

DEC cites Cascades facility for noxious odors

ARTICLE AND PHOTO
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Tribune Editor

Recently, the New York State Department of Environmental Conservation served Cascades Containerboard Packaging Inc. a notice of violation after receiving numerous complaints from residents in the Town of Niagara, City of Niagara Falls and even as far away as Sanborn throughout the month of May. The agency said the company was in violation of Air Pollution Control Law, Article 19 of the Environmental Conservation Law (ECL).

"After repeated and persistent odor complaints, DEC is directing Cascades Containerboard to undertake a comprehensive suite of actions to stop these odors, effective immediately," DEC Commissioner Basil Seggos said. "We are also requiring Cascades to undertake a full survey of its operations to address the source of this odor and keeping them on task with a compliance schedule to further protect the community of Niagara Falls."

Under the terms of the NOV, Cascades must immediately:

- √ Cease storing secondary sludge outdoors;
- √ Reduce facility production to a level that ensures adequate odor control;
- √ Ensure secondary sludge is removed from the facility daily;
- √ Increase odor control applications to its secondary sludge; and
- √ Add a portable on-site misting system for sludge treatment to



Cascades Containerboard Packaging Inc.

mitigate odors.

Per the DEC, Cascades submitted a report June 1 indicating the facility's secondary sludge from its on-site industrial wastewater treatment plant was the source of the odors. The sludge is reportedly being generated at increased rates to meet the higher demand for cardboard shipping boxes. Cascades said the sludge is, "occasionally stockpiled on-site for several days" and the "peroxide-based odor control chemical added to the sludge suspends odor-generating bioactivity for a limited number of days."

The company also cited trucking delays and lack of access to an open landfill for disposal over the recent holiday weekend as exacerbating the length of time

the secondary sludge was stored on-site.

The company has until June 11 to meet its first set of compliance regulations, including: written explanation regarding the source of the odors, clarifying the plan for weekend/holiday sludge removal, hiring a third-party consultant to conduct and identify all potential odor sources as well as ways to eliminate or reduce the odors.

Following an on-site inspection Tuesday, the department said it discovered more odor sources but that Cascades was working to remedy the issues.

"During our inspection, other odor sources beyond that of the secondary sludge were identified and Cascades is working to address those issues. DEC takes

air quality seriously and will continue our aggressive oversight at Cascades to hold this facility accountable and assure it remains in compliance with the NOV and immediately identifies and implements additional measures to address the noxious odors at its facility. DEC's investigation is ongoing and additional enforcement actions are expected.

By June 18, the company must: establish a 24-hour odor complaint hotline/email system for public use; submit a biweekly progress report (on this date and after every subsequent two-week period) summarizing the complaints received; and submit a preliminary facilitywide survey identifying all potential odor sources and ways to eliminate or reduce the odors.

By Aug. 1, Cascades must submit a report summarizing the following activities: the third-party facilitywide survey identifying all potential odor sources, even if they may not be contributing to the complaints; a plan and associated time frame for installing covers on the two activated sludge reactors, with appropriate emission control.

The NOV lists a number of potential penalties for violating ECL Article 19, including a civil penalty of up to \$18,000, plus an additional penalty not to exceed \$15,000 for each day the violation continues. Failure to comply with the notice could also lead to misdemeanor criminal charges. The notice also said compliance does not relieve liability for penalties or other appropriate sanctions for the referenced violations.

On Thursday, spokesperson Hugo D'Amours said Cascades is in full compliance with the DEC. He said the company has reduced its secondary sludge productions and increased its usage of the odor control chemical. He said residents should notice immediate relief in the coming days, as the company works to find a long-term solution.

"As a responsible company and a member of the Niagara business community, we sincerely apologize for the issue and are working diligently to correct it," D'Amours said. "We value our operation and presence in Niagara Falls and are doing everything to resolve it as soon as possible."

