. We also developed a national environmental position paper on the National Pollutant Release Inventory. We worked closely with the Canadian Environmental Network NPRI committee to develop any position papers and educational materials.

I have enclosed a copy of the position paper and the letters of support that we received from members of the Canadian Environmental Network Citizen's Committee working on the National Pollutant Release Inventory.

The Multi-Stakeholder Committee is submitting final recommendations to the Environment Minister in early January. We will be submitting our position paper in January and sending out another round of action alerts to activists in Ontario and Quebec. (CEN members will be sending the action alert to their members across Canada.) We will also be developing a media strategy for the month of January. There are many unresolved issues that are going before the Minister in January. The decisions made at this time will be critical to the program and to the community's right to know.

Société pour Vaincre la Pollution

SVP

65 Place d'Armes
Montréal, Québec
H3E9

Montreal, November 30 1992

Nathan Gilbert

950 Yonge st., suite 700
Toronto, Ont.
M4W 2J4

Dear Mr. Gilbert,

The Société pour Vaincre la Pollution (SVP) addresses this letter to you in support of the great work that Great Lakes United has conducted on the proposed National Pollutants Release Inventory (NPRI). SVP is aware that the Laidlaw Foundation has supported Great Lakes United to conduct NPRI-related activities based on research and communication that were directly beneficial to non-governmental organizations nationwide and, we believe, to the population at large.

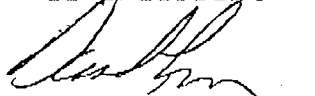
We are most thankful to Great Lakes United for keeping SVP constantly informed on the evolution of the Multi-Stakeholder Advisory Committee discussions, for providing SVP with ample background information to promote regional dissemination of the NPRI concept, for networking SVP and the environmental groups nationwide and helping them to undertake a concerted advocacy mandate.

Finally, SVP is convinced that without the research and coordinating efforts of Great Lakes United on the NPRI, this important federal initiative would have been greatly amputated of any public input.

SVP profoundly believes in the potential use of the NPRI as an information and pollution prevention tool, consequently, we wish to extend our thanks to you for funding Great Lakes United's work on this project throughout the past year.

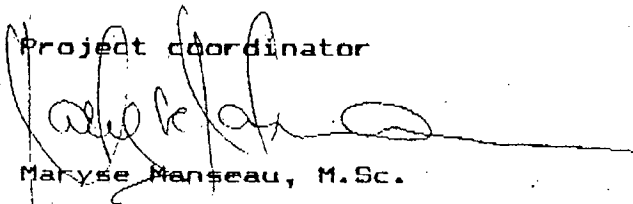
Yours sincerely,

Co-president

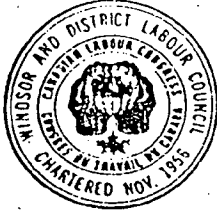


Daniel Green

Project coordinator



Maryse Hanseau, M.Sc.



WINDSOR & DISTRICT LABOUR/ENVIRONMENT PROJECT



LOCAL 444

A Project of C.A.W. Local 444 and The Windsor & District Labour Council

December 4, 1992

BY FACSIMILE

Laidlaw Foundation
950 Yonge St.
Toronto, Ont.
FAX 416-763-1149
Attention:

RE: Great Lakes United - NPRI

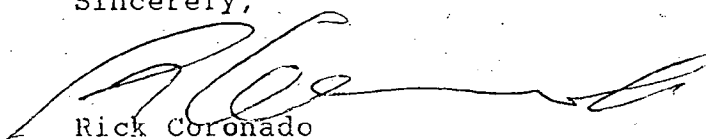
The Windsor & District Labour Council Environment Committee, CAW Local 444 Environment Committee, and the Windsor and District Labour/Environment Project, are most gratified with the assistance and in depth research of Great Lakes United regarding the National Pollutant Release Inventory (NPRI) position paper.

Great Lakes United was instrumental in organizing commentary, and increasing the awareness of this most important national project. Their work was necessary, timely and instrumental in putting forward the collective comments and position of the Canadian ENGO and labour representatives.

Furthermore, because of the work of Great Lakes United, the NPRI has the potential to be a most effective national regulatory process for accessible public information on the use and release of manufactured chemical substances in Canada. With this type of information Canadians will be able to develop effective pollution prevention action plans at the local, regional and national levels.

We recognize the value of the labour and environmental coalition for pollution prevention initiatives, and the invaluable contribution of our brothers and sisters in the environmental movement. Increasingly our collective efforts are winning the struggle against corporate inertia to social change and the realization of what we recognize as our last great fight to save the planet for all species.

Sincerely,


Rick Coronado
Coordinator
WDLEP

Canadian Environmental Network

P.O. Box 1289, Stn. B, Ottawa, Ontario K1P 5R3
Tel: (613) 563-2078
Fax: (613) 563-7236
WEB: cen



Réseau canadien de l'environnement

C.P. 1289, Succ. B, Ottawa (Ontario) K1P 5R3
Téléphone: (613) 563-2078
Télécopieur: (613) 563-7236
WEB: cen

December 1, 1992

Nathan Gilbert
Executive Director
Laidlaw Foundation
950 Yonge St., Suite 700
Toronto, Ontario
M4W 2J4

**Re: Laidlaw Grant to Great Lakes United for
National Pollutants Release Inventory (NPRI) work**

Dear Mr. Gilbert:

We are writing this letter in support of the efforts put forth by Great Lakes United (GLU) around the upcoming National Pollutants Release Inventory. The Canadian Environmental Network (CEN), a national network of almost 2000 environmental groups, facilitates communication among groups and with government.

In June of 1992, our network was awarded a contract with Environment Canada to organize a national meeting of environmental groups participants around the NPRI. The contract was very limited with regard to issue work and follow-up. The grant your foundation awarded to GLU enabled a tremendous amount of issue work to be done after the meeting which otherwise would have not occurred.

GLU's position papers and action alerts were a perfect complement to the organizing framework that the CEN was able to provide. This has allowed for effective advocacy to take place which should provide for a strengthened, more accountable NPRI program.

In fact, GLU's work continues as the NPRI Citizen's Steering Committee (made up of representatives from the CEN's meeting) and other environmental groups prepare to sign on and release the final GLU position paper on NPRI.

We hope that your foundation will continue to support Great Lakes United and other environmental groups in the invaluable work they do.

Sincerely,

Craig Boljkovac
Caucus/Consultation Coordinator
Canadian Environmental Network



TOXICS WATCH
• p r o j e c t •

November 28, 1992

Mr. Nathan Gilbert
Executive Director
Laidlaw Foundation
950 Yonge Street, Suite 700
Toronto, Ontario M4W 2J4

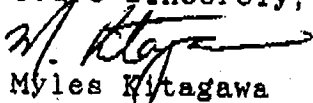
Dear Mr. Gilbert:

The Toxics Watch Society of Alberta and member groups of the Alberta Environmental Network Toxics/Waste Avoidance Caucus wish to express our support and appreciation for the invaluable work Great Lakes United has conducted surrounding the National Pollutants Release Inventory.

The continued prominence of environmental/pollution issues on the public agenda exemplifies the need for detailed and credible reporting of toxic chemical use and emissions. This information has not been readily available in the past, or has often been treated with scepticism and discounted because of the information source. An initiative like the NPRI must, therefore, be well designed and implemented in a fashion that will instill both community confidence and credibility.

The work carried out by Great Lakes United has made an outstanding and vital contribution to the effectiveness and credibility of the NPRI by and raised awareness of the program in communities across the country.

Yours sincerely,



Myles Kitagawa
Toxics Watch Society of Alberta
Co-chair, Toxics/Waste Avoidance Caucus, Alberta Environmental
Network

Murray James Mollard
Barrister & Solicitor

725 Hawks Avenue
Vancouver, B.C.
V6A 3J2

(604) 255-6675

November 26, 1992

Nathan Gilbert
Executive Director
Laidlaw Foundation
700 - 950 Yonge Street
Toronto, Ontario
M4W 2J4

Dear Mr. Gilbert:

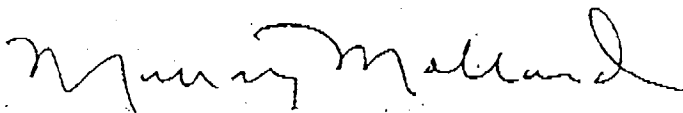
RE: Great Lakes United Research and NPRI

I am writing to you to commend the work of Great Lakes United in its research on the proposed National Pollutant Release Inventory. I understand that the Laidlaw Foundation provided vital financial support for the work undertaken by Great Lakes United in the past year. Without your contribution, important research into this federal initiative would have been incomplete.

As you know, the proposed National Pollutant Release Inventory will provide important data for a variety of purposes including pollution prevention and public access to information on industrial activities that impact local communities. The NPRI will establish an important tool for implementing the goal of ecologically sustainable development. Such a proposal however does not become reality overnight. Any such initiative will only be successful in its development with the full participation of a representative range of affected stakeholders. As a lawyer interested in environmental protection, the work of Great Lakes United has been invaluable to me in defining the goals of NPRI and developing suggestions for its framework. Furthermore, Great Lakes United has worked to ensure that environmental non-governmental organizations are aware of the federal proposals and has sought input from these various groups to articulate a desirable vision for the NPRI.

I thank you for your support of Great Lakes United in its efforts to facilitate research into the NPRI. If you have any questions, please feel free to call me.

Yours sincerely,



Murray Mollard

**STOP**

Société des Écologistes - Environmental Group
rue St-Ferdinand (Métro Place St-Henri)
Montréal, Qué. H4C 2T2 (514) 932-7267

27 November 1992

Mr. Nathan Gilbert
Executive Director
Laidlaw Foundation
950 Yonge St., #700
Toronto, Ont. M4W 2J4

Re: \$10,000 grant to Great Lakes United

Dear Sir:

STOP is a non-profit citizens' environmental group based in Montreal. STOP is represented on Environment Canada's multistakeholder advisory committee pertaining to the National Pollutant Release Inventory (NPRI) and we are aware of the efforts of Great Lakes United in this regard.

STOP believes that Great Lakes United, and Karen Murphy in particular, have done excellent work in assisting environmental groups in the development of position papers. Great Lakes United is also playing a pivotal role in the preparation of fact sheets, along with other public outreach activities.

I would encourage the Laidlaw Foundation to continue its support of the NPRI Project of Great Lakes United.

Sincerely yours,

A handwritten signature in black ink that reads "Bruce Walker". The signature is written in a cursive, slightly slanted style.

Bruce Walker
President
STOP
716 St-Ferdinand St.
Montréal, Québec H4C 2T2
(514)-932-7267 phone & fax

c.c. Great Lakes United

NATIONAL POLLUTANT RELEASE INVENTORY CITIZENS' CAUCUS

RESPONSE TO THE MULTI-STAKEHOLDER ADVISORY COMMITTEE REPORT ON

THE NATIONAL POLLUTANT RELEASE INVENTORY

November 11, 1992

INTRODUCTION

Each year millions of kilograms of pollutants are released into the environment and workplaces in Canada. These pollutants are released into the air around our communities, into waters that we bath in and drink from, and on to our land. On any given day substances that have the potential to cause catastrophic accidents, such as the one that occurred in Bhopal, India in 1984, are stored at industrial and municipal facilities across the nation that are near schools and residential areas.

