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Citizen Representative

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Corporate Liaison

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Executive Director

December 8, 2008

Andy Marcuccio, Environmental Analyst  
NYS Department of Environmental Conservation  
Region 4 Headquarters  
1130 North Westcott Road  
Schenectady, New York 12306

**RE: Rapp Road Landfill Eastern Expansion SDEIS**

Dear Mr. Marcuccio;

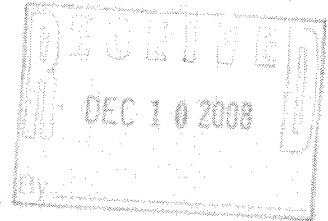
The Albany Pine Bush Preserve Commission has received a complete copy of the application materials for the above referenced project. The Commission's Technical Committee and staff have reviewed the plans and offer the following comments for the Department's consideration. The City has clearly taken significant effort in preparing SDEIS, and the Project Description provides a thorough discussion of the expansion alternatives.

**Background and potentially significant negative impacts**

The Albany Pine Bush represents the best remaining example of an inland pitch pine – scrub oak barrens and is home to a variety of rare and declining species, including threatened and endangered species (APBPC 2002) and 45 Species of Greatest Conservation Need. The Preserve and the Albany Pine Bush Preserve Commission were established by the New York State Legislature to create and manage a viable Preserve. The 2002 Management Plan and Final Environmental Impact Statement for the Albany Pine Bush Preserve, outlines the Commission's vision for fulfilling Environmental Conservation Law Article 46, and was unanimously adopted by Commission members, including the City of Albany, in April 2002.

The Albany Pine Bush Preserve Commission, its Technical Committee and staff have met with the City of Albany and its consultants on several occasions to discuss various Rapp Road Landfill expansion alternatives. The Commission does not support another expansion of the Rapp Road landfill facility. We do however, appreciate the City's proactive cooperation with us and the Department. These efforts have identified several potential options for solid waste management in the City of Albany including various landfill expansion alternatives and potential measures to offset some of the associated impacts with the proposal.

It is important to note that the current proposal is the fifth such expansion in the last 20 years. Like previous landfill expansions (AIL, AIL extension, wedge and P-4) this proposal will result in the irreplaceable loss of Pine Bush habitat and/or have potentially negative impacts on plants and animals protected in the Albany Pine Bush Preserve, and affect the quality of the experience for Preserve visitors. The described mitigation measures for these potentially significant impacts rely heavily on a plan to restore Pine Bush habitat on and surrounding the landfill once





it is closed. The Commission believes that additional information and actions are needed, specifically:

Mitigate loss of Pine Bush habitat

The City's proposal to remove more than 15 acres of current and restorable Pine Bush habitat to expand the landfill will result in an irreplaceable loss of habitat. This majority of this acreage (13 acres) is in the expansion area and is ranked "full protection" in the Commission's 2002 Management Plan and Final Environmental Impact Statement. The habitat restoration plan will attempt to offset cumulative fragmentation impacts of all previous landfill operations, but it does not replace lost acres. Similarly, the expansion will result in a loss of an easement held by DEC for public access and recreation. Any loss of land or this easement should be replaced at a 2:1 ratio. Replacement acreage should be nearby and of equal or greater ecological and economic value to the lost acreage and this value should be certified by DEC and the Commission. We note that in 2000, as part of the current P4 permit, the City was required to purchase the 60-acre Fox Run trailer park property (40 acres Pine Bush + 20 acres restorable land), and in 2000 the P4 expansion did not result in the direct loss of Pine Bush habitat.

Protection of all City-owned Pine Bush lands

The Commission appreciates and welcomes that the SDEIS contemplates the transfer of City owned parcels surrounding the landfill to the Department or the Commission. A transfer, dedication, or conveyance of an Article 49 NYS conservation easement to DEC and/or the Commission is needed to encumber all City-owned lands adjacent to the landfill site and prevent any future expansions. All previous expansions were accompanied with an assertion that no further expansions would be contemplated. However, those commitments were repeatedly violated.

Tipping Fee mitigation

Tipping fee mitigation has been used previously to offset a number of landfill impacts by funding ecological and recreational management of the Preserve. Based on the SDEIS and our experience, the proposed expansion is likely to increase noise, odors, and visual impacts on the Preserve, especially as they relate to Preserve visitors. The expansion will also likely result in increased impacts to some of the 45 wildlife Species of Greatest Conservation Need found in the Preserve. Mitigating impacts on Preserve visitors needs to be addressed, but is not. Lastly, considerable resources will be required for the long-term management and monitoring prescribed for the habitat restoration area.

Visitor Impacts: The SDEIS conclusion that the visual impacts of the proposed expansion will not be significantly greater than the existing facility is erroneous. Currently the landfill is visible only from the Karner Barrens East section of the Preserve, but at maximum height the eastern expansion alternative will be visible from the Karner Barrens East, Karner Barrens West, Kings Road Barrens, Rapp Road Barrens, and Blueberry Hill sections of the Preserve as well as many roads and other areas of the Pine Bush. As the height of the operating landfill grows, the increasingly unobstructed view will also increase the vulnerability of the surrounding areas to landfill noise. Landfill odors also remain a concern. It is important to note that these impacts will occur at a time when Preserve visitation is substantially increasing due to education and outreach efforts at the Discovery Center, and as habitat restoration in the Preserve is rapidly replacing forest cover with open barrens.

Ecological Impacts: The restoration plan (SDEIS Appendix D) assertion that conversion of the expansion area to landfill, and the work necessary to restore, mitigate and enhance natural communities in the Restoration Area will have no significant on any rare, threatened or endangered species cannot be supported by the information provided and is erroneous. The applicant has characterized the restoration and expansion areas as highly degraded, but that does not mean these areas cannot/do not support rare plant and animal species. Since these areas are surrounded by high quality pitch pine-scrub oak barrens known to support many rare species,

some of which have been observed adjacent and within the SDEIS Study Area, it is highly probable that rare, declining, and/or listed species use the restoration and expansion areas. Additionally, the restoration area is located within protected Preserve and the expansion area is surrounded by protected lands, therefore all plant and animal species in these areas are considered protected. Since the applicant did not conduct any systematic surveys for wildlife species as part of the SDEIS, the SDEIS is inadequate in identifying potentially significant adverse impacts to listed animals and wildlife Species of Greatest Conservation Need identified in the Comprehensive Wildlife Conservation Strategy for New York State.

The expansion will not only remove upland and wetland habitat, but also impact adjacent Preserve areas and areas slated for restoration. Many of these areas support rare, declining and vulnerable species. For example, the SDEIS identified blue lupine sites occupied with the state threatened frosted elfin butterfly. These areas and a portion of the restoration area are also within the limits of endangered Karner blue butterfly habitat. However, the degree to which the site may support occupied Karner blue butterfly habitat can only be ascertained by US Fish and Wildlife Service biologists. An on-site consultation with the USF&WS and DEC-Endangered Species Unit is essential to determining the extent of occupied habitat and the potential impacts of the proposed project on those listed species. Likewise Species of Greatest Conservation Need including, eastern hognose snake, spadefoot toad, Fowler's toad, Jefferson salamander complex, spotted turtle, persius dusky-wing skipper, mottled dusky-wing skipper, American woodcock, prairie warbler, alder flycatcher, brown thrasher, eastern towhee, black-billed and yellow-billed cuckoos, whip-poor-will, wood thrush, scarlet tanager, ruffed grouse and blue-winged warbler have all been observed by Commission staff within the SDEIS study area; many have been observed in the restoration area. While the restoration plan has the potential to aid the long-term conservation of these species, mitigation is needed to offset the likely significant short-term impacts associated with the expansion and operation of the landfill.

The SDEIS suggests that the mitigation rate for Preserve management will be negotiated with the Commission. The Commission believes that the rate needs to be determined as part of the SEQRA process in order to ensure that it will be adequate to mitigate landfill impacts described. The City has previously provided the Commission with mitigation fees based on the amount of trash deposited in the landfill. The mitigation fee rate, however, has varied over time and is currently \$0.75/ton. Prior to the P-4 expansion, the mitigation was \$1.33/ton. Mitigation needs to follow a standard percentage of the landfill's gross receipts, not simply a per ton rate. When the Commission was receiving the \$1.33/ton, it equated approximately 2.66% of the landfill's gross receipts in late 1999, therefore, based on a much better understanding of the impacts and the Preserve's management needs, it is reasonable that the Commission receive 3 to 4% of the landfill's gross receipts.

#### Habitat Restoration Project

Commission staff are currently reviewing the Restoration Plan in greater detail, but provide the following general comments. Additional detailed comments will be provided under separate cover. The SDEIS accurately acknowledges that fragmentation of Pine Bush habitat is one of the most significant cumulative impacts associated with previous, existing and proposed Rapp Road landfill operations. If it can be successfully implemented and maintained, the proposed habitat restoration plan may reverse some of these effects by linking Karner Barrens East and the Rapp Road Barrens with functional Pine Bush habitat; habitat that may benefit the Preserve's ecological and recreational objectives. However, while the plan represents a good intention to mitigate significant negative impacts of another landfill expansion, it is imperative that funding and other logistical considerations of the restoration plan be determined during the SEQRA process if that mitigative intent is to be realized consistent with SEQRA. There must be a means of assuring that the restoration project will be fully implemented and maintained by an appropriately qualified team of restoration ecologists and engineers, with appropriate ongoing

oversight/cooperation by both Department and Commission staff. Work in the restoration area and other Preserve lands will require a Temporary Revocable Permit from the Commission, coordination with Commission staff, and on-site approval prior to implementing each phase of restoration/enhancement.

The Commission desires that the habitat restoration plan primarily focus on maximizing the restoration of Karner blue butterfly (Kbb) habitat in all applicable upland areas, while mitigating impacts and restoring all plant communities to the satisfaction of DEC and the Army Corps of Engineers. All applicable upland soils including Colonie, Elnora, and Stafford soils (i.e. non-wetland) should be restored to an open savannah of grassy-shrubland (Pitch pine-scrub oak barrens) that supports suitable Karner blue butterfly habitat as defined by NYS Karner blue butterfly Recovery Team (attached). For example, restoring wet meadow may be appropriate for shallow wet, sandy soils. The extent of Appalachian Oak Pine Forest (areas 4-B and 10 on fig. 2-5) needs to be substantially reduced; closed canopy forest is only desirable as a buffer along the Thruway, Rapp Road, and forested wetlands. Nearly all of areas "10" and "4-B" should be significantly thinned and restored to an open canopy grassy shrubland habitat (pitch pine-scrub oak barrens) capable of supporting suitable Kbb habitat. The "stepping stones" illustrated in area 1-E should be eliminated. Additionally it should be noted that the reference wetland "bog" community is a high quality, state protected wetland and is classified as a pine barrens vernal pond (PBVP) in Edinger et al., 2001, and Bried and Edinger, in press. A single large PBVP is desired where 2 small "bogs" are illustrated on figure 2-5. Lastly, seeding and seedling rates will need to be revised considerably. Understanding that habitat restoration is a process, it may be desirable to plant larger quantities of fewer herbaceous species, while still facilitating the long term restoration of these lands and the recovery of the Karner blue butterfly.

Funding: Within the SEQRA process the City should identify bonding or other means necessary to fully assure DEC, the Commission, and the public at-large that the restoration work will be completed and maintained as proposed. The Commission is reminded that it took over 6 years for the City to dedicate the Fox Run trailer park, despite being required by (the P-4 expansion) permit to do so immediately upon closing of the property. Additionally, previous attempts at restoring Pine Bush habitat on the landfill have not been successful.

Contractor Qualifications: Applied Ecological Services appears to have prepared a thoroughly researched and detailed habitat restoration plan. However, this plan can only be successful in mitigating the cumulative impacts of the landfill if it is successfully implemented. The City should utilize the SEQRA process to identify the contractor qualifications necessary to make the restoration plan successful. Additionally, a Habitat Management Plan Team consisting of Commission, DEC, and Landfill scientists/representatives should be established to review and select habitat restoration contractors. Lastly a Habitat Management Plan coordinator should be established to provide on-site supervision for restoration and post restoration monitoring.

Oversight: A Habitat Management Plan Team should also be established to oversee the final preparation of a detailed Habitat Restoration Plan as described in Appendix D. This plan needs to clarify all logistical and scientific details necessary to successfully implement and maintain the Habitat Restoration Plan outlined in the SDEIS. If the expansion is approved and the restoration project is implemented, the City must be responsible for implementing and providing general oversight to the consultants that the work is being completed. However, the scientists within the Department and Commission must be involved. Previous (small scale) restoration projects associated with the landfill have not been carried out fully, were unsuccessful and did not include appropriate representation by DEC and Commission science staff. The restoration plan should include a detailed invasives species management plan that identifies how existing and future infestations of invasive species (plants, pests, pathogens) will be controlled and eradicated. The Habitat Management Plan should identify short and long-term habitat management strategies,

including the use of prescribed fire. All plant species used to implement the Habitat Restoration Plan must be native (non-native species must not be used) to the Pine Bush and all plant material must originate from northeastern genetic stock (seeds/cuttings/etc.), preferably within a 50 mile radius of the Preserve.

**Additional information needed but not addressed in the SDEIS:**

**Mobile Home Park Residents:** The SDEIS does not address how the existing residents, including one life-estate and the infrastructure for the housing will impact the restoration plan. These details need to be determined as part of the SDEIS.

**Topography:** The expansion area includes a substantial Pine Bush sand dune. Mitigation measures to offset the removal of this dune need to be identified.

Lastly, the Commission is concerned that the SDEIS does not sufficiently detail the City's long-term responsibilities for the closed landfill. What are the City's responsibilities and for how long will they be responsible for the landfill once it is finally closed?

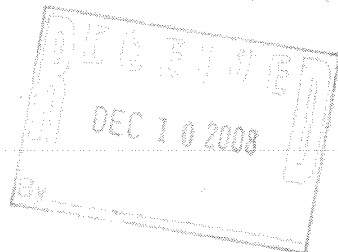
Thank you for the opportunity to provide these comments. We are appreciative of the City of Albany's continued support of the Commission including its conservation efforts in creating a viable Albany Pine Bush Preserve. Our efforts to balance economic development and conservation within the Pine Bush are only successful when all members of the Commission actively participate in their implementation. If you need additional information, please do not hesitate to contact me.

Sincerely,



Neil A. Gifford  
Conservation Director

cc: Mr. Gene Kelly, Director, NYSDEC Region 4  
Mr. Christopher A. Hawver, Executive Director, APBPC  
APBPC Technical Committee Members



# CITIZENS' ENVIRONMENTAL COALITION\*

## SAVE THE PINE BUSH

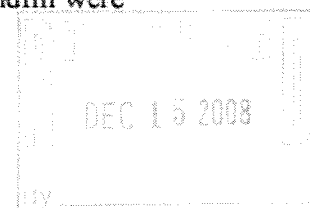
December 12, 2008

Angelo Marcuccio, Environmental Analyst  
NYS Department of Environmental Conservation  
Region 4 Headquarters  
1130 North Westcott Road  
Schenectady, NY 12306

Re: Comments regarding an Environmental Impact Statement for Rapp Rd. Landfill Lateral Expansion, Permit applications for the Same, and a Solid Waste Management Modification.

Dear Mr. Marcuccio,

It is essential that DEC acknowledge that many substantive issues were raised at the hearing on December 3<sup>rd</sup>, issues that address whether this landfill expansion can be permitted at all under existing law and regulations. Community participants have raised issues that prohibit landfill siting in the proposed location. In addition participants have raised major issues related to serious environmental impacts that would occur if this permit was authorized. Finally significant process issues have hindered the ability of the public to have meaningful input related to this application. For example, there was no public meeting held on the voluminous materials provided so that the public could ask questions and seek clarification on aspects of the application and the SWMP modification. Albany officials declined to provide a public meeting. At the time of the original public notice the SWMP modification was not available on the Albany landfill website. It was added weeks later upon notification of DEC that this was missing. DEC did not control Albany's website and the release of information and as a result there were major deficiencies, including the enormous size of the files which were difficult or impossible to download even with a high speed internet connection. The draft solid waste permit has not yet been completed by DEC and therefore was not available for review. Finally, a Freedom of Information request is only being honored by DEC after the deadline for comments, further limiting informed public involvement. DEC should have required Albany officials to hold a public meeting for a project of this magnitude and impact, so that the public can ask questions and fully understand the proposal. The only presentation, which took place at the Dec 3<sup>rd</sup> hearing, was a situation in which consultants to the City represented the total expenditures for landfill capping and closure as being somehow an environmental benefit program for restoration of the Pine Bush. While the City is actually proposing to dump more garbage in and damage a unique environmental area, funds required for closing and capping every landfill were



misrepresented as an extra environmental benefit program tied to restoring a unique environmental area. DEC should have corrected this false statement at the hearing.

Instead of insisting that adequate public opportunities were provided to comment on a major action that has major impacts on a unique environmental area and the public, what we have seen is an effort to push this application through the process and hinder public involvement. We believe several things are essential at this point. An extension of the public comment period is essential – for 60 days. An informational public meeting must be held by the City of a minimum of 4 hours in length with plenty of opportunity for questions. The SWMP modification, the EIS and the permits should all be presented at the meeting. The DEC should be present so that the public can also ask questions of the state agency. These meetings should not be held until several weeks after the public has been able to access the information requested under the FOIL request.

A new notice should be published providing the information about the extended public comment period, the availability of the proposed draft solid waste permit and date of the formal Issues Conference, so the public can bring expert witnesses. In our testimony on Dec. 3<sup>rd</sup> we also noted that the demonstration of stability was missing in the documents. If the demonstration of stability for the landfill was submitted by the City to DEC we would appreciate being notified of this and provided with a copy of the document.

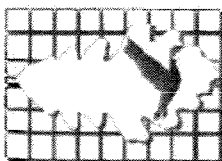
§360-2.12 Landfill siting This section of DEC regulations addresses landfill siting requirements for new landfills and lateral and vertical expansions of existing landfills. Landfills cannot be sited over principal aquifers; they are prohibited from being sited where there are wetlands and endangered or threatened species; they must be sited where the underlying soils are sufficiently stable to support the landfill.

Landfill siting over a primary aquifer. The commissioner was given limited authority during the transition to these regulations to allow an expansion of an existing landfill over an aquifer – but this exception prohibits operation of a landfill expansion beyond 1995. See §360-2.12 c) 1) ii)

*New landfills and lateral expansions shall not be located in federally regulated wetlands, unless the appropriate permits are obtained from the U.S. Army Corps of Engineers. See §360-2.12 c) 8).* The site has 5-7 acres of wetlands that would be filled and 31 acres of adjacent wetlands that would be impacted by work at the site and water runoff. This is documented in the Positive Declaration issued by DEC January 22, 2007.

Endangered and threatened species as well as critical habitat are listed as factors that prohibit the siting of landfills. (360-1.7 a) 2) ) A memo from consultants to the City, Applied Ecological Services dated Dec. 5, 2006, identifies the site as Globally imperiled throughout its range due to its rarity or highly vulnerable to extinction due to biological factors and also critically imperiled in New York. The Jan.22, 207 positive declaration by DEC mentions endangered species (Karner Blue butterfly).





## APPLIED ECOLOGICAL SERVICES, INC.

631 WRIGHT DeBOW ROAD, JACKSON, NJ 08527  
 PHONE: (732)633-2140 FAX: (732)928-0660  
 email: info@appliedeco.com

SPECIALISTS IN ENVIRONMENTAL MANAGEMENT AND RESEARCH

December 5, 2005

TO: AES team  
 FROM: Bill Young, Ted Harsig  
 RE: Soil Characterization Memo Report

### Background

The Albany Landfill lies within the Albany Pine Bush, a system so unique and rare that it is ranked G2 (Globally Imperiled throughout its range due to rarity or highly vulnerable to extinction due to biological factors) and S1 (Critically imperiled in New York State because of extreme rarity (5 or fewer sites or very few remaining individuals) or extremely vulnerable to extirpation from New York State due to biological factors). Pitch pine-scrub oak communities dominate the Albany Pine Bush landscape and have been the focus of conservation efforts to date. Pitch pine (*Pinus rigida*) and its scrub associates depend on frequent disturbance from fire and sandy, low nutrient soils. These communities, in turn, harbor rare animals such as the Buck moth, Karner Blue butterfly and several birds such as rufus-sided towhee, prairie warblers and whip-poor-will.

*A landfill must not be located in unstable areas where inadequate support for the structural components of the landfill exists or where changes in the substrate below or adjacent to the landfill are capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill. §360-2.12 c) 4) New landfills and lateral expansions must be sited in locations where the site itself can be demonstrated to be stable with a minimum factor of safety of 2.00 for bearing capacity and settlement of the subbase at full load conditions. The city of Albany has not made a demonstration of stability for this landfill site. However, their own analysis reports only sand, silt and muck at the site. No soil borings found bedrock. The proposed height of 470 feet raises the concern about adequate stability.*

When a landfill is found to be leaching contaminants it is supposed to enter a corrective remediation phase to evaluate the extent of contamination and appropriate remedies. All measures including cessation of garbage disposal are to be considered under federal landfill requirements. This landfill has already leaked into this unique environment and impacted the aquifer. Rather than enter a remediation phase, which has specific detailed requirements, the City seeks a variance to dump some more over the aquifer, arguing that because they already contaminated the aquifer it cannot be used. This is like rewarding criminals for their crimes, rather than punishment or restitution.

§360-2.12 c) (5) *Unmonitorable or unremediable areas. New landfills must not be located in areas where environmental monitoring and site remediation cannot be conducted. Identification of these areas must be based upon ability to sufficiently characterize groundwater and surface water flow to locate upgradient and downgradient directions; ability to place environmental monitoring points which will detect releases from the landfill;*

*ability to characterize and define a release from the landfill and determine what corrective actions may be necessary; and the ability to carry out those corrective actions.*

The City of Albany seeks a variance because of the presence of an aquifer at the site. Under Part 360 variances have detailed requirements, which represent a high hurdle for the City of Albany to meet. It would appear that the City knew it could not meet these requirements and so chose to ignore them by merely asking for a variance.

§360-1.7 (c) Variances.

*(1) Unless otherwise precluded by law, the department may, upon written application from any person who is subject to this Part, grant a variance from one or more specific provisions of this Part under the conditions set forth in this subdivision. In any event, no variance will be granted which would authorize a municipal solid waste landfill to be designed, constructed or operated at standards less stringent than those defined under 40 CFR Part 258, Criteria For Municipal Solid Waste Landfills.*

*(2) Every application for a variance must:*

*(i) identify the specific provisions of this Part from which a variance is sought;*

*(ii) demonstrate that compliance with the identified provisions would, on the basis of conditions unique to the person's particular situation, tend to impose an unreasonable economic, technological or safety burden on the person or the public; and*

*(iii) demonstrate that the proposed activity will have no significant adverse impact on the public health, safety or welfare, the environment or natural resources and will be consistent with the provisions of the ECL and the performance expected from application of this Part.*

*(3) In granting any variance under this subdivision, the department will impose specific conditions necessary to assure that the subject activity will have no significant adverse impact on the public health, safety or welfare, the environment or natural resources.*

There is no variance for the plan to site this landfill where water is found a mere 2 feet from the surface. The City proposes to use 5 feet of fill to provide separation from the base of the liner system. However, the regulations require a minimum of 20 feet of unconsolidated deposits with low permeability. See §360-2.12 a) 1)

The DEC has permitted multiple expansions of this landfill even beyond the supposed LAST expansion that would be permitted. In addition, the existing permit was supposed to provide landfill capacity until 2015, yet somehow the City has run out of space prematurely. Added to this is the fact that Albany City Councilmembers have been unable to obtain landfill records from their own Mayor and Commissioner raising significant concern about why those records are not being made available. While DEC may not be the appropriate authority to deal with financial matters at this landfill and the

possible diversion of monies from city coffers, DEC does have jurisdiction over environmental matters.

§360-2.9 e) This section requires: A daily log of solid wastes received at the landfill must be maintained that includes the following information: waste type, quantity, origin and/or hauler and date received. DEC should also know that any signs of corruption could indicate the possibility of dumping of hazardous waste illegally.

The many complaints at the hearing regarding odors from the landfill also adds weight to the idea that more than 1000 tons per day of waste has been entering that landfill

The City of Albany never implemented its own Local Solid Waste Management Plan and never built the planned recycling processing facility. The City of Albany never had any authority over other communities in the Planning unit and that is well documented in the City's own documents. The City never acted on the Coeymans' site and never made alternative plans after federally regulated wetlands were found and after Coeymans pulled out of the planning unit. Despite all of this, the City of Albany now claims an emergency. The EIS also failed to consider alternatives that involve limiting garbage being sent to Rapp Rd. – Albany only garbage for example or Answers Communities garbage only. Raising the tip fees for commercial carters to \$90 per ton, the full replacement cost of the landfill would eliminate commercial carter use of Rapp Rd. landfill and extend the life of the existing landfill, allowing the City time to implement expanded waste reduction, recycling and composting. When NYC raised the tip fees for Commercial carters at Fresh Kills landfill on Staten Island to reflect the true replacement cost of landfill space, 13,000 tons of daily garbage disappeared overnight.

The minor recycling improvements in the SWMP modification are simply inadequate. Hiring one recycling coordinator to deal with all of the Answers communities is ludicrous. The SWMP modification also doesn't promise anything—it repeatedly allows all recycling measures to be done only if feasible. The DEC must make it clear to the City of Albany that continued landfilling at this site is NOT FEASIBLE and that state law requires more effort devoted to the 3 Rs.

Regarding the Air Permit, air pollutant quantities are not documented in the air permit. How many pounds of VOCs, methane, NOx, particulate matter, and hazardous air pollutants are emitted annually? What is the current status of engineering work on the collection system? What exactly is being done to upgrade the collection system? What percentage of landfill gas is actually being collected?

The City proposes to use Petroleum Contaminated Soils as a cover material. The application fails to disclose the level of contaminants that will be allowed and the testing program for this material. This material will generate VOCs and hazardous air pollutants. however these emissions have not been quantified in the draft air permit. These emissions could pose an unacceptable health burden to nearby residents, but the EIS has not dealt with this problem at all. Petroleum contaminated soils will also leach contaminated water into this unique ecological area during storm events.

The air permit should also quantify the total amount of on site diesel equipment used at the site. This equipment is essential to the operation of the landfill and should be included

in the air permit. The EIS should have quantified all emissions from on site equipment as well as delivery trucks in evaluating the health impacts of this site.

The State DEC issued a draft solid waste permitting policy this past summer which is relevant to the processing of the permit for this landfill, but it has not yet been finalized. The comments of environmental groups were submitted in August. Why was that policy not finalized before allowing this permit application to move forward? Some of the goals of that policy include:

- 1) to maximize the use of the permitting process to facilitate comprehensive solid waste management planning
- 2) to ensure best practices in solid waste management facility operations.
- 3) to increase materials recovery
- 4) to reduce the environmental impact of waste management
- 5) to reduce greenhouse gas generation

Rapp Rd is a perfect example of a landfill sited in the wrong place and severely impacting a unique ecological area. The City of Albany is a perfect example of failure to properly plan for solid waste management over the long term and to take the required steps to avoid artificial "emergencies." The state DEC should not reward these failures but require immediate corrective measures. The surest way to do this is to deny the permit.

Respectfully,

*Barbara Warren*

Barbara Warren

Executive Director

Citizens' Environmental Coalition

33 Central Ave.

Albany, NY 12210

Lynne Jackson

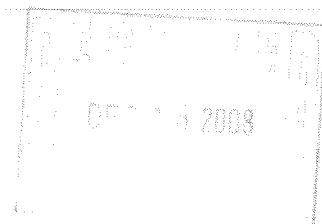
Secretary

Save the Pine Bush

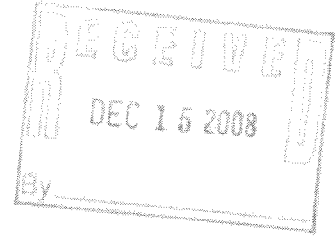
223 S. Swan Street

Albany, NY 12202

cc: Commissioner Pete Grannis, NYS DEC  
 Dale Carpenter, EPA, RCRA Programs Branch  
 Robert Phaneuf, Div. of Solid & Hazardous Waste  
 \_\_\_\_\_ Army Corps of Engineers



**PETER HENNER**  
**ATTORNEY AND COUNSELOR AT LAW**  
P.O. BOX 326  
CLARKSVILLE, NEW YORK 12041-0326  
(518) 768-8232  
Fax: (518) 768-8235  
[peter@peterhenner.com](mailto:peter@peterhenner.com)  
WEB SITE: [peterhenner.com](http://peterhenner.com)



December 15, 2008

Mr. Angelo Marcuccio, Environmental Analyst  
New York State Department of Environmental Conservation  
Region 4 Headquarters  
1130 North Westcott Rd.  
Schenectady, NY 12306

Re: City of Albany Rapp Road Landfill Expansion, DEC permit numbers 4-0101-00171/00011, 00013, 00015 and 00016, and Storm Water Management Permit.

Dear Mr. Marcuccio:

I am submitting this letter on behalf of my client, Save the Pine Bush, an organization that has worked for more than 30 years to preserve the Albany Pine Bush. Save the Pine Bush has a long and distinguished history of fighting to oppose ill-considered development within the unique, valuable and endangered ecological area known as the Albany Pine Bush, advocating for the creation and expansion of the Albany Pine Bush Preserve, and, of particular importance, in opposing the further extension of the Rapp Road landfill. Although this letter represents the comments of the organization, it is also supplemented by comments from individual members of Save the Pine Bush, information regarding the lengthy history of odor problems at the landfill, and a comment letter submitted by Barbara Warren of the Citizens Environmental Coalition and also signed by Lynne Jackson of Save the Pine Bush.

Save the Pine Bush strenuously opposes the City of Albany's application to expand the Rapp Road landfill. We believe that the expansion represents, more than anything else, the continued failure of the City to meaningfully address its needs for solid waste disposal. Furthermore, the City's need for landfill space is the result of the City's cynical short-term use of the landfill for revenue purposes, and Save the Pine Bush urges the Department to stop enabling the City's misuse of a scarce public resource. Finally, as detailed in Part II, § 5 below, the City's landfill has serious deficiencies warranting, at the very least, major modifications to the proposed permit. Of particular note, the closure plan, as proposed, would result in an unstable mountain of garbage, with slopes well in excess of regulatory limits, which would pose a dangerous condition.

These comments will be divided into an introduction and three parts. First, Save the Pine Bush comments about the procedures DEC is utilizing to process this application; including the regulatory requirements under Part 621, SEQRA procedures under Part 617, and the need for an adjudicatory hearing in accordance with the procedures set forth in Part 624. Second, we believe that there are a number of significant and substantial issues, warranting a formal adjudicatory hearing. The identified issues pertain to both the global failure of the City to comply with planning requirements, and to the unsafe design of the proposed landfill expansion. Specific proposed permit conditions are proposed. Finally, we believe that the Fourth Supplemental Draft Environmental Impact Statement (DSEIS) is inadequate, and that additional information must be provided before a Final Environmental Impact Statement can be prepared, and DEC can make the requisite findings pursuant to 6 NYCRR 617.11. Most notably, the DSEIS fails to contain sufficient analysis of issues pertaining to solid waste planning and the regulation of air pollutants, particularly with respect to odor control.

### Introduction

For the fourth time in less than 20 years, the City of Albany is applying for a permit to expand its Rapp Road landfill. The first expansion was approved, by decision of then Commissioner Thomas Jorling on February 13, 1990. In approving the expansion, Commissioner Jorling stated: "in light of the fact that the interim landfill will only provide capacity for an estimated three years of solid waste management, it is critically important for the City and other municipalities that will use this interim landfill to move rapidly to complete a long-term management study and implement an alternative solid waste program in that time period. Based on the record of this proceeding, **I cannot envision any set of circumstances that would justify the extension of the life of this interim landfill or the approval of another such facility in any part of the Albany Pine Bush.**" (emphasis added)

Notwithstanding Commissioner Jorling's decision, a second expansion of the landfill was approved in 1997 (the Wedge) and a third expansion was approved in 2000 (the P-4 expansion). Although it has been almost 19 years, the City has still not developed any feasible long-term plan for the handling of the solid waste generated by the ANSWERS communities. Instead, the City now seeks a fourth expansion, which it claims will provide waste capacity for another 6.5 years. The City's only proposed long-term solution is the C-2 site in the Town of Coeymans. However, that site is known to have wetlands, and the City acknowledges that the site will not be available for at least 10 to 20 years (assuming that the significant regulatory issues associated with that site can be accommodated, and the intense local opposition to that site from the Town of Coeymans and its residents can be overcome).

In short, the City has failed to meet its obligation to establish any long-term solution and has simply relied on continued expansions into the Pine Bush. Furthermore, the landfill is not used merely for the legitimate needs of the ANSWERS watershed; instead, the landfill is used as a revenue source for the City, based upon the City's apparent belief that the need for short-term cash is more important than its own waste disposal needs. More importantly, the City is totally unconcerned with the destruction of precious and irreplaceable Pine Bush land, and is willing to sacrifice the Pine Bush not only to solve a garbage crisis, but merely as a stop-gap fiscal measure, and to postpone the inevitable need for a realistic plan to handle solid waste.



Despite the City's protestations to the contrary, if this request is granted, it is unlikely to be the last application to expand the landfill into the Pine Bush. After the Eastern Expansion is filled, in approximately 6.5 years according to the City, the ANSWERS communities will once again not have a place to deposit waste; the Coeymans site will not be ready. Given the failure of the City to conduct any meaningful long-term solid waste planning in the last 19 years, and given the Department's willingness to grant the City continued expansions into the Pine Bush, there is no reason to suppose that the City will do anything other than request a fifth expansion onto either City-owned, or other available land that has not been legally dedicated to preservation purposes. The arguments that the City is now advancing in support of the fourth expansion are virtually identical to the arguments advanced in 2000, in support of the third expansion, and could be trotted out once again in 7 years, in support of still another expansion request.

Save the Pine Bush respectively urges DEC to reject the City's latest application, and to force the City to do what it should have done 19 years ago; develop a realistic and feasible plan for the handling of solid waste without further insult to the Pine Bush. The City's alleged crisis is the same crisis that it faced in 2000, and, unless the Department forces the City to address the situation now, the City will face the same situation in 2015, after having destroyed an additional 14 acres of Pine Bush land. At a minimum, if this latest request is to be approved, Save the Pine Bush urges DEC to impose conditions that will provide an absolute legal guarantee against any further expansion of the Rapp Road landfill; by requiring the dedication of all City owned lands in the vicinity, including all of the land that is to be restored pursuant to the Habitat Plan, to the Albany Pine Bush Preserve created by Article 46 of the Environmental Conservation Law, and by requiring the City to execute appropriate documents to preclude the acquisition of any other Pine Bush lands for landfill purposes.

### **I. Procedural posture of City's application**

The Department has made a determination of a complete application for a Part 360 permit, in accordance with the procedures of 6 NYCRR 621.7. William Clarke, speaking for the Department at the public hearing on December 3, 2008, indicated that a determination of completeness did not mean that the Department was committed to the project. However, the determination of completeness provides certain rights to the applicant, and commits the Department to certain procedures with respect to the processing of the application. A complete application is defined as "an application for a permit which is in an approved form as determined by the Department to be complete for the purpose of commencing review of the application but which may need to be supplemented during the course of review in order to enable the Department to make findings and determinations required by law." 6 NYCRR 621.2 (f). A determination of completeness means that the Department has determined that the application meets the requirements of 6 NYCRR §§ 621.3 and 621.4.

Section 621.4 (m) (1) requires that an application for a solid waste management facility contain all of the information required by Part 360. Therefore, the Department's determination of completeness means that the Department has determined that the application meets the requirements of Part 360. This determination was not made casually by the Department. Indeed,

it appears, from the information on the website, that the Department sent at least two extensive sets of comments to the City's consultants, Clough Harbor, on February 4, 2008, and again on April 18, and that Clough Harbor filed extensive responses to these comments. In addition to the information on the website, the Department sent several other sets of comments to Clough Harbor, and issued at least 3 notices of incomplete application.

Save the Pine Bush respectfully maintains that the Department's determination of completeness is legally flawed. In particular, Part 360, as discussed below, requires that an applicant for a solid waste management facility submit a Solid Waste Management Plan, including modifications and updates, in accordance with §27-0107 of the Environmental Conservation Law. The City's plan, adopted in 1990, still does not provide for a permanent solution, and does not make any provisions for what will happen after the Eastern Expansion is filled. The plan is, in short, a "plan to make a plan" and does not meet the legal criteria.

In addition, as described in Part II below, Save the Pine Bush maintains that the application is incomplete because it does not demonstrate that the City will comply with all applicable regulatory criteria. The application is missing critical documentation, and the closure plan, as submitted, will contravene the Part 360 standards for slope steepness and stability.

Once the application was determined to be complete, the Department was required to determine whether a public hearing would be held. The Department fulfilled this requirement and conducted a public hearing, in accordance with 6 NYCRR § 621.8. However, the Department has not yet made a determination whether or not to conduct an adjudicatory hearing pursuant to the requirements of Part 624.

Section 621.8 (d) states: "mere expressions of general opposition to a project are insufficient grounds for holding an adjudicatory public hearing on a permit application. In order to raise substantial and significant issues, written comments expressing objection or opposition to an application must explain the basis of that opposition and identify the specific grounds which could lead the Department to deny or impose significant conditions on the permit."

Although the Department conducted an adjudicatory hearing in connection with the 1990 expansion, it did not do so with respect to the 1997 and 2000 expansions. In connection with the 2000 expansion, Save the Pine Bush's then attorney, Louis Oliver, submitted a 28 page single-spaced letter, identifying regulatory issues that warranted an adjudicatory hearing, and specifically asking that DEC conduct such a hearing. Nevertheless, the Department disregarded Save the Pine Bush's request, refused to conduct an adjudicatory hearing, and issued the permit for the expansion. If the Department had convened an adjudicatory hearing, Save the Pine Bush would have filed a formal petition for party status in accordance with the provisions of Part 624, and the determination of whether or not the issues raised by Save the Pine Bush met the regulatory criteria of substantive and significant would have been made by an independent Administrative Law Judge. Instead, the Department determined, on its own, that the issues were not sufficient, and deprived Save the Pine Bush of an opportunity for an administrative review of its determination.

A copy of Mr. Oliver's November 1, 1999 letter is annexed hereto, and Save the Pine Bush respectfully requests that it be made part of the comment record in this proceeding. Several of the issues raised with respect to the P-4 expansion in 2000 are identical to the issues involved in the proposed 2008 expansion. It should be noted that, in connection with the 2000 expansion, Save the Pine Bush relied on experts, and it was prepared to introduce expert testimony at an adjudicatory hearing.

Save the Pine Bush recognizes that, in order to have an issue adjudicated in a hearing conducted pursuant to Part 624, it would be necessary to identify experts who are prepared to testify. Some of the issues discussed in this letter are plainly technical, and will require expert testimony. However, at the present time, Save the Pine Bush is only requesting that the Department review these issues, and either reconsider its determination of completeness (if legally possible), or confirm that the issues warrant further consideration in an adjudicatory hearing. The Department has not indicated in the notice pursuant to this application, nor do the regulations require, the identification of experts in connection with the filing of comments pursuant to 621.

The public was given a little over two months to review an application for landfill that had been reviewed by the Department for over a year. We have not had an opportunity to have our experts conduct more than a cursory review of the massive documentation that has been submitted. Furthermore, additional records that Save the Pine Bush requested pursuant to the Freedom of Information Law were not made available until the weekend of December 12- 14, shortly before the filing deadline. I requested an extension of the filing deadline, on behalf of Save the Pine Bush, but the request was denied, by your letter dated December 11, 2008. Under the circumstances, Save the Pine Bush respectfully requests that, in the interest of fairness, the Department recognize that we can and will amplify upon the issues raised in this letter if given an opportunity.

We urge the Department to provide an opportunity to resolve any doubts that may exist regarding the "substantive" and significant" nature of the issues that we have raised, either by providing an extended opportunity for comment, or by acknowledging that we have met the threshold for convening an adjudicatory hearing, and permitting an Administrative Law Judge to make the determination of whether we have identified issues for formal adjudication. Consequently, we reiterate the request, made in my letter to you dated December 5, 2008, that the Department should convene an adjudicatory hearing pursuant to 6 NYCRR Part 624.

The December 3, 2008 hearing also apparently served as a public hearing under SEQRA. In connection with the application for a Part 360 permit, the City submitted, in accordance with the provisions of 6 NYCRR § 621.3 (a) (7), the SDEIS, which had been accepted by the Department as lead agency. Obviously, the comments that are being submitted, both at the hearing, and in writing, are required to be addressed in the context of a Final Environmental Impact Statement. The Department will be required to make the requisite findings pursuant to 6 NYCRR § 617.11 as a precondition to the issuance of the permits for the project, both under Part 360, and also under Title V of the Clean Air Act.

SEQRA requires, of course, an explicit finding that all adverse environmental impacts have been mitigated to the maximum extent practicable. For the reasons set forth in Part III below, Save the Pine Bush maintains that such a finding cannot be made, without the applicant committing to make significant additional changes, particularly with respect to odor control, air pollution, slope stability, and solid waste planning.

## **II. Regulatory issues warranting an adjudicatory hearing**

In order to warrant an adjudicatory hearing, the Department must determine that there are substantive and significant issues. "Substantive" and "significant," as criteria for adjudicable issues are referenced in § 70-0119 (1) of the Environmental Conservation Law and in 6 NYCRR § 621.8, but the terms are defined at 6 NYCRR §§ 624.4 (c) (2) and (3): "an issue is substantive if there is sufficient doubt about the applicant's ability to meet statutory or regulatory criteria applicable to the project, such that a reasonable person would require further inquiry. . . . An issue is significant if it has the potential to result in the denial of a permit, a major modification to the proposed project or the imposition of significant permit conditions...."

Save the Pine Bush respectfully maintains that the application does not meet several major regulatory criteria of Part 360: 1) the failure to include an adequate Solid Waste Management Plan, 2) the siting of the landfill over a principal aquifer, 3) the inadequacy of the consideration of alternatives to the expansion of the Rapp Road landfill, 4) the taking of habitat needed by an endangered species, the Karner Blue Butterfly. Furthermore, Save the Pine Bush raises a number of issues about the adequacy of the application, particularly with respect to slope stability, leachate management, and interim cover materials, where we believe that the application is either deficient, or substantive and significant issues exist with respect to a particular criterion.

Even assuming that these regulatory deficiencies can be cured, Save the Pine Bush nevertheless maintains that conditions need to be imposed as part of the permit, to effectuate the mitigation requirements required by regulation and by SEQRA. If this permit is granted, the imposition of strict conditions are necessary to ensure that this really will be the last time that the City will attempt to expand the Rapp Road landfill, and to insure that the City, after almost 20 years, finally takes its responsibilities for long-range solid waste management planning seriously.

### **1. The application must be rejected because of the failure to provide an adequate solid waste management plan**

6 NYCRR § 360-1.9 (g) requires that an application for the construction of a solid waste management facility is not complete until a solid waste management plan is in effect for the municipality. Section 360-15.9 requires that the plan "provide for the management of all solid waste within the planning unit for at least a 10-year period." Although the City of Albany first adopted a Solid Waste Management Plan (SWMP) in 1990, and it was accepted by DEC in 1992, the plan has not been adequately modified to reflect the current reality. Furthermore, even though DEC has accepted the City's current application as complete, the most recent management plan modification was submitted in draft form on September 24, but has not yet been approved by

DEC. Section 360-15.11 (a) prohibits the Department from making a determination that a permit for a municipality to construct or operate a solid waste management facility is complete "until the Department approves a modified plan describing such a facility. Therefore, the City's application for a Part 360 permit for the Eastern Expansion cannot be considered complete.

Both the spirit and the letter of the Part 360 regulations contemplate that a solid waste management facility for a governmental entity should not be approved until the applicant demonstrates that the facility is in accordance with a plan, demonstrating that the applicant can adequately manage solid waste. It is simply unacceptable for the City of Albany to continually obtain permits for expansions of an existing landfill, without an adequate plan, merely upon the promise that someday, the City will magically construct a new landfill in the Town of Coeymans. The regulations require that a plan be in place before an application is approved, not developed at some point in the future, and certainly before more than 18 years have elapsed since the first permit was granted for an expansion.

The draft SWMP modification states that the City "will prepare a new SWMP, to reevaluate whether constructing a new, long-term landfill to serve the waste shed continues to make sense, and whether other waste management techniques are appropriate." (p.3). The Aquifer Variance Report, submitted in support of the City's request for an exemption from the requirement that a landfill not be sited over a principal aquifer, specifically acknowledges that a plan for the handling of solid waste will not happen until an undefined point in the future: "The long-term solution to solid waste management for Albany and the ANSWERS community's will be the subject of an update to the Solid Waste Management Plan (SWMP) that was initially prepared in 1990 - 91. . . . the SWMP update will address several options for long-term solid waste management. . . . At present, it appears that the most likely solution will involve a combination of several options including more aggressive waste reduction methods enforcement and the transport of waste to a large regional facility." (pps 10-11). In short, the City is not planning to figure out what to do with its solid waste until some time in the indefinite future, well after it has obtained one more landfill expansion permit.

The report also acknowledges that "after further evaluation, site C-2 [Coeymans] would involve some extensive wetland mitigation efforts that preclude its consideration for the short term needs and may prove not to be feasible in the long-term." In any event, the proposed expansion is described as providing an additional six to seven years of additional landfill capacity, and the City acknowledges that, at best, the only landfill under consideration, the C-2 site in Coeymans, will not be ready for 10 to 20 years (see Aquifer Variance Report, p.8). Therefore, it appears that the expansion of the existing landfill, even if permitted, will not, by itself, address the City's landfill needs. The SWMP, either originally, or even as the City proposes to modify it, simply does not specify how the City will fulfill its solid waste management responsibilities.

Save the Pine Bush maintains that the application for a Part 360 permit does not meet the specific requirements of §§ 360-1.9 (g) and 360-15.11 (a) until the City proposes a plan describing how it intends to address the solid waste needs of the ANSWERS community. The city has had more than 18 years to design such a plan, and it now appears that the only long-term solution that it seriously considered, the Coeymans site, may not be viable. Even if it was to be

conceded that the City will run out of landfill space in 2009, and must be granted the permit because it does not have any alternative to the expansion, the Department is prohibited, by regulation, from tolerating the City's continuing failure to fulfill its legal responsibility to develop a feasible plan. The City should not get a free ride, and, in effect, receive a reward for their complete derogation of responsibility by obtaining a new permit for an expanded landfill.

**2. The application for the Eastern Expansion should be denied because it is located over a principal aquifer.**

The Rapp Road landfill is located over a principal aquifer. In 1999-2000, the City, in applying for the P-4 expansion, requested that DEC declassify the aquifer, in order to permit the expansion. Although this request was denied, the Department nevertheless granted a permit for the landfill, because it granted a variance from the regulatory prohibition against the siting of landfills over principal aquifers, in accordance with § 360-1.7 (c). The Department maintained, and was subsequently upheld by a decision of New York State Supreme Court, that it had the authority to grant a variance from the regulatory requirement. The City's latest request acknowledges that the landfill is located over a principal aquifer, but nevertheless is requesting a variance, to permit one more expansion.

Mr. Oliver's comments on behalf of Save the Pine Bush in 1999 discuss, at great length, why the Rapp Road site is over a principal aquifer (pps. 1-9) in response to the City's argument that the aquifer should have been declassified. However, in the current application, the City apparently acknowledges that the landfill is located over a principal aquifer, and that a variance is necessary. Mr. Oliver also argued in his comments, as he later did before the court, that the Department did not have the authority to grant a variance from the regulations. Inasmuch as that argument was unsuccessful, Save the Pine Bush must concede, at least until and unless the matter is litigated again before a higher tribunal, that the Department has the legal authority to grant such a variance. Nevertheless, Save the Pine Bush argues that the Department should not exercise its discretion to grant it, and should, instead, deny the requested variance.

There are strong policy reasons why the legislature, in enacting § 27-0704 of the Environmental Conservation Law, gave the Department the authority to prohibit the siting of landfills over aquifers. The Department, by regulation, prohibited such siting because of the need to protect the water resources of the State of New York. Here, we are confronted with a landfill which is known to have already contributed to the pollution of groundwater that is migrating towards Rensselaer Lake, and towards potential public water supplies for the City of Albany.

Save the Pine Bush respectfully maintains that the City has not made its case for a variance from the well-established policy with respect to the protection of potential drinking water sources. The City's argument that the use of this aquifer as a drinking water source might actually harm the Pine Bush can and should be left for a later day, to be resolved when a municipality seeks to use the aquifer as a public drinking water source. However, in order to preserve the possibility that such an argument will not be rendered moot by pollution, the aquifer must be protected at the present time. Furthermore, the City's alleged economic hardship, cited as



the basis for the aquifer variance, is self-created. It is the City that has chosen to delay any meaningful consideration of alternatives or long-range solution to its solid waste problems, while, at the same time, exacerbating the problem by utilizing its existing landfill space as a revenue source, rather than preserve it to fulfill the needs of the ANSWERS communities.

