

County lawmakers to vote on opioid law, fracking waste plant resolution

By Rick Miller, County Reporter | 3/13/18

LITTLE VALLEY — Cattaraugus County lawmakers will hold a public hearing Wednesday on a proposed local law declaring the heroin/opioid crisis, which has gripped the county for the past several years, a public nuisance.

The public hearing will be held in the legislative chambers on the third floor of the County Center shortly after the County Legislature convenes at 4 p.m. Legislators are expected to approve the local law following the public hearing.

Several groups and individuals are expected to attend to urge passage of the local law.

County officials have been advised that declaring the epidemic a public nuisance may make it easier to recover costs incurred in the epidemic from a separate lawsuit against drug companies and distributors who contributed to overprescribing opioids.

State statistics show 14 Cattaraugus County residents died of heroin/opioid overdoses in both of the last two years. Dozens of people who overdosed were saved from death by Narcan, a heroin/opioid antidote.

The heroin/opioid addiction problems in the county mirrors that in other upstate counties.

County officials believe that drug manufacturers and their

representatives and distributors had misrepresented opioid drugs to physicians relative to both their pain-relieving and addictive properties.

The county has retained the New York City personal injury law firm Napoli Shkolnik, which represents Niagara County and several other counties across the state in a class action lawsuit against drug manufacturers and distributors accused of contributing to the heroin/opioid crisis.

County legislators are also expected to approve a resolution of support for the Seneca Nation of Indians actions opposing a treatment plant for fracking waste on the banks of the Allegheny River in Coudersport, Pa.

A Pittsburgh-based company, Epiphany Allegheny LLC, is seeking permits to build a plant in Coudersport for fracking wastes from the Pennsylvania shale gas fields. The treated waste would be discharged into the Allegheny River.

The Seneca Nation government and individuals have been vocal in their opposition to the fracking waste being disposed of in the Allegheny River that flows through the Allegany Territory.

Legislature Vice Chairman Susan Labuhn and David Koch, both Salamanca Democrats, and Minority Leader John Padlo, D-Olean, sponsors of the resolution that is expected to be introduced for immediate consideration on Wednesday.

Seneca President Todd Gates said last week he welcomed Cattaraugus County's support in opposing the fracking waste treatment plant that would empty into the river running through the Senecas' Allegany territory.

The Allegheny River enters New York south of Portville. After flowing through Portville, Olean, Allegany and Salamanca, as well as the Seneca Territory, it empties into the Allegheny Reservoir.

The Senecas are afraid that radioactivity from fracking wastes won't be removed by the Coudersport treatment plant and will get into the water, its fish, plants and animals that depend on the river.

Epiphany Allegheny officials say the plant's two-stage filtration would remove metals and any radioactive materials, which would be disposed of in a special landfill.

The salts removed from the waste could be used for ice control on roads during winter.

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