Canadian citizens should have the right to know about threats posed by the use of hazardous chemicals in their communities. Citizens and workers -- all of us -- routinely bear the burden of toxic chemical exposures and costs. We are exposed to hazards caused by the storage, use and releases of hazardous chemicals. We suffer personal tragedies such as health problems and the loss of family and friends. Our tax dollars support the cleanup of sites contaminated by hazardous chemicals and the treatment of hazardous wastes. Our tax dollars pay for the health care system that treats workers and community members poisoned by chemicals. Knowledge of the presence of hazardous chemicals in a community is fundamental to decision-making in all parts and levels of government, from municipal discussions about land use to federal and provincial environmental protection programmes.

Unfortunately, we do not now have a right to know programme in Canada. Data on use and emissions are gathered through many different programmes. These data, however, are inconsistent and not readily available to the public. Indeed, most of the data gathered on a plant-specific basis are not available to the public because of confidentiality provisions. We have a workplace right to know programme called the Workplace Hazardous Material Information System (WHMIS). A comprehensive right-to-know programme would not supplant the WHMIS programme. Rather it would provide community members access to information that workers now receive, as well as, provide additional information to both workers and community members.

The National Pollutant Release Inventory (NPRI) is a strong step by the federal government to develop a public right to know programme. We fully support and applaud the development of the National Pollutant Release Inventory. We are particularly pleased with the progress that has been made in the last year to get this programme off the ground and to initiate reporting for 1993. We look forward to continuing to work with the federal government to expand and strengthen this programme.

In October the Multi-Stakeholder Advisory Committee (established in the fall of 1991 to develop a programme proposal for the Minister on the NPRI) released an initial draft report on the NPRI. This report detailed areas of consensus and areas that are unresolved. Through the Canadian Environmental Network a caucus of environmental representatives from across Canada was established to review proposals on the NPRI and to provide guidance to environmental representatives on the Multi-Stakeholder Advisory Committee. The caucus has developed this position paper in response to the MSAC document released in late October for public review.

I. PURPOSE

In our introductory paragraphs we described the need for a comprehensive right to know programme. The rationale for a right to know programme is multi-faceted. We feel that the purpose of the NPRI, as described in the Multi-Stakeholder Advisory Committee report, does not go far enough and should be expanded.

• RECOMMENDATIONS

- a) *The purpose of this programme should be to provide citizens and workers with information on the use, storage, release and management of hazardous chemicals in their communities and workplaces.*
- b) *The NPRI should be used to track pollution prevention, toxics use reduction, and the management of hazardous chemicals. (Toxics use reduction means in plant process changes in production processes or raw materials that reduce, avoid, or eliminate the use of toxic or hazardous substances per unit of product. Pollution prevention means the same thing but may be applied to a broader spectrum of industrial sectors such as agriculture. Toxics use reduction and pollution prevention do not include such things as out of process recycling, incineration, and the transfer of waste from one medium to another.)*
- c) *The NPRI should be used to obtain information critical to emergency response and accident prevention.*

II. PUBLIC ACCESS TO NPRI INFORMATION

One of the major goals of the NPRI is to provide individuals and public interest groups the right to know about the presence and release of toxic substances in their communities, within their regions and provinces or territories, and across the country. To achieve this goal, NPRI must focus not just on the gathering and compiling of data, but also on the methods for making the data available to the public.

• RECOMMENDATIONS

- a) *The following principles should guide public access to NPRI data:*
 - *NPRI information should be available on a site specific basis.*
 - *NPRI data should be available in raw data form.*
 - *NPRI data should be made available to the public in appropriately aggregated forms.*
 - *NPRI information should be as current as possible.*
 - *NPRI information should be easy for the public to understand.*

and interpret.

- *The NPRI database should be comprehensive, making all relevant information available to the public at one place.*
 - *The public must have access to computerized and hard copy NPRI data without incurring substantial cost.*
 - *The NPRI information should be easily accessible to people. It should be available at the local level. It should be available in hard copy and on computer disk.*
- b) *These principles can be implemented through the following mechanisms:*
- *The federal government should support a public education programme that could include the preparation of a citizens' guide, an NPRI newsletter, advertising, training workshops, and a toll free number to respond to requests for information.*
 - *The NPRI should be available at municipal and university libraries, regional provincial ministry of the environment offices and at regional Environment Canada offices. People should be able to gain access to the NPRI database without cost at these locations.*
 - *The federal government should facilitate access to and use of the computer database by citizens and community organizations.*

III. CANADIAN ENVIRONMENTAL PROTECTION ACT AS A LEGAL INSTRUMENT FOR THE NATIONAL POLLUTANT RELEASE INVENTORY

In order to become a right to know programme, the National Pollutant Release Inventory should have a legal framework that supports this function. The goals of the Canadian Environmental Protection Act (CEPA) and the National Pollutant Release Inventory are different. CEPA is designed to assess and regulate toxic substances; the NPRI is designed to provide information to the public on the release (and we feel the use and storage) of toxic chemicals.

Because of the differences in the fundamental purposes of these two programmes, the use of CEPA as the legal framework for the NPRI may impede the consistent and successful implementation of the inventory. For example, long-term resources for the NPRI may fluctuate from year to year because the programme is not expressly legislated. In addition, it is unclear whether under CEPA the NPRI could require reporting on Schedule I CEPA substances (those substances that have been found to be toxic).

However, most troubling are the Confidential Business Information provisions under CEPA. These provisions threaten to undermine the fundamental purpose of the programme -- to provide information to the public on a site specific basis. Under current CEPA provisions a facility required to report under the NPRI would have the opportunity to invoke CEPA's confidentiality provisions. These provisions provide that those submitting information can also submit a request that information be kept confidential. The information is then not to be disclosed, except in aggregated form, unless the information fits into one of the exceptions. In short, a presumption is made that the information should be kept confidential. In a public right-to-know programme the presumption should be that all information submitted by a company is public unless the company can substantiate a need for confidentiality. Unless this basic premise is changed, the NPRI will never achieve its mandate.

• **RECOMMENDATIONS**

- a) *The Federal Minister of the Environment should immediately institute measures that will ensure that public access to the NPRI is not thwarted by CEPA confidentiality provisions.*
- b) *NPRI should be mandated through legislation specifically referring to it.*

IV. INFORMATION REPORTED UNDER NPRI

In order to fulfil the functions of right-to-know, i.e., tracking pollution prevention, and providing information necessary to emergency response and accident prevention, the National Pollutant Release Inventory should report information in addition to releases of NPRI substances. Environmental organizations feel that information on the use and management of toxic chemicals and the storage of extremely hazardous substances should be included in the NPRI. Specifically we recommend that the following information be included in the NPRI:

- hazardous substance use
- releases of hazardous substances
- on-site transfers of hazardous substances and wastes
- substances with potential to cause catastrophic accidents
- NPRI substances transferred into product

A. HAZARDOUS SUBSTANCE USE INFORMATION

Increasingly there is consensus amongst decision-makers and the public that our pollution prevention efforts must move from an emphasis on controlling releases at the end of the pipe, to reducing the use and production of toxic substances. The focus that we have had for the past twenty years has led to progress, but it has failed to go as far as we need to go because of the shuffling of toxics that occurs -- a shuffling sometimes referred to as the toxic shell game.

This shuffling occurs in several ways: among air, water and land; from direct discharges to the environment into products, which release hazardous substances into the environment when they are used or disposed of; from one location to another as we catch them in one place and ship them somewhere else for recycling or disposal where they are released into the environment; and from the community's environment to the workplace.

This shuffling, and the fact that we know so little about the impact of industrial chemicals on the environment, has led the International Joint Commission, scientists, and decision-makers to conclude that we need to reduce our **use** of toxic substances and eliminate the use and production of persistent toxic substances.

In order to track reductions in the use of toxic chemicals, we need to know what has gone into the plant at the start; what is being emitted as waste prior to treatment, reuse, energy recovery, recycling or disposal; what toxic chemicals are being consumed either in the process or in the product; and what is being emitted. In other words, a simple materials flow accounting is required to understand the reasons for reductions. With this information, citizens, workers, and governments can determine whether an industry is making real strides to reduce their reliance on toxic chemicals or whether the reductions the industry is claiming are phantom reductions (phantom reductions could encompass such things as production changes and changes in estimation techniques) or waste reductions.

Many "release reduction" activities are not pollution prevention or source reduction or toxics use reduction, they are waste reduction measures. It is legitimate and important for citizens and decision-makers to know what are pollution prevention reductions and what are waste reductions.

Reporting this information through the NPRI can serve a number of useful purposes. First, requiring companies to take a materials accounting approach to reporting ensures that their reporting on emissions (particularly fugitive emissions) is more accurate. Secondly, tracking the use of toxic substances encourages users of toxic substances to focus on use reduction rather than release reduction. Thirdly, this type of reporting increases public awareness of toxic substances handled by workers, incorporated into consumer products, transported over neighbourhood roads, rails and waterways, and stored in communities. Finally, by having the ability to distinguish between waste reduction measures and pollution prevention measures, government, citizens, workers and industries will develop a better understanding of the capacity for change within industrial sectors and how this change can be achieved.

Some problems have been raised by industry regarding the collection of materials flow data. A major one is the potential for conflict with business confidentiality. Confidentiality is addressed in depth in the issue paper developed by John Jackson entitled "A Toxics Use Inventory for Canada" (September 1992). Given the examples from the United States (i.e., Massachusetts and New Jersey) we feel that the issue of confidentiality is surmountable.

• RECOMMENDATIONS

- a) *The NPRI should include information on the use of toxic chemicals at facilities. Companies should be required to report on the total quantity of a hazardous chemical that is manufactured, processed, used, and generated as by-product prior to any treatment, handling, transfer or release, and report the amount of that substance consumed, recycled or transferred in or as product. This information should be provided on a unit of production basis in order to be able to track the amount of substance used in relation to the amount of production at the facility from year to year.*
- b) *In order to obtain a better understanding of progress being made to reduce a facility's reliance on toxic chemicals, facilities should be required to report percentage reductions or increases of a toxic chemical that each production unit at a facility uses, incorporates into products, or generates as nonproduct output (nonproduct output refers to the NPRI substance remaining at the end of the process prior to treatment, recovery, reuse, recycling or disposal). This reporting should be done on a unit of production basis and the amounts of chemicals used should be expressed in ranges in order to broadly assess the size of any reductions or increases in the use of chemicals.*
- c) *Companies should report the types of pollution prevention techniques utilized to reduce their use of toxic substances.*

B. RELEASE REPORTING

The Multi-Stakeholder Advisory Committee has developed a comprehensive release reporting system for the NPRI that we fully support. We feel that some additional items should be included in the release reporting regime.

In the MSAC report several issues are identified as unresolved including identification of receiving waterbodies, production activity index, reporting on source reduction activities, and minimum reportable releases. Some of these issues have been addressed in our previous recommendations so we will only focus on a few key points at this time.