The Department's determination not to declassify this aquifer indicates the need to continue to preserve it, and the City should not be permitted a variance from the requirement, well established in policy and promulgated by regulation, that landfills should not be sited over principal aquifers.

**3. The application must be rejected because of the failure to adequately consider alternatives to the Eastern Expansion of the Rapp Road landfill.**

6 NYCRR § 360-2.12 requires that an applicant for a landfill expansion that does not "exhibit [certain] characteristics", must submit a site selection study, in order to justify the selection of the nonconforming site. § 360-2.12 (a) (1) (ii) requires compliance with subdivision (c), which prohibits the siting of a landfill over a principal aquifer. Accordingly, the City submitted a landfill siting report, purporting to justify the selection of the expansion of the Rapp Road facility, as opposed to using other possible sites that meet the relevant criteria.

The landfill siting report that is included in the Part 360 application describes itself as an update of the 1999 study, which in turn updated previous studies conducted in 1988, 1989, 1996 and 1999. This study looked at the same 10 sites within the City of Albany that had previously been considered, and, once again, rejected them in favor of a further expansion into the Pine Bush. Mr. Oliver characterized the 1999 study as "nothing more than a warmed over version of the previous 1989 study for an interim landfill in the city of Albany, considering exactly the same exact 10 sites within the city of Albany's boundaries and applying very similar criteria." (p.13). Mr. Oliver also criticized the 1999 study for the absence of any numerical criteria; apparently, in response, the 2008 study contains a numerical ranking formula, but nevertheless reaches the same conclusion: there are no alternatives to the Rapp Road expansion. Mr. Oliver characterized the 1999 report as "not really a site selection study as required by part 360 at all, but a post-hoc after the fact justification for another expansion of the city's landfill in the Pine Bush." (P. 14). The same statement can be made regarding the current application.

Once again, the City has limited its selection of sites to sites located within the City of Albany. The City is providing services to all of the ANSWERS communities, and there is no reason provided as to why the City could not acquire a site in conjunction with one of these communities outside of the City of Albany. Indeed, consideration of such alternative sites would appear to be more necessary now than it was in 1999, since the City now knows that its desired site, in Coeymans, will not be available until after the proposed new expansion is filled, and the City will need to provide for solid waste disposal between the completion of the filling of the Eastern Expansion and the time that Coeymans is ultimately ready.

The Third Supplemental Draft Environmental Impact Statement, submitted in support of the P-4 expansion, described reliance upon the Coeymans site as "not a viable option that could substitute for the proposed action and is essentially the same as the No Action alternative." (p. 56). Eight years later, nothing has changed.

An obvious alternative for the City would be to find a new site, which could meet the present need for landfill capacity without further insult to the Pine Bush, and also avoid the problems associated with Coeymans. The City has now, unlike in 1999, completed its acquisition of Coeymans. The City has been discussing the construction of a landfill at the site with the Department for at least ten years, but appears to be as far away as ever from filing an application for a permit. If, as the City maintains, the sites within Albany are not viable, the City will need a stopgap site. Since Coeymans may ultimately not be viable as a permanent solution, the City must consider new alternatives.

Part 360 only requires a site selection study; it does not specifically require the consideration of other alternatives to the construction or expansion of the landfill (although the consideration of such alternatives is required by SEQRA). The City's failure to discuss such alternatives is discussed at greater length in Part III below. Specifically, the City could implement changes in its disposal practices. For example, the City could restrict the waste that it receives, either by limiting disposal to the ANSWERS communities, consider restrictions on receiving waste from commercial sources, stop accepting waste from state offices, or even terminate its contracts with some or all of the ANSWERS communities themselves. Although the 2008 application, unlike the 1999 application, contains an extensive discussion of alternative disposal practices, the application does not address any these alternatives – which would extend the capacity of the existing landfill site.

#### **4. Part 360 prohibits the construction of a landfill that will adversely impact an endangered species.**

6 NYCRR Part 360-1.7 (a) (2) (iii) prohibits the construction or operation of a landfill "in a manner that causes or contributes to the taking of any endangered or threatened species or to the destruction or adverse modification of their critical habitat." It is well-known that the Albany Pine Bush's home to an endangered species, the Karner Blue butterfly.

Although the application itself is silent with respect to the impacts of the proposed landfill expansion upon the Pine Bush or upon the Karner Blue, the SDEIS acknowledges that "the proposed Eastern Expansion would eliminate the opportunity for the APBPC to acquire the City-owned expansion area as proposed in the 2002 Management Plan." The SDEIS assumes that "the predominance of sizable oaks on the upland islands, the proximity of upland directly adjacent to existing landfill operations, and the significant wetland component suggests the intent for this land is as a buffer and habitat linkage." However, the SDEIS acknowledges that the Preserve Commission staff "have expressed their belief that a portion of this land is restorable to Pine barrens."

It does not appear that the applicant conducted any fair analysis of this issue. Therefore, there is no basis to conclude, as the City apparently concludes, that the proposed project will not adversely affect the Karner Blue by modifying its habitat.

Mr. Oliver's letter contains an extensive legal history of the 1990 expansion, where a DEC Administrative Law Judge initially concluded that the first expansion of the landfill should have been denied, because of the impact upon the Karner Blue, but was overruled by Commissioner Jorling. The 1990 expansion was the subject of a lengthy factual hearing, which discusses the ecology of the site of the expansion, in order to make the determination that the site was not "critical habitat". In this case, unlike 1990, the City has not attempted to make an initial showing that the proposed site is not critical habitat, nor has it done anything more than rely upon its own interpretation of the Preserve Commission's 2002 Management Plan.

The expansion of the landfill obviously constitutes the destruction or adverse modification of 14 acres of Pine Bush land, which save the Pine Bush respectfully maintains is "critical habitat." Commissioner Jorling, in approving the project, noted: "the 25 acres [at issue in the 1990 expansion] would remain as habitat. . ." if the landfill expansion was denied. Nevertheless, he approved the landfill expansion because "in the absence of the project . . . there would be no alternative legal mechanisms that are likely to provide . . . assurances regarding the establishment and management of a Pine Bush preserve. Without such mechanisms, it is far more likely that the Karner blue would perish. Without such mechanisms, it is far more likely that the Karner Blue would perish. Therefore the parcel cannot be regarded as critical habitat and in fact, if it were, we would be faced with the ultimate irony of preserving a parcel at the expense of reducing the likelihood of the long-term survival of the species."

In effect, Commissioner Jorling was acknowledging that the site constituted critical habitat as the ALJ had found, but nevertheless was determining to approve the expansion because he believed that the overall mitigation measures justified the taking of 25 acres of Pine Bush land. Today, the Pine Bush Preserve has been established, and almost all of the Pine Bush lands have either been developed, preserved, or taken as part of the Rapp Road landfill. Once again, we are faced with deciding whether to protect a specific parcel because of its potential use as habitat for an endangered species, or in the alternative to sacrifice it because the developer will provide an allegedly greater benefit for the species. This is obviously a very fact specific inquiry, but the City has not provided any basis for its determination that its proposed mitigation justifies the taking.

The City is seeking to do something that is specifically prohibited by the regulations: expand a landfill in an area known to be a habitat for an endangered species. Therefore, it is the City that has the obligation of establishing both the extent of the damage that will be caused, and the justification for it. Although the City has proposed a mitigation plan, which has been generally praised and specifically applauded by the Albany Pine Bush Preserve Commission (see remarks of Christopher Hawver at the December 3, 2008 public hearing), it has not conducted any analysis of the other side of the equation: the value of the habitat to be taken for landfill purposes. It is noteworthy that Mr. Hawver, while praising the City's proposed habitat restoration program, nevertheless opposed the 14 acre expansion into land that the Commission hopes to acquire for preserve purposes.

At the very least, the issue of whether or not the 14 acre site constitutes critical habitat is a factual issue subject to adjudication. Obviously, if this land is determined to be "critical habitat," such a determination constitutes grounds to deny the requested part 360 permit for a landfill expansion.

**5. The application fails to comply with regulatory criteria of Part 360.**

The application fails to comply with the technical criteria of the Part 360 regulations. The application does not comply with the criteria for landfill closure, fails to provide an adequate plan for leachate management, and seeks a waiver of the requirement for intermediate cover. The applicant has failed to set forth an adequate justification for these issues of noncompliance, and Save the Pine Bush asks the Department to enforce the regulatory criteria. If the Department is unwilling to do so, Save the Pine Bush requests the opportunity to file for an adjudicatory hearing to consider the issue.

- A. 6 NYCRR § 360-2.15 (k) sets forth conditions when a maximum slope of 33% may be exceeded. If the maximum slope of 33% was exceeded prior to December 31, 1988, and there was no Department approved plan for closure, the 33% threshold can be exceeded. In this case, the application describes an intended slope of 33%. This relatively high slope is intended to increase the angle of the slope, with the intention of creating additional landfill space.

However, contrary to the assertions of the City's consultant, the eastern slopes of the proposed landfill expansion will exceed the 33% threshold. Save the Pine Bush respectfully urges DEC to closely examine drawings G8, G9 and G10, and to measure the slopes described on those drawings. These drawings indicate slopes well in excess of 33%, on one occasion rising to a maximum of 42%.

Save the Pine Bush respectfully maintains that the 33% threshold is pushing the safety margins as it is. A slope will not be uniform, and a slope of 33% will result in some locations with a greater slope. Furthermore, the excessive slope is not justified by a stability analysis. The application claims that a computer analysis was performed, which demonstrates a safety factor of 1.5 "against a global slope or bearing failure for the full depth excavation case during construction, and for the final waste mass and cover system elevations at landfill closure." (Engineering Report, p.17). This computer analysis may be suspect because we do not know what inputs were used. In any event, Save the Pine Bush respectfully maintains that a safety factor of 1.5 which barely meets the regulatory criterion of § 360-2.7 (b) (6) (iii), is inadequate, and that a minimum safety factor should be 2.0 especially since the slope is already exceeding the maximum.

- B. 6 NYCRR § 360-2.3 (k) requires an applicant for a solid waste management facility to include a leachate management plan. The requirements of this plan are further specified in § 360-2.7 (b) (9). The City's application is inadequate because it fails to provide for the analysis of leachate prior to its disposal of sewer systems. Instead, the

application contemplates that analysis will be performed on an orderly basis, even though leachate will not be stored on-site for more than 13 days. In the event that the leachate is determined to be acceptable for discharge, the application contemplates that it will be treated on site, by mobile air strippers. This raises serious questions with respect to the use of the air strippers, both because of the noise impacts and, more importantly, because of the air pollution impacts. Simply stated, if hazardous pollutants are to be removed from the leachate so that they can be deposited in the sewer system, and those hazardous pollutants are removed and emitted into the air, a question exists with respect to those air emissions.

Furthermore, the application, and, in particular, the engineering report, describes the closure of the leachate collection and storage system. However, it does not adequately describe the contingencies that might be needed if there is a breach in the secondary containment, nor does it describe how leachate will be recovered if there is a breach in the liner system.

- C. 6 NYCRR § 360-2.17 (d) requires an intermediate cover of a minimum of 12 inches of compacted cover material. The City is seeking a variance from this requirement, to utilize Posi-Shell, which it has been using for a number of years. The landfill has also been the subject of numerous odor complaints from the community, and Save the Pine Bush respectfully suggests that there is a possibility that these odor complaints may be related to the manner in which the city has been utilizing Posi-Shell.

The City claims that lime within the Posi-Shell actually suppresses odors, and, in theory, it should work that way. However, the odors have occurred, and Save the Pine Bush is concerned that the odors may be the result of the City's failure to properly the alternate cover material.

We are unaware of any standards for the application of Posi-Shell, and question whether it has been properly applied by the City, to achieve the desired results. The application does not describe any standards with respect to the application of the Posi-shell, or for the inspection of the material, to ensure adequate uniformity, thickness, and its odor blocking capabilities. In addition, the city's activities with respect to clearing snow and ice from the landfill, when needed, may also have an adverse impact upon the Posi-Shell. The use of snow removal machinery may rupture the Posi-Shell, with the result that the benefits of cover, particularly with respect to odor suppression, may be lost.

- D. 6 NYCRR § 360-2.10 sets forth the information that must be contained in a contingency plan. Nevertheless, the contingency plans submitted by the City do not address how a number of operational issues listed in §360-2.10 (b) will be addressed: 1) loss of electrical power, 2) how access will be realized into confined spaces for monitoring and maintenance, 3) detection and control of explosive landfill gas, 4) what to do if unauthorized waste has been deposited or received, 5) release of toxic materials into the environment, 6) contamination of private water supply sources, 7) overflow of the leachate tank in the event of unusually high accumulations of

leachate, 8) the description and location of alarm systems, including high water alarm, and 9) if the leachate pumps become inoperable.

In addition, the construction contingency plan referenced on page 6 of the Quality Control Plan is missing. (§ 2.3 (I)). This plan should address what should be done with respect to problems that might arise during construction as a result of excessive odors or in the event of a spill.

- E. The Environmental Monitoring Plan does not intend to monitor existing surface water quality in the drainage ditch that drains into Rensselaer Lake. However, in 2005, DEC discovered solid waste and/or leachate running onto surface waters, and the determination of background levels of water quality is essential. Furthermore, the Monitoring Plan contemplates semi-annual monitoring of the leak detection layer, and significantly more frequent monitoring is needed.
- F. 6 NYCRR Part 360-2.7 (b) (7) requires a seismic analysis, as part of the new landfill. The results of the seismic analysis, submitted by the applicant do not show conformance with USGS MF2120.

**6. The Department should impose specific conditions to assure compliance with regulatory criteria and to ensure the protection of the environment.**

If the Department ultimately determines to issue a permit for the Eastern Expansion, Save the Pine Bush respectfully urges the Department to impose the following conditions, either to ensure that the City : 1) complies with its obligations to conduct meaningful solid waste planning, as discussed above, 2) complies with the regulatory criteria, and/or 3) takes appropriate steps to ensure the protection of local residents, the community, and the environment.

- A. Within 6 months of obtaining any permit for a landfill expansion, the city must submit an approvable Solid Waste Management Plan to the Department, identifying either a long-term plan for the disposal of solid waste, or a timetable with enforceable deadlines explaining when such a plan will be developed. Such plan must explicitly recognize the need for an alternative to the Coeymans site, and will describe a preferred alternative to a fifth expansion into the Pine Bush.
- B. The City must immediately convey any City-owned land in the immediate vicinity of the landfill, that is not presently permitted for landfill uses, to the Albany Pine Bush Preserve Commission, and convey such other easements or real property documents as may be necessary to ensure that it will not seek any further expansion of the Rapp Road landfill.
- C. In light of the odor problems that have existed in recent years, the City should be required to reinstate an environmental monitor, to ensure compliance with the conditions of the permit, and particularly to ensure that the City takes all possible measures to minimize odor problems for the community.



- D. In order to maximize the longevity of the landfill, the City should be required to take measures to minimize the amount of waste that is deposited at the Rapp Road site. These measures should include, at a minimum, restricting the tipping of waste to residents of the ANSWERS wasteshed. This can be accomplished by either prohibiting private waste haulers, or by requiring them to certify that all of the waste that they are depositing originated within the wasteshed. In addition, the Department should consider requiring the City: 1) to stop accepting waste from State sources, 2) to stop utilizing its landfill on behalf of the entire ANSWERS and limit waste disposal to the city of Albany, 3) reducing the limit of waste that can be received below the current limit of 1050 tons per day, or requiring that a certain portion of the waste be sent to other landfills that can accommodate it. Under no circumstances should the City be permitted to continue to utilize the landfill as a revenue source by permitting entities to deposit waste that have no connection to the wasteshed.

### **III. The Supplemental Draft Environmental Impact Statement is inadequate**

SEQRA requires that, as a condition of granting an approval to an action, such as the expansion of a landfill, the agency, in this case the Department, "make an explicit finding that... consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environment impact statement process will be minimized or avoided." ECL § 80109 (8). Save the Pine Bush respectfully maintains that the Department cannot make such a finding with respect to the proposed expansion of the Rapp Road landfill.

As discussed above, this is a fourth extension request in 20 years, and the City has still not made any serious attempt to develop a long-term solution to its solid waste needs. Of greater importance, this is not just an ordinary landfill expansion; this is an expansion into a unique ecological area, which a former Commissioner has explicitly stated should not be subject to further environmental insults. The landfill expansion will result in the destruction of land which either is, or could certainly potentially become, habitat for the endangered Karner Blue butterfly.

Also, as noted above, the City has not studied the potential significance of the area of the proposed expansion. The City does not submit any information, and the Department has no basis to make a finding that the destruction of this habitat for a landfill will not have serious adverse environmental impacts. These effects need to be studied before the requisite SEQRA finding can be made.

Odors are a particular concern with respect to the Rapp Road landfill. There have been very serious impacts in the past, and there is a clear danger that odors may continue to be a major problem as a result of the expanded facility. Although the SDEIS makes the unsurprising finding that "odor concentration is decreased as distance increases from the active landfilling area" (SDEIS p.4-4), this expansion will move landfilling operations closer to residential areas. However, the City does not propose any new odor control measures.

No explanation is offered of the obvious past problems that have been known to occur. Instead, the SDEIS merely declares, optimistically, "that the maximum concentrations of [potential odor causing compounds] are predicted to remain below detection thresholds at ranges of 1051 meters and 549 meters. (Id. p.4.4). The SDEIS does not explain whether the figures 1051 meters and 549 meters are elevations above sea level, distances from the existing landfill, from the expansion area, or anything else. A distance of 1051 meters is well more than half a mile, and, obviously, there are hundreds of residents of the area who live closer than 1051 meters to the proposed landfill site.

If the landfill is to be permitted, the City should be required to adopt additional measures to minimize odors. These measures might consist of requirements of additional cover, change in operations, stricter monitoring of wastes, monitoring of the quantity of waste, or changes in the character of wastes that are accepted. However, the failure to even identify prospective mitigation measures with respect to odor problems in the SDEIS renders it deficient.

SEQRA also requires the consideration of alternatives. As noted above, the City has failed to consider alternatives that would involve reduction in waste volumes that might be received at the landfill. Reduction in waste volumes would have the effect of prolonging the landfill use, and enabling the facility to operate longer and avoid the necessity of continued expansions into the Pine Bush.

The inadequacy of the City's planning process, and of its solid waste management plan, is illustrated by the City's inability to provide consistent, realistic, meaningful figures with respect to waste generation. The City estimates that the disposal rate will be 277,200 tons per year, from 2009 to 2016. This rate is based upon a rate of 1050 tons per day (tpd), five days per week, and 52 weeks per year. However, the landfill does not operate on holidays, and the 1050 tpd is a maximum (based upon a 30 day rolling average). The DWSMP states that 264,933 tons were received in 2007, and Table 2-2 of the DEIS, on page 214, states that 127,844 tons were received in the first six months of 2007 (exclusive of petroleum contaminated soil and other materials used as daily cover material). Nevertheless, the application materials occasionally refer to waste generation estimates of 320,000 or 327,000 tons per year (it is not clear whether these higher numbers include cover material as well as waste). The City's estimate of capacity is based upon the additional cubic yards of capacity that will be added. However, the City uses two different figures, 1500 lbs/cy and 1800 lbs/cy, based upon improved compaction. Obviously, a 20% increase in tonnage will increase the length of time that the landfill may operate.

The SDEIS estimates waste based upon population figures and claims, on the basis of confusing data presented in § 2.3 of the SDEIS that 109,853 tons of waste was collected at municipal drop-off stations, and that this is about 1/3 of "what can be expected to be provided by the ANSWERS wasteshed" (p.2-13). Nevertheless, even though the total waste is less than 277,000 tons per year, the SDEIS concludes that the majority of wastes occupying space within the landfill "is contributed" by the ANSWERS wasteshed.

The City has committed to increase its efforts with respect to recycling, but claims that the most that it can reasonably expect to achieve is a recycling rate of 50,000 tons per year by the end of 2012, which it claims would be it would be equivalent to a reduction of 372,200 tons, or

1.14 years of additional landfill capacity. (DEIS pps.2-8). This figure simply does not make any sense: if 372,200 tons equals 1.14 years of landfill of additional level capacity, one year of landfill capacity equals 326,491 tons, significantly more than the 277,200 tons per year of disposal rate that the City is estimating. However, the City's estimated disposal rate is significantly higher than the waste that has been received, or that is presently permitted. These figures illustrate that the City may have more landfill capacity than it is claiming.

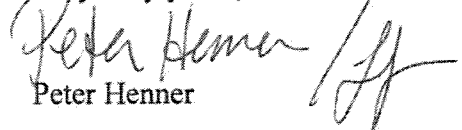
Furthermore, the DEIS claims that "the City has no enforceable mechanism to determine the generation location of waste deposited at the Rapp Road landfill" (DEIS pps.2-16). It appears that some portion of waste, in an indeterminate amount, comes from outside of the ANSWERS watershed. (See also page 215 "there may also be other MSW deliveries from local communities that are not part of the ANSWERS communities, but which finds the facility conveniently situated and competitively priced."

If the City is to continue to use a landfill, knowing that it will run out of landfill space before any alternative is available, the City must be directed to take appropriate measures to maximize the length of such use. In order to minimize the adverse impact of the landfill, the City should be required to adopt alternative measures to prolong landfill life, such as restrictions on non-ANSWERS users, and possibly even restrictions on non-City users. At the very least, commercial users of the landfill who do not collect waste from ANSWERS communities, should be barred. The City should also consider increasing its tipping fees.

### Conclusion

The City argues that it will suffer immediate and short-term damage if it is not permitted to extend the Rapp Road landfill one more time. However, the City has had 18 years to plan for this eventuality, has failed to do so. Of greater importance, it is now clear that, regardless of whether the fourth expansion of the landfill is granted or not, the City will inevitably face a situation where it will run out of landfill space, and will have to develop some other alternative, no doubt at significant cost. The cost cannot reasonably be expected to decline; therefore, Save the Pine Bush respectfully maintains that it would be ultimately better for the city to confront the situation now, rather than at some point in the future, when the costs are even higher. By confronting the issue now, developing a meaningful and feasible plan for the disposal of solid waste in the ANSWERS watershed, the City will not only be ultimately saving money; it will avoid the necessity of destroying 14 acres of irreplaceable Pine Bush land.

Very truly yours,

  
Peter Henner

c: Paula A. Mahan, Supervisor, Town of Colonie  
Frank Leak, Mayor, Village of Colonie

**Justification documentation to deny the City of Albany Application for a Variance from 6 NYCRR 360-2.12( C) (1)(ii) prohibiting landfilling beyond December 31, 1995 over areas identified as a principal aquifer.**

The proposed Rapp Road Landfill Eastern Expansion by the City of Albany should not be approved to protect the Pine Bush Formation, New York State principal aquifer which, according to DEC regulation at 6 NYCRR 360-2.12( c)(1) prohibits siting a new or expanded landfill over a primary water supply aquifer or principal aquifer after 1995. Similar to the last expansion application and SDEIS, the Fourth Supplemental Draft Environmental Impact Statement includes reference to a paid consultant report, the *Pine Bush Declassification Study* intended to show this Pine Bush Formation is not a principal aquifer. The NYS Department of Environmental Conservation has not changed this classification but subsequently approved an Aquifer Variance enabling the last expansion to proceed.

The merit of approving a variance of a prohibited use is questionable. A high standard must be met for granting of any variance, and the current application for another landfill expansion requires approval of yet another Aquifer Variance must be denied.

There are a number of factors that are cause for denying the Aquifer Variance, supporting documentation is attached along with a listing of documents are provided and organized by date. Each listing includes a short caption from each document that are part of these comments.

- Since the last expansion, there had been a significant negative environmental impact on the public health safety and welfare. This is well documented by years of complaints by residents, workers, commuters, businesses, travelers and others. The history of odor/emissions complaints, actually go back over a decade along with several Consent Orders imposed by the NYSDEC. The odors emanating from the landfill was significant enough to be noticed inside peoples homes and businesses and a local day care center and at times reached over a mile from the landfill site. Over 300 residents packed a meeting organized by Save-the-Pine Bush to "Stop the Stink". Their frustration over years of odors was heard. Copies of a substantial volume of complaints are being provided together with this section of comments being submitted.
- Economic hardship is again included in the SDEIS and Permit 360 application as a major reason for approval. The Landfill Quarterly Reports and numerous newspaper articles show a continued pattern of using the landfill as a revenue source for the City of Albany. The total tonnage of wastes went from 201,481 tons in 1999 to 408,082 tons in 2006 in a effort to maximize revenues rather than maximize the limited space for the benefit of the ANSWERS communities served by the landfill. Even a site investigation report back in 1998 noted the City was maximizing revenues by lowering tipping fees to generate more wastes. Further, a subsequent decision to generate more revenues is seen by the dramatic increase

in PCS Petroleum Contaminated Soils and ADC Alternative Daily Cover. Almost 140,000 combined PCS/ADC tons in 2006. The economic hardship is self-created, a result of a revenue based operation that encouraged maximum intake of wastes. The more recent City of Albany's documented discount agreement with Allied Waste then converted to haulers with 300 tpd or more when the agreement was made known was instituted to guarantee maximum allowable wastes to be dumped. The May 2007 tipping fees are shown as \$70 per ton and only \$40 for 300+ tpd haulers. With longtime known problems for an alternative site, tipping fees should have been raised rather than lowered to conserve space similar to the City's effort for another expansion "the Wedge" as stated in the P-4 application documents.

- Public Water Supply – The current Aquifer Variance request states that the Pine Bush Formation will never be used as a public water supply. Another major factor in denying the variance is Rensselaer Lake located just across the street (Rapp Road) from the expansion site. In 2002, the same year that the Save-the-Pine Bush lost its appeal for the P-4 expansion, the City of Albany leased the water rights for Rensselaer Lake to the Albany Water Authority for \$7 million as an emergency backup supply. The effects of 9/11 and the near disaster of the Normskill landslide over its main water line from the Alcove are good reasons to have a backup supply, even if small in size. Why the Aquifer Variance was not automatically revoked is questionable.
- The previous SDEIS for P-4 touted the Environmental Benefit of a feasibility study to analyze remedies for a groundwater plume from the unlined section of the landfill. The resulting recommendation was a DO NOTHING alternative based on cost and since not public water supplies were affected. The groundwater, as stated in the SDEIS flows eastward toward Rensselaer Lake but does not include adequate studies of its tributaries which reach Rapp Road and feed by channels on the Landfill side. A June 19, 2006 report "*Measuring the effects of wetland and riparian zones on water quality in the urban Patroon Creek Watershed, Albany County, NY*" conducted by the Department of Earth and Atmospheric Sciences and Department of Biological Sciences as part of NYS Water Resources Institute program, found leachate contamination from the landfill at test locations of the southern tributary. A copy of this study is included in the attachments and can be accessed on line from the USGS website. Based on the DO NOTHING recommendation of the "Environmental Benefit" were additional leachate plumes/runoff coming from either P-4 or another expansion, and were the City required to mitigate any impacts to protect our important water resources, would they have the financial resources available or would economic hardship be used to avoid cleanup. The City, as operator and applicant carries the full liability, not the ANSWERS communities. The Patroon Creek watershed includes the Pine Bush Formation where the landfill expansion is proposed and connects with the Hudson River. Any federal regulations that may include the impact from the landfill proposal should be investigated.

- The groundwater table at the Eastern Expansion site is at or close to the surface raising concerns over the potential contamination, including from storm water runoff and liner leaks and/or pump failures, along with the loss of protected wetlands. The Eastern Expansion site is not only much more sensitive to groundwater contamination, but brings the landfill closer to the southern tributary or Rensselaer Lake. The landfill expansion would require raising the ground surface though the combined weight of this and the future mass of wastes will have an impact on groundwater. During the rule-making process that resulted in a prohibition of landfills over principal aquifers, double liners were not deemed as acceptable protection as stated in NYSDEC documents. An exception was made based on a NYSDEC staff expert recommendation, however, while the original findings were since found to be valid based on the history of liner leaks and pump failures at this landfill since the last expansion was approved. The Landfill Quarterly reports and NYSDEC correspondence included in the attachments document; violations, leaks, pump failures and high ALR's, and are representative examples of why landfills are prohibited over a principal aquifer. Multiple liner holes in several cells over the past several years resulted in high than ALR's Action Leachate Rates. Further, both a lawsuit with the construction firm that built cells in P-4 and several permit violations emphasize how easy liners can be damaged. The violations that were incurred were from rigid wastes placed on the first layer of new cells and these were found only by routine site inspections by NYSDEC personnel. If construction activities and lax dumping of wastes, along with pump failures can easily occur, landfill shifting of wastes, ground movement, animal burrowing and decomposition of the liners together are sufficient reasons to deny the variance. A landfill to generate municipal revenues is not sufficient reason to override the very rules created to protect our State's groundwater resources. The aquifer must also be protected from any further leachate seepage reaching the surface as shown on a November 5<sup>th</sup> (no year shown). The handwritten site visit log is included in the attachments.
- The SDEIS, in contrast, state: As a result of the double liner system and the secondary containment that it will provide for the proposed expansion area, no significant impacts to groundwater are expected as part of this project. The double liner system has proven effective for the existing AIL facility as not existing impacts to groundwater at the site are considered to be attributed to the AIL facility." The major basis for this determination is the quarterly monitoring data, notwithstanding the documented leaks, high ALR's and pump failures, any significant increases in leachate parameters in each of these reports and repeated in the SDEIS have the same list of factors: (1) impacts from the unlined, closed GAL; (2) potential errors due to matrix interference affects or variability in the laboratory analysis; (3) natural variation; (4) the size of the sample population for statistical analysis of the existing water quality database; (5) construction/expansion of the landfill cells; with impervious composite liners systems, which reduce recharge; and (6) impacts from road salt." The multiple leaks and pump failures are left off this list as potential causes.
- One of the circumstances the current Aquifer Variance request states is the City's diligent pursuit of alternative landfill sites, however, the City has known of



problems with the Coeyman's site for many years and there is insufficient documentation of a search for an alternate location.

- The Aquifer Variance Report purports the lack of any adverse impacts as a result associated with the approval of the variance. However, there are a number of adverse impacts that would occur with approval of the Variance; including: The loss of wetlands, the potential impacts on a protected principal aquifer, the impacts from stormwater runoff, the impacts to Rensselaer Lake and the Patroon Creek Watershed, the loss of additional Pine Bush habitat, the potential impact on the Karner Blue Butterfly, and the impacts on the health and quality of life of residents and workers along with economic impacts on businesses from continued odors/emissions.
- The Aquifer Variance Report emphasizes that the City will not undertake its proposed Habitat Plan/environmental benefit project without this approval. This is not a justification for a prohibited use over a protected principal aquifer.

**List of supporting documents - Justification to deny the City of Albany Application for a Variance from 6 NYCRR 360-2.12(c)(ii) prohibiting landfilling beyond December 31, 2002 in areas identified as a principal aquifer.**

Date Description summary statements from documents

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- 15-Nov Site Visit Log dated 11/5 Inspector Tom Reynolds  
"Found methane levels as high as 48%"  
"discovered leachate seep approximately 30' wide in middle of south side of L/F"
- 3/19/03 ANSWERS Meeting Minutes  
"There is a problem with 1/2 of the new project; Cell 10 cant be used because ALR's (Action Leakage Rates) are not down enough probably due to the fact that there are at least 2 holes in the primary liner, and possibly a much larger one tht has yet to be found."
- 4/25/03 DEC correspondence to City  
"The select waste being placed in the first layer of cell 11 is questionable. Pursuant to 6NYCRR 360-2.17(b)(3), the first layer of refuse must be of a select nature containing no rigid objects. Numerous rigid object, such as C&D debris, metal bed frames, and sofas, have been observed in Cell 11, these objecs should be immediately removed."  
"Sufficient daily cover material does not appear to have been placed on all exposed garbage. Also, intermediate cover is not being adequately maintained on all inactive areas of the landfill."
- 7/23/03 ANSWERS Meeting Minutes  
"Cell 10 has yet to be certified by DEC due to excessive ALR's. ALR's of Cells 1 and 5 are also elevated.  
pg 2 "Currently, 6 or 7 significant holes have been found."
- 11/7/03 DEC correnspondence to city  
As I have already discussed with, the first first layer in Cell 10 is not considered select waste under 6NYCRR 360-2.17(b)(3). ... I observed numerous rigid objects, such as C&D debris, metal bed frames, and various pieces of furniture within the first five feet of waste that has been placed Cell 10."
- 3/29/05 accompanying inspection report Tom Reynolds  
"Did observe stockpiled processed C&D that is understood is used for ADC and saw a load being delivered."  
"Of note was likelihood Posi-shell was no longer being used at this facility for daily/intermediate cover. Only a very small area seen with Posi-Shell cover"

- 4/1/05 DEC letter "found violations of 6NYCRR Part 360-1.1.4(j), blowing litter; 360-1.14(b)(1), solide waste entering surface water; 360-1.14(b)(2) and 360-2.17(g), leachate entering surface and ground waters; and 360-2.17©, inadequate daily cover. "Of all these violation conditions, the release of leachte outside of the liner system causes the greatest conern, it has the greatest potential of causing environmental harm in the form of surface and/or groundwater contamination."
- 4/10/05 DEC Correspondence  
 "Over recent months we had coversations regarding the elevated values for AIL Cell 5 Action Leakage Rate".... It appears the ALRs for April are possibly the highest yet for this particular cell.  
 "In light of how high Cell 5 ALR's are at present, and the length of time they have been elevated,..."
- 5/13/05 DEC Correspondence  
 "Given the continuing, and possibly increasing ALR values for Cell 5, the City needs to immediatly investigate/evaluate the causes of these values."
- 5/27/05 CHA correspondence to DEC Cell 5 ALR's  
 "At the completion of Cells 7.8. & 9, it was determined that the tie-in between Cell 5,6,7 and 9 was not constructed properly and and a portion of the tie-in between these adjoining cells was not completed."  
 pg 2 A defect om the primary liner in this area was identified as a possible cause for the elevated ALR... Several defect were observed...
- 3/13/06 DEC Correspondence  
 Following a review of the most recent secondary leachate collection rate data contained in the March 6, 2006 weekly operations report we find certain condition have occurred for a long enough period of time that there needs to be a more aggressive approach in evaluating/addressing this situation. Specifically, the secondary flow rates from Cells 1 and 5 f the Interim Landfill, and Cell 11 of the P-4 Expansion."  
 "The expressed concern regarding Cell 11 of the P-4 Expansion is due to reported 0.00 GPAD flow sine the beginning of the year. Secondary leachate collection and removal systems have some volume of liquid in them..."
- 4/26/07 CHA correspondence to DEC  
 "In the early morning of April 16,2007 pump station no.1 at the Rapp Road Waste Management Facility failed due to the significant rain events that occurred on April 15 and 16, 2007. The failure resulted in damage to the condasate pipe and one suction pump at the pump station. In addition to the pump station failure, a detention basin constructed within the corner of

Cells 1 and 10 to collect stormwater off portions of the Albany Interim Landfill and the P-4 Landfill, respectively, was breached and this stormwater was released and drained into the area surrounding pump station no.1."

6/10/06 Times Union Article Brian Nearing Staff Writer  
"A Troy company that built the expansion of the Rapp Road dump is suing the city for near \$1 million, claimin it refused to pay for extra work need to stop leaks of garbage-tainted liquid.....  
The city countersued Rifenburg for nar \$940,000, claiming the company caused leaks of the contaminated fluid by puncturing the landfill's plastic liner....  
Edward Stein, a New York City lawyer representing Rifenburg, said Friday: "We think that the city may be sacrificing the environment around the landfill for revenue." He said leachate -- contaminated liquid that seeps through the buried garbage -- haas been "migrating" beyond liners meant to keep it within the dump and

6/14/06 DEC correspondence  
"Based upon the information provided in you June 6, 2006 reproting documents, the liquid low in the secondary leachate system of Cell 5 continues to be elevated."

6/19/06 below is a study from the USGS website  
<http://water.usgs.gov> under the New York State Water Resources Institute Annual Technical Report  
Measuring the effect of wetland and riparian zones on water quality in the urban Patroon Creek Watershed, Albany County Final technical Report  
Principal Findings  
1. Significant spatial variations in major ion concentrations in surface waters of Patroon Creek and Rensselaer Lake indicate at least four principal source components:.....  
4) groundwater contaminated by landfill leachate with elevated sodium, chloride, and ammonium, and low dissolved oxygen.  
The last component is observed only in the headwaters of the south branch of the Reservoir, closet to the City of Albany Landfill.

Operation Meeting Agendas various dates

10/26/06 2nd page "Cell 8 Liner damaged"  
12/28/06 Jame Malloy Invoice Repair cell liner 8  
4/12/07 Leachate Control Cell 9 and Cell 10/1 Leachate Pumps  
Seeps on North Slope  
ALR - Cell 10 needs repair  
4/19/07 Leachate Control Pump Station 1 Repair/rebuild  
ALR Cell 6 above 20 but on way down  
Cell 10 and 11 need repairs  
4/26/07 ALR Cell 6 above 20 but on way down  
Cell 10 and 11 need repairs

5/3/07 ALR Cell 10 and 11 need repairs  
5/10/07 ALR Cell 10 and 11 need repairs  
5/17/07 ALR Cell 10 and 11 need repairs  
5/25/07 ALR Cell 10 and 11 need repairs  
6/14/07 ALR Cell 10 and 11 repairs  
6/21/07 ALR Cell 10 and 11 repairs  
6/28/07 ALR Cell 10 and 11 repairs  
7/5/07 ALR Cell 10 and 11 repairs  
7/12/07 ALR Cell 10 and 11 repairs  
7/19/07 ALR Cell 10 and 11 repairs  
7/26/07 ALR Cell 10 and 11 repairs  
8/9/07 ALR Cell 10 and 11 repairs  
8/16/07 ALR Cell 10 and 11 repairs  
8/23/07 ALR Cell 10 and 11 repairs  
ES2 to return to install pumps in cell 10/11 - end of August  
soming a long time"  
8/30/07 ALR Cell 10 and 11 repairs  
ES2 to return to install pumps - September 11-12  
9/6/07 ALR Cell 10 and 11 repairs  
ES2 to return to install pumps - September 18  
9/13/07 ALR Cell 10 and 11 repairs "cell 11 is a little high"  
9/20/07 ALR Cell 10 and 11 repairs  
ES2 to return to install pumps in cell 10/11 - Oct. 12 still coming  
9/27/07 ALR Cell 10 and 11 repairs  
ES2 to return to install pumps in cell 10/11 - Oct. 2

SITE VISIT LOG

NAME OF INSPECTOR Don Reynolds DATE 11/5  
TIME 10:20

FACILITY NAME/LOCATION Rupp Road - Interim Landfill  
McClary Landfill

WEATHER CONDITIONS: SUN/CLOUD Cloudy  
APPROXIMATE TEMP 45-50  
PRECIPITATION rainy hard  
WIND 7-10 MPH

INDIVIDUALS INTERVIEWED: Cathy Macchi  
Ken/Koon  
Ed Kobak

Sheet 1 of 2

ACTIVITIES/SITE CONDITIONS OBSERVED: Gas survey of the  
Interim Landfill. Started on bike path on  
South east corner of old landfill. Found levels nowhere  
as high as 48%. Also discovered in this area  
only had 10' more in laterally away from  
waste mass to have levels drop below 10'.  
Openings landfill gases escape relatively quickly  
over short distances. In this area testing was  
within 50' of waste mass indicating LF gases did  
not migrate appreciable distance from top of slope /  
waste foot print. In performing perimeter ~~test~~  
walking inspection discovered several seeps approximately  
3' wide in middle of south side of LF. Not  
rapid flow - several seeps each only inches  
wide and deep. Cathy and Ken also were found noted  
problems. Stopped testing due to rain. Rained to



SITE VISIT LOG

NAME OF INSPECTOR T. Reynolds

DATE 11/5  
TIME \_\_\_\_\_

FACILITY NAME/LOCATION Ruff Road / McCarty Ave W/F

WEATHER CONDITIONS: SUN/CLOUD \_\_\_\_\_  
APPROXIMATE TEMP \_\_\_\_\_  
PRECIPITATION \_\_\_\_\_  
WIND \_\_\_\_\_

INDIVIDUALS INTERVIEWED: Contractor  
Sheet  
2 of 2

ACTIVITIES/SITE CONDITIONS OBSERVED: McCarty Ave W/F

Discussed the gas vents which are proposed to be removed. It was explained there were several vents/wells installed in the interior of the W/F which do not contribute to the extraction system. These wells are to be removed so the field can be used for recreational purposes. There were a few remote vents/wells beyond other sampling points that are also proposed for removal. We were all in agreement. The vents could/should be removed and Cathy is to put this in writing and submit it for formal Department approval. Removal can be by pulling and back filling 50% bentonite/50% sand, or cutting off riser flush and pressure grouting well.

## ANSWERS MEETING MINUTES

3/19/03

### Landfill Construction

The meeting began with the latest news regarding Landfill Construction. The new landfill, which consists of cells 10 and 11, is now entirely complete. However, only Cell 11 is open- it was certified 2/14/03; began dumping in cell 11 on 2/27/03.

It was noted that:

- Currently only packers dumping in Cell 11.
- There is a problem with ½ of the new project; Cell 10 can't be used because ALR's- (ACTION LEAKAGE RATES) are not down low enough, probably due to the fact that there are at least 2 holes in the primary liner, and possibly a much larger one that has yet to be found. ALR's must not be more than 20 gallons-per acre-per day in order for the NYSDEC to certify.

A simplistic drawing depicting the leachate collection system was examined. It was explained that because of the holes in the liner, liquid is able to leak through to the 2ndary collection system, causing our ALR DATA to spike. These holes are affecting ALR DATA in cells 4, 5, and 10.

The two holes that the City is aware of were found by accident. The City had hired an equipment operator who ironically had previously worked for the contractor building the new landfill and he saw one of their workers make the hole.

CT Male is working with Rifenburg on finding the holes; the plan is to hire a consultant that can find the holes, possibly with the use of an electric current.

### New Landfill Consultant

The City has hired a new landfill consultant, Clough Harbour and Associates.

Clough Harbour has begun doing site monitoring, air space surveys, and also actively working on Site C2, the new landfill to be located in Coeymans.

### Alternative Daily Cover Bid

The bid for Posi-Shell services went out and bids are back. Currently no decisions have been made. Posi-Shell is the material used to cover the garbage each night.

### Terminator

Machine demonstrated at December's ANSWERS Meeting; used to shred garbage and increase compaction rates.

The City remains interested in purchasing the machine.

Clough Harbour is working with NYSERDA to use grant money to purchase.

### DEC Annual Recycling Report

It was noted that the Year 2002 Report was submitted to NYSDEC on 3/7/03 (*see attached report*). Overall recycling rate (for all of ANSWERS combined) was 35.54%.

Town of Bethlehem had highest recycling/diversion rate at 54%.

Sharon Fisher (Town of Bethlehem) discussed reasons why her rate is so high:

- Comprehensive Compost Program
- Nike/National Recycling Coalition- "Reuse a Shoe Program"- Town of Bethlehem to begin.



CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

**ANSWERS MEETING  
AGENDA  
3/19/03  
10AM**

**I. Landfill Construction Update**

- New Landfill complete- Cells 10 and 11.
- Only Cell 11 is open- was certified 2/14/03; began dumping in cell 11 on 2/27/03.
- Currently only packers dumping in Cell 11.
- Problem with Cell 10- holes in the primary Liner (2 that we know of and probably another larger one). ALR (Action Leakage Rate) data is reading too high- holes in liner cause liquid to leak down to secondary collection system. ALR data spikes too high.  
Cell cannot be certified until ALR data is not more that 20 gallons- per acre- per day.

**II. New Landfill Consultant**

- City has hired Clough Harbor and Associates. They are currently working on Site C2, the new landfill which is to be located in Coeymans.

**III. Alternative Daily Cover Bid**

- Posi- Shell bids received back, no decision made

**IV. Terminator**

- Machine demonstrated at the last ANSWERS Meeting; it shreds up the garbage, hereby increasing compaction rates.
- Clough Harbor working with NYSERDA to utilize grant money to buy the machine for the City.

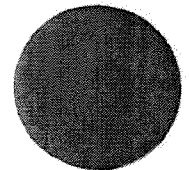
**New York State Department of Environmental Conservation**

**Office of Environmental Quality, Region 4**

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Erin M. Crotty  
Commissioner

April 25, 2003

Mr. Joseph Giebelhaus  
Solid Waste Manager  
City of Albany Rapp Road SWM Facility  
Rapp Road  
Albany, NY 12205

Re: April 24, 2003 Albany Rapp Road Landfill Inspection

Dear Mr. Giebelhaus:

Please find enclosed a copy of Part 360 Inspection Report resulting from a site visit to the Albany Rapp Road Landfill on April 24, 2003. As I already discussed with you during this visit, I have a few concerns with the operation of the landfill that I have noted on the attached inspection report:

- Several whole tires were observed in Cell 11 and on the north face of Cell 9. Pursuant to 6NYCRR 360-2.17(v) the disposal of whole tires in any landfill is prohibited. All visible whole tires should be removed from the landfill as soon as possible;
- The select waste being placed in the first layer of cell 11 is questionable. Pursuant to 6NYCRR 360-2.17(b)(3), the first layer of refuse must be of a select nature containing no rigid objects. Numerous rigid objects, such as C&D debris, metal bed frames, and sofas, have been observed in Cell 11, these objects should be immediately removed;
- Sufficient daily cover material does not appear to have been placed on all exposed garbage. Also, intermediate cover is not being adequately maintained on all inactive areas of the landfill.

If you have any questions concerning the above, please let me know.

Sincerely,

Victoria M. Schmitt, P.E.  
Environmental Engineer  
Region 4

**ANSWERS MEETING MINUTES**  
**JULY 23, 2003**  
**10 AM**

The meeting began when Joe Giebelhaus, City of Albany Solid Waste Manager, informed meeting attendees about a scale problem the landfill had experienced a day prior, on Tuesday. Both the inbound and outbound scales had failed at once, causing for possible errors in truck weights. Joe asked anyone who had utilized the landfill on Tuesday morning to check weight tickets for mistakes and report any errors to him for adjustment. He then gave **ANSWERS Planning Unit Updates**- His discussion focused on the following:

- Possible Planning Unit name change- "*Capital Region (or Albany Region) Solid Waste Management Consortium*" potential new name. The acronym "ANSWERS" doesn't represent the group appropriately anymore.
- Creation of website for use by the public- created and maintained by Clough Harbor and linked to Albany's City website. Website will discuss project need and specifications regarding to new landfill siting.  
Joe noted that the City of Albany changed consultants from C.T. Male to Clough Harbor.
- New Landfill Site- Coeymans location. Joe explained that there are 47 individual steps from concept to waste placement that need to occur. The City is currently on step 3-  
Segmentation Request- request has been made by City to DEC to segment Lead Agency Status for the purpose of land acquisition only. It is necessary for City to be lead agency in order to purchase property. City cannot be issued bonds until this has been granted.  
City won't be able to submit Part 360 permit application to construct and operate at new site until at least one year from now.  
Waste Placement scheduled for April 6, 2007.  
Current Rapp Road facility will reach maximum capacity on January 14, 2008.

Joe then turned the topic of discussion to **P4 Expansion**. He explained that:

- Cell 10 has yet to be certified by DEC due to excessive ALR's. ALR's of Cells 1 and 5 are also elevated.  
Researching the problem has involved the following:
  - 2 Consultants have conducted Resistivity Surveys to try and locate hole (none were found).
  - At suggestion of DEC, clay plug on north berm removed and replaced with anchor trench. No effect was seen on ALR.
  - Video Inspection of lines revealed belly in line and possible source of water.
  - Leachate Analysis- sampled liquid from secondary and tested for expanded parameters. No leachate indicators found (ammonia).

Six dye tests conducted on primary to see if and where it would come through on the secondary. After dye test number 4 came back negative, learned that soils can wash out the dye so you can't visually detect the dye. Since then, started to use chemical analysis to detect the dye. Three positives found.

Currently, 6 or 7 significant holes have been found. The latest area of investigation is under the primary collection line and sump area. Collection line and rub sheet has been removed. Liner washed and inspected. One significant hole found and repaired. As of today, large area of sump needs to be revealed.

Next, Joe discussed general **Landfill Operations**. Three topics were discussed:

- Joe noted that the city is a large, municipally run landfill not set up to accommodate small quantities of waste. The Rapp Road facility cannot accommodate the small individual homeowners who wander in the facility looking to dump. The City must rely on Community transfer stations to accept the waste from residents so that they don't end up at Rapp Road site.
- Waste Grinding- City has budgeted in 2004 for the purchase of "The Terminator". Clough Harbor conducting economic feasibility study to see potential compaction rates which would lead to increased site life.
- Gas Flare Project- Gas rights as part of P4 Expansion are property of the City of Albany. Temporary means to control the capture include point source flare and blower. City looking at proposals now.

Next on the agenda was **Scrap Metal Disposal at Freedman**. Kelly Dwyer, Recycling Coordinator, explained that Freedman has begun deducting 3 hundred pounds per refrigerator found in a given load from the net weight of the load. This is in violation of the city's contract, as the City does not allow for surcharges. This is also in violation of the NYS Dept. of Markets and Agriculture statute.

