

# **ONEIDA:**

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Opposing

Noxious

Emissions,

Incinerators &

Dioxins

Anywhere





# **OBC Anti-Dioxin Resolution 11-08-00-B passed unanimously in November 2000**

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"...the ability of our Native Community to be protected from the affects of dioxin poisoning is critical to the future of our tribal nations and all life that sustains us... [T]ribal communities and families continue to be disproportionately exposed to dioxin and other persistent organic pollutants. Many of our tribal members are more susceptible to these dangerous toxins due to our land based culture and subsistence practices, and...

# **OBC Anti-Dioxin Resolution 11-08-00-B**

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"[D]ioxin has been classified as a 'known human carcinogen' with the 'highest' level of certainty by the International Agency for Research on Cancer, and acknowledged by the World Health Organization that dioxin exposure is linked to severe health effects...

# **OBC Anti-Dioxin Resolution 11-08-00-B**

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"...NOW, THERE, BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin requests that the United States State Department pursue ending the production and release of Dioxin and other Persistent Organic Pollutants in the United States."

Unanimously affirmed by Vice Chair Tina Danforth, Treasurer Judy Cornelius, Secretary Julie Barton, Council Members David Bischoff, Sandra Ninham, Vince DelaRosa, Paul Ninham & Eugene Metoxen. Certified by Tribal Secretary Julie Barton

# **WHAT DIOXIN CAUSES:**

**IQ DEFICITS / BEHAVIORAL DISORDERS**

**DISRUPTED SEXUAL DEVELOPMENT**

**IMMUNE SYSTEM DAMAGE**

**BIRTH DEFECTS**

**DIABETES**

**CANCER**



**The highest concentration of Dioxin  
goes to babies via breast milk.**



# WHAT HAPPENED?

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Why would the Oneida Business Committee vote in December 2010 for Resolution 12-08-10-B and "enthusiastically support" Oneida Seven Generations Corporation taking the Oneida Tribe into millions of dollars of debt to invest in the hazardous incineration industry and to build a dioxin-emitting incinerator "on the Oneida Reservation" as the Resolution clearly states?

And why would the Oneida Business Committee reaffirm that dangerously foolish Resolution on April 11, 2013?



# **OSGC has LIED.**

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From bogus claims of "not incineration" to "no harmful emissions" to "no stacks" to "renewable energy" to "plastics recycling" and so on, OSGC has told the public & elected officials several untruths.

# Court Transcript of Case 12-CV2263 pgs 90-92

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**THE COURT:** [...] I'm satisfied that the following misstatements were included in the minutes and on the audio tape. Mr. Cornelius stated there are no hazardous material. I don't think that's true. The system is closed so there is no oxygen. Once it is baked, all the gas is taken off by a, quote, "cherry scrubber," closed quote, so it takes away any kind of harmful toxins that might be in the gas and the rest is burned as natural gas. Anything that is left over will run back through the system. The ash that comes out can be dumped in a landfill or mixed with cement as road base.

Now, the last sentence I'm not satisfied is a misrepresentation. I don't know. I'm satisfied that comments regarding "once it is backed out, all the gas is taken off, it takes away harmful toxins." I'm satisfied these aren't true statements. Mr. Cornelius indicated at the Planning Commission hearing that there are no smokestacks, no oxygen and no ash. I'm satisfied that's a misstatement. There is carbon and ash which actually could have been tested and go right into organic farming. I'm satisfied that's not true. There are no fallout zones. I have no reason to challenge that. There have been some dioxins but no PCB's. This all goes into slag here. I'm not satisfied that is a truthful statement.

# **Court Transcript of Case 12-CV2263 pgs 90-92**

Mr. Cornelius in response to a question -- the question was from an alderman, and he said, in the report under emissions, it refers to some particulate matter, also hydrogen chloride, nitrogen oxide, sulfur dioxide, mercury and dioxins. The alderman asked if all of this was in the ash. Mr. Cornelius stated this is all taken out in the process, is all scrubbed out. A lot of this stuff is destroyed when it goes through the energy process at the end. I'm satisfied that's not true based on my interpretation of what was said.

**MR. WILSON:** And, again, Your Honor, apologize to interrupt. Just so the record is clear, Mr. Cornelius was not the one who made those statements. It was Seven Gens representative but not Mr. Cornelius.

**THE COURT:** And you are correct. I remember the voice. [...] I believe those are all the material misstatements that I relied on in making my ruling today.



So far, only one Wisconsin judge has judicially affirmed that the Oneida Gaming Commission Counsel, **Attorney William Cornelius**, is President & Chairperson of the 'Liar's Club' known as OSGC.

If the three judge Appeals Court panel reaffirms the decision of Judge Hammer against OSGC how will that affect the reputation of our Gaming Enterprise?

In a time of declining gaming revenue we cannot afford to find out.



OSGC admits they plan to use **PYROLYSIS** and **GASIFICATION** to convert garbage into combustible materials and then to burn/incinerate them and bury the ashes.