Environmental organizations feel that receiving waterbodies should be reported under the NPRI. Citizens living in communities across Canada should know, and will want to know, where toxic substances are being released. Municipal and local governments may want to use the information to post bathing and fishing warnings. Information on toxic substances entering waterways will be important for local and provincial decision-making. It would also be useful if the database can be configured in such a way that information can be arranged and extracted on a watershed basis.

In our section on including use information in the database we recommended that materials flow information be reported on a facility-wide basis and specific information on chemical use reductions and increases should be reported on a production unit basis. Information on the quantity of substance used for each type of use (e.g. reactant) could augment the use information and provide greater insight into pollution prevention initiatives being undertaken at facilities.

• RECOMMENDATIONS

- a) *We support the MSAC recommendations that the amount of each NPRI toxic chemical released to air (via stack and fugitive emissions), land and water (including sewers and municipal incinerators) should be reported.*
- b) *The NPRI report should specify the receiving water body or bodies.*
- c) *Information on the quantity of substance used for each type of use (e.g. reactant) should be reported under the NPRI.*
- d) *Reporting on a unit of production basis should be required in order to determine the influence of production changes on reductions in the use of toxic chemicals.*

C. ON-SITE TRANSFERS OF HAZARDOUS SUBSTANCES AND WASTES

Companies transfer wastes to facilities both on-site and off-site for treatment and disposal. These wastes may be burned for energy recovery or to destroy them; they may be recycled; or they may be disposed. In order to assess whether toxic chemical use and the production of wastes are being reduced, we need to know the amounts of wastes that are being transferred prior to any treatment, recycling or disposal whether it be on-site at the facility or at a facility off-site.

Environmentalists feel strongly that information on total nonproduct output of a chemical should be reported regardless of whether the material is being treated or disposed on-site or off-site. In addition, the specific waste management techniques used on-site and off-site to treat, reuse, recycle, recover, or dispose of the substance should be reported. We make this recommendation based on the need to make the database consistent, to provide the public with accurate information, and to draw clear distinctions between pollution prevention activities and waste reduction activities. In addition, requiring reporting of NPRI chemicals transferred for treatment, recycling, reuse, recovery, or disposal on-site would make the database consistent with the United States Toxic Release Inventory. This consistency would enhance data comparisons in those areas -- such as the Great Lakes -- where the two countries share ecosystems.

• **RECOMMENDATIONS**

- a) *Facilities should be required to report on the amount of each NPRI substance generated as nonproduct output regardless of whether that substance is transferred on-site or off-site. In addition, companies should specify the amount of materials sent on-site and off-site for treatment, reuse, recovery, recycling, or disposal.*
- b) *Facilities should specifically report where the material is sent and the methods used for treatment, reuse, recycling, recovery, or disposal.*

D. SUBSTANCES WITH POTENTIAL TO CAUSE CATASTROPHIC ACCIDENTS

Facilities all across the country store and use hazardous chemicals that, when released accidentally have the potential to cause catastrophic accidents such as the one that occurred in Bhopal India. Information on the storage of these materials is critical for responding to emergencies and preparing emergency response and accident prevention plans.

Presently, there is no comprehensive reporting mechanism that would inform local, provincial and federal decision-makers and citizens about the storage of substances that have the potential to cause catastrophic accidents. The Major Industrial Accidents Council of Canada is evaluating lists of these chemicals and possible reporting thresholds. MIACC is a useful instrument for coordinating multi-stakeholder discussions about emergency prevention and response. However, MIACC cannot mandate programmes. The NPRI citizens' caucus believes that as a first step in preventing and responding to accidents, mandatory reporting on the storage of substances that have the potential to cause catastrophic accidents should be included in the NPRI.

• **RECOMMENDATIONS**

- a) *Environment Canada should identify a list of substances that have the potential to cause catastrophic accidents if accidentally released. Reporting thresholds should be established that reflect the quantities that could cause catastrophic accidents.*
- b) *Facilities that meet or exceed these thresholds should be required to report the maximum quantity of the chemical stored on site on any given day and the average amount stored in a day.*
- c) *This information should be distributed to local fire departments, medical officers of health, and city clerks, and be made available to the public.*

E. NPRI SUBSTANCES TRANSFERRED INTO PRODUCT

Caucus members believe that information on the transfer of NPRI substances into product is important for two reasons. First, these chemicals may be released to the environment later as the product is used or disposed. Secondly, this information is critical to assessing the effectiveness of pollution prevention programmes.

• **RECOMMENDATIONS**

- a) *Transfers of NPRI substances into products should be included in the database.*

V. REPORTING CONDITIONS

The citizens' caucus supports the establishment of reporting conditions based on the manufacture, use and production of a chemical. However, the caucus believes that the 10,000 kilogram threshold is too high. We believe that the threshold should be 5,000 kilograms for all uses. Thresholds used in the United States Toxic Release Inventory are approximately 10,000 kilograms for substances that are manufactured or processed and approximately 5,000 kilograms for chemicals that are otherwise used. We assume that the rationale for the higher threshold for manufacturing and processing in the U.S. is based on the assumption that large quantities of Toxic Release Inventory chemicals are incorporated into the product and are, therefore, not considered a release. We believe that chemicals incorporated into product will eventually be released into the environment and, therefore, a higher threshold for these activities does not make environmental sense.

The caucus does not support the ten employee threshold. If a company releases and uses large quantities of toxic chemicals they should be required to report. Citizens and workers should know about these facilities. The Edmonton Board of Health recently released a report that indicated that 90% of industries in Alberta employ less than 10 people. If Environment Canada wishes to use the 10 employee threshold, it should prove that this threshold will capture all significant users and releasers of toxic chemicals.

The MSAC report identifies a third reporting condition aimed at capturing by-product releases under 10,000 kilograms. It has been posed as an "or" or an "and" condition. This third condition should only be used as an "or" condition; this means that facilities that meet the use and production thresholds are required to report regardless of how much they release. The proposal to include this as an "and" condition is unacceptable for several reasons. First, the database would lose consistency from year to year because companies would only report when their releases exceeded 1,000 kilograms. This means that some companies might only file every few years. The inconsistency in reporting from year to year would make it impossible to analyze trends over time. Secondly, the "and" condition is predicated on the belief that the purpose of the NPRI is only to report on releases of toxic chemicals. We do not support this view. As we have stated earlier, the purpose of the NPRI should be to provide citizens and workers with information on the use, storage, release and management of hazardous chemicals in their communities and workplaces. And thirdly, a release based inventory would be impossible to enforce; it would take tremendous research on the part of Environment Canada to determine, with existing discharge and use information, what facilities might exceed the release threshold and, therefore, should be reporting.

In order to ensure that all significant users and releasers of toxic chemicals are included in the NPRI, all federal, municipal and provincial facilities that meet the reporting thresholds should be required to report.

• RECOMMENDATIONS

- a) *The caucus believes that the 10,000 kilogram threshold is too high. We believe that the threshold for all uses should be lowered to 5,000 kilograms.*
- b) *The caucus opposes the ten employee threshold.*
- c) *We support the use of a release threshold for use as a mechanism to capture by-product releases below the proposed reporting threshold of 10,000 kilograms used (which we have stated should be 5,000 kilograms). This third condition can only be accepted if it is an or condition, this means that facilities that meet the use and production thresholds are still required to report. Industry has proposed this as an and condition; this is completely*

- unacceptable to environmental representatives.*
- d) *Facilities that are currently required to report releases under other federal regulations should not be exempt from reporting under NPRI if they meet the reporting thresholds.*
 - e) *Environment Canada should determine if their calculations of releases from gas stations will provide community specific information. If not, this exemption should be reconsidered. This exemption should not include tank farms or large gasoline distribution and storage centres. For the other sectors and activities being considered for exemption -- oil wells and mining extraction -- further study should be conducted during 1993 to demonstrate the need for exemption.*

VI. CHEMICALS REPORTED UNDER THE NPRI

The purpose of the NPRI is to inform citizens, workers, and decision-makers about hazards from toxic chemicals. Any chemicals that are suspected of being toxic to humans, wildlife, fish, or other elements of the environment should be included on the NPRI list of chemicals. The list of NPRI chemicals should include at a minimum persistent toxic substances, known or suspected carcinogens, nerve poisons, reproductive and developmental toxins, teratogens, and immune and endocrine system toxins, as well as all substances on the CEPA priority list.

The process for adding and deleting chemicals to the NPRI list of substances should be based on the toxicity of the chemical or its impact on the environment. We do not support the criteria to delete a chemical from the list based on the absence of reports for two years for two reasons: an absence of reports does not mean that the chemical is no longer toxic or that the chemical will not be used in the future. We agree with the MSAC report that a process for the addition and deletion of chemicals should be developed and that the process must include an opportunity for substantive public comment on any proposals and allow requests for additions or deletions to come from members of the public, provincial governments, industry and Environment Canada.

The caucus believes that the NPRI should also provide information to citizens and decision-makers about other types of pollutants such as NO_x, SO_x, VOC, CO, and greenhouse gases. These releases impact the environment. By including information on these pollutants in the NPRI, citizens will become more aware of the magnitude of these releases. In addition, adding these releases to the NPRI would be a first step towards unifying emission inventories. We also believe that facilities that report releases to other federal or provincial databases should be required to report under the NPRI if they meet the reporting requirements. The NPRI should serve as a comprehensive information source on toxics use and releases in Canada. In the past, citizens and decision-makers had to access many different sources of information in order to piece together a picture of pollution in Canada. The NPRI offers the opportunity to harmonize this information and make it more accessible.

Persistent toxic substances pose a special problem to the environment and deserve special attention under the NPRI. However, because even small releases of persistent toxic substances are toxic to the environment, reporting thresholds for these substances need to be much lower than the thresholds currently being considered under the NPRI.

• RECOMMENDATIONS

- a) *Chemicals included on the CEPA priority substances list should be included in the NPRI.*

- b) *A formal process should be developed for listing and delisting chemicals. Citizens should be able to initiate this process and there should be a formal opportunity for public comment into any proposal for listing or delisting. Criteria for delisting chemicals should be based on the toxicity of a chemical or a chemical's potential to cause other environmental harm. Chemicals should not be deleted from the list unless it can be proven beyond a shadow of a doubt that a substance will not cause harm to human health or the environment. It is assumed that all chemicals are on the list because they are known or suspected of causing harm to human health or the environment.*
- c) *Persistent, bioaccumulative toxic substances should be included on the NPRI substances list. Because these chemicals may be released in smaller quantities and not captured under the proposed reporting threshold, substantially lower reporting thresholds should be established for these chemicals.*
- d) *Facilities that currently report releases to other provincial and federal databases, such as mercury releases from chlor-alkali manufacturing facilities and vinyl chloride releases from vinyl chloride and polyvinyl chloride manufacturing, should be required to report under NPRI if they meet the reporting requirements.*

VII. ENFORCING THE NPRI

In order to protect our right to know, the federal government must ensure that: a) companies are reporting and b) that the reporting is accurate.

