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NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING FOR COVANTA NIAGARA, LP

January 4, 2013
3:45 P.M.

Taken at: Niagara Falls City Hall
745 Main Street, Room 17
Niagara Falls, New York 14302

1 PRESENT:

2 HENRY M. SLOMA,
3 Chairperson, Niagara County Industrial
4 Development Agency Board of Directors.

4 MARY MELLONI,
5 Niagara County Industrial Development
6 Agency, Administrative Assistant.

6 SUSAN LANGDON,
7 As Hearing Officer,
8 Niagara County Industrial
9 Development Agency,
10 Director of Project Development.

9 REPORTED BY: DAWN M. SITERS,
10 Court Reporter.

11
12 ATTENDANCE NOTED ON ATTACHED SIGN-IN SHEET

13
14 INDEX TO SPEAKERS

<u>SPEAKERS</u>	<u>PAGE</u>
Joseph Collura.....	8
Russ Quarantello.....	12
Bill Rutland.....	12
Amy H. Witryol.....	14
Shirley Hamilton.....	26
Henry R. Krawczyk.....	41
Mary Ann Rolland.....	51

23

1 MS. LANGDON: I'd like to
2 get started. Would everyone please sign in on the
3 attendance sheet, if you haven't already.

4 Good afternoon. My name is Susan
5 Langdon. I'm Director of Project Development for
6 the Niagara County Industrial Development Agency,
7 and I will be serving as hearing officer for this
8 public hearing. It is now three fifty P.M.

9 The purpose of this hearing is to
10 solicit comments, both written and oral, on the
11 Covanta Niagara, LP project in the City of Niagara
12 Falls. The project entails the expansion of the
13 steam supply system at the facility, and upgrades to
14 logistical support systems.

15 I have made copies available of
16 the project's cost/benefit analysis, the project
17 summary and the project application on the table
18 here.

19 Comments can be in support of, or
20 in opposition to, or on the nature or location of
21 the project. All comments are to be limited to the
22 Covanta Niagara, LP project.

23 This hearing is not for accepting

1 comments on any environmental issues, nor
2 environmental determination; and this is not a part
3 of the New York State SEQRA process. The City of
4 Niagara Falls is the lead agency in the SEQRA
5 process, and all comments and concerns relative to
6 environmental issues should be addressed to the
7 City.

8 The purpose of this hearing is to
9 accept comments relative to the financial incentives
10 that may be granted to Covanta Niagara, LP. The
11 granting of any financial incentives is contingent
12 upon approval by all other Federal, State and local
13 municipal agencies. This is not a debate, or a
14 question-and-answer session. We are here to record
15 your comments, and give them to the NCIDA Board of
16 Directors prior to their decision on the project.

17 In order to accommodate all the
18 speakers, and we do have quite a few people here
19 today, I respectfully request that you limit your
20 comments to three minutes. There will be only one
21 opportunity per speaker to speak.

22 I will now read the Notice of
23 Public Hearing. Notice is hereby given that a

1 public hearing pursuant to Article 18-A of the New
2 York General Municipal Law will be held by the
3 Niagara County Industrial Development Agency (the
4 "Agency") on the 4th day of January, 2013, at 3:45
5 P.M., local time, at the Niagara Falls City Hall,
6 Room 17, 745 Main Street, Niagara Falls, New York
7 14302, in connection with the following matter:

8 Covanta Niagara, L.P., for itself,
9 or on behalf of an entity formed, or to be formed,
10 (the "Company") has submitted an application, (the
11 "Application") to the Agency, a copy of which is on
12 file at the office of the Agency, requesting that
13 the Agency consider undertaking a project, (the
14 "Project") for the benefit of the Company consisting
15 of: (A) the acquisition or retention of a fee or
16 leasehold interest in various parcels of land with
17 the address of 100 Energy Boulevard at 56th Street
18 in the City of Niagara Falls, New York, (the
19 "Land"); together with several existing structures
20 thereon (the "Existing Improvements"); (B)(i) the
21 construction on the Land of approximately
22 twenty-four inch steam supply lines and condensate
23 return lines with Greenpac Mill, LLC, (ii) the

1 construction of additional steam supply lines and
2 boilers to support development of the adjacent
3 brownfield properties, (iii) construction of a rail
4 to truck handling facility; and (iv) construction
5 of a special waste handling facility, (the
6 "Improvements"); and (C) the acquisition and
7 installation of related machinery, equipment and
8 personal property (the "Equipment", and together
9 with the Land, the Existing Improvements, and the
10 Improvements, the "Facility"), (D) the leasing of
11 the Project back to the Company, and (E) the
12 providing of financial assistance to the Company for
13 qualifying portions of the Project in the form of
14 sales and use tax exemptions, and a mortgage
15 recording tax exemption, consistent with the
16 policies of the Agency, a partial real property tax
17 abatement, and a mortgage recording tax exemption
18 with respect to a certain payment-in-lieu-of-tax
19 mortgage.

20 The Agency will acquire or retain
21 title to, or a leasehold in, the Facility, and lease
22 the Facility back to the Company. The Company will
23 operate the Facility during the term of the lease.

1 At the end of the lease term, the Company will
2 purchase the Facility from the Agency, or if the
3 Agency holds a leasehold interest, the leasehold
4 interest will be terminated. The Agency
5 contemplates that it will provide financial
6 assistance (the "Financial Assistance") to the
7 Company for qualifying portions of the Project in
8 the form of sales and use tax exemptions and a
9 mortgage recording tax exemption for financing
10 related to the Project, consistent with the policies
11 of the Agency, a partial real property tax abatement
12 and a mortgage recording tax exemption with respect
13 to a certain payment-in-lieu-of-tax agreement
14 mortgage.

15 A representative of the Agency
16 will be at the above-stated time and place to
17 present a copy of the Company's project application,
18 and hear and accept written and oral comments from
19 all persons with views in favor of, or opposed to,
20 or otherwise relevant to the proposed Financial
21 Assistance.

22 This public hearing is being
23 conducted in accordance with Subdivision 2, Section

1 859-a of the New York General Municipal Law. Dated
2 December 12, 2012; Niagara County Industrial
3 Development Agency, by: Samuel M. Ferraro, Executive
4 Director.

5 I will now open the hearing for
6 comments. Please remember to give your name,
7 address, and the organization you represent. Direct
8 all comments to the Chair. Your comments should be
9 made on this project only. And I'll ask if you
10 could step up to the table here, so that our
11 transcriptionist can hear you.

