

Southside: Love Canal lawyer stands guard for school

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The state also sampled surface water and is taking air samples inside the school.

The samples are being tested for contaminants, and preliminary results are expected in a few weeks.

At least 40 current and former students have developed cancer since the school opened in 1979.

Elmira City Manager Samuel Iraci Jr. said Slater, with more than 20 years of experience in environmental law, will make sure all the right questions are asked and answers are given.

"With the high degree of anxiety about Southside, there's a potential for problems," Iraci said. "It will be extremely beneficial for the community to have (Slater) working with us."

Slater said he will be a second opinion for community members, who have expressed some skepticism of the investigation.

"I will be a critical eye," Slater said. "I will review the analytical

results, and hopefully, I will be able to explain what the (test) results mean in layman's terms."

A green background

Slater said he stumbled into a career in environmental law. "I got lucky in a dumb way," Slater said.

It was summer of 1979, and he was working as a security guard in the county library in Buffalo. He had just finished his first year of law school at the State University of New York at Buffalo and needed to make money.

But he also wanted some legal experience. On the advice of a classmate, he volunteered to help Buffalo attorney Richard Lippes — "the godfather of toxic tort," according to Slater — the lead counsel representing 300 families who lived in the Love Canal neighborhood in Niagara Falls. The

community is known for its outbreak of childhood cancers that provoked the evacuation of the area.

"We trained him while he was still in college," said Lippes, a partner in Allen & Lippes law firm in Buffalo, which represents the Sierra Club and other nonprofit and environmental activist groups. "He was trained well."

By fall 1979, Slater was working part-time for Lippes on the Love Canal case. After graduating from law school in 1981, Slater became an associate counsel on the case that ended with the creation of the Superfund, which was established to pay for the cleanup of every toxic site in the state.

Today, Lippes sometimes finds himself facing Slater in court. Lippes' clients are often suing the large corporations and developers that Slater now represents.

"He's a good lawyer," Lippes said. "He's bright, quick on his feet and certainly has the experience."

Slater said he has defended all sides when it comes to environmental issues. He began as the legal voice of the Love Canal residents. Then he worked three years representing the state Department of Environmental Conservation.

"I understand how the DEC operates, its perspectives, what they need to achieve and their limitations," Slater said.

"I'd say in 99 percent of the cases, they are well-meaning," Slater said. "Certain policies must be followed."

Paul D'Amato, a regional attorney for the conservation department, said Slater is a capable and aggressive lawyer who always presents himself in a professional manner.

"He's a seasoned practitioner in a

very established law firm," D'Amato said.

Today, Slater represents private businesses, municipalities and developers, such as Buffalo-based Bendersen Development Corp., which owns Consumer Square in Big Flats.

Making a difference

One of the greatest satisfactions of his job, he said, is seeing something productive come from a once-polluted, hazardous property, such as the Trinity Foundry site in Elmira — a project on which he advised the city.

"I love to drive by and see the businesses that (are) appearing there," Slater said.

Redeveloping polluted sites follows one of his lifelong mottos: "Let's make an omelet out of broken eggs."

"And we see lots of broken eggs in the business," Slater said.

"I think what the city has done (at Trinity) has set a high standard and shows their commitment to turn an abandoned site into a productive area again," Slater said.

The property is now home to several new businesses, including BRBO Distribution Corp. and BOMAC Inc., which manufactures and designs electric circuit boards.

Slater said the city has been equally zealous in its interest in the Southside High School investigation.

Slater said he hopes he can help restore people's confidence in sending their children to Southside High School.

Focus turns to school

Slater has already gathered many of the maps, site plans, environmental studies and other documents

Craig A. Slater



■ **Age:** 44.

■ **Residence:** Williamsville, outside Buffalo. He was born in Elmira and attended school in Watkins Glen before graduating from Vestal High School. His parents, Gary and Nancy Slater, live in Vestal.

■ **Family:** Wife, Debra; children, Emily, 16, Kaylin, 13, and Jared, 10.

■ **Position:** Lead attorney of the Environmental Practice Group at the Buffalo office of Harter, Secrest & Emery law firm. He specializes in Superfund litigation, brownfields site development, petroleum remediation and cost recovery and environmental permitting.

■ **Education:** State University of New York at Buffalo, School of Law, Juris Doctorate, 1981; State University of New York at Buffalo, bachelor's degree in English, magna cum laude, 1978.

■ **Experience:** Worked nine years for Buffalo law firm on toxic tort and products liability litigation, including such high-profile cases as Bhopal, Times Beach and Love Canal. He also served as a New York state assistant attorney general in charge of the Civil Branch of the Environmental Protection Bureau in Buffalo for three years. He has extensive experience in coordinating public-private team environmental efforts and is a former member of the city of Buffalo's Medical Waste Task Force and Pesticide Advisory Board and Erie County's Plastics Task Force.

relating to the Southside High School property.

He is waiting for the preliminary test results from the state so he can then determine whether all the necessary tests have been conducted and also decide whether any health risks might be present at the school.

Julie Patros, a parent of a former student who has developed cancer and also a member of Southside Elmira Environmental Action League, said she was impressed with Slater's knowledge and willingness to talk with her and the seven other members of the league.

"He told us we were on the right track," Patros said. "He met with us for quite a long time. He seems like a very honest, down-to-earth person. He's on our side. He'll pull for us."

Councilman James Hare, D-6th, said Slater's report and statements

will reassure the 40 current and former students who have developed cancer and their families that the findings will be thorough and accurate.

"Ideally, we want nothing to be there — no chemicals or pollutants," Hare said. "But if that's the case, we need people to feel comfortable and confident with that."

The city is not liable for the cleanup and has no hidden interest in the property, Slater said.

Slater said his only interest is to provide the community with the most complete understanding of the environmental conditions at the property.

"He said his job is not to prove that environmental conditions are related to the cancer cases among students."

"Right now, we just need to find out what's there," Slater said.

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