• RECOMMENDATIONS

- a) *Environment Canada should develop a list of all companies that are likely to meet the reporting thresholds.*
- b) *Environment Canada should develop an effective outreach programme to ensure that all possible reporters understand their responsibility.*
- c) *Environment Canada needs to develop and fund a specific enforcement programme for NPRI. Further investigation of a legislative framework for compliance and enforcement should be investigated.*
- d) *Environment Canada should develop a programme to verify the data submitted. This can include annual or periodic audits approved by an outside auditor.*
- e) *The public should be given a role in enforcement including initiating an investigation and initiating a prosecution.*
- f) *Mechanisms to protect whistleblowers should be incorporated into the NPRI.*

Memo to: Great Lakes United Board Members
From: Jeanne Jabanoski
Date: December 22, 1992
Subject: Draft Strategy Document

At an ad hoc executive committee meeting in Monroe, Michigan on December 5th, I undertook to develop a short term strategy for GLU. The strategy covers the next year of operations and is based on resolutions from our Annual General Meeting, planning retreat notes and discussion at Monroe. It is an attempt to help us set priorities for board and staff by giving us a framework for our work. The strategy is short term and does not address the longer term questions facing the organization.

I understand Dick Kubiak has allocated time on our agenda in Milwaukee to discuss the draft further so perhaps you could give some thought to this document as well as the kind of organization we are building for the future. I would also appreciate some suggestions on the Vision which I think needs to be more distinct from our Mission (and maybe more poetic as well).

Happy Seasoning



DRAFT STRATEGY DOCUMENT**GREAT LAKES UNITED****Vision**

Our vision is of a Great Lakes and St. Lawrence ecosystem that is healthy and sustainable for the environment and all living creatures.

Mission

Great Lakes United is an international coalition of diverse individuals and groups advocating for a healthy ecosystem for the Great Lakes basin and St. Lawrence River.

Mandate

Great Lakes United fulfills its charge to its membership by:

- promoting and coordinating citizen action;
- initiating environmental educational programs;
- developing effective policy initiatives.

Operating Principles

In carrying out its mandate, Great Lakes United seeks to:

- ensure that protection, restoration and prevention are the goals of all environmental initiatives in the basin;
- consider environmental issues in a wider social and economic context, in particular the impact on people of colour and other ethnicities, low income, women, and native populations;
- help develop job creation and economic opportunities, particularly for dislocated workers;
- provide support to member organizations and other community-based organizations.

Strategic Direction

In 1993, Great Lakes United will focus on basin-wide Areas of Concern to develop and deliver priority programs. Attention will also be paid to the effectiveness of GLU's effort on Canadian issues as well as developing a more sustainable organization for the future.

Goal One: Help build environmentally sustainable communities within Areas of Concern

Objectives:

1. Assess RAP process against goals developed by RAP PACs.
2. Develop strategy for RAPs in collaboration with RAP PACs.
3. Develop community-based programs for revitalizing Areas of Concern.

Objective One

A program which might include a tour of AOCs or a conference or both will be developed. Communities will discuss their progress in achieving goals and common issues will be identified. The findings from this process will result in a report to be presented to the Biennial Meeting, augmented by citizen testimony.

Objective Two

Based on the assessment of the first phase, short and long term strategies for dealing with RAPs will be developed in consultation with citizens' groups. These should constitute both tactics to deal with local situations as well as a coordinated strategy regarding the future of RAPs. One possibility is that GLU and member organizations might advocate for a legislated basis, and therefore accountability, for RAPS. Funding schemes, a broadening of RAPs to include land use planning, contaminated sediment programs, etc. could all be included in this phase.

Objective Three

Community-based sustainable development initiatives building on the organizational structure of RAPs will be developed with sectors who have not traditionally been at the table. This could include dealing with issues such as new economic initiatives ("green industry", worker-owned businesses, local jobs in public works projects, etc.), healthy communities, and other community-building initiatives.

Goal Two: Increase the effectiveness, profile and presence of Great Lakes United in Canada.

Objectives:

1. Increase membership of individuals and groups by setting targets on an annual basis.
2. Ensure the development of an effective Canada-Ontario Agreement on Great Lakes Water Quality.
3. Develop an effective citizen right-to-know program based on NPRI.

Objective One

Attention will be paid to the profile of Great Lakes United in Canada through additional activity out of the Windsor and Buffalo offices. Field representatives of GLU could be located in strategic areas on the Canadian side of the basin, including Montreal, eastern Ontario, Sault Ste. Marie, and Toronto. Solicitation of new members and groups should be tied into an effective Canadian program, such as COA.

Objective Two

Develop a program based on the renegotiation of the COA agreement, setting out GLU's expectations (for example, funding of RAPs). This could be accomplished by a tour or conference in communities on the Canadian side. COA's importance to achieving Canada's commitment to the GLWQA should be communicated and governments held accountable for their progress.

Objective Three

Building on GLU's effective NPRI effort, a right-to-know program should be developed for 1993-1994 to inform citizens of how to make use of this information. In 1993, a citizen's guide could be developed for use in Great Lakes communities. Models and test cases should be developed that can be communicated elsewhere in the basin. Preparation should begin for a larger effort in 1994 when data will be available for citizen use.

Goal Three: Increase the sustainability of GLU as an organization.

Objectives:

1. Undertake measures to ensure that GLU can sustain itself apart from restricted project grants.
2. Maintain a watchdog function on a range of important Great Lakes issues.
3. Provide support and services to member organizations and Great Lakes communities.

Objective One

Develop a range of fundraising initiatives, such as bequests, to allow for a sustainable number of staff and projects that are not tied to restricted funding. Explore the possibility of a fundraising staff position, possibly on a pay by percentage of funds raised. Attention should be paid to management issues that have arisen in the past. Committees should meet regularly and provide advice to the board and staff.

Objective Two

Maintain and expand our watchdog function in emerging issues as well as water levels, diversions, wetlands/habitat, exotic species and general pollution prevention areas.

Objective Three

Develop and carry out educational activities and services for individual and member organizations and Great Lakes communities. Consideration has been given to mail order or storefront operations selling Great Lakes books and other educational items. This could serve as the basis from which to build a comprehensive educational program, which could include theatre projects and other innovative ideas. Additional initiatives will be developed for support to member groups on their identified issues.

November 21, 1992

Wow!

Bruce Kershner
Karen Murphy
Great Lakes United
1300 Elmwood Avenue
Buffalo, NY 14222

Dear Bruce and Karen:

On behalf of the Amherst Conservation Advisory Council's Least Toxics Subcommittee and S.A.F.E. in Amherst (Seeking Alternatives for the Environment in Amherst), I would like to thank you for your invaluable assistance and guidance regarding the mosquito control issue.

Speaking for myself, I have had no experience with politicians or the media and have merely taught myself the environmental and scientific information that I brought with me to this project. I can honestly say that I would have been completely lost without your help. You are masters, not only in the scientific domain but in the political and media relations ones!

Karen, you got us started on the right foot by providing us with so many essential resources through Great Lakes United. Your attendance at S.A.F.E. in Amherst's initial meeting was greatly appreciated. You provided us with a step-by-step plan on how to convince the Town of Amherst to opt to the less-toxic methods of mosquito control. You also provided the media with concise, logical, scientific information. Thank you for everything.

Bruce, you are a powerhouse! Your speeches at the hearing before the ACAC and the Town of Amherst Councilmembers were simply riveting! You have also given us extremely important guidance and information on the mosquito-spraying issue. The reporters always quote what you say, and you choose the most effective words and speak them with such conviction. We are deeply grateful for all of your assistance.

As it stands now, Amherst is planning on implementing our recommendations for a revised mosquito control program only in a experimental area or two. I still feel this is unsatisfactory, although I am pleased that SOME CHANGE will occur. My main concern is that Dr. Berlin and Patrick Lucey will still be running this program. Bruce, you suggested I provide the Town of Amherst with a list of individuals who would be willing to volunteer on a pesticide advisory council in Amherst. Do you have any suggestions as to which individuals we should ask to be on this council?

I have enclosed the last 4 articles I have seen on the mosquito control program in Amherst. Considering what has transpired to this point, what would you advise should be our next step?

Once again, Karen and Bruce, thank you for all of your expertise and also for allowing us to use the incredible resources at Great Lakes United. We couldn't have done it without you!

Gratefully yours,

Katherine Kenwell

Katherine Kenwell
co-founder S.A.F.E. in Amherst
ACAC Least-Toxics Sub-committee member

Environmental group backs coalition

Dear Editor,

Great Lakes United wishes to express our support of the Quality Quest Coalition of Grand Island's aim to ensure a wise land use planning process for Grand Island.

As the Great Lakes Basin's largest environmental organization (collective membership of 600,00 and 180 organizations, including Grand Island members), we are painfully aware that ill-planned growth of urban and commercial development is responsible for much of the Great Lakes' environmental and community problems.

These problems include 1) increased pollution from urban runoff, soil erosion, industrial discharges, lawn chemical runoff and increased effluent from sewage treatment plants; 2) increased destruction of wildlife and fish habitat and wetlands leading to reduction in wildlife and fish populations; 3) decreased aesthetic amenities and destruction of scenic values that are responsible for so much of a community's attractive character; 4) increased fiscal burden on taxpayers (which cancels out increases in tax base) due to additional expenditures for roads, utilities, school, police and fire protection.

A wise, and farsighted master plan must address these issues if it is to result in a benefit to the citizens of Grand Island. For, if it doesn't address them now, the future residents of Grand Island will have to bear the burden of the consequences, most of which will be irreversible.

The first thing Grand Island's master plan should do is reflect the desires of the island's citizens, as shown from surveys. Therefore, the master plan must reduce its strong emphasis on economic development and promotion of expanded sewer systems, and shift more to protection of existing open space, forests and wetlands.

The plan should *specifically* identify how it plans to protect woods, wetlands and open space, including retaining wildlife corridors, fish spawning areas, deer wintering yards and endangered/threatened species. It should identify unprotected areas that need to be set aside as town nature preserves, parks, and recreation trail corridors. It needs to identify which shoreline areas should be kept free and recreational trail corridors of development, marinas and riprapping so as to protect fish habitat, wetlands and scenery.

The plan should especially identify exactly how much of the island will ultimately end up developed and what proportion will be kept in a natural or semi-natural state. It should answer the question: "Will future residents have enough open space and outdoor recreational land to retain the quality of life and scenic amenities they desire?"

To be able to answer these questions, your master

Voice Box

plan must first conduct a comprehensive assessment of the habitat, flora, fauna and unique natural features that exist on the island. If you don't conduct a survey, you will never know what you're going to lose (forever) and what you need to do to keep it.

Since fiscal and economic concerns are so important to town officials, the business community and taxpayers, it is only fair and balanced to assess both the benefits and costs of increased development. The master plan should include an analysis by an independent entity with no axe to grind. Such an analysis should show what the financial and fiscal cost and upkeep will be, once the town has reached its maximum "buildout," for 1) roads, sewers, schools, emergency services; 2) the effect on housing prices (and thus property taxes) for homes adjacent to protected open space vs. those not near such amenities (e.g. in the middle of sprawling developments or next to new industry, commercial strips or more heavily trafficked roads).

