

State DEC blasted on radiation testing

Town of Niagara residents demand action



Fox Avenue resident Carolyn Johnson discusses the DEC waiver request as Legislator Jeffery Elder and visitors look on. • Local neighbors, many carrying “Save our Backyard” signs, gathered for a press conference last week at John Nielsen Park in the Town of Niagara.

Photos and story by Editor-in-Chief
TERRY DUFFY

It appears that a communication from New York state has created some unwelcome worries for a number of Town of Niagara residents.

Last Friday, a news conference took place in the John Nielsen Park neighborhood to shed light on a new finding from years past. Niagara County Legislator Jeffery Elder met with residents and environmental activists, as attendees learned of radioactive hotspots detected from recent aerial testing on a number of local properties. For some, the news reignited fears of the Love Canal legacy in Niagara Falls.

“We’re here today to hear from two homeowners in the Town of Niagara about their traumatic experience in the last three months,” Elder said. “Finding out that highly radioactive polluting material is polluting their yards and the yards of 120 other homeowners in this very area.”

Elder appeared with Town of Niagara residents Carolyn Johnson and Lexi Hawk, who received an advisory from the state Department of Environmental Conservation. He said DEC “verbally informed homeowners in the Town of Niagara that highly radioactive pollution has been found in their yards.”

The residents were joined by a number of visitors, including Sierra environmental attorney/author Christen Civiletto; filmmaker Steve Powell; members of Don’t Waste NY (formerly the Nuclear Information and Resource Service); the Sierra Club; and local representatives for federally elected officials.

Elder said independent DEC aerial testing revealed discovery of radioactive materials at concentrations up to 1,200 times acceptable levels on certain properties in the neighborhood.

The residents received alerts that DEC had conducted aerial surveys of their respective properties along more than 100 others. DEC said the properties had radioactive hotspots and the agency requested permission for further testing. The residents were asked to sign waivers, releasing officials from any liability.

“A state official told a resident that the pollution is part of the Manhattan Project,” Elder said. He noted state officials “betrayed the public trust and failed to address the imminent public health threat as required under the state Superfund statute.”

Hawk said her family was “devastated” upon hearing the news: “Ten days ago, the state confirmed high levels of radiation and advised me not to use a large portion of my yard.”

Recalling the events, she continued, “They started doing these tastings 500 feet above the plains; they were taking radar tests, scanning it.”

“Two years go by. They initiated phase two, which was trucks. People and trucks with meters, scanning, recording. Phase three, they had to directly (mail) people the letter who they think had the worst radiation.”

Hawk blasted DEC’s lack of transparency as she sought answers: “They (DEC reps) always have to go back to somebody greater, but we never hear anything.”

Johnson, of nearby Fox Avenue, likewise faulted DEC: “DEC ... waited two years to tell us we had radioactivity at our home. When they finally sent us a letter, they refused to come back to investigate unless we signed a waiver of our rights.”

Civiletto called DEC evasiveness “very concerning. Because this is coercion. If it’s a choice between signing a waiver and waiving your rights and your family’s health and safety, that’s not a reasonable choice.”



“I don’t think New York could use a waiver like this to try to escape liability or avoid any further testing. New York’s constitution guarantees residents environmental rights,” she added, referencing a 2021 state law.

Those in attendance demanded action by Gov. Kathy Hochul and the DEC to designate the neighborhood as a Superfund site and order the immediate relocation of 120 families. All argued the state “betrayed public trust and totally failed to address an imminent health threat.”

Roughly two-dozen neighbors, many carrying “Save Our Backyard” signs, attended the nearly hourlong protest. Neither DEC officials, nor representatives from the federal EPA, the state Department of Health, local Senate and Assembly members, the Niagara County Department of Health or the Town of Niagara were at the press conference.

New York State Sen. Rob Ortt, who serves as GOP minority leader, said he just became aware of the testing in conversations with the DEC and EPA.

“There are serious questions that need to be asked of the Department of Environmental Conservation and the Environmental Protection Agency about the potentially harmful waste that has

been detected across Niagara County,” Ortt said in a press release. “I have had calls with the DEC and the EPA since learning of this through the media this past weekend. The New York state DEC, DOH and the EPA owe the people of Niagara County a full explanation of where these properties are located, what impacts to health this has had on past and present residents of these areas, and what plans are in place to remediate these dangerous conditions.”

“My constituents deserve responses and action from these agencies, and my office is available to help make sure that happens. I encourage affected constituents to contact my office by phone at 716-434-0680 or through email at ortt@nysenate.gov for assistance getting in touch with the DEC, DOH or EPA.”

Ortt said the local aerial flyovers date back to the 1970s and ’80s, as conducted by the federal Department of Energy. That monitoring has since have been transferred to the state DEC and DOH.

NOTICE OF PUBLIC HEARING
POWER AUTHORITY OF THE STATE OF NEW YORK

The Power Authority of the State of New York (Authority) will hold a public hearing, as detailed below, on the proposed form of Contracts for the sale of Expansion Power Allocations.

Copies of the proposed Contract forms may be inspected at the Authority’s Buffalo office at the address below, or online at the Authority’s Web site, www.nypa.gov, in the Documents Library under Notices and Agendas.

Those wishing to make oral statements at the hearing are asked to provide to the Authority, in writing and in advance of the hearing, their name(s) and the name of the organization or group they represent. Oral statements should be limited to five minutes. Speakers should also provide two copies of their oral statements.

Hearing Date: August 3, 2026

Hearing Times: 2:00 p.m. to 6:00 p.m.

Hearing Location: New York Power Authority Buffalo office
40 La Riviere Drive, Suite 202, multi-purpose room 210
Buffalo, New York 14202

Written statements provided to the Authority by close of business on Tuesday, August 4, 2026, will also become part of the record of the hearing. For further information, including the address of other Authority offices at which copies of the proposed Contract forms may be inspected, contact:

POWER AUTHORITY OF THE STATE OF NEW YORK
Felisa Hochheiser, Deputy Corporate Secretary
123 Main Street, White Plains, New York 10601
(914) 681-6903 | secretaryoffice@nypa.gov

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