Garbage sources they have talked about include include tires, municipal solid waste, dairy waste, human sludge and medical & hazardous waste.





OSGC admits  
they will emit  
the following  
hazardous  
pollutants:



Dioxins/Furans • Formaldehyde •  
Acetyldehyde • Arsenic • Lead •  
Cadmium • Chromium • Fluoride •  
Antimony • Mercury • Nickel • Iron •  
Copper • Selenium • Chlorides •  
Hydrogen Sulfide



## **OSGC partner Alliance Energy's DNR application identified their project as an "MSW Combustor."**

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According to [epa.gov/ttn/nsr/gen/rm\\_2.html](http://epa.gov/ttn/nsr/gen/rm_2.html):

"The NSPS regulations define 'municipal waste combustor'...to mean...'any device that combusts...gasified (municipal solid waste) including...gasification/combustion units.' [...] A municipal waste incinerator 'combusts' solid waste and thus is functionally synonymous with municipal waste combustor."

**June 1, 2012 Email by Richard Angelbeck,  
EPA, Region 5, Air Permits Section:  
Gasification=Combustion=Incineration**

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"Here's the justification for gasification = combustion: ...[W]e look to the NSPS definition of municipal waste combustion unit which includes equipment that combusts...gasified municipal solid waste including...pyrolysis/combustion units. So, **incineration = combustion**, and **combustion includes gasification**, therefore **incineration includes gasification**."

# **INCINERATION TURNS LANDFILL INTO SKYFILL AND SENDS ONE TRUCK OF TOXIC ASH TO THE LANDFILL FOR EVERY FOUR TRUCKS OF GARBAGE BURNED**

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"The gas, smoke, and liquid and solid wastes that leave a facility will have the same mass as the solid materials entering the facility. Masses of gas and particulates will go up the stack, toxic ashes and solid wastes will need to go to landfill, and liquid wastes will also need to be managed."

[http://www.no-burn.org/downloads/  
Gasification,%20Pyrolysis,%20and%20Plasma  
%20Incineration.pdf](http://www.no-burn.org/downloads/Gasification,%20Pyrolysis,%20and%20Plasma%20Incineration.pdf)



# **NOW OSGC CLAIMS THEY WANT TO "RECYCLE PLASTICS" BUT INCINERATION IS NOT RECYCLING:**

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"EPA adopted the National Recycling Coalition's definition of recycling: '...activities by which materials that are no longer useful to the generator are collected, sorted, processed, and converted into raw materials and used in the production of new products.'

**This definition excludes the use of these materials as a fuel substitute or for energy production."**

<http://www.epa.gov/osw/consERVE/tools/recmeas/docs/article1.htm>

# The truth about 'Plastics-to-Oil'

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- Some companies have been caught lying about their finances to attract new investors (JBI).
- Companies are admitting feedstock costs are going up because they need higher grade plastics to make oil they can sell to refineries, thereby driving profits down.
- Companies are admitting they often have to go offline to repair parts or fully replace parts more frequently than expected, thereby driving profits down.
- Companies are admitting that the machines they originally proposed must be switched to newer models and those have higher emissions than first claimed.

# **The truth about 'Plastics-to-Oil'**

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The entire 'Plastics-to-Oil' industry is totally dependent on society expanding the 'use-once-and-toss' mentality despite what the true costs to humanity and the environment are.

Instead, we should toss out that short-sighted mindset and create incentives to dispose of the manufacture of non-recyclable goods in the first place, and refuse to give corporations a way to falsely try and make their garbage seem like some kind of 'renewable energy resource.'



OSGC CEO Kevin Cornelius said in the February 7, 2013 Kalihwisaks regarding the 'Plastics-to-Oil' project:

“We want to be able to demonstrate that this works. Let the community see that it works, see that it is safe. Then at that point we would sit down with the appropriate governmental entities and discuss where a full sized facility could go[.]”

What does he mean by a "full sized facility" if not the kind OSGC wanted to build in Green Bay? But how could a smaller 'plastics only' facility prove anything about the kind of proposals OSGC has made about burning tires, municipal solid waste, dairy waste, human sludge and medical & hazardous waste?

When Kevin refers to "government entities" does he mean the Land Commission and the Business Committee?

# **OSGC continues to HIDE.**

According to OSGC's '**Corporate Report Model**' included in the GTC info packet by Chief Counsel Jo Anne House, OSGC is supposed to disclose "financial and familial relationships and connections between the Corporation and other entities, as well as members of the Corporation's Board and key management personnel. Any financial or legal relationship, ownership interest, or any blood kinship within the Corporation and its financial practices or partnerships shall be detailed in a structured and easy to understand format."

## **OSGC's 'Disclosure Report; as of December 31, 2011'** **fails to include this important information:**

- OSGC President & Chairperson Atty. William Cornelius is the Counsel to the Oneida Gaming Commission, which has contracts with OSGC affiliates including Oneida Generations, LLC (Travel Center) and Oneida-Kodiak, LLC (construction).
- OSGC CEO Kevin Cornelius' mother, Amelia, is Chair of the Land Commission & Vice-Chair of the Gaming Commission which both have contracts with OSGC and related enterprises.
- Kevin's uncle Weldon 'Ted' Hawk is also on the Land Commission.
- OSGC Attorney Carl Artman is first cousins with Oneida Chief Counsel Jo Anne House.

