

# LOVE CANAL MEDICAL FUND

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NIAGARA FALLS, N.Y. (WIVB) — The fight over one of America's worst hazardous waste sites may be far from over. Nearly forty years after tons of toxic waste poisoned part of the LaSalle neighborhood, more families fear for their safety.

More than a thousand people are part of 18 pending civil lawsuits. The plaintiffs say the dangerous chemicals ruined their lives and impacted their health. Some of those suing are current or former residents. Others attended the 93rd and 99th Street Schools.

The attorney who is handling the litigation, William Mack from the New York City firm of Phillips & Paolicelli, declined to comment for this story. He's also not allowing any of the plaintiffs to be interviewed because depositions have not begun.

During a hearing last week in State Supreme Court in Lockport, it became clear how arduous this process may be, as lawyers debated a motion from one of the defendants to be removed from the lawsuit. Judge Richard Kloch Sr. denied that request.

## Understanding the history

Love Canal remains one of the most talked about chemical catastrophes in this country. Dozens of groups tour the site every year, hoping to better understand how it happened and hoping history doesn't repeat itself.

Memories of the pain and panic of the late seventies haunt this neighborhood nearly forty years later.

"[Toxic waste] was leaking toward the people's basements. It was leaking into their sump pumps. There were smells. People were complaining of skin irritation and rashes, and when something like that gets into your sump pump, it literally permeates your home," EPA spokesperson Mike Basile recalled.

At the time, Basile was a young employee working at the nearby Niagara Falls Air Base. He remembers stories from people like Bonnie Snyder. In 1978 she told News 4's Marie Rice, "I have some physical problems that I hope are not related to anything here, but if they are, I want to know about it. I have rheumatoid arthritis, severe headaches," Snyder said.

Others complained of miscarriages as well as urinary and kidney problems.

"Our concern was to relocate these people. We wanted them out of harm's way," Basile admitted.

"It took some years to relocate 900 families and buy them out. Think about it. There was 900 real estate transactions. We were kind of flying by the seat of our pants because we hadn't done this before. We learned a lot."

## Sharing the story

Today, Basile leads tours of Love Canal. The disaster decimated the neighborhood. Only the streets, sidewalks and street lights remain.

We count only a handful of homes left along 101st and 102nd Streets. A few families, for whatever reason, refused the EPA's buyout offers.

"This was a big black eye on the city of Niagara Falls," Basile recalled.

Basile says there's still enormous interest in Love Canal.

He's given probably 40 tours this year to groups from all around the world. "On September 27, I had 66 Chinese visitors that were here. They were here in town visiting Niagara Falls, but they heard about Love Canal [and wanted to visit]," Basile explained. He also recently offered a tour for a broadcasting crew from South Korea. They're planning a documentary on the disaster.

Basile walks through the silent streets and around the fenced-in property. He reinforces the history of the area. "The actual canal was only sixteen acres in length; it was about eighteen feet wide. It was like a bathtub."

Photos from the early 20th century show kids swimming the water. The canal was dug as a dream for entrepreneur William Love in the late 1890's. It was later abandoned.

Hooker Chemical bought it and started burying barrels of chemicals there between 1942 and 1953. The land, complete with 21-thousand tons of toxic waste, was sold to the school board for \$1.00. The transfer deed included a warning.

"They said don't build the school right on top of the sixteen acre landfill," Basile explained. "They didn't build the school. They off-set the school to the east, but they built the playground over the top of the canal."

The Blizzard of '77 accelerated the nightmare that followed. National news coverage led to President Jimmy Carter issuing two disaster declarations. The orders led to the evacuation and buyout of more than 900 families as part of a \$230 million dollar clean-up. The crisis also led to the creation of the federal Superfund program.

The EPA eventually allowed hundreds of families to move back into the homes north of Colvin Boulevard. Those families are some of the ones involved in the new lawsuits.

## The Mother of the movement

Lois Gibbs, who led the Love Canal relocation fight, returned in 2013 to see her old neighborhood. She founded the Love Canal Homeowners' Association in 1978.

"We said it so many times. Don't bring people back here, just don't bring them back here," Gibbs told News 4.

She has long argued families should never have returned to the area. "We fought very hard to stop the resettlement of Love Canal. We lost that battle," she recalled.