Communities that are being charged should contact the NYS Dept. of Markets and Agriculture, Weights and Measures Division. Speak with Deputy Director Mike Sikula at (518) 457-3452. At this point representatives from several communities discussed how their town handled scrap metal, and in particular, freon bearing appliances. Sharon from the Town of Bethlehem noted that her community uses a company called Mullaey Brothers who come to her facility once the town has collected a certain number of appliances and do the freon removal there before transporting the appliances. Discussion next centered around the possibility of having the City train and certify an individual to do the freon removal at the Rapp Road facility and possibly have this individual travel to the other ANSWERS community locations to do this work.

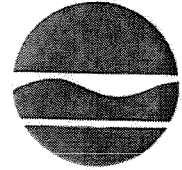
Kelly next discussed the reoccurring problem regarding **G/M/P Contamination**. In June, the city was contacted by FCR Claverack who noted that they were experiencing a continual growth in residue in the City's glass/metal/plastic loads. The City's recycling

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Erin M. Crotty  
Commissioner

November 7, 2003

Mr. Joseph Giebelhaus  
Solid Waste Manager  
City of Albany Rapp Road SWM Facility  
Rapp Road  
Albany, NY 12205

Re: Albany Rapp Road Landfill Odor Complaints

Dear Mr. Giebelhaus:

As you know, on November 6, 2003 I conducted an inspection of the Albany Rapp Road Landfill. As I have already discussed with, the first layer waste being placed in Cell 10 is not considered select waste as described under 6NYCRR 360-2.17(b)(3). Pursuant to 6NYCRR 360-2.17(b)(3), the first layer of refuse placed above the leachate collection layer must be of a select nature containing no rigid objects, and must be a minimum of five feet in compacted thickness. I observed numerous rigid objects, such as C&D debris, metal bed frames, and various pieces of furniture within the first five feet of waste that has been placed Cell 10. All waste materials that do not meet the requirements of 6 NYCRR 360-2.17(b)(3), and that have been placed within the first layer of waste above the leachate collection layer must be removed immediately.

If you have questions concerning the above, please contact me at (518)357-2071.

Sincerely,



Victoria M. Schmitt  
Environmental Engineer 2  
Region 4





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS

**DISTRIBUTION ROUTING**  
 WHITE COPY—Regional Office  
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 GREEN COPY—Inspector

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

FACILITY NAME <i>City of Albany Landfill</i>		LOCATION <i>Rupp Rd</i>	FACILITY NUMBER <i>0150203</i>	DATE <i>03.29.05</i>	TIME <i>09:45</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE <i>5</i>	PERSONS INTERVIEWED AND TITLES <i>Pick Fergen</i>		
REGION <i>4</i>	WEATHER CONDITIONS <i>see sheet 1</i>		DEC PERMIT NUMBER		
SHEET <i>4</i> OF <i>4</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360-  Attached			

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch).

*Had above stockpiled processed C/D that it is understood is used for ADC and saw a load of this material being delivered. Also observed what was believed to be contaminated soil spread on North side of expansion - when traveled over to access road on Northern perimeter observed exterior slopes in these areas did not have daily and/or intermediate cover. Of note was likelihood Posi-Shell was no longer being used at this facility for daily/intermediate cover. Only a very small area seen with Posi-Shell cover.*

*Violations of:*

- 360-1.14(j) - blowing litter*
- 360-1.14(b)(1) - solid waste in surface water*
- 360-1.14(b)(2) and 360-2.17(g) - leachate in surface and/or ground water*
- 360-2.17(c) - inadequate thickness of daily covers*

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

*Thomas R. Reynolds P.E.*

Inspector's Signature

Individual in Responsible Charge (Please print)

REGIONAL OFFICE COPY

Signature

Date


 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF SOLID & HAZARDOUS MATERIALS

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

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INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE <i>5</i>	PERSONS INTERVIEWED AND TITLES <i>Wick Fornea</i>		
REGION <i>4</i>	WEATHER CONDITIONS <i>see sheet 1</i>		DEC PERMIT NUMBER		
SHEET <i>3</i>	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360-			
OF <i>4</i>	Attached				

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Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch).

running out of the cell and pooled on the surface in several locations. One pooled area of leachate was located just outside of the door into the leachate pump house. The leachate found was dark brown/black and has a strong offensive odor. The odor was similar to animal feces. From our vantage point at the leachate pump house we did not observe any efforts to control this problem - no land fill staff and/or equipment was seen from where we were standing.

\* [360-2.17(c)]; inadequate daily cover. Observing operations from top of interim landfill looking into P-4 gave appearance there were several working faces. This was due to there being multiple locations with no and/or inadequate daily or intermediate cover in active cell and inactive area slopes.

I hereby acknowledge receipt of the  
Facility Copy of this Inspection Report sheet.

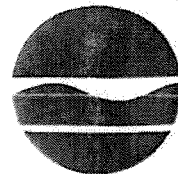
*Thomas R. Reynolds*

Individual in Responsible Charge (Please print)



VB

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Denise M. Sheehan  
Acting  
Commissioner

April 1, 2005

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Enclosed please find a copy of an 6 NYCRR Part 360 Solid Waste Management Facility Inspection Report dated March 29, 2005. This inspection was performed to determine general landfill conditions following Winter months of operation. As noted on the enclosed report, during this inspection we found violations of 6 NYCRR Part 360-1.14(j), blowing litter; 360-1.14(b)(1), solid waste entering surface water; 360-1.14(b)(2) and 360-2.17(g), leachate entering surface and ground waters; and 360-2.17(c), inadequate daily cover.

Of all these violation conditions, the release of leachate outside of the landfill's liner system causes the greatest concern, it has the greatest potential of causing environmental harm in the form of surface and/or ground water contamination.

The blown litter outside of the landfill cells was relatively wide spread over the area North (Northeast) of the active cells. The inadequate daily cover was found at different locations on both the flatter and sloped areas of the P-4 expansion. The City should be initiating and/or increasing efforts to correct each of the conditions discussed in this letter as soon as possible. The City should expect given the findings from our March 29, 2005 inspection, that we are considering enforcement action.

If you have any questions regarding this matter, please feel free to contact me at 357-2245.

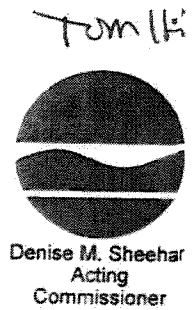
Sincerely,

Thomas B. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
M. Ellis, P.E., Region 4 Legal Affairs  
R. Forgea, P.E., Region 4 Solid Waste Engineer

**New York State Department of Environmental Conservation**  
**Office of Environmental Quality, Region 4**  
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Website: www.dec.state.ny.us



April 10, 2005

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

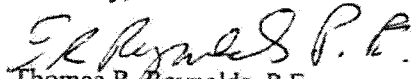
Over recent months we have had conversations regarding the elevated values for the City of Albany Interim Landfill Cell 5 Action Leakage Rate. The most recent values reported in the April landfill operations monitoring report indicate the decreasing values seen during February/March significantly reversed themselves in April. It appears the ALR's for April are possibly the highest yet reported for this particular cell.

Given the continuing, and possibly increasing ALR values for Cell 5, the City needs to immediately investigate/evaluate the causes of these values, and prepare and submit a findings paper to our office that details a plan of action in response to these elevated values. Under the circumstances of how high the most recent values were, and that there is a growing basis to conclude the trend is for these values to remain high or even increase, we feel this written evaluation should be submitted to our office within 15 days of the date of this letter.

In light of how high the Cell 5 ALR's are at present, the length of time they have been elevated, and that the City has submitted to the Department an application for Permit Renewal for the Albany Interim Landfill, it is recommended we schedule a meeting between the City and Region 4 solid waste staff immediately following submission of the above requested written evaluation of this situation.

If you have any questions regarding this matter, please feel free to contact me at 357-2245.

Sincerely,

  
Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

cc: T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer

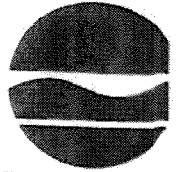
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Denise M. Sheeha  
Acting  
Commissioner

May 13, 2005

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Over recent months we have had conversations regarding the elevated values for the City of Albany Interim Landfill Cell 5 Action Leakage Rate. The most recent values reported in the April landfill operations monitoring report indicate the decreasing values seen during February/March significantly reversed themselves in April. It appears the ALR's for April are possibly the highest yet reported for this particular cell.

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If you have any questions regarding this matter, please feel free to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

cc: T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer



CLOUGH HARBOUR & ASSOCIATES LLP

111 Winners Circle, P.O. Box 5269  
Albany, New York 12205-0269  
Tel: (518) 453-4500  
Construction Engineering Fax: (518) 453-4520

**FACSIMILE TRANSMITTAL**

**Confirmation Requested**  
**Call Sender upon receipt of this Fax**

Transmittal sheet plus 7 additional pages

Date: 5/27/05 Time: 4:00PM Fax No: 357-2378

CHA Project No.: 

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6	0	0	3
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1	5	0	2
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To (Firm Name): NYS DEC

Attention: Tom Reynolds

Sender: Jason Gorman Phone #: \_\_\_\_\_

**Please Call the sender with questions or in the event of incomplete fax transmission**

Comments: Tom, Following Please Fax Call 5 ACR Evaluation.  
Thank You Jason

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL, PRIVILEGED AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect, if long distance) and return the original message to us at the above address via the U.S. Postal Services. Thank you.



CHA "Satisfying Our Clients by Meeting Their Needs Through Dedicated People Committed to Total Quality."





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www.cloughharbour.com

May 27, 2005

Mr. Thomas R. Reynolds, P.E.  
DEC Region 4  
1150 North Westcott Road  
Schenectady, New York 12306

**RE: Albany Interim Landfill Cell 5 Action Leakage Rate Investigation  
Rapp Road Waste Management Facility – Albany, New York  
CHA Project # 12306.6003.1502**

Dear Mr. Reynolds:

Clough Harbour & Associates LLP (CHA), on behalf of the City of Albany (City), investigated the elevated action leakage rate (ALR) of Cell 5 of the Albany Interim Landfill (AIL) to determine a probable cause and potential remedial alternatives. The investigation included a desktop evaluation consisting of a review of construction and operation history, review of ALR for the landfill cells and review of weather data. In addition, the investigation also included an action plan composed of video observation of leachate collection and leak detection piping in Cells 5 and 6, laboratory analysis of primary leachate and leak detect from Cell 5 and an evaluation of remedial alternatives is also presented.

**Review of Construction and Operation History**

Construction of Cell 5 of the AIL was completed in June 1991 as part of the first phase of the AIL. The construction included Cells 1 through 5 north of the Greater Albany Landfill (GAL). Upon completion of the cell construction, the ALR was within regulatory limits and the cell went on-line and waste has been continually placed in the cell. In 1995, Cell 6 was constructed south of Cell 5 and "piggybacked" on the north side of the GAL. This Cell is considered the "wedge" due to the sloping grade for the GAL down to the Cell 5 perimeter berm. These Cells are hydraulically connected and divided by a berm several feet high. In 1999, the City expanded the Rapp Road landfill with the approval of the P-4 expansion which included construction of Cells 7 through 11. Cells 7, 8 and 9 were constructed east of Cell 6 and also "piggybacked" on a portion of the GAL. Construction of these Cells was completed in December 2000 and waste placement began in these cells at that time. Cells 8 and 9 are hydraulically connected to the east side of Cell 6 with a berm several feet high dividing the cells.

At the completion of construction of Cells 7, 8 and 9, it was determined that the tie-in between Cells 5, 6 and 9 was not constructed properly and a portion of the tie-in between these adjoining cells was not completed. An elevated ALR was observed in Cell 5 in March 2001 prior to the completion of repairs to this tie-in. Subsequent to the completion of the tie-in, the ALR fell below regulatory limits in May 2001.



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*Mr. Thomas Reynolds**Page 2**May 27, 2005*

In 2001, the City began construction of Cells 10 and 11 east of Cells 1 through 5 and north of Cell 9. Cell 10 is located at the northeast corner of Cell 6, northwest corner of Cell 9 and southeast corner of Cell 5. Cells 10 and 11 were hydraulically connected to adjoining Cell 9 to the south and Cell 10 is hydraulically connected to Cells 1 through 5 to the west and Cell 6 in the southwest corner. A small berm separates the adjoining cells.

At the completion of construction of Cells 10 and 11 in 2003, an elevated ALR was observed in Cells 5 and 10. During the remedial activities for Cell 10, a divider was installed to isolate Cell 10 from Cell 9 and work was performed in the corner area of Cells 5, 6, 9 and 10 to repair a defect discovered in the liner system. A defect in the primary liner in this area was identified as a possible cause for the elevated ALR and waste in this area was relocated and the primary liner was observed. Several defects were observed and repaired by extrusion welding a new liner over the damaged area. To enhance drainage of leachate in this area, a sloping clay plug was installed over the primary liner and drains were installed to convey leachate away from this area into the Cell 5 primary leachate collection pipe. At the completion of the repairs it appeared, based on the downward trend of ALR in Cell 5, that these actions remediated both situations; however, the elevated ALR remained in Cell 10. After further investigation, the elevated ALR in Cell 10 was determined to be the result of defects in the primary liner in the sump area of Cell 10. These defects were repaired and the Cell 10 ALR fell within regulatory limits.

The downward trend in Cell 5 ALR continued to about December 2003 when levels again moved above the regulatory limit and has since generally remained above regulatory limits. It is evident, after review of the construction and operational history of Cell 5, that the elevated ALR is likely related to construction activities during construction of adjoining cells; however, it is unclear if it is a consequence of a break in the liner system or due to the hydraulic connection between adjoining cells.

#### Review of ALR for the Landfill Cells

The attached graph No. 1 illustrates the ALR (30 day average) for all the landfill cells at the Rapp Road Waste Management Facility since 2000 to present. As shown on the graph, the ALR's for the facility were generally below the regulatory limit prior to March 2001 when an increase in the ALR for Cell 5 and a brief jump in Cell 1 were observed. An increase in the in the ALR for the majority of the cells was observed in 2002 and is likely due to construction activities for Cells 10 and 11. The Cell 10 ALR was elevated until about October 2003 when remedial work was completed. The ALR for Cell 6 has elevated twice in 2005. Since March 2001, the ALR for Cell 5 has generally been above the regulatory limit with fluctuations falling below, as illustrated in graph No. 2.

The increase in the ALR observed in Cell 5 around March 2001 corresponds with construction of adjoining cells.

*Mr. Thomas Reynolds**Page 3**May 27, 2005*

### Review of Weather Data

Precipitation from October 1, 2004 to the present was reviewed with the ALR for Cell 5 to determine if a relationship exists as shown on graph No. 3, attached. As evident by the graph, a relationship between ALR and precipitation is not clearly defined however, it does appear that precipitation may possibly impact the ALR based on the fact that increased precipitation is generally followed by an increased response in the ALR.

### Action Plan

To supplement the desktop evaluation summarized above, the City proposes to perform some additional investigation of the elevated Cell 5 ALR prior to performing remedial action.

On May 16, 2005 CHA obtained a sample of fluid from the Cell 5 leak detection drop out tank and a sample of the primary leachate from the leachate drop out tank. It should be noted that the primary leachate sample obtained consisted of a composite of Cells 1 through 6. Due to the configuration of the leachate collection lines, a sample could not be obtained solely from Cell 5. The samples are being analyzed for Part 360 Routine scan parameters by Upstate Laboratories, Inc. of Syracuse, New York. We will review the laboratory results with the use of a pipe diagram to determine if the fluid from the leak detection layer in Cell 5 is leachate. We anticipate receiving these results on May 31, 2005 and will transmit a letter to the Department by June 3, 2005 summarizing the results.

Video observation and flushing of the leachate collection and leak detection piping for Cells 5 and 6 is scheduled to be performed on June 1, 2005 and a flushing of the remaining leachate collection lines is currently being performed. This work is intended to identify and remove any blockages in the piping and/ or dips that may be a cause of the elevated ALR. The possibility exists that if a blockage in the leachate collection piping is present in a high risk area such as the Cell 5 sump, that leachate could be backing up to a defect within the liner system that previously has not influenced the ALR. Within a week after completion, CHA will submit a letter detailing the work performed and any conclusions that can be drawn.

Assuming that the additional investigatory work does not identify another cause, it would appear, based on the desktop evaluation, that the most likely cause of the elevated ALR within Cell 5 is either a hydraulic connection between the secondary collection systems of Cells 6, 9 and/or 10 or a defect present in the area of the tie in between these cells. There does not appear to be a way to determine which of these or if a combination of these are the sole cause of the elevated ALR in Cell 5.

If the cause of the elevated ALR in Cell 5 is a hydraulic connection between the cell and Cell 6, 9 or 10, the logical approach would be to calculate the ALR for the leak detection gallons collected over the total acreage of that combination of the cells per day. This value would then be evaluated against the regulatory limits. Based on the geometry, the cell most likely to have influence on Cell 5 is Cell 6. The minimum, maximum and average ALR (30-day average) for the combination of Cells 5 and 6, from March 1, 2001 to the present is 4.14, 43.78 and 15.05, respectively.

*Mr. Thomas Reynolds**Page 4**May 27, 2005*


If a defect is within the tie in area of Cells 5, 6, 9 and 10, there are two remedial alternatives to attempt to reduce the elevated ALR. These include: (a) locating and repairing the defect in the area, or (b) minimizing the infiltration of water into the area of the defect. In the area of Cells 5, 6, 9 and 10 there is over 100 feet of waste that has been placed, therefore locating and repairing the defect is not feasible. Minimizing the infiltration of water into the area is the most viable alternative. This alternative includes grading the area and installing a geomembrane "cap" to minimize the infiltration of water into the area of the suspected damage. The subject area would be graded with compacted waste to establish a slope of 3 on 1 and then a minimum of 6 inches of sand will be placed over the waste. Atop the sand layer a geomembrane would be installed and keyed into the waste mass along the edges. Upon completion of the "cap" the ALR will be continually monitored to determine the effectiveness of the remedial work.

As you requested, the City would like to immediately schedule a meeting with the Region 4 staff and discuss the alternatives detailed above. We should have the analytical sample results and the pipe flushing and videoing completed by June 3, 2005 and would like to schedule a meeting for the week of June 6, 2005. Please let us know the availability of the Region 4 staff for a meeting that week.

If you have any questions or need any additional information, feel free to contact me at (518) 453-2851.

Very truly yours,

**CLOUGH HARBOUR & ASSOCIATES LLP**



Warren A. Harris IV, P.E.  
Associate

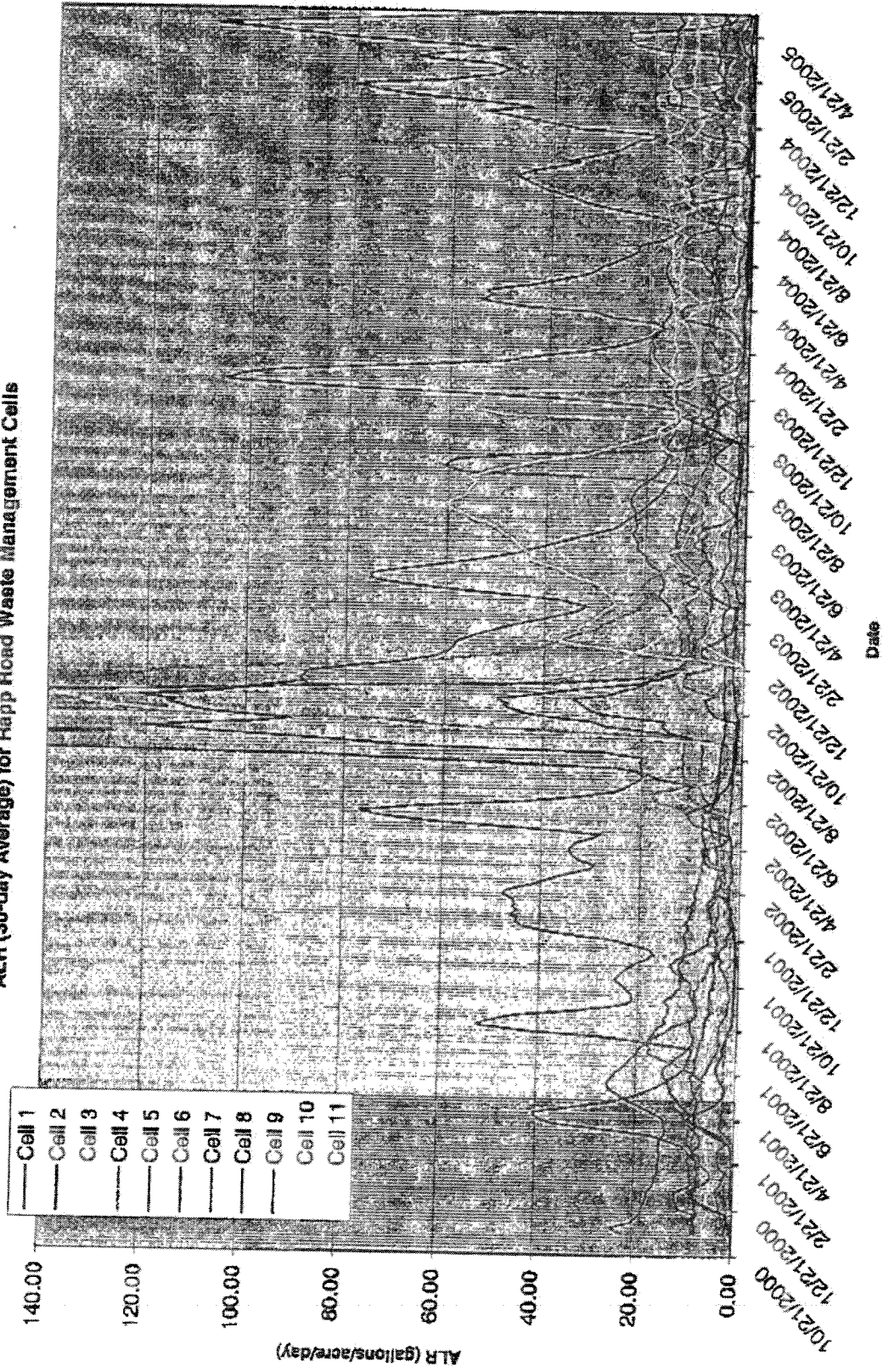
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Attachments

cc: Bill Bruce, City of Albany (w/ attachments)  
Joe Giebelhaus, City of Albany (w/ attachments)  
John Reilly, City of Albany (w/ attachments)  
Ruth E. Leistensnider, Esquire, Nixon, Peabody LLP (w/ attachments)  
Chris Burns, CHA (w/ attachments)  
Frank LaVardera, CHA (w/ attachments)

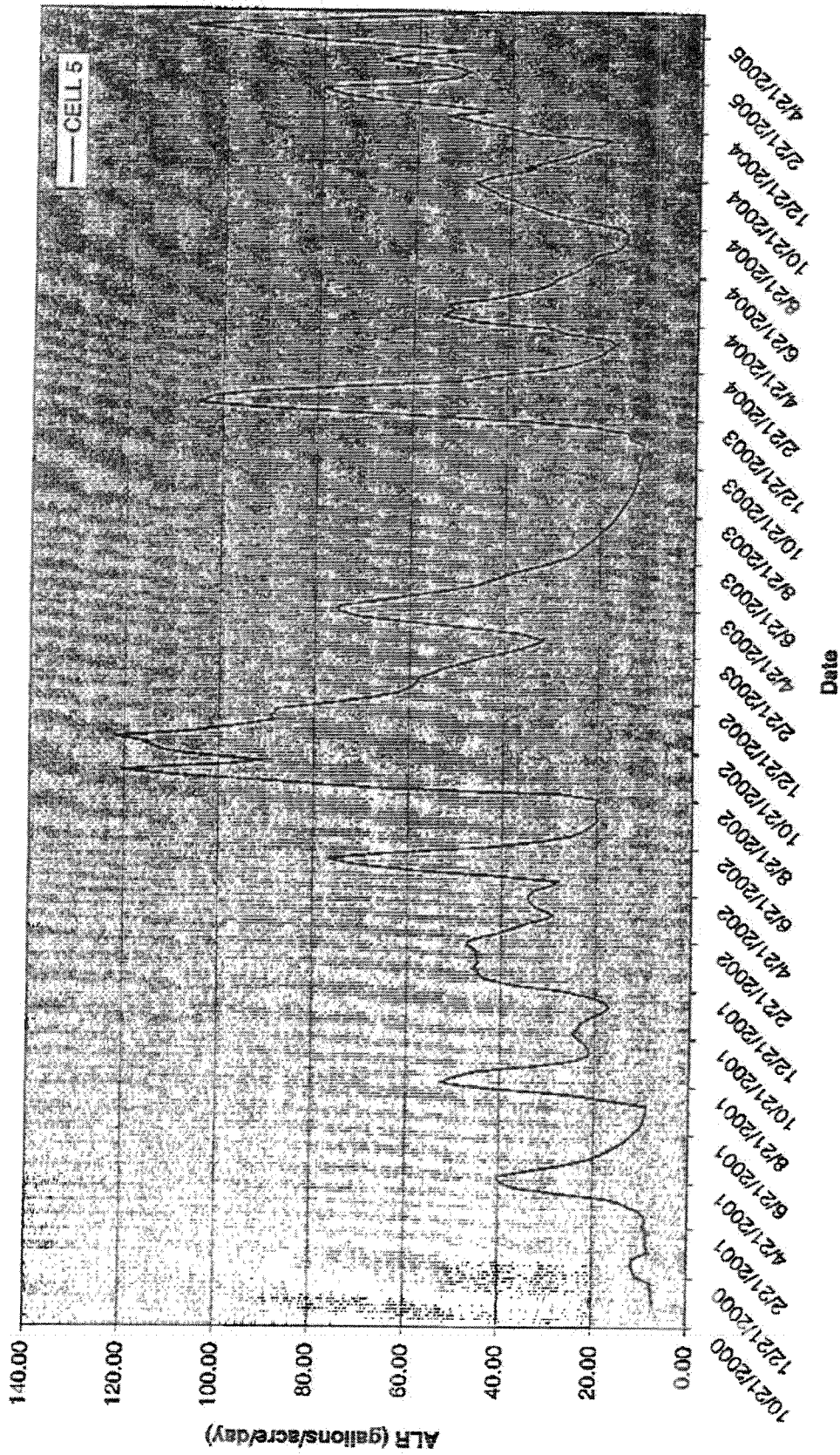
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Graph No. 1  
ALR (30-day Average) for Rapp Road Waste Management Cells

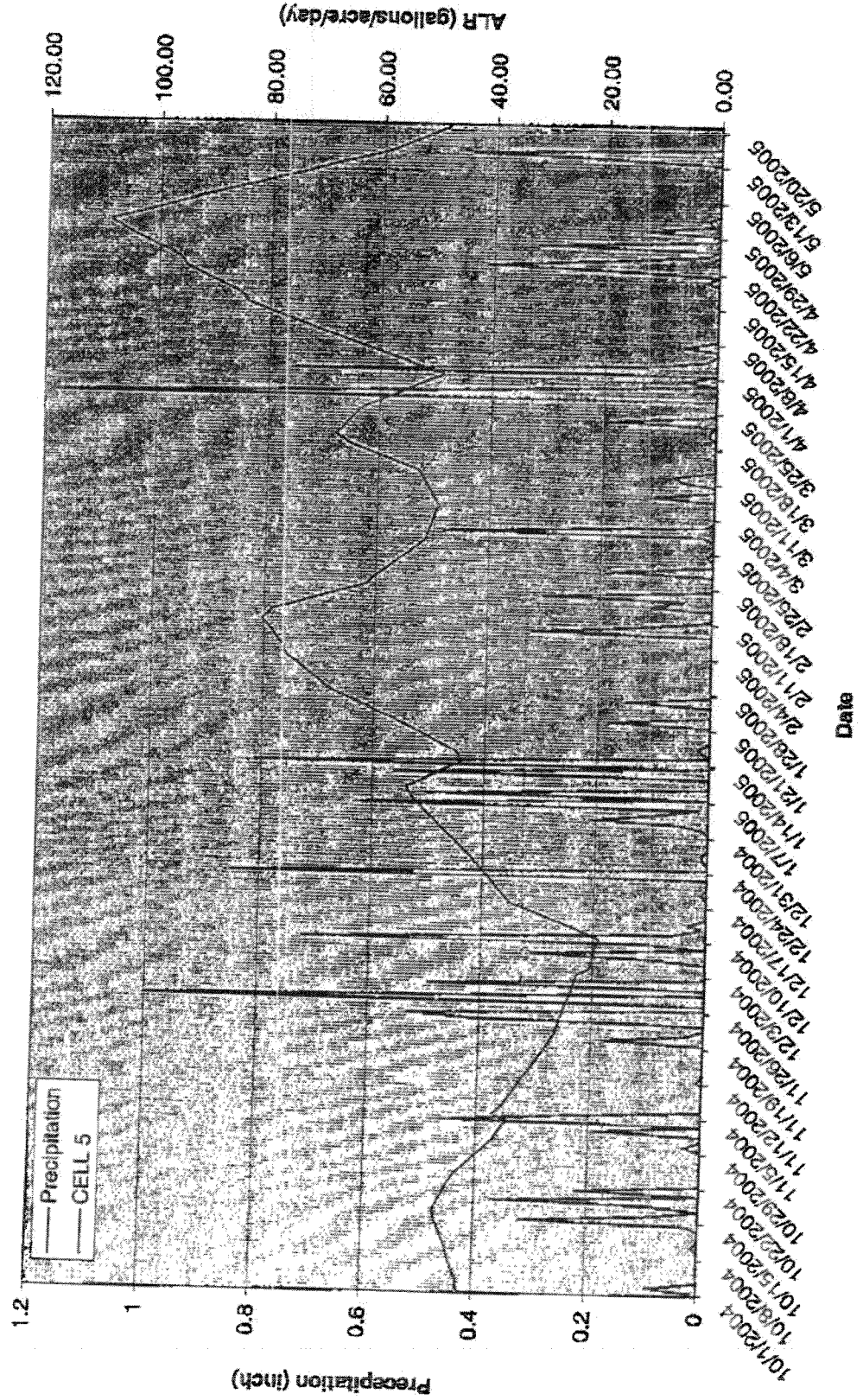




Graph No. 2  
CELL 5 ALR (30-day Average)



Graph No. 3  
Cell 5 ALR (30-day Average) & Precipitation





**Measuring the effects of wetland and riparian zones on water quality in the urban  
Patroon Creek Watershed, Albany County, NY**

*Final Technical Report*

John G. Arnason, Department of Earth and Atmospheric Sciences

George R. Robinson, Department of Biological Sciences

University at Albany, State University of New York, Albany NY, 12222

June 19, 2006

Project Period: March 1, 2004 to February 28, 2006

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***Principal Findings***

1. Significant spatial variations in major ion concentrations in surface waters of Patroon Creek and Rensselaer Lake indicate the presence of at least four principal source components: 1) calcium-bicarbonate type "uncontaminated" groundwater; 2) surface runoff; 3) surface runoff contaminated with road de-icing chemicals, principally sodium and chloride; and 4) groundwater contaminated by landfill leachate with elevated sodium, chloride, and ammonium, and low dissolved oxygen. The last component is observed only in the headwaters of the south branch of the Reservoir, closest to the City of Albany Sanitary Landfill.
2. Rensselaer Reservoir (14.3 ha) is a eutrophic waterbody that is an emergency water supply for the City of Albany. During summer stratification anoxic bottom waters become enriched in sodium and chloride with maximum concentrations exceeding 7 and 10 meq L<sup>-1</sup>, respectively. Due to the long mean residence time (~1 year) and high sodium and chloride concentrations of the reservoir waters, it supplies saline waters to Patroon Creek year round.
3. The average summer chloride concentration of Rensselaer Reservoir has increased from ~ 6 to > 8.5 meq L<sup>-1</sup> during the period 2002-2005. While some of this variation may be due to annual variations in climate and road salt application, it suggests that the reservoir may be becoming more saline over time due to application of road de-icing chemicals, as has been observed in other surface water bodies in the Northeast (e.g. Kaushal et al. 2005, e.g. Rosenberry et al., 1999). At current sodium and chloride concentrations, there could be detrimental effects on aquatic organisms and on potability; continued application of road salt will exacerbate this problem. More monitoring is needed to determine if this trend continues.
4. There is a positive linear correlation ( $r^2 = 0.79$ ) between sodium concentration in reservoir surface waters and exchangeable sodium in shallow sediments, whereas no correlation was observed between surface water and nearby soils along the shore. These observations are consistent with the hypothesis that sediments are a sink for sodium from de-icing chemicals and that the observed decoupling of sodium and chloride in surface waters is a result of cation exchange with sediments. An increase in the sodium fraction in interlayer sites of clay minerals

in sediments can cause changes in sediment properties, including porosity, permeability, and biological productivity.

5. In most cases runoff from roads and other impervious surfaces is channeled directly into the Reservoir and Creek through pipes and culverts that bypass riparian buffer zones, thereby reducing potential impacts of these zones on water quality. In contrast, reservoir and wetland sediments provide sinks for anthropogenic sodium through cation exchange between surface water and clay minerals in sediments but not for anthropogenic chloride which remains in surface water.

### *Study Area*

The Patroon Creek watershed (37 km<sup>2</sup>) includes portions of the City of Albany and the Towns of Guilderland and Colonie, New York (Figure 1). Land use is largely urban and suburban with some forested area. Impervious surface covers ~35% of the watershed area and includes interstate highways, roads, parking lots, and rooftops (Audette, 2004). Interstates 90 and 87 intersect at a large interchange in the western part of the watershed. I-90 and the CSX railroad line traverse the watershed following a course closely parallel to Patroon Creek. From west to east, there are three main natural areas: the Pine Bush Preserve, Tivoli Lakes Preserve, and the Corning Preserve. In addition there are small remnants of riparian natural area along the creek.

Patroon Creek flows westward from the Pine Bush natural Area (~ 100 m elevation) approximately 11 km to its mouth at the tidal Hudson River (0 m; Figure 1). It has two main tributaries, the unnamed north branch and Sand Creek, as well as several smaller ones. The creek channel has been significantly altered during the last 150 years, particularly during construction of impoundments during the 19<sup>th</sup> Century and the construction of I-90 in the mid 1960's. At present about 40 % of the channel length is in culverts or underground. There are three impoundments: 6-mile Reservoir or Rensselaer Lake (14.3 ha), 3-mile or Patroon Reservoir (1.3 ha), and Tivoli Lakes Reservoir (2 ha). The water level of Rensselaer Reservoir is manipulated, whereas the other reservoirs are not and are essentially "run of river." Most of the work in the present study is concerned with Rensselaer Reservoir.

There is a stream gage operated by the USGS near the mouth of the Creek (Figure 1). From fall of 2002 to the present, this gage has continuously recorded stage, temperature, and specific conductance at the site. In addition, there are some annual peak flow measurements from the late 1970's and early 1980's. In the fall of 2005, a ISCO automatic water sampler was installed that is maintained by the USGS and funded by the NYS DEC. In addition to the gage record, we have a continuous weekly-to-monthly record of major ion concentrations from 7 sites along the creek from June 2002 to the present (Erickson, 2004; this study).

Rensselaer Lake is a eutrophic reservoir with maximum depth of 6.5 m near the dam on its SE shore. Prior to this study, depth profile measurements were made in summer and fall in 2002 and 2003. These results showed that during summer stratification, a distinct thermocline develops with oxic epilimnion and anoxic hypolimnion. Fall turnover usually occurs in October. It is not known if winter stratification and spring turnover occur. At its western edge, the main body of Rensselaer Lake (south of the CSX railroad line) is fed

profile samples and measurements were also collected from the deepest part of the Lake during summer and late fall 2004 and summer 2005. Field measurements include temperature, specific conductance (YSI® 30 and 35 meters), and dissolved oxygen concentration (YSI® 550 meter), as well as water depth (tape measure) and visibility (secchi) for profiles. Grab samples were collected in 125 and 250 mL Nalgene® bottles that were prewashed with Citranox® and rinsed with 18.3 MΩ de-ionized water. Samples were stored in a cooler in the field, filtered (0.45 μm) in the lab and refrigerated until analysis.

At each site around Rensselaer Lake (A-N; Fig. 2), a soil sample was collected within 1-2 m of shoreline, and a sediment sample was collected approximately 1 m from shore in < 0.3 m water depth. Samples were collected to approximately 0.05 m depth with a corer and placed in plastic bags.

#### *Chemical Analysis*

Major ion concentrations were determined by ion chromatography using Dionex ICS-90 and DX-120 ion chromatographs with AS-40 autosampler for cations and anions, respectively. Quality control measures included analysis of laboratory reagent blanks, laboratory fortified blanks, laboratory fortified matrix samples, and standards. pH was determined in the lab on unfiltered samples using a Thermo Orion 420 pH meter, calibrated with buffers of pH=4.0, 7.0, and 10.0. Alkalinity in a subset of samples was determined by titration of 1.6N H<sub>2</sub>SO<sub>4</sub> into 100 mL of unfiltered sample to a pH=4.5 endpoint using a Hach micro-burette. Alkalinity measurements are reported at ppm CaCO<sub>3</sub>. For samples in which alkalinity was measured, charge balance calculations were used to check the validity of the analyses. For most samples, the charge discrepancy was less than 2% of the total charge in meq/L.

Soil samples were dried at 60 °C, sieved (#10) to remove coarsest particles, and homogenized using a ceramic mortar and pestle. For cation exchange capacity measurements, a 5 ± 0.1 g (dw) sample aliquot was combined with 30 mL of 0.2 M NH<sub>4</sub>Cl in a 50 mL centrifuge tube, shaken for five minutes using a wrist action shaker, centrifuged for 15 minutes, and the supernatant transferred to a 250 mL volumetric flask. This was repeated two more times. The combined supernatant was then diluted to volume with a solution of 0.2 M NH<sub>4</sub>Cl and 1560 mg/L cesium (matrix modifier for AA) and filtered with 610 grade filter paper. Filtered solutions were analyzed Potassium (K), Magnesium (Mg), Calcium (Ca) and Sodium (Na) using a Perkin-Elmer 2380 Atomic Absorption Spectrophotometer, calibrated using 0.2 M NH<sub>4</sub>Cl/ 1000 mg/L Cs solutions of containing known concentrations of each cation. Cation Exchange Capacity (CEC) in meq/Kg was calculated for each sample by summing the concentration of K, Mg, Ca, and Na (in meq/Kg) and assuming that no other exchangeable cations were present. The percentage of each cation was calculated by dividing the concentration by the total CEC.

For soil and sediment pH, a 10 g aliquot of each sample was placed in a centrifuge tube along with 10mL of 18.3 MΩ de-ionized water, shaken continuously for 10 minutes, allowed to settle for 10 minutes before measuring using a ThermoOrion 420 pH meter, calibrated as above. Special care was taken to make sure the electrode was not submerged into the soil or sediment, but only reading the water above the sample.

### *Data preparation and analyses*

Stream gage data were obtained in raw form (15 min. interval recordings) from the USGS office in Troy, NY, and summarized (daily and monthly mean, minimum, maximum) using programs written in database software (Microsoft Visual Foxpro) for the period 6/1/04 to 10/31/05. Box plots (Sokal and Rohlf 1995) were used to portray monthly medians, quartiles, and extreme values. The stream gage is approx. 16 km downstream of the reservoir outlet, the flow passes through a second impoundment, and we have not calculated travel times for this distance at different discharge rates, so values are reported simply as indicators of seasonal variation in flow and conductivity.

Outlines of reservoir surface waters and data points were mapped on orthoimages (NYS GIS clearinghouse) using ESRI ArcGIS 8.0 software. Sample points were grouped by distance from identified locations and by proximity to suspected contamination sources (road drains and other culverts), and differences in major ions and physical properties were tested with ANOVA, grouping all sample months. Cation concentrations were compared among soil, sediment, and water samples per site with Pearson correlations. Surface water properties were compared to subsurface values using T-tests. Chloride ion was regressed on sodium and on sodium plus calcium and magnesium (least squares linear model) for evidence of chloride source, as well as evidence for potential cation exchange. Linear regression was also used to test for a relationship between specific conductance (field measure) and chloride concentration (lab measure) per sample. All statistical tests were run with SYSAT 9.0 software.

### **Results**

#### *Hydrology*

A summary of hydrologic data collected at the gage site is given in Figure 4 for the study period. The record of mean and maximum daily discharge is too short to draw conclusions about seasonal discharge patterns. The Patroon Creek hydrograph is characterized by an extremely rapid rise in discharge at the onset of a storm event followed by a more gradual decrease, typical for an urban system (not shown). When road-de-icing chemicals are applied during storms, there is a significant increase in specific conductance recorded at the gage. In contrast, during storms when de-icing chemicals are not used, there is a significant decrease in conductance caused by dilution of baseflow by precipitation. Reservoir release events are characterized by a discharge plateau with both rapid increase and decrease in discharge marking the beginning and end of the event, but no significant change in conductance. Temperature patterns are typical for a temperate climate in the N. Hemisphere with minima and maxima occurring in winter and summer, respectively. Temperature variation is greatest in spring and fall.

Mean daily specific conductance remains above 1000  $\mu\text{S-cm}$  all year with the highest values during the winter months when road de-icing chemicals are applied. High conductance during the other seasons is a result of high background chloride concentrations. It is probable, that elevated chloride concentrations during the entire year are a consequence of the large storage capacity of Rensselaer Lake that results in a ~1-year residence time of saline lake waters.

### *Surface water chemistry*

Significant spatial variations in major ion concentrations in surface waters of Patroon Creek and Rensselaer Lake indicate the presence of at least four principal source components: 1) calcium-bicarbonate type "uncontaminated" groundwater; 2) surface runoff; 3) surface runoff contaminated with road de-icing chemicals, principally sodium and chloride; and 4) groundwater contaminated by landfill leachate with elevated sodium, chloride, and ammonium, and low dissolved oxygen (Table 3). The last component is observed only in the headwaters of the south branch of the Reservoir (site K-1; Figure 2), closest to the City of Albany Sanitary Landfill.

In Figure 5A, Cl concentration is plotted as a function of Na concentration in meq/L for all surface water samples from Rensselaer Lake collected during the study period. There is a strong linear correlation between Na and Cl ( $r^2 = 0.97$ ,  $p < 0.001$ ). If Na and Cl were present in equimolar amounts, the regression line would have a slope of unity. The observed slope (1.17) indicates that the concentration of Cl (in meq/L) typically exceeds that of Na. There are two likely explanations for this: 1) significant quantities of Mg and Ca chloride salts are applied to the roadways; 2) Na and Cl are de-coupled in groundwater or surface water by cation exchange reactions with sediments. It is difficult to obtain reliable information about quantities of Mg and Ca salts applied, but it is generally reported that only very small quantities are used due to the added expense. In general, NaCl is the dominant de-icing chemical. The second explanation seems more likely and is supported by sediment chemistry data below. Regardless of the cause of Na loss and Ca and Mg gain in surface waters, if chloride is plotted as a function of the Na+Mg+Ca, the slope of the regression (0.97) is much closer to the value expected from stoichiometry.

Spatial variations in surface water chloride concentrations are illustrated in Figure 6A. The North Fork and Main Body of the lake have statistically similar average chloride concentrations, whereas the I-87 Overpass area and the South Fork have significantly higher mean chloride concentrations. This is consistent with known sources of de-icing chemicals on I-87 that is a source to the Overpass area, and de-icing chemicals from the Exit 24 interchange and leachate from the sanitary landfill that are sources to the South Fork. In contrast, the North Fork has few direct sources of chloride. If the sites adjacent to the landfill are removed from the South Fork data, the South Fork is not significantly different from the overpass area.

### *Lake profiles*

Water column measurements in Rensselaer Lake are plotted in Figure 7 for August 24 2005, illustrating typical conditions during summer stratification. The epilimnion contains warm, oxic waters with relatively low specific conductance and dissolved ion concentrations. In contrast the hypolimnion contains cooler, anoxic waters with higher specific conductance and dissolved ion concentrations, especially sodium, chloride, and ammonium. Sulfate is the only major ion whose concentration decreases with depth, likely a result of activity of sulfate reducing bacteria.

Following fall turnover which usually occurs in October, there is no observed stratification in temperature, dissolved oxygen, conductance, or major ion concentrations

(not shown). Winter stratification and spring turnover, if present, have not been observed due to dangerous ice conditions.

The mean chloride concentration (meq/L) in the water column is plotted as a function of time in Figure 8 for the period May 2002 to August 2005. While there is significant monthly and seasonal variation, there appears to be a trend toward increasing chloride concentrations from ~ 5 meq/L in summer 2002 to >9 meq/L in summer 2005. It is likely that much of the variation in chloride concentration is due to climate-related factors such as temperature, precipitation, and amount of road salt applied during the period. Further monitoring is necessary to determine if the apparent trend toward increasing mean chloride concentrations is significant.

### *Soils*

The mean sediment pH (7.12) is significantly higher than that of the soil (6.42), likely due to buffering of sediment by reservoir water. At these pH values, the contribution of  $H^+$  and  $Al^{3+}$  to the exchangeable cation pool would be negligible, so the assumption that the total CEC is the sum of  $Ca^{2+}$ ,  $Mg^{2+}$ ,  $K^+$ , and  $Na^+$  is a reasonable one.

Results of cation exchange measurements from soils and sediments of Rensselaer Lake are presented in Figures 8 and 9. Field observations indicate that both soils and sediments are dominated by sand with very low fractions of silt, clay, and organic matter. Neither grain size analysis nor carbon analysis were performed. The CEC range in soil was from 12 to 416 with a mean value of 99.5 meq/kg, while sediment samples ranged from 22.9 to 669 with a mean of 175 meq/kg. The significantly higher CEC in the sediment is likely the result of higher clay content in the sediment from deposition in the tranquil reservoir waters. In both sediments and soils, the dominant exchangeable cations are  $Ca > Mg > K = Na$ . Cation fraction is dependent on CEC with higher fractions of K and Na occurring in soils and sediments with lower CEC (Figure 8). This trend may reflect differences in the type of the clay minerals found, the proportion of organic matter, or it may indicate a selectivity preference for large, low valence ions ( $K^+$  and  $Na^+$ ) over smaller, higher valence ions ( $Mg^{2+}$  and  $Ca^{2+}$ ).

Pearson correlation among water, soil and sediment samples shows a strong correlation ( $r^2 = 0.786$ ) between the  $Na^+$  concentration in surface water and the percentage of exchangeable  $Na^+$  in sediment (Fig. 9). There is a weaker correlation between K in water and exchangeable  $K^+$  in sediment. There are no significant correlations among  $Ca^{2+}$  and  $Mg^{2+}$  in water and exchangeable  $Ca^{2+}$  and  $Mg^{2+}$  in sediment, and there are no correlations among water and soil for any of the base cations. These data are consistent with the hypothesis that the exchangeable  $Na^+$  in sediment is derived by exchange with surface water, and that Rensselaer Lake sediments provide a sink for Na.

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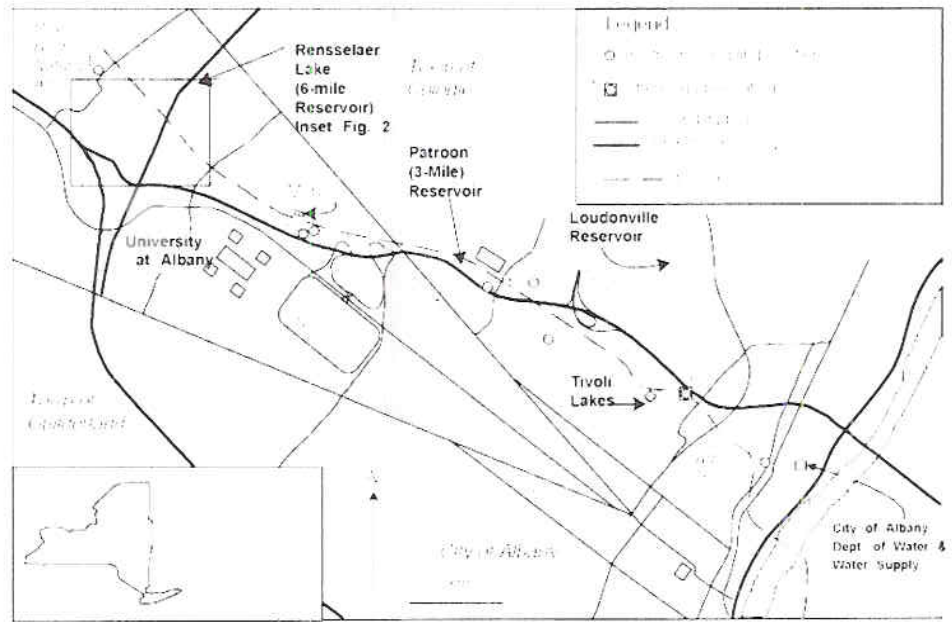
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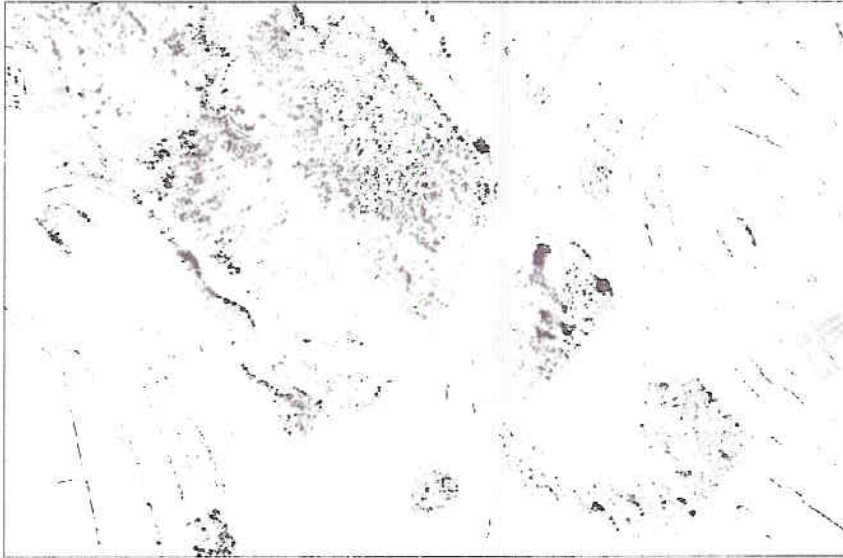
**Students supported:**

Three graduate and two undergraduate students were partially supported during this project. Sean Madden (M.S. Biological Sciences, 2004) was supported during summer 2004. His duties included water sampling, soil and sediment sampling, and laboratory analysis. Chuck Begeal (M.S. Geology, in progress) was supported during summer 2005. His duties included water, soil and sediment sampling, laboratory analysis, and data analysis. Elizabeth Erickson (M.S. Geology, 2004) conducted research on a mass balance model for sodium chloride in the watershed. Tim Koch (B.S. Environmental Science, 2006) and Paul Goebbels (B.S. Biology, 2006) were supported during fall 2005 and Spring 2006, respectively. Their duties included water and soil sampling, laboratory analysis, and GIS mapping. Students in two undergraduate field courses (Bio 442, Restoration Ecology, and Bio) participated in sampling, and results were presented in lectures and class exercises. These studies are also the focus of an annual lecture on urban ecology to our 500-student introductory Biology course (Bio 110).

