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Ithacans Protest Cleanup Settlement

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The Ithaca Gun Company's former site has been the subject of much controversy as all groups involved have resisted taking responsibility for a potentially expensive cleanup after investigators uncovered lead contamination there. A group of Ithaca residents responded in a letter to the Environmental Protection Agency (EPA) protesting the current settlement for the factory's cleanup.

The settlement calls for a \$4 million federal cleanup and asks for monetary contributions from the city of Ithaca, State Street Associates, L.P. II and Fall Creek Redevelopment. The EPA can either modify or withdraw its consent from the agreement if it feels that the agreement does not live up to appropriate, adequate standards.

Walter Hang, president of Toxics Targeting, a company that specializes in the mapping of environmental contamination hazards, and Ithaca resident Fay Gougakis were the original signatories of the letter, which states that Cornell University and Ithaca Gun Co. should be responsible for the costs of the cleanup.

After being granted a 15-day extension on the settlement's public discussion period, originally slated to end on March 13, Hang and Gougakis were able to secure 26 additional signatures for the letter. Among those who signed the letter were Cayuga Nation member Timothy Two Guns and many residents of the city's Fall Creek neighborhood.

The letter states that the signatories "believe that taxpayers must not bear financial responsibility for cleaning up toxic problems that they did not create," and furthermore that they "urge the EPA to require the Ithaca Gun Company and Cornell University, two former owners of portions of the site, to contribute to the cleanup cost."

The EPA settlement calls for the City of Ithaca, which bought the property on Lake Street from Cornell in 2000 for one dollar, to contribute \$150,000 to the cleanup. State Street Associates, L.P. II, which owns the buildings at 121-125 Lake St., is to pay \$165,000, while Fall Creek Redevelopment, which plans to purchase and renovate the property, is slated to pay \$50,000.

Hang said that Cornell had "[done] their utmost to evade liability for at least five years," at the time of the city of Ithaca's purchase of the property.

"Cornell was totally aware of what was going on," Hang said.

Hang expressed the most concern about the settlement's potential long-term consequences, saying that it could "set an incredibly bad precedent that would ultimately take the liability from the responsible parties and shift it to the taxpayers ... at a minimum, Cornell should reimburse the City of Ithaca the \$150,000 [owed by the city under the current settlement]."

The EPA has ruled that Cornell is not responsible for payment because it neither caused the contamination of the site nor purchased it initially from the Ithaca Gun Company. According to George A. Shanahan, assistant regional counsel of the EPA's New York/Caribbean Superfund Branch, Cornell had little knowledge of the situation until approximately five years before it sold the property to the city.

According to Henrik N. Dullea '61, vice president for University relations, Cornell knew of the situation just prior to its sale. He also stated, however, that all involved parties had this same information. In addition, the University believes that it is not responsible for the cleanup of a contamination that it did not cause.

"We didn't cause the pollution ... we're an innocent neighbor," Dullea said. He went on to say that these most recent allegations are nothing new. "It has not been accepted by the EPA after thorough review."

"There's no reason the University should spend [students'] tuition money" on a cleanup for which the University is not responsible, he added.

Gougakis disagreed, saying that Cornell "should have been morally and ethically responsible. We're in a tight situation right now financially as a city. I'm very grateful for a lot of what Cornell does, but I think it could do a heck of a lot more."

Ithaca Gun Co., now located in King Ferry, also believes it should not have to bear any of the costs because of a change in ownership.

Shanahan said that it would be difficult to determine when a resolution will be reached.

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