



Pair asparagus
and ricotta in this
delicious dish **Food, D1**

BUCKS COUNTY Courier Times

\$1.50 WEDNESDAY, MAY 10, 2017

BUCKSCOUNTYCOURIERTIMES.COM



@COURIERTIMES



FACEBOOK.COM/BUCKSCOURIERTIMES

Shop owners: Pro-gun presidents slow sales

Conversely, an anti-gun president and the prospect of stricter laws always drives up sales, one owner said.

By **CHRISTIAN MENNO**
STAFF WRITER

“Hurry in before Hillary.”
The sign posted in August outside Crown Firearms in Pennsburg suggested to potential customers that if Hillary Clinton was elected president in November, she would likely push for stricter gun control laws.

“When there’s a threat to take guns away, people always buy more,” Michael Claypoole, the shop’s owner said recently when reminded of the sign. “An anti-gun president,” he said, “always drives sales.”

But with Donald Trump in the White House, along with his

decidedly more pro-gun platform, it appears that Pennsylvania residents no longer feel the urgent need to buy firearms.

According to numbers released by state police, the amount of background checks initiated prior to any gun purchase or transfer through the Pennsylvania Instant Check System (PICS) dropped by 40,468 from the fourth quarter of 2016 (when 330,519 checks were conducted) through the first quarter of 2017 (290,051 checks).

Further, those 290,051 checks are 21,259 less than the numbers reported for the first quarter of 2016 when 311,310 background checks were initiated, state police said.

When it was uncertain who would occupy the Oval Office after the election, PICS saw an uptick in activity. There were 257,499 background checks in the third quarter of 2016. And those numbers climbed by 73,020 in the following quarter.

Across the country, background checks through the National Instant Criminal Background Check System, also increased in the latter part of the year. According to numbers released by the FBI, there were 1.99 million checks in September. Increases occurred each following month, peaking at 2.77 million in December. The most recent NICS report shows there were 2.04 million checks initiated in April.

See **GUNS**, Page **A5**



CHRISTIAN MENNO /STAFF

Ken Pucci, co-owner of American Arms and Ammo in Hatfield Township, assists customer John Eble of Upper Moreland on Thursday.

Possible pollution solutions for Lower Bucks County

By **KYLE BAGENSTOSE**
STAFF WRITER

Part 4 of a 4-part series

Lise Baxter has lived in Yardley and worked in Bristol Township since the late 1980s. But she and husband George Baxter weren’t spurred to action until 2014, when wastewater treatment company Elcon announced plans to build a facility in Falls.

“We feel like we already have the majority of trash and pollution sources here,” Baxter said. “Adding (Elcon) crossed the line for us.”

In 2016, the two helped found Protect Our Water and Air, an environmental group intent on preventing Elcon from being built and tackling other environmental causes. Bucks POWA members have jammed meetings with protesters, organized educational events and petitioned local municipalities to pass resolutions against Elcon.

Currently under review by the state, the Elcon proposal calls for a 70,000-square-foot hazardous waste treatment plant in Falls’ Keystone Industrial Port Complex, not far from the Wheelabrator Incinerator and Waste Management landfills. Elcon officials say the plant would treat up to 210,000 tons of chemical and pharmaceutical waste annually; it would be brought to the facility by about 20 trucks a day.

The plant would use “thermal oxidization,” which company officials say is state-of-the-art technology that would leave compact, solid waste to be transported to waste disposal sites across the country. Opponents call the facility an incinerator and are dubious about the company’s claims the plant won’t pollute the air.

Baxter says POWA has received support from residents of Falls and surrounding townships who oppose Elcon, but she also senses that many feel helpless to block the facility.

“A lot of people in Falls Township also feel like there’s nothing they can do,” Baxter said. “They’ve already opposed the landfills, and they still got built. They opposed the incinerators, and they still got built.”

See **POLLUTION**, Page **A2**



CHLOE ELMER / PHOTOJOURNALIST

Lise Baxter, a founding member of Protect Our Water and Air, expresses her opposition to the proposed Elcon hazardous waste disposal facility in Falls.

Barrier\$ to Betterment

An occasional series on how income affects our lives

The environment

Sunday, Day 1: From heavy industry to waste disposal in Lower Bucks. Falls and Waste Management talk about the landfills.

Monday, Day 2: Exposure to pollution along the Delaware River.

Tuesday, Day 3: Respiratory risks; unproven causes.

Wednesday, Day 4: Possible solutions to prevent pollution.



KYLE BAGENSTOSE / STAFF

Waste Management opened the Wheelabrator Incinerator in Falls in 1994. It sold the property to Texas-based Energy Capital Partners in 2014. The facility burns about a half-million tons of garbage each year.



