

**MOHAWK COUNCIL OF AKWESASNE**  
**Mohawk Governments of Akwesasne Position Paper for Environmental Protection Agency's Proposed Remedial Action For General Motors Corporation Central Foundry Site Superfund Site St. Lawrence County, Massena, New York**

**Introduction:**

The Mohawk people of Akwesasne have existed on the shore of the St. Lawrence River for hundreds of years. The St. Lawrence River was the source of food and material resources which kept the Mohawk Nation strong. This river has been the prime focus of Mohawk commerce, transportation, and communication with other Native Nations around the Great Lakes. Protection of the St. Lawrence River waters, lands and ecosystems have been central to the Mohawk Governments. In 1834, the Mohawk Nation Council of Chiefs addressed their concerns to the Beauharnois Barge Control Structures. The Mohawk Nation Chiefs were concerned that the construction of the control structure would adversely effect the fish spawning beds, the grassy shore meadows and the habitats of the animals which live on the shores and islands of the St. Lawrence River. At this time, the Non-Native government didn't understand the concept of environment or it's protection. In the late 1940's and 1950's the Mohawk people of Akwesasne again approached the Nation governments of Canada and the United States Concerning the effects of the St. Lawrence Seaway on the ecosystem of the St. Lawrence River. The people viewed the construction of the Seaway not as a marvelous monument to engineering but as a destructive mechanism. This mechanism would destroy lands, waters courses, flora and fauna of the St. Lawrence River. Again our neighboring governments did not understand the environment. From the 1960's until the 1990's, the Mohawk people of Akwesasne have watched the prophecies of our elders come true in surprising and disastrous ways. The lands of Akwesasne, once known for their agriculture, no longer sustain cattle or crops because of fluorides and a host of other contaminants from near by industries. The waters of the majestic St. Lawrence River are poisoned by PCB's, mercury and many contaminates, making the fish and wildlife resources, unfit for human consumption. The marches of Akwesasne have been eutrophicating at an alarming rate due to the modified water levels regime of the St. Lawrence River, decreasing the harvests from hunting and trapping. Once traditional economies of Akwesasne which depended upon natural resources and a keen barter systems now lay in ruins, however the Non-Native governments have finally come to ask our opinion. There are several United States Federal Environmental laws amended to included provisions recognizing and treating Indian Tribes as responsible governments.

They include the Clean Air Act, Clean Water Act, Safe Drinking Water Act ( CERCLA) CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) requires the Environmental Protection Agency (EPA) to afford Indian Tribal governments substantially the same treatment as it does the States in the Superfund Program (CERCLA, Native perspective of accountability for the effects of decisions on the next seven generations of children. These environmental principles must be strong enough to protect the unborn generation so that they can give a good life. These clean-up criteria are:

1. Environmental protection is the cardinal principle of remedial action. It includes human health, because we are not separate from the environment.
2. The GM-Massena site must be remediated in its entirety. Division of the site into some areas that will be remediated is unacceptable. Adequate time will be taken to establish the best technology to remediate all areas.
3. Tribal standards on ambient levels of polychlorinated biphenyls (PCBs) in soils, water, sediments and air constitute appropriate or relevant and applicable requirements (ARARs) for clean up under the Superfund Amendments and Reauthorization Act (SARA 1986).
4. The goal of remediation is the permanent reduction of toxicity.
5. Each and every type of hazardous chemical shown in the Remedial Investigation (RI) to be present at the GM-CFD Massena site must be remediated. Approximately two dozen hazardous chemicals were identified in the RI.
6. The physical destruction of soils and sediments is to be avoided wherever possible. The goal of the clean up is restoration of the site such that it can be re-inhabited by local flora and fauna and once again play an active role in the ecosystem of the St. Lawrence River.

**Recommendations**

After an extensive review of all the consultants reports, the Mohawk Governments of Akwesasne recommended that:

1. Mohawk Tribal PCB standards be applied as ARARs for the entire GM-CFD Massena site, the same as New York State ARARs are applied to the entire site.
2. State clearly all Mohawk soils and sediments that are included in the Remedial Action Plan. Mohawk Sediments in the St. Lawrence River, the Raquette River and in Turtle Creek, as well as Mohawk soil form Turtle Creek to the GM-CFD property line, must be accounted for.
3. Justify the gigantic increases in the Feasibility Study in the volume of 500 ppm contaminated material in the Industrial Landfill. What is the basis for the gigantic increase compared to the remedial investigation? Explain how the same database resulted in calculations of 31,000 cubic yards. in the Feasibility Study.
4. Remediate the Industrial Landfill by destroying PCBs and other hazardous chemicals. Containment is not a permanent option.
5. TSCA Regulations are not considered appropriate for this Remediation Site.
6. a) Rejection biodegradable as a treatment alternative unless and until it has been shown to be effective on the basis of Treatability Studies, Pilot Studies, and Field Testing at the GM-Massena site.  
 b) The effectiveness of biodegradation as a treatment remedy for all hazardous chemicals in all areas of the Site should be demonstrated.

7. The Record of Decision must include:

- a) Public Education Program
  - b) Treatability Study to determine the effectiveness of the Proposed Remedial Technologies.
  - c) Establish procedures and protocols for public and governmental control of the Proposed Remedial Actions. Oversight Capabilities.
  - d) Addition contaminate sampling and analysis of the Lagoon.
- The reasons we are asking for the requirements is due to the late arrival of the Canadian government in the review process. The uncertainties of the United States, New York State and Mohawk Tribal Council precludes any reasonable Record of Decision at this time. Delays caused by PRAP decision has lead to serious flaws being identified in the PRAP. Lastly a raising constituency demanding public involvement will not be satisfied until they are convinced that the PRAP is safe.
8. Pilot study and field test alternative treatment technologies, such as chemical dechlorination, prior to the Record of Decision. These technologies are likely to be significantly more effective, and more cost-effective, than biodegradation. The reason is that unlike biodegradation, which is specific for PCBs, these technologies are capable of remediating a number of hazardous organic chemicals that are present at the GM-Massena Site in addition to PCB's. Selection of one treatment technologies, should be made on the basis of pilot studies and field testing prior to the Record of Decision.
  9. Characterize the more than 80% of liquid, sludge and underlying soil in the lagoon area that have thus far eluded sampling and analysis. Characterization of the lagoons should be completed prior to final remedy selection and prior to the Record of Decision. The available evidence makes it clear that PCB biodegradation is not an effective treatment for the lagoons, because the major lagoon contaminants are phenol, substitute phenols and polynuclear aromatic hydrocarbons, not PCBs.
  10. It is imperative that monitoring of excavating material and of treatment residues be made a prominent and integral part of the Proposed Remedial Action Plan.



**Last Trip of the Year for Students**

The Akwesasne Mohawk School grade 1 & 2 students enjoyed their field trip to Beautyrock Plantations in Martintown and to Rossy's in Cornwall, June 19, 1990. Their day started out with a hay ride around the gardens, afterwards they were given baskets to pick strawberries. At Rossy's they were taken on a tour around the factory. The workers were very cooperative and enjoyed showing the children the many different designs and techniques of making glass. During their visit here many students happily participated in helping the Indian Time reporter by taking pictures and asking their own questions. The workers at Rossy's make approximately 1 ton of glass a day. After the glass is made and designed and ready to be sold they send it all over the world, mainly Canada and the United States. The salary for these workers is \$10.00 per hour. No education is needed, but you must be able to work with your hands. The young reporters of the day are Andrea Jacobs, Kekiokwarokwas Thompson, Blake Diabo, Brandon Francis, Brittney Benedict, Nathan Thompson and Justin Francis.



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