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Mr. David Denk
Regional Permit Administrator
NYSDEC Region 9
270 Michigan Ave
Buffalo, NY 14203

March 28, 2013

RE: New York State 6 NYCRR Part 373 Permit Renewal for CWM Chemical Services, L.L.C.

Mr. Denk,

Buffalo Niagara Riverkeeper strongly opposes New York State Department of Environmental Conservation's determination to renew CWM's 6 NYCRR Part 373 Permit. This permit would allow CWM to continue accepting and handling hazardous waste at its facility situated adjacent to a residential neighborhood, public school buildings, and the Niagara River.

CWM has a long history of SPDES permit violations, stormwater management violations, leachate exceedances, leaking and improperly labeled drums, and failure to comply with waste transport regulations. All of these violations most certainly have impacted the surrounding tributaries, groundwater, the Niagara River and Lake Ontario. The draft permit cites more violations, including radioactive leachate indicating a potential groundwater connection with the Lake Ontario Ordinance Works site adjacent to CWM.

Given the extent of violations and the amount of hazardous waste stored in this location, this permit should be focused on closure and post-closure monitoring operations. Instead it is apparent that the intent is to expand, adding additional waste types to what can be disposed in RMU-1, and increased treatment rates at the stabilization facility. This is not desired by the community given the location of this facility adjacent to school children, homes and the world's largest freshwater ecosystem.

Buffalo Niagara Riverkeeper has signed on to a letter requesting an extension to the permit review period in light of CWM's recent submission of 300 pages of permit comments.

Sincerely,

Jill Jedlicka
Executive Director