65° Mostly sunny, B3
42°

Index

Advice..... D5 Lotteries..... A2
Classified..... D7 Money..... A8
Comics..... D6 Obituaries..... B6
Community... B1 Puzzles..... D12
Editorial..... A10 TV..... D5

Trump ax falls on FBI’s Comey in midst of Russia probe

By **JULIE PACE** and **ERIC TUCKER**
ASSOCIATED PRESS

WASHINGTON — President Donald Trump abruptly fired FBI Director James Comey Tuesday, dramatically ousting the nation’s top law enforcement official in the midst of an FBI investigation into whether Trump’s campaign had ties

to Russia’s meddling in the election that sent him to the White House.

In a letter to Comey, Trump said the firing was necessary to restore “public trust and confidence” in the FBI. Comey has come under intense scrutiny in recent months for his public comments on an investigation into Democrat Hillary

Clinton’s email practices, including a pair of letters he sent to Congress on the matter in the closing days of last year’s campaign.

Trump made no mention of Comey’s role in the Clinton investigation, which she has blamed in

See **COMNEY**, Page **A5**



CELEBRATING NATIONAL NURSES WEEK
AMERICAN NURSES ASSOCIATION
Nursing: The Balance of Mind, Body, and Spirit
May 6-12, 2017

National Hospital Week
May 7-13, 2017
www.nationalhospitalweek.com
The Healing Heart of Healthcare

Pollution

Continued from Page A1

Experts say that while most environmental battles are uphill, activists often prevail. That's particularly been the case for incinerators in recent years, according to Mike Ewall, a Bensalem native and founder and director of the Energy Justice Network, an organization dedicated to pursuing environmental justice across the country.

"Ninety-nine percent of the time, (incinerator opponents) are going to win," Ewall said. "There's been hundreds of proposals (nationally), but no commercial scale incinerator has been built at a new site since 1997."

Ewall, along with Diane Sicotte, a sociology professor at Drexel University, say incinerator proposals are usually met with fierce public opposition, which can cause costly delays for companies and spook politicians and investors.

"Community resistance is really effective in getting rid of these incinerator projects," Sicotte said. "We would have many more in the U.S. and in the Philadelphia area if it wasn't for that."

Ewall says passing local air pollution ordinances is a strategy some townships have deployed to ward off incinerators. A licensed attorney in Pennsylvania, he says the federal Clean Air Act and Pennsylvania law allow local governments to create air standards that are stricter than state or federal laws. Creating such an ordinance is a better method than trying to use zoning, Ewall argues.

"If you have an industrial use already in place, it's hard to then roll that back," Ewall said. "With air regulations, that doesn't take place ... you increase the standards (beforehand)."

The air battle

Ewall adds that, in many cases, towns or counties will defer air pollution concerns to state or federal authorities. Adam Garber, deputy director of Philadelphia-based nonprofit PennEnvironment, says that can pose issues.

"The good news is the Clean Air Act ... is designed to use public health-based standards to ratchet down pollution," Garber said. "Unfortunately, all too often, these standards are influenced by special interests and the polluters."

Under the Clean Air Act, the Environment Protection Agency monitors six primary pollutants: smog, particulate matter (extremely small particles and liquid droplets), lead, sulfur dioxide, nitrogen dioxide and carbon monoxide. The agency regularly sets levels that communities must meet for each pollutant.

A Pennsylvania Department of Environmental Protection monitoring station in Bristol Township measures smog levels that are consistently the state's worst, and also exceed the federal smog standards.

In an email, DEP Southeast



A Pennsylvania Department of Environmental Protection air monitoring station sits behind Franklin D. Roosevelt Middle School off Route 413 in Bristol Township. Data from the station consistently show Lower Bucks air has more smog than anywhere else in Pennsylvania.

CHLOE ELMER / PHOTOJOURNALIST

Community Relations Coordinator Virginia Cain said the region has made "great strides" in improving air quality, as evidenced by falling pollutant levels. However, "Attaining the (smog) standard is still a challenge," she wrote.

Sicotte said one difficulty in lowering air pollutants such as smog is that regulatory agencies are often undercut by shrinking budgets, forcing them to rely on factories to self-report emissions.

"Corporations can get away with violating their permits," Sicotte said. "Our regulations could be a lot tougher, and we don't have enough people on the ground enforcing this stuff."

EPA, DEP speak

In an email, EPA regional spokesman Roy Seneca wrote the agency enforces air and water pollution through the Clean Air Act and Clean Water Act, but didn't offer any logistical details of its local inspections.

At the state level, the DEP says that, depending on the facility, some are required to submit quarterly compliance reports and others are required to continually monitor emissions. Enforcement staff conduct unannounced inspections of major facilities "at least once every other year," she wrote.

