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## ■ THE SILENCE OF THE POLITICIANS

### The Seneca Gaming Corporation and the H-O Asbestos

According to documents obtained by casino opponents last week, Buffalo Mayor Byron Brown's office has for some time possessed Seneca Gaming Corporation studies indicating that the silos comprising the H-O Oats grain elevator were coated with a 54,000-square-foot skin that was between eight and 14 percent asbestos. Brown's office did not include the studies in its response to a FOIA request. They came to light only because of repeated requests by plaintiff's lawyers in one of the anti-casino court actions.

Starting on the Memorial Day weekend, the SGC set about tearing down the silos using a process that could not help but release huge quantities of asbestos-laden dust into the air. The dust drifted all over the neighborhood, primarily to the east—to the offices and homes in the Elk Lofts and the hundreds of apartments in the Perry Street projects. Sometimes, when the wind shifted, the dust drifted toward Dunn Tire Park, where thousands of people watched evening baseball games and came out to find their cars coated with the stuff.

The only mitigation used by the SGC's wrecking crew was a water spray that didn't come within 30 feet of the tops of the silos, and some of the time it wasn't even pointing at the same side of the wall being wrecked, so whenever the wrecking device smashed into the wall, you'd see some dust and wreckage fall down, and other dust drift up and away.

If you stood in the driveway of the Elk lofts across Perry Street from the site, you could sometimes feel a fine, moist spray on your skin. When the water dried the dust would be left on your skin or clothes or on the ground or on buildings where the water had fallen, ready to join the other dust blowing eastward, toward the Perry Street projects.

According to SGC spokesman Philip Pantano, there was nothing to worry about because the asbestos covering the silos wasn't dangerous asbestos. His theory seemed to be that all 54,000 square feet of asbestos covering the silos fell to the ground where it was wetted down and carted away. (Pantano seems to have replaced SGC President Barry Snyder as the gambling organization's public face, perhaps because Snyder almost always said something so arrogant or contemptuous that his statements wound up angering more people than they assuaged.)

It is difficult to believe that only concrete but none of the asbestos skin was pulverized when the 1,500-pound wrecking device hit, or that none of that pulverized asbestos was in the dust drifting across and down Perry Street. Dust like that settles on things; people breathe it; it gets into the water supply.



Jeff Bechtel is the EPA's Emergency Response On-scene Coordinator. The EPA is currently testing the air for asbestos at the HO Oats demolition site. PHOTOS BY ROSE MATTREY

Pantano's theory is so unlikely you would have thought that at least one of the neighborhood's elected representatives would have demanded some guarantee of public safety beyond the SGC's assertion that they'd do nothing harmful to anyone. You would have thought they would have done their own independent evaluation of the likely effects of pulverizing that asbestos covering the concrete. And after the wrecking started and it became clear that the demolition company was doing nothing beyond the single water spray, you'd have thought they'd have demanded an independent analysis of what was being dumped in the street and the air.

Only Erie County Executive Joel Giambra bothered to have such an independent analysis done. The sample, which County Attorney Lawrence Rubin picked up in the street off the site, contained eight percent asbestos, whereupon Giambra asked the EPA to intervene.

Not a word or a question from Buffalo Mayor Byron Brown, who had the SGC's own reports documenting the 54,000 square feet of asbestos covering.

Not a word from Common Council President David Franczyk, in whose district all this has been going on. Not a word from State Senator William Stachowski or State Assemblyman Mark Schroeder.

The SGC says it's not subject to New York environmental law, so perhaps those elected representatives kept quiet because they thought they were impotent. More likely, they had other reasons.

Any one of them could have asked for federal intervention, as Giambra did. Not one of them did it.

And neither did the district's and area's three federal representatives. Not a word from Congressman Brian Higgins. Not a word from Senators Charles Schumer and Hilary Clinton. (The senators may be silent because they don't want to annoy

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PHOTO BY ROSE MATTREY



asbestos-laden dust. There's a huge amount of money and political pressure encouraging politicians to emulate the three monkeys who see, hear and speak no evil. Why else would Buffalo's city hall have maintained this exquisite silence?

