

Panel Discussion: Dunn Landfill

Panel included remarks from Dr. David Carpenter, a public health physician; Judith Enck, Environmental Activist and formal EPA Regional Administrator for President Obama; Jonathan Pollock, East Greenbush resident; Robin Ganance, City of Rensselaer resident; and Tony Luisi, Regional Director, NYSDEC.

Open Public Privilege:

Residents addressed their comments to the Town Board as well as to the Panel.

ADJOURNMENT

Motion to adjourn by Supervisor Conway and seconded by Councilor Tierney and brought to a vote as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Respectfully submitted by,

Ellen Pangburn, Town Clerk

Statement for the record and documentation for NYSDEC.
Robert Welton, Treasurer, Rensselaer Environmental Coalition
rensenvirocoalition@gmail.com 12/2/2021

I have studied the documents which resulted in the approval of the Dunn Construction and Demolition Landfill operating permit dated July 20, 2012. This includes the Findings statement by NYSDEC which shows the rationale for the approval of the permit as well as the Final Environmental Impact Documents prepared by CT Male Associates on behalf of the Dunn Landfill and submitted to NYSDEC for review and final consideration to issue the permit or not.

I realize I don't understand all the intricacies of the review process but looking at it as a newly informed advocate for closing the landfill my initial impression is this process resulted in the endorsement of big business over the rights of the people by the State.

In a sort of macro view of the process the applicant with its deep pockets hires an engineering firm to present the Environmental Impact Statement. This statement includes the ⁴²written and verbal comments by the public. Each statement is picked apart by the engineering firm often not really answering the issues brought up by the public but hiding behind the state's rules and regulations and saying the issues will be controlled by DEC and/or the applicant.

I'll give you a few of many examples.

In reply to a letter about the impact on the community:

"The construction and operation of the proposed C&D Landfill will be done in a fashion that incorporates best management practices and engineering design with the objective of not having adverse impact to human health or the environment. Provided the landfill is properly

constructed, operated and closed, a negative quality of life impact is not anticipated.”

To me this is like saying oh don't worry about it, because we are doing it, you can trust us, and everything will be fine. It is not an answer to the issue of the residents being treated as second class citizens because of the quality of the groundwater, the off-site noise from 100 round trip trucks hauling trash into the landfill, the stench, and dust and dirt which can contain infectious agents, would negatively impact the health and safety of the residents of that area.”

One more.” The proposed action is not anticipated to have an adverse impact to the school campus, quality of life to the surrounding area, or air quality. The impact assessment conclusion assumes the facility will be constructed and operated in accordance with existing mining and solid waste regulations, and yet to be issued special permit conditions by NYSDEC. ----if NYSDEC determines that the facility is not being operated in conformance with existing regulations, it will be subject to enforcement actions that could include closure of the facility. There is no reason to believe that the future operations of the proposed C and D landfill will “abuse” the permit or accept anything but C & D wastes.”

Again-trust us.

So, with the pages and pages of the Final Environmental Impact Statement submitted to NYSDEC for review the Findings Statement by NYSDEC has the following (please note the word school is not mentioned one time)

Traffic- “no significant impact to traffic”

Dust and Air Quality- “offsite impacts are not expected to occur”

Noise- "Since truck traffic is expected to remain below expected approval levels, noise impacts from traffic are not anticipated" and "current noise data is like that collected in 1992."

Energy conservation- "No idling of trucks".

Odor-little was mentioned about odor except the possibility of eliminating wall board which creates hydrogen sulfide when it deteriorates.

We know that every one of these statements has proved wrong in the actual experience of this landfill in operation as you have or will hear tonight. I don't know if DEC looks at the public's statements without first looking at the destruction of those statements in the Final Environmental Impact Statement but to be fair to the people that should be the process.

If Dunn files an application for renewal of its operation permit. The new conditions that must be addressed are.

The reality of the impact of the truck traffic and its impact on people's lives who live in environmental justice zones.

The discovery of PFAS chemicals at the landfill and going untreated into the Hudson River.

The quality of air both near the school and along the truck route as far as the most dangerous small particulate matter in the air and what elements it contains. In that regard the School Administration has already requested NYSDEC to test the air near the school for small particulate matter. These tests should also consider the proximity of the school to I-90.

The truck route air quality has never been measured and it should be for small particulate matter.

We know from our amateur noise measurements that the decibel readings on the trucks have been as high as 107 decibels. A professional noise analysis has never been done.

The idling of trucks has never been addressed. They line up on the Partition Street Hill at 6:30 AM with their engines running.

To sum up the impact on the community has been brought to NYSDEC's attention in numerous ways but little if anything has been done about it and the process that brought the landfill here was seriously flawed.