Waste sites are inspected monthly to yearly, depending on their size and permit, while the DEP inspects hazardous waste generators "at least once every four to five years," Cain added.

Arkema, a plastics company based in Bristol Township's former Rohm and Haas complex, is the largest emitter of toxic byproducts in the county, releasing approximately 40,000 pounds of chemicals into the air in 2014, according to the EPA. In an email, the company wrote, "We continuously monitor our pollution control equipment," and stated that its emissions "do not exceed the limits established by our (state) permits."

The company hasn't conducted air monitoring in neighborhoods near its plant, according to the email, but it hires an outside firm

every five years to independently measure emissions. In a typical year, Arkema said it will receive three "unannounced" visits by DEP inspectors.

Across the board, environmental experts say those who want to improve air quality should push for support and funding for regulatory agencies, which would enable them to create thorough air standards and enforce them.

Residents should "start talking about the health problems they're having from air quality issues with their legislators," PennEnvironment's Garber recommends. "Whether that's state folks or their federal people."

Garber also points to two key federal regulations residents can support: the Clean Power Plan, which aims to slash pollution from power plants; and the Cross-State Air Pollution Rule, which affects the permitting of facilities that pollute air across state lines.

Because much of Pennsylvania's air quality problems are the result of pollution blowing in from factories and power plants in the Midwest, Garber said, implementation of those regulations would improve local air quality.

Pursuit of justice

Advocates say one of the most difficult issues to address is environmental justice, which means ensuring low-income populations or communities of color aren't disproportionately saddled with pollution. Ewall said a series of court decisions have made it nearly impossible to establish a violation of the Civil Rights Act or other laws based on pollution, and very few cases brought on such claims have been won.

Data show some of Bucks County's lowest income communities and those with the most minorities are positioned closest to its heavy industry. However, the EPA wrote in an email that it's unaware of any involvement by the agency "regarding environmental justice" issues in Lower Bucks.

The Pennsylvania DEP recently kicked off a statewide

environmental justice "listening tour" in nine communities around the state, but none are in Bucks.

Amy Laura Cahn, an attorney and program director with Philadelphia's Public Interest Law Center, says the EPA's Office of Environmental Justice has a grant program that has helped some communities around the country address such issues. However, she adds that the EPA's Office of Civil Rights has a poor track record of investigating potential violations of the Civil Rights Act, which requires communities to get "creative" with legal action.

One community in the Bronx "used a common law nuisance suit to challenge a waste processing facility," and was able to shut it down because of its odors, Cahn said. And in Coatesville, Chester County, residents were able to limit 24-hour operation of a scrap yard by petitioning borough council to pass a noise ordinance, she said.

Clever zoning codes can also be a tool, Cahn said. But many solutions require active community interest groups, and Cahn said even environmental organizations have struggled to devote resources to environmental justice. "A lot of the traditional environmental organizations have been slow to respond, to listen, and to take leadership from communities of color," Cahn said.

Placing landfills

Landfill controversies aren't new in Bucks: During a trash capacity crisis in the 1980s, news stories reported on a countywide debate about where to put landfills. Ultimately, a controversial expansion of the GROWS landfill in Falls was allowed by the state Supreme Court, and trash continued flowing to the township.

John Hambrose, a spokesman for Waste Management, which opened its fourth landfill in Falls last year, said the township makes sense for landfill operations due to its location near major highways and local infrastructure. He added the company has no plans to look

elsewhere for future operations. And Falls, although opposed to expansion plans in the 1990s, didn't oppose the new Fairless Landfill.

Asked for the county's perspective, Lynn Bush, executive director of the Bucks County Planning Commission, says its out of their hands. "We have absolutely no control over zoning," Bush said.

Instead, she said, the county has been working to revitalize Lower Bucks through improvements to Route 13 and the waterfront. She said the county also initiated a study last year to find economic opportunities from the coming interchange between the Pennsylvania Turnpike and I-95.

Plus, there's been little complaint from the towns, she says.

"The communities that have been hosts to these landfills, in general, what we hear from them is that they're happy to have the income from (landfills) and to have their residents essentially have no property taxes," Bush added.

Bucks County could potentially exercise control over waste flow, according to Casey Coyle, an expert in waste issues and an associate attorney with Eckert Seamans, a law firm with offices in Philadelphia.

"For the past 40 years, state, county and local officials have been sort of acting as a laboratory to come up with different ideas to address this problem," Coyle, also a Pennsbury High School graduate, said.

Counties have tried a variety of approaches to limit landfills they view as nuisances. First, they tried to stop landfill companies from accepting out-of-state waste entirely. Then, they tried surcharges on out-of-state municipal waste. Then, they tried placing a fee on hazardous waste from out of state.

All approaches failed, struck down by the courts as violating the Constitution's commerce clause.