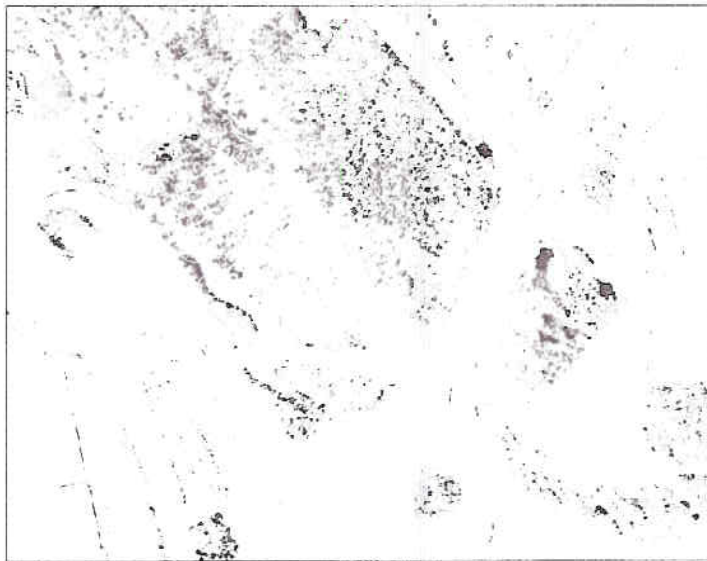




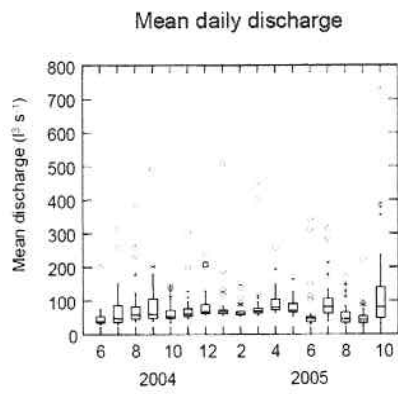
**Figure 1.** Map of Patroon Creek and Rensselaer Lake showing Creek sampling locations and major features



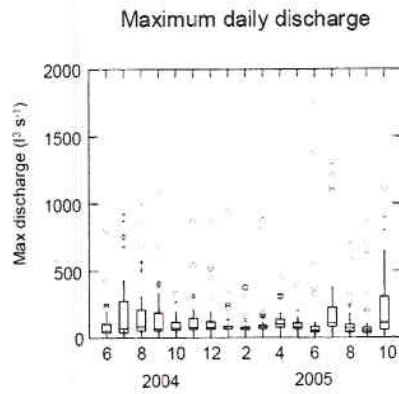
**Figure 2.** Aerial photograph of Rensselaer Lake showing soil, sediment, and water sampling locations (A-N), depth profile site, and major features. See text for explanation of site selection.



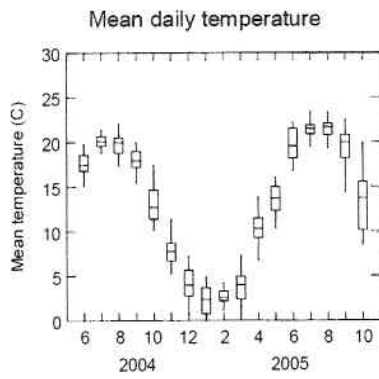
**Figure 3.** Aerial photograph of Rensselaer Lake showing field measurement locations. At each location, temperature, dissolved oxygen, and specific conductance measurements were made from a canoe at the surface and 2 m depth. See text for explanation of site selection.



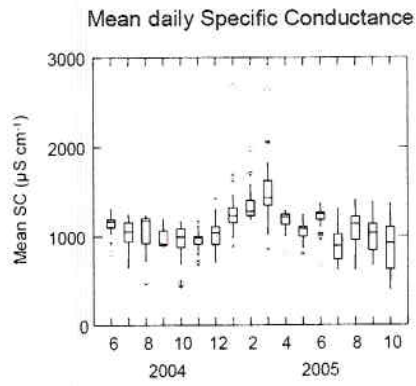
A.



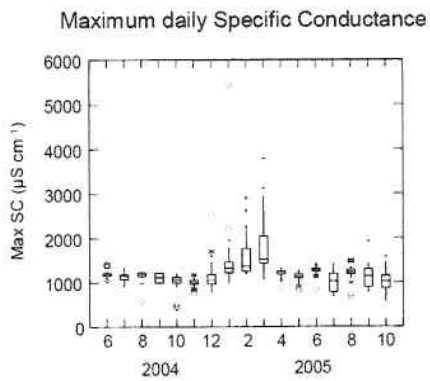
B.



C.

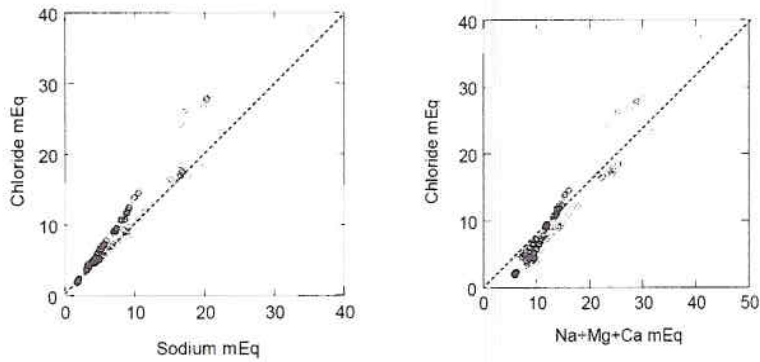


D.

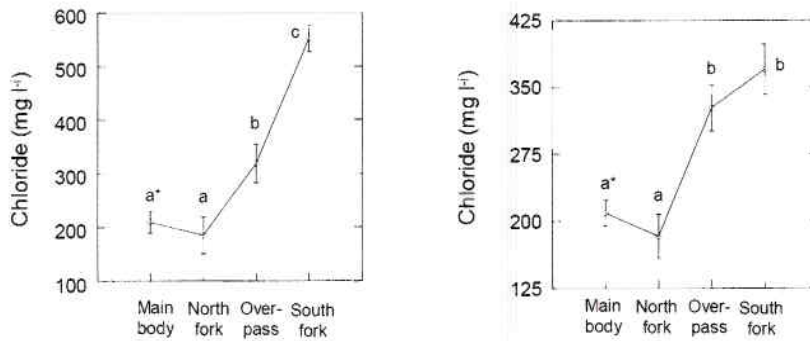


E.

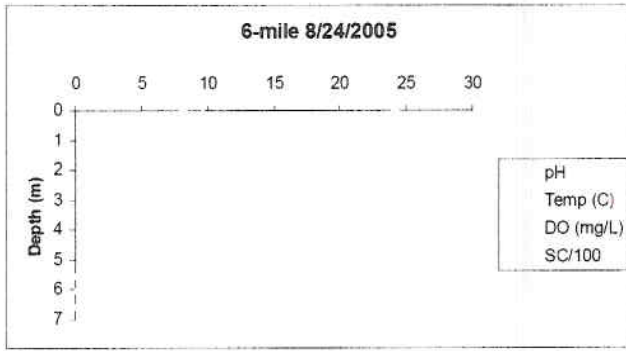
**Figure 4.** Daily hydrologic data from Patroon Creek for the period June 2004 to October 2005 as box-and-whisker plots. Top, middle, and bottom of box represent 75<sup>th</sup> percentile, mean, and 25<sup>th</sup> percentile, respectively. Top and bottom whiskers are 90<sup>th</sup> and 10<sup>th</sup> percentile, respectively. A. Mean daily discharge. B. Maximum daily discharge. C. Mean daily temperature. D. Mean daily specific conductance. E. Maximum daily specific conductance.



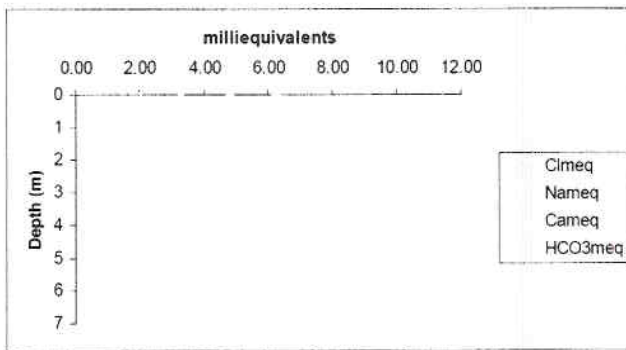
**A.** **B.**  
**Figure 5. A** Chloride (meq) as a function of sodium (meq) for Rensselaer surface waters (sites A-N).  $Cl = 1.172 * Na + .311$ ;  $R^2 = .970$ ;  $p < .001$ .  
**B.** Chloride (mEq) as a function of Na+Mg+Ca (mEq) for Rensselaer surface waters (sites A-N).  $Cl = .975*(Na+Mg+Ca) - .3.248$ ;  $R^2 = .938$ ;  $p < .001$ . In both graphs, dashed line has a slope=1.



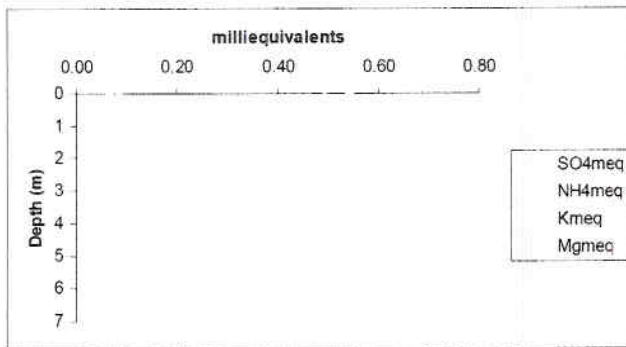
**A.** **B.**  
**Figure 6. A.** Chloride (mg/L) as a function of location for Rensselaer surface waters (sites A-N). (ANOVA  $F_{3,134} = 45.02$ ;  $p = .003$ ; \* Dissimilar letters = Bonferroni post hoc  $p < .05$ ). Main body = sites A,B,D,H,I,J; North fork = sites E,F,K5; Overpass = sites C,L; South fork = sites M,N,K,K1,K3. See Figure 2 for site locations.  
**B.** Chloride (mg/L) as a function of location for Rensselaer surface waters (sites A-N) with suspected landfill leachate sites removed. (ANOVA  $F_{3,107} = 13.96$ ;  $p < .001$  \* Dissimilar letters = Bonferroni post hoc  $p < .05$ ).



A.

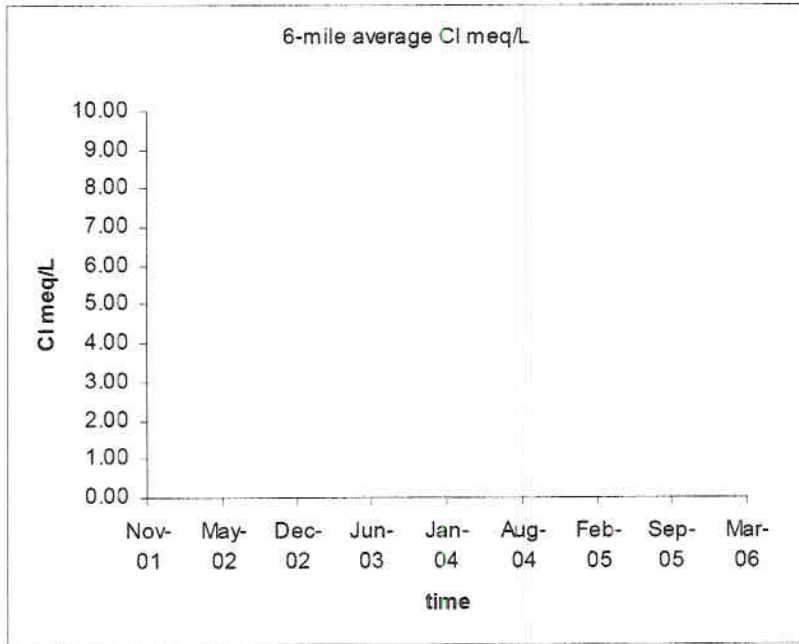


B.



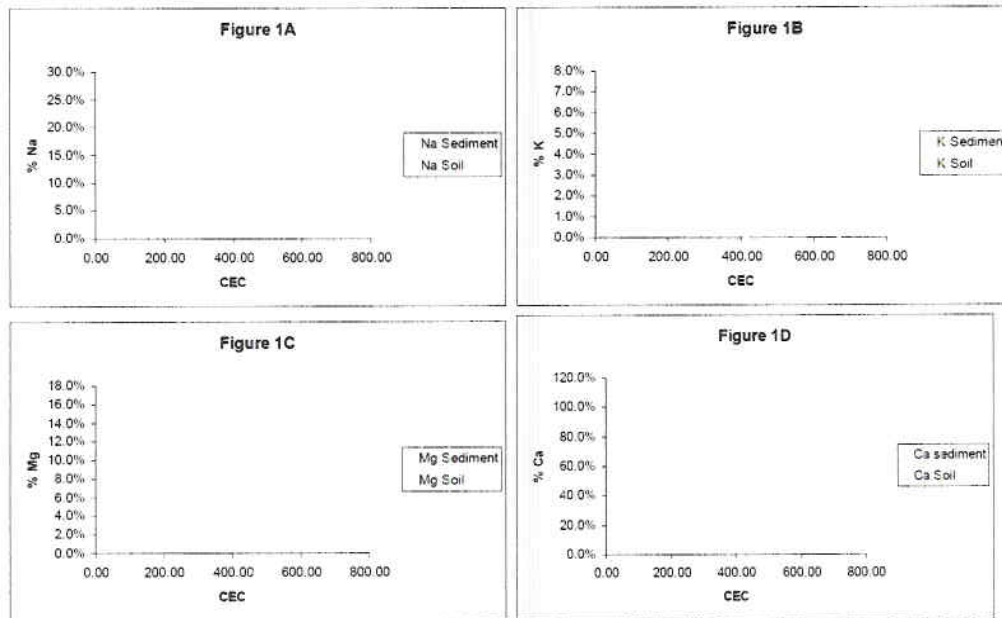
C.

**Figure 7.** Profile of Rensselaer Lake collected on August 24, 2005 showing stratification. **A.** Temperature, pH, dissolved oxygen (mg/L), and specific conductance ( $\times 10^{-2}$ ). **B.** Chloride, sodium, calcium, and bicarbonate (meq/L). **C.** Sulfate, ammonium, potassium, and magnesium (meq/L). Nitrate was not detected.



**Figure 8.** Average chloride concentration in Rensselaer Lake as a function of time for the period July 2002 to August 2005.





**Figure 9.** Scatter plots of cation percentage as a function of Cation Exchange Capacity (CEC). A: Sodium B: Potassium C: Magnesium D: Calcium

Cation correlations (conc. mg/l)  
Water vs. sediment vs. soil

	NA	SEDNA	SOILNA		CA	SEDCA	SOILCA
NA	1.000			CA	1.000		
SEDNA	0.786	1.000		SEDCA	0.056	1.000	
SOILNA	0.116	0.137	1.000	SOILCA	-0.187	0.093	1.000
	K	SEDK	SOILK		MG	SEDMG	SOILMG
K	1.000			MG	1.000		
SEDK	0.544	1.000		SEDMG	0.072	1.000	
SOILK	0.068	0.445	1.000	SOILMG	0.308	0.221	1.000

**Figure 10.** Correlation matrix for Na, Ca, K, and Mg concentrations in water, sediment, and soil samples.

**Table 1.** Summary of measurements and water samples collected along Patroon Creek (sites in red, Figure 1) July 2004 to December 2005.

<i>Date</i>	<i># Anion/Cation samples</i>	<i># Bacteria Samples</i>	<i># Temp, pH, &amp; D.O. measurements</i>	<i># Conductivity measurements</i>
7/13/04	7	7	7	0
8/10/04	7	7	7	0
10/12/04	7	7	7	0
11/3/04	7	0	7	7
11/9/04	7	7	7	7
12/14/04	7	7	7	7
1/11/05	7	7	7	7
1/26/05*	3	0	3	3
2/8/05	7	7	7	7
3/8/05*	1	0	1	1
3/11/05	7	7	7	7
3/21/05*	3	0	3	3
3/28/05*	5	0	5	5
4/12/05	8	7	8	8
5/10/05	8	7	8	8
6/14/05	8	7	8	8
7/12/05	8	7	8	8
8/9/05	8	7	8	8
9/13/05	8	7	8	8
10/11/05	8	7	8	8
11/8/05	8	7	8	8
12/13/05	8	7	8	8
Total	147	119	147	126

\* Storm Events

**Table 2.** Summary of measurements and water samples collected at sites along Rensselaer Reservoir (sites in Figure 2 and 3), June 2004 to January 2006.

<i>Date</i>	<i>Surface water grab samples</i>	<i>Sediment and soil samples</i>	<i>Field Temp, D.O., and Conductivity measurements</i>
6/06	12	15	-
7/04	10	13	30
8/04	13	12	-
9/04	6	-	-
11/04	11	-	-
2/05	12	-	-
3/05	7	-	-
5/05	15	-	30
7/05	16	-	29
8/05	16	-	33
9/05	14	-	-
10/05	14	-	28
12/05	2	-	-
1/06	2	-	-
total	148	40	150

**Table 3.** Field readings from Feb. 20, 2005 field sampling. Air temp. was approx. -3 C (27 F). Site locations shown in Fig. 2.

<u>Site</u>	<u>Possible sources</u>	<u>Water Temp</u>	<u>DO<sup>1</sup></u>	<u>SC<sup>2</sup></u>
K-1 Culvert under Rapp Rd.	groundwater landfill leachate	10.2 C (50.4 F)	0.70	3508
K-1 Seepage around culvert.	groundwater landfill leachate	10.2 C (50.4 F)	3.8	3629
K-3 Culvert under I-90	road drainage groundwater	6.5 C (43.7 F)	10.6	2427
K-3 Corrugated pipe	road drainage groundwater	1.4 C (34.5 F) <sup>3</sup>	3.0	1193
K-5 N fork (APB Preserve)	groundwater	3.9 C (39.0 F)	10.4	570

<sup>1</sup>Dissolved oxygen in mg/l;

<sup>2</sup>specific conductance in  $\mu\text{S-cm}$ , adjusted for 25 C.

<sup>3</sup>Surface frozen, water not moving, pipe empty.

**New York State Department of Environmental Conservation**

**Regional Administration, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2073 • FAX: (518) 357-2593

Website: www.dec.state.ny.us



Denise M. Sheehan  
Commissioner

*File*

March 13, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Following review of the most recent secondary leachate collection rate data contained in the March 6, 2006 weekly operations report, we find certain conditions have occurred for a long enough period of time that there needs to be a more aggressive approach in evaluating/addressing this situation. Specifically, the secondary flow rates from Cells 1 and 5 of the Interim Landfill, and Cell 11 of the P-4 Expansion.

Of these three cells, the flow rate in Cell 5 is the one of greatest concern with the highest reported secondary flow rate. While the most recent reporting data showed a significant decrease in this flow (68.09 gallons per acre per day (GPAD) down to 41.09 GPAD), the high flow rate trend continues relative to the long standing regulatory standard of 20 GPAD.

In addition to the elevated flow rate observed in Cell 5, during the month of February the secondary flow rate in Cell 1 has also become elevated. While these secondary flow rates have been lower, they are still significantly greater (20.42 - 39.33 GPAD) than the regulatory standard of 20 GPAD.

The expressed concern regarding Cell 11 of the P-4 Expansion is due to reported 0.00 GPAD flow since the beginning of the year. Secondary leachate collection and removal systems have some volume of liquid in them, as evidenced from the historical data for all of the other landfill cells at the Albany Landfill (as well as other double lined modern landfills around New York State). When secondary flow rates are observed as 0.00 GPAD, it is typically due to blockage in that Cell's secondary collection lines, or a failed measuring/recording device. The City needs to investigate the collection/measuring system in Cell 11 of the P-4 Expansion to determine the cause for 0.00 GPAD readings being observed.

As regards the elevated levels of secondary flow seen in Cells 1 and 5 of the Interim Landfill, the City needs to investigate/evaluate potential causes and provide an action plan for the Department's review and consideration. Given the length of time this has occurred (and this is a repeat event for Cell 5), and the level of the secondary flows in these Cells, this plan should be prepared and submitted to the Department within three weeks of receiving this letter. The plan should reflect the action/contingency plan contained in the P-4 Expansion Permit Application, and we recommend it concentrates on



evaluating/determining the efficiency of the Interim Landfill and P-4 Expansion's primary leachate collection and removal systems. With waste contained in a cell, at significant depths, there is no reasonable means of physically inspecting/investigating the primary liner's integrity. Principally, with a deep waste mass in the cell you are effectively trying to reduce the hydraulic head on any imperfections that might exist in the primary liner that are resulting in elevating the secondary flows; removing the hydraulic head by reducing the fluid contributing to the head, or remove the head directly. Reducing the fluid contributing the head could be accomplished over the long term by isolating the primary liner with an additional liner above it; removing the head directly if it can be accomplished at all might be achieved by improving the efficiency of the primary liner leachate collection and removal system to remove a greater amount of leachate quicker.

Again, considering the significance of this issue/conditions in the secondary leachate collection and removal system, we should receive an action plan defining as much as possible the problem, and propose potential remediation options within the next three weeks. If there are any questions, or you would simply like to discuss this matter further, please do not hesitate to contact me at 357-2245.

*find*

Sincerely,

*T. Reynolds P.E.*

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

w/o Enclosures

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer

Mayor Jerry Jennings' administration has not filed a permit application with the state Department of Environmental Conservation for the Coeymans project, which is opposed by the town and a citizens group.

Nearing can be reached at 454-5094 or by e-mail at [bnearing@timesunion.com](mailto:bnearing@timesunion.com).

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Landfill focus of lawsuits  
Expansion of Rapp Road facility sets off battle between city, contractor

By BRIAN NEARING, Staff writer

First published: Saturday, June 10, 2006

ALBANY -- A Troy company that built an expansion of the Rapp Road dump is suing the city for nearly \$1 million, claiming it refused to pay for extra work needed to stop leaks of garbage-tainted liquid.

The lawsuit by Rifenburg Construction also claims Albany sought to bury reports on the extent and cause of the leaks by having a private law firm label the documents confidential, then used the attorney-client privilege to keep them from public view.

The dispute stems from an 11-acre expansion of the dump in 2002, according to a lawsuit that Rifenburg filed in state Supreme Court in September 2005.

The city countersued Rifenburg for nearly \$940,000, claiming the company caused leaks of the contaminated fluid by puncturing the landfill's plastic liner, which delayed the project for nearly a year as repairs were done.

Stein said the law firm of Nixon Peabody, which has advised the city on landfill issues for more than a decade, was "an annex of City Hall in a scheme to prevent the public and regulators from learning what is going on t here."

Dan Herteau, a lawyer with Nixon Peabody, said while there were "very serious issues" over releasing reports on conditions at the dump, "it is not like the city is trying to hide anything."

Herteau said he did not know if leachate remains a problem.

Rifenburg Construction "didn't do the job correctly," he said, which forced the city to spend money to study the problem. The city also lost about \$250,000 in potential revenue because it could not put garbage in the expansion until the problem was fixed, he said.

City Corporation Council John Reilly denied that the city used Nixon Peabody to block dump records from public review.

The outside firm was retained for its expertise in landfill issues, Reilly said.

The city earns \$13 million a year -- a tenth of its annual budget -- by taking trash from private haulers and a dozen other communities -- Cohoes, Rensselaer, Watervliet, Berne, Bethlehem, Guilderland, Knox, New Scotland, Rensselaerville, Westerlo, Green Island and Altamont.

More than a decade ago, Albany selected a 363-acre site in Coeymans for a new regional landfill, but it is unlikely to be ready by the time the Rapp Road dump is full sometime in 2009, as the city expects.







Tenille

New York State Department of Environmental Conservation

Regional Administration, Region 4

150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2073 • FAX: (518) 357-2593

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Denise M. Sheehan  
Commissioner

June 14, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, New York 12205

Dear Mr. Giebelhaus:

Based upon the information provided in your June 6, 2006 reporting documents, the liquid flow in the secondary leachate collection system of Cell 5 continues to be elevated. While this flow is considered to be significantly less than it was at the beginning of this year, it continues to be at or above the regulatory standard of 20 gallons per acre pre day.

In response to the initial detection of elevated secondary flow rates in January of this year, the City through their engineering consultant, Clough Harbour and Associates, submitted an action plan. Essentially this plan called for a single jet flushing of the primary collection piping system of Cells 1 and 5. Our response to the plan was to recommend a minimum flushing of the system three consecutive months in an effort to dislodge more solids from the system that might be causing blockage and/or slowing free gravity flow of leachate from these landfill cells.

Given the continued elevated flows in at least Cell 5, and to a lesser degree Cell 1, we are again recommending consecutive flushing of the primary leachate collection systems of the effected cell(s). This should further improve leachate drainage from each cell, which has the potential of reducing the flow rates in their respective secondary collection systems. Please provide us with schedule dates for this work, we would like to observe and improve our understanding of access and operation of these systems. Thank you for your attention to this matter, and as always, please do not hesitate to contact me at 357-2245 if there are any questions.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

cc: T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer

**New York State Department of Environmental Conservation  
Regional Administration, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

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Denise M. Sheehan  
Commissioner

June 14, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, New York 12205

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Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

cc: T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer



City of Albany Rapp RD Waste Management Facility  
 Operations Meeting Agenda  
 October 23, 2006

- Landfill Gas/ Odor Control
  - Alternative Daily Cover – Processed C&D
    - High hydrogen sulfide concentration in gas
  - Cover Soil/ Working Area
    - Use of Posi-Shell (short term) and soil cover (long term)
  - Foggers – Effectiveness
  - Cover Soil Seeding – completed, quantity, JH Maloy payment
  - Complaints

*P.O. for Seeding*

10/15/2006	10:00 AM	Teresa Avalina	Avila	Albany	no details
					"Woke up from my nap and smelled that horrible, horrible smell. Made we want to vomit."
10/16/2006	2:30 PM	Teresa Avalina	Avila	Albany	
10/17/2006	8:30 AM	DEC Attorney (Blaze)	Thruway	Albany	"diesel smell, possibly from gas to energy plant"
10/18/2006	9:09 AM	Peter Biegle	Benjamin Lane	Colonie	"odor in house"
	9:12 AM	Teresa Avalina	Avila	Albany	"odor in air"
	?	Ron	Pine Hills Neighborhood (near Colvin Ave.	Albany	Welding or burning smell. He called the health department and they referred him to us.

- NEO Emissions
  - NEO Meeting on Wednesday, Oct. 25<sup>th</sup>
  - Odors
  - CK Environmental stack testing
- Additional Wells and Horizontal Collection Trenches
  - Connection to newly installed wells
    - Header construction – Emergency contractor
    - Horizontal collection trenches – City/ emergency contractor
- Surface Scan – Scheduled for end of month
- Gas Quantity/ Quality
  - Siemens sampling from City and NEO
- System Vacuum – No deviations
- Weather Station – Installed and logging on one minute interval
- Back Up Blower Repair

- ALR
  - Cell 10/11 Pumps – To be installed by Kasselmann
  - Cell 1 – Float bad
  - Cells 1/5 – Below 20 gad
  - Cell 8
    - Liner damaged
    - Emergency contractor to repair

*Emergency Pump*

- Leachate Control
  - North Slope
  - Cell 10/1 Corner
  - Cell 8/9
- Litter
  - New portable wind screens in-place
  - Currently installing 15' fence along the west side
- SMI Site Visit

James H. Maloy, Inc.  
Customer/Project Balance Detail

All Transactions

Type	Date	Num	Memo	Due Date	Paid	Pay Meth	Aging	Open Balance	Debit	Credit	Balance
Invoice	11/6/2006	11062007B	Install NEO Header	12/6/2006	Unpaid		175	177,412.68	177,412.68		177,412.68
Invoice	3/19/2007	03192007B	Air lines/Sump pits/gas collection/prior/clay berm	4/18/2007	Unpaid		42	68,308.86	68,308.86		245,721.54
Invoice	3/19/2007	03192007C	Remove and replace sump pumps	4/18/2007	Unpaid		42	3,333.98	3,333.98		249,055.52
Invoice	4/19/2007	04192007	8 mil Dura Skrim Poly - stored on site	5/19/2007	Unpaid		42	54,000.00	54,000.00		303,055.52
Invoice	4/19/2007	04192007B	Install leachate pump in sump across from flare	5/19/2007	Unpaid		11	9,098.77	9,098.77		312,154.29
Invoice	4/24/2007	04242007	Raise well heads	5/24/2007	Unpaid		11	44,810.76	44,810.76		356,965.05
Invoice	12/8/2006	12082006C	Stored material - 8mil dura skrim poly	1/7/2007	Unpaid		6	43,200.00	43,200.00		400,165.05
Invoice	12/8/2006	12082006D	Dewater stone ditch in cell 8 to monitor leaks in cell 9 - week one	1/7/2007	Paid			2,839.92	2,839.92		397,325.13
Invoice	1/17/2007	01172007	Extra work - items 2 - 5	1/7/2007	Paid			66,608.45	66,608.45		330,716.68
Payment	4/2/2007	12831	Extension of gas header pipe and 4 well lateral and connections	2/16/2007	Paid	Check		42,260.77	42,260.77	16,080.00	314,455.91
Payment	4/2/2007	149374	Payment for Invoice #11062006A		Paid	Check				84,300.16	398,756.07
Payment	4/16/2007	149866	Payment for Invoice #11062006A		Paid	Check				213,768.36	184,987.71
Invoice	5/24/2007	05242007	For Inv #12082006, 12082006A, 12082006B, 12082006C, 12082006D, 01172007	6/23/2007	Unpaid			373,644.22	373,644.22		558,631.93
Invoice	5/29/2007	05292007	Furnish and Install Temporary Cap	6/28/2007	Unpaid			12,835.40	12,835.40		571,467.33
Invoice	5/29/2007	05292007B	Piping for Well Heads and Lateral Connections	6/28/2007	Unpaid			1,538.91	1,538.91		573,006.24
Invoice	5/29/2007	05292007C	Repairs to PS #1	6/28/2007	Unpaid			9,466.62	9,466.62		582,472.86
Invoice	5/29/2007	05292007D	Repairs to Flare and Furnish Flame Arrestor	6/28/2007	Unpaid			1,071.80	1,071.80		583,544.66
Invoice	5/29/2007	05292007E	Dust Control	6/28/2007	Unpaid			422.37	422.37		583,967.03
Invoice	5/29/2007	05292007F	Silt Fence	6/28/2007	Unpaid			73,565.98	73,565.98		657,533.01
Invoice	12/8/2006	12082006A	Extra work - 12" perforated CPP underdrain with stone	1/7/2007	Paid			25,070.50	25,070.50		632,462.51
Invoice	12/8/2006	12082006B	Repair leak in cell 8 liner	1/7/2007	Paid			3,422.74	3,422.74		629,039.77
Invoice	12/8/2006	12082006C	Dewater stone ditch in cell 8 to monitor leaks in cell 9	12/6/2006	Paid			16,080.00	16,080.00		612,959.77
Invoice	11/6/2006	11062006A	Seeding and Mulching	12/6/2006	Paid			94,300.16	94,300.16	65,615.34	547,649.61
Invoice	11/6/2006	11062006B	Install flare sump and slope work	12/6/2006	Paid						547,649.61
Payment	10/6/2006	141368	Payment for Invoice #06062006		Paid	Check					547,649.61
Invoice	6/6/2006	06062006	Cell 10 Linear Repair and Stormwater	7/6/2006	Paid						547,649.61
Total City of Albany - Rapp Rd Landfill								799,144.37	1,188,908.23	389,763.86	799,144.37
<b>TOTAL</b>								<b>799,144.37</b>	<b>1,188,908.23</b>	<b>389,763.86</b>	<b>799,144.37</b>





CLOUGH HARBOUR & ASSOCIATES LLP

April 26, 2007

DEC Region 4  
Attn: Mr. Thomas Reynolds, P.E.  
1150 North Westcott Road  
Schenectady, New York 12306

**RE: Pump Station No. 1 Failure  
Rapp Road Waste Management Facility – Albany, New York  
CHA Project # 12306.6006.1502**

Dear Mr. Reynolds:

In the early morning of April 16, 2007 pump station no. 1 at the Rapp Road Waste Management Facility failed due to the significant rain events that occurred on April 15 and 16, 2007. The failure resulted in damage to the condensate inlet pipe and one suction pump at the pump station. In addition to the pump station failure, a detention basin constructed within the corner of Cells 1 and 10 to collect stormwater off operating portions of the Albany Interim Landfill and the P-4 Landfill, respectively, was breached and this stormwater was released and drained into the area surrounding pump station no. 1.

On April 15 and 16, 2007 a total of 3.59 inches of rain was recorded by the facility weather station. Much of the stormwater from the north-northeast slopes of the landfill flowed into the detention basin at the toe of the slope and was being pumped away with a vacuum truck and drained into the County sewer system. However, on the evening of April 15, 2007, a significant amount of soil "silted" in the basin resulting in a significant reduction in the basin storage capacity. At about 1:00 AM on April 16, 2007, the vacuum truck was unable to continue removing stormwater from the basin quick enough and the stormwater overtopped the basin and began flowing around the pump station.

On the morning, April 16, 2007, it was discovered that the stormwater had flowed into the interstitial space of the pump station and floated the fiberglass tub. No leachate was observed at this time to be released from the pump station. A plan was immediately implemented to stop the flow from the landfill cells into the pump station, stop flow from overtopping basin, and to pump out the pump station so that any damage could be assessed and the necessary repairs made.

By the afternoon of April 16, 2007 the breach at the basin was repaired and a pump had been installed to pump the stormwater accumulating in the basin into the forcemain at pump station no. 1 that discharges into the County sewer system. On April 19, 2007 access to the pump station was gained and an assessment of the condition revealed that the condensate drain from

condensate drop out MP0002 was broken and the suction line for pump no. 1 was broken. On April 20, 2007 repairs to the condensate drain were completed and that pump station came on-line using pump no. 2 only. The valves to the landfill cells were opened slightly at this time. On April 25, 2007 repairs to pump no. 1 were completed.

The City of Albany is currently developing a plan to reduce the potential for the pump station failing again due to filling of the interstitial space. The plan includes the installation of a pump in the interstitial space and grading to control the flow of stormwater away from the pump station. The plan will be submitted to the DEC upon completion for information. The City will also be installing a monitoring well to screen the groundwater level down gradient of the station to determine if there was any influence on groundwater quality due to the breach and pump station failure. The monitoring well will be sampled for Part 360 Routine analysis and EPA 8260 (volatile organics). Frequency of sampling will be evaluated based on the initial sampling results. In addition, the installation of a temporary impermeable cap over the slopes that currently discharge stormwater into the basin will be diverted away from the pump station and provide separation between stormwater and possible seeps from the slopes.

Please review and comment of the above information and attachments, should you have any questions contact me at (518) 453-2851.

Very truly yours,

**CLOUGH HARBOUR & ASSOCIATES LLP**



Warren A. Harris IV, P.E.  
Senior Associate

/jig

cc: Bill Bruce, City of Albany  
Joe Giebelhaus, City of Albany  
Ruth E. Leistensnider Esq., Nixon Peabody LLP  
Frank LaVardera, CHA

K:\12306\Operations 2007\Corres\Pump Station 1 Failure 4-15-07 Summary.doc



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – April 12, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - March Surface Scan
    - Odor Neutralizer
    - Temporary Cap – Increased footprint
      - Estimate \$500,000, 17 ac
      - Schedule
    - Final Cover – May bid
    - Gas System Master Plan and Cost Estimate/ Budget
    - Evaluation of Hydrogen Sulfide System
  - NEO
    - Cost Est. for 11 wells in AIL
    - SCS work
    - Feeding gas
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing
- City Flare System
  - Feed NEO – Next Monday
  - Gas Analyzer – about \$40,000
  - Alarm phone number
- Leachate Control
  - Cell 9 and Cell 10/1 Leachate Pumps
    - Installation schedule
    - Install discharge into u- trap
  - Seeps on north slope
- ALR
  - All within 20g/a/d limit
    - Cell 10 needs repair
- Litter Control
  - Fence across from LF entrance
  - Litter fence bid
  - Need to be picked up by May
- MISC
  - Maloy On-Call Contract
    - Payments
  - LFG RFP
    - Request for information from Casella

M. Robson - Can.

CH<sub>4</sub> 47%  
O<sub>2</sub> 2.9%

EMAIL TROND  
\$177,000

BELZON STATION.



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – April 19, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Odor Neutralizer
    - Temporary Cap
      - Estimate \$500,000
      - Schedule
      - Meeting this afternoon with Maloy/ Antana
    - Additional wells in the AIL
    - Final Cover – May bid
    - Gas System Master Plan
    - Evaluation of Hydrogen Sulfide System
  - NEO
    - Cost Est. for 11 wells in AIL
    - SCS work
    - Feeding gas
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing

\* RAPP SHOW  
\* FROM HERE ↓

- City Flare System
  - Electrical back up
  - Gas Analyzer

- Leachate Control
  - Pump Station 1
    - Repair/ Rebuild
    - Outside tub pumping
    - Monitoring well installation
  - Snow "under" north slope

DEC:  
↓ FROM CONTRACTOR "BOSCH"  
↓ WHAT-UP INCIDENT REPORT w/  
TIMELINE FROM START 2007  
TO REPAIR DATES  
↓ MAINTENANCE WELL 15'/18'

- ALR
  - Cell 6 above 20 but on way down
  - Cell 10 and 11 need repairs

- Litter Control
  - Fence across from LF entrance
  - Litter fence bid
  - Need to be picked up by May

- MISC
  - Contractor Payments
    - Maloy ~
    - Kasselmen ~
  - LFG RFP ◊
  - Heavy Equipment Use

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - April 26, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Balancing Field
    - Odor Neutralizer
    - Temporary Cap
      - Schedule
      - Snow on north slope
    - Additional wells in the AIL
    - Odor and Air Toxics Sampling Plan
    - Final Cover - May bid
    - Gas System Master Plan
    - Evaluation of Hydrogen Sulfide System
  - NEO
    - Feeding gas
    - SCS work
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing
- City Flare System
  - ES2 on-site
  - Gas Analyzer
- Leachate Control
  - Pump Station 1
    - Grading around station
    - Outside tub pump
    - Monitoring well installation
    - Letter to DEC
- ALR
  - Cell 6 above 20 but on way down
  - Cell 10 and 11 need repairs
    - Maloy work
- Litter Control
  - Fence across from LF entrance
  - Litter fence bid
    - Joe's review
  - Need to be picked up by May
- MISC
  - Invitation to Mayor
  - Contractor Payments
    - Maloy
    - Kasselman
  - LFG RFP
  - Site Layout

✓ CONTACT FRANK LEAR  
FOR NEXT WEEK. ✓

✓ MAY 15 CONCERN -

✓ MRS. SIMON

869-6937

> AIL

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – May 3, 2007

- Introductions and Overview
- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Temporary Cap
      - Schedule
    - Odor Neutralizer
    - Additional wells in the AIL and P-4
    - Odor and Air Toxics Sampling
    - Final Cover
      - June 12 Bid Due Date
      - Size/ Cost Estimate
      - DEC Review?
    - Gas System Master Plan
    - Compressor station
    - Evaluation of Hydrogen Sulfide System
  - NEO
    - Feeding gas
    - Barometric Trap
    - Evaluation of Wells/ Horizontals on upper deck of AIL
    - SCS work/ Meeting
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing
- City Flare System
  - ES2 on-site tomorrow
    - Repair thermocouples
    - Review thermocouple extension
  - Gas Analyzer
- Leachate Control
  - Pump Station 1
    - Grading around station
    - Outside tub pump
    - Monitoring well installation within 2 weeks - CHA
    - Letter to DEC submitted
- ALR
  - Cell 10 and 11 need repairs
    - ES2/ Maloy work
- Litter Control
  - Fence across from LF entrance
  - Litter fence bid
    - May 22 Bid Due Date
- MISC

\* 100,000 yards CLAY

\* LETTER / EEO

\* SEPARATE WATER.

\* SEPARATE MAN-HOLE  
DETENTION STATION.

\* JU WALKER #9

CF THERMOCOUPLES  
CF EARTH MONITORING.

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - May 10, 2007

NEXT OWN Comm.  
M-G;  
MFA - JUNE.

• Landfill Gas/ Odor Control

○ Complaints

○ Action Items

- Temporary Cap
  - Schedule
  - Harry's Cut Drainage
- Odor Neutralizer
- Additional wells in the AIL and P-4
- Odor and Air Toxics Sampling
- Final Cover
  - June 12 Bid Due Date
- Gas System Master Plan
- Compressor station
- Evaluation of Hydrogen Sulfide System
- Well Repairs

14/17 DONE Done.

10:00 AM

VENDOR LIST FOR CLEAR.

MALOY.

JOHN MCGRAW.

○ Minnesota Methane

- Feeding gas
- Barometric Trap
- Evaluation of Wells/ Horizontals on upper deck of AIL
- SCS work/ Meeting

10:00 e CAA.

○ Fill Progression

- Fill Plan
- Daily Cover
- PCS Testing

SET FENCE  
BASE OF TREE  
REMOVE AREA.

• City Flare System

○ Thermocouples repaired

- Review thermocouple extension ES2 on-site on Tuesday

○ Gas Analyzer

• Leachate Control

○ Pump Station 1

- Grading around station - Maloy
- Outside tub pump
- Monitoring well installation next week

• ALR

○ Cell 10 and 11 need repairs

- ES2 on-site on Tuesday

NEXT AMP.

• Litter Control

○ Fence across from LF entrance

○ Litter fence bid

- May 22 Bid Due Date

• MISC

○ Maloy Invoices

○ Kasselmann Invoice



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – May 17, 2007

- Landfill Gas/ Odor Control
  - Complaints
    - Cook Park Opening
  - Action Items
    - Temporary Cap
      - Schedule
      - Survey on-site today
      - Harry's Cut Drainage Plan (Jason)
      - Gorman's Gulch Plan (Maloy)
    - Surface Scan
    - Odor Neutralizer (City)
    - Additional wells in the AIL and P-4 (Jason)
    - Air Toxics Results (RTP)
    - Final Cover (CHA)
      - End of June Bid Due Date
    - Gas System Master Plan (Jason)
    - Compressor station (Jason)
    - Evaluation of Hydrogen Sulfide System
    - Well Repairs (CHA/ City/ Maloy)
  - Minnesota Methane
    - Feeding gas
    - Barometric Trap - \$7,750 (Maloy)
    - Evaluation of Wells/ Horizontals on upper deck of AIL
    - SCS work
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing
- City Flare System
  - Thermocouples repaired and temperature adjustment complete
- Leachate Control
  - Pump Station 1
    - Grading around station – Maloy
    - Outside tub pump (Jason)
    - Monitoring well installation next week
- ALR
  - Cell 10 and 11 need repairs
    - ES2 control panel working OK, ES2 working on pumps
- Litter Control
  - Fence across from LF entrance – Bruce Fence
  - Litter fence bid
    - May 22 Bid Due Date
- MISC
  - No Meeting Next Thursday, May24, 2007
  - Meeting with Mayor Leak on June 7, 2007

☆ Mayor Leak

### City of Albany Rapp RD Waste Management Facility Operations Meeting Agenda – May 24, 2007

- Landfill Gas/ Odor Control
  - Complaints
    - 5 complaints since last Thursday, 4 from Avila, 1 from Baurer Drive
  - Action Items
    - Temporary Cap
      - Completed Saturday, May 19, 2007
      - Harry's Cut Drainage Plan
    - Surface Scan
    - Odor Neutralizer
    - Additional wells in the AIL and P-4
    - Final Cover
      - End of June Bid Due Date
    - Compressor station - electrical
    - Well Repairs
  - Gas System Master Plan
  - Minnesota Methane
    - Feeding gas
    - Barometric trap
    - Evaluation of Wells/ Horizontals on upper deck of AIL
    - SCS work
  - Fill Progression
    - Fill Plan
    - Daily Cover
    - PCS Testing
- City Flare System
  - Thermocouple Re-Location/ Extension (\$5,500)
- Leachate Control
  - Pump Station 1
    - Repair to gas collection lines
    - Grading around station complete
    - Outside tub pump being sized
    - Monitoring well installation May 29
- ALR
  - Cell 10 and 11 repairs
    - ES2 ordered pumps
    - Maloy to perform plumbing
- Litter Control
  - Fence across from LF entrance – Bruce Fence
  - Litter fence – 2 bids received
- MISC
  - Maloy Invoices
  - Survey DGS Landfill
  - LFG RFP Interviews May 31, 2007
  - No Meeting Next Thursday, May 31, 2007
  - Meeting with Mayor Leak on June 7, 2007 – contact Mayor Leak

JUNE 21<sup>st</sup>  
Hors

△ CEN 9

JUNE 14<sup>th</sup>

Meeting with Mayor Leak on June 7, 2007 – contact Mayor Leak

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – June 14, 2007

- Introductions
  - Village perspective
- Landfill Gas/ Odor Control
  - Complaints
    - 13 calls since cover completed on May 20, 2007
  - Action Items
    - Temporary Cap
      - Stormwater control completed
    - Surface Scan
      - Rescanned hot areas from last scan and found number of holes in temp. cover
      - Performed scan this week
    - Odor Neutralizer – use during horizontal installation
    - Additional wells/trenches in the AIL and P-4
      - Maloy preparing quote
      - Maloy to subcontract driller
    - Final Cover
      - End of June Bid Due Date
      - MM pay for wells and associated headers (Maloy quote)
    - Compressor station
      - Powered from power building
      - Shed located by tanks, airline trenched across roadway
      - Shed size 8' by 10'
    - Well Repairs
      - City
  - Minnesota Methane
    - Feeding gas
    - Barometric trap installed
    - SCS work
      - Rescan on June 13, 2007
      - CHA/ City to prepare comments
      - Air modeling
  - Fill Progression
- City Flare System
  - ES2 work scheduled for June 25, 2007 (estimate \$7,750)
    - Flare shutdowns to perform work – several hrs. (backup/ MM)
    - Redesign thermocouple
    - Relocate flow meter
      - Maloy to install meter box to protect
- Leachate Control
  - Pump Station 1
    - Outside tub pump (estimated cost \$7,000) – Electrical preparing plan
    - Monitoring well installed and sampling end of June



- ALR
  - Cell 10 and 11 repairs
    - ES2 to install pumps on June 25, 2007
    - Maloy to perform plumbing
  
- Litter Control
  - Fence across from LF entrance – Bruce Fence
  - Litter fence bid award
  
- MISC
  - Maloy Invoices
  - Next meeting June 21, 2007

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – June 21, 2007

(9:20 AM)

CALL STEVE → JULY 11TH

BATTERY CHARGER.