It should specify what the ultimate effects will be on town property taxes and school district taxes, including utility assessments.

Lastly, your master plan will not be a plan for *all* of Grand Island unless it goes out of its way to provide maximum opportunity for citizen participation and input. You need more than one public forum for the public to express which issues should be addressed. You need a master plan committee that includes at least one-third to one-half that are designated representatives of community and environmental interests (not just members of town committees). And you must make copies of the master plan as widely distributed as feasible.

Grand Island's master plan will affect its citizens and its environment for generations to come. You must spare no effort to ensure all concerns are addressed and community desires are carried out.

We urge Grand Island's residents to take an active role in shaping *your* master plan. After all, you are going to have to live with its results for generations to come.

Bruce Kershner, Field Coordinator
Great Lakes United

Community News
GUFF METRO 10-25-92

Hearing set on Containerboard environmental studies

By KATE ALEXANDER
 OBSERVER Westfield Bureau

WESTFIELD — The Supplemental Environmental Impact Statement (SEIS) and the Supplemental Generic Environmental Impact Statement (SGEIS) concerning the Containerboard Project in Westfield are nearing completion.

A notice on the completion of the reports is projected to be given to the state Dept. of Environmental Conservation (DEC) by Oct. 28, according to Linda Kelly, senior project coordinator for the Containerboard project.

Mrs. Kelly told the OBSERVER that a public hearing on these documents has been tentatively scheduled for Nov. 12. This public hearing will be concerned with the Portage Water and Portage Sewer District and will address the questions brought forth by the public from the Dec. 14, 1991 hearing.

One major delay with the Containerboard project has been the question of adequate water supply for operation of the plant, which requires 1.2 million gallons of water per day.

Mrs. Kelly said the county Department of Public Works (DPW) is currently working on a plan which calls for drawing water from Lake Erie. The DPW contracted with Paul Russell of JR Engineering who drew up a set of plans for this purpose.

This alternate plan totally bypasses the use of Chautauqua Creek as a water source. The DEC has declared the creek to be a protected trout stream and would not permit its use in connection with the Containerboard project.

The new plan for water supply and the Portage Water and Portage Sewer District reportedly does not impact Chautauqua Creek or the Westfield village water and sewer systems. Mrs. Kelly noted that ongoing study is still being done on updating the village water and sewer plants but that this "no way reflects on Containerboard."

She did note, however, that the plan to draw water from Lake Erie may show "possible interfacing with the future of the village." No decision has been made as yet by village officials concerning the updating of the water treatment plant and the water pollution control facility. Mrs. Kelly stated that this fact would not delay the Containerboard project.

The plans for drawing water from Lake Erie have been presented to the DEC in an "informal manner" and Mrs. Kelly noted the DEC "seems pleased with the plans so far."

"We untied the two," Mrs. Kelly said, referring to the village water and sewer districts and the Portage Water and Portage Sewer District. "There is no intertwining of the village water and sewer with this plan. It is a separate entity."

She noted the new plans drawn by JR Engineering must go through the State Environmental Quality Review (SEQR) process but that the concept has passed the DEC.

In referring to the extensive SEQR process concerned with the industrial site on Bourne Street in Westfield, Mrs. Kelly stated the end results would give Westfield a site prepared and ready for anyone.

Mr. Russell agreed with Mrs. Kelly and told the OBSERVER that the studies he had completed for the county took a "different direction" than using the village system.

He noted that this plan to draw water from Lake Erie for the Containerboard project was done "in an effort to satisfy the DEC in those regards."

In addressing ongoing concerns of environmental groups with the use of Lake Erie water, Mr. Russell stated the intention of his plans were to "take water out of the lake, use it, treat it and return it to the lake in decent condition."

Jerry Palumbo from the DEC, water division, told the OBSERVER that his department will be addressing details in the GSEIS for wastewater and water supply and should be completed by the end of the month.

He noted there were 10 concerns his department would be addressing in the Final Environmental Impact Statement (FEIS) and will state how these items were addressed.

He noted the "hurdle" in following the SEQR process is the various permitting processes which are "very technical" and include plans, inspections and engineering studies.

"We are near the end of the SEQR process," Mr. Palumbo said, referring to the Containerboard project, "and into the early stages of the project itself." He noted the permitting process will involve "many months."

In reference to a letter from Great Lakes United recently published in several papers in the county which raised concerns of toxic chemicals possibly contained in the discharge water from the Containerboard plant and the loss of water drawn from Lake Erie in the form of steam from the plant thus not being returned to the watershed, Mr. Palumbo stated his department is preparing a response to this letter.

David Dawson of the county Industrial Development Agency (IDA) told the OBSERVER that Domtar, DEC and the lead agencies (county DPW and the Town and Village of Westfield) are producing the reports that the DEC is requiring based on a schedule which extends through the end of the year.

"Domtar is moving together to get acceptable design work to allow permitting to take place," Mr. Dawson said.

Once the permits are issued, however, Mr. Dawson cautioned the plant may not begin immediate construction. He noted that the date for construction of the Containerboard plant may depend on the economic climate.

"We're in a recession," Mr. Dawson stated. "Domtar may wish to determine if companies are already meeting market demand for their product. The Containerboard plant is designed for new demand and may have to wait for new demand. They may have to look at what end users are buying and how many boxes are being bought to ship goods."

Stanley Jacobsen, chief representative of the Containerboard operation now based in Toronto, agreed with Mr. Dawson that the market

for linerboard is depressed. He noted a company or corporation expects a return on its investment, which in Containerboard's case, would be determined by the price that paper is bringing on the market.

He noted that the original cost estimates for the Containerboard project, completed over three years ago, are now "invalid."

"We will not be preparing new cost estimates until we know the county can provide us with a viable site for our plant," Mr. Jacobsen said.

When asked if he could comment on design changes in the Containerboard facility that were made or being made to meet DEC specifications, Mr. Jacobsen stated that the problem was not with the Containerboard plant as changes the DEC had requested "were completed." His feeling was that the DEC was concerned with decisions to be made in relation with the village's waste water treatment plant.

It was his understanding that the waste water treatment plant would not be located at its present site and was aware that the county was working on plans to draw water from Lake Erie and not use Chautauqua Creek as a water source.

More Environmental Problems For Containerboard?

By Jeff Keller

The leading environmental group dedicated to the Great Lakes, Great Lakes United, has sent a letter to Governor Mario Cuomo, Department of Environmental Conservation Commissioner Thomas Jorling and other state and county officials expressing its concerns about the Containerboard project. The version of this letter that was received by *The Westfield Republican* is given in its entirety as a letter to the editor below.

In the letter, the group expresses a concern that containerboard that would use to recycle might contain toxic residues such as dioxin.

Bruce Kershner, a spokesman for Great Lakes United, said that when cardboard is recycled, it is first made into a slurry through a hydropulping process but then it is "de-watered" and that dioxin which might have been in the cardboard might end up in the plant's effluent.

In the letter, Great Lakes United asks that this possibility be addressed in the plant's Environmental Impact Statement.

George Riedesel, director of the county's Department of Public Works — which has taken the lead in preparing Containerboard's Environmental Impact Statement — said that the environmental group

should have made its concerns known earlier when the project was preparing its draft impact statement but that the dioxin matter would be addressed. He also said he didn't know how much, if any, dioxin would be in the cardboard to be recycled and therefore, he didn't know yet whether Great Lakes United had a valid concern.

"It would be jumping the gun to assume there's a problem," he said.

The Great Lakes United letter goes on to state that "It is reported that a similar Donmar (the Canadian Corporation which is sponsoring the Containerboard project) cardboard facility is a source of dioxin and

mirex in the Bay of Quinte on the north shore of Lake Ontario.

Linda Kelly, the county DPW's Containerboard project coordinator, said that comparing the proposed Westfield Containerboard plant with the Bay of Quinte facility would be inaccurate because the Containerboard plant would be a 100 percent recycling facility whereas the Bay of Quinte plant is a 50 percent paper plant and 50 percent recycling facility.

Mrs. Kelly said cardboard consists of two parts: an outside lining, which is called linerboard, and a corrugated center. She said that the Bay of Quinte plant not only makes linerboard,

which can be fabricated from only recycled materials, but it also makes the corrugated center part, which must be made from wood pulp as well as recycled material in order to give it strength. She said that the chemicals used to make the corrugated center from wood pulp were what was causing the problems in the Bay of Quinte and that the proposed Containerboard plant would be making only linerboard and, therefore, wouldn't be using those chemicals.

The letter also raised the concern that the steam discharged into the atmosphere by the plant (approximately 230,000 gallons a day) might be considered a

permanent withdrawal from Lake Erie. If the steam discharge is considered a permanent withdrawal, then, according to federal law, the eight governors of the states bordering the Great Lakes would have to give their permission for it to happen.

Both Riedesel and Mrs. Kelly said they believed that regulators would not consider such a discharge a permanent withdrawal.

In response to Riedesel's and Mrs. Kelly's responses, Kershner asked that they document what they said.

"We aren't making charges here," said Kershner. "We simply wanted these concerns addressed. They should document fully what they have said."

Letters to the Editor

Environmental Concerns About Containerboard

We are writing regarding our concerns about the Donmar Containerboard Recycling Facility proposed in Westfield, New York. This project is of direct concern to Great Lakes United, since we are dedicated to preventing and cleaning up toxic chemical discharges into the Great Lakes, as well as other threats to their ecologic integrity. We are an American-Canadian environmental coalition of almost 200 organizations representing environmental, hunter, angler, union, business, city and village government and diverse people interests. Our collective membership is more than 600,000.

We are members of many government-sponsored Remedial Action Plan councils around the Great Lakes, established to clean up toxic contamination at nationally recognized Areas of Concern. We are members, for example, of the Remedial Action Councils for Erie, Pa., Ohio, N.Y. and Ashtabula, Ohio. With our experience with these and other projects around the Great

Lakes, we know that cardboard potentially contains toxic residues including dioxin and possibly mirex. It is reported that a similar Donmar cardboard facility is a source of dioxin and mirex in the Bay of Quinte on the north shore of Lake Ontario.

We normally encourage recycling as a way to reduce solid wastes and reduce pollution. But a recycling project that could discharge such serious pollutants would simply be unacceptable to us. Lake Erie is already overburdened with toxic discharges and contaminated sediments.

We believe this is a prudent concern, and therefore should be addressed in the Environmental Impact Statement, as required by state law. After all, this is a public health issue, and Lake Erie can enter the drinking water intakes for communities along Chautauqua and Erie counties.

Another concern that needs to be addressed is the amount of water that will be discharged as steam (230,000 gal. per day) and therefore not returned to Lake Erie. This is in fact a permanent water withdrawal, since most of that

water will precipitate out over other watersheds to the east, not back into the Great Lakes watershed. If this is classified as a "conservative out-of-basin diversion," which means water is taken out and not returned to the watershed, it would require the unanimous approval of all eight Great Lakes Governors, according to federal law PL 99-662.

We hope that these and other environmental and community concerns raised by the citizens of Chautauqua County will be fully addressed before this project is considered.