12 Anyone wishing to speak at this
13 time?

14 JOSEPH COLLURA: Hi. I'm Joe
15 Collura, for the City's Department of Economic
16 Development. I'd like to submit this statement for
17 the record.

18 The City of Niagara Falls is in
19 support of the proposed expansion project by Covanta
20 Niagara, L.P. in the City of Niagara Falls,
21 including its plan to invest over thirty million at
22 its Niagara Falls facility on 56th Street, and to
23 create twenty-three new jobs, which will help secure

1 its existing workforce, and their future in the
2 City, as well as that of associated industries.

3 We would like to note that our
4 support of the project, following extensive
5 discussions with Covanta representatives, is based
6 on the following assumptions.

7 That the PILOT benefits being
8 considered relate only to the new construction, and
9 will have no tax impact on the existing facilities.

10 That the project will not involve
11 major changes to the type or volume of nonhazardous
12 waste that is received by the existing facility.

13 That the rail shipments will be
14 received in sealed, metal containers, which will
15 remain sealed at all times while present on-site,
16 and will be opened and resealed only within the
17 enclosed tipping hall.

18 That the project will
19 significantly reduce the amount of waste shipments
20 by truck to the facility, thereby reducing truck
21 traffic on the local highway network, and related
22 truck emissions.

23 That the project will remediate

1 and redevelop the rail site under the New York State
2 Brownfield Cleanup Project, resulting in beneficial
3 impacts to public health, as the remedial programs
4 to be implemented under BCP will address existing
5 on-site contamination detected during the recently
6 completed remedial investigation.

7 That improvements to the rail
8 infrastructure will create opportunities for new or
9 upgraded industries in the vicinity, potentially
10 allowing former industrial land to be placed back
11 into productive use.

12 That the current permit allows
13 eight hundred twenty-one thousand, two hundred fifty
14 tons of Municipal Solid Waste per year, with the
15 average tonnage of MSW burned over the last five
16 years, just under eight hundred thousand tons, plus
17 two hundred thousand additional tons of alternative
18 fuel, and that the project will remain within these
19 parameters.

20 Covanta presently converts waste
21 to energy, and provides process steam to several
22 immediately adjacent industrial companies, which
23 ensures greater efficiencies to those companies; and

1 more importantly, supports retention of hundreds of
2 additional jobs.

3 That the new steam boiler will use
4 only natural gas, and is a low-emitting unit, with a
5 primary emission consisting of CO₂, over 99.9
6 percent.

7 The City of Niagara Falls,
8 therefore, supports the issuance of the standard
9 fifteen-year PILOT, Payment-In-Lieu-Of-Tax, for the
10 purpose as stated in Covanta Niagara's application
11 to the Niagara County Industrial Development Agency.

12 Finally, the City of Niagara Falls
13 takes this opportunity to encourage Covanta Niagara
14 to make every effort in hiring local labor and
15 contractors for the projected hundred and sixty
16 construction jobs that will be created as a result
17 of the project. As part of Covanta's application,
18 it certifies that it understands and agrees that as
19 a condition of its receiving assistance in the
20 project from the residents of Niagara County, it
21 must use best efforts to use Niagara County labor
22 for the construction of new, expanded or renovated
23 facilities. This requirement includes all project

1 employees of the general contractor, subcontractor,
2 or subs to the subcontractor working on the project.

3 Thank you.

4 MS. LANGDON: Does anyone
5 else wish to speak? Sir.

6 RUSS QUARANTELLA: My name is
7 Russ Quarantello; 8803 Niagara Falls Boulevard. I'm
8 with the IBEW, the local electrical people.

9 And I'm in support of the project,
10 as long as it uses local people, because our city
11 has very high unemployment. And if it's their tax
12 dollars, I feel that it should -- the jobs should go
13 to the local people first and foremost. Thank you.

14 MS. LANGDON: Thank you.
15 Does anyone else wish to speak? Sir.

16 BILL RUTLAND: My name is
17 Bill Rutland. I'm from Lockport, New York; 5798
18 Locust Street. I represent Public Employees of
19 AFSCME Local 182 of Niagara County.

20 I object to this project for
21 several reasons. I, like Russ, would like to see
22 local labor being used on the project. But with the
23 language that is represented here, I think who's

1 going to police best efforts to use Niagara County
2 labor? It's a pretty vague term.

3 The Greenpac facility received
4 huge tax breaks, and brought in out-of-state
5 contractors to do the job. Local workers got very
6 little of the work.

7 I don't see that this language is
8 going to provide any more guarantees that local work
9 is going to be used, local labor is going to be used
10 to get this project done. I wish the IDA would have
11 adopted stronger language that required local labor.

12 I also believe that we're giving
13 away assets to this project, that's similar to what
14 the Power Authority is taking away from us to create
15 energy, that we didn't get any benefit from. We pay
16 the highest electrical rates in the nation, with the
17 Power Authority right here.

18 And now here we're going to have a
19 plant converting waste to energy, and I don't
20 believe any of the municipalities in Niagara County
21 can afford to bring their waste to this facility to
22 have it burned, and we have to pay the cheaper rates
23 to put in it a landfill. If this company was to

1 offer, you know, significant savings to the local
2 municipalities to bring their waste in, as long as
3 this -- I mean, as well as New York City is bringing
4 their waste in, an affordable rate that would
5 benefit Niagara County, I think it would be a great
6 idea. But I don't think you're going to see Niagara
7 County waste being burned in this. I believe the
8 fees are too prohibitive. Thank you.

9 MS. LANGDON: Thank you.

10 Anyone else?

11 AMY H. WITRYOL: First of all,
12 thank you to those IDA Board members who are
13 attending this hearing. I know Mr. Sloma is here.
14 It's not required under State statute for Board
15 members to attend public hearings or to answer
16 questions. I certainly would encourage the IDA
17 Board to also exercise discretion to have a public
18 discussion over any of the issues raised here today.

19 MS. LANGDON: Amy, would you
20 give your name?

21 AMY H. WITRYOL: Sure. Amy H.
22 Witryol. Sue, I've got this written down, so you
23 have a written statement. Amy Witryol, Lewiston.

1 The Niagara County IDA Board is
2 urged to vote no on the Covanta application because
3 available information indicates that there will be
4 no jobs retained or created as a result of the eight
5 million dollars in proposed giveaways.