But in 2007, Coyle said counties finally gained a toehold in the Supreme Court's "United Haulers," decision. In that case, the court ruled a county could exercise some control on waste, but only if it built or maintained its own, public landfill and provided reasons why controlling the waste provided a public benefit.

Ever since, counties across the country have been testing the limits of what they can achieve through that ruling, while landfill owners and other industry groups have been challenging those strategies.

Could a county like Bucks open its own public landfills and take control over the amount of garbage flowing in? "I think that's an open question," Coyle said.

Kyle Bagenstose: 215-949-4211; email: kbagenstose@calkins.com; Twitter: @KyleBagenstose

TODAY

65°

42°

Mostly sunny

LOTTERIES Tue., 5-9-17

NEW JERSEY

Pick 3: 2-0-8, Fireball: 3
Pick 4: 3-8-0-2, Fireball: 3
Cash 5: 1-8-24-28-38, Xtra: 2
Midday Pick 3: 4-4-6, Fireball: 2
Midday Pick 4: 3-1-7-2, Fireball: 2
5 Card Cash:

PENNSYLVANIA

Pick 2 Day: 6-3, Wild: 5
Pick 2 Evening: 1-8, Wild: 7
Pick 3 Day: 5-9-0, Wild: 5
Pick 3 Evening: 1-2-4, Wild: 7
Pick 4 Day: 7-7-4-1, Wild: 5
Pick 4 Evening: 2-0-1-6, Wild: 7
Pick 5 Day: 9-0-3-9-6, Wild: 5
Pick 5 Evening: 1-0-4-6-6, Wild: 7
Cash 5: 10-12-16-27-37
Treasure Hunt: 3-6-8-15-25

ONLINE POLLS

buckscountycouriertimes.com

Should the state cap what state universities can pay graduation speakers?

👍 88%
 👎 12%

Vote in our latest poll

Should airlines be required to install a wire mesh barrier between the cockpit and cabin for additional security?

Sponsored by

CHRISTIAN
HEATING & AIR CONDITIONING, INC.
PA LIC #004411

ChristianHVAC.com

MULTI-STATE LOTTERIES

Mon., 5-8-17	Tue., 5-9-17	Sat., 5-6-17
Cash4Life:	Mega Millions:	Powerball:
22-34-42-46-57 3	6-29-45-69-73 11	11-21-31-41-59 21

Twitter: @CourierTimes
facebook.com/buckscountycouriertimes



CHLOE ELMER / PHOTOJOURNALIST
Lise Baxter, photographed with Falls filmmaker Tom Smith, says her organization has received support from residents of Falls and surrounding townships who oppose Elcon, but she also senses that many feel helpless to block the facility.

Vol. 108, No. 112
© 2017 Courier Times, Inc.
The Courier Times is printed in part on recycled paper and is recyclable.

Subscribers

HOW TO REACH US

Circulation Customer Service: 1-866-492-1514 (Toll free)
Business office: 215-949-4000
News: 215-949-4200
Classified: 1-866-938-3010
Obituaries: 215-949-4196
News tips: 215-949-4172
newstips@calkins.com

Circulation: Our home delivery customers should receive their paper by 6:30 AM weekdays and 8 AM Sunday. For service inquiries, please call our service center by 9 AM at 1-866-492-1514.

Notice: Unless otherwise requested in advance by a customer, all print subscription packages include the Thanksgiving Day edition and all customers are charged for the newspaper at the Sunday newspaper rate.

Online Customer Service: Subscribers may temporarily stop delivery, report service problems, sign-up for EZPay or pay for service at BucksCountyCourierTimes.com.

Digital Edition: The Courier Times offers a digital edition subscription. The digital edition is an exact replica of the Courier Times. Call for details.

Offices are wheelchair accessible!

Advertising Levittown
Display: 215-949-4125
Classified: 215-949-4100
Legal: 215-949-4112
Fax: 215-259-0603
Billing questions:
Classified, legal ads: 215-269-5060.
Retail ads: 215-949-4088.
Advertising credit: 267-580-3139.

USPS 06890 Published Sunday thru Friday including New Years, Memorial Day, July 4th, Labor Day & Christmas by Courier Times Inc., 8400 N. Bristol Pike, Levittown PA 19057. Periodical postage paid at Levittown, PA. Postmaster: Send address changes to Bucks County Courier Times, 8400 N. Bristol Pike, Levittown, PA 19057

Levittown Flower Boutique

4413 New Falls Road, Levittown, PA • 215-945-5656

Please vote for us in the Shopping Category

BEST FLORIST!

Same BEST Staff! Same BEST Service!
Same BEST Flowers!
Best Mother's Day Flowers!

Mon. to Fri. 9-5, Sat. 9-3
levittownflowerboutique.com

Stop by and meet our new owner Maureen!