Terry L. Youker
Executive Director
Great Lakes United

The Facts And Truth About Containerboard

Containerboard. What is it? What does it mean to our county? What is true? What is false about Containerboard?

Almost three years ago, Dunkirk was considered as a site for Containerboard. It was determined that the infrastructure of Dunkirk (sewer and water system) was inadequate to maintain even the existing industrial base. Dunkirk has since spent considerably to improve their infrastructure.

Containerboard wanted to locate in Chautauqua County, so Westfield was considered as an alternate site. From the start, a small group in Westfield has exercised its right to oppose by attacking Containerboard on every conceivable environmental, financial and legal ground.

Containerboard is needed by the several owner-partners for the extremely competitive box and packaging industry. A large county packaging concern has stated that Containerboard is critical to their survival and the continuance of the jobs they provide in Chautauqua County. Containerboard's entire output is already committed to the owner-partners, assuring Containerboard's success. To the county, it means

hundreds of construction jobs for at least two years; a \$200 million plus plant that will yield substantial and increasing taxes, every year; permanent well paying jobs (badly needed in the county), about 135 jobs, ranging from \$20,000 to \$60,000, with good employee benefits.

All costs incurred to build the water and sewer district will be paid back in user fees, charged to Containerboard.

The village of Westfield, the town of Westfield, the state of New York and the county will join to pay for all costs of upgrading and improving Bourne Street and Persons Road, through grants and loans. This improvement will benefit the village and would benefit any industry in that area.

Containerboard's product, Linerboard, is made from old cardboard, physically broken down and made into slurry, by processing in a large blender-like unit, known as a hydropulper. No strong chemicals are used, as in pulp production. Their linerboard is 100 percent recycled, whereas the corrugated center, made elsewhere, is 50 percent pulp and 50 percent recycled.

The detractors have tried to mislead the public by comparing Containerboard's slurry to pulp rendering operations.

The Department of Environmental Conservation has been very meticulous in overseeing every aspect and detail of the proposed industry. The D.E.C. is investigating each and every applicable concern of citizens. We expect full approval of the D.E.C. after the required Environmental Impact Statement is completed this winter.

All in all, the facts are the truth about Containerboard certainly recommend strong support of this not only important industry in our county!

Norm Herby
Chairman of the
County Legislature's
Environment Committee

The Post-Journal

★★

VOL. LII NO. 16

Twenty-Four Pages

JAMESTOWN, N.Y., MONDAY, OCTOBER 19, 1992

Four Sections

New Concerns Raised About Containerboard

By CURT W. OLSON

An American-Canadian Great Lakes region environmental group based in Buffalo has concerns of potential toxic discharge into Lake Erie and lake water withdrawal by the Containerboard plant proposed for Westfield.

The executive director of the group, Terry Yonker, recently wrote a letter to Gov. Mario Cuomo emphasizing the need for those two questions to be fully addressed in the soon to be completed Supplemental Environmental Impact Statement.

Great Lakes United is a multinational organization comprised of about "200 organizations representing environmental, hunter, angler, union, business, city and village government and native people interests."

The *Post-Journal* has acquired a copy of the Sept. 16 letter sent to Cuomo, Lt. Gov. Stan Lundine, Rep. Amo Houghton, state Department of Environmental Conservation Commissioner Thomas Jorling and several Chautauque County employees: George Riedesel, county Department of Public Works director; John Spagnoli, Diane Heminway and Alex Cukan.

Yonker told *The Post-Journal* Great Lakes United is not opposing the cardboard recycling plant.

He said the group is in a difficult position by writing the letter because the group does encourage

recycling in order to lessen solid waste disposal and cardboard recycling aids that effort.

"We are not opposed to recycling. There are some concerns that have been raised (about the project). We need very definite answers to those questions," Yonker said.

The question surrounding potential toxic discharge into Lake Erie revolves around the fact the Canadian company Domtar is thought to be the chief shareholder for the Containerboard plant.

"We know that cardboard potentially contains toxic residues including dioxin and possibly mirex. We also have members who are involved in the Bay of Quinte Remedial Action Plan Committee on the north shore of Lake Ontario. They report that a similar Domtar cardboard facility is a source of dioxin and mirex in the Bay of Quinte," the letter to Cuomo and others shows.

The other concern is the possibility of 230,000 gallons of water being withdrawn from Lake Erie by the plant and the water not being replaced in the lake watershed.

"This is in fact a permanent water withdrawal, since most of the water will precipitate over other watersheds to the east, not back into the Great Lakes watershed. If this is classified as a consumptive out-of-basin diver-

Yonker said Great Lakes United is not opposing the cardboard recycling plant. "We are not opposed to recycling. There are some concerns that have been raised. We need very definite answers to those questions."

sion, it would require the unanimous approval of all eight Great Lakes governors, according to federal law PL 99-662, Section 1109," Yonker's letter shows.

If the legal status of Lake Erie water withdrawal for the plant is considered out-of-basin, and approval of the eight Great Lakes governors are needed, the states are: New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin and Minnesota.

He also said state law for the Great Lakes Water Conservation & Management Act section 1501613 could also require public notification, public hearings and Cuomo's approval.

The supplemental EIS is currently being completed. The completion is expected sometime in November.

Editorial

... Miller who donated land on which the new structure stands. It will be named Miller Hall.

THIRTY YEARS AGO—1962

Forestville Central School has adopted an electronic teaching room for language or, as nicknamed, a language lab. This setup is one of the most modern high school labs in New York State.

Fredonia attorney Robert Manuele has announced the opening of his own law office at 36 E. Main St. Fredonia. He previously was associated with Kenneth W. Glines in the law firm of Glines and Manuele.

E. Main St., the former location of the Crimen's Liquor Store.

FIFTY YEARS AGO—1942

Rudolph H. Karl is the instructor for the radio technician course which will be part of the war training program to be conducted at Dunkirk Industrial High School during the winter months.

The new Cassadaga church of Our Lady of the Immaculate Conception will be dedicated this Sunday by the Most Rev. John Aloysius Duffy. The new church is located on Route 60 near the intersection of the Burnham Hollow Road.

avoiding any political activity, and any political or legislative issues

Great Lakes concerns regarding Containerboard

Editor, OBSERVER:

We are writing regarding our concerns about the Domtar Containerboard Recycling Facility proposed for Westfield.

This project is of direct concern to Great Lakes United, since we are dedicated to preventing and cleaning up toxic chemical discharges into the Great Lakes, as well as other threats to their ecological integrity. We are an American-Canadian environmental coalition of almost 200 organizations representing environmental, hunter, angler, union, business, city and village government and native people interests. Our collective membership totals more than 600,000.

We are members of many government-sponsored Remedial Action Plan councils around the Great Lakes, established to clean up toxic contamination at internationally recognized Areas of Concern. We are co-founders, for example, of the Remedial Action Plan councils for Erie, Buffalo and

Ashtabula. With our experience with these and other projects around the Great Lakes, we know that cardboard potentially contains toxic residues including dioxin and possibly mirex. It is reported that a similar Domtar cardboard facility is a source of dioxin and mirex in the Bay of Quinte on the north shore of Lake Ontario.

We normally encourage recycling as a way to reduce solid wastes and reduce pollution. But a recycling project that could discharge such serious pollutants would simply be unacceptable to us. Lake Erie is already overburdened with toxic discharges and contaminated sediments.

We believe this is a prudent concern and therefore should be addressed in the Environmental Impact Statement, as required by state law. After all, this is a public health issue and pollutants released into Lake Erie can enter the drinking water intakes for communities along Chautauqua and Erie

JOHN E. LONG,
Town of Hanover

Counties.

Another concern that needs to be addressed is the amount of water that will be discharged as steam (230,000 gallons per day) and therefore not returned to Lake Erie. This is in fact a permanent water withdrawal, since most of that water will precipitate out over other watersheds to the east, not back into the Great Lakes watershed. If this is classified as a "consumptive out-of-basin diversion," which means water is taken out and not returned to the watershed, it would require the unanimous approval of all eight Great Lakes Governors; according to federal law PL 99-662.

We hope that these and other environmental and community concerns raised by the citizens of Chautauqua County will be fully addressed before this project is considered.

TERRY L. YONKER,
executive director,
Great Lakes United,
Buffalo

Except for the OBSERVER's own editorials, the columns, letters and cartoons that appear on this page do not necessarily represent the opinions of this newspaper.

... the state's workforce and a power broker who created nearly autonomous agencies (the Urban Development Corp., the State University Construction Fund etc.) which borrow and spend billions outside the state budget—all with little or no supervision or voter approval. Two years after Rock left Albany, the state nearly went broke.

Rocky consumed people, their energies, their loyalty and occasionally, their judgment. He did not suffer critics gladly. He could be an Olympian grudge bearer, but bore his grudges with the silent snobbery of the super rich. The victims of his disfavor were usually left ignorant of their offenses. His approach was sort of the reverse of the right of habeas corpus. The alleged offenders were locked out, not locked up, without knowing the charges against them.

While Keating was not a Rockefeller toady, he rallied behind the governor's failed bid for the GOP presidential nomination in 1964 and pointedly refused to endorse the conservative candidacy of GOP presidential nominee Barry Goldwater.

If Keating is only a footnote in the state's political history, he is certainly a vital one. How many politicians can claim to have midwived the elective careers of such redoubtables as Nelson Rockefeller and Bobby Kennedy.

EVENING OBSERVER

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Great Lakes water use opposed

Probe ordered of Pleasant Prairie usage

LANSING, Mich. (AP) — Criticism is flooding in after a group of farmers, the state Agriculture Department and Michigan State University proposed irrigating some prime farmland with Great Lakes water.

Under the plan, up to 8.6 million gallons of water would be pumped daily from Lake Huron's Saginaw Bay to irrigate 2,400 acres of farmland in Huron County at the tip of the Thumb region in Michigan.

About 20 farmers would be taxed to pay for the operation

under a 1967 law allowing creation of irrigation districts that divert Great Lakes water on a large scale.

Proponents say the plan would increase productivity during dry years and encourage the planting of more profitable crops in Huron County.

Critics fear the spread of pests such as zebra mussels and toxic chemicals to inland waters and the threat of fertilizer and chemical runoff reaching Saginaw Bay. They also are concerned about the effect of lower lake levels on commercial and recreational boating and on shoreline property values.

"You have to be thinking about what's the accumulative effect if we allow a lot of these things," David Dempsey of the environmental group Clean Wa-

ter Action told Booth News Service.

Frederick Brown, chairman of the Michigan Water Resources Commission, said the plan could lead to private interests selling water to inland property owners. Michigan traditionally has limited water rights to owners of property adjacent to the source, he said.

The diversion proposal is under review by the state Department of Natural Resources, which will rule on the project early next year, Booth said.

Federal law allows the governor of any Great Lakes state to veto the diversion of water outside the basin. The veto doesn't apply in the Huron County proposal, but Gov. John Engler's administration is sensitive to the potential reaction

from neighboring states, Booth said.

Earlier this year, Engler vetoed a request to divert Lake Michigan water to replace contaminated wells in Lowell, Ind.