6 If the IDA approves the Covanta
7 application, taxpayers of Niagara Falls, Niagara
8 County, and New York State will be asked to pick up
9 an eight million dollar tab to benefit stockholders
10 of a New Jersey company.

11 People of the City of Niagara
12 Falls and Niagara County have one of the worst
13 property tax burdens, relative to value, in the
14 entire United States, which is an obstacle to
15 attracting jobs and residents. The proposed eight
16 million dollar Covanta giveaway would shift the
17 company's profit-making responsibility to residents.
18 This destroys, rather than creates, taxpayer value.

19 Operators in this industry often
20 pay host community fees or discount waste disposal.
21 Why is it the City of Niagara Falls gets neither in
22 this case? The IDA application proposes we,
23 instead, pay Covanta for investments it seems to be

1 planning in any case, additional profits we're being
2 asked to provide for steam and electricity
3 generation will go to stockholders, not to local
4 customers or taxpayers.

5 I'll address the job retention and
6 creation issues more specifically in a moment; but
7 first, would like to address the inappropriateness,
8 from my view, of making financial decisions without
9 a reasonable understanding of public health impacts.

10 With regard to what some officials
11 are promoting as rail as a way to partially replace
12 truck traffic from Toronto, it should be noted that
13 Covanta is constructing a new facility in what it
14 refers to as quote, suburban Toronto. Regardless,
15 there is no known agreement between Covanta and the
16 City or County to reduce trucks. Why not? The
17 Covanta application estimates the number of new rail
18 trips into the City. If truck traffic will
19 permanently decline, why haven't we seen any data
20 and an agreement to reduce the number of trucks?

21 Why, according to the New York
22 State DEC is Covanta Niagara the only
23 waste-to-energy incinerator allowed to burn

1 industrial waste in the State? In contrast to
2 hazardous waste disposal, solid waste disposal
3 markets are typically local. However, Covanta
4 Niagara burns industrial waste from twenty-two
5 states and Puerto Rico, in addition to Ontario. Why
6 do places like Wisconsin and Kansas ship industrial
7 waste here to be burned? Why does Covanta have a
8 hazardous waste storage permit if it burns only
9 nonhazardous waste?

10 Not only did the company fail to
11 disclose its proposal to regulators for a new
12 hundred and ninety foot high smokestack for burner
13 number five at this facility; no one has mentioned
14 the potential for a burner number six. We don't
15 even know what emissions will come with burner
16 number five, which is part of the current project,
17 and already there has been private discussion of a
18 burner number six.

19 Will burning more industrial waste
20 be worth a partial reduction in truck traffic?
21 According to company reports, during the past four
22 years the amount of industrial waste burned at
23 Covanta Niagara has increased by forty-two percent.

1 The amount of medical waste burned here increased
2 twenty-seven percent during that same period. The
3 quote, unquote, special waste handling construction
4 project is consistent with Covanta's stated strategy
5 to burn more industrial waste. In 2011, twenty-one
6 percent of what Covanta burned was industrial waste.
7 How much more do Niagara Falls and County residents
8 want? A jobs claw-back would provide zero local
9 control over the future waste volumes, emissions and
10 trucks.

11 What is the impact on public
12 health; on our image; our ability to attract
13 residents and clean business to the area? What does
14 the public want? No one can answer these questions,
15 because Covanta has not disclosed its emissions
16 estimates for public review, or provided detail on
17 future plans.

18 Regulatory documents suggest
19 potentially impacted areas may be up to twelve point
20 four miles, or twenty thousand meters away. That
21 area overlaps more than a dozen Title V Air Permit
22 holders, to include Tonawanda Coke, as well as the
23 towns of Lewiston and Wheatfield, the Tuscarora

1 Nation, and Grand Island, among others.

2 Therefore, it seems premature to
3 promote these projects without also understanding
4 the impact to public health, which cannot be
5 assessed without knowing what the company plans for
6 emissions.

7 Some local officials have been
8 repeatedly quoted in the press as saying we are
9 merely trading trucks for trains; when that's
10 clearly not the case. And it seems very misleading
11 for the company to repeatedly state there will be no
12 change to the wastes it is, quote, unquote,
13 permitted to burn; when the mix of what is actually
14 burned here has, and may continue to change.

15 There have been improvements in
16 reducing air emissions at Covanta and other
17 facilities over the decades; but there's also new
18 evidence that certain emissions are more dangerous
19 than previously believed. Regardless, there may be
20 opportunities for improvement with this project,
21 while giving residents some say in the amount of
22 pollution they can tolerate in the future. But
23 that's not going to happen when we have officials

1 using a sliver of information to praise a project
2 with no strings attached. And I join labor in their
3 concern that there are no formal strings attached
4 for local jobs, as well. County residents and
5 residents of Niagara Falls deserve some control over
6 their future in this regard.

7 Now to the Cost/Benefit Analysis
8 in the IDA application; there has been no evidence
9 presented to indicate, to my acknowledge, that
10 Covanta would not got forward with its projects and
11 associated hiring absent the proposed eight million
12 dollars in tax breaks. The Cost/Benefit Analysis in
13 the IDA application relies on job creation to
14 justify about eighteen percent of the proposed eight
15 million dollar giveaway. But the company seems
16 committed to the projects in any case.

17 First, the parent company has a
18 strategic goal of increasing special waste, and
19 Niagara is the only one of ten waste-to-energy
20 facilities permitted in New York State that is
21 allowed to incinerate industrial waste. Therefore,
22 the company cannot substantially increase or
23 efficiently process more industrial waste here

1 without the special waste handling expansion project
2 before the IDA.

3 Secondly, a long-term agreement to
4 sell steam to Greenpac would be sufficient to fund
5 the pipeline construction and the natural gas-fired
6 boiler projects.

7 And third, the price of waste
8 disposal in Western New York is less, compared to
9 other areas. Therefore, the rail access project
10 provides the company considerably more profitable
11 operations than competing locally.

12 With respect to the job retention;
13 the Cost/Benefit Analysis relies on job retention as
14 roughly eighty percent of the eight million dollars
15 proposed in tax waivers. These assumptions seem
16 grossly lacking in credibility.

