

## JANUARY 2012

Hello All~

I hope this finds you all happy and healthy. We are in limbo again.

Regardless of recent rumors, the landfill expansion is NOT a done deal. There have been many court cases, with both sides winning. The last verdict in June of 2010 (no more appeals) was granted to the Jones/Sealand side based on mining rights. This means that the decision is back in the hands of the NYS DEC.

In February 2011, Sealand submitted their second Public Scoping Document proposing the landfill expansion on Dodge Road. This 90 page document is attached on the ARTICLES AND DOCUMENTS page of this site. Feel free to read it for yourself. There was a public comment period (verbally at the scoping meeting, and in writing for a month after that) when people could raise concerns for the DEC/Sealand to address before the DEIS (Draft Environmental Impact Statement) would be produced.

**As of this month, Sealand has not yet submitted the preliminary DEIS to the DEC. Once that happens, the DEC examines it for 45 days and we have another comment period.** The DEC website has a good overview of the State Environmental Quality Review Act (SEQR) process.

See: <http://www.dec.ny.gov/permits/6189.html>

The latest scoping document -- 2011 -- has some significant changes from the one Sealand originally proposed back in 2004 (prior to the court cases):

The most important change, and one that many in the area don't realize, is that Sealand is no longer offering any money to the town per ton. The town will receive NOTHING. What they were offering in 2004 was minimal, and that was when they weren't going to be working on our roads and only paying 1/2 of that minimal amount. Now they are offering nothing. This will NOT change even if the DEC allows them to come here. They are in this to make money, not give it away. If they can force themselves in where they are not wanted, they have no reason to give the town money.

Another important change is that there will only be a single liner if the proposed landfill is allowed. This is because the "26% other" that was proposed in the 2004 document was ruled out in their last court case (June 2010). They are ONLY allowed construction and demolition material now -- nothing else. So Sealand believes they don't need a second liner. The materials in a C&D landfill can be horribly toxic -- without 'other' materials allowed. IF the DEC allows Sealand to expand the landfill now, Sealand is hoping that they can reapply, later, for a more permissive permit to include the 'other' types of debris at that point in time.

The length of time for this business endeavor has also changed. In the 2004 documents, Sealand would operate for 12 years. In the 2011 document they are planning for 15 years. I don't believe either of these time spans. Landfills make their money by accepting waste. What money will they make after 12 or 15 years? None. They will only have to pay to monitor their post-closure. Why would they fight so hard to come to an area for such a short period of time to make money? It doesn't make sense. What I believe they WANT to do is run people out of the area, buy up their land (at reduced values) and expand the business exponentially. Look at Seneca Meadows Landfill. <http://www.senecameadows.com/Landfill.html> There are several landfills taking up miles of land here in WNY -- we don't need one here.

I am, as always, opposed to this proposed expansion for several reasons.

1. THERE IS NO NEED. We have a county landfill with plenty of room for construction/demolition materials (C&D). Building another landfill would essentially compete with what our county taxes already pay for.

2. WE ALREADY HAVE A SUPERFUND SITE HERE IN FREWSBURG. We do not need to contaminate our land further than we already have (Sealand has created 2 of them already in NYS). The site off Rt. 62 is in the process of being cleaned up presently. 3. MONITORING. THE SITE IS A MAJOR ISSUE. The DEC has limited people to deal with issues of monitoring. Most sites are 'self-monitored', meaning the owners are responsible for what comes in and is allowable. Sealand is already responsible for a Superfund site, so they have a proven record of not complying with regulations. It is much easier to PREVENT a problem than to fix it once it has occurred. However the DEC is responsible for prevention, and the EPA (federal) is responsible for cleanup. In addition, this material will be pulverized when it is trucked in, so identification will be challenging, at best. And don't forget the 26% OTHER that Sealand stated would automatically be accepted into the landfill. They finally said some of this could be bio-medical waste, etc... NOT what we want here.

4. HEALTH AND ENVIRONMENTAL CONCERNS. Mr. James Daigler, Sealand engineer, told us, back in 2004, that, "All liners leak. The question is, how *much* do they leak." So the idea that these contaminants will get into the groundwater and soil is a given. The question remains, what goes into the liner to start? Without monitoring, we have no clue. And remember, this is business – they want to make money. The more hazardous material they accept = the higher amount of money they are paid. And it is OUR neighborhood, not Sealand's, that they are contaminating. The good news is that we don't have to accept ANY waste, and that is our goal.