Gibbs currently helps run the Center for Health, Environment & Justice in Washington DC.

During her visit in 2013, we met Keith Boos. He and his wife moved into one of the rehabbed homes north of Colvin in the late 90's. "My family has been affected by the contaminants in our home emotionally, physically, and mentally. They told us it was safe. The government told us it was safe to come back. Now, they're stalling," Boos said. He and his family declined to be interviewed for this story.

As we mentioned, more than one thousand families are part of the current lawsuits. Their lawyer will not allow them to do interviews.

"They bamboozled them into believing it was safe, gave them the data, and God knows what else these folks got. They innocently went in and bought what I bought 35 years ago, the American dream," Gibbs proclaimed.

### **The site itself**

Today, the area looks more like a golf course. A simple chain-link fence surrounds it. Basile and the EPA insist that's all that's needed. He says it would even be safe to walk on the grass. "We demolished a school, 239 homes, all of that debris sits and makes up the 70 acre cap. Over it we have a synthetic liner and multiple liners, as well clay, top soil and grass," he noted.

More than 200 monitoring wells dot the site. They offer the only real clues to the trouble buried below.

We asked Basile the question we hear most often: why didn't the state DEC and EPA move the waste?

"It didn't make much sense to excavate 21,000 tons of waste where it's located now and transport it some place else to where it could be a safety hazard and to put it back in the ground again," Basile argued. He says, because of constant monitoring paid for by Occidental Petroleum, the company that bought Hooker Chemical, the area is among the safest in Western New York.

Runoff from the site gets treated before being pumped underground to the city's wastewater facility. It's treated there a second time.

### **Still oozing?**

Gibbs and at [*sic*] the families who live around the capped site hope history doesn't repeat itself. She believes, "They did not clean up Love Canal. At best, they put a trench around it. There's still 20,000 tons of chemicals in the center of that site."

It's a sentiment shared by many in this section of the Falls. Families fear the toxic waste isn't entirely contained and that one day, it may seep back into their homes and into their lives.

This story originally appeared on/and was published by WIVB News, October 31, 2016.

### **Important Changes to Your Coverage and to Our Contact Info**

Always be sure to read your Medical Benefits Plan coverage booklet and visit our website at [www.lcmf.org](http://www.lcmf.org) as changes that are made can affect your claims. One change of particular note approved this year will be an increase in Annual Prescription Coverage. Effective January 1, 2018 through December 31, 2018, the annual reimbursement for **qualified** prescription medications increases to \$750.00 from \$500.00.

**Also, effective immediately, the new P.O. Box address for Love Canal Medical Fund is:**

LCMF  
P.O. Box 224  
Lewiston, NY 14092-0224

### **Fighting to Keep You Safe and Healthy**

Twice a year, the Love Canal Medical Fund Board of Directors meets to ensure you receive the utmost care from the tragedy that is Love Canal. The Board uses these meetings as decision points in providing reimbursement for coverages you receive. This is not the only time they act however. They spend much of their time researching and discussing the way ahead for the board, and what changes can be made for you and also for your children. These members do not get the recognition or thanks that they deserve for their tireless efforts, so here is a collective **THANK YOU** to all the board members:

### **Board Of Directors**

Janice Alexander - Resident  
Danielle Battaglia - Resident  
Matthew Ciurczak - Resident  
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Michael Zimmerman - Resident  
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Dr. Willie Underwood - Expert

### **Contact Love Canal Medical Fund**

**If you have any questions about whether your illness is covered by the Fund; or if you have interest in becoming a board member of the Fund; or if you have contact information for a former Fund resident who has lost contact with the Fund,** please contact us by mailing to LCMF, P.O. Box 224, Lewiston, NY 14092-0224; or by emailing us at [lovecanalfund@gmail.com](mailto:lovecanalfund@gmail.com); or by calling us at (716) 773-6578.

### **Submitting Claims**

Completed Annual Physical and Medical Benefits (expense) Claim forms and related documentation **must be submitted to:**

Key Insurance & Benefits Services  
Attn: Love Canal Medical Fund  
239 Van Rensselaer Street  
Buffalo, NY 14210

(716) 849-8177 or (800) 899-3078