17 First, a Niagara County IDA
18 subsidiary just completed the refinance of a hundred
19 and sixty-five million dollars in Covanta Niagara
20 and other debts, which freed up two hundred and
21 eighty million dollars in additional cash over the
22 next five years, according to the company. Of this,
23 one hundred and thirty million was underwritten for

1 a term of thirty years, with a thirty-five million
2 dollar balance for twelve years, presumably, the
3 difference between personal property and real
4 property. Which, by the way, provides an
5 opportunity for the City of Niagara Falls to nearly
6 triple its market value and assessment for property
7 tax purposes. In any case, this refinance is
8 certainly not consistent with the risk of job loss
9 any time soon.

10 Secondly, the company's
11 application states that all of its projects, all
12 four, which Ms. Langdon reviewed for us at the
13 beginning of this hearing, all of them will be a
14 hundred percent funded by equity, with no reliance
15 whatsoever on debt for the investment, let alone IDA
16 tax breaks. This contradicts the notion of both job
17 retention and job creation as a result of any IDA
18 giveaways.

19 And third, SEC filings by Covanta
20 report that of its forty-one U.S. waste-to-energy
21 facilities, Niagara -- the Niagara plant is the
22 seventh largest in volume of waste burned; the
23 eleventh largest in the megawatts of electricity

1 sold; and the fourth longest in terms of contracts,
2 some with that have expirations that go out to 2024.

3 If it were really true that tax
4 breaks were necessary for job retention, would the
5 company have effectively misled stockholders and
6 creditors about the stability of the Niagara
7 operations in its reports?

8 Niagara County is already the
9 number one destination for waste disposal in New
10 York State, with the second-largest solid waste
11 landfill in all of New York, the second-largest
12 waste incinerator, and the only industrial waste
13 incinerator, apparently, in all of New York, and the
14 only commercial chemical landfill in all of New
15 York. Covanta Niagara burns industrial waste from
16 twenty-two states, Puerto Rico, and Ontario. Why?
17 We should note, nearly twenty-five percent of what
18 is burned ends up in Niagara County landfills,
19 driving up our own disposal costs.

20 There are many ways to produce
21 steam, and burning waste is reportedly among the
22 least preferable. According to the major
23 newspapers, in 2011 the State concluded that

1 waste-to-energy facilities generate more pollution
2 for energy than coal-fired plants, and fourteen
3 times the amount of mercury.

4 In its comments about Covanta to
5 the Public Service Commission, the Office of
6 the Attorney General noted that subsidizing
7 waste-to-energy facilities was inconsistent with the
8 State's solid waste and climate change policies.

9 New York has stated goals to reduce waste disposal
10 by eighty-five percent in the next seventeen years,
11 and reduce greenhouse gas emissions by eighty
12 percent over the next thirty-eight years. This is
13 apparently why the State does not subsidize
14 facilities like Covanta Niagara under environmental
15 programs. The report goes on to say that without
16 new technology, quote, even the lowest CO2-emitting
17 fossil fuels, such as natural gas, must be very
18 limited, or even eliminated, by the year 2050,
19 unquote.

20 In summary, itemizing other errors
21 and omissions in Covanta's application should not be
22 necessary to conclude that any tax breaks are
23 inappropriate and unnecessary for these projects;

1 and hurt, rather than help, Niagara Falls and
2 Niagara County jobs and taxpayers.

3 Based on the available
4 information, to reiterate; first, the company does
5 not need tax breaks to incentivize the proposed
6 projects, effectively forcing Niagara County
7 taxpayers to pay for an eight million dollar
8 giveaway.

9 Second, public health risks cannot
10 be assessed without the review of DEC permits, and a
11 binding agreement between Covanta and the City to
12 live within specified limits on trucks and emissions.

13 Third, Niagara County is already
14 the number one destination for waste disposal in New
15 York State. This distinction seems to depress,
16 rather than enhance, our image and ability to
17 attract business and residents.

18 Fourth, facilities like Covanta
19 Niagara are at conflict with State policy.

20 And again, I would reiterate,
21 and share the concern over best efforts versus
22 contractual agreements for local labor for any of
23 these projects.

1 Thank you for your consideration.

2 MS. LANGDON: Thank you.

3 Does anyone else wish to speak?

4 SHIRLEY HAMILTON: Hello. My
5 name is Shirley Hamilton. I reside at 1155 Ontario
6 Avenue in Niagara Falls, New York 14305. I am the
7 President of the Niagara Falls branch of the NAACP.

8 When people think about climate
9 change, the first thing that comes to people's minds
10 are melting icecaps, suffering polar bears.

11 However, many fail to make the connection in terms
12 of the direct impact on our own lives, families and
13 communities.

14 Climate change is about Katrina,
15 Rita, and Ike devastating communities in
16 Mississippi, Louisiana, Florida and Texas. Climate
17 change is about our brothers and sisters in the
18 Bahamas who are losing their homes to rising sea
19 levels in the coming years. Climate change is about
20 people in Detroit, Ohio, Pennsylvania and elsewhere
21 who have died, and are dying, from exposure to
22 toxins from coal-fired plants.

23 Climate change is about our

1 brothers and sisters in West Virginia who are
2 breathing toxic ash from blasting for mountaintop
3 removal. Climate change is about our folks in
4 Louisiana who are being forced to move within the
5 next ten years because the rising sea levels will
6 result in submersion of coastal lands that are
7 currently their homes.

8 It's about the fact that
9 race-over-class as the number one indicator for the
10 placement of toxic facilities in this country.
11 Climate change is about the fact that in our
12 communities it is far easier to find a bag of
13 Cheetos than a carton of strawberries.

14 Climate change is about us.
15 Global climate change has a disproportionate impact
16 on communities of color in the United States and
17 around the world. The NAACP Climate Justice
18 Initiative was created to educate and mobilize
19 communities to address this human and civil rights
20 issue. I am speaking and seeking climate justice
21 for the City of Niagara Falls and the surrounding
22 communities.

23 You see, I am old enough to

1 remember. I remember when there were no mountains
2 in Niagara Falls. I remember when there was flat
3 land near K-Mart. I watched as that plant -- that
4 plain land rose into a hill that you can see from
5 the street. I watched as the hill grew into a
6 mountain that you could notice from I-190. And I
7 continued to watch as that small hill grew into a
8 fully-fledged mountain that can be viewed from miles
9 away. This is not a natural mountain. This is a
10 man-made mountain, full of garbage; thousands and
11 thousands of tons of garbage. Our garbage. And it
12 disturbs me.