MAYOR'S MEETING  
JULY 11TH

- Landfill Gas/ Odor Control
  - Complaints
    - 1 call since last week
  - Action Items
    - Odor Neutralizer – use during horizontal installation
    - Additional wells/trenches in the AIL and P-4
      - Maloy preparing quote
    - Temporary Cap
      - Maloy sealing penetrations
    - Final Cover
    - Compressor station
    - Well Repairs
      - City
  - Fill Progression
    - Daily cover
- City Flare System
  - ES2 work scheduled for June 25, 2007
    - Flare shutdowns to perform work – several hrs. (backup/ MM)
    - Redesign thermocouple
    - Relocate flow meter
      - Maloy installing meter box
- Minnesota Methane
  - Permit
    - NYSDEC status
    - Performing air modeling and stack tests
- Leachate Control
  - Pump Station 1
    - Outside tub pump (estimated cost \$7,000)
    - Monitoring well sampling next week
- ALR
  - Cell 10 and 11 repairs
    - ES2 to install pumps week of June 25, 2007
    - Maloy to perform plumbing
- Litter Control
  - Fence across from LF entrance – Bruce Fence
  - Litter fence bid award
- Scale Repair/ Replacement
- MISC
  - Maloy Invoices
  - Next meeting June 28, 2007

2 MORE QUOTES

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – June 28, 2007

- Landfill Gas/ Odor Control
  - Complaints - No calls since June 16, 2007
  - Action Items
    - Surface Scan
    - Additional wells/trenches in the AIL and P-4
      - Cost estimate
      - Maloy to start work on Monday (access)
      - Shaw ready for July 5<sup>th</sup>
    - Temporary Cap
      - Penetrations sealed, will rescan
      - Drainage
    - Final Cover
    - Compressor station
    - Well Repairs
      - City
  - Fill Progression
    - Daily Cover Gradation
- City Flare System
  - ES2 performing work
    - MM running flare and City running back-up flare
    - Relocating flow meter - return on July 9<sup>th</sup> to recalibrate
- Minnesota Methane
  - Additional wells and network improvements
  - SCS Surface Scan
  - Permit
- Leachate Control
  - Pump Station 1 Pump
- ALR
  - Cell 10 and 11 repairs
    - ES2 to return to install pump in cell 10 on July 9<sup>th</sup>
- Litter Control
  - Fence across from LF entrance – Bruce Fence
  - Litter fence - CHA reviewed shop drawing and need to revise and resubmit
- Scale Repair/ Replacement
- Recycling
  - Grants
  - Kelly's Wedding/ Honeymoon
- MISC
  - Quarterly Survey
  - Wetland Work
  - Maloy Invoices
  - Odor Committee Meeting
  - Next meeting July 5, 2007 - Mayor Leak to attend?

July 11<sup>th</sup> 6:00 PM

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - July 5, 2007

- Village Perspective
- Landfill Gas/ Odor Control
  - Complaints - No calls since June 16, 2007
  - Action Items
    - Surface Scan
    - Additional wells/trenches in the AIL and P-4
      - Cost estimate/ PO
      - Work to start on Monday (access) July 9<sup>th</sup>
    - Final Cover
    - Compressor station
    - Well Repairs
      - City
  - Fill Progression
    - Daily Cover
- City Flare System
  - Thermocouple placement
  - Flow Meter installation
- Minnesota Methane
  - Additional wells and network improvements
  - SCS Surface Scan
  - Permit
- Leachate Control
  - Pump Station 1 Pump
- ALR
  - Cell 10 and 11 repairs
    - ES2 to return to install pump in cell 10
- Litter Control
  - Fence across from LF entrance
  - Litter fence
- Scale Repair/ Replacement
- Recycling/ PCS
- MISC
  - Quarterly Survey
  - Wetland Work
  - Maloy/ ES2 Invoices
  - Odor Committee Meeting - July 11, 2007 at 6PM
  - Vacation
  - Next meeting July 12, 2007

AVOID TUESDAY

(CALL VILLAGE HALL)

- 3" WELL #12 CHANGED WORKERS.

10:00 AM @  
DGS.

CHA COMMENTS

w/ FAN'S ABOVE THE SPARE.

12:00 DEIS

- 3 QUOTES.

REPORT FOR DRAW.

NO DATE.

City of Albany Rapp RD Waste Management Facility  
 Operations Meeting Agenda - July 12, 2007



- Litter Fence - Net Connections
  - Change Order
  - Location
  - Questions/issues - near SAT
- Gas Field Improvement Project - Maloy - 160' long DAY (9:30-9:45)
  - Questions/Issues
- Odor Committee Meeting Review
- Erosion from Corner of Cell 10 and AIL
- Landfill Gas/ Odor Control
  - Complaints - No calls since June 16, 2007
  - Action Items
    - Surface Scan
    - Additional wells/trenches in the AIL and P44
      - Cost estimate/ PO
    - Final Cover
    - Compressor station
    - Well Repairs
  - Fill Progression
    - Daily Cover
- City Flare System
  - Flow Meter installation
- Minnesota Methane
  - Additional wells and network improvements
  - SCS Surface Scan
  - Permit
- Leachate Control
  - Pump Station 1 Pump
- ALR
  - Cell 10 and 11 repairs
    - ES2 to return to install pump in cell 10
- Litter Control
  - Fence across from LF entrance
- Scale Repair/ Replacement
- Recycling/ PCS
- MISC
  - Quarterly Survey
  - Wetland Work
  - Maloy/ ES2 Invoices
  - Vacation
  - Next meeting July 19, 2007

(9:00-9:15)

\$4000 PO for  
 material for  
 CAPs

→ ESTIMATE  
 → CONTACT TO TOM R.

BILL -  
 CONTACT GENE KELLY  
 RE: SUPPLIES +  
 "IF ES #1"  
 + PRICE cannot AFTER DEC  
 REVIEW - or -  
 HOW CLOSE NEEDS TO  
 ABLESH EPRI Δ.



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - July 19, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Surface Scan
    - Additional wells/trenches in the AIL and P-4
      - Construction Progress
      - Cost
    - Final Cover - advertised yesterday - will pick up packages now
      - Bid Date - relocate Interim to west side \* 5 acres approximate
    - Compressor station
    - Well Repairs - up to date - no issues
  - Fill Progression
    - Daily Cover - volume pattering out - not as much as they thought originally so not so much
- City Flare System
  - Flow Meter installation - not until paid for past work - remaining - flow meters
- Minnesota Methane
  - Additional wells and network improvements
  - SCS Surface Scan - no word on re-scan
  - Permit
  - Title V Permit Requirements
    - Stack testing by September 2007
    - Daily visual observation
- Leachate Control
  - Pump Station 1 Pump
- ALR
  - Cell 10 repairs + 11
    - ES2 to return to install pump in cell 10
- Litter Control
  - Westside Fence
    - Construction Progress
  - Fence across from LF entrance
    - across street still under way
- Scale Repair/ Replacement
- Recycling/ PCS
- MISC
  - Wetland Work
  - Maloy/ ES2 Invoices
  - Vacation
  - Next meeting July 26, 2007

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – July 26, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Surface Scan
    - Additional wells/trenches in the AIL and P-4
      - Construction progress – 3 wells on-line
      - Temporary cover repair
      - Cost
    - Final Cover
      - Pre-Bid Date – July 31, 2007
    - Compressor station
    - Well Repairs
  - Fill Progression
    - Daily Cover
  
- City Flare System
  - Shutdowns
  - Flow Meter Location
  
- Minnesota Methane
  - Additional wells and network improvements
  - Permit
  - Title V Permit
  
- Leachate Control
  - Pump Station 1 Pump
  
- ALR
  - Cell 10/11 repairs
    - ES2 to return to install pumps in cell 10/11
  
- Litter Control
  - Westside Fence
    - Flagging
  - Fence across from LF entrance
  
- Scale Repair/ Replacement
  
- Recycling/ PCS
  
- MISC
  - Wetland Work
  - Maloy/ ES2 Invoices
  - Vacation
  - Next meeting August 2, 2007





City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - August 16, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Additional wells/piping in the AIL and P-4
      - Construction progress - 7 wells on-line
      - Currently working on 12" header and connection of 3 wells
    - Compressor station
    - Well Repairs
- Final Cover
  - Bids received (base bids)
    - Maloy - \$1,328,685 (base), \$676,460 (alternate)
    - Marcy - \$1,451,935.82 (base), \$695,554 (alternate)
- Fill Progression
  - Working face
  - Daily Cover
- City Flare System
  - Flow Meter Relocation - end of August
- Minnesota Methane
  - Permit
- Leachate Control
  - Pump Station 1 Pump - Kasselmann quote
- ALR
  - Cell 10/11 repairs
    - ES2 to return to install pumps in cell 10/11 - end of August
- Litter Control
  - PA #1 Issues
  - Final PA coming
  - Maintenance
    - Mowing and weed whacking
      - GAL
      - AIL Closed Area
    - Drainage/ Erosion
      - Erosion on north slope of AIL berm - Maloy to repair
- Scale Repair/ Replacement
- Recycling/ PCS
- MISC
  - Wetland Work - quote from Maloy
  - Maloy Invoices
  - Next meeting August 23, 2007

*Handwritten notes:*  
Litter PA  
TIDT  
Mowing } Ron / Dan.

*Handwritten note:*  
STAFF NEEDS

City of Albany Rapp RD Waste Management Facility  
 Operations Meeting Agenda - August 23, 2007

- Landfill Gas/ Odor Control
  - Complaints - one since last week / Teresa - Ip Village @ last weeks
  - Action Items
    - Additional wells/piping in the AIL and P-4 } Concert got comments not sure
    - Construction progress } working on 12" line to tie in all wells
    - Pay Request in to City
    - Compressor station
      - Shed Delivered to site } setting final locations
      - Electrical bids } bids in to confirm Carter's is OK
    - Well Repairs } being worked on - vertical well extensions - and sloping horizontal
- Final Cover 5 1/2 acres - connected to Maloy and want to get going "now".
- Base Bid Awarded to Maloy
  - Pre-Bid Meeting within next few weeks - Construction
- Fill Progression
  - Small Working face still [100-200 ton/day cover]
  - 1 Foot Daily Cover
- City Flare System
  - Flow Meter Relocation - end of August - ES2 - planned to happen July 31st - about 1500 ppm
- Minnesota Methane
  - Permit
- Leachate Control
  - Pump Station 1 Pump - Electrical quote
- ALR
  - Cell 10/11 repairs
    - Open Cell 10 valve - yes open
    - ES2 to return to install pumps in cell 10/11 - end of August - coming a long time
- Litter Control
  - PA #1 Accepted by CHA
    - Change Order 1 - \$3,390 Alternate for eastern fence
    - Change Order 2 - \$1,700 for damaged fence (to be reimbursed by Maloy) - going to be a credit
  - Final PA coming
    - Change order 3 - (\$2,200) for crane operator provided by Maloy
  - Original contract \$146,060/ Final \$149,032
- Maintenance
  - Mowing and weed whacking
    - GAL
    - AIL Closed Area
  - Drainage/ Erosion
- Scale Repair/ Replacement - bid to be released - Hydraulic cells, Inc. - seal every year!
- Recycling/ PCS
- MISC
  - ↳ being worked on
- Wetland Work - quote from Maloy - \$3500 Invasive species control - OK'd - other work need be bid
- Maloy Invoices
- Next meeting August 30, 2007

Debbie - Deputy Comptroller  
 Joe G.  
 Joe M. (Sr. & Jr.)  
 Mayor Warren  
 Chris  
 Jason me

wee assessed

daily cover from Northway Mill deactivation



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – August 30, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Additional wells/piping in the AIL and P-4
      - Hook Up of horizontals - temporary
      - Construction progress
    - Compressor station
      - Electrical quote
    - Well Repairs
  
- Final Cover
  - Base Bid Awarded to Maloy
    - Pre-Construction Meeting, Tuesday, September 4 at 10AM
  
- Fill Progression
  - Fill Area
  
- City Flare System
  - Flow Meter Relocation – September 11-12
  
- Minnesota Methane
  - Compressor
  - Permit
  
- Leachate Control
  - Pump Station 1 Pump – Electrical quote
  
- ALR
  - Cell 10/11 repairs
    - Cell 10 drain
    - ES2 to return to install pumps in cell 10/11 – September 11-12
  
- Litter Control
  - Final Pay Application - Original contract \$146,060/ Final \$149,032
  
- Maintenance
  - Mowing and weed whacking
  - Drainage/ Erosion
  
- Scale Repair/ Replacement
  
- Recycling/ PCS
  
- MISC
  - Wetland Work
  - Maloy Invoices
  - Next meeting September 6, 2007

City of Albany Rapp RD Waste Management Facility  
 Operations Meeting Agenda - September 6, 2007

- USDA Bird Management - on their way
- Village Events - Cook park events done -
- Landfill Gas/ Odor Control
  - Complaints few - Arla 3 complaints (2 Teresa - landowner person who wind was wrong)
  - Action Items
    - Additional wells/piping in the AIL and P-4
      - Construction progress - gang well - Header in place and connections being
      - Compressor station
        - Electrical quote
          - Gross \$15,000 (w/ pump) } need to look @ each
          - Kasselman \$17,800 (w/o pump)
      - Well Repairs } City Contractor
- Final Cover -
  - Pre-Construction Meeting today at 10:15AM
  - Anticipated start next week - no contract yet so need to proceed @ risk
- Fill Progression
  - Fill Area small area
  - Daily Cover - still getting cheap sand -
- City Flare System ES2 coming back on 18th
- Flow Meter Relocation - September 18
- Minnesota Methane } no real issues to discuss this week
  - Compressor Issues
  - Permit
- Leachate Control
  - Pump Station 1 Pump - Electrical quote } still underway not completed
- ALR
  - Cell 10/11 repairs
    - Cell 10 drain - ASAP
    - ES2 to return to install pumps in cell 10/11 - September 18
      - Pumps
- Litter Control - no issues \* pine bush meeting about lighting fence
- Maintenance
  - Mowing and weed whacking - almost done -
  - Drainage/ Erosion
- Scale Repair/ Replacement - on the street - BIDs in tomorrow with only one
- Recycling/ PCS
  - SWANA E-sessions 9/5, 9/12 and 9/19 at 1:45PM
- MISC
  - Next meeting September 13, 2007

Johnny boys doing repairs - a few problems but getting back on track - O2 use up

City of Albany Rapp RD Waste Management Facility  
 Operations Meeting Agenda – September 13, 2007

Scott- USDA

- Landfill Gas/ Odor Control ← nothing to report
    - Complaints
    - Action Items
      - Surface scan in progress GAH may be done - ADH
      - Additional wells/piping in the AIL and P-4
        - Construction progress maybe today
      - Compressor station
        - Relocate Shed } #
        - Revise electrical quote } #
      - Well Repairs up to date - continuing to look for more problems - make it an on-going exercise.
- \* 341 people rot - harzing pushes them into Village  
 September → April
- Final Cover
    - Anticipated start next week - Monday - pulling back plastic first
  - Fill Progression
    - Fill Area - still small area ??? we think - PCS messy
    - Daily Cover
  - City Flare System
    - Flow Meter Relocation - September 18 - on-going
  - Minnesota Methane
    - Permit
  - Leachate Control
    - Pump Station 1 Pump - Electrical quote }
  - ALR
    - Cell 10/11 repairs
      - Cell 10 drain
      - ES2 to return to install pumps in cell 10/11 - September 18
        - Pumps
  - Litter Control
    - Controlled Burn - moving on City level but may still require Executive/Commissioner permit
  - Maintenance
    - Mowing and weed whacking \* done
    - - Drainage/ Erosion - need to work on run-off from interim cover is causing erosion of access road
    - Scale Repair/ Replacement
    - Scale Deck - needs to be treated again
  - Recycling/ PCS
    - SWANA E-sessions 9/19 at 1:45PM
  - MISC
    - Next meeting September 20, 2007



City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda - September 20, 2007

- Landfill Gas/ Odor Control
  - Complaints - 2 complaints - Megan / Sam night - wind was in her dir checked and no sign of odors
  - Action Items
    - Surface scan - started - failed equipment and new one on its way
    - Additional wells/piping in the AIL and P-4
    - Jason's Construction progress on-going
    - Compressor station
      - Revise electrical quote still happening -
    - Well Repairs up to date (think)
- Final Cover
  - Construction progress peeling away vegetation - run out on 6 (over)
- Fill Progression } Harry still following tighter protocol
- Fill Area } bringing in sand/daily
- Daily Cover }
- City Flare System → on site next week
- Flow Meter Relocation - October 2
- Air Permit
  - Annual air Emissions - \$6,607.35 (due in 30 days) down town
- Minnesota Methane Permit
- Leachate Control
  - Pump Station 1 Pump - Electrical quote
- ALR
  - Cell 10/11 repairs
    - Cell 10 pumping started - in process
    - ES2 to return to install pumps in cell 10/11 - October 2 still coming
- Litter Control
- Controlled Burn } burn down fencing \* Oct 8th for burn
- Maintenance } repair is temporary - permanent soon to be
- Drainage/ Erosion }
- Scale Repair/ Replacement } getting done - bids - site work by Madley
- Scale Deck }
- Recycling/ PCS - Final E-session
- SWANA E-sessions
- MISC
- Next meeting September 27, 2007

Aug 27

City of Albany Rapp RD Waste Management Facility  
Operations Meeting Agenda – September 27, 2007

- Landfill Gas/ Odor Control
  - Complaints
  - Action Items
    - Surface scan
    - Additional wells/piping in the AIL and P-4
      - Construction progress
    - Compressor station
      - Revise electrical quote
    - Well Repairs
  
- Final Cover
  - Construction progress
  
- Fill Progression *highly visible -*
  - Fill Area
  - Daily Cover
  
- City Flare System
  - Flow Meter Relocation – October 2 *ESA coming back next week*
  
- Air Permit
  - NSPS Starting this month *starting 20th*
  
- Minnesota Methane *}*
  - Permit
  
- Leachate Control
  - Pump Station 1 Pump – Electrical quote *out working on quotes speed*
  
- ALR
  - Cell 10/11 repairs *open during*
    - Cell 10 pumping
    - ES2 to return to install pumps in cell 10/11 – October 2
  
- Litter Control
  - Controlled Burn – *October 8th*
  
- Maintenance
  - Drainage/ Erosion
  
- Scale Repair/ Replacement *}*
  - Scale Deck
  - New Scale*in the works - Clemons - bidding new deck*
  
- Recycling/ PCS *nothing new recycling grant - trucks*
  
- MISC
  - SWANA Session Nov. 7, 2007 @ *Damon - odor info -*
  - Next meeting October 4, 2007

LEWIS B. OLIVER, JR., ESQ.

ATTORNEY AT LAW  
156 MADISON AVENUE  
ALBANY, NEW YORK 12202  
518-463-7962

MARK A. EDWARDS, ESQ., Associate

November 1, 1999

John H. Feltman  
Division of Environmental Permits  
Region IV  
New York State Department of  
Environmental Conservation  
1150 North Wescott Road  
Schenectady, New York 12306

Re: Third Albany Landfill Expansion (P-4 Project)  
DEIS and Part 360 Application --  
DEC No. 4-0101-00171/00011

Dear Mr. Feltman:

I represent a group called Save the Pine Bush, Inc. which is an organization dedicated to preservation of land in the area known as the Albany Pine Bush in its natural, undeveloped state and favors dedication to public ownership. Please accept this letter as public comments in behalf of Save the Pine Bush and its officers and members concerning the Third Albany Landfill Expansion, P-4 Project.

In order to make these comments, Save the Pine Bush has retained the services of several experts in areas of relevant concern who would be prepared to testify in opposition to the City's application at an adjudicatory hearing. This includes experts on geology and hydrogeology, endangered species and their habitat, such as the Karner Blue butterfly, Pine Bush vegetation and ecology, and solid waste management facilities. These experts will be available to testify at an adjudicatory hearing on the permit application.

1. Siting a new landfill in the Albany Pine Bush is prohibited by Environmental Conservation Law (ECL) 15-0514, the Clean Water Act Sec. 208, ECL 27-0704, 6 NYCRR 360-1.2(b)(10), 6 NYCRR 360-2.12(c), and 6 NYCRR 360-1.7(c) because the Pine Bush Formation is a principal aquifer with a potential for use as a source of public water supply.

ECL 15-0514 authorized the Department of Environmental Conservation (DEC) to hold public hearings and designate certain aquifers in the State of New York as principal groundwater recharge



areas and to protect these aquifers from degradation of water resources by promulgating rules and regulations. Regulations at 6 NYCRR 360-1.2(b)(10) define an aquifer; a primary aquifer is defined at 6 NYCRR 360-1.2(b)(10)(i), and a principal aquifer is defined in the following subsection 360-1.2(b)(10)(ii). Using funds from the United States Environmental Protection Agency (EPA) under Sec. 208 of the Clean Water Act, the Commissioner of DEC on July 9, 1986 determined that the Pine Bush Formation is a principal aquifer.

ECL 27-0704 gives DEC authority to prohibit siting landfills over principal aquifers. Consistent with the statute, 6 NYCRR 360-2.12(c) prohibits construction of a new landfill or lateral or vertical expansion of an existing landfill over principal aquifers. Sec. 360-2.12(c)(1)(i) provides in relevant part: "...no new landfill and no lateral or vertical expansion of an existing landfill may be constructed over primary water supply aquifers, principal aquifers..." While there was an exception for the Commissioner to allow lateral or vertical expansion of landfills in operation pursuant to a valid Part 360 permit or order that are on principal aquifers upon a demonstration of public need, the time period for allowing such an expansion expired on December 31, 1996. See 6 NYCRR 360-2.12(c)(1)(ii). At this time siting a new landfill, such as proposed by the City of Albany's application herein, or a lateral or vertical expansion of the landfill, is absolutely prohibited and violates the landfill siting restrictions at 6 NYCRR 360-2.12(c). The City's application to declassify the Pine Bush Formation as a principal aquifer should be denied, or for a variance should be denied.

Since siting the landfill in the Albany Pine Bush over the Pine Bush principal aquifer is prohibited, the City has adopted a strategy of requesting the Department to declassify the Pine Bush Formation as a primary aquifer. The City has submitted a so-called "Pine Bush Declassification Study" as Attachment E to Volume 5 of the Part 360 Application to Construct and Operate a Solid Waste Management Facility by CT Male dated as revised July 9, 1999, requesting declassification of the Pine Bush aquifer. The reasoning and conclusions in Attachment E, however, are completely flawed, and the study contains several important scientific misrepresentations and mistakes. The effort in Attachment E is to show that the Pine Bush Formation is not a principal aquifer as defined by Sec. 360-1.2(b)(10)(i), and Attachment E completely fails in that regard. The Pine Bush Formation meets all of the criteria for principal aquifer designation set forth in the Technical and Operational Guidance Series (TOGS) 2.1.3, Primary and



Principal Aquifer Determination, and the Memorandum of Understanding (MOU) between the DEC's Division of Water and the Division Solid and Hazardous Materials. The attempts in Attachment E to attack hydrogeological work done in the original designation of the Pine Bush Formation as a principal aquifer by the United States Geological Survey (USGS) and DEC is completely without merit.

The main question raised by Attachment E is, "Does the surficial aquifer referred to therein as the Pine Bush Formation meet NYDEC's criteria for a principal aquifer? Clearly, the answer to that question is Yes. The criteria, as stated in Attachment E, are as follows:

1. THE AQUIFER MUST UNDERLIE AT LEAST 5 TO 10 SQUARE MILES OF CONTIGUOUS AREA. Our expert measured 57.5 square miles of "lake sand and dune sand" in Albany County north of the Normanskill, as depicted on a 1:250,000 scale map of surficial geology (Cadwell and Dineen, 1985). A few small contiguous areas of other types of sand and gravel are included. The contiguous area continues to the west into Schenectady County. However, the lower reaches of some tributaries of the Normanskill are incised through the sand into the underlying silt and clay, and some of these narrow outcrops of clay do not show on the map; near these tributary reaches the surficial sand is thinly saturated. Excluding these areas would probably reduce the areal extent of the surficial aquifer by 10 to 12 percent. to roughly 50 square miles.

2. THE AQUIFER SHOULD BE CAPABLE OF YIELDING AT LEAST 0.5 TO 1 MILLION GALLONS PER DAY. The Pine Bush Formation is recharged solely by local precipitation. Where surficial sediments are permeable sand, virtually all precipitation infiltrates. Whatever is not returned to the atmosphere as evapotranspiration becomes recharge to the water table and is ultimately discharged as ground water to streams. Thus, average annual groundwater recharge from sand plains is equivalent to average annual runoff from the entire watershed, as explained by Lyford and Cohen (1988), among others. A recent map of mean annual runoff for 1951-1980 (Randall, 1996) indicates annual runoff near Albany to be at least 16 inches. Thus, recharge to the 50 square miles of contiguous surficial sand in Albany County should average about 38 million gallons per day (mgd). Withdrawal of anything close to this total would require a network of wells, but the computation is sufficient to indicate that potential aquifer yield greatly exceeds NYDEC criteria.



3. SATURATED THICKNESS OF HIGHLY PERMEABLE MATERIALS SHOULD AVERAGE AT LEAST 20 FEET AND LOCALLY EXCEED 50 FEET. The fine to medium-grained sands that occur near land surface all across the Albany sand plain might be characterized as moderately permeable. They are 1 to 2 orders of magnitude LESS permeable than the clean set coarse sands and gravels scattered widely across upstate New York in ice-contact deposits, but such deposits are ordinarily quite localized, seldom contiguous beneath 5 or more square miles. At the same time, the sands in the Albany sand plain are 1 to 3 orders of magnitude MORE permeable than the lake-bottom deposits, till, and bedrock that underlie those sands and make up the entire geologic section beneath 85 percent of upstate New York.

Saturated thickness of the surficial sands are variable, hence difficult to characterize in a general way. Snavely (1983) reports that the surficial aquifer ranges from 5 to 150 feet in saturated thickness, and averages 40 feet. Sections L and M of Dineen and Hanson (1983) show the minimum total thickness of dune sand and lake sand to be typically 25 to 40 feet, but 80 feet in one locality, all as measured below low areas between dunes where the water table is presumably near land surface. Contours on plate 1 of Dineen and Hanson (1983) indicate that total thickness of dune and lake sand generally exceeds 25 feet, except in eastern Albany and within a mile of the Normanskill, and exceeds 100 feet in some areas. Boreholes at the Albany landfill indicate total thickness of surficial sand of 40-55 feet, with a saturated thickness that averages about 30 feet. Sandy sediment was derived largely from the glacially augmented Mohawk River (Dineen, 1975); we might therefore infer somewhat greater thicknesses of surficial sand in the northwestern part of the sand plain, beyond the areas investigated in the reports cited by C.T. Male.

In summary, the literature available strongly suggests that saturated thickness of the surficial aquifer averages at least 20 feet, and exceeds 50 feet in most places; the exact extent of saturated thickness greater than 50 feet is uncertain.

4. THE AQUIFER SHOULD BE SUITABLE FOR CONSTRUCTION OF INDIVIDUAL MILES OR MORE THROUGHOUT THE AQUIFER EXTENT. To evaluate this requirement, our expert designed a hypothetical well at the location of the Albany landfill, according to the following specifications:

SATURATED THICKNESS: 30 feet, based on several borehole logs and water-level measurements in Volume 1 of the C.T. Male report.



**HYDRAULIC CONDUCTIVITY:** 50 feet per day, as reported by Malcolm Pirnie (1988) for the upper sands at the landfill.

**STORAGE COEFFICIENT:** 0.2, a universally accepted value appropriate for long-term pumping or drainage.

**DURATION OF PUMPING:** 180 days without recharge, the maximum likely in a severe drought.

**WELL DESIGN:** A cluster of 5 wells arranged in a circle of 10 feet radius, pumped together through a common header by a single suction riser of 15 feet. Each well fitted with 15 feet of 10-slot screen from 30 to 45 feet depth. Total pumping rate 100 gallons per minute (gpm). Well screens should be 6-inch diameter, or 2-4 inch with sand envelope, to ensure optimum well efficiency.

Well performance was computed according to standard procedures for well-field design as specified by Heath (1980, p. 74). Drawdown after 180 days without recharge, allowing for the effect of reduction in saturated thickness near the well by the method of Jacob, was calculated to be less than 15 feet, which is just above the top of the screen. If similar wells were installed all across the Albany sand plain on 1800-ft centers, the analysis indicates that each could be pumped at 100 gpm without mutual interferences. (By coincidence, an array of at least 250 such wells could be accommodated in a rectangular area of 5 by 10 miles on a side, which is roughly the dimensions of the Albany sand plain, and would collectively yield about 36 mgd, close to the average annual recharge. Of course, irregularities in aquifer thickness and logistical problems regarding land ownership and where water might be needed would prevent the construction of such a rigid well network, but the concept illustrates how the aquifer could be exploited. In order to yield a minimum of one million gallons per day, a criteria for a principal aquifer, a much smaller network of wells would be needed). Clearly, the Pine Bush Formation is suitable for construction of individual wells that yield fifty gallons per minute or more, and a small network of wells could easily be designed to provide one million gpd for a source of public water supply.

Most large public water systems take large volumes of water from one main source (a well field or reservoir) and distribute it widely through water mains of progressively decreasing size. C.T. Male argues that the Pine Bush Formation is incapable of sustaining such a system, and cite their own 1983 report for the Town of Guilderland that concluded the Pine Bush Formation was not a viable



ground-water resource for the Town because "it was not capable of supplying yields in the range of 1 mgd (700gpm). Nevertheless, the Pine Bush Formation has great potential for supplying the public with water from a large number of widely scattered wells, each pumped at rates of 50-150 gpm and serving a nearby facility (such as a housing development, school apartment complexes, or a commercial or industrial facility) that requires water for process use or cooling. Wells constructed for commercial/industrial use or for irrigation are feasible and can be cost-effective in areas where drinking water is available from public-supply mains. If there are large areas remote from mains in the Pine Bush, a small number of wells could provide adequate flows for a public water supply

A few statements in the C.T. Male report are somewhat misleading, as discussed below:

The last paragraph on p. 11 describes the map by Heath (1964), and cites a table therein as indicating that "the median well yield for the Pine Bush Formation is reported to be 4 gpm, and the range of well yields is reported to be 1 to 40 gpm. Actually, that table says nothing about the Pine Bush Formation; the numbers cited are ascribed to wells completed in sand and gravel in Albany County as a whole. The table reports the depths of these same wells as ranging from 43 to 225 feet, medial depth 115 feet, which would actually exclude most wells finished in the Pine Bush Formation. The Albany County report (Arnow, 1949), tabulates records of at least 26 wells that are apparently finished in the Pine Bush Formation. All are drive well pints or dug wells; they range in depth from 7 to 45 feet, and none were tested for yield (which is probably why there were not included in the data tabulated by Heath).

Snavely (1983) presents values of hydraulic conductivity for the relatively permeable fine sands in the Pine Bush Formation, based on pumping tests at two sites. C.T. Male summarizes on p. 14 the measurements obtained in those tests, based on data in NYDEC files, and emphasizes that the drawdowns were substantial after only 24 hours pumping. On p. 25 they state that "maximum well yields of 48 to 58 gpm, with considerable drawdown after 24 hours, were obtained by Snavely from 2 wells optimally sited and designed." That statement is misleading. The two wells were indeed sited at the most promising of 6 test-hole sites, but the number and location of test holes were limited by financial constraints and by a requirement that only city-owned property be tested. The pumped wells had only 5 feet of screen and a few hours



development time; optimal design would have included a longer screen, a filter pack or envelope of coarser sand (recommended in fine uniform sands by Driscoll, 1986), and longer development. The tests were not intended as a demonstration municipal well, but only as a means of calculating aquifer properties. The resulting estimates of hydraulic conductivity (65 and 70 feet per day) are quite close to the estimate of 50 feet per day obtained by Malcom Pirnie (1988) at the Rapp Road landfill.

On p. 22-24 of the Pine Bush declassification study, C.T. Male Associates summarize water quality in the Pine Bush Formation as described by Snavely (1983) and by several reports on environmental monitoring at the landfill site.

Their first conclusion, on p. 24, is that "on a regional basis, groundwater from the Pine Bush Formation is of poor water quality and is susceptible to contamination by various anthropogenic sources." WE agree that this aquifer is susceptible to contamination from human activities at land surface. Our expert points out the same is true of most of the many sand and gravel aquifers that collectively constitute the principal current and potential source of ground water in the glaciated northeastern United States. Our expert does not agree that water quality is properly characterized as "poor" on the basis of the evidence cited in the C.T. Male report, namely the chemical analyses of water from 16 private wells and 15 test wells tabulated by Snavely (1983). Our expert's reasoning is as follows:

1. Only 3 of 30 wells had chloride values greater than 250 mg/L, the accepted upper limit for drinking (a limit that is based on esthetic taste criteria rather than health risk). Chloride values were less than 20 mg/L at 17 of the 30 wells. The highest values were near major highways, and were attributed to road salting by Snavely (1983). Concentrations of chloride (and other constituents of highway deicing chemicals) in groundwater can be greatly reduced by collecting runoff from major highways in gutters and conducting that runoff in storm sewers to streams, and/or by spreading more sand and less salt on highways in sensitive areas, as done by the Massachusetts Highway Department along many designated stretches of state highway in that state.
2. None of the 30 wells analyzed for nitrogen had values above 10 mg/L, the accepted upper limit for nitrate nitrogen in drinking water. Only 8 wells exceeded 2 mg/L

(the highest value being 8.0 mg/L) and only 10 were less than 0.2 mg/L. Reduced nitrogen species, NH<sub>4</sub> and organic nitrogen (which may indicate proximity to septic effluent) exceed 0.6 mg/L at only 2 wells, and phosphorus (another component of domestic sewage) was everywhere less than 0.02 mg/L. Nitrogen concentrations in several streams draining the Pine Bush were everywhere less than 2 mg/L. Our expert would not be surprised if nitrogen concentrations near the water table are significantly above background in built-up areas where sewage disposal is to septic systems, as has been demonstrated in the surficial aquifer on Long Island, but the data do not demonstrate widespread "poor" quality in the Pine Bush.

The second conclusion regarding groundwater quality is that "ground water quality has been impacted by the release of solid-waste leachate components from the Greater Albany Landfill." On p. 26 it is argued that the poor water quality near or downgradient from the landfill will prevent this part of the aquifer from ever being used for public water supply. Our expert would point out, however:

1. Water whose quality is unsuitable or risky for public supply might still be acceptable for some types of commercial/industrial/colling uses.
2. The area allegedly affected by release of contaminants from the greater Albany Landfill is only a very small part of the Pine Bush Formation, and this small area of contamination is not a justifiable argument for declassifying the entire aquifer or granting a variance.
3. It hardly seems consistent with current environmental standards for an entity responsible for polluting an aquifer (or a stream) to argue that the polluted condition justifies scrapping rules that prohibit the pollution (what if General Electric made this agreement about PCBs in the Hudson River?).

We call attention to one other error in the Pine Bush declassification study. The last paragraph on p. 2 states that "the classification of the area containing the Pine Bush Formation as a principal aquifer was based upon general statewide mapping done by Heath (1964). Figure I-2 (p. I-7) of the Heath report identifies upstate principal aquifers with a gray shading..." This citation is totally garbled. Heath (1964) does not contain a p. I-



7 nor a figure I-2 nor any map that identifies principal aquifers with a gray shading.

The determination of DEC that the Pine Bush Formation is a principal aquifer is not undermined by the arguments in Attachment E. The Pine Bush Formation meets all the criteria for a principal aquifer set forth in TOGS 2.1.3 and the MOU dated December 30, 1997, and Attachment E does not present any convincing arguments why the DEC's designation of the Pine Bush Formation as a principal aquifer was incorrect. The attacks contained in Attachment E on the original determination by the Ex-Commissioner and the scientific work done by USGS (Snively) is based on poor assumptions and misrepresentations and scientific mistakes.

Attachment E is also insufficient because it fails to address adverse environmental impacts which might result from declassification of the Pine Bush Formation. Declassification would foreseeably result in encouraging long term development of other projects in the Pine Bush which have the potential for contaminating the aquifer, an area which should be addressed under 6 NYCRR Part 617.9(5)(iii)(a),(d). Although our expert has shown that use of the Pine Bush Formation as a principal aquifer would not lower the ground water table (contrary to the claim of the Declassification Study), encouragement of development by declassification would result in higher concentrations of chlorides, nitrates, heavy metals, and other contaminants which may have an adverse impact on Pine Bush vegetation which has deep roots in order to tap the water table. Contamination of the aquifer in the area of the proposed new Albany landfill P-4 expansion could also have long term adverse impacts on water quality in Patroon Creek and Rensselaer Lake, which has not been addressed. Data concerning ground water hydrology establishes that groundwater flows and thus the migration of toxic chemicals released from the Albany Landfill move in the direction of Lake Rensselaer [see Part 360 Application to Construct and Operate a Solid Waste Management Facility, P-4 Project Landfill Expansion, at Sec. 4.3.3]. Rensselaer Lake has served as part of the water supply to the City of Albany in the historic past and could serve as a reservoir once again. Attachment E fails to rule out increased contamination of Rensselaer Lake or address the potential for contamination from the proposed Albany landfill and/or from other development projects which could be expected as a result of a variance or declassification.

The City's application for a variance must be denied because it fails to meet the criteria for a variance set forth at 6 NYCRR



360-1.7(c). The prohibition against siting a landfill over a principal aquifer is absolute, and the Department does not have any jurisdiction to grant a variance because a variance is precluded by law. Further, the arguments made in Appendix E are not based on conditions unique to the persons particular situation, but would result in allowing declassification or a variance for construction of landfills over principal aquifers all across the State. Many principal aquifers have slight road salt contamination, and the arguments made in Attachment E would completely undermine the prohibition against siting landfills over principal aquifers contained in Sec. 360-2.12(c). Furthermore, the application fails to demonstrate that trucking garbage outside the ANSWERS waste shed would impose an unreasonable economic, technical, or safety burden on the City of Albany, or other ANSWERS communities, or the public. The variance requested would authorize a municipal solid waste landfill to be designed, construction, or operated at standards less stringent and those defined under 40 CFR Part 258, Criteria for Municipal Solid Waste Landfills.

The Pine Bush Formation is a potential source of public water supply. Declassifying the Pine Bush Formation or granting a variance would undermine the entire effort of DEC and EPA under the Clean Water Act and State legislation and regulation to protect principal aquifers which may be used as a source of public water supply in the future. The argument that DEC improperly designated the Pine Bush Formation as a principal aquifer and was overly protective of water resources is false. The logic of Attachment E would result in every primary aquifer in the State, which have been contaminated by road salt or some other marginal contamination, being declassified or the subject of a variance for a solid waste landfill, and would completely undermine the policy of the Clean Water Act and DEC to protect ground water resources. The Pine Bush Formation does have the capacity to serve as a future source of public water supply, and the City's application for a declassification or a variance should be denied.

2. The City's Application for a Part 360 Permit to construct another landfill expansion in the Albany Pine Bush should be denied because Attachment D, the Landfill Site Selection Study, accompanying the application is deficient and fails to meet the requirements of 6 NYCRR 360-2.3(i) and 6 NYCRR 260-2.12(a)(2) and Sec. 2.12(b). 6 NYCRR 360-2.12(b) requires a comprehensive site selection study that must identify and evaluate a reasonable range of alternative sites that are feasible considering the capabilities and objectives of the applicant. One of the requirements of a comprehensive site selection study is that the report must describe



the factors that prevent the applicant from using a site exhibiting the characteristics identified in Sec. 360-2.12(a), and that any proposed landfill site which does not meet those qualifications must be identified in local solid waste management plan approved by DEC under 6 NYCRR 360-15. Attachment D, the Landfill Site Selection Study, completely fails to meet these requirements. The ANSWERS Solid Waste Management Plan identifies site C-2 in the Town of Coeymans as the long range landfill facility for the ANSWERS Planning Unit. Site C-2 in the Town of Coeymans exhibits all the characteristics set forth in Sec. 360-2.12(a). In May 1991 a report entitled Potential Landfill Sites Identification Report identified fifteen (15) potential long range landfill sites within the ANSWERS communities; in June 1992 a report entitled The Report Recommending Sites for a Preliminary Investigation identified three (3) sites for a more detailed onsite evaluations; and a report dated August 1994 entitled ANSWERS Final Site Selection Report identified Site C-2 as the preferred site for the long term landfill facility for ANSWERS.

In 1989 Save the Pine Bush objected to siting the Albany Interim Landfill in the Pine Bush. In the decision granting the initial permit for the Albany interim landfill dated February 13, 1990, former Commissioner Jorling stated that he could not imagine any circumstances that would justify an extension of the permit term. He said:

In light of the fact that the interim landfill will only provide capacity for an estimated three years of solid waste management, it is critically important for the City and other municipalities that will use the interim landfill to move rapidly to complete a long-term management study and implement an alternative solid waste program in that time period. Based on the record of this proceeding, I cannot envision any set of circumstances that would justify the extension of the life of this interim landfill or the approval of another such facility in any other part of the Albany Pine Bush." [Decision at p. 6] [emphasis added].

The Third SDEIS does not address what circumstances if any were not envisioned by the ex-Commissioner that now exist which could possibly justify extension of the life of the interim landfill by granting a permit for a new landfill at this time. The ex-Commissioner gave Albany 3 years to construct a long-term landfill and leave garbage out of the Pine Bush, and the City hasn't performed.



The proposed landfill expansion at P-4 is not identified in the ANSWERS Solid Waste Management Plan as a long term landfill, or as so-called interim landfill for a period of 10 to 15 years. The ANSWERS Solid Waste Management Plan identifies Site C-2 in the Town of Coeymans, which meets all the technical requirements for a solid waste landfill, as the long term landfill for the ANSWERS Solid Waste Planning Unit. Attachment D does not describe any factors that prevented the City of Albany or the ANSWERS group from constructing the new landfill at Site C-2 by this time. The approved Solid Waste Management Plan does not provide for another landfill in the Pine Bush that will provide garbage disposal capacity for another 10 to 15 years, and this application for the P-4 expansion is completely inconsistent with the long range plans for the ANSWERS Planning Unit. Another 10 to 15 year landfill in the Pine Bush is not identified in the approved ANSWERS Solid Waste Management Plan, and is inconsistent with the goals and objectives of the plan to site a long range landfill which complies with the technical requirements of Part 360 at Site C-2 in the Town of Coeymans.

Attachment D completely fails to meet the requirement of explaining why the applicant is prevented from constructing a long range landfill at Site C-2 in the Town of Coeymans. The report contains some vague references to lawsuits by the Town of Coeymans as the sole justification for failing to produce a comprehensive siting study, but these representations are false and misleading. The underlying justification for ignoring Site C-2 in Attachment D is intellectually dishonest. The lawsuit brought by the Town of Coeymans was dismissed as premature and was held to be premature by the Appellate Division, precisely because no Part 360 application for Site C-2 has been submitted by Albany to DEC. There is nothing about the pendency of the lawsuit by the Town of Coeymans that legally or practically prevent the City from acquiring the site and conducting the necessary physical investigations. The court case brought by the Town of Coeymans never had a stay or preliminary injunction against engineering and hydrogeological testing at Site C-2, nevertheless the City used the lawsuit as an excuse and has failed to engage in field investigations. Since Site C-2 was identified as the long range landfill in 1994, the City has unreasonably delayed and failed to purchase the lands involved in Site C-2 even though offered to the City by willing sellers, and has failed to conduct the engineering and hydrogeological field investigations necessary to make a Part 360 application. The City has simply used the lawsuit as an excuse not to go forward with Site C-2. When Save the Pine Bush sued the City over the Part 360 Permit approval of the interim landfill in 1990, the City went



ahead with construction anyway and could also proceed with regard to Site C-2 but simply chooses not to.

The other excuse offered in Attachment D for the City's delay since 1994 in going ahead with Site C-2 is that the City does not have condemnation power outside its boundaries in the Town of Coeymans. Once again, this excuse is also false and misleading. It is well established that the three (3) owners of Site C-2 in the Town of Coeymans are willing sellers, and in fact the City has option agreements to purchase all three (3) of the parcels necessary to purchase the entire Site C-2 from these willing sellers. The lack of condemnation power at Site C-2 is not a reason for the City's delay because of the existence of the willing sellers and an agreement about the sale price between the City and the willing sellers.

Attachment D violates 6 NYCRR 360-2.12(b) and 6 NYCRR 617.9(c)(5)(v) because it limits the potential alternative sites for a landfill to sites known to be available within the City of Albany. There is absolutely no justification for limiting potential sites for landfill to the City of Albany. The City could purchase Site C-2 in the Town of Coeymans under existing option agreements tomorrow, and could have submitted a Part 360 application for Site C-2 rather than for Site P-4 at this time. Attachment D is nothing more than a warmed over version of the previous 1989 study for an interim landfill in the City of Albany, considering exactly the same exact ten (10) sites within the City of Albany's boundaries and applying very similar criteria. Even if the potential site selection were limited to the City of Albany, the level of detail about the ten (10) sites contained in Attachment D fails to comply with the requirements concerning unconsolidated deposits, bedrock, groundwater flow patterns, relationships to water supply sources, natural topography, and other requirements for a comprehensive site selection process report required by 6 NYCRR 360-2.13(b)(2) for these ten (10) sites other than the one in the Pine Bush. The information about the Erie Boulevard, Frisbie Avenue, Normanskill, and Corporate Woods sites are limited to vague generalizations, and the level of information required to identify and make decisions about selection of the proposed site and to study several possible sites is insufficient. 6 NYCRR 360-2.12(b)(2)(i) requires that the site selection report include evaluation criteria, deferral (elimination) criteria, assumptions, data sources, decision-making means such as numerical ranking systems, and must demonstrate that considering the capabilities and objectives of the applicant a reasonable range of alternative sites available throughout the planning unit in which the project is proposed were evaluated and



that the site is the most appropriate alternative. Attachment D, which limits potential sites only to those within the City of Albany and contains only vague generalizations about all of the sites, except the selected site in the Pine Bush, completely fails to meet these requirements.

Attachment D is not really a site selection study as required by Part 360 at all, but a post-hoc after the fact justification for another expansion of the City's landfill in the Pine Bush. There is no meaningful justification whatsoever why the City has not acted since 1994 to acquire and construct a landfill at Site C-2 in the Town of Coeymans which meets all the regulatory requirements of Part 360. Moreover, although the City does not have condemnation power outside its borders, all of the ANSWERS communities have condemnation power for potential landfill sites within their boundaries, and there is no reason why one of the other ANSWERS communities could not condemn a landfill site within its boundaries for the 10 to 20 year landfill. The ANSWERS Solid Waste Program could also be taken over by Albany County, which has condemnation power under County Law throughout Albany County for construction of a solid waste landfill.

Save the Pine Bush has retained a decision-making expert familiar with decision-making matrixes and site selection grids who will testify that the site selection process in Attachment D is arbitrary and capricious. Once all sites outside the City of Albany were excluded, it is a foregone conclusion that the Pine Bush would be selected as the site for City's new landfill. Attachment D completely fails to consider the factors set forth at 6 NYCRR 360-2.12(b)(2)(i). The site selection grid is skewed towards selection of the Pine Bush because the requisite factors were not considered in the detail necessary by the regulations. Even sites within the City boundaries are discounted for reasons not factually supported, and the selection criteria make a foregone conclusion that the Pine Bush would be identified as the preferred site. The complete absence of any consideration of locating the landfill outside the Pine Bush fails to take a hard look at reasonable alternative sites, and it is an unreasonable restriction on the site alternative selection process which causes the City to arbitrarily exclude other sites and conclude that Site P-4 was appropriate.

Attachment D and the Part 360 application are also inadequate because they fail to explore the alternatives of prohibiting institutional and commercial users from disposing of garbage at the Rapp Road landfill and fails to consider the alternative of excluding garbage from State buildings in the Capital in order to



lengthen the life of the existing landfill until the preferred alternative at C-2 can be constructed. The City is under no contractual obligation to provide landfill disposal to commercial haulers or the State to New York. Recent studies show that almost fifty (50%) percent of the garbage brought to the existing landfill is from commercial and State sources; this includes garbage brought by all commercial haulers, the State Office Campus, the Empire State Plaza, the University at Albany, and other state offices. Expert testimony by the solid waste engineer will be presented that immediate exclusion of commercial and State waste from the waste stream would lengthen the life of the existing interim landfill by years so that a permanent long range landfill could be constructed at Site C-2 without the need for additional expansion in the Pine Bush.

Attachment D and the Part 360 application are also inadequate because they fail to consider the alternative of immediately terminating the City of Albany's contract with the ANSWERS communities to provide a landfill until the permanent landfill at Site C-2 in the Town of Coeymans is constructed. The ANSWERS contracts are terminable by either party upon one (1) year's notice. DEC should require that the City terminate the contracts with all the ANSWERS communities immediately. Also, most of the ANSWERS contracts provided that the City was not obligated to accept garbage from the ANSWERS communities if the ANSWERS garbage burning plant was closed, an event which occurred in 1996. Temporary termination of the ANSWERS contracts until a permanent landfill is constructed at Site C-2 in the Town of Coeymans would encourage the City to move ahead with the process of constructing a permanent long range landfill which met the requirements of Part 360.

Attachment D and the Part 360 application are also inadequate because they fails to address and consider in any depth the alternative of the City of Albany and/or the ANSWERS communities out sourcing garbage disposal through private garbage disposal companies or another municipally owned landfill, such as Saratoga or Fulton Counties, between the time when the current interim landfill is filled up and a new permanent landfill is constructed at Site C-2 in the Town of Coeymans. The application fails to take a hard look at this alternative as required by 6 NYCRR 617.9(c)(5)(v) because it fails to state what private garbage disposal companies charge and what other potential municipal landfills are available, fails to cost out the alternative of private garbage disposal, the cost per ton of private garbage disposal verses the cost of constructing and operating another so-called interim landfill, and fails to provide any basis for



comparison between the cost of private or municipal disposal of garbage against the damage and destruction to the Pine Bush by constructing another so-called interim landfill in the unique Pine Bush ecology. The vague statement about the economic burdens of private garbage disposal or disposal at another municipal landfill, are meaningless without facts and cost calculations upon which hard economic comparisons can be made.

