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**TOP STORIES**

# BNL is sued over



Ron Yuhas of Coram, left, Joseph Marino of Islip Terrace, and Dan Carroll of Shirley are former Brookhaven National Laboratory workers.

## Business groups urging Cuomo

BY MARK HARRINGTON  
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A day after Gov. Andrew M. Cuomo called for a stepped-up probe into potentially “improper” gas shut-offs by National Grid, five Long Island business and building-trade groups sent a letter urging the governor to approve a pipeline at the center of the gas company’s moratorium.

Local businesses and homeowners seeking new gas hookups have been receiving letters from National Grid since earlier this year saying the company can’t commit to any firm new service without the proposed Northeast Supply Enhancement project, a \$1 billion pipeline that will travel 24 miles under New York water-

ways. Environmental groups say National Grid has fabricated a gas shortage to tie the region to a fossil-fuel future.

The two-page letter to Cuomo from the largest developer, building trade and business groups on Long Island makes no mention of the reason the state Department of Environmental Conservation in May rejected developer Williams Co.’s request for a water quality permit for the project.

Instead, the letter, from the Association for a Better Long Island, the Long Island Association, the Long Island Builders Institute, the Building and Construction Trades Council of Nassau and Suffolk and the Long Island Federation of Labor, cites the groups’ “tremendous concern” over the

moratorium, calling it “widespread and all-encompassing.”

Cuomo spokesman Jason Conwall said the governor’s office would review the groups’ letter, but added, “We have very serious concerns regarding the implementation of the moratorium. . . .”

The latest moves come after a summer of contention over the pipeline that would bring vast new gas supply to the National Grid service area at a time when Cuomo is steering the state toward exclusively green energy. New York State has twice rejected a water-quality permit for the project, citing toxic sediment impacts from laying the line 24 miles under New York Bay. Developer Williams Co. has resubmitted its applications and the state issue a final ruling by next May.

The business groups wrote Cuomo that it is “critical” that the DEC approve the project permits to end the moratorium. “Otherwise eight years of your successful economic development efforts on Long Island will be significantly threatened,” they said.

Asked why the groups’ letter didn’t address the state’s environmental concerns, Kyle Strober, executive director of the ABLI, said those were “technical issues” between the DEC and Williams.

“Clearly, the DEC’s concerns are not insurmountable, as the DEC allowed the applicant to resubmit quickly,” Strober said.

But environmental groups take a different view. Peter Gollon, the former energy chairman of the Long Island Sierra

# toxic cleaner

Ex-worker: Solvent with suspected carcinogen led to kidney cancer

BY CARL MACGOWAN  
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Joseph Marino, of Islip Terrace, has lost one kidney to cancer, and he says he can't work for fear of losing the other after being exposed to a toxic cleaning solvent when he worked at Brookhaven National Laboratory.

Marino, 61, says he didn't have any choice but to use cleaning fluids containing trichloroethylene, a suspected carcinogen known as TCE, when he worked as a computer technician for a subcontractor at the Upton lab in 1999 and 2000. He said the lab's operators never warned him of the risks of using the fluids.

TCE is not banned but some manufacturers and customers have stopped using it in recent years because of its suspected impact on human health.

Marino filed a \$25 million federal lawsuit on Friday against lab manager Brookhaven Sci-

ence Associates, former manager Associated Universities and TCE manufacturers Dow Chemical and Zep Inc.

The case has been assigned to U.S. District Court Judge Frederic Block in Brooklyn, court records show.

In court papers, Marino said he has been diagnosed with clear cell renal carcinoma in the right kidney and other illnesses that he said were caused by his work at the lab.

"You would never think that you were going to use a carcinogenic solution that is going to kill you or do you harm," Marino said in an interview, adding he can't work because exposure to routine workplace maladies could exacerbate his illness. "I want to work, but I'm literally risking my life."

Brookhaven Science Associates, which manages the 72-year-old lab under a contract with its owner, the U.S. Department of Energy, declined to comment. The energy department also declined to comment.