13 What really disturbs me is the
14 fact that this measure would allow thousands of tons
15 of more garbage to be railed from New York City to
16 one of the poorest areas in New York State, Niagara
17 Falls, for a few jobs; approximately five indirect
18 jobs in the County, and twelve induced jobs in
19 Niagara County. According to the Regional Economic
20 Impact Analysis, Covanta Niagara, LP there will be
21 eleven created in support of a rail project, and one
22 in support of a special waste project for the first
23 year; the second year, there will be six jobs in

1 support of the rail project, and six in support of
2 the special waste project.

3 And although I do understand that
4 Covanta is in business to burn garbage, all that
5 garbage has residue, and that residue adds to our
6 mountain behind K-Mart.

7 As I stated, I'm old enough to
8 remember. I remember Love Canal, and those families
9 affected by the chemicals buried there. I remember
10 the Jefferson family, who had approximately eleven
11 children, and all but two members of the family died
12 from exposure to dangerous chemicals. One of the
13 children is still being treated for tumors, and her
14 niece suffers from tumors because her mother died
15 from exposure to these toxins. Even today, there
16 are questions concerning the illnesses currently
17 coming out of that community. I remember.

18 So I find it interesting, at the
19 least, to find that Covanta's application for this
20 PILOT did not include any testing results from the
21 burning of, as according to a Buffalo News' article,
22 the eight hundred tons of garbage it currently
23 burns.

1 Also missing is an Environmental
2 Impact Statement.

3 It is my impression from reading
4 the article from the Niagara Frontier Publication
5 that some may think that Covanta is a Clean Energy
6 Company; when, in fact, it is not. According to the
7 Toxic Air Pollution Impacts for the Proposed Covanta
8 Energy in Chester County, Covanta's incinerator
9 could emit two point eight million pounds of
10 pollution annually, and five hundred and
11 seventy-five pounds of global warming carbon
12 dioxide. The list of toxic air pollutants which
13 could be emitted from Covanta's proposed
14 waste-to-energy incinerator in Chester County
15 include carbon dioxide, one billion five hundred and
16 fifty million, four hundred and eighty thousand
17 pounds; nitrogen oxide, two million seventy-nine
18 thousand forty pounds; sulfur dioxide, three hundred
19 and twenty-three thousand five hundred and
20 thirty-six pounds; carbon monoxide, two hundred and
21 seventy thousand pounds; hydrochloric acid, one
22 hundred and twenty-three thousand pounds;
23 particulates, thirty-six thousand; mercury, one

1 thousand two hundred eighty-four pounds; lead;
2 chromium; arsenic; and dioxin, a known carcinogen.
3 These emission totals were based on Covanta's
4 publicly-stated proposal to burn one thousand and
5 six hundred tons of municipal waste.

6 There is also an Area Pollution
7 Impact Map included in this study. I do have this;
8 I will give you a copy.

9 With Niagara Falls High School,
10 along with Niagara Catholic High School so close to
11 the proximity of this plant, one must ask, why would
12 we continue to allow toxic exposure?

13 In 1991 in Indianapolis, Indiana,
14 the EPA counted a total a six thousand violations of
15 Ogden Martin's, aka Covanta's, incinerator permit
16 limits during a two-year period, from 1989 to 1991,
17 at the facility in Indianapolis. Among the
18 violations committed, the company bypassed their
19 pollution controls, scrubber and bag houses, a
20 hundred and eighteen to twenty times. The
21 incinerator had twenty-seven boiler tube failures
22 with one year.

23 In November of 2006, in Chester,

1 Pennsylvania, the Commonwealth of Pennsylvania Clean
2 Air found and fined Covanta with a forty-five
3 thousand six hundred dollar civil penalty for
4 excessive toxic nickel and related compounds
5 emissions. According to the tests conducted, the
6 emissions were more than twice the permitted level.
7 Nickel compounds are known human carcinogens,
8 according to the World Health Organization.

9 In March of 2006 in Honolulu,
10 Hawaii, the Hawaii Department of Health found that
11 the incinerator Covanta operates exceeded the
12 emissions limits for dioxin and lead during 2005,
13 and fined the company six thousand and two hundred
14 dollars.

15 In July 2007, the Connecticut
16 Department of Environmental Protection cited Covanta
17 for excessive dioxin emissions at their facility in
18 Wallingford.

19 In August 2008, the New York --
20 the New Jersey agency also fined Covanta fourteen
21 thousand thirty-five dollars for air pollution
22 violations from 2006 to 2008, including illegal
23 carbon monoxide emissions, and for exceeding the

1 State's limits for visible emissions.

2 In New Jersey, the New Jersey
3 Department of Environmental Protection has
4 repeatedly cited Covanta for air pollution at three
5 incinerators the company operates in that state.
6 During 2009, the agency had fined Covanta twenty-six
7 thousand nine hundred dollars for violations at a
8 facility in Warren County from 2003 to 2007; twenty
9 thousand dollars for violations at a facility in
10 Union County from 2007 to 2009. The violations
11 are -- of the incinerators included excessive
12 emissions of sulfur dioxide and carbon monoxide.

13 In 2008, the Pennsylvania
14 Department of Environmental Protection has
15 repeatedly cited an incinerator Covanta operates for
16 air pollution violations. Since 2005, the agency
17 has issued ten consent assessments against Covanta
18 at the facility, penalizing the company for a total
19 of one hundred thirty-one thousand eight hundred
20 dollars. The violations have included excessive
21 emissions of sulfur dioxide, carbon monoxide,
22 hydrochloride and nitrogen oxide, from 2004 to 2008.

23 In July 2008, the Florida

1 Department of Environmental Protection fined Covanta
2 eleven thousand dollars for excessive dioxin
3 emissions during 2008.

4 In August of 2008 in Newark, the
5 New Jersey agency fined Covanta fourteen thousand
6 thirty-five dollars for pollution for -- from 2006
7 to 2008 for illegal carbon monoxide emissions, and
8 for exceeding the State limit.

9 In September 2008, the
10 Massachusetts Department of Environmental Protection
11 cited Covanta for exceeding the allowable emissions
12 rates for dioxins by nearly three hundred and fifty
13 percent, according to the tests conducted in 2007.
14 That agency cited the facility for failing to report
15 other violations of its operating permit during
16 2008, and fined Covanta seven thousand, six hundred
17 and fifty-three dollars.

18 The World Health Organization also
19 classifies dioxin as a known human carcinogen.

20 In July of 2011, Covanta paid four
21 hundred thousand dollars in fines after its
22 Connecticut plant sent toxic dioxins into the air.
23 It also paid dioxin emissions fines in 2009.