Will the EPA shut it down? Will the EPA force a major clean-up? Will the EPA seal the site? There is great pressure on all federal agencies these days to let casino things slide. Indian casino money is fattening many Congressional PACs (notably that of Tom Reynolds, who regularly receives big checks from several Western gambling tribes). But the EPA was embarrassed when word got out that it had given in to White House pressure and softpedaled environmental dangers in New York City after the September 11 disaster. It may want to use the Buffalo case to show that it really does take its job of protecting the public seriously, however much money is being thrown around and however

the Sullivan County business interests who are trying to get an Indian casino in the racetrack there. Who knows why people don't do things they should?)

Not a word from the *Buffalo News*, at least not until the EPA came to town on Sunday, after which, in Monday's paper, Michael Beebe detailed the whole sorry affair.

It's now all up in the air, along with the

much political pressure is being applied. Stay tuned.

—bruce jackson

Bruce Jackson is SUNY Distinguished Professor and Samuel P. Capen Professor of American Culture at UB. For a slideshow of his photographs of the demolition of the H-O Oats elevator, visit <http://buffaloreport.com/ho/ho.html>.

av

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## REPUBLICANS PROPOSE BILL TO OUTLAW GAY ILLEGAL-IMMIGRANT MEXICAN MUSLIMS

by WARD "SAME OL STORY" SUTTON

SENATOR SHITHEAD, REPUBLICAN, IS WORRIED ABOUT HIS RE-ELECTION.

I'M UP TO MY FLAG LAPEL PIN IN BRIBERY ALLEGATIONS, ABRAMOFF SCANDAL LINKS AND EMBARRASSING TIES TO HOOKERGATE!

BY GOLLY, IT'S TIME I STRAIGHTEN OUT AND GET BACK TO DOING WHAT THE PEOPLE ELECTED ME TO DO IN THE FIRST PLACE.

STATESMAN THAT HE IS, HE TAKES TO THE SENATE FLOOR.

MY FELLOW AMERICANS, THIS CRUCIAL MOMENT IN OUR NATION'S HISTORY CALLS FOR UNITY, NOT DIVISIVE POLITICS.

HOWEVER ...

UNLESS YOU WANT ALL YOUR VIRGIN-ASSED SONS PERVERTED AND CONVERTED INTO MARRYING SOME GREASY, BROWN-SKINNED JOB-STEALING HOMBRE NAMED CHICO AND FLYING A PLANE INTO A SKYSCRAPER ...

THEN WE MUST OUTLAW GAY ILLEGAL-IMMIGRANT MEXICAN MUSLIMS -- BEFORE NOVEMBER!

SENATOR WIFFLEBRAIN, DEMOCRAT, SQUIRMS OVER HOW TO RESPOND.

SHITHEAD'S PROPOSAL IS LUDICROUS. IT'S UGLY, OFFENSIVE AND AGAINST EVERYTHING I BELIEVE AMERICA STANDS FOR.

STILL, WE CAN'T AFFORD TO RISK OUR PARTY'S LEAD IN THE POLLS BY TAKING RECKLESS, CONTROVERSIAL STANDS ...

AND SO ... WE DEMOCRATS CONSIDER KEEPING OUR NATION SAFE FROM THE THREAT OF GAY ILLEGAL-IMMIGRANT MEXICAN MUSLIMS OUR TOP PRIORITY.

HOWEVER ...

WE BELIEVE THAT TECHNICALLY THIS BILL IS UNNECESSARY AND THEREFORE STAND AGAINST LETTING IT GO TO THE FLOOR FOR A VOTE.

LATER, POST-ELECTION ...

STILL GOTTS NO HEALTH 'SURANCE, STILL GOTTS TO DRIVE TO CANADA T'GET AFFORDABLE MEDICINE FER MA, STILL DON'T KNOW WHEN MY BOY'S COMIN' HOME FROM IRAQ ...

BUT THANK GOD WE KEPT THEM SOFT-ON-GAY-ILLEGAL-IMMIGRANT-MEXICAN-MUSLIMS DEMOCRATS OUT OF OFFICE!!

Mark Freedman

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