Washington, D.C.-based Associated Universities, Midland, Michigan-based Dow Chemical and Atlanta-based Zep Inc. did not respond to requests for comment.

The lab, on the grounds of the former Camp Upton military training facility, has been beset for decades by environmental hazards. Among the problems are a toxic plume emanating from the 5,300-acre campus and firefighting foam that officials fear has contaminated private residential wells.

More lawsuits like Marino's either have been filed or are being prepared, Marino and his Manhattan lawyers, Joseph Lanni and Jaehyun Oh, said. Marino and other former lab employees say they know about a dozen former workers who believe they were sickened from working there.

Ron Yuhas, 77, of Coram, worked at the lab for 42 years and now has kidney cystic disease and gastrointestinal problems. Yuhas, a former telecommunications manager who also has filed a federal lawsuit against lab operators, said he had trusted the facility to protect workers.

"There was everything at the laboratory that you could want," including on-site fire and police protection, a gymnasium and a swimming pool, he said. "You always felt the lab was taking care of you."

Dan Carroll, 68, of Shirley, said he has bladder cancer that

## Facts about trichloroethylene

- Used as a solvent for greases, waxes and tars, as refrigerant, and in products such as paint remover and typewriter correction fluid.
- Formerly used as an anesthetic.
- Described in federal documents as "a nonflammable colorless liquid with a sweet odor similar to ether or chloroform."
- Linked to cancers of the kidney, liver, cervix and lymphatic system.
- When inhaled, can cause harm to the central nervous system or problems such as dizziness, headaches, sleepiness, nausea, confusion, blurred vision, facial numbness and weakness.

SOURCE: U.S. Environmental Protection Agency

he blames on his work as a union electrician at the lab's relativistic heavy ion collider, which simulates the universe's origins. He said he never suspected he might be at risk when he worked at the lab. Carroll plans to sue lab operators, his lawyers said.

"In 1979, who knew?" he said. "When you're 28 years old, you think you're invincible."

Marino said he previously received \$50,000 as part of an ear-

lier settlement with former lab workers. The terms of the settlement make it difficult to use the money for his health care, he said.

Marino said he spends much of his time fighting government bureaucrats and doctors, trying to convince them that his medical issues are related to his work at the lab.

"It's an uphill battle," he said. "It's a struggle all the way. They don't make it easy for people."

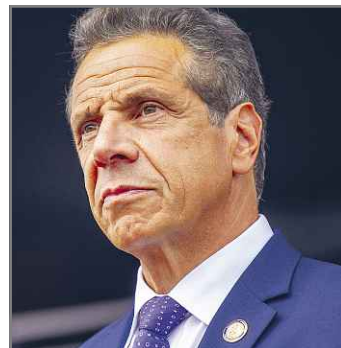
# to approve gas pipeline

Club, recently wrote to the state as a "Long Island resident" raising questions about National Grid's growth projections and the moratorium.

National Grid's business model "totally ignores both the need to decarbonize our economy as well as specific state goals," wrote Gollon, who has a doctorate in nuclear physics and sits on the LIPA board of trustees. He charged National Grid's "supposed" reasons for the pipeline are "the result of its own inaction."

The company didn't immediately respond.

Cuomo on Tuesday ordered the state Department of Public Service to broaden an investigation into National Grid's moratorium, calling for penalties or even the loss of its franchise if



HOWARD SCHINAPP

**Gov. Cuomo has ordered an investigation on National Grid's "improper" gas shut-offs and moratorium on new hookups.**

the state finds National Grid is refusing service "improperly."

Cuomo said he'd received reports of customers who were refused service for construction

projects initiated well in advance of the moratorium, or who temporarily suspended service for a renovation.

National Grid, which since early this year has said supply constraints are real, on Tuesday said it would "stand by and honor all customer commitments that were approved before we determined that we can no longer safely serve additional gas load without additional supply."

The company said it has been "working closely with the Department of Public Service Staff and its consultants to support the commission's investigations of gas supply constraints in downstate New York and will continue to cooperate with any further inquiries while we await the results of that study."

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