## **OSGC's 'Disclosure Report; as of December 31, 2011' fails to include this important information:**

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- OSGC Board member Tsyoha?ah (Cathy) Delgado is the sister of OBC Treasurer Tina Danforth and the sister-in-law of OBC Vice-Chair Greg Matson yet neither has recused from voting in support of OSGC and to pay OSGC's legal fees.
- While some partnerships are listed on the report, the names of investors & people involved are omitted.
- While the report acknowledges the existence of Oneida Energy, Inc, it fails to report the following crossover positions: William Cornelius, President; Kevin Cornelius, CEO; Mike Metoxen, Secretary; Nathan King, Director.
- The report fails to even acknowledge the very existence of Green Bay Renewable Energy, LLC, which was registered in Delaware on December 15, 2011.



The Business Committee has so far given OSGC \$750,000 out of the General Fund to fight Green Bay & lose, as well as make an appeal that OSGC's law firm, Godfrey & Kahn, supposedly said has maybe a **40%** chance of success.

OSGC's Fiscal Year-End 2012 report says Carl Artman is among "Independent Tribal vendors for OSGC" as an Attorney.

WisBar.org lists Atty. Carl Artman's email address as cartman@GKLaw.com, as in Godfrey & Kahn, the law firm who received the \$750,000. Carl's LinkedIn page says he's a shareholder in the law firm.

OSGC's 'Disclosure Report; as of December 31, 2011' states that Atty. William Cornelius' "Appointed Date" to the OSGC Board was "September 2006" and that his "Term-end date" was "Sept 2011." It also notes that he was "reappointed Feb '12" and the OBC Regular Meeting minutes from February 22, 2012 state that Atty. Cornelius was sworn in on that date.

However, on November 16, 2011, Atty. Cornelius signed a \$2,000,000 Loan Guaranty contract with the Wisconsin Economic Development Corporation (WEDC) as Chairman of the OSGC Board. The loan was to be given to Oneida Energy with OSGC being the Guarantor.

OSGC might try to claim now that his term was 'held over' after it expired in September, but if true why isn't that important fact noted in the Disclosure Report?

OSGC also entered a contract with WEDC for a \$2,000,000 'Conditional Grant,' meaning, if OSGC fails to meet conditions they must pay the 'Grant' back.

What Chief Counsel House said in the GTC packet about no "deadlines by which operations must commence" doesn't seem to be true given CEO Kevin Cornelius' December 11, 2012 Affidavit which states, "in order to meet the December 31, 2013 operational deadline" of having a 'Waste-to-Energy' facility putting electricity to the grid, "construction must begin by March 1, 2012 [sic]."

Obviously they meant "by March 1, 2013," but now it's too late for OSGC to meet the deadline so they're on the hook for \$4,000,000 no matter how GTC votes today. So the main question is if GTC will allow OSGC to put the Oneida Tribe on the hook for \$25+ million more including BIA financing which the Tribe is required to pay back.

Chief Counsel House claims that if GTC votes to prohibit the construction of incinerators on the Oneida Reservation there could be "liabilities" but she fails to mention any of the potential health liabilities, liabilities to our reputation, or the financial risks of the incinerator shutting down due to malfunction or mismanagement. Worst of all, the risk of poisoning our home and our offspring for generations to come.

In my opinion, those liabilities need to be considered as far more important than OSGC's bottom line, salaries and bonuses which rely on selling dioxin-emitting incinerators to tribes.



**WEDC Contract LEG FY10-19812 states  
(pages 10-11):**

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"Oneida Seven Generations Corporation is the majority shareholder in IEP Development, LLC[.]"

"In conjunction with venture partner AITI, IEP can acquire rights to manufacture and assemble and has the exclusivity to market the waste-to-energy systems to tribal, municipal and county governments throughout the United States."

# IN OTHER WORDS:

Given that OBC acknowledged that avoiding dioxin "is critical to the future of our tribal nations and all life that sustains us," and the fact that OSGC CEO Kevin Cornelius admitted on the front page of the April 18, 2013 Kalihwisaks that OSGC's incinerators will emit dioxin,

**OSGC's Business Model  
is to market a means of  
GENOCIDE to Tribes.**

OSGC wants to start by building a 'demonstration model' incinerator on the Oneida Reservation in order to sell dioxin-emitting incinerators abroad.





# ONEIDA:

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Opposing


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Motion to direct the Oneida Business Committee to stop Oneida Seven Generations Corporation from building any "gasification" or "waste-to-energy" or "plastics recycling" plant at N7239 Water Circle Place, Oneida, WI or any other location on the Oneida Reservation."

VOTE 'YES' for the  
petition to stop OSGC  
from building any  
incinerators on the  
Oneida Reservation.



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