Engler also has ordered Attorney General Frank Kelley to investigate whether Pleasant Prairie, Wis., has illegally diverted Lake Michigan water to finance economic expansion.

"The applicants have been told that they must be prepared to answer all the tough questions that we posed during the diversion issue with Indiana," Dennis Schornack, Engler's senior policy adviser, told Booth.

"We expect lucid answers to tough questions and we'll actually handle it in a way much like we wished the Lowell situation was handled."

CLASSIFIED ADVERTISING

Legal notices

STATE OF WISCONSIN
CIRCUIT COURT
KENOSHA COUNTY
CONTINENTAL
CASUALTY COMPANY
P.O. BOX 1236
MILWAUKEE, WI 53201
Plaintiff,
vs.
TIMOTHY SCHMALING
8820 75th St.
Kenosha, WI 53142
Defendant.
Case No 92CV-1312
SUMMONS

THE STATE OF WISCONSIN TO
EACH PERSON NAMED ABOVE
AS DEFENDANT:
You are hereby notified that the
plaintiff named above has filed a
lawsuit or other legal action
against you.
Within forty (40) days after the
3rd day of November, 1992, ex-
clusive of the date last stated,
you must respond with a written
demand for a copy of the Com-
plaint. The demand must be sent
or delivered to the Court, whose
address is 245 South Executive
Drive, Suite 295, Brookfield, Wis-
consin 53116. You may have an

December, 1992, at ten o'clock
in the forenoon of said day, the
real estate and mortgaged pre-
mises directed by said judgment
to be sold, and therein described
as follows, to-wit:
Lot Six (6) in Block Twenty-three
(23) in LAKE ELIZABETH MANOR
THIRD ADDITION, being part of
the North Fractional Half (1/2) of
the Southwest Quarter (1/4) of
Section Thirty-two (32) and part
of the Southeast Quarter (1/4) of
Section Thirty-one (31), all in
Town One (1) North, Range Nineteen
(19) East of the Fourth Prin-
cipal Meridian; and lying and
being in the Village of Twin
Lakes, County of Kenosha and
State of Wisconsin.

Tax Key No.
85-4-119-314-1450-1
Address: 1707 Swallow Road,
Twin Lakes, Wisconsin, 53181.
Terms of Sale: CASH - 10%
down at time of sale; balance
due on confirmation of sale
NOTE: The foreclosure sale is
subject to an existing second
mortgage to North Shore Bank
F.S.B. dated July 2, 1992, in the
principal amount of \$15,000.
Dated at Kenosha, WI, this 30th

2 FUNERALS NOTICES

DONOHUE—Funeral services for the late Gloria Donohue of Trevor, WI formerly of Carpentersville, who died Saturday, November 7, 1992 at Sheridan West Court Nursing Center, Elgin, will be held Wednesday, November 11, 1992 at 11:00 A.M. at the Miller Funeral Home, 504 W. Main Street Dundee. Visitation will be on Tuesday, November 10, 1992 at the Miller Funeral Home from 3 to 9 P.M. In lieu of flowers, may be made to the Fox Valley Hospice.

HAWKINS—Funeral services for the late Mr. Comrade Hawkins of 7718-28th Ave. will be held on Tuesday, November 10th, at 10:30 A.M. from the Proko Funeral Home. Mass will be celebrated at 11:00 A.M. at St. Mark's Church. Entombment in All Saints Cemetery. Friends

WS

Nov. 11, 1992

KENOSHA NEWS 29

Pleasant Prairie water use legal

Officials say lake diversion within law

By Patrik Vander Velden
Staff Writer

PLEASANT PRAIRIE — Lake Michigan water is not being illegally diverted for economic expansion, Village President Thomas Terwall said Tuesday.

Terwall was reacting to news reports of Michigan Gov. John Engler calling for an investigation of the 1989 agreement between Great Lakes states that allows up to 5 million gallons of water per day to be drawn from Lake Michigan to replace a radium contaminated well system serving more than 2,000 residents in four village subdivisions.

Permission is needed between the states to use water from the Great Lakes and divert it to a new watershed instead of returning it to its source. In the village's case, lake water is diverted over the subcontinental divide into the Des Plaines River watershed, which empties west into the Mississippi River.

As of Tuesday, officials in Pleasant Prairie had not been contacted directly by Michigan authorities, said Terwall.

Terwall said the water is used solely for the residential subdivisions.

"LakeView Park has no benefit from the diversion," said Terwall.

Under federal and regional agreements, states cannot divert water to create economic expansion that take jobs from other states, Terwall said.

"You can't divert to create economic development, and

we're not," he said.

Charles Ledn, of the state Department of Natural Resources Water Resource Bureau, said Michigan contends there was no explicit approval given of each state.

"We think we did everything in agreement with the law," said Ledn.

That position was relayed by the DNR to the chairman of the Wisconsin Environmental Resources Committee in October.

The letter gives background on the interstate negotiations beginning in 1987. Under federal law, once the process begins, states have 45 days to file objections. Failure to respond indicates "no objection" to the diversion, according to the DNR's interpretation of the law.

Six of the eight Great Lakes states including Michigan gave written approval; Pennsylvania gave a verbal approval and New York did not respond but raised no objection during the process, the DNR wrote.

Ledn said Michigan's current position is that "no objection" does not mean approval.

In its letter, the DNR said that "providing drinking water in Wisconsin and complying with federal law concerning water diversions are not mutually exclusive goals."

The agreement has a termination date of the diversion for the year 2010 and will be met, says the DNR.

Inside Area

- Lloyd Hampton execution delayed. Page 30
- Lakewood rejects impact fees. Page 30



Mosquito tactics to target areas for experimentation

by MICHELE DARSTEIN

Next spring the town will experiment in target areas with less toxic, more biological tactics for mosquito control and take steps to notify neighborhoods when their areas are being blitzed against the insects.

But there was reluctance Monday by the Amherst Town Board to completely drop the use of pesticides from the 20-year-old mosquito control program, as recommended by a subcommittee of the Amherst Conservation Advisory Council (ACAC), because of pressure each year from residents bothered by the insects.

Other recommendations in the subcommittee report presented to the board by Regina Fedele and

Katherine Kenwell were:

- Increased use of Bactimos (BTI), a biological control which combats the mosquito at the larval stage in early spring, and introduction of natural predators including dragonflies, bats and mosquito-eating birds.

- Better public education about the risks of pesticides and ways to reduce mosquitos in one's own yard.

- Establishing a pest management advisory board.

- No spraying of pesticides in a neighborhood unless there is unanimous consent among residents.

Fedele, an ACAC member, and Kenwell are co-founders of a citizens group called Seeking Altern-

natives For the Environment in Amherst (S.A.F.E.). Last summer, the group raised questions about the potential of short and long-term health and environmental risks from use of the pesticides Malathion and Methoxychlor.

In its report, the subcommittee advised immediately stopping spraying of the pesticides unless there is a serious public health emergency or at least using Pyrethrum and Methoprene, which are less toxic.

"We heartily encourage the incorporation of least toxic pest control measures," said the subcommittee report.

"The Town of Amherst's introduction of the BTI biological con-

trol five years ago was an encouraging first step towards an environmentally-friendly approach to mosquito control. The town's extensive ditching and drainage program is also an excellent example of an environmentally-responsible mosquito control practice."

Fedele asked the town board to "take a role as leaders" in initiating changes and encouraged experimentation with less toxic measures in target areas.

"Give it a try," she urged at the board's afternoon meeting.

Council member Peggy Santillo, liaison to ACAC, suggested the highway department and State Health Department design and monitor a test area.

Bruce Kershner, an environmental scientist, said it is believed there are many chemically sensitive persons in Amherst who are being unfairly exposed to health risks when the pesticides are sprayed, all for the sake of controlling a nuisance. He also said the fear of mosquito-borne disease shouldn't be used as justification for the spraying.

The last documented case of California encephalitis in Erie County was in 1978, according to the subcommittee report, with no

reported cases of death.

No other municipality in Erie County uses pesticides for a mosquito control program.

Highway Superintendent Patrick G. Lucey has previously said there could be a virtual "uprist" if the town curtails its mosquito control.

Council member Harold J. Collier agreed that people expect the town to combat the mosquitos.

"You've got to realize the people out there expect results," Collier said.

Council member Lynn Mills said that the problems extend to places such as town parks and golf courses, where mosquito bites were so bad they caused welts.

"The complaints were horrible this year," she said.

Dr. Jacques Berlin, an entomologist with the health department said that only half of Amherst sprayed and that more than 75 percent of all pesticides used in town are not from the highway department, but from other sources such as lawn care companies.

He challenged claims of health risks from the pesticides but agreed it was important to use the least toxic approach.



Opinions . . .

Mosquito subcommittee has the right idea

Citizens who want the Amherst Highway Department to stop using pesticides for its mosquito control program are meeting resistance to changing a method which has been used for some 20 years, but also finding responsiveness to experimenting with less toxic means.

The subcommittee of the Amherst Conservation Advisory Council which has labored for months to study and make recommendations on the issue can take a bow for bringing attention to the issue. It should also have some patience in trying to wean a community that's probably not ready to part with heavy-duty mosquito control. Education on other ways to accomplish the same thing will take time and if positive results can be shown from experimental target areas, as proposed for next spring, there will be convincing evidence that alternatives can work.

We can't think of anyone who would argue with the concept of moving toward more biological and natural tactics for mosquito control. However, they might have a problem with those alternatives if they aren't as effective as what people are used to.

The town follows state health guidelines and Environmental Protection Agency regulations for mosquito control and as such, puts confidence in the expertise of those most knowledgeable in the field. There's

some reassurance in that. But when suspicion emerges about health risks associated with long-standing pesticide methods, it's time to question whether their continued use is worth the risk.

The spraying of chemicals started as a way to combat mosquito-borne diseases such as malaria and, more recently, encephalitis. But in this area, where reports of mosquito-borne diseases are rare, the spraying is done instead to combat a nuisance, not a health threat.

Therefore, it makes sense to use more moderate and safer means of fighting the culprit. The introduction of natural predators like bats, fish, dragonflies and birds is one suggestion brought forth by the subcommittee. Another approach is to attack the mosquito early in its life cycle, before it becomes a preying adult.

And as the town moves toward less reliance on pesticides, there are measures that should be taken immediately to alert neighborhoods and individuals affected by chemical sensitivity when there will be spraying. This notification would allow them to take protective action on their own, if they choose to do so.

And, requiring consent from a neighborhood before spraying is also a good idea. Let the majority make a decision, instead of having the decision made for it.

Plan to divert bay water likely to stir dispute

BY DAVID POULSON
News Lansing Bureau

Saginaw News
11/9/92

LANSING — Michigan soon will become the center of a debate over the difference between flushing Great Lakes water down the Mississippi River and shipping it out in an ear of corn.

A group of farmers, the state Agriculture Department and Michigan State University experts hope to irrigate some of the state's prime farmland with up to 8.6 million gal-

lons of water a day pumped from Saginaw Bay.

The plan would boost productivity during dry years and encourage planting more profitable crops like fruits and vegetables in Huron County at the tip of the Thumb.