3. The Part 360 application to construct the City of Albany Landfill expansion at Site P-4 should be denied because 6 NYCRR 360-1.7(a)(1) prohibits construction or operation of a solid waste management facility in a manner that causes or contributes to the taking of any endangered or threatened species or to the destruction or adverse modification of their critical habitat. Sec. 360-1.7(a)(2)(iii) states: "Endangered Species. Solid waste management facilities must not be constructed or operated in a manner that causes or contributes to the taking of any endangered or threatened species or to the destruction or adverse modification of their critical habitat." See also ECL 11-0535, which requires a permit for taking of any endangered species, and ECL 11-0103(13) which defines a "taking". In arguing that the original application for the interim landfill by the City of Albany should be denied, Save the Pine Bush argued that the construction of the interim landfill would violate a similar regulation because it would cause individual members of an endangered species, Karner Blue butterflies, to be killed by destroying their habitat which was located on the interim landfill site. The Administrative Law Judge (ALJ) Francis Serbent agreed with Save the Pine Bush and recommended that the Part 360 Permit for the interim landfill be denied. In order to avoid the prohibition of siting the interim landfill in the Pine Bush, DEC ex-Commissioner Jorling adopted a distorted and intellectually dishonest definition of a "taking", which required that the object or purpose of the applicant's project must be to kill endangered species. Then he concluded that since endangered species would be killed only as a result of onsite lupine patches being destroyed during construction, that the killing of endangered Karner Blues by construction of the interim landfill was not a taking under State law, and could only be addressed as a destruction of habitat. Although conceding that the site of the interim landfill was habitat or at least potential habitat for the Karner Blue butterfly, Jorling avoided the siting prohibition by ruling that the regulation was limited in its application to critical habitats, and ruling that, unlike the Federal Endangered Species Act (16 U.S.C. 1531 et seq), there were no designated areas that constitute critical habitats under the State endangered species law and regulations. Jorling adapted the so-called "incidental taking" exception to the State endangered



species act, that is, it is not a violation of the State endangered species act to kill endangered species as long as killing the endangered species is not the purpose of the project, but only incidental to or a side effect of completing the project. This narrow interpretation of the State endangered species act clearly violates the intent of the statute and has had the result of gutting the State endangered species act and turning it into a dead letter.

After Jorling's decision, the United States Fish and Wildlife Service on December 14, 1992, designated the Karner Blue butterfly as a federally protected endangered species pursuant to the Federal Endangered Species Act. See 50 CFR Part 17.11(h); Federal Register, Vol. 57, No. 240, dated 12/14/92, at pp 5923. Designation of the Karner Blue butterfly as an endangered species under the Federal Act changes the way the prohibition against "adverse modification of their critical habitat" in the siting prohibition contained in 6 NYCRR 360-1.7(a)(2)(iii) must be interpreted. Now that the Karner Blue has been designated as federally protected, New York must interpret its endangered species laws consistent with the Federal Endangered Species Act.

In the 1990 proceedings concerning the original application for the Albany interim landfill, (ALJ) Serbent found that the site of the interim landfill had both the physical and biological features needed to support the endangered Karner Blue butterfly, and therefore concluded that the site was critical habitat for the Karner Blue butterfly and that construction of the landfill at the site was prohibited by 6 NYCRR 360.8(b)(1)(xx), the former siting prohibition with identical language to 6 NYCRR 360-1.7(a)(2)(iii). [See Hearing Report by Francis W. Serbent Administrative Law Judge, Department of Environmental Conservation, In the Matter of the Application for a Proposed 25 Acre Expansion of the Rapp Road Landfill by the City of Albany, New York, DEC No. 4-0101-171/1-0 dated February 13, 1990, at pp 25-30]. Former Commissioner Jorling affirmed the ALJ's factual findings, but overruled the legal conclusion that the site of the interim landfill was critical habitat based on the so-called "incidental takings" theory [see Commissioner Jorling's Final Decision dated February 13, 1990, at pp 2-4]. Jorling's distorted conclusions do not comply with the Federal Endangered Species Act, and the application for the P-4 expansion must be decided under the Federal Act.

A reading of the federal definition of "critical habitat" at 16 USC 1532(5)(A) demonstrates that one of the determinative issues, but not the only issue, is whether the "physical or biological features" . . . are found on a "specified area within



the geographic area occupied by the species" is "essential to the conservation of the species" [emphasis added]. The portion of the federal definition referenced by ex-Commissioner Jorling referred to whether the physical or biological features that are essential to survival of the endangered species are present at the site. The federal definition at 16 USC 1532(5)(A) refers to the presence of the physical and biological features, in this case the pine barrens ecology and blue lupine plants, as being essential to critical habitat of the Karner Blue butterfly, not whether the area which would be destroyed by the proposed construction is "essential" to the survival of the species, as the ex-Commissioner improperly interpreted the federal definition. The federal decisions which interpret the definition of "critical habitat" under the federal Endangered Species Act, which Jorling said was the appropriate basis by which to determine the definition of "critical habitat" under 6 NYCRR 360.8(b)(1)(xx), clearly hold that the proposed interim landfill site was in fact "critical habitat". See Sierra Club v. Marsh, 816 F. 2d 1376 (9th Cir. 1987); Romero-Barcelo v. Brown, 643 F. 2d 835 (1st Cir. 1982).

In Romero-Barcelo, *supra*, 643 F.2d 885, Puerto Rico claimed that the Navy was conducting operations that threatened the habitats of endangered species. Some of the nesting sites of several endangered species were located within the areas where the Navy was conducting its training operations which in part consisted of target bombing. The Court of Appeals held that the area where the Navy was bombing was critical habitat, and therefore the Navy failed to fulfill its obligations under the federal Endangered Species Act of requesting a biological opinion so that the Secretary of the Interior can identify the critical habitat of the endangered or threatened species. This failure was held to be a violation of 16 U.S.C. 1536(a)(2) which required the Navy to consult with the Secretary of Interior, so a determination could be made relative to whether the "action" would "result in the destruction or adverse modification of habitat of such species which is determined by the Secretary ... to be critical". See 16 U.S.C. 1536(a)(2).

In Sierra Club v. Marsh, *supra*, 816 F. 2d 1376, the court held that a development project would jeopardize the continued existence of an endangered species of bird because the project would result in harming the bird's environment. The court therefore found that the proposed site of the development project constituted "critical habitat". Based upon this finding, the court granted an injunction against construction of the project until the applicant conformed its project to the requirements of 16 U.S. 1536(a)(2).



Under the Federal Endangered Species Act, an applicant must follow the procedural steps enunciated in the federal Endangered Species Act of determining whether a particular site constitutes critical habitat. If this were done, DEC would be required to designate what constitutes "critical habitat" for the Karner Blue butterfly, not just determine that a particular small site is not critical habitat. This designation of "critical habitat" for an endangered species is required in order to meet the obligations of the Federal Endangered Species Act before determining whether a particular project or action will result in the destruction or adverse modification of critical habitat. See 16 U.S.C. 1533, and 16 U.S.C. 1536(a)(2).

In arriving at the holding in Romero-Barrelo, supra, the Court of Appeals placed no significance on the district court's finding that "... the Navy's activities do not adversely affect the five species and in fact inadvertently create a refuge for these species ...", because even if this were true, the Court of Appeals held that the Navy failed to fulfill its obligations under the federal Endangered Species Act of requesting a "biological opinion" so that the Secretary of Interior could identify and designate what areas constitute "critical habitat" for these endangered species. The Romero and Sierra Club decisions demonstrate that Jorling's reliance upon the term "essential", as it is used in the federal definition at 16 U.S.C. 1532(5)(A), is misguided and misplaced and results in defeating the purpose of both the federal and state Endangered Species Acts.

Ex-Commissioner Jorling's decision was irrational because it has the affect of narrowing the prohibition against an action which would "result in destruction or adverse modification" of critical habitat in violation of the Federal Endangered Species Act by only prohibiting an action would result in the destruction or adverse modification of "critical habitat" deemed to be "essential" for the survival of endangered species, without first identifying what geographical areas constitute "critical habitat" for the endangered species pursuant to 16 U.S.C. Sec. 1533. In other words, Jorling's improper interpretation of the Federal definition of "critical habitat", strips the definition of the guidance and standards by which to determine if a particular site constitutes "critical habitat".

Under the proper interpretation of the federal definition of "critical habitat", the proposed site of the Albany P-4 landfill expansion clearly constitutes "critical habitat" because the location has sand dunes and some pine barrens ecology ("physical or biological features") on the site. Since the Karner Blue butterfly



has now been designated as endangered under the federal Act, the analysis of whether the P-4 landfill expansion project will cause or contribute "to the destruction or adverse modification of their critical habitat" under Sec. 360-1.7(a)(2)(iii) must be made by applying the definitions and standards of the federal Endangered Species Act. The P-4 Project is proposed to be located on approximately 24.3 acres, and approximately 80% or 19.8 acres are located on previously developed areas (such as the waste processing plant, gas and energy facility, maintenance garage, leachate storage tanks, administrative building, access roads, etc). Approximately five (5) acres of vegetated areas are including in the project site, including a large sand dune in the northern part of the parcel and two smaller sand dunes located near the middle of the site. Although not pristine Pine Bush, the sand dunes contain some pitch pine and some scrub oak and in the opinion of our Pine Bush ecology experts could be restored to pitch pine scrub oak. Although they probably could not be maintained with fire management because of proximity to methane, there are other means of maintaining pitch pine scrub oak ecology such as cutting and pruning that would be appropriate. There is not doubt that construction of the P-4 landfill expansion will cover up and destroy the large sand dune to the north and two smaller sand dunes which are restorable pitch pine scrub oak ecology. There are also a number of wetland areas and a small stream located on the parcel. Although there are apparently no blue lupine on the parcel, the site of the proposed P-4 Project is used by other butterflies. In the opinion of our Pine Bush ecology experts, blue lupine could be restored to the P-4 site and it could become suitable habitat for the Karner Blue butterfly [see Third Supplemental Draft Environmental Impact Statement, Appendix C, Potential Affects on Pine Bush Habitat, at pp 15-28]. The Implementation Guidelines promulgated by the Albany Pine Bush Preserve Commission identify this as Area 23, and the Implementation Guidelines recommend the area for maintenance as open space and restoration with native pine barren species to the extent possible. The Implementation Guidelines value parcel 23 for linkage between the Lake Rensselaer area and larger areas of lands dedicated to the Preserve to the west, and for its value as a buffer. The Preserve Commission recommends that if the open space areas are threatened by development, acquisition in part or full should be pursued [see Implementation Guidelines at pp 5-7, 23 and 26].

As of the time the Implementation Guidelines were adopted in 1996, the Preserve Commission believed that there one 1,638 acres of existing pitch pine scrub oak communities and lands potentially restorable to pitch pine scrub oak communities dedicated to the Preserve. In order to meet the goal of 2000 fire manageable acres,



approximately 610 acres would have to be restored to pitch pine scrub oak communities and a minimum of approximately 370 acres of existing or potentially restorable pitch pine scrub oak communities would have to be acquired and dedicated to the Preserve [see Implementation Guidelines at pp 4-5]. The Lake Rensselaer area to the east of the Albany Landfill was counted by the Commission as existing an pitch pine scrub oak community, even though it is almost completely isolated and cut off from the rest of the Preserve by the Albany Landfill and other developments. The Lake Rensselaer area consists of almost ten (10%) percent of the existing and restorable pitch pine scrub oak lands dedicated to the Preserve. Because the minimum size preserve of 2,000 acres of pitch pine scrub oak communities must be contiguous, the P-4 Project area as well as the Drumlin Fields development are important as linkages between the lands already dedicated to the Preserve to the west of the landfill and Lake Rensselaer to the east. If the P-4 landfill expansion is approved, and if other developments approved by the City of Albany such as Drumlin Fields (which are also between the Lake Rensselaer area and lands to the west already dedicated) are constructed, it will be necessary to subtract the entire Lake Rensselaer acreage from lands counted toward pitch pine scrub oak communities dedicated to the Preserve.

Construction of the P-4 landfill expansion will also eliminate this acreage as an important buffer area which will adversely impact the manageability of nearby lands dedicated to the Preserve. Conservation of the Pine Bush ecology in the nearby Preserve is dependent upon fire management, and containment of smoke (smoke management) is important during prescribed burns. By expanding the landfill and its methane rich environment, fire management on nearby parcels will be restricted in order to prevent explosions. Areas already dedicated to the Preserve which are pitch pine scrub oak communities, or restorable to pitch pine scrub oak communities, may not be fire manageable because of the potential for explosions caused by the expansion. In addition, the expansion may limit fire management in existing and restorable pitch pine scrub oak communities because of smoke management concerns. Smoke and cinders may carry long distances, and development of the P-4 Project could prevent fire management of existing and restorable pitch pine scrub oak communities because of creation of smoke. The applicant has not conducted any smoke studies or taken a hard look at the impact of construction of the P-4 landfill expansion on restricting fire management because of smoke generation. [see Implementation Guidelines at pp 6-7]. Although the Karner Blue butterfly may not exist on the P-4 site at this time, construction of the P-4 landfill expansion may adversely impact fire management of existing and restorable pitch pine scrub oak communities which



will modify or adversely impact management of lands which are critical habitat of the Karner Blue butterfly, and this would be a clear violation of 6 NYCRR 360-1.7(a)(2)(iii).

The application for the P-4 landfill expansion seriously under estimates the destruction or adverse modification of the Karner Blue butterfly critical habitat by under playing cumulative impacts of the P-4 landfill expansion project with other nearby projects over which the City of Albany has approval authority. The SEQRA regulations at 6 NYCRR 617.7(c)(2)(i), (ii), (iii), require that cumulative environmental impacts of a project with other pending development projects must be considered. Consideration of cumulative impacts is also required by 6 NYCRR 617.9(b)(5)(iii)(a). The Part 360 application, including the Third Supplemental Draft Environmental Impact Statement (Third SDEIS) and Appendix D thereto, the Cumulative Pine Bush Preserve Impact Analysis, fails to adequately address cumulative environmental impacts of the P-4 landfill expansion and other pending projects on the destruction or adverse modification of critical habitat of endangered species. Although in the 1990 interim landfill process the City of Albany promised to use its jurisdiction over zoning, subdivision, and site plan authority to limit approval of projects in the Albany Pine Bush, the City has not fulfilled its promise. Within the last six (6) months the City has approved the Pine East Office Park at 300 Washington Avenue Extension comprising 12 acres of restorable pitch pine scrub oak habitat, and the City has also approved rezoning of 46.1 acres adjacent to the City landfill property known as Drumlin Fields located at 400 and 495 Rapp Road. In addition, the City is financing payments of \$1,000 a year to approximately 81 mobile home owners in the Fox Run Estate Mobil Home Park directly to the north of the interim landfill expansion [see Third SDEIS at p. 33]. The \$1,000.00 dollar a year payments by the City of Albany to each of the approximately 81 homeowners in the Fox Run Estate Mobile Home Park is in the nature of a nuisance tax or a pay off for the residences to put up with the noise and odor from the landfill, and this clearly falls within the definition of a funding action under the SEQRA regulations at 6 NYCRR 617.2(b) and 617.2(q). The \$1,000.00 a year payments to the residents of the mobile home park clearly is a subsidy for the noise and odor problems at the landfill. Although the Cumulative Impact Analysis in the Third SDEIS fails to recognize payments to the Fox Run Estate Mobile Home trailers as a action, it clearly is a funding action under SEQRA that must be considered in evaluating cumulative impacts of the P-4 landfill expansion project.

Appendix D fails to consider the cumulative impacts of the Drumlin Fields, Fox Run Estates, and P-4 Projects on the linkage



and buffer functions of the narrow unprotected corridor between Lake Rensselaer and the bulk of the lands dedicated to the Pine Bush Preserve to the west of the Albany landfill. In the opinion of our experts in Pine Bush ecology, the cumulative environmental impact of these three (3) contiguous projects is the most important adverse impact on the linkage between Lake Rensselaer and the rest of the Albany Pine Bush Preserve. Isolation of the Lake Rensselaer area is an important adverse modification to the critical habitat of the Karner Blue butterfly, and Appendix D completely fails to address this issue. In the opinion of experts in Pine Bush ecology, the cumulative impact of development of the Drumlin Fields, the P-4 Project, and continued subsidy of the Fox Run Estates homes will be to virtually cut off Lake Rensselaer from the remainder of the Preserve. Cutting the linkage between Lake Rensselaer and the remainder of lands dedicated to the Pine Bush Preserve will have a high cost factor for the Albany Pine Bush Commission and its efforts to achieve a minimum preserve size of 2,000 fire manageable acres. In order to make up for the loss of the Lake Rensselaer acreage, the Commission and its funding sources will be forced to spend millions of dollars to buy comparable number of acres in order to add them to the contiguous Preserve. The delay in the City of Albany landfill potentially becoming a part of the Preserve by prolonging landfilling activity for a period of 10 to 15 years is another substantial adverse impact on efforts to form a minimum preserve of 2,000 contiguous fire manageable acres. Appendix D makes no effort and does not address the cumulative impact of these three (3) projects (Drumlin Fields, the P-4 Landfill Expansion, and subsidizing the Fox Run Estates) on cutting off the Lake Rensselaer area and further fragmenting of potential Karner Blue habitat.

The definition of "critical habitat" is key to protecting endangered species from being decimated by having solid waste facilities located in their habitat. Ex-Commissioner Jorling's circular definition leaves these areas with little or no protection and must be rejected. Since the designation of the Karner Blue butterfly as a federally endangered species, the definitions of "critical habitat" and "destruction or adverse modification of their critical habitat" in the regulations at Section 360-1.7(a)(2)(iii) should and legally must conform to the federal Endangered Species Act. With an ever increasing garbage stream and dwindling supply of land for solid waste facilities, undeveloped ecologically fragile lands that support endangered species will come under increasing pressure to be used as politically palatable landfill site locations. A proper interpretation of "critical habitat" will give the prohibition against siting facilities in areas that support endangered species



teeth and insure that New York's endangered species do not become New York's extinct species. A proper interpretation of the siting prohibition against landfills, the construction or operation of which causes or contributes to the destruction or adverse modification of critical habitat of endangered species contained at 6 NYCRR 360-1.7(a)(2)(iii) requires that the application for the P-4 Project be denied.

4. The Part 360 application to construct the P-4 Landfill Expansion should be denied because the City of Albany has not submitted an adequate Pine Bush mitigation plan required by 6 NYCRR 360-1.8(b) and 6 NYCRR 617.9(b)(5)(iv). The City's Part 360 Application and Third SDEIS is extraordinary and remarkable in that it includes no mitigation plan required by the Part 360 regulations and SEQRA at 6 NYCRR 617.9(b)(5)(iv). The only mitigation plan apparently offered by the City is to continue paying a small portion of the tipping fee in the amount of \$1.33 per ton to the Preserve Commission. This is merely a continuation of the City's mitigation plan for the interim landfill from 1990 and is completely inadequate as a mitigation plan for this new landfill expansion. The complete absence of a mitigation plan should require DEC to deny the Part 360 Application based on 6 NYCRR 617.11(d) because the action fails to incorporate to the maximum extent practicable mitigative measures that were identified.

If DEC were to consider granting the Part 360 Permit, the Department should require a mitigation program. Based on a comparison of the interim landfill in 1990 and the P-4 Landfill Expansion Project, the required mitigation program should be more substantial because the P-4 Project is bigger. The interim landfill expansion comprised only 12 acres, whereas the P-4 Landfill Expansion comprises 23 acres, almost twice as big. The proposed P-4 landfill expansion will be 50' higher than the existing greater Albany landfill or the interim landfill. The interim landfill was planned to have a capacity for only two to three years, whereas the P-4 landfill expansion will have a capacity for 10 to 15 years of garbage disposal. Since the capacity of the P-4 expansion will be approximately 500% of the capacity of the interim landfill, in order to make the balancing required by SEQRA the mitigation package for the P-4 expansion should be 500% larger. The financial value of the mitigation package for the interim landfill in 1990 should be calculated, and DEC should require that the mitigation plan for the P-4 landfill expansion be at least 500% of the cost of mitigation for the interim landfill approval in 1990.

If the Department were to favorably consider the Part 360 application, Save the Pine Bush believes that a mitigation program within the following parameters would be appropriate:

(1) The applicant must purchase the 46.1 acre Drumlin Fields Project site and dedicate it to the Albany Pine Bush Preserve. [Implementation guidelines, parcels 13 and 14].

(2) The applicant must purchase the parcel on which Fox Run Estates is located as well as the proposed expansion area and dedicate it to the Preserve [Implementation Guidelines, parcels 15 and 16]. In view of the approximately \$100,000 per year the City is paying the residents of the mobile home park already, it would seem to be in the applicants' economic interest to buy out Fox Run Estates parcel.

(3) The applicant must purchase the property behind the Teresian House owned by the Arch-Diocese and the Teresian House which would link the Blueberry Hill to the Crossgates site and dedicate it to the Preserve [Implementation Guidelines, parcel 29].

(4) The applicant must purchase the 12 acre parcel at 300 Washington Avenue Extension and dedicate it to the Preserve (Implementation Guidelines, parcel 6).

(5) The applicant must purchase the parcel fronting along the western side of Route 155 south of Pinehurst and dedicate it to the Preserve (Implementation Guidelines, parcel 9.)

(6) The applicant must provide an endowment from the Albany Pine Bush Preserve Commission in the amount of \$8,000,000.00. The Commission needs an endowment of at least \$8,000,000.00 in order to conduct intensive fire management activities throughout the Preserve and maintain a small but adequate staff. The Commission has been hampered in its fire management activities by lack of funding. In order to burn the minimum sized 2,000 fire-manageable acre preserve once every ten years, it is necessary to burn 200 acres or 10% of the fire manageable acreage each year. A summary of acres burned prepared by the Commission shows that in the nine (9) burning seasons from 1991 to 1999, the Commission has burned a total of only 662 acres, which is an average of only 73 acres per year. The Commission must have an increased endowment in order to fulfill its obligations to fire manage the Preserve in a regular basis of a 10 year cycle.



(7) The applicant should pay the Commission \$6.65 for each ton of solid waste disposed of in the P-4 landfill expansion (\$1.33 X 500% = \$6.65).

5. The Part 360 application for the P-4 landfill expansion should be denied because it is inconsistent with the ANSWERS Solid Waste Management Plan as required by 6 NYCRR 360-1.10(a) and 6 NYCRR 617.9(b)(5)(iii)(f). The ANSWERS Solid Waste Management Plan (SWMP) with amendments concluded that the City of Albany should build a long-range solid waste landfill at site C-2 in the Town of Coeymans for disposal of the waste stream from the ANSWERS communities. The City has not moved forward with construction of a long range landfill at site C-2, and has not taken preliminary steps to move forward such as a detailed hydrogeological and engineering investigation and/or site acquisition. The application for construction of the P-4 landfill expansion should be denied because it is inconsistent with the Solid Waste Management Plan for the ANSWERS community. The P-4 landfill, which is designed for a capacity of 10 to 15 years, is not an interim or short range landfill. Allowing the City to construct the P-4 landfill expansion will simply delay by decades implementation of the Solid Waste Management Plan for the ANSWERS community. The DEC should not allow the City to flaunt the intent of the solid waste management plan legislation. The excuses given by the applicant for violating the Solid Waste Management Plan for ANSWERS contained in Appendix K to the Third SDEIS are completely without merit. The litigation commenced by the Town of Coeymans was won by the City several years ago, and during the pendency of the litigation there was no stay or injunction which prevented the City from acquiring by acquisition site C-2 in the Town of Coeymans. Moreover, the City has simply delayed conducting hydrogeological and engineering studies because of DEC's laxity in enforcing the permit conditions in the permit for the interim landfill and the requirements in the SWMP that the City move ahead with constructing a solid waste landfill outside the Pine Bush. Similarly, there is no stay or preliminary injunction in the more recent lawsuits alleging that the purchase of site C-2 constitutes waste of City funds, and the City is completely free to go ahead with purchasing the properties on which it holds options. The Department should deny the City's application for the P-4 for landfill expansion and indicate to the City that it should move forward with construction of the long range landfill at site C-2 immediately, or investigate garbage disposal through private haulers.

6. The evidence in the applicant's hydrogeological report is insufficient to determine that there is a minimum 5' separation between the base of the constructed liner system and the seasonal



high ground water elevation required by 6 NYCRR 360-2.13(d). The Part 360 application, Volume 1, Sec. 4.3.4 (at page 20) indicates that the seasonal high water table at the site P-4 was determined from periodic measurements of several wells from May 1998 through April 1999. This approach is better than a single groundwater level measurement, but measurements during only one year will not detect the substantial long term fluctuations that are typical of sand aquifers distant from large streams. Based on established literature in the field of hydrology, our expert hydrogeologist advises that water levels can rise several feet in a succession of wet years, and decline several feet in a succession of dry years in such sand aquifers distant from large streams, and that the normal seasonal fluctuation must be superimposed on these multi-year trends. The one year sample relied on by the applicant is inadequate to find out whether the ground water table trend was upward or downward during the 1998-1999 season. The USGS maintains an observation well for groundwater levels at the State University Campus in Albany, Observation Well A636, for which there are records of groundwater levels on a daily or weekly basis from 1978 to the present, except for a two year hiatus in 1995 to 1997, and records are available from a nearby well back to approximately 1966. The terrain where observation well A636 is located is former Pine Bush and is very similar and geographically close to the proposed landfill, and DEC should require C. T. Male to examine these records to determine whether the ground water measurement levels obtained in 1998-1999 are on the upswing or downswing of long range groundwater level trends at the P-4 site.

It is respectfully submitted that the Department should set up a public hearing and issues conference for an adjudicatory hearing with regard to the application for the City of Albany P-4 landfill expansion. Save the Pine Bush has consulted with and retained experts in various areas pertaining to the Part 360 application and Third SDEIS. It is submitted that the comments by Save the Pine Bush raise substantive and significant issues relating to findings or determinations the Department is required to make pursuant to Part 360 which will result in project denial or major modifications of the project because the P-4 landfill project as proposed does not meet statutory or regulatory criteria or standards. Accordingly, it is submitted that the requirements for conducting an adjudicatory hearing pursuant to 6 NYCRR 621.7(b) have been met.

In behalf of Save the Pine Bush, I would like to thank the Department for the extension which was granted for submission of public comment in this matter.

Very truly yours,

*Lewis B. Oliver, Jr.*

Lewis B. Oliver, Jr.

LBO/svb/amf

## 2000 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 33

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

5/9/2000 Smelled worse than ever today.”

6/15/08 Woman affected by Dyno Compaction  
“whole house shaking; ceiling made cracking noise,  
who is going to pay for damage to my house?” –  
Mary Ann Simon.

6/22/08 Kids can't go outside to swim; smells like  
vomit. Nancy Rowland, Fox Run

12/1/2000 “Garbage and Debris all around my yard”  
Lydia, Fox Run



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Lydia Burleigh	DATE:	12/1/00
PHONE:	456-8070	TIME:	10:15am
ADDRESS	# 41 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

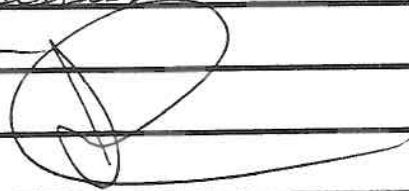
OTHER

COMMENTS: "Garbage and debris all around my yard..."  
 "People from dump just come over, look around and don't do anything, that's what irks me..."

- Plans on sending letter of complaint to the Commissioner and to the mayor.

**ACTION TAKEN:**

\* TRAILER #40 REMOVED BY OWNER 11/30/00. LANDFILL STAFF LOOKED @ LOT TO DETERMINE WHAT COULD BE DONE TO CLEAR LOT (IE, USE HUE / WHEEL LOADER) + FIND SPOT-OFFS FOR VIOLATIONS. LOTS WILL BE CLEARED IN ORDER OF PRIORITY



CALL RECEIVED BY:

Kelly Dwyer







# ALBANY LANDFILL COMPLAINT FORM

NAME:	JOEL HEIT	DATE:	4/10/00
PHONE:	PINE BUSH AVENUE	TIME:	2:23
ADDRESS	795-1400 W. 213	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Low - cess -

\* ON STATE ROAD

\* LOW LAKE PARK ON FULLER

\* 50 TONS ON GROUND ON PINE LAKE

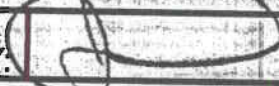
\* ROAD BLOCK - Low-cess fill road  
TRANSFER w/ AMP TRUCK

\* JOEL WILL FAX LETTER MAP DETAILED REQUEST

**ACTION TAKEN:**

\* INFO RECEIVED 4/12/00

\* RETURNED TO H.C. 4/12/00

CALL RECEIVED BY: 



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5/1/00
PHONE:		TIME:	10:35
ADDRESS	Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Made a complaint about odor on Friday  
 Called again on Saturday - was very upset that  
 no one got back to her regarding ~~that~~ her  
 complaint - In the future she should take a  
 return call (now not care if it is late @ night)  
 when she makes a complaint  
 - Regarding phone being out -

**ACTION TAKEN:**


CALL RECEIVED BY: *Brenda (Scalehouse)*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	JL Laurison	DATE:	05/06/00
PHONE:		TIME:	10:20 AM
ADDRESS	87 Lot # FOX RUN	WIND DIRECTION:	SW
		TEMPERATURE:	75°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Request pickup of excess trash from lot #87.

**ACTION TAKEN:**

Sent work crew over to lot #87 on Monday morning.

CALL RECEIVED BY:

Brenda Courou



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Peter	DATE:	5/8/2000
PHONE:		TIME:	10:00 AM
ADDRESS:	Flyer Run	WIND DIRECTION:	
	Lot #22	TEMPERATURE:	75

### NATURE OF COMPLAINT

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Complaint that the ~~odor~~ odor was strong.

### ACTION TAKEN:

NOTING WORKING AGENT TO

RES: SHCC

CALL RECEIVED BY: Brenda Davis (Smith)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Roland	DATE:	5/8/00
PHONE:	4510-6375	TIME:	11:40 AM
ADDRESS	56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

## NATURE OF COMPLAINT

ODOR  LITTER  BIRDS  OTHER

COMMENTS: "Smells horrible, disgusting, smells like vomit when I went out to hang clothes"

## ACTION TAKEN

told Harry - added masking agent to posishell

CALL RECEIVED BY: Kelly Dwyer



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Keland	DATE:	May 9, 2000
PHONE:	456-6375	TIME:	1:15 pm
ADDRESS	LRT # 56	WIND DIRECTION:	
	Fox Run	TEMPERATURE:	85

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: Smells like vomit very bad - does not think she should go through this residence live today with the temp at 85-90 says its not fair

**ACTION TAKEN:**

Radio Nancy & Informed him of the call.

ADDED MASCING AGENT TO PDS. - 1432.

CONTRACTOR MOVING OLD MSW FOR GAS COLLECTION

CALL RECEIVED BY:

*B. Brown (Seahorse)*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra	DATE:	5/9/00
PHONE:	819-0763	TIME:	2:30 pm
ADDRESS:	22 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "I called yesterday and they said the smell would go away - a truck had got stuck. So why does it still smell so bad today?"

**ACTION TAKEN:**

Told Harry - ADDED MASKING AGENTS TO POS. SURE  
 CONTRACT MOVING OLD MSW FOR GAS  
 RE COLLECTION

CALL RECEIVED BY: Kelly Dwyer



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Jeannette Klinger	DATE:	5/9/00
PHONE:	819-5202	TIME:	3pm
ADDRESS:	#9 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "smell is worse than ever today"

**ACTION TAKEN:**

Told Harry - found site to add masking  
AGENT TO POS: SHELL CONTRACTOR  
MOVING OLD MSW FOR GR: RELOCATION

CALL RECEIVED BY: Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Roland	DATE:	5/16/00
PHONE:	456-6375	TIME:	1 pm
ADDRESS	56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

"Had to come inside the smell was so bad, just got bad within the past 10 minutes."

**ACTION TAKEN:**

Todd Joe      SMELL LIFTED ON WED. WITH  
NEW OLDER CONTROL AGENTS ADDED.

CALL RECEIVED BY:

*Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5/27/00
PHONE:	456-5753	TIME:	1:30 pm
ADDRESS:	Y 110	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Linda called the office reporting a heavy odor that is unbearable. The smell is coming from the area of the Miller Mill home.

### ACTION TAKEN

(1) Call to the Regis...

**CALL RECEIVED BY:** *[Signature]*







# ALBANY LANDFILL COMPLAINT FORM

NAME:	Pam Wunsel	DATE:	6/1/2000
PHONE:	452-1012	TIME:	3:20 pm
ADDRESS:	Flux Run	WIND DIRECTION:	
	Lot 13	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Complaining about odor - dump kids  
 write even go outside to play.

**ACTION TAKEN**

I explained the explanation + a check that  
 was made to check piping - she accepted  
 the explanation - told her not should be done  
 by date tomorrow (6/2/00) - afternoon.

CALL RECEIVED BY:

*[Signature]*  
 (Name)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Aolen	DATE:	5-30-00
PHONE:	none.	TIME:	5:38 PM
ADDRESS	Fox Run.	WIND DIRECTION:	N. W.
		TEMPERATURE:	75

**NATURE OF COMPLAINT**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: Smells Absolutely Horrible over Here.

**ACTION TAKEN**

Made Rounds, called L&T. Donny came up to check it out. Nothing with plant. Just smell from Trenches that were dug for pipe.

CALL RECEIVED BY:

Steve - Watchman



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Boopruski	DATE:	6/7/2000
PHONE:		TIME:	2:25 pm
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot 104	TEMPERATURE:	

## NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

## COMMENTS:

Smells terrible - cannot sit outside

## ACTION TAKEN:

x Radical thing

CALL RECEIVED BY:

*[Signature]*  
(Sealhouse)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mile Morse	DATE:	6/4/00
PHONE:	869-9659	TIME:	9:15 am
ADDRESS:	53 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** Last night (6/3/00) it rained. Has  
 attention about operation noticed near  
 parking lot isn't being sprayed. And we  
 have the parking facing Fox Run?

**ACTION TAKEN:**

Ald Harry

CALL RECEIVED BY:

*Rolly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Ann Simon	DATE:	6/15/00
PHONE:	456-3269	TIME:	2:30 pm
ADDRESS		WIND DIRECTION:	
Woman's house is affected by dymo-compaction.		TEMPERATURE:	

**NATURE OF COMPLAINT**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Ceiling is shaking, whole house is shaking  
 ceiling made a cracking noise. "Who is going to  
 pay for damages to my house?" She wants to  
 talk to Harry and Commissioner Bruce.

**ACTION TAKEN**

CALL RECEIVED BY: *Kelly Dwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda H. Ho	DATE:	6-18-00
PHONE:	N.A.	TIME:	12:14 PM
ADDRESS	Fox Run Estates	WIND DIRECTION:	N.A.
		TEMPERATURE:	N.A.

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Called up and said it smelled like burnt matches!

**ACTION TAKEN:**

Made rounds checked flare "ok"  
 checked wind direction calm  
 patrolled perimeter and no unusual odor  
 noticed, Sunday at noon ~~at noon~~ told John from  
 L.T.I. and said he would check that.

CALL RECEIVED BY: *P. J. Walchman*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Joan Mayo	DATE:	6/19/00
PHONE:		TIME:	5:29 PM
ADDRESS		WIND DIRECTION:	N.E.
		TEMPERATURE:	70

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Wants to know what is cause of odor.

ITP

**ACTION TAKEN:**

5:30 PM Called LTI, Left Report on Harry's ~~desk~~ desk. No call from LTI. Tried again AT 6 PM.

CALL RECEIVED BY: Steve



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6-19-00
PHONE:	None Left, on Machine.	TIME:	8:32 PM
ADDRESS	Fox Run	WIND DIRECTION:	N.E. Breeze
		TEMPERATURE:	65-70

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Discusting smell all the way out to  
 Putralane, Had to close ALL the windows.

**ACTION TAKEN:**

Call LTI Water NO Answer Back, Called  
 Don Directly, he said it is because of the  
 Digging, to put Pipe Lines in. ALSO put Reporter  
 Harry's desk

CALL RECEIVED BY: STEP



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Busland	DATE:	6/22/2000
PHONE:		TIME:	10:30 AM
ADDRESS:	Fox Run	WIND DIRECTION:	
	Lot 5001	TEMPERATURE:	78°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Kids cannot go outside to swim  
 smells like vomit.

**ACTION TAKEN:**

1 #COX B UNIT removed from parking  
 FACE BETWEEN FACE & FOX RUN. 2 gal cleaned to  
 150 GAL H<sub>2</sub>O. PLUMBER SET TO 90° ANGLE.

CALL RECEIVED BY: *[Signature]*







# ALBANY LANDFILL COMPLAINT FORM

NAME:	Pam Wunsch	DATE:	6/22/00
PHONE:	452-1012	TIME:	11 am
ADDRESS	Lot 13	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT

ODOR       LITTER       BIRDS       OTHER

### COMMENTS:

"First day kids are off from school and they can't even play outside it smells so bad!"

### ACTION TAKEN

- 1 - ECOSOLB UNIT
- 2 gal ECO; 150 H<sub>2</sub>O
- 90' ↑
- FAC - UNIT Fix Run

CALL RECEIVED BY: *Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Luola	DATE:	6/22/2000
PHONE:		TIME:	2:05 PM
ADDRESS:	Flex Plan	WIND DIRECTION:	
		TEMPERATURE:	78°

## NATURE OF COMPLAINT

ODOR

LITTER

BIRDS

OTHER

## COMMENTS:

Scrap it smells like garbage

## ACTION TAKEN:

CALL RECEIVED BY:

*[Signature]*  
(SOLVED)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joan Mabro	DATE:	6-23-00
PHONE:		TIME:	8:49 AM
ADDRESS	Fox Run	WIND DIRECTION:	NORTH EAST
		TEMPERATURE:	

**NATURE OF COMPLAINT**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Reporting one more time, the horrendous smell over here. My closets are smelly and the close are starting to smell from whatever is going on over there. I think I will call DEC, and report it, because it just continues and continues to smell or go on.

This was the message she left.

**ACTION TAKEN**

Report on Harry Costellos nest in AM of 6/24/00

CALL RECEIVED BY: Steve



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda Miller	DATE: <del>6-23-00</del>	6-23-00
PHONE:	N/A	TIME: 12:02	
ADDRESS	Fox Run	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR      LITTER      BIRDS      OTHER

**COMMENTS:**

Says it smells really nauseous like gas, said she started smelling it when she crossed railroad tracks!

**ACTION TAKEN:**

made rounds normal smell, light wind, direction unknown  
gave complaint to Harry

CALL RECEIVED BY: *Randy Watchman*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6/27/00
PHONE:		TIME:	3:42 PM
ADDRESS	Fox Run.	WIND DIRECTION:	West to East
		TEMPERATURE:	78-80

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: IT smells pretty nasty, smells like somebody got sick out there, smells like a puke Room. ITS Disgusting.

**ACTION TAKEN:**

Made Rounds, checked Machines, They Are Running. Slight odor of Garbage, Not Fas.

Put Report on Harry Costellos Desk 6/28/00 7am

I did NOT TALK TO Her. Put message word for word from Machine.

CALL RECEIVED BY: Steve (watchman)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6/27/2000
PHONE:		TIME:	12:25 pm
ADDRESS:	Fox Run	WIND DIRECTION:	
		TEMPERATURE:	70°

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Many She Doves seen on trap  
 every day in Acute when wind blows  
 her direction

**ACTION TAKEN:**

2 ECOSUB MACHINES STARTED NEXT TO INALL

CALL RECEIVED BY:

*[Handwritten Signature]*



**ALBANY LANDFILL  
COMPLAINT FORM**

2nd complaint.

NAME:	Linda	DATE:	6-28-00
PHONE:	456-5733	TIME:	7:52 PM
ADDRESS:	Fox Run	WIND DIRECTION:	East
		TEMPERATURE:	75

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: This is Linda from fox Run, the smell has not abated what's so ever it stinks like pure garbage now, and you people aren't doing anything I am going to be contacting the Department of Environmental Conservation in the morning this is ridiculous NOT EVEN A PHONE CALL, I expect a response. My Number is 456-5733

ACTION TAKEN

Started machines up again after shutting them off at 7pm. Harry told me to do it. After I went up top of the landfill it didn't smell as bad as it did around 4pm.

Put Report on Harry's desk.  
7 AM 6-29-00

CALL RECEIVED BY: Steve (watchman)



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda A (no last name given)	DATE:	6-30-06
PHONE:	None Given	TIME:	4:35 PM
ADDRESS	Fox Run	WIND DIRECTION:	East
		TEMPERATURE:	75 -

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: Her words - It's Linda, its Fucking disgusting over here, its been that way all day. How many times do I have to call. This is disgusting.

This is written word for word from the message machine - Harry heard it.

**ACTION TAKEN:**

Called Harry (Castello), played the message for him. He told me to leave the machine running for the odor.

This is

from the watchman - I hope the people of Fox Run are not going to do anything, one of these times. A message like this is somewhat makeing me uneasy. Especially at night, when it is hard to see anything.

CALL RECEIVED BY:

Steve - (watchman)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





## 2001 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 33

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

1/11/01 “The smell comes right in the house. It’s embarrassing to have friends over.” -- Nancy Rowland, Fox Run

3/2/01 1:15 pm “Gulls, smells, plastic bags blowing around.” -- Fred Simon

7/3/01 “ Incredible smell, worst ever.” -- Peter Shaffer

8/30/01 “Every night this week, the odor has been unbearable.” Mary Ann Simon

11/27/01 “Stench is unbearable. Cannot even walk outside.” Brian Callahan

12/26/02 “Rancid meat, syringes etc. dropped in yard by birds.” –Tom Garry.

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Brian Callahan	DATE:	11/27/01
PHONE:	221-3557	TIME:	9:15 AM
ADDRESS	Corporate Plaza	WIND DIRECTION:	
	Rosenblum Development	TEMPERATURE:	41°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Says the stench is unbearable  
 cannot even walk outside.

**ACTION TAKEN:**

\* Drove N + S Frontage Roads. Drove thru into the  
 Plaza. Spoke w/ several employees on North side w/ no  
 odors. Krista checked South side; spoke w/ Managers @  
 Corp Plaza; noted Garage odor but w/ no odors.  
 Krista felt it was either a smell of sewage truck servicing  
 the area.  
 Personnel check of Callahan - N/A. (S)

CALL RECEIVED BY:

*Brian Sealhouse*





CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES  
ONE CONNERS BOULEVARD  
ALBANY, NEW YORK 12204-2514  
TELEPHONE (518) 432-1144  
FAX 427-7499

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

July 30, 2001

Thomas R. Reynolds, P.E.  
Environmental Engineer  
New York State Department of Environmental Conservation  
Office of Environmental Quality, Region 4  
1150 North Westcott Road  
Schenectady, NY 12306-2014

RE: ALL Fox Run Estates Air Monitoring Program

Dear Tom:

In order to fulfill the requirements of the Part 360 permit issued 2/29/00, the City has implemented a reporting protocol that channels all complaints to LTI for inclusion in the above monthly submittal. The nature of the complaint does not have bearing on the reporting protocol; all complaints, even those relative to the operation of the park, are documented and should be included in the above monthly submittal.

As a result of your July 18, 2001 correspondence, I have found that a set of telephone logs (April – June, 2001 enclosed) that obviously have not been included in the above monthly submittal. Prior to April 2001, copies of complaints can be found in this facility's first quarter report.

Given the reporting protocol established between LTI and the City has lead to a deficiency in reporting, I have assumed direct responsibility for making monthly submittals to your office. The City will forward the above report, the telephone logs and the Leachate Action Leakage Rate (ALR) report as one monthly submittal; copies of the above will be included in the facility's quarterly report.

Thank you for bringing this issue to my attention. If you have any questions or have any suggestions, please feel free to contact me at 869-3651.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'G' followed by a horizontal line.

Joseph C. Giebelhaus  
Solid Waste Manager

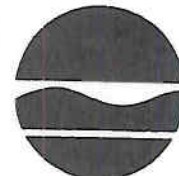
New York State Department of Environmental Conservation

Office of Environmental Quality, Region 4

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us



Erin M. Crotty  
Commissioner

July 18, 2001

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
One Conners Blvd.  
Albany, New York 12204

RECEIVED

JUL 20 2001

RECEIVED

JUL 20 2001

Dear Mr. Giebelhaus:

We are in receipt of the June, 2001 "Albany Interim Landfill Fox Run Estates Air Monitoring Program" and "Albany Interim Landfill Odor Responder Form." The third item on the Odor Responder Form is "Description of Odor Complaint and Corrective Action." Under this item the typical comment has been "No complaint made to LTF", our question is whether in light of this statement, would complaints made directly to the City appear on these reports? It was my understanding that in the past, these reports did not include complaints made directly to the City, but this oversight would be corrected and we would be receiving a record of all complaints made relating to the Rapp Road operation(s). It is a requirement of the City's Interim Landfill (P-4 Expansion) Part 360 Permit that we receive copies of all odor complaints made relating to this facility.

Please confirm in writing within two weeks of receiving this letter specifically what the reports we have been receiving reflect, in relation to odor complaints made by landfill neighbors. If the reports have been deficient in providing copies of complaints made directly to the City, these additional reports, dating back to a minimum of January 1, 2001, must be submitted to this office, care of Richard Forgea, P.E., Region 4 Solid Waste Engineer, within three weeks of receiving this letter.

If there are any questions regarding this matter, please do not hesitate to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4

cc: W. Bruce, Commissioner, Department of General Services, City of Albany  
R. Forgea, P.E., Region 4 Solid Waste Engineer

TR:jh\odorreports.wpd



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/21/01
PHONE:		TIME:	11 AM
ADDRESS	#31 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** she is being bounced off her wall; this is totally ridiculous; have some compassion; she could tell that they were city workers because they are the only idiots that wouldn't come in from the rain yesterday; she said she called the newspaper + ENCON. There is spilled oil all over the place. They crushed oil tanks - she watched them do it; they don't respect human life; she is a smoker and she's afraid to open her door,

**ACTION TAKEN:**

she might blow up. DEC is going to call EPA. she did not call the newspaper (she said when asked which one) - she called the TV station. she hopes they get there in time to see what's going on. But we're busy cleaning up the evidence.

CALL RECEIVED BY:

Kelly Burk



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/19/01
PHONE:	404-9915	TIME:	11:15 AM
ADDRESS:	# 37 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** My daughter is home right next door to her today. She doesn't mind how she is confused to get with a breeze on; she is getting annoyed all over the place. This is ridiculous. She didn't ask for this. Why do they have to do this when people are still living here? She wants some things done. She is in a hurry; this is a wonderful way to celebrate her birthday. She is so proud a bird picked; what kind of people does the City have working for them? She is in a hurry to

**ACTION TAKEN:**

calm her down because when she used the pain gets worse. That's a human being! She is not a waste. How do we have to call the newspaper & radio stations? How do we have to call the newspaper? Is this end of the world? - the City will see a nice lawsuit -

CALL RECEIVED BY: Kelly Ryzner

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/17/01
PHONE:	404-9915	TIME:	3PM
ADDRESS	# 37 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** They're demolishing houses across the street - it literally knocked her off her feet - she just back from the doctor - she has a hairline fracture of her spinal column & now is back in a brace. If she can't walk tomorrow, the city will pay; even if she has to go & get a lawyer from Syracuse; there is stuff falling off the walls, she's ready to have a nervous breakdown; she's sick of living like a god-damn fucking dog. They are disrupting her life like the terrorists did to NYC. Last Spring when we did this it cracked her wall & she had to have that fixed. <sup>so did her son at #66;</sup>  
 Also, they didn't have any thefts in the park until the City

**ACTION TAKEN:**

Believe involved; \$25,000 doesn't cut it; why don't they bring the heavy eqt. out to Jennings house & see if he could stand it; This was a 7.5 on the richter scale. Her insurance doesn't pay for man-made earthquakes; if my lowlife boss worked once in a while maybe she'd get through to somebody - but they're always at lunch. She's paying \$335<sup>00</sup> / month to get abused. Jennings hasn't done anything for the aftermath of NYC - & she's been following it since Tuesday. He's too busy terrorizing them...

CALL RECEIVED BY:

Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom GERRY	DATE:	8-31-01
PHONE:	869-7261	TIME:	2:58 pm
ADDRESS:	80 Fox Run	WIND DIRECTION:	→N→
		TEMPERATURE:	85°F

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

WHO GAVE APPROVAL FOR THIS GUY  
 TO TAKE THE NICE MAPLE TREES?  
 I CAN SEE TRASH AND WOOD CUTS  
 ARE NOT COVERING THE TRASH  
 AT THE END OF THE DAY.

**ACTION TAKEN:**

Spoke w/ HANLEY to be certain P... will  
 w/... sorry for the TRASH AT THE END  
 OF THE DAY AND VERIFIED IT'S...