1 According to the comments of our
2 New York State Attorney General, Eric Schneiderman,
3 dated August 19, 2011 to the Public Service
4 Commission for the application of Covanta Energy
5 Corporation's modification of the list of eligible
6 resources, he states; the Renewable Energy Portfolio
7 Standard, RPS, established by the PSC, Public
8 Service Commission, in 2004, is recognized as a
9 means to reduce the dependence on fossil fuels, and
10 to develop new sources of energy power based on
11 renewable, clean and sustainable technologies. The
12 PSC rejected waste-to-energy, WTE, as a renewable
13 energy source eligible for the RSP ratepayer subsidy
14 in 2004, and then again in 2010; finding, among
15 other things, that the emissions from the
16 waste-to-energy facilities in New York were greater
17 than emissions from coal-fired plants on a per unit
18 of energy generation basis. In its current
19 petition, Covanta has failed to demonstrate that it
20 has addressed the concerns identified for the record
21 prior to the RPS proceedings.

22 Section C of the Attorney
23 General's Statement states, and I have that here for

1 you, too; subsidizing additional waste-to-energy
2 capacity is inconsistent with the State Climate
3 Change Policy. Governor's Executive Order 24,
4 initiated by Governor Paterson in August of 2009,
5 and continued by Governor Cuomo in January 2011,
6 establishes New York's goal for a robust clean
7 energy economy by the year 2050, defined, in part,
8 by eighty percent reduction of the State's
9 greenhouse gas emissions below 1990 level by the
10 year 2050, 80 by '50. Beginning the design and
11 implementation of the policies necessary to achieve
12 these ambitious, but necessary, goals, the New York
13 State Climate Action Council has established by the
14 Order, and produced the 2010 Climate Action Plan
15 Interim Report. In describing the energy system,
16 the transformation necessary to power the clean
17 energy economy, the report concludes unambiguously
18 that New York must develop abundant, affordable,
19 safe and sustainable sources of clean energy, all
20 near-zero carbon emissions.

21 It also finds that the New York
22 State's RPS is an important tool to incentivize the
23 development and the expansion of renewable energy

1 sources. The State's analysis of the 80 by '50 goal
2 and the clarity it provides in defining terms such
3 as low carbon, clean energy, can assist the Public
4 Service Commission in evaluating the appropriateness
5 of including waste-to-energy in its RPS program.

6 The report describes the
7 prerequisite of having a near carbon-free electrical
8 grid to reached 80 by '50, and how, as a result of
9 combustion of even the lowest CO2-emitting fossil
10 fuels, such as natural gas, must be very limited, or
11 even eliminated altogether, by the year 2050.
12 Similarly, CO2 emissions from waste-to-energy
13 facilities that supply power into the grid will
14 experience the same type of emission constraints.
15 As a result, it is important that the PSC be
16 provided accurate information to support a
17 comprehensive analysis of the current and future
18 carbon-intensity of waste-to-energy facility
19 emissions.

20 As explained in the following, the
21 Covanta petition is inadequate in this regard. The
22 waste-to-energy facilities generate CO2 emissions
23 during combustion, where oxidation of the carbon

1 contained within the biogenic and non-biogenic waste
2 occurs. Regardless of the carbon source of the
3 emissions, the heat-trapping properties of the CO₂
4 ultimately released into the atmosphere are
5 identical. Total CO₂ stack emissions, also referred
6 to as gross or direct emissions, are high from the
7 waste-to-energy facilities. The national average is
8 three thousand pounds of CO₂ per megawatt. The
9 emissions rate for a waste-to-energy plant is
10 greater than that of fossil fuel combustion
11 facilities, including coal plants, on a per unit of
12 energy basis.

13 Moreover, Covanta's petition does
14 not analyze several important landfill-related
15 considerations when calculating the net CO₂
16 emissions for waste-to-energy facilities, such as
17 the amount of carbon permanently sequestered in a
18 landfill when MSW is deposited, and therefore, is
19 not released as CO₂ to the atmosphere; the high
20 uncertainty associated with the estimates of methane
21 leakage through the landfill caps; the visibility
22 and performance of new, modern landfills, as opposed
23 to older, non-engineered landfills.

1 Section 4 of the Attorney

2 General's statement states air pollutant emissions
3 from Covanta's waste-to-energy facilities generally
4 exceed emissions from fossil fuel facilities in New
5 York State.

6 An important goal of the RPS is to
7 improve the quality of the environment for all New
8 Yorkers. Our 2003 comments to the Public
9 Service Commission regarding waste-to-energy
10 stated, Table 2 updates the status of relevant
11 waste-to-energy air emissions in New York State
12 since the 2004 PSC Order, comparing emission rates
13 of nitrogen oxides, sulfur dioxide, mercury, lead,
14 and hydrochloric acid from all waste-to-energy
15 facilities and coal-fired power plants operating in
16 New York State. The analysis shows that
17 waste-to-energy air emissions continue to exceed
18 those of New York's coal-fired power plants for the
19 pollutants listed, with the exception of SO₂ on a
20 per unit of energy-generated basis.

21 As according to the Bylaws of the
22 Niagara County Industrial Development Agency,
23 adopted August 22, 1972, Article 8 Section 2, Site

1 of the Agency Projects states, the Agency shall not
2 approve any project that shall be in violation of
3 anti-pollution laws of the State or County. And
4 Section 2.3; the Agency shall not approve any
5 project which shall be in -- you know, you've got a
6 typo in there -- in contravention of health, labor,
7 or other laws of the State of New York or the United
8 States, or local laws of the County of Niagara.

9 Niagara Falls cannot be allowed to
10 continue to be the lead in cancers, toxins,
11 brownfields, contaminated sites, and air pollution
12 for the price of twenty-three jobs. Our children
13 and our community deserve better than this.

14 For this reason, and for the
15 reasons I have stated, the NAACP is requesting an
16 Environmental Impact Statement and an Environmental
17 Assessment, all air monitoring reports at this site,
18 current and proposed, prior to approval of this
19 project, this PILOT; and for the members of the
20 Niagara County Industrial Development Agency to vote
21 no on this application.

22 I don't know who to give these to.
23 Sue, I'm giving you a copy of all the violations

1 that I have. There's some labor violations in
2 there, too; along with the Attorney General's
3 statement. Thank you.