But concerns range from the potential spread of exotic pests like zebra mussels to the politics of water use. The latter is an issue that the eight Great Lakes states have bickered over for years, first in fights with dry Western states and

- Weather puts crops behind eight-ball, Page D-6.
- Should the state allow farmers to irrigate their land with water from the Great Lakes? Ballot Box, Back Page.

over diversions proposed by the Great Lakes states themselves. The proposal, capable of pump-

ing 14 million gallons a day, is a drop in the Great Lakes bucket. The Detroit River alone empties 120 billion gallons a day from the upper Great Lakes.

But officials in nearby Bay County are contemplating a project to irrigate an area four times larger. And environmentalists and others are worried about the precedents set in Huron County.

"You have to be thinking about

Please see DIVERT, Page A-2



Great Lakes Diversion Plan

A group of Huron County farmers is proposing a Great Lakes irrigation project northwest of Bay County to boost productivity of some of Michigan's prime farmland.

DIVERT

Continued from Page A-1

what's the accumulative effect if we allow a lot of these things," said David Dempsey of the environmental group Clean Water Action. "You may have a measurable effect on water levels."

Lake levels are important to lakefront communities whose shorelines are affected. Great Lakes freighters, recreational boaters and tourists.

Frederick Brown, chairman of the Michigan Water Resources Commission, worries the project could open the door to private interests selling water to inland property owners. He also fears it could change the way Michigan has allo-

cated water rights only to property owners adjacent to a water source.

"We've got a great deal of very careful thinking to be done here," he said.

The plan would use pumps, existing drains and the Pigeon River to irrigate 2,400 acres for about 20 farmers who face tax increases to pay for its operation. Although farmers have irrigated with Great Lakes waters for years, this is the first time they've banded to form an irrigation district under a 1967 law to finance large-scale diversions.

Other immediate concerns: Will the system spread zebra mussels, which already clog water intakes throughout the Great Lakes, to inland waters? Will it transport Sagi-

naw Bay industrial pollutants like PCBs inland? And will poisonous fertilizers and pesticides flow to the bay through the water supply lines which also double as drains?

The Department of Natural Resources expects to finish evaluating those questions after the first of the year. If the agency gives the go-ahead, it will trigger a regional pact requiring consultation with seven other Great Lakes states and two Canadian provinces.

The request comes amid several water controversies pushed by Michigan. Gov. John Engler has ordered a state attorney general investigation into whether Pleasant Prairie, Wis., is illegally using water to finance economic expansion.

And Indiana officials are still smarting after Engler this year was the only governor to squelch a request by the town of Lowell to use Lake Michigan waters to replace its contaminated wells.

That would have taken water out of the Great Lakes basin and sent it down the Mississippi River. Such an out-of-basin diversion triggers a federal law allowing any Great Lakes governor to veto it.

This time, no other Great Lakes entity has such veto power because the benefits remain within the Great Lakes basin. But Engler is anxious to set a conciliatory tone and wants to use the irrigation project to set an example of how to handle future diversion requests.

Cleveland Plain Dealer

PD 9-19-92

Great Lakes water like gold to states

ASSOCIATED PRESS

MARQUETTE, Mich.

Long unused as a natural resource exploited for profit or export, Great Lakes water now claims government protection as the "gold of the next century."

Michigan has 3,200 miles of shoreline on four of the five Great Lakes. Nicknamed "the Great Lakes state," Michigan seems to be taking a leading role in the fight to preserve the resource.

"Water is the gold of the next century," said Glenda Daniels, executive director of the environmental group Lake Michigan Federation. "We already have a job drain away from this region, and if water is going to control where people are, we want to bring jobs back here."

"We don't want to send our water away to support jobs somewhere else," Daniels told the Mining Journal of Marquette.

The U.S. states bordering the lakes

— Michigan, Wisconsin, Minnesota, Illinois, Ohio, New York, Pennsylvania and Indiana — signed the Great Lakes Charter in 1985.

The agreement ensures that the states will confer with one another before granting any requests to divert Great Lakes water.

A year later, the United States bolstered that with the Water Resources Development Act. That requires diversion measures to meet unanimous approval from all eight Great Lakes states.

In May, Michigan Gov. John Engler used that veto power to block water diversion from Lake Michigan to Lowell, Ind.

The town of 6,400 about 25 miles from Lake Michigan's southern shore had sought lake water to dilute its fluoride-saturated drinking water. The town had been ordered by the Environmental Protection Agency in 1987 to find another water source.

"We feel any out-of-basin diversion must be done only as a last measure, and then only in cases of imminent danger to public health, safety and welfare," Engler said. "Any diversion should also be temporary and include a plan to return an equivalent amount of clean water to the Great Lakes. Indiana's proposal clearly does not meet these conditions."

The Indiana city's congressman, Democrat Jim Jontz, is sponsoring a bill that would allow small diversions without approval from the region's governors.

Great Lakes United, a joint U.S.-Canadian coalition that serves as a basin watchdog, opposes Lowell's request and supports Engler.

"Gov. Engler has embraced the idea that we need a basinwide water-use plan," said Bruce Kershner, a field coordinator for the group. "Once you open up the taps, you can never turn them off."

Lowell's request took nearly 18

months to consider, said Engler, who blamed a lack of guidelines.

In an effort to organize the process, the Michigan Department of Natural Resources is developing state guidelines for considering future diversion requests, diversion specialist Sharon Hanshuc said.

The guidelines will "help evaluate in a more comprehensive way what the cumulative effects of diversion and consumptive uses might be to the lakes," Hanshuc said.

When completed in a few months, Michigan will present the guidelines to the other Great Lakes states and Canadian provinces, she said.

That platform will "hopefully begin a discussion on management plans for the lakes, so that we have a better knowledge base about what current uses there are... to evaluate demographic and industrial trends for uses, and try to project what our future needs are going to be," she said.

Lake Erie, Great Lakes Issues

249

NORTH SUBURBAN NEWS

Amherst to mull ending mosquito spraying

Health officials to discuss alternatives to town's use of pesticides

By DICK DAWSON
News Amherst Bureau

The Amherst Town Board indicated a willingness Monday to work toward eliminating pesticides from the town's mosquito-control program if reasonably effective alternatives can be found.

But speakers at an afternoon board meeting said the biggest barrier will be convincing the general public that mosquito bites are preferable to the health risks associated with the chemicals that kill the insects.

As the last community in Erie County still using pesticides to control mosquitoes, Amherst has two choices, said environmental scientist Bruce Kirschner of Great Lakes United and the University at Buffalo.

The choices, Kirschner said, are "poisoning the place to hell, or eliminating all the green space that makes Amherst different from Buffalo."

With "hundreds" of residents sensitive to chemicals and "as we get more and more documentation" of the potential health hazards of the pesticides Malathion and Methoxychlor, Kirschner said the town will be vulnerable to lawsuits if it persists with its current program.

Highway Superintendent Patrick G. Lucey and state Health Department entomologist Jacques Berlin, who have supervised the town's program for many years, have agreed to discuss alternatives, said Councilwoman Peggy Santillo.

"Pat (Lucey) has no objection to alternatives as long as they're implemented with the approval of the Health Department," she told The Buffalo News.

Those alternatives — recommended by the

Least Toxic Pest Control Subcommittee of the Amherst Conservation Advisory Council — include increased reliance on a benign material that kills mosquito larvae, introducing into the environment more of the mosquito's natural predators, and increased sensitivity to neighborhoods where any chemically sensitive person lives.

Lucey is only responding to the demands of people to control mosquitoes so that they can enjoy summer evenings outdoors, Mrs. Santillo said. She added that in consultation with Lucey, officials hope to select at least one target area for an alternative mosquito-control program next spring.

The alternative program proposed "is used successfully in many other wet areas in the country," said Regina Fedele of the Least Toxic subcommittee. "No one has the right to make another person ill if you know what you're doing is making them ill," she said.

Town officials replied that although they don't know about other parts of the United States, Amherst is unique in this area for having 110,000 people living in a low-lying, heavily vegetated area with a flat terrain marked by scores of drainage ponds and hundreds of acres of wetlands.

People living near the large Reinstein nature preserve in Cheektowaga "don't press for mosquito control because they know that when you have green space and parkland, which is desirable, you also have insects," Kirschner told the board.

Stop spraying mosquitoes "and you'll hear from the other side, which hasn't been represented at all these meetings, but it's a very distinct side and also very numerous," said Councilman Harold J. Collier.

This past summer was especially filled with complaints about mosquitoes, said Councilwoman Lynn Millane. "The complaints from the golf courses were impossible . . . just about anyone who went into the rough came out with welts," she said.

"There is no right by any mosquito-welted person to impose a health risk on anyone else," Kirschner asserted.

"If people were educated about the real hazards, they would not choose spraying," said Katherine Kenwell of the citizens subcommittee on pest control.

An "aggressive education program" by the town would result in people realizing, "I didn't know I was endangering myself and my neighbors by demanding that those chemicals be brought in," Kirschner said.

Berlin challenged Kirschner to "give me the evidence, the scientific paper" documenting the health hazards of Malathion and Methoxychlor, which Kirschner said women and children are more susceptible to than men.

Kirschner replied that the burden of proof should be on the government and pesticide users to prove that they pose no health risks, not on the public to prove that they do.

"Are you entitled to use Amherst residents as guinea pigs?" he asked rhetorically.

Berlin said the town's use of pesticides has been exaggerated by the program's opponents, saying there have been complaints from neighborhoods that the town doesn't even spray.

Berlin estimated that town spraying crews use only about 20 percent of all pesticides used in Amherst, indicating that the other 80 percent are used by residents and lawn-spraying companies.



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Alliance of Lake Erie — concerned groups created

A new organization is being created to unify groups concerned with Lake Erie.

There is a need for a network for organizations concerned with Lake Erie, explained Glenda Daniel of the Lake Michigan Federation. The Federation, with support from the Gund Foundation, has served as the convener.

The mission of the Lake Erie Alliance is to act as a coordinating and facilitating binational network for communication among nongovernmental organizations in the Lake Erie watershed. The Alliance will identify and address common issues impacting environmental integrity in the Lake Erie bioregion. The issue priorities are reduction of toxic chemical discharges

to the lake, protection of habitat, and education of the general public. The goals of the group are to:

- ✓ increase public awareness about the value of a clean Lake Erie ecosystem;
- ✓ share informational and educational sources on Lake Erie among the various interest groups and the public;
- ✓ encourage preservation and restoration of environmental quality in the Lake Erie watershed;
- ✓ provide leadership, coordination, and networking for environmental advocacy organizations;
- ✓ enhance the participation of existing organizations within the watershed on Lake Erie issues:

- ✓ promote scientific research on Lake Erie; and
- ✓ increase membership and participation in a binational Lake Erie network by supporting the individual activities of member groups.

So far a few coordinating meetings have been held. The next organizational meeting will be Sunday, 1 November in Elyria and will be hosted by the Friends of the Black River at 25 Lake Avenue. For more details, call the Friends' office at 216/322-4187 or Cheryl Wolfe at 216/775-8810. The Alliance will not recruit individual members but will be a coalition of organizations. ♣