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Herry	DATE:	8/31/01
PHONE:	456-108790	TIME:	2 PM
ADDRESS	# 50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS:

- crows are bad over there

- odor is terrible (it has been for last 3 days)

- He sees open landfill that should be covered.

ACTION TAKEN:

Told Harry → He made sure posi-shell applicator was on; sprayed the pile, & sent laborers over to shoot bird gun —

CALL RECEIVED BY: Kelly Dwyer

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARY ANN SIMON	DATE:	08-30-01
PHONE:		TIME:	0810
ADDRESS		WIND DIRECTION:	CALM
	RIGHT ON THE OTHER SIDE	TEMPERATURE:	60°F
	OF THE FENCE NEXT TO		

NATURE OF COMPLAINT:  
<sup>GUARD HOUSE</sup>


ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: EVERY NIGHT THIS WEEK THE ODOOR HAS BEEN UNBEARABLE. WE CAN'T GO OUTSIDE AND IT IS STARTING TO GET INTO THE HOUSE. HOW COME THE ODOOR MISTER ISN'T BY THE GUARD HOUSE ANY MORE? THAT SEEMED TO WORK.

WHAT IS WITH ALL THE TRUCKS BANGING? I SPOKE TO JOE G. ABOUT THE BUMPS IN THE ROAD WEEKS AGO. THESE TRUCKS ARE SHAKING OUR HOUSE SO I CAN IMAGINE WHAT IT IS DOING TO THE PEOPLE LIVING IN OUR TRAILERS.

ACTION TAKEN:

I SPOKE W/ MARY TO GET THE ODOOR MISTER PLACED BY THE GUARD HOUSE AND TO SEE WHAT WE CAN DO TO GET THE ENTRANCE ROAD SMOOTHED OUT.

CALL RECEIVED BY: 



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Roberta Bogden	DATE:	8/27/01
PHONE:	452-4998	TIME:	2:10 P/M
ADDRESS	#76 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: → Holes in her yard - possibly rat holes, fresh holes there this morning.

→ Shed at end of the street is hers, 1/2 on her property, 1/2 off; could they possibly move it back onto her property?

**ACTION TAKEN:**

CALL RECEIVED BY:

*Kelly Durjer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	SIMMONS	DATE:	08/06/01
PHONE:		TIME:	5:30 PM
ADDRESS	RAPP RD.	WIND DIRECTION:	W
		TEMPERATURE:	90°

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: GARBAGE SMELL

ACTION TAKEN:

STARTED BLOWERS

CALL RECEIVED BY: TE, ANNI

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Ann Simon	DATE:	7/20/01
PHONE:	442-3536	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: *Noise Complaint Regarding Construction*

**ACTION TAKEN:**

- \* Called Back @ 1:30
- \* Complaint also included odor concern -
- \* I provided her w/ both telephone #'s for complaints
- \* Explained our current protocol + that if there is a problem please call -

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Schaffer	DATE:	8/10/01
PHONE:		TIME:	
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot # 22	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Problems with Crows nesting at the  
pear tree.

\* Called twice - Referred to Joe

**ACTION TAKEN:**

✓ INVESTIGATED @ 11<sup>30</sup> AM + SPIKE w/ #50  
AND #22. BOTH RESIDENTS NOTED THAT THE PEAR  
TREE @ #22 ATTRACTED THE CROWS.

✓ USING PYROTECHNICS, THE CROWS WERE CHASED TO  
THE WEST END OF THE PINE BUSH (TOTAL OF 5 BIRDS)  
ADVISED BOTH TO CALL US WHEN THEY SHOW UP.

CALL RECEIVED BY:

*[Signature]* (Sodehouse)

# ALBANY LANDFILL COMPLAINT FORM

NAME:	SANDY SCHAFER	DATE:	8/1/01
PHONE:		TIME:	2 <sup>00</sup> PM
ADDRESS	FOX RUN #22	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

CROWS IN PINE TREE.

ACTION TAKEN:

2<sup>15</sup> : No CROWS

2<sup>30</sup> : No Crows IN PINE BUSH

CALL RECEIVED BY:







## ALBANY LANDFILL COMPLAINT FORM

NAME:	MORRIS ANW	DATE:	07-25-01
PHONE:	_____	TIME:	5:15 PM
ADDRESS	FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "It stinks very bad and would like to know if we could turn on the smell things"

**ACTION TAKEN:**

Turned on Fragrant dispenser at 5:20 PM  
 Turned off at 3:30 A.M.

\* Note: Reported to Tom R. Tom was at address "at home"

CALL RECEIVED BY:

Walter R. Rad...

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Stammil	DATE:	7/10/01
PHONE:	452-0276	TIME:	1 PM
ADDRESS	# 94 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: *had odor for about an hour*

**ACTION TAKEN:**

*Reclaimed ECOSOLB EQUIPMENT @ 2<sup>00</sup> PM. Moved TO WEST END OF WALL. (D)*

CALL RECEIVED BY:

*K. Dwyer*

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>Al Harrison</i>	DATE:	<i>7/9/01</i>
PHONE:	<i>452-8459</i>	TIME:	<i>10:45AM</i>
ADDRESS	<i># 87 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: *When are the pot holes going to be fixed over here?*

**ACTION TAKEN:**

*\* RE-OPENED 7/11 + 7/12*

CALL RECEIVED BY: *Kelly Dwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Peter Shaffer	DATE:	7/3/01
PHONE:	869-0763	TIME:	2:35 PM
ADDRESS	#22 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: *incredible odor, worst ever.*

**ACTION TAKEN:**

*Called VI-Harry*

*LTI - FLARE NOT WORKING. ENGINEER STILL WORKING. FLARE*

*REPAIRED LATE AFTERNOON 7/3/01*



CALL RECEIVED BY:

*Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Robertta Bogden	DATE:	7/2/01
PHONE:	452-4998	TIME:	
ADDRESS	#76 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Has several complaints: (she is calling on behalf of several residents).

- ① pot holes on the roads within Fox Run - She has lost 2 tires
- ② vacant lots have wires sticking out - this makes it hard to mow and now it looks like a jungle over there. Can they remove wires/debris so they can ~~mow~~ mow?
- ③ some vacant lots have sheds/garages that have not been removed and now they're filling up with trash/debris

**ACTION TAKEN:**

✓ REPAIRED 7/11 + 7/12  
 \* FURTHER LOT CLEAN-UP / DEMO IN SEPT 01 -  
 AFTER ADDITIONAL 'RELOCATIONS'

CALL RECEIVED BY: *Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Devals	DATE:	6/26/01
PHONE:	869-4399	TIME:	10:30 AM
ADDRESS	# 57 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Condition of road leading into Fox Run is terrible - He has cut one tire, & needed front wheel alignment - hard to avoid potholes at night - should he submit damages to insurance company he wonders?

**ACTION TAKEN:**

CALL RECEIVED BY:

Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mr. Schaffer	DATE:	6 13 01
PHONE:	869-0763	TIME:	8 07 PM
ADDRESS	Lot 22	WIND DIRECTION:	None
		TEMPERATURE:	70

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** ITS really Bad People are trying to sleep and the odor is Really Really Bad

**ACTION TAKEN:**

WENT and turned on machine in back I took a ride in park, didnt smell to bad, called L.T.I. John came down.

CALL RECEIVED BY:

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>Peter Shaffer</i>	DATE:	<i>6/1/01</i>
PHONE:	<i>809-0763</i>	TIME:	<i>1:05 PM</i>
ADDRESS	<i>#22 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

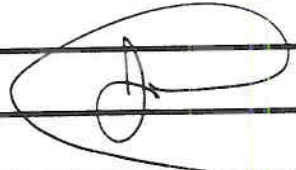
ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

*bad odor right now*

**ACTION TAKEN:**

*\* Harry Walker SITE NEAR SOUND WALL - N/D*  
*\* J. G. INSPECTED Fox Run @ 1:30 - N/D*



CALL RECEIVED BY:

*Kelly Dwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Gina Drelis	DATE:	4/19/01
PHONE:		TIME:	10:00 AM
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot #57	TEMPERATURE:	33°

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

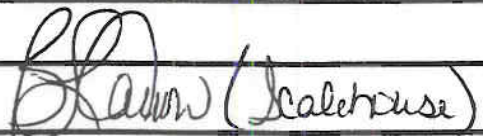
Says he spoke with our laborer's regarding  
Debris left behind when trailer behind his was  
removed - Nobody has been there since to remove  
Debris.

**ACTION TAKEN:**

Called L-3 (Ron) answered  
sent over to inspect what was out there  
Says need a loader & roll off to remove  
(Decks-shrubs) Needs a clear out on lot.

4/19/01 - DISPATCHED Roll-off TO AQUIC MATCOX 

CALL RECEIVED BY:





# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Fred Simon</i>	DATE:	<i>4/5/01</i>
PHONE:	<i>450-3269</i>	TIME:	<i>1:15 PM</i>
ADDRESS:	<i>500 Lincoln Ave.</i>	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: *gulls, smells, plastic bags blowing around.*

ACTION TAKEN:

CALL RECEIVED BY:

*Kelly Dwyer*

# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Sandra Shaffer</i>	DATE:	<i>4/4/01</i>
PHONE:		TIME:	<i>2:45 PM</i>
ADDRESS	<i>#22 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: "Birds are bad; my kids are outside playing"

ACTION TAKEN:

CALL RECEIVED BY: *Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Walter Labunski	DATE: 7 23 03	
PHONE:		TIME: 3:20-01	
ADDRESS	Lot 33	WIND DIRECTION:	NWNE
		TEMPERATURE:	35-40

**NATURE OF COMPLAINT:**

ODOR 
                 
 LITTER 
                 
 BIRDS 
                 
 OTHER

COMMENTS: Smells Really Bad Like Gas.

**ACTION TAKEN:**

Called LTI. I went out Back  
 and checked found smell near wall  
 LTI Reported NO Gas odor. odor moved  
 to front Gate.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	N/A	DATE:	3-15-01
PHONE:	N/A	TIME:	12:15 A.M.
ADDRESS	Landfill	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: *Arcking wire on pole next to admistiation building*

**ACTION TAKEN:**

*called NIMO said they would try to send a line crew. 1:50 A.M. line crew showed up fixed problem done and gone by 1:50 A.M.*

CALL RECEIVED BY:

*P. D. (watchman)*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra Schaffner	DATE:	3-14-01
PHONE:	None Given	TIME:	5:38 PM
ADDRESS	Fox Run Estate	WIND DIRECTION:	None
		TEMPERATURE:	30-35

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: She wanted to know why the dump smells bad.

**ACTION TAKEN:**

Checked area, Nothing wrong.  
Called L.T.I. - They are responding.

CALL RECEIVED BY:

watchman.

## ALBANY LANDFILL COMPLAINT FORM

NAME:	NANCY Aolen	DATE:	3/2/01
PHONE:	456-6375	TIME:	8:30 PM
ADDRESS	#56	WIND DIRECTION:	None
		TEMPERATURE:	20-25
			Wet Air.

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** Last night the Landfill smelled so Bad  
 at 2 AM it woke me up and my neighbors. Could you  
 check the Flare or check whats going on. Because  
 those of us that live here shouldn't have to  
 put up with it. Untill we move.

**ACTION TAKEN:**

Called L.T.I. Donny came up and checked  
 Area. Put Report on Harry's desk for Monday

CALL RECEIVED BY: Watchman.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARSE MARONE	DATE:	2/9/01
PHONE:		TIME:	~ 8 <sup>00</sup> AM
ADDRESS	# 54 FOX RUN	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

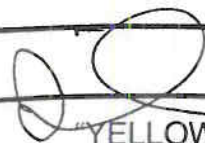
**COMMENTS:**

\* REQUEST EARLY PAYMENT FOR RENOVATION  
 \* LETTER RECEIVED 2/9/01

**ACTION TAKEN:**

\* ADVISED RESIDENT TO  
 ① DETERMINE FIRM RENOVATION DATE  
 ② DETERMINE "3RD PARTY" FOR PAYMENT.  
 \* WILL SUPPLY INFO. IN WRITING.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Rowland	DATE:	1/11/01
PHONE:	.	TIME:	8:45am
ADDRESS	#56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "Everyday at 4pm the smell becomes unbearable over here. Something must be happening at 4pm - the flare is shut down or something. The smell comes right inside the house, its embarrassing to have friends over, we shouldn't have to live like this, I've had a flu & a sinus infection & the odor is making it worse, we're REALLY suffering over here, this has to be a health problem, are we breathing methane gas? I have an eleven year old son who had to come inside from playing in the snow, I have a daughter in her senior yr. of H.S.)

**ACTION TAKEN:**

We're just trying to deal until we're out in June or September... " Also she left message on machine at 3AM some day last week because terrible smell woke her + whole family up...

Told LI Harry

\* FOUND GAS LEAKING AROUND LEACHATE COLLECTION LINE CLEAN-OUT @ A6

\* BEST INSTALLED AROUND CLEAN-OUT.

CALL RECEIVED BY:

Kelly Dwyer

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TEDESCO CO.	DATE:	11-27-01
PHONE:		TIME:	
ADDRESS	CORPORATE PLAZA	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

A WOMAN CALLED TO SAY "THE STINK ~~WAS~~ IS UNBEARABLE".

ACTION TAKEN:

TOLD JOE. JOE G. INSPECTED COMPLAINT. POISS-SHELL TO BE APPLIED

CALL RECEIVED BY: 



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Barry	DATE:	12/26/01
PHONE:	869-7261 OFFICE	TIME:	10am
ADDRESS	#50 FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: rancid meat, syringes, bones, litter being  
dropped by birds on his property

**ACTION TAKEN:**

L3 & L4 dispatched to clean up mess

CALL RECEIVED BY: Kelly Dwyer

## 2002 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 23

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

2/16/02 “Birds are bad. Droppings all over children’s playground equipment.” -- Parkview Preschool.

5/10/02 “Its illegal to be dumping sewage into Patroon Creek.” – Tim Gerry

8/6/02 “With the wind blowing this way, it’s starting to smell again.” Mary Ann Simons

7/8/02 “Concerned about odors. Concerned about party planned for next weekend.”

12/31/08 “Odor is bad. Has been worse than usual this six months.”—David Pratt

## ALBANY LANDFILL COMPLAINT FORM

- Rebecca Wallace

NAME:	Pine View Pre-school	DATE:	2/26/02
PHONE:	456 6786	TIME:	2 PM
ADDRESS	Washington Ave. Ext.	WIND DIRECTION:	
	(between Polish + Italian	TEMPERATURE:	
	(Community Centers)		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Birds are bad. Droppings all over childrens' play-ground & equipment.

**ACTION TAKEN:**

Notified USDA who was on site - Heather.  
 Heather + Kelly Dwyer went over to Pine View and spoke to Rebecca Wallace and looked at situation.  
 Heather notifying Ken<sup>(USDA)</sup> to see what should be done.

CALL RECEIVED BY: Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE DEBOLLA	DATE:	3/5/02
PHONE:	456-0261	TIME:	11:30 AM
ADDRESS	CROSSGATE REST.	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR 
                 
 LITTER 
                 
 BIRDS 
                 
 OTHER

COMMENTS: BIRDS ARE BACK

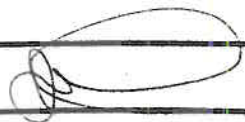
- STAGING @ CROSSGATE AROUND 4<sup>00</sup> PM EACH NIGHT.
- NOT SURE IF THEY LEAVE

**ACTION TAKEN:**

• ADDRESSED IN FEB '02: OPEN DUMPSTER + ADD FEEDING CROWS.

→ HEATHER WILL OBSERVE AFTER 4<sup>00</sup> AM +  
MAKE A RECOMMENDATION.

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	John White	DATE:	3/20/02'
PHONE:	869.7229	TIME:	12:30PM
ADDRESS	# 74 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

Wondering if we were doing some kind of blasting over here because his house shook. His son who is home sick from school heard it and thought the whole house was coming down. I told him we were doing some demolition of a bldg.

ACTION TAKEN:

CALL RECEIVED BY:

KD

## ALBANY LANDFILL COMPLAINT FORM

NAME:	BOGARDON	DATE:	3/23/02
PHONE:		TIME:	3 <sup>00</sup> PM
ADDRESS	#76 FOX RUN ESTATE	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

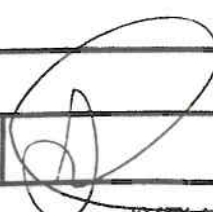
**COMMENTS:**

\* WATER LINE IN TRAILER FROZEN - ALBANY SUPPLY  
LINE SHUT OFF.

**ACTION TAKEN:**

\* RESPONDED @ 3<sup>45</sup> - BROKEN PVC LINE TO  
HOME BY CONTRACTOR. TENANT HAD VALVE SHUT  
OFF (NOT WORKING).

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Simmon	DATE:	4-19-02
PHONE:	456-3269	TIME:	7:36 PM
ADDRESS	Behind the fence	WIND DIRECTION:	East
	In the front of	TEMPERATURE:	75+-
	Guard station		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** The smell is horrible for the last three days. The garbage looks like it is uncovered. You can't open the windows. The weekend is coming you can't sit outside cause it stinks so bad. Is there someone I can call to complain about this. Because this is ridiculous. If someone could call me. Why did they put a dump next to Peoples houses

**ACTION TAKEN:**

Put report on Johns desk for Monday. Could not reach anyone at this time. The Landfill was sprayed and the Garbage is covered.

CALL RECEIVED BY:

watchman S.T.

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Maicella	DATE:	5/20/02
PHONE:	452 1793	TIME:	3:10 PM
ADDRESS	# 93 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Dust is terrible by this house from trucks going by.

**ACTION TAKEN:**

5. Will Review w/ Wetlands Mtg. Committee & Public Meetings.

CALL RECEIVED BY:

K. Dwyer







## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Gerry	DATE:	5/1/02
PHONE:		TIME:	3 PM
ADDRESS	# 50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: - It's illegal for us to be dumping sewage into the Paterson Creek

- There are bones + skulls in his yard
- By law we have to cover landfill with 6" of material daily

**ACTION TAKEN:**

Informed Joe + Joe addressing complaints.

CALL RECEIVED BY:

*K Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Wanda Hayes	DATE:	5/10/02'
PHONE:	415U 3149	TIME:	11:00 AM
ADDRESS	# 42 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

When are you going to clean up behind the pond?  
 we already picked up the hot water tank but  
 what about the shed/glass?

**ACTION TAKEN:**

CALL RECEIVED BY: *[Signature]*

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Shook	DATE:	5-4-02
PHONE:		TIME:	
ADDRESS	Forbes	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** *Blind dog then when we have a walk  
 all over the dump to and back and send  
 someone to pick it up*

**ACTION TAKEN:**

*I informed her that we were closed  
 until 9:00 and that I would take her  
 information and do what  
 I could*

CALL RECEIVED BY:

*A. Penell Whitehouse*

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Fred Swan	DATE:	5-9-02
PHONE:		TIME:	10:22 AM
ADDRESS	506 Lincoln Ave	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Found that there is exposure all over  
 the inside some the road from last night he said  
 it is bad

because I am from up the road as  
 I am a resident I would like to call you

**ACTION TAKEN:**

I will inform the person that is responsible  
 today but it will be done to help in future  
 from all the other days things

CALL RECEIVED BY: *Waltera. Powell*

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Kathie	DATE:	5-1-82
PHONE:		TIME:	11:30 am
ADDRESS:	1000 1st St	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Odor from landfill near home  
coming out through the back home area

**ACTION TAKEN:**

I talked to the trash hauler at night and  
he said he would check the area and report  
back to me. I will call him again if the  
problem is not solved by next week.

CALL RECEIVED BY: Kathie Smith



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5-7-02
PHONE:		TIME:	10:56am
ADDRESS	Boothman	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: I wanted to know when the land fill was closed or coming to be closed. She said she is a "friend" for "litter".

**ACTION TAKEN:**

I informed her to contact with one of the ~~staff~~ <sup>6</sup> senior managers of the following business hours

CALL RECEIVED BY: Catherine Farrell



## ALBANY LANDFILL COMPLAINT FORM

NAME:	M. SIMON	DATE:	7/5/02
PHONE:	N/A	TIME:	9 <sup>30</sup> AM
ADDRESS	RAPP ROAD	WIND DIRECTION:	EAST
		TEMPERATURE:	80°

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: REQUESTED THAT AN ALLEGED CRIME CONTROL

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra Fox (owner River)	DATE:	7/18/02
PHONE:	489-1675	TIME:	1 <sup>30</sup> PM
ADDRESS:		WIND DIRECTION:	
	RE: MAZEN SIMON	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Called on behalf of MAZEN SIMON - CONCERNED ABOUT ODORS AND DAMAGE DUE TO "SHAKING". CONCERNED ABOUT A PARTY THEY HAVE PLANNED FOR NEXT WEEKEND (7/12/02)

∴ DUST CONTROL BECOMING A ISSUE

∴ PALM STARTS @ 1<sup>00</sup> PM

∴ NEED 'W' SUNDAY

∴ MOVE BOTTLE STORAGE FENCE

**ACTION TAKEN:**

∴ FOUND ONE "KEI" POTABLE; WILL BE REPAIRED 7/19/02

∴ WILL ADDRESS TRUCK TRAILER SPEED w/ RAFFENBURG

∴ 2 ODR MACHINES WILL BE DEPLOYED ON FRIDAY FOR SATURDAY.

∴ CONTACTED SANDRA FOX (15<sup>TH</sup> WALK - 489-1675) REGARDING ABOVE.

7/13/02: RESPONDED TO ABOVE COMPLAINT; EDWIN BRODIE HAS WAY FALLO IN (~11 TRUCKS). STOPPED HAULING @ 11<sup>00</sup> AM.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE @ CROSSGATE	DATE:	09-06-02
PHONE:		TIME:	10:00 AM
ADDRESS	CROSSGATES RESTAURANT	WIND DIRECTION:	CALM
		TEMPERATURE:	60°F

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: STARLINGS ARE ALL OVER THE BULLDOZER AND BEHIND IT.

ACTION TAKEN:

WENT OVER W/ BIRD MANAGEMENT TOOLS TO REMOVE BIRDS.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARY ANN SIMONS	DATE:	08-06-02
PHONE:		TIME:	08:00 AM
ADDRESS	RAPP ROAD	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: " COULD YOU PLEASE PUT THE DEODORIZORS ON FOR FRIDAY AFTERNOON 2 TO THE NIGHT. I'M HAVING COMPANY, AND WERE HAVING A PICNIC. WITH THE WIND BLOWING THIS WAY IT'S STARTING TO SMELL AGAIN. SO IF YOU COULD DO SOMETHING SO IT WILL KEEP THE SMELL DOWN FOR FRIDAY NIGHT I WOULD APPRECIATE IT." (MESSAGE RECEIVED ON ANSWERING MACHINE)

**ACTION TAKEN:**

PLACED ECOSORB UNITS IN SERVICE AND WILL BE CERTAIN TO START THEM FRIDAY (08-09-02) @ NIGHTIME.

CALL RECEIVED BY: JOHN BALET

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Steve DiBella	DATE:	8/7/02
PHONE:	2 Crossgates Restaurant	TIME:	9:05 AM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

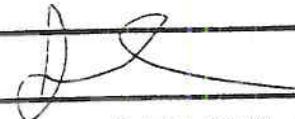
**COMMENTS:**

\* Starling in morning + early afternoon

**ACTION TAKEN:**

∴ FIRED PYROS - BIRDS ARE TRAVELING FROM HOME DEPOT,  
TO LANFILL / WESTERN WASHINGTON AVE. STOPPING @ CROSSGATES R.  
NO BIRDS OPEN; SEEM TO BE PART OF THEIR FLIGHT  
PATH.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom GARY	DATE:	09-06-02
PHONE:	869-7261	TIME:	
ADDRESS	FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: SOMEONE IS TEARING THE TRAILERS  
APART AND MAKING A MESS. THERE  
IS GARBAGE ON THE GRASS AND  
THE SKIRTING IS TORN OFF.

ACTION TAKEN:

SPOKE W/ TBE TO GET AREA CLEANED UP

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	LES HAINES	DATE:	10-11-02
PHONE:		TIME:	7:40
ADDRESS	#42	WIND DIRECTION:	CALM
		TEMPERATURE:	59°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: HE WANTS THE DRIVEWAY FIXED  
 SO THAT THE DRIVEWAY IS HIGHER THAN  
 THE ROAD. HE DOES NOT THINK THE SWALE  
 WILL FIX THE PROBLEM.

**ACTION TAKEN:**

Customer w/ Joe M. D Corp Council. Review. Work done  
 as per instructions by the Corp. John K. [unclear]  
 [unclear] [unclear] [unclear] [unclear]

CALL RECEIVED BY: *[Signature]*





## ALBANY LANDFILL COMPLAINT FORM

NAME:	BRENDA YUNG	DATE:	12-20-02
WORK PHONE:	869-5331 x 420	TIME:	8:10 am
ADDRESS	158 LINCOLN AVE	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

EVERY NIGHT FOR THE PAST 2 WEEKS @  
 5-6 O'CLOCK SMELL IS GETTING STRONG  
 ODORS FROM THE LANDFILL. "THIS IS THE 1ST TIME  
 I'VE EVER SMELLED THE LANDFILL."

- FLARE HAS BEEN INTERMITTANTLY OPERATIVE  
 FOR THE PAST TWO WEEKS

**ACTION TAKEN:**

TOLD HER WE HAVE HAD PROBLEMS W/ OUR ODOR CONTROL  
 SYSTEM AND WE WILL ACTIVATE THE ~~FLARE~~ ODOR  
 CONTROL SYSTEM (FLARE). ALSO GAVE HER THE  
 GARD SHACK PHONE # TO CALL DURING ACTUAL  
 TIME OF ODORS

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	E. J. Knight	DATE:	01-02-02
PHONE:	403.403.403	TIME:	10:30 AM
ADDRESS:	P-5 Fairview	WIND DIRECTION:	
		TEMPERATURE:	70°F

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

1. Odor - strong - persistent - in area  
 2. Litter - plastic material - in area  
 3. Birds - in area

**ACTION TAKEN:**

Call to DGS - 01-02-02 - 10:30 AM  
 DGS - 01-02-02 - 10:30 AM

CALL RECEIVED BY:

*E. J. Knight*

## 2000 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 33

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

5/9/2000 Smelled worse than ever today.”

6/15/08 Woman affected by Dyno Compaction  
“whole house shaking; ceiling made cracking noise,  
who is going to pay for damage to my house?” –  
Mary Ann Simon.

6/22/08 Kids can't go outside to swim; smells like  
vomit. Nancy Rowland, Fox Run

12/1/2000 “Garbage and Debris all around my yard”  
Lydia, Fox Run

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Lydia Burleigh	DATE:	12/1/00
PHONE:	456-8070	TIME:	10:15am
ADDRESS	# 41 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

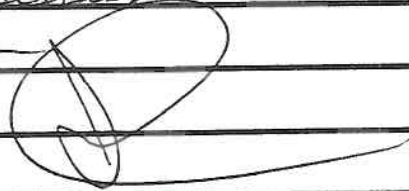
ODOR       LITTER       BIRDS       OTHER

COMMENTS: "Garbage and debris all around my yard..."  
 "People from dump just come over, look around and don't do anything, that's what irks me..."

- Plans on sending letter of complaint to the Commissioner and to the mayor.

**ACTION TAKEN:**

\* TRAILER #40 REMOVED BY OWNER 11/30/00. LANDFILL STAFF LOOKED @ LOT TO DETERMINE WHAT COULD BE DONE TO CLEAR LOT (IE, USE HUE / WHEEL LOADER) + FIND SPOT-OFFS FOR VIOLATIONS. LOTS WILL BE CLEARED IN ORDER OF PRIORITY



CALL RECEIVED BY: Kelly Dwyer







# ALBANY LANDFILL COMPLAINT FORM

NAME:	JOEL HEIT	DATE:	4/10/00
PHONE:	PINE BUSH AVENUE	TIME:	2:23
ADDRESS	795-1400 W. 213	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Low - cess -

\* ON STATE ROAD

\* LOW LAKE PARK ON FULLER

\* 50 TONS ON GROUND ON PINE LAKE

\* ROAD BRIDGE - LOW - CESS FILL ROAD

TRANSFER W/ AMP TRUCK

\* JOEL WILL FAX LETTER MAP DETAILED REQUEST

**ACTION TAKEN:**

\* INFO RECEIVED 4/12/00

\* RETURNED TO H.C. 4/12/00

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5/1/00
PHONE:		TIME:	10:35
ADDRESS	Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR    
  LITTER    
  BIRDS    
  OTHER

**COMMENTS:** Made a complaint about odor on Friday  
 Called again on Saturday - was very upset that  
 no one got back to her regarding ~~that~~ her  
 complaint - In the future she should take a  
 return call (no one at home if it is late @ night)  
 when she makes a complaint  
 - Regarding phone being out -

**ACTION TAKEN:**


CALL RECEIVED BY: *Brenda (Scalehouse)*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	JL Laurison	DATE:	05/06/00
PHONE:		TIME:	10:20 AM
ADDRESS	87 Lot # FOX RUN	WIND DIRECTION:	SW
		TEMPERATURE:	75°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Request pickup of excess trash from lot #87.

**ACTION TAKEN:**

Sent work crew over to lot #87 on Monday morning.

CALL RECEIVED BY:

Brenda Courou



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Peter	DATE:	5/8/2000
PHONE:		TIME:	10:00 AM
ADDRESS:	Flyer Run	WIND DIRECTION:	
	Lot #22	TEMPERATURE:	75

### NATURE OF COMPLAINT

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Complaint that the ~~odor~~ odor was strong.

### ACTION TAKEN:

NOTING WORKING AGENT TO

RES: SHC

CALL RECEIVED BY: Brenda Davis (Smith)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Roland	DATE:	5/8/00
PHONE:	4510-6375	TIME:	11:40 AM
ADDRESS	56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "Smells horrible, disgusting, smells like vomit when I went out to hang clothes"

**ACTION TAKEN**

told Harry - added masking agent to posishell

CALL RECEIVED BY: *Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Keland	DATE:	May 9, 2000
PHONE:	456-6375	TIME:	1:15 pm
ADDRESS	LRT # 56	WIND DIRECTION:	
	Fox Run	TEMPERATURE:	85

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: Smells like vomit very bad - does not think she should go through this residence live today with the temp at 85-90 says its not fair

**ACTION TAKEN:**

Radio Nancy & Informed him of the call.  
 ADDED MASCING AGENT TO PDS. - HAZEL.  
 CONTRACTOR MOVING OLD MSW FOR GAS COLLECTION

CALL RECEIVED BY:

*[Signature]* (Seahorse)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra	DATE:	5/9/00
PHONE:	819-0763	TIME:	2:30 pm
ADDRESS:	22 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "I called yesterday and they said the smell would go away - a truck had got stuck. So why does it still smell so bad today?"

**ACTION TAKEN:**

Told Harry - ADDED MASKING AGENTS TO POS. SURE  
 CONTRACT MOVING OLD MSW FOR GAS  
 RE COLLECTION

CALL RECEIVED BY: Kelly Dwyer



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Jeannette Klinger	DATE:	5/9/00
PHONE:	819-5202	TIME:	3pm
ADDRESS:	#9 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "smell is worse than ever today"

**ACTION TAKEN:**

Told Harry - found him to add masking  
AGENT TO POS: SHELL CONTAINER  
MOVING OLD MSW FOR GR: RELOCATION

CALL RECEIVED BY: *Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Roland	DATE:	5/16/00
PHONE:	456-6375	TIME:	1 pm
ADDRESS	56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

### COMMENTS:

"Had to come inside the smell was so bad, just got bad within the past 10 minutes."

### ACTION TAKEN:

Todd Joe, SMELL LIFTED ON WAY WITH NEW OLDER CONTROL AGENTS ADDED.

CALL RECEIVED BY:

Kelly Dwyer



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5/27/00
PHONE:	456-5753	TIME:	1:30 pm
ADDRESS:	Y 110	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Linda called the office reporting a heavy  
 odor that is unbearable. The smell is  
 coming from the area of the Miller Mill home.

### ACTION TAKEN

(1) Call to the Regis...

CALL RECEIVED BY: *[Signature]*







# ALBANY LANDFILL COMPLAINT FORM

NAME:	Pam Wunsel	DATE:	6/1/2000
PHONE:	452-1012	TIME:	3:20 pm
ADDRESS:	Flax Run	WIND DIRECTION:	
	Lot 13	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Complaining about odor - dump kids  
 write even go outside to play.

**ACTION TAKEN**

I explained the explanation + a check that  
 was made to check piping - she accepted  
 the explanation - told her not should be done  
 by date tomorrow (6/2/00) - afternoon.

CALL RECEIVED BY:

*[Signature]*  
 (P. Wunsel)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Aolen	DATE:	5-30-00
PHONE:	none.	TIME:	5:38 PM
ADDRESS	Fox Run.	WIND DIRECTION:	N. W.
		TEMPERATURE:	75

**NATURE OF COMPLAINT**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Smells Absolutely Horrible over Here.

**ACTION TAKEN**

Made Rounds, called L&T. Donny came up to check it out. Nothing with plant. Just smell from Trenches that were dug for pipe.

CALL RECEIVED BY: Steve - Watchman



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Boopruski	DATE:	6/7/2000
PHONE:		TIME:	2:25 pm
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot 104	TEMPERATURE:	

## NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

## COMMENTS:

Smells terrible - cannot sit outside

## ACTION TAKEN:

x Radical thing

CALL RECEIVED BY:

*[Signature]*  
(Sealhouse)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mile Morse	DATE:	6/4/00
PHONE:	869-9659	TIME:	9:15 am
ADDRESS:	53 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** Last night (6/3/00) it rained. Has  
 attention about operation noticed near  
 parking lot isn't being sprayed. And we  
 have the parking facing Fox Run?

**ACTION TAKEN:**

Ald Harry

CALL RECEIVED BY: Kelly Dwyer



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Ann Simon	DATE:	6/15/00
PHONE:	456-3269	TIME:	2:30 pm
ADDRESS		WIND DIRECTION:	
Woman's house is affected by dyno-compaction.		TEMPERATURE:	

**NATURE OF COMPLAINT**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Ceiling is shaking, whole house is shaking  
 ceiling made a cracking noise. "Who is going to  
 pay for damages to my house?" She wants to  
 talk to Harry and Commissioner Bruce.

**ACTION TAKEN**

CALL RECEIVED BY: *Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda H. Ho	DATE:	6-18-00
PHONE:	N.A.	TIME:	12:14 PM
ADDRESS	Fox Run Estates	WIND DIRECTION:	N.A.
		TEMPERATURE:	N.A.

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Called up and said it smelled  
like burnt matches!

**ACTION TAKEN:**

Made rounds checked flare "ok"  
checked wind direction calm  
patrolled perimeter and no unusual odor  
noticed, Sunday at noon ~~at noon~~ told John from  
L.T.I. and said he would check that.

CALL RECEIVED BY: *P. J. Walchman*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Joan Mayo	DATE:	6/19/00
PHONE:		TIME:	5:29 PM
ADDRESS		WIND DIRECTION:	N.E.
		TEMPERATURE:	70

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Wants to know what is cause of odor.

ITP

**ACTION TAKEN:**

5:30 PM Called LTI, Left Report on Harry's ~~desk~~ desk. No call from LTI. Tried again AT 6 PM.

CALL RECEIVED BY: Steve



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6-19-00
PHONE:	None Left, on Machine.	TIME:	8:32 PM
ADDRESS	Fox Run	WIND DIRECTION:	N.E. Breeze
		TEMPERATURE:	65-70

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Discarding smell all the way out to  
 Putralane, Had to close ALL the windows.

**ACTION TAKEN:**

Call LTI Water NO Answer Back, Called  
 Don Directly, he said it is because of the  
 Digging, to put Pipe Lines in. ALSO put Reporter  
 Harry's desk

CALL RECEIVED BY: STVP



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Busland	DATE:	6/22/2000
PHONE:		TIME:	10:30 AM
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot 5001	TEMPERATURE:	78°

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Kids cannot go outside to swim  
 smells like vomit.

**ACTION TAKEN:**

1 #COX2B UNIT removed from parking  
 FACE BETWEEN FACE & FOX RUN. 2 gal cleaned to  
 150 GAL H<sub>2</sub>O. PLUMB S.T TO 90° ANGLE.

CALL RECEIVED BY: *[Signature]*







# ALBANY LANDFILL COMPLAINT FORM

NAME:	Pam Wunsch	DATE:	6/22/00
PHONE:	452-1012	TIME:	11 am
ADDRESS	Lot 13	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT

ODOR       LITTER       BIRDS       OTHER

### COMMENTS:

"First day kids are off from school and they can't even play outside it smells so bad!"

### ACTION TAKEN

- 1 - ECOSOLB UNIT
- 2 gal ECO; 150 H<sub>2</sub>O
- 90' ↑
- FAC - UNIT Fix Run

CALL RECEIVED BY: *Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Luola	DATE:	6/22/2000
PHONE:		TIME:	2:05 PM
ADDRESS:	Flux Pin	WIND DIRECTION:	
		TEMPERATURE:	78°

## NATURE OF COMPLAINT

ODOR

LITTER

BIRDS

OTHER

## COMMENTS:

Scrap it smells like garbage

## ACTION TAKEN:

CALL RECEIVED BY:

*[Signature]*  
(SOLAR)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Joan Mabro	DATE:	6-23-00
PHONE:		TIME:	8:49 AM
ADDRESS	Fox Run	WIND DIRECTION:	NORTH EAST
		TEMPERATURE:	

**NATURE OF COMPLAINT**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Reporting one more time, the horrendous smell over here. My closets are smelly and the close are starting to smell from whatever is going on over there. I think I will call DEC, and report it, because it just continues and continues to smell or go on.

This was the message she left.

**ACTION TAKEN**

Report on Harry Costellos nest in AM of 6/24/00

CALL RECEIVED BY: Steve



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda Miller	DATE:	6-23-00
PHONE:	N/A	TIME:	12:02
ADDRESS	Fox Run	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR      LITTER      BIRDS      OTHER

**COMMENTS:**

Says it smells really nauseous like gas, said she started smelling it when she crossed railroad tracks!

**ACTION TAKEN:**

made rounds normal smell, light wind, direction unknown  
gave complaint to Harry

CALL RECEIVED BY: *Randy Watchman*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6/27/00
PHONE:		TIME:	3:42 PM
ADDRESS	Fox Run.	WIND DIRECTION:	West to East
		TEMPERATURE:	78-80

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: IT smells pretty nasty, smells like somebody got sick out there, smells like a puke Room. ITS Disgusting.

**ACTION TAKEN:**

Made Rounds, checked Machines, They Are Running. Slight odor of Garbage, Not Fas.

Put Report on Harry Costellos Desk 6/28/00 7am

I did NOT TALK TO Her. Put message word for word from Machine.

CALL RECEIVED BY: Steve (watchman)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	6/27/2000
PHONE:		TIME:	12:25 pm
ADDRESS:	Fox Run	WIND DIRECTION:	
		TEMPERATURE:	70°

**NATURE OF COMPLAINT**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Many She Doves seen on trap  
 every day in area where wind blows  
 her direction

**ACTION TAKEN:**

2 ECOSUB MACHINES STARTED NEXT TO INALL

CALL RECEIVED BY:

*[Handwritten Signature]*



**ALBANY LANDFILL  
COMPLAINT FORM**

2nd complaint.

NAME:	Linda	DATE:	6-28-00
PHONE:	456-5733	TIME:	7:52 PM
ADDRESS:	Fox Run	WIND DIRECTION:	East
		TEMPERATURE:	75

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: This is Linda from fox Run, the smell has not abated what's so ever it stinks like pure garbage now, and you people aren't doing anything I am going to be contacting the Department of Environmental Conservation in the morning this is ridiculous NOT EVEN A PHONE CALL, I expect a response. My Number is 456-5733

**ACTION TAKEN:**

Started Machines up again After shutting them off at 7pm. Harry told me to do it. After I went up top of the Landfill it didn't smell as bad as it did around 4pm.

Put Report on Harry's desk.  
7 AM 6-29-00

CALL RECEIVED BY: Steve (watchman)



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda A (no last name given)	DATE:	6-30-06
PHONE:	None Given	TIME:	4:35 PM
ADDRESS	Fox Run	WIND DIRECTION:	East
		TEMPERATURE:	75 -

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: Her words - It's Linda, its Fucking disgusting over here, its been that way all day. How many times do I have to call. This is disgusting.

This is written word for word from the message machine - Harry heard it.

**ACTION TAKEN:**

Called Harry (Castello), played the message for him. He told me to leave the machine running for the odor.

This is

from the watchman - I hope the people of Fox Run are not going to do anything, one of these times. A message like this is somewhat annoying with intensity. Especially at night, when it is hard to see anything.

CALL RECEIVED BY:

Steve - (watchman)

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





## 2001 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 33

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

1/11/01 “The smell comes right in the house. It’s embarrassing to have friends over.” -- Nancy Rowland, Fox Run

3/2/01 1:15 pm “Gulls, smells, plastic bags blowing around.” -- Fred Simon

7/3/01 “ Incredible smell, worst ever.” -- Peter Shaffer

8/30/01 “Every night this week, the odor has been unbearable.” Mary Ann Simon

11/27/01 “Stench is unbearable. Cannot even walk outside.” Brian Callahan

12/26/02 “Rancid meat, syringes etc. dropped in yard by birds.” –Tom Garry.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Brian Callahan	DATE:	11/27/01
PHONE:	221-3557	TIME:	9:15 AM
ADDRESS	Corporate Plaza	WIND DIRECTION:	
	Rosenblum Development	TEMPERATURE:	41°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Says the stench is unbearable  
 cannot even walk outside.

**ACTION TAKEN:**

\* Drove N + S Frontage Roads. Drove thru into the  
 Plaza. Spoke w/ several employees on North side w/ no  
 odors. Krista checked South side; spoke w/ Managers @  
 Corp Plaza; noted Garage odor but w/ no odors.  
 Krista felt it was either a smell of sewage truck servicing  
 the area.  
 Personnel check of location - N/A. (S)

CALL RECEIVED BY:

*Brian Sealhouse*



CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES  
ONE CONNERS BOULEVARD  
ALBANY, NEW YORK 12204-2514  
TELEPHONE (518) 432-1144  
FAX 427-7499

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

July 30, 2001

Thomas R. Reynolds, P.E.  
Environmental Engineer  
New York State Department of Environmental Conservation  
Office of Environmental Quality, Region 4  
1150 North Westcott Road  
Schenectady, NY 12306-2014

RE: ALL Fox Run Estates Air Monitoring Program

Dear Tom:

In order to fulfill the requirements of the Part 360 permit issued 2/29/00, the City has implemented a reporting protocol that channels all complaints to LTI for inclusion in the above monthly submittal. The nature of the complaint does not have bearing on the reporting protocol; all complaints, even those relative to the operation of the park, are documented and should be included in the above monthly submittal.

As a result of your July 18, 2001 correspondence, I have found that a set of telephone logs (April – June, 2001 enclosed) that obviously have not been included in the above monthly submittal. Prior to April 2001, copies of complaints can be found in this facility's first quarter report.

Given the reporting protocol established between LTI and the City has lead to a deficiency in reporting, I have assumed direct responsibility for making monthly submittals to your office. The City will forward the above report, the telephone logs and the Leachate Action Leakage Rate (ALR) report as one monthly submittal; copies of the above will be included in the facility's quarterly report.

Thank you for bringing this issue to my attention. If you have any questions or have any suggestions, please feel free to contact me at 869-3651.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'G' followed by a horizontal line.

Joseph C. Giebelhaus  
Solid Waste Manager



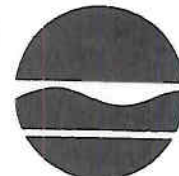
**New York State Department of Environmental Conservation**

**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us



Erin M. Crotty  
Commissioner

July 18, 2001

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
One Conners Blvd.  
Albany, New York 12204

RECEIVED

JUL 20 2001

RECEIVED

JUL 20 2001

Dear Mr. Giebelhaus:

We are in receipt of the June, 2001 "Albany Interim Landfill Fox Run Estates Air Monitoring Program" and "Albany Interim Landfill Odor Responder Form." The third item on the Odor Responder Form is "Description of Odor Complaint and Corrective Action." Under this item the typical comment has been "No complaint made to LTF", our question is whether in light of this statement, would complaints made directly to the City appear on these reports? It was my understanding that in the past, these reports did not include complaints made directly to the City, but this oversight would be corrected and we would be receiving a record of all complaints made relating to the Rapp Road operation(s). It is a requirement of the City's Interim Landfill (P-4 Expansion) Part 360 Permit that we receive copies of all odor complaints made relating to this facility.

Please confirm in writing within two weeks of receiving this letter specifically what the reports we have been receiving reflect, in relation to odor complaints made by landfill neighbors. If the reports have been deficient in providing copies of complaints made directly to the City, these additional reports, dating back to a minimum of January 1, 2001, must be submitted to this office, care of Richard Forgea, P.E., Region 4 Solid Waste Engineer, within three weeks of receiving this letter.

If there are any questions regarding this matter, please do not hesitate to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4

cc: W. Bruce, Commissioner, Department of General Services, City of Albany  
R. Forgea, P.E., Region 4 Solid Waste Engineer

TR:jh\odorreports.wpd

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/21/01
PHONE:		TIME:	11 AM
ADDRESS	#31 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** she is being bounced off her wall; this is totally ridiculous; have some compassion; she could tell that they were city workers because they are the only idiots that wouldn't come in from the rain yesterday; she said she called the newspaper + ENCON. There is spilled oil all over the place. They crushed oil tanks - she watched them do it; they don't respect human life; she is a smoker and she's afraid to open her door,

**ACTION TAKEN:**

she might blow up. DEC is going to call EPA. she did not call the newspaper (she said when asked which one) - she called the TV station. she hopes they get there in time to see what's going on. But we're busy cleaning up the evidence.

CALL RECEIVED BY: Kelly Burk



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/19/01
PHONE:	404-9915	TIME:	11:15 AM
ADDRESS:	# 37 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** My daughter is home right next door to her today. She doesn't mind how she is confused to get with a breeze on; she is getting annoyed all over the place. This is ridiculous. She didn't ask for this. Why do they have to do this when people are still living here? She wants some things done. She is in a hurry; this is a wonderful way to celebrate her birthday. She is so proud a hard worker; what kind of people does the City have working for them? She is in a hurry to

**ACTION TAKEN:**

calm her down because when she used the pain gets worse. That's a human being! She is not a waste. How can we have to call the newspaper & radio stations? How can we have to call the newspaper? Is this end of the world? - the City will see a nice lawsuit -

CALL RECEIVED BY: Kelly Ryzner

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Charon Cole	DATE:	9/17/01
PHONE:	404-9915	TIME:	3PM
ADDRESS	# 37 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** They're demolishing houses across the street - it literally knocked her off her feet - she just back from the doctor - she has a hairline fracture of her spinal column & now is back in a brace. If she can't walk tomorrow, the city will pay; even if she has to go & get a lawyer from Syracuse; there is stuff falling off the walls, she's ready to have a nervous breakdown; she's sick of living like a god-damn fucking dog. They are disrupting her life like the terrorists did to NYC. Last Spring when we did this it cracked her wall & she had to have that fixed. <sup>so did her son at #66;</sup>  
 Also, they didn't have any thefts in the park until the City

**ACTION TAKEN:**

Believe involved; \$25,000 doesn't cut it; why don't they bring the heavy eqt. out to Jennings house & see if he could stand it; This was a 7.5 on the richter scale. Her insurance doesn't pay for man-made earthquakes; if my lowlife boss worked once in a while maybe she'd get through to somebody - but they're always at lunch. She's paying \$335<sup>00</sup> / month to get abused. Jennings hasn't done anything for the aftermath of NYC - & she's been following it since Tuesday. He's too busy terrorizing them...

CALL RECEIVED BY:

Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom GERRY	DATE:	8-31-01
PHONE:	869-7261	TIME:	2:58 pm
ADDRESS:	80 Fox Run	WIND DIRECTION:	→N→
		TEMPERATURE:	85°F

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

WHO GAVE APPROVAL FOR THIS GUY  
 TO TAKE THE NICE MAPLE TREES?  
 I CAN SEE TRASH AND WOOD CUTS  
 ARE NOT COVERING THE TRASH  
 AT THE END OF THE DAY.

**ACTION TAKEN:**

Spoke w/ HANLEY to be certain P... will  
 w/ H... cover the TRASH AT THE END  
 OF THE DAY AND VERIFY IT'S PLACEMENT.

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Herry	DATE:	8/31/01
PHONE:	456-108790	TIME:	2 PM
ADDRESS	# 50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS:

- crows are bad over there

- odor is terrible (it has been for last 3 days)

- He sees open landfill that should be covered.

ACTION TAKEN:

Told Harry → He made sure posi-shell applicator was on; sprayed the pile, & sent laborers over to shoot bird gun —

CALL RECEIVED BY: Kelly Dwyer





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Roberta Bogden	DATE:	8/27/01
PHONE:	452-4998	TIME:	2:10 P/M
ADDRESS	#76 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: → Holes in her yard - possibly rat holes, fresh holes there this morning.

→ Shed at end of the street is hers, 1/2 on her property, 1/2 off; could they possibly move it back onto her property?