IN THE NEWS

Statement by Higgins on US-Canada border

Congressman Brian Higgins, who serves as co-chair of the northern border caucus and the Canada-U.S. interparliamentary group, released the following statement Tuesday in response to ongoing discussions about U.S.-Canada border restrictions:

"It is clearly the beginning of the end of the border shutdown between the U.S. and Canada. In conversations with government leaders on both sides of the border, we are learning plans are moving forward to provide for expanded crossing allowances. Action is long overdue.

"Later this week, President Biden and Prime Minister Trudeau will travel to meet in England for the G7. And accommodations were made to allow U.S. and Canadian hockey teams to come together for the Stanley Cup Finals. Science and progress in fighting the pandemic have made this possible.

"If we can do it for some, we can surely find a way to do it for all. Families have been separated for over a year; homeowners have been kept from their property; and our economies have suffered. Leaders on both sides of the border must get this done."

Higgins, who also serves on the House of Representatives Ways and Means Committee, raised the issue of the U.S. sharing additional vaccines with Canada during a hearing with U.S. Department of Health and Human Services Secretary Xavier Becerra

On June 8, the U.S. Department of State posted a revised travel

advisory, lowering the risk level for U.S. citizens. The Department of Homeland Security also confirmed the Canadian government is signaling a willingness to plan for a reopening, with some changes coming before the existing border restrictions expire on June 22. Trudeau has indicated the same in conversations with the media and Canadian mayors.

Higgins, who represents Niagara Falls, New York, also spoke with Mayor Jim Diodati (Niagara Falls, Ontario) about the ongoing border discussions.

Cuomo on COVID-19: Most restrictions will lift when 70% vaccinated

Gov. Andrew Cuomo on Monday announced most of the remaining COVID-19 restrictions will be lifted once 70% of New Yorkers aged 18 or older have received the first dose of their coronavirus vaccination series.

"New York Forward" industry-specific guidelines – including capacity restrictions, social distancing, cleaning and disinfection, health screening, and contact information for tracing – will become optional for retail, food services, offices, gyms and fitness centers, amusement and family entertainment, hair salons, barber shops and personal care services, among other commercial settings. Large-scale event venues, pre-K to 12 schools, public transit, homeless shelters, correctional facilities, nursing homes and health care settings must continue to follow the state's guidelines until more New Yorkers are vaccinated.

Unvaccinated individuals will still be responsible for maintaining proper social distancing of 6 feet and wearing a mask as per federal Centers for Disease Control guidance. Consistent with the state's implementation of the recent CDC guidance, masks will still be required for unvaccinated individuals. Large-scale event venues, pre-K to 12 schools, public transit, homeless shelters, correctional facilities, nursing homes and health care settings will be exempt from the restriction lift. In those settings, New York state's existing COVID-19 health protocols will remain in effect.

"The lifting of our COVID restrictions is a sign of how hard New Yorkers have worked to contain the spread of the virus and protect their communities," Cuomo said. "With numbers trending at record lows, it is clear that the vaccine is effective and that it is an invaluable tool against the virus. While we have come so far, it is still imperative that those who have not received the vaccine do so, so that they may enjoy the state's reimagined reopening to the fullest extent possible."

After 70% of adult New Yorkers are vaccinated, businesses may choose to continue to adhere to the state's guidance or implement other health precautions for their employees and patrons. Businesses are also authorized to require masks and 6 feet of social distancing for employees and patrons within their establishments. Any mask requirements that businesses choose to implement must adhere to applicable federal and state laws and regulations (e.g., Americans with Disabilities Act). The Department of Health con-

tinues to strongly recommend masks and 6 feet of social distancing in indoor settings where vaccination status of individuals is unknown.

Cuomo also announced school districts can choose to lift the requirement that their students

must wear masks outdoors. Guidance on mask use indoors remains in place. This change aligns New York state's guidance on schools with CDC guidance on summer camps, where even unvaccinated students are not currently required to wear masks outdoors.

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