4 MS. LANGDON: Could we have
5 a copy of your written statement for the record, too?

6 SHIRLEY HAMILTON: You know what,
7 I've got to clean up those typos. I'll e-mail it to
8 you.

9 MS. LANGDON: Thank you,
10 Shirley. Anyone else wish to speak? Anyone else?
11 Sir.

12 HENRY R. KRAWCZYK: Well, I don't
13 have a long list.

14 MS. LANGDON: Could we have
15 your name and address first?

16 HENRY R. KRAWCZYK: Yes. My name
17 is Henry Richard Krawczyk. I live at 5659 John
18 Avenue, in the City of Niagara Falls. This is just
19 off of 56th Street.

20 And I've thumbed through some of
21 these notes, and I see like direct effects, indirect
22 effects, and other things that pertain to me and
23 impact me on a very personal level. The reason that

1 this is impacting me so severe is that because of my
2 proximity to the former Cecos waste dump, every
3 night I have to tolerate an extreme noise level,
4 compounded by the trains that are coming through on
5 the tracks. I can see the train right from my
6 house, and it is loud, just the train itself; not to
7 mention the whistle-blowing, the steam. The train
8 will actually sit right across from my house and sit
9 there and idle, with a low rumble.

10 Also, in regards to the noise
11 level coming from these plants, because they keep
12 expanding on 56th Street, including a turbine that
13 is used for this waste treatment plant where they
14 burn garbage, they have to use the steam to spin the
15 turbine. That turbine is off balance, and I feel it
16 in my house. I can't set a piece of paper on any
17 flat, level countertop and not have it fall off
18 every day. In fact, in living in my house, I'm
19 woken up in the middle of the night by things
20 falling off the shelves, falling off the walls
21 constantly. My windows rattle with the spring
22 inside, a high-pitched vibration. I can hear it.
23 It keeps me awake. I smacked on the wall, and it

1 stopped for a few seconds, and then goes back to
2 vibrating. This is what I have to tolerate right
3 now.

4 Not to mention the smell and the
5 odor coming from all these factories that are
6 burning this waste currently, including the former
7 Niagara Refuel. And as far as I know, I believe
8 that this Covanta has bought out Niagara Refuel.

9 Well, that's all well and fine.
10 They've got a modern-engineered German furnace, with
11 these high-temperature revolving drums that can burn
12 up most waste products. But when anything is
13 incinerated, it still has to go up a stack, and the
14 wind blows in my direction. I breathe it. I have
15 asthma now. This is how it affects me personally
16 every day of my life.

17 Now, when I first bought this
18 house, I moved into it many years ago, just off of
19 56th Street, there were existing railroad tracks.
20 They were rusted over; they were abandoned; they
21 were not used. The amount of noise coming from the
22 factory was nil; didn't hear anything. There was
23 Goodyear over there; they're minding their own

1 business. Didn't smell any fumes. Life was
2 pleasant. I could go outside and enjoy my backyard.

3 Right now, the sound pressure
4 level is so intense in my backyard on any given day
5 that there is no enjoyment to be seen. I've got
6 picnic tables set up back there. I can't sit there
7 and enjoy a picnic by myself, or invite over
8 friends; they'd say what is that smell; they'd say
9 what's all this noise coming from.

10 And currently, since Covanta has
11 been operating on a lower scale right now, just
12 recently, within the last week, at five o'clock in
13 the morning they had a pressure release valve
14 pressure release steam. I know what it is. I'm a
15 technical person. So in other words, if you're
16 doing such a good job now, then why is a pressure
17 release valve popping off and blowing out steam at
18 such a high-pressure sound level that I'm sure for
19 blocks around it woke everybody up?

20 I mean, everybody in that
21 neighborhood, if they knew about this meeting, would
22 probably be here. But a lot of these meetings -- I
23 just found out about this two days ago, because I

1 happened to inquire. Okay.

2 I live in this area, and it's
3 intolerable. I can't breathe. I caught the flu
4 because of the asthma induced by all the chemicals
5 that I have to smell right now, because -- it's just
6 plain common sense. You know, you burn a hazardous
7 waste thing, and you're going to have fumes coming
8 off. And where is the wind blowing? Right towards
9 my house.

10 Two weeks ago, I opened up the
11 door to go into my hallway, the smell was so bad I
12 actually vomited. And the smell, in that case, was
13 coming from the Cecos waste dump. In regards to the
14 Cecos waste dump; I have a friend now that is dead,
15 so he can't be a witness, but the corrupt city
16 politicians were issuing permits --

17 MS. LANGDON: Could we keep
18 this to the Covanta project, please?

19 HENRY R. KRAWCZYK: Okay.

20 MS. LANGDON: That's what
21 this hearing is for, sir. We appreciate your
22 comments.

23 HENRY R. KRAWCZYK: All right. I

1 object to Covanta operating here. And it's just not
2 common sense for Covanta to import all this garbage
3 from New York City. Why should we have to provide
4 this service to New York City? If Covanta wants to
5 do this, I'm going to tell them dismantle that
6 plant, ship it to New York City, or a surrounding
7 area over there, not in the heart of a city, and
8 operate over there. There's no reason why they
9 couldn't do that. But it's cheaper and easier to do
10 it here.

11 And this public cry; oh, we're
12 going to have a new company come into Niagara Falls
13 to provide jobs. Well, she wants me to stick to the
14 topic, but I can personally vouch for many, many
15 times that that was the cry that the city
16 politicians said in order to provide permits to
17 companies, and also to give them all kinds of tax
18 abatements. I pay my taxes. I pay my taxes for
19 living right next to where they're polluting the
20 hell out of me. Okay. I've got to breathe these
21 fumes every day. I've got to feel the vibrations.
22 I wish I could rap this table as bad as I have to
23 live with it every day. Because they won't even

1 engineer this centrifuge, and you know, get things
2 operating correctly, where it's balanced.

3 Not to mention, they're having a
4 valve pop off in the middle of the night. And it's
5 not once; this goes on repeatedly. So if they're
6 allowing this to happen, who is monitoring all these
7 gauges? Why are they wasting this so-called
8 precious steam.

9 And in regard to that other paper
10 plant that's going to utilize not only the steam
11 that's generated, but additional steam, I thought
12 this was to produce electricity. I don't see our
13 electric bills going down. We're taxed the highest
14 on our electric bills in the state now. In fact,
15 we're second-highest in the nation, from what I
16 understand, and we don't even get our electricity
17 from the Falls. We get it from the Huntley Plant,
18 okay, creating a lot of pollution.

