



ORGANIZING for  
HEALTH and JUSTICE

52 Linwood Ave.  
Buffalo, NY 14209  
(716) 852-3813  
cacwny.org

# Clean Air Connection

JUNE 2018 NEWSLETTER

## *Tonawanda Coke toxic exposure risk Public Accountability Meeting set for July 23rd*

A company with a long track record of damaging the environment and violating health and safety regulations is responsible for another accident at its Tonawanda plant. In mid-May, the waste heat tunnel at the Tonawanda Coke Corporation collapsed.

The impact of the collapse remains unclear; however, there is strong potential that the collapse will result in increased toxic emissions into the surrounding community.

The main purpose of the waste heat tunnel is to collect combustible heat waste from the ovens. Now that the tunnel has collapsed, gases are not flowing into the facility's chimneys, and the company can't draw enough fresh air into the manufacturing process. Without enough fresh air to ensure proper heating of the oven walls, there are likely dirty and toxic releases into the ambient air and the surrounding community.

In 2013, Tonawanda Coke was found guilty in criminal court of 11 counts of violating the Clean Air Act. In the investigation leading to the conviction, Tonawanda Coke was found to be disposing hazardous waste without a permit, and was also charged with three counts of violating the Resource Conservation and Recovery Act due to negligent waste disposal. In 2016, the U.S. Department of Labor's Occupational Safety and Health Administration levied fines against the company for being found at fault for the death of Richard Wade, a 60-year-old employee who was pulled into the rotating shaft of a coal elevator.

Clean Air is calling on the Environmental Protection Agency and the NYS Department of Environmental Conservation (DEC) to perform a full investigation, including the cause of the tunnel collapse, the risks posed to workers, and the risks posed to the surrounding community. If you live or work in the area and are noticing dark smoke or odors coming from the facility, submit a complaint to the DEC by calling 851-7000.

**Residents are also invited to our public meeting on Monday, July 23rd at 6pm at the Brounshidle Post, 3354 Delaware Ave. in Kenmore.**



### INSIDE THIS ISSUE:

Golden Gas Mask Award winners 2

We've got a new 5-year Strategy 2

Campaign updates 3

For more detailed updates, visit our blog: [www.cacwny.org/press/](http://www.cacwny.org/press/)

### Get social with Clean Air:



Clean Air Coalition of WNY



@cleanairwny



@cleanair



*Congratulations to our 2018 Golden Gas Mask Award winners, from left: Maria Tisby, Della Miller and Mary Blue.*

## Building strong communities

Clean Air is committed to building grassroots power in the fight for democratic, community-controlled systems that are equitable and environmentally just. It has been a busy few months, and as tends to be the case, a lot has happened since the March newsletter. We have much to celebrate, and we also have a lot to double down on to ensure long-lasting justice for our communities. But we know that with each of you by our side, we will continue to be a force for positive change.

Thank you for joining us at the 9th Annual Dinner! As Rebecca said at the event, “We organize to support neighborhoods and communities who have historically been left out and cut out of decision making. We build leadership. We build teams. We support each other in times of crisis, and we celebrate each other when we succeed.”

2017 was a momentous year, and we had a lot to celebrate. We are proud to work with each of you through times of crisis and times of celebration to make our communities stronger, healthier and equitable.

---

## Our five-year strategic plan is complete!

After over a year of discussions, analysis and planning, we have completed Clean Air’s five-year strategic plan.

This process was rigorous, and included membership surveys, interviews with internal stakeholders and external community partners, two strategic planning retreats, and countless hours of putting our heads together to create a plan that we’re all proud to put into action over the next five years.

Thank you to all of you that participated in many aspects of this process, and a special thanks to Clean Air’s Board of Directors who committed endless hours of their time to complete this exciting and ambitious plan to ensure our communities are strong and equitable.

Since Clean Air’s last strategic plan, a lot has changed within the local and national landscapes, as well as within the organization itself. We continue to find new and stronger ways to advance our values.

The strategic planning process has been about improving how the organization works, as well as how the organization’s issue campaigns are aligned with the values and needs of our members and their communities.

With this framework, the organization is charting a course to further its mission and its vision, while building true community-based leadership that is at the forefront of driving equitable and just change in our neighborhoods and beyond.