5. SEALAND WILL NOT GIVE ANY POSITIVE CONTRIBUTION TO OUR COMMUNITY. Sealand's parent company is huge – with at least 4 divisions to it (Sealand Construction, Sealand Contractors, Sealand Restoration and Sealand Waste) – so they have deep pockets to bribe small towns into giving up their precious land for their money-making endeavors. They started by telling us we wouldn't have to pay taxes any more. This wasn't likely then, and isn't even on the table now. When have you ever heard of this actually happening? After the town passed the law in 2005, Sealand took the town to court -- and as a result removed the financial piece from the scoping document. We won't see a nickle from them! Many in town still believe we will get money from them 'if we're nice'. This makes no sense to me. Don't allow yourself to be lulled into a temporary reward for a permanent problem. **THEY see the value of our land... why don't WE?!**

6. MARTZ OBSERVATORY. This landfill could pose a threat to a local organization – one that has been here for 50+ years. They were never contacted when the original minor landfill went in (1989), so they never had an opportunity to voice their concerns. Speaking of grandfathered, if this proposed landfill poses a threat to them, we, as a town, should defend their interests because they bring about positive growth here and add to the value of the town for the future without infringing on their neighbors.

7. QUALITY OF LIFE. As far as the DEC goes, this issue can be negotiated with money -- and yet it is what matters most to the residents of the Town of Carroll. Most of us chose to settle in the Town of Carroll because it is a quiet, clean town. Whether you are in the center of town, or on the outskirts, this is a peaceful place to live. Those of us on the Dodge Road, and vicinity, appreciate the natural environment, over the convenience of town living. There are very few vehicles that pass by down here, more walkers, usually. You are more likely to hear the water in the creek than a neighbor. So imagine the excitement of buying or building your home out here in this landscape only to end up having it threatened with up to 200 trucks a day, coming in from all directions. The exhaust fumes alone would be a problem, not to mention danger to walkers/cyclists on the road. The noise would be horrendous – as trucks would be idling waiting for the landfill to open in the morning, on the roads all day, and machinery working all night at the site. Dust from pulverized material would drift off the trucks, float forever and land in the area.. never making it to that questionable double-liner. The view shed would be ruined by a mountain of junk 230 feet high, for a full 50 acres. Not quite the picturesque country setting that people imagine. The teaming wildlife here would diminish or become sickly. What would happen to the health of the farm animals here? Would they drink contaminated water? Would Jim Daigler and Daniel Bree (Sealand engineer and owner) want to stop by my house (down stream) for a drink of water from my well? Would they want their kids/grandkids to play in my yard? We know the liner will leak, and we know where it will leak. **The question is, how much should we charge a company for poisoning its citizens? How much is our health worth?** "Only when the last tree has died, the last river has been poisoned and the last fish has been caught will we realize we cannot eat money." – Cree saying

8. POSITIVE GROWTH OF OUR COMMUNITY. It all really just comes down to where we see our community in the future. Many of our manufacturing companies have closed, and this area is financially depressed. Don't you know people who have moved to 'make a living elsewhere'? We need people here.

And we want people here. We want people to make a life for themselves here and raise families. We want Frewsburg to be a positive place, somewhere not only with a history, *but with a future*. What is the best way to go about bringing people here and building our community in a positive way? That is a question we need to ask ourselves. However I CAN tell you that a landfill won't do it. A landfill will take over our town and make it uninhabitable. Sealand will lower property values, ruin our environment, horribly impact the quality of life, and put Frewsburg on the map as being a landfill area. In a short period of time, Pennsylvania will be impacted by this expansion as well -- with increased traffic and contamination of Storehouse Run which runs through to them a mile down the road. Jones, the hometown guy, will be out of the picture by then, and it will just be the Town of Carroll vs. Sealand (or whatever other company they sell it off to for a hefty profit). We will have set a precedent that we are a community for sale, and we will be raked over the coals all in the name of the almighty dollar. They have already tried to take advantage of our local lawmakers who basically volunteer to make decisions for our community as a whole. Remember, Sealand does this for a living. They are businessmen who are looking for easy prey, people ignorant of their intentions and easily manipulated financially (the only bargaining tool they have). We need to stick together to show them they won't be able to take advantage of us here.

At this point in time we are just waiting. In the meantime, please don't allow yourselves to be swayed by hype. The Jones's/Sealand camp is working hard to change public opinion and get people sympathetic to them to persuade the town to allow their expansion.

I would be happy to discuss this, if you have questions/comments. And Carroll Concerned Citizens TRULY appreciates your continued support.

Sincerely,

*Polly Hanson*

CCC Member

Proud Dodge Road resident

*"Never underestimate the power of a small group of committed people to change the world. In fact, it is the only thing that ever has." - Margaret Mead*