19 And I don't understand why Niagara
20 Falls, New York, that's supposed to be on the
21 premise of this beautiful city being in Niagara
22 Falls with its natural wonder, why we've got to be
23 the waste dump of the world; because we're getting

1 it from Canada; we're getting it from New York City.
2 All the electricity -- well, most of it that we're
3 generating from the Falls is being shipped right
4 across our state to New York City for them to use
5 it. Why do I have to put up with the burden?

6 Those high-tension towers are
7 directly over my head, right where I live. Is it
8 frying my brain? Maybe. I don't know. By my
9 personal experience, certain people are immune to
10 the electromagnetic waves, and other people are more
11 susceptible. I have a childhood friend that lived
12 under it, and went to school under it. He died a
13 long time ago. A lot of people are dying in Niagara
14 Falls.

15 MS. LANGDON: Mr. Krawczyk,
16 do you have anything else that you'd like to add
17 about this Covanta project?

18 HENRY R. KRAWCZYK: Yes. I don't
19 think it's fair to allow this to go on. Okay.

20 And also, in regards to them
21 burning waste; already we're trucking in all kinds
22 of dioxins. Okay. Now they're going to burn waste;
23 could be commercial waste, could be industrial

1 waste. What about medical waste? Nobody said
2 anything about medical waste. The thought of them
3 taking in medical waste in New York City; they've
4 got hospitals out there; burning somebody's heart or
5 liver, and the fumes go up into the air, and then
6 I've got to breathe it in. Is that right? Is that
7 fair?

8 I'm paying my taxes. And for
9 what, twenty-three jobs, they get all kinds of tax
10 abatements? Okay. This is not fair. It's not
11 right. And it's about time people look at this from
12 a common-sense perspective, not from a
13 dollars-and-cents, you know. Everybody knows, but
14 they're not mentioning it.

15 This one nice lady here did
16 mention something about us having a high cancer
17 rate. And what about Cerebral Palsy? I think that
18 we're like one of the highest in all of the United
19 States. And we're having all these ill health
20 effects.

21 So how does it impact me right
22 now? I can't grow a garden anymore, because all
23 these chemicals are leeching over. I can't enjoy

1 going outside because of the vibrations caused by
2 this centrifuge, and everything else that they're
3 doing over there. And then I'm constantly being
4 woke up in the middle of the night because they're
5 blowing off steam; just the sheer nonstop volume of
6 noise, it's deafening at times.

7 MS. LANGDON: And we
8 appreciate your comments. I think that we get the
9 gist of what you're saying, and the Board will see a
10 transcript of your comments before they make their
11 decision. Thank you.

12 HENRY R. KRAWCZYK: Well, I'd like
13 to add one final thought. And quite honestly, I'm
14 sick of our politicians that we elect, some of them
15 are appointed for us, them issuing permits for these
16 outside companies to come into our city and our
17 town, and allowing them to do certain things that
18 affect us personally. Okay. And this is how it's
19 affecting me personally every day. And I object to
20 that, and I'm adamant. Who knows how long I'm going
21 to live.

22 But if these city politicians
23 issue permits and condone this company importing

1 further garbage from New York City, or anywhere
2 else, coming into our city, where it's going to
3 affect me and my neighborhood, and all the citizens
4 surrounded in this area, then I'm going to start
5 class action suits, not only against Covanta, but
6 the individual city politicians that continuously allow
7 this to go on in our city to kill our citizens. I'm not
8 talking about, you know, just inconveniencing
9 us. I mean, this is affecting me on a very personal
10 level --

11 MS. LANGDON: Yes, sir.

12 HENRY R. KRAWCZYK: -- severely
13 right now.

14 MS. LANGDON: We appreciate
15 your comments. We really appreciate your comments.
16 This is the IDA hearing for Covanta. I think we get
17 the gist of what you're saying. And like I said,
18 the Board will read what you said.

19 HENRY R. KRAWCZYK: Okay.

20 MS. LANGDON: Thank you very
21 much.

22 HENRY R. KRAWCZYK: Thank you.

23 MS. LANGDON: Does anyone

1 else wish to speak? Ma'am.

2 MARY ANN ROLLAND: I came more
3 for information. My name is Mary Ann Rolland. I
4 head Rolland Development Company. I restore
5 historic houses in Niagara Falls. I'm also a member
6 of Citizens for Responsible Government in the
7 Youngstown/Lewiston area.

8 So I'm very concerned about these
9 environmental issues. And hearing the information
10 that has been presented, I am really feeling that
11 it's not a good recommendation for the City of
12 Niagara Falls. We're losing people here in Niagara
13 Falls right and left, and to have hazardous waste
14 burning right in the city -- I was driving by 190
15 last night right around the big landfill, and there
16 was very toxic odors coming off that area. And it
17 was just right there near where it goes by the
18 Fashion Outlet Mall. So that can't be good for
19 business in that area, you know, if you're renting,
20 releasing these odors, and so on, for hazardous
21 waste.

22 I don't know what this special
23 waste is that is going to be included. But if it's

1 medical waste, I think that should be eliminated
2 from the permit. I don't think you should allow
3 medical waste to be included at all, because of the
4 health concerns that it can promote.

5 They're going to put a new
6 smokestack up. It will probably be a lot taller.
7 It will spread over a lot wider area, and our whole
8 region will be impacted.

9 So I think there's some very good
10 things about using the rail instead of the trucks.
11 I mean, we're fighting the truck traffic for
12 hazardous waste for our schools down in
13 Lewiston/Porter. And so that's a good thing.

14 And I know how desperately we need
15 jobs in this area. But I think the IDA really needs
16 to take another look at this, and not give them
17 eight million dollars for doing this. That just
18 doesn't make sense to me. That's all I have to say.

19 MS. LANGDON: Thank you very
20 much, ma'am. Anyone else?

21 Seeing that no one else wishes to
22 speak, I'll close the hearing. It's now --

23 HENRY R. KRAWCZYK: Could I add an

1 additional statement about the IDA?

2 MS. LANGDON: You had your
3 chance, sir. I can't -- there's only one --

4 HENRY R. KRAWCZYK: Well, I'd like
5 to --

6 MS. LANGDON: I'm sorry, sir.
7 You had your chance.

8 HENRY R. KRAWCZYK: Okay.

9 MS. LANGDON: Okay. I'm
10 going to close the hearing. It's four fifty-two
11 P.M. Thank you, all, for coming. Thank you for
12 speaking this afternoon.

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