**CLEAN AIR'S  
VALUES**

Environmental Justice

Democratic Decision-Making

Resident Knowledge

Leadership Development

Race and Class Equity and Inclusion

Appreciation, Recognition and Celebration

*Thank you to our  
community partners!*



*Mercy United  
CWA Local 1133*

*Communications Workers of America Local 1133 • AFL-CIO  
821 Elk Street • Suite A • Buffalo, New York 14210  
(716) 828-1133 • Fax (716) 828-1158*



# Campaign Updates

(Want to get involved? Call 852-3813 or email [info@cacwny.org](mailto:info@cacwny.org))

## Battaglia Demolition forced to halt operations

We are excited to announce that after years of documenting violations, protesting, picketing, writing letters and advocating to public officials about the pollution and nuisance of Battaglia Demolition, Seneca Babcock residents have had a major victory! Battaglia Demolition, a waste transfer site that has been operating a concrete crusher with no permits, has blanketed the neighborhood with silica dust for the past decade.

Through ruthless organizing led by member Diane Lemanski and her team—Jackie and Norm Weaver and Jack Wagner—the NYS and local Attorney General filed a suit against the company for operating



*Peabody Street resident Diane Lemanski speaks at a press conference.*

without permits and tormenting the community with dust and noise. In April, after sitting in court for nearly two years, Judge Chimes ordered an injunction on the Battaglia facility and held owner Peter

Battaglia personally liable for damages. Fines may total in excess of \$14 million. The facility has been court ordered to shut its doors until it acquires the legally required permits. We've called

on Judge Chimes to hold Peter Battaglia accountable for site clean-up, including removal of concrete piles, diesel reservoirs and any sitting waste that has been attracting rats to the neighborhood.

In addition, residents of Peabody Street are calling on Judge Chimes to hold Battaglia accountable to all harm done to the community through a court actioned Environmental Benefit Project.

This would improve, restore, protect or reduce risks to public health or the environment beyond that achieved by the company's full compliance with applicable laws and regulations.

## Residents' Participatory Budgeting requests fall on deaf ears

We are continuing the fight to shift the City of Buffalo's budget into the hands of residents through Participatory Budgeting (PB).

In the March newsletter we shared the huge success of Buffalo's first-ever budget proposal day, in which more than 200 residents showed up to by and large request that the City of Buffalo include participatory budgeting, increase funding for education, and put a stop to the never-ending budget increases to the Buffalo Police Department. We are frustrated

and angry to share with you that residents' requests fell on deaf ears. The 2018-2019 budget released in mid-May did not meet any of these demands. Furthermore, the Buffalo Common Council budget process shut the door on transparency by refusing to allow residents to ask questions during budget workshops.

Clean Air and the PB Campaign Team are determined to continue the fight for democratic processes that meet the real needs of our communities.

## Huntley plant is up for sale

In late March, NRG announced they are placing their coal site in Tonawanda on the market, which would provide an opportunity to remediate and re-develop a 100-year-old site in a way that improves community health, creates jobs and regains access to the waterfront. Days after the unexpected announcement, Tonawanda members held a press conference calling on NRG to adequately contend with the potential hazardous waste at the site. Meanwhile, the Tonawanda Tomorrow implementation team has begun meeting to put into action the comprehensive economic plan that will ensure Tonawanda's future prosperity.

## Raw water pumping station update

As we shared in March, Huntley is threatening to terminate its raw water provision that five neighboring businesses rely on for their manufacturing processes. Without access to the raw water, both the businesses and employees are at risk. The Town of Tonawanda has committed to building a \$27 million pumping station to meet the raw water need. Clean Air continues to support the town's endeavor by advocating that NRG extend its raw water provision to allow the town adequate time to secure the full \$27 million and construct the new pumping station. A shift in ownership can increase accountability and viability of this service.

Clean Air

52 Linwood Ave.  
Buffalo, NY 14209

*Return Service Requested*



***Become a sustaining member of  
Clean Air today!***

Clean Air works to build the power of everyday people to make our communities healthier, safer, and more equitable places to live. **Becoming a monthly sustainer helps us continue to hold corporations and agencies accountable to putting our health and environment first.** Choose to give \$5, 10, or \$20 per month! For more information, call Julia at (716) 852-3813, or *send your support directly* to Clean Air, 52 Linwood Ave. Buffalo, NY 14209.

**¿No eres miembro? ¡Inscríbese hoy mismo!** Clean Air trabaja para desarrollar el poder de la gente para que nuestras comunidades sean más sanas, y lugares más seguros para vivir. Envíe su apoyo de \$ 10, \$ 20 o \$ 50 a: Clean Air, 52 Linwood Ave.  
Buffalo, NY 14209