**ACTION TAKEN:**

CALL RECEIVED BY:

*Kelly Durjer*



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	SIMMONS	DATE:	08/06/01
PHONE:		TIME:	5:30 PM
ADDRESS	RAPP RD.	WIND DIRECTION:	W
		TEMPERATURE:	90°

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: GARBAGE SMELL

**ACTION TAKEN:**

STARTED BLOWERS

CALL RECEIVED BY: TE, ANNI

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Ann Simon	DATE:	7/20/01
PHONE:	442-3536	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

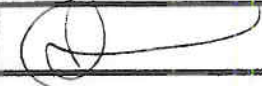
**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: NOISE COMPLAINT REGARDING CONSTRUCTION

**ACTION TAKEN:**

- \* CALLED BACK @ 1:30
- \* COMPLAINT ALSO INCLUDES OIL CENTER -
- \* I PROVIDED HER w/ BOTH TELEPHONE #s FOR COMPLAINTS
- \* EXPLAINED OIL CENTER PROTOCOL + THAT IF THERE IS A PROBLEM PLEASE CALL -

CALL RECEIVED BY: 





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Schaffer	DATE:	8/10/01
PHONE:		TIME:	
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot # 22	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Problems with Crows nesting at the  
pear tree.

\* Called twice - Referred to Joe

**ACTION TAKEN:**

✓ INVESTIGATED @ 11<sup>30</sup> AM + SPIKE w/ #50  
AND #22. BOTH RESIDENTS NOTED THAT THE PEAR  
TREE @ #22 ATTRACTED THE CROWS.

✓ USING PYROTECHNICS, THE CROWS WERE CHASED TO  
THE WEST END OF THE PINE BUSH (TOTAL OF 5 BIRDS)  
ADVISED BOTH TO CALL US WHEN THEY SHOW UP.

CALL RECEIVED BY:

*[Signature]* (Sodehouse)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	SANDY SCHAFER	DATE:	8/1/01
PHONE:		TIME:	2 <sup>00</sup> PM
ADDRESS	FOX RUN #22	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

CROWS IN PINE TREE.

ACTION TAKEN:

2<sup>15</sup> : No CROWS

2<sup>30</sup> : No Crows IN PINE BUSH

CALL RECEIVED BY:







## ALBANY LANDFILL COMPLAINT FORM

NAME:	MORRIS AND	DATE:	07-25-01
PHONE:	_____	TIME:	5:15 PM
ADDRESS	FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "It stinks very bad and would like to know if we could turn on the smell things"

**ACTION TAKEN:**

Turned on fragrant dispenser at 5:20 PM  
 Turned off at 3:30 A.M.

\* Note: Reported to Tom R. Tom was at address "at home"

CALL RECEIVED BY:

Walter R. Rad...

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Stammil	DATE:	7/10/01
PHONE:	452-0276	TIME:	1 PM
ADDRESS	# 94 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: *had odor for about an hour*

**ACTION TAKEN:**

*Reclined ECOSOL EQUIPMENT @ 2<sup>00</sup> PM. Moved TO WEST END OF WALL. (D)*

CALL RECEIVED BY: *K. Dwyer*



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>Al Harrison</i>	DATE:	<i>7/9/01</i>
PHONE:	<i>452-8459</i>	TIME:	<i>10:45AM</i>
ADDRESS	<i># 87 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: *When are the pot holes going to be fixed over here?*

**ACTION TAKEN:**

*\* RE-OPENED 7/11 + 7/12*

CALL RECEIVED BY: *Kelly Dwyer*

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	Peter Shaffer	DATE:	7/3/01
PHONE:	869-0763	TIME:	2:35 PM
ADDRESS	#22 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: incredible odor, worst ever.

**ACTION TAKEN:**

Called VI-Harry

LTI - FLARE NOT WORKING. ENGINEER STILL WORKING. FLARE

REPAIRED LATE AFTERNOON 7/3/01

*(Signature)*

CALL RECEIVED BY:

Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Robertta Bogden	DATE:	7/2/01
PHONE:	452-4998	TIME:	
ADDRESS	#76 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Has several complaints: (she is calling on behalf of several residents).

- ① pot holes on the roads within Fox Run - She has lost 2 tires
- ② vacant lots have wires sticking out - this makes it hard to mow and now it looks like a jungle over there. Can they remove wires/debris so they can ~~mow~~ mow?
- ③ Some vacant lots have sheds/garages that have not been removed and now they're filling up with trash/debris

**ACTION TAKEN:**

✓ REPAIRED 7/11 + 7/12  
 \* FURTHER LOT CLEAN-UP / DEMO IN SEPT 01 -  
 AFTER ADDITIONAL 'RELOCATIONS'

CALL RECEIVED BY: *Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Devals	DATE:	6/26/01
PHONE:	869-4399	TIME:	10:30 AM
ADDRESS	# 57 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Condition of road leading into Fox Run is terrible - He has cut one tire, & needed front wheel alignment - hard to avoid potholes at night - should he submit damages to insurance company he wonders?

**ACTION TAKEN:**

CALL RECEIVED BY: Kelly Dwyer



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mr. Schaffer	DATE:	6 13 01
PHONE:	869-0763	TIME:	8 07 PM
ADDRESS	Lot 22	WIND DIRECTION:	None
		TEMPERATURE:	70

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** ITS really Bad People are trying to sleep and the odor is Really Really Bad

**ACTION TAKEN:**

WENT and turned on machine in back I took a ride in park, didnt smell to bad, called L.T.I. John came down.

CALL RECEIVED BY:

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>Peter Shaffer</i>	DATE:	<i>6/1/01</i>
PHONE:	<i>809-0763</i>	TIME:	<i>1:05 PM</i>
ADDRESS	<i>#22 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

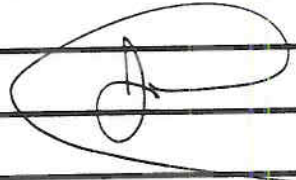
ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

*bad odor right now*

**ACTION TAKEN:**

*\* Harry Walker SITE NEAR SOUND WALL - N/D*  
*\* J. G. INSPECTED Fox Run @ 1:30 - N/D*



CALL RECEIVED BY: *Kelly Dwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Gina Drelis	DATE:	4/19/01
PHONE:		TIME:	10:00 AM
ADDRESS	Fox Run	WIND DIRECTION:	
	Lot #57	TEMPERATURE:	33°

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

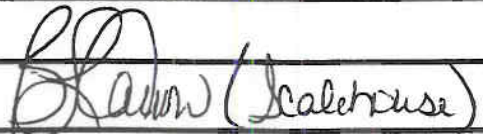
Says he spoke with our laborer's regarding  
Debris left behind when trailer behind his was  
removed - Nobody has been there since to remove  
Debris.

**ACTION TAKEN:**

Called L-3 (Ron) answered  
sent over to inspect what was out there  
Says need a loader & roll off to remove  
(Decks-shrubs) Needs a clear out on lot.

4/19/01 - DISPATCHED Roll-off TO AQUIC MATCOX 

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Fred Simon</i>	DATE:	<i>4/5/01</i>
PHONE:	<i>450-3269</i>	TIME:	<i>1:15 PM</i>
ADDRESS:	<i>500 Lincoln Ave.</i>	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: *gulls, smells, plastic bags blowing around.*

ACTION TAKEN:

CALL RECEIVED BY:

*Kelly Dwyer*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Sandra Shaffer</i>	DATE:	<i>4/4/01</i>
PHONE:		TIME:	<i>2:45 PM</i>
ADDRESS	<i>#22 Fox Run</i>	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: "Birds are bad; my kids are outside playing"

ACTION TAKEN:

CALL RECEIVED BY:

*Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Walter Labunski	DATE:	7 23 03
PHONE:		TIME:	3:20-01
ADDRESS	Lot 33	WIND DIRECTION:	NWNE
		TEMPERATURE:	35-40

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Smells Really Bad Like Gas.

**ACTION TAKEN:**

Called LTI. I went out back and checked found smell near wall LTI Reported NO Gas odor. odor moved to front Gate.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	N/A	DATE:	3-15-01
PHONE:	N/A	TIME:	12:15 A.M.
ADDRESS	Landfill	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: *Arcking wire on pole next to admistiation building*

**ACTION TAKEN:**

*called NIMO said they would try to send a line crew. 1:50 A.M. line crew showed up fixed problem done and gone by 1:50 A.M.*

CALL RECEIVED BY:

*P. D. (watchman)*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra Schaffner	DATE:	3-14-01
PHONE:	None Given	TIME:	5:38 PM
ADDRESS	Fox Run Estate	WIND DIRECTION:	None
		TEMPERATURE:	30-35

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: She wanted to know why the dump smells bad.

**ACTION TAKEN:**

Checked area, Nothing wrong.  
Called L.T.I. - They are responding.

CALL RECEIVED BY: watchman.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	NANCY Aolen	DATE:	3/2/01
PHONE:	456-6375	TIME:	8:30 PM
ADDRESS	#56	WIND DIRECTION:	None
		TEMPERATURE:	20-25
			Wet Air.

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Last night the landfill smelled so bad  
 at 2 AM it woke me up and my neighbors. Could you  
 check the flare or check whats going on. Because  
 those of us that live here shouldn't have to  
 put up with it. Untill we move.

**ACTION TAKEN:**

Called L.T.I. Donny came up and checked  
 Area. Put Report on Harry's desk for Monday

CALL RECEIVED BY: Watchman.

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARSE MARONE	DATE:	2/9/01
PHONE:		TIME:	~ 8 <sup>00</sup> AM
ADDRESS	# 54 FOX RUN	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

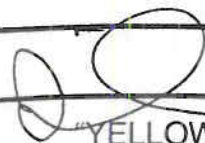
**COMMENTS:**

\* REQUEST EARLY PAYMENT FOR RENOVATION  
 \* LETTER RECEIVED 2/9/01

**ACTION TAKEN:**

\* ADVISED RESIDENT TO  
 ① DETERMINE FIRM RENOVATION DATE  
 ② DETERMINE "3RD PARTY" FOR PAYMENT.  
 \* WILL SUPPLY INFO. IN WRITING.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Nancy Rowland	DATE:	1/11/01
PHONE:	.	TIME:	8:45am
ADDRESS	#56 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "Everyday at 4pm the smell becomes unbearable over here. Something must be happening at 4pm - the flare is shut down or something. The smell comes right inside the house, its embarrassing to have friends over, we shouldn't have to live like this, I've had a flu & a sinus infection & the odor is making it worse, we're REALLY suffering over here, this has to be a health problem, are we breathing methane gas? I have an eleven year old son who had to come inside from playing in the snow, I have a daughter in her senior yr. of H.S.)

**ACTION TAKEN:**

We're just trying to deal until we're out in June or September... " Also she left message on machine at 3AM some day last week because terrible smell woke her + whole family up...

Told LI Harry

\* FOUND GAS LEAKING AROUND LEACHATE COLLECTION LINE CLEAN-OUT @ A6

\* BEST INSTALLED AROUND CLEAN-OUT.

CALL RECEIVED BY:

Kelly Dwyer

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	TEDESCO CO.	DATE:	11-27-01
PHONE:		TIME:	
ADDRESS	CORPORATE PLAZA	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

A WOMAN CALLED TO SAY "THE STINK ~~WAS~~ IS UNBEARABLE".

ACTION TAKEN:

TOLD JOE. JOE G. INSPECTED COMPLAINT. POISS-HELL TO BE APPLIED

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Barry	DATE:	12/26/01
PHONE:	869-7261 OFFICE	TIME:	10am
ADDRESS	#50 FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: rancid meat, syringes, bones, litter being  
dropped by birds on his property

**ACTION TAKEN:**

L3 & L4 dispatched to clean up mess

CALL RECEIVED BY: Kelly Dwyer

## 2002 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 23

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

2/16/02 “Birds are bad. Droppings all over children’s playground equipment.” -- Parkview Preschool.

5/10/02 “Its illegal to be dumping sewage into Patroon Creek.” – Tim Gerry

8/6/02 “With the wind blowing this way, it’s starting to smell again.” Mary Ann Simons

7/8/02 “Concerned about odors. Concerned about party planned for next weekend.”

12/31/08 “Odor is bad. Has been worse than usual this six months.”—David Pratt



## ALBANY LANDFILL COMPLAINT FORM

- Rebecca Wallace

NAME:	Pine View Pre-school	DATE:	2/26/02
PHONE:	456 6786	TIME:	2 PM
ADDRESS	Washington Ave. Ext.	WIND DIRECTION:	
	(between Polish + Italian	TEMPERATURE:	
	(Community Centers)		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Birds are bad. Droppings all over childrens' play-ground & equipment.

**ACTION TAKEN:**

Notified USDA who was on site - Heather.  
 Heather + Kelly Dwyer went over to Pine View and spoke to Rebecca Wallace and looked at situation.  
 Heather notifying Ken<sup>(USDA)</sup> to see what should be done.

CALL RECEIVED BY: Kelly Dwyer

## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE DEBOLIA	DATE:	3/5/02
PHONE:	456-0261	TIME:	11:30 AM
ADDRESS	CROSSGATE REST.	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: BIRDS ARE BACK

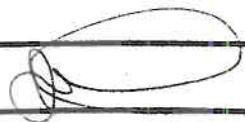
- STAGING @ CROSSGATE AROUND 4<sup>00</sup> PM EACH NIGHT.
- NOT SURE IF THEY LEAVE

**ACTION TAKEN:**

• ADDRESSED IN FEB '02: OPEN DUMPSTER + ADD FEEDING CROWS.

→ HEATHER WILL OBSERVE AFTER 4<sup>00</sup> AM +  
MAKE A RECOMMENDATION.

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	John White	DATE:	3/20/02'
PHONE:	869.7229	TIME:	12:30PM
ADDRESS	# 74 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Wondering if we were doing some kind of blasting over here  
 because his house shook. His son who is home sick from school  
 heard it and thought the whole house was coming down.  
 I told him we were doing some demolition of a bldg.

**ACTION TAKEN:**

	CALL RECEIVED BY: KD
--	----------------------

## ALBANY LANDFILL COMPLAINT FORM

NAME:	BOGDAN	DATE:	3/23/02
PHONE:		TIME:	3 <sup>00</sup> PM
ADDRESS	#76 FOX RUN ESTATE	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

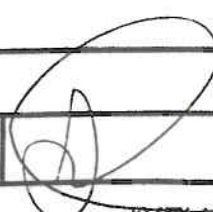
**COMMENTS:**

\* WATER LINE IN TRAILER FROZEN - ALBANY SUPPLY  
LINE SHUT OFF.

**ACTION TAKEN:**

\* RESPONDED @ 3<sup>45</sup> - BROKEN PVC LINE TO  
HOME BY CONTRACTOR. TENANT HAD VALVE SHUT  
OFF (NOT USING CUR).

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Simmon	DATE:	4-19-02
PHONE:	456-3269	TIME:	7:36 PM
ADDRESS	Behind the fence	WIND DIRECTION:	East
	In the front of	TEMPERATURE:	75+-
	Guard station		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** The smell is horrible for the last three days. The garbage looks like it is uncovered. You can't open the windows. The weekend is coming you can't sit outside cause it stinks so bad. Is there someone I can call to complain about this. Because this is ridiculous. If someone could call me. Why did they put a dump next to Peoples houses

**ACTION TAKEN:**

Put report on Johns desk for Monday. Could not reach anyone at this time. The Landfill was sprayed and the Garbage is covered.

CALL RECEIVED BY:

watchman S.T.

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Maicella	DATE:	5/20/02
PHONE:	452 1793	TIME:	3:10 PM
ADDRESS	# 93 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Dust is terrible by this house from trucks going by.

**ACTION TAKEN:**

5. Will discuss w/ Wetlands Mtg. Committee & Public Meetings.

CALL RECEIVED BY:

K. Dwyer





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Gerry	DATE:	5/1/02
PHONE:		TIME:	3 PM
ADDRESS	# 50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: - It's illegal for us to be dumping sewage into the Paterson Creek

- There are bones + skulls in his yard
- By law we have to cover landfill with 6" of material daily

**ACTION TAKEN:**

Informed Joe + Joe addressing complaints.

CALL RECEIVED BY:

*K Dwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Wanda Hayes	DATE:	5/10/02'
PHONE:	415U 3149	TIME:	11 am
ADDRESS	# 42 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

When are you going to clean up behind the pond?  
 we already picked up the hot water tank but  
 what about the shed / glass?

**ACTION TAKEN:**

CALL RECEIVED BY: *[Signature]*

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Shook	DATE:	5-4-02
PHONE:		TIME:	
ADDRESS	Forbes	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** *Blind dog then when we have a walk  
 all over the property and found out blind  
 dog was to put it in*

**ACTION TAKEN:**

*I informed her that we were closed  
 until 10:00 and that I would take her  
 dog home and I will  
 send her a letter saying that we had  
 a dog*

CALL RECEIVED BY:

*A. Penell Whitehouse*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Fred Swan	DATE:	5-9-02
PHONE:		TIME:	10:22 AM
ADDRESS	506 Lincoln Ave	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Found that there is exposure all over  
 the inside some the road from last night he said  
 it is bad

because I am from up the area as  
 I am a resident I would like to call you

**ACTION TAKEN:**

I hope that you can help me  
 today but if you can't I will be  
 happy to inform you of the  
 matter later

CALL RECEIVED BY: *Waltera. Powell*

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Kathie	DATE:	5-1-82
PHONE:		TIME:	11:30 am
ADDRESS:	1000 1st St	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Odor from landfill near home  
coming out through the back home area

**ACTION TAKEN:**

I talked to the trash hauler at night and  
he said he would check the area and  
bring it up to the office.

CALL RECEIVED BY: *Kathie*





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Linda	DATE:	5-7-02
PHONE:		TIME:	10:56am
ADDRESS	Boothman	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: I wanted to know when the land  
fill was closed or coming to be closed. She  
said she is a "friend" for "litter".

**ACTION TAKEN:**

I informed her to contact with one of  
the ~~staff~~ <sup>staff</sup> ~~managers~~ <sup>managers</sup> ~~in charge~~ <sup>in charge</sup> in the  
following business hours

CALL RECEIVED BY: Catherine Farrell

## ALBANY LANDFILL COMPLAINT FORM

NAME:	M. SIMON	DATE:	7/5/02
PHONE:	N/A	TIME:	9 <sup>30</sup> AM
ADDRESS	RAPP ROAD	WIND DIRECTION:	EAST
		TEMPERATURE:	80°

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: REQUESTED THAT AN ALLEGED CRIME CONTROL

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra Fox (owner River)	DATE:	7/8/02
PHONE:	489-1675	TIME:	1 <sup>30</sup> PM
ADDRESS:		WIND DIRECTION:	
	RE: MAREN SIMON	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Called on behalf of MAREN SIMON - CONCERNED ABOUT ODORS AND DAMAGE DUE TO "SHAKING". CONCERNED ABOUT A PARTY THEY HAVE PLANNED FOR NEXT WEEKEND (7/12/02)

∴ DUST CONTROL BECOMING A ISSUE

∴ PALM STARTS @ 1<sup>00</sup> PM

∴ NEED 'W' SUNDAY

∴ MOVE BOTTLE STORAGE FENCE

**ACTION TAKEN:**

∴ FOUND ONE "KEI" POTABLE; WILL BE REPAIRED 7/9/02


∴ WILL ADDRESS TRUCK TRAILER SPEED w/ RAFFENBURG

∴ 2 ODR MACHINES WILL BE DEPLOYED ON FRIDAY FOR SATURDAY.

∴ CONTACTED SANDRA FOX (15<sup>TH</sup> WALK - 489-1675) REGARDING ABOVE.

7/13/02: RESPONDED TO ABOVE COMPLAINT; EDWIN BRODIE HAS WAY FALLO IN (~11 TRUCKS). STOPPED HAULING @ 11<sup>00</sup> AM.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>STEVE @ CROSSGATE</i>	DATE:	<i>09-06-02</i>
PHONE:		TIME:	<i>10:00 AM</i>
ADDRESS	<i>CROSSGATES RESTAURANT</i>	WIND DIRECTION:	<i>CALM</i>
		TEMPERATURE:	<i>60°F</i>

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

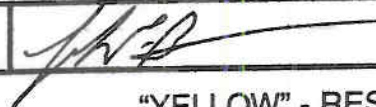
OTHER

COMMENTS: *STARLINGS ARE ALL OVER THE BULLDOZER AND BEHIND IT.*

ACTION TAKEN:

*WENT OVER W/ BIRD MANAGEMENT TOOLS TO REMOVE BIRDS.*

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARY ANN SIMONS	DATE:	08-06-02
PHONE:		TIME:	08:00 AM
ADDRESS	RAPP ROAD	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: " COULD YOU PLEASE PUT THE DEODORIZORS ON FOR FRIDAY AFTERNOON 2 TO THE NIGHT. I'M HAVING COMPANY, AND WERE HAVING A PICNIC. WITH THE WIND BLOWING THIS WAY IT'S STARTING TO SMELL AGAIN. SO IF YOU COULD DO SOMETHING SO IT WILL KEEP THE SMELL DOWN FOR FRIDAY NIGHT I WOULD APPRECIATE IT." (MESSAGE RECEIVED ON ANSWERING MACHINE)

**ACTION TAKEN:**

PLACED ECOSORB UNITS IN SERVICE AND WILL BE CERTAIN TO START THEM FRIDAY (08-09-02) @ NIGHTIME.

CALL RECEIVED BY: JOHN BALET

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Steve DiBella	DATE:	8/7/02
PHONE:	2 Crossgates Restaurant	TIME:	9:05 AM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

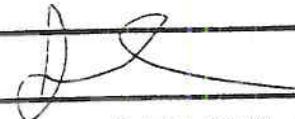
**COMMENTS:**

\* Starling in morning + early afternoon

**ACTION TAKEN:**

∴ FIRED PYROS - BIRDS ARE TRAVELING FROM HOME DEPOT,  
TO LANFILL / WESTERN WASHINGTON AVE. STOPPING @ CROSSGATES R.  
NO BIRDS OPEN; SEEM TO BE PART OF THEIR FLIGHT  
PATH.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom GARY	DATE:	09-06-02
PHONE:	869-7261	TIME:	
ADDRESS	FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: SOMEONE IS TEARING THE TRAILERS  
APART AND MAKING A MESS. THERE  
IS GARBAGE ON THE GRASS AND  
THE SKIRTING IS TORN OFF.

ACTION TAKEN:

SPOKE W/ TBE TO GET AREA CLEANED UP

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	LES HAINES	DATE:	10-11-02
PHONE:		TIME:	7:40
ADDRESS	#42	WIND DIRECTION:	CALM
		TEMPERATURE:	59°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** HE WANTS THE DRIVEWAY FIXED  
 SO THAT THE DRIVEWAY IS HIGHER THAN  
 THE ROAD. HE DOES NOT THINK THE SWALE  
 WILL FIX THE PROBLEM.

**ACTION TAKEN:**

In Company w/ Joe M. D Corp Council. Review. Work done  
 as per instructions by the Corp. John K. [unclear]  
 [unclear] [unclear] [unclear] [unclear]

CALL RECEIVED BY: *[Signature]*





## ALBANY LANDFILL COMPLAINT FORM

NAME:	BRENDA YUNG	DATE:	12-20-02
WORK PHONE:	869-5331 x 420	TIME:	8:10 am
ADDRESS	158 LINCOLN AVE	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

EVERY NIGHT FOR THE PAST 2 WEEKS @  
 5-6 O'CLOCK SMELL IS GETTING STRONG  
 ODORS FROM THE LANDFILL. "THIS IS THE 1ST TIME  
 I'VE EVER SMELLED THE LANDFILL."

- FLARE HAS BEEN INTERMITTANTLY OPERATIVE  
 FOR THE PAST TWO WEEKS

**ACTION TAKEN:**

TOLD HER WE HAVE HAD PROBLEMS W/ OUR ODOR CONTROL  
 SYSTEM AND WE WILL ACTIVATE THE ~~FLARE~~ ODOR  
 CONTROL SYSTEM (FLARE). ALSO GAVE HER THE  
 GARD SHACK PHONE # TO CALL DURING ACTUAL  
 TIME OF ODORS

CALL RECEIVED BY: 



## ALBANY LANDFILL COMPLAINT FORM

NAME:	E. J. Knight	DATE:	01-02-02
PHONE:	403.403.403	TIME:	10:30 AM
ADDRESS:	P-5 Fairview	WIND DIRECTION:	
		TEMPERATURE:	70°F

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

1. Odor - strong - persistent - in area  
 2. Litter - plastic material - in area  
 3. Birds - in area

**ACTION TAKEN:**

Call to DGS - 01-02-02 - 10:30 AM  
 DGS - 01-02-02 - 10:30 AM

CALL RECEIVED BY:

*[Signature]*

## 2003 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

**Total: 13**

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Complaints:

1/23/03 Thousands of birds everywhere. Cars look like the dump. Anon., Washington Avenue Ext.

2/11/03 “Severe disgusting odor.” Pat Figler

5/19/03 “This stuff is pretty strong. Come on, get with it, Joe.” Tom Garry

8/21/03 “The stench has been continuous.” Eve Spector

9/12/03 “Can’t we do something to stop the smell”  
Jeanie Haver



## ALBANY LANDFILL COMPLAINT FORM

NAME:		DATE: 1/23/03'	
PHONE:		TIME: 1:50 pm	
ADDRESS	255 Washington Ave Ext.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Thousands of birds over here; cars look like the dump, birds are everywhere, worse than ever these past few days

**ACTION TAKEN:**

USA Sent out to evaluate options.

\* LARGE GROUPS OF STERLING.

\*\* SEE ATTACHED -

CALL RECEIVED BY:

*John Balet + Kelly Dwyer*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	KEVEN DARRIGO	DATE:	01-24-03
PHONE:	456-0292 x16	TIME:	3:00pm
ADDRESS	ITALIAN/AMERICAN COMM CTR	WIND DIRECTION:	
	257 WASHINGTON AVE, EXT	TEMPERATURE:	
	ALBANY,		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: STARLINGS ARE ROOSTING ALL OVER  
 BLOG AND AWNINGS - HE WAS TOLD  
 TO CONTACT JOE TO GET RID OF  
 THESE BIRDS

**ACTION TAKEN:**

CONTACT JOE TO HARRASS THESE STARLINGS  
 ∴ BARE-STOP CONSTRUCTED @ LANDFILL TO SAFELY  
 DESTROY FLOCK. AS WELL, USDA CONSULTED w/ BOTH  
 OWNERS; KITES, DISTRESS CALLS + BALLS WERE INSTALLED.

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	PAT FIGLER	DATE:	02-11-03
PHONE:	456-3360	TIME:	3:00 pm
ADDRESS	90 BROOKERICK ST	WIND DIRECTION:	
	COLONIE, NY 12205	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

SEVERE DISGUSTING ODOR AT NIGHT  
 "IT IS DISGUSTING". WE HAD COMPANY LAST NIGHT  
 AND THE ENTIRE HOUSE SMELLED. IT HAS BEEN  
 SEVERE ALL WINTER. "ARE YOU DOING SOMETHING DIFFERENT?"  
 "IT DOES NOT SMELL WHEN I GET HOME FROM  
 WORK BUT AT ABOUT 8:00 OR 9:00 PM IT REALLY STINKS."

**ACTION TAKEN:**

NO INVESTIGATED SITE ON 2/12/03 + FOUND VELLAGE OF  
 COLONIE SEWER TRUNK ~ 100 YARDS AWAY WORKING ON  
 CLOGGED LINE.  
 WORK BACK @ 9<sup>00</sup> PM 12/13 - NO ODR.  
 CHECK w/ FOX RUN RESIDENTS LOCATED BETWEEN LANDFILL +  
 BROOKERICK ST. NO COMPLAINTS RE-ODORS (D)

CALL RECEIVED BY: 

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Kevin	DATE:	2/13/2023
PHONE:		TIME:	10:05 AM
ADDRESS	Italian Comm. Ctr.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

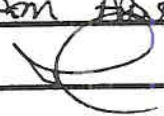
LITTER

BIRDS

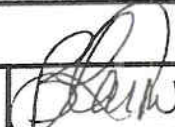
OTHER

COMMENTS: Starlings gathering around bldg.

**ACTION TAKEN:**

Called Operators on hill to contact person in charge  
 \* OPEN Dumpster @ SITE. ADVISED THEM ABOUT THE  
 Dumpster & SEARCH AREA w/ Precip. 

CALL RECEIVED BY:

 (Sealhouse)



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Gray	DATE:	5/7/03
PHONE:		TIME:	~ 9:00 AM
ADDRESS	A50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Complaint that Sewer Pump was NOT working.

Complaint that we are not greasing the equipment.

**ACTION TAKEN:**

MR. GRAY HAD BEEN MONITORING THE LEAK METER + SAW NO ACTIVITY; THE SYSTEM IS SIZED TO ACCOMMODATE ~100 TRAILERS, 4 ARE LEFT SO THERE IS LITTLE TO PUMP. JOHN BACOT STATED MR GRAY THAT THE PUMP IS WORKING BY TRAPPING THE FEELTS.

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	TOM GAPPY	DATE:	5/19/03
PHONE:		TIME:	6 <sup>00</sup> PM
ADDRESS	LUT ASD	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

"THE SMELL IS PROTTY STINKY" "IT IS NOW MONDAY NIGHT @  
 6<sup>00</sup> AM & SHE IS STARTING TO GET RAINIER" AND HERE, YOU  
 ARE NOT COMING AT ALL YOU SHOULD COME ON  
 TUE, GET WITH IT". MESSAGE LEFT ON VHS MAIL.

**ACTION TAKEN:**

\* WATCHMAN CHECKED FLARE - OK, CHECKED FIRE RIN -  
 NO ODOR DETECTED. ALSO WENT BEHIND TOWARD LANDFILL.

\* CHECKED W/ #42 + #92 FOLLOWUP DAY - NO ODORS  
 REPORTED.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Gray	DATE:	5/20
PHONE:		TIME:	6:15 AM
ADDRESS	#50 Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

COMMENTS:

Request to fix potholes in road +  
Mow Park.

ACTION TAKEN:

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom Garry	DATE:	5/27/03
PHONE:		TIME:	2 <sup>nd</sup> PM
ADDRESS	50 Fox Run Park	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

- ① Complained that the sheds @ #96 should be moved.
  - ② Wanted to know who was in charge of the park.
  - ③ Wanted to know if "Park Rules" were provided to NYS Housing.
  - ④ Wanted brush / debris removed from #30 Fox Run.
  - ⑤ Complained that Owner's Name must be listed.
- \* CALLED CELL PHONE \*

**ACTION TAKEN:**

- ① Sheds were not be moved again.
- ② Informed him again that the city owns the park + that I am "in charge".
- ③ Park rules on file.
- ④ #30 is still in litigation (address was left behind.)
- ⑤ Owner's Name + emergency contact info provided to each tenant.
- ⑥ Mr. Garry admitted to violating a backfill on site; I informed him he is not allowed to use curbside on site.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	KEVIN KUPACH	DATE:	7/25/03
PHONE:		TIME:	2:34
ADDRESS	153 LINCOLN AVE	WIND DIRECTION:	E/NE
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

\* House @ corner of Fox Run Estates  
 ↓ Smelled fresh waste.

**ACTION TAKEN:**

- ∴ Investigated @ above address: no odor (MIL KUPACH  
Advised that odor disappeared).
- ∴ Applied possible 1/2K; Resounding Report of  
own navigation (200:1)
- ∴ Relocated 2 Brand units to call 11 + Re  
them until 900 PM. (e)

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tom GARY	DATE:	08-20-03
PHONE:	456-6879	TIME:	8:40
ADDRESS	Fox Run	WIND DIRECTION:	CALM
		TEMPERATURE:	69°F

**NATURE OF COMPLAINT:**


ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

"RANCID" ODOR NOTED THIS MORNING  
 IS COMING FROM THE TRASH THAT YOU ARE SUPPOSED  
 TO BE COVERING

**ACTION TAKEN:**

SE- AND ACTIVATE ESCORT UNITS

CALL RECEIVED BY: 



## ALBANY LANDFILL COMPLAINT FORM

NAME:	EVE SPECTOR	DATE:	08-21-03
PHONE:	459-8371(w) <sup>home</sup> 869-6835	TIME:	2:10 pm
ADDRESS	18 RICHARDS DRIVE	WIND DIRECTION:	S → 10 MPH
	COLONIE, NY	TEMPERATURE:	86°
			HAZ/NOT/HUMID

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

"I LIVED ON RICHARDS DRIVE FOR <sup>THE</sup> PAST ~~15~~ YEARS AND THIS PAST WINTER IS THE FIRST TIME I EVER EXPERIENCED ANY ODOR. THE STENCH HAS BEEN CONTINUOUS SINCE THE WINTER AND PARTICULARLY BAD OVER THE PAST MONTH. I WOULD LIKE TO KNOW THAT SOMETHING IS BEING DONE TO ADDRESS THIS BEFORE I CALL THE MEDIA IN AN ATTEMPT TO BRING A SENSE OF URGENCY TO THIS PROBLEM.

**ACTION TAKEN:**

"I KNOW THE CITY HAS PURCHASED WHISTLEBLOWER & PLANS TO EXPAND. I'M JUST WORRIED ABOUT THE ODORS A FUTURE EXPANSION MAY BRING."

I TOLD HER THE CITY IS CURRENTLY NOT PLANNING TO EXPAND INTO FOX RUN AND THAT WE WOULD ACTIVATE THEodor control system. I ALSO ASKED HER TO CALL THE WHISTLEBLOWER WITH ANY FURTHER PROBLEMS SO THAT WE MAY ADDRESS THE ISSUE IMMEDIATELY.

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	ANITA GREEN	DATE:	9/30/03
PHONE:	869-5463	TIME:	11:28 AM
ADDRESS	Barka St.	WIND DIRECTION:	
	WALKER of Central	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: VOICE MAIL TO BEN BRUCE • CALLED BACK @ 11:30  
 NO ANSWER; LEFT MESSAGE.

**ACTION TAKEN:**

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	GEORGE FREDRICK	DATE:	9/30/03
PHONE:	461-6377	TIME:	
ADDRESS	VILLAGE OF COLONIE CODES	WIND DIRECTION:	
	ENTIREMENT	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: RECEIVED SEVERAL COMPLAINTS REGARDING ODOR FROM RESIDENTS ON BARKER ST. IN VILLAGE OF COLONIE.

**ACTION TAKEN:**

BARKER ST. LOCATED ON NORTH SIDE OF CENTRAL AVE. 1 MILE +/- FROM LANDFILL; MULTIPLE RECEIPTS BETWEEN LADDEN + BARKER.

DRIVE THROUGH NEIGHBORHOOD; NO ODOR DETECTED. NO OBVIOUS OTHER SOURCES HOWEVER A MANHOLE COVER HAD BEEN DISCOVERED + PAINT HAD BEEN APPARENTLY BEEN PAVED DOWN; PAINT SPLATTERS IN ROAD APPROX M.H. BUT NONE ON COVER.

CALL RECEIVED BY: 

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Jeanie Haver	DATE:	9/12/03
PHONE:	473.5932 (WORK)	TIME:	~ 10 am
ADDRESS	N/A	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Drives thruway twice a day on the way to and from work. The odor is terrible and she doesn't think she should have to smell it. Can't we do something to stop smell?

ACTION TAKEN:

CALL RECEIVED BY: Kelly Dwyer





Air Monitoring Program  
October

Date	Time	Fox Run Sound Wall		Facility Perimeter		Weather	Wind	Temp	Barometric Pressure	Humidity	Technician	Notes/Complaints
		CH4	H2S	CH4	H2S							
10/1/2003	9:27 AM	0 ppm	0 ppm	0 ppm	0 ppm	Mostly Cloudy	S 5 MPH	49	30.16	89.00%	JCG	MM Flare Down
10/2/2003	8:27 AM	0 ppm	0 ppm	0 ppm	0 ppm	Cloudy	S 10 MPH	41	30.25	91.00%	JCG	MM Flare Down
10/3/2003	7:38 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	S SE 8 MPH	44	29.25	94.00%	KAD	MM Flare Down
10/6/2003	7:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	S 3 MPH	31.5	30.13	91.00%	JCG	MM Flare Down
10/7/2003	7:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	36	30.22	96.00%	JCG	MM Flare Operating
10/8/2003	5:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	37.9	30.2	92.00%	JCG	None
10/9/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	62.1	30.23	77.00%	JCG	None
10/10/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	58.7	31.51	72.00%	JCG	None
10/13/2003	3:00 PM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	12 MPH WNW	62	29.91	55.00%	JCG	None
10/14/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	12 MPH SSE	63	29.82	74.00%	JCG	None
10/15/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Overcast	25 MPH WNW	55.9	29.09	79.00%	JCG	None
10/16/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	3 MPH SSW	41	29.87	78.00%	KAD	None
10/17/2003	9:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	48	29.73	96.00%	JCG	1 complaint - A. Green, Vicks Court, Colonte
10/20/2003	5:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	28.9	30.1	79.00%	JCG	None
10/21/2003	5:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	14 MPH S	53.1	29.55	80.00%	JCG	None
10/22/2003	7:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Overcast	8 MPH N	39.9	29.86	69.00%	JCG	None
10/23/2003	8:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Mostly cloudy	15 MPH WNW	36	29.59	81.00%	JCG	None
10/24/2003	5:51 AM	0 ppm	0 ppm	0 ppm	0 ppm	Mostly Clear	7 WSW	30	29.93	82.00%	JCG	None
10/27/2003	7:00 AM	0 ppm	0 ppm	0 ppm	0 ppm	Mostly Clear	Calm	35	29.91	97.00%	KAD	None
10/28/2003	7:30 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	38	29.92	100.00%	KAD	None
10/29/2003	7:30 AM	0 ppm	0 ppm	0 ppm	0 ppm	Mostly cloudy	9 MPH NNW	44	28.76	82.00%	KAD	None
10/30/2003	8:00 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	5 MPH S	42	30.13	89.00%	KAD	None
10/31/2003	8:30 AM	0 ppm	0 ppm	0 ppm	0 ppm	Clear	Calm	40	30.28			



Air Monitoring Program

Nov-03

Date	Time	Fox Run Sound Wall		Facility Perimeter		Weather	Wind	Temp	Barometric Pressure	Humidity	Technician	Notes/Complaints
		CH4	H2S	CH4	H2S							
11/3/2003	8:51	0	0	0	0	Mostly Cloudy	Calm	52	30.15	92.00%	JCG	MM Flare down; odor detected near scalehouse
11/5/2003	9:51 AM	0	0	0	0	Light Rain	8 SSE	48	30.14	92.00%	JCG	MM Flare down; odor detected near scalehouse
11/6/2003	7:51 AM	0	0	0	0	Few Clouds	W 6 MPH	46	30.16	93.00%	JCG	MM Flare down; odor detected near scalehouse
11/7/2003	5:51 AM	0	0	0	0	Sunny	9 MPH W	46	31.14	67.00%	JCG	MM Flare down; odor detected near scalehouse
11/10/2003	11:51 AM	0	0	0	0	Clear	5 MPH Variable	39.9	30.48	40.00%	JCG	MM Flare down
11/12/2003	9:22 AM	0	0	0	0	Mist	Calm	46	29.9	93.00%	JCG	MM Flare operating; 1 engine down
11/13/2003	11:51 AM	0	0	0	0	Mostly Cloudy	28 - 46 MPH	46.9	29.5	43.00%	JCG	MM Flare operating; 1 engine down
11/14/2003	8:51 AM	0	0	0	0	Mostly Clear	30 - 44 MPH	28	29.71	57.00%	JCG	MM Flare operating; 1 engine down
11/17/2003	10:51 AM	0	0	0	0	Light Rain	Calm	37	30.26	70.00%	JCG	MM Flare operating; one engine down. Detected slight odor @ cell 7
11/18/2003	9:00 AM	0	0	0	0	Mostly Cloudy	Calm	35	30.1	45.00%	KAD	CoA Flare fully operational
11/19/2003	8:30 AM	0	0	0	0	Mostly Cloudy	7 MPH SE	39	30.16	90.00%	KAD	
11/20/2003	10:51 AM	0	0	0	0	Overcast	8 MPH N	46	29.72	92.00%	JCG	
11/21/2003	1:51 PM	0	0	0	0	Clear	7 MPH NE	54	29.89	54.00%	JCG	
11/24/2003	10:51 AM	0	0	0	0	Clear	13 S	50	29.97	68.00%	JCG	
11/25/2003	8:51 AM	0	0	0	0	Clear	14 S	47	30.12	78.00%	JCG	
11/26/2003	9:51 AM	0	0	0	0	Mostly Clear	17 SSW	46	25.12	72.00%	JCG	
CLOSED												
11/27/2003	10:51 AM	0	0	0	0	Mostly Clear	22 NNW	46	28.54	80.00%	JCG	

Air Monitoring Program

Date	Time	Fox Run Sound Wall		Facility Perimeter		Weather	Wind	Temp	Barometric Pressure	Humidity	Technician	Notes/Complaints
		CH4	H2S	CH4	H2S							
12/1/2003	13:00	0	0	0	0	Light Snow	16 WNW	35	29.83		JCG	
12/2/2003	12:51 PM	0	0	0	0	Clear	22 WNW	25	30.13	38.00%	JCG	
12/3/2003	10:51 AM	0	0	0	0	Clear	19 WNW	19	30.52	51.00%	JCG	
12/4/2003	10:51 AM	0	0	0	0	Clear	15 WNW	21	28.92	52.00%	JCG	
12/5/2003	9:51 AM	0	0	0	0	Snow	5 N	14	25.36	88.00%	JCG	
12/8/2003	10:10 AM	0	0	0	0	Clear	6 NNW	27	30.15	57.00%	JCG	
12/9/2003	10:16 AM	0	0	0	0	Clear	CALM	25	29.16	61.00%	KAD	
12/10/2003	3:10 PM	0	0	0	0	Clear	10 S	35	30.05	73.00%	KAD	
12/11/2003	3:51 AM	0	0	0	0	Rain	7 ESE	46	29.66	82.00%	JCG	
12/12/2003	9:51 AM	0	0	0	0	Clear	17 NW	34	29.95	53.00%	JCG	
12/15/2003	6:51 AM	0	0	0	0	Snow	10 NNW	28	28.56	84.00%	JCG	
12/16/2003	8:51 AM	0	0	0	0	Clear	Calm	19.9	19.9	81.00%	JCG	
12/17/2003	7:51 AM	0	0	0	0	Overcast	8 S	38	29.76	89.00%	JCG	
12/18/2003	9:22 AM	0	0	0	0	Overcast snow	14 WNW	33	29.78	69.00%	JCG	
12/19/2003	8:51 AM	0	0	0	0	Clear	6 WSW	26	29.73	70.00%	JCG	
12/22/2003	7:51 AM	0	0	0	0	Cloudy	13 S	30	30.01		JCG	
12/23/2003	9:51 AM	0	0	0	0	Overcast	3 Variable	41	30.03	61.00%	JCG	
12/24/2003	7:58 AM	0	0	0	0	Overcast - rain	7 SSE	46	29.87	87.00%	JCG	
HOLIDAY	7:51 AM	0	0	0	0		26 W	35.1	29.89	61.00%	JCG	Connected Cell 10 to header
12/29/2003	5:51 AM	0	0	0	0	Clear	3 SE	23	31.03	91.00%	JCG	
12/30/2003	6:51 AM	0	0	0	0	Overcast	7 S	43	28.67	67.00%	JCG	



## 2004 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 82

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

1/26/04 "Has been getting calls every day about the landfill." Mayor Frank Leak

4/14/04 "Constant odor during event." --Louisa King

6/24/04 "Was horrible this morning at 5am and has not gotten better." Gail Rosen

7/6/04 "Stench from Landfill unbearable today." Marcia Williams

8/25/04 "Odor is seeping into the building through the HVAC system." -- BBL Construction Service

9/1/04 "Odor in the house very bad last night" Holly Weghman

9/24/04 "The smell is all the time now." Ann  
Baumann

9/30/04 "The smell over here is intolerable." Jane  
Wysocki

10/27/04 "Calling about odor that was to be taken  
care of. It's not." -- Joe Galu, Jack McEneny's  
Office



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	Eve Spector	DATE:	left message on machine
PHONE:	869-6835	TIME:	1/24/04 - 10pm
ADDRESS	18 Richards Dr.	WIND DIRECTION:	
	(off Lincoln Avenue)	TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

Odor is horrible

ACTION TAKEN:

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MAYU-ANN MAYRIZ	DATE:	1/26/04
PHONE:	456-6106 / 402-8652	TIME:	
ADDRESS		WIND DIRECTION:	SEE ATTACHED.
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Noticed odor @ 7:30 AM

**ACTION TAKEN:**

\* No odor on 1/25/04 @ 7:30 AM.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

Monday 26/04

NAME:	Frank The Mayor of	DATE: <del>6/1/04</del>	
PHONE:	Village of	TIME: 6:44 PM	
ADDRESS	Colonie	WIND DIRECTION:	westerly
		TEMPERATURE:	cold

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** Has Been getting calls every day about the odor from the landfill. He wants to know what can be done about it, or what's going to happen, or what He can tell the people. He knows you are getting calls also. He wants information if you have any as to what you's can do or say about the odor.

**ACTION TAKEN:**

I did not smell any odors on Monday the 26th of January 2004. I left Report for Joe. G. in the box by his door.

CALL RECEIVED BY: Watchman, S.T.





**Giebelhaus, Joe**

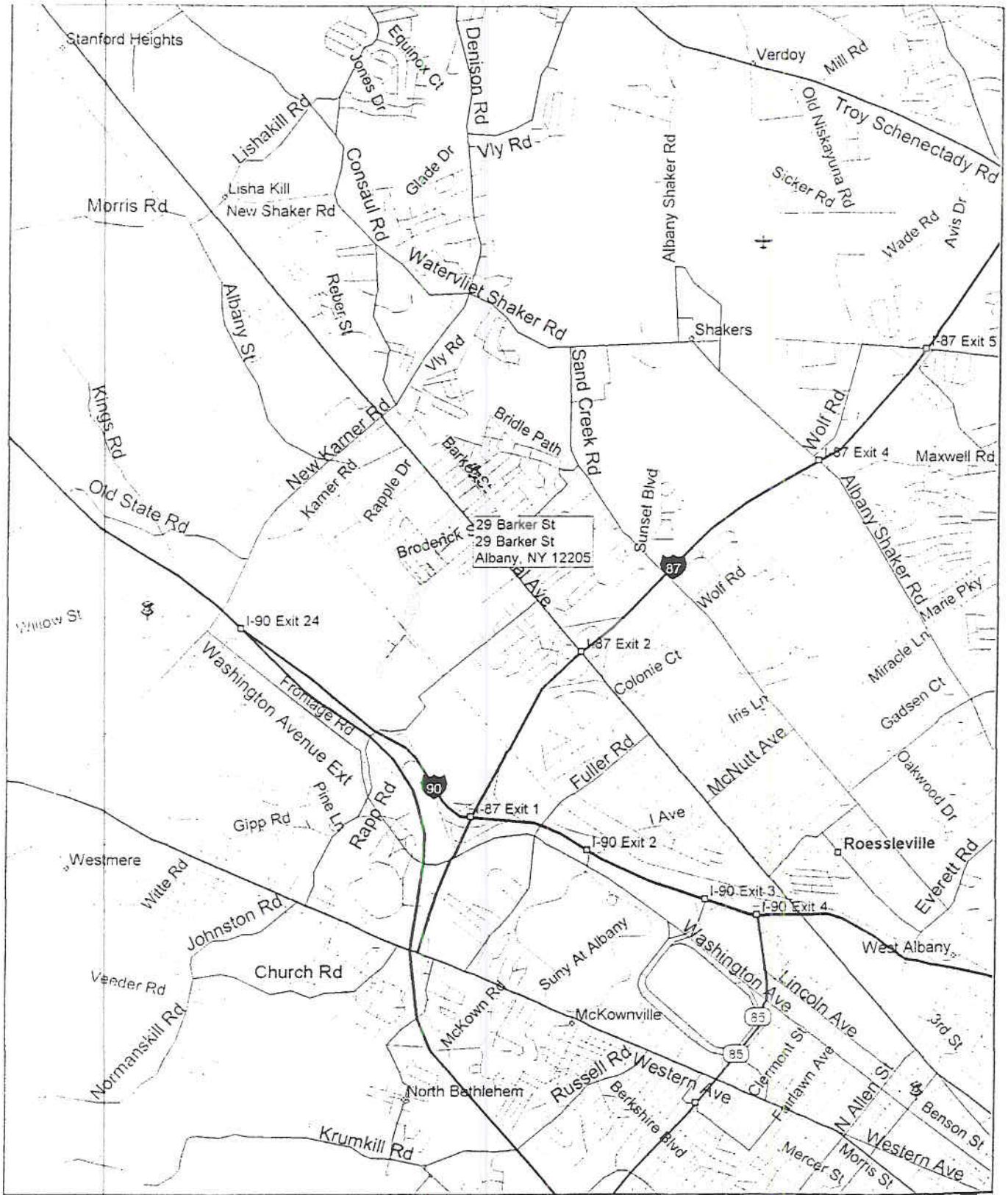
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**From:** Mary Ann Mroz [mamroz@gw.dec.state.ny.us]  
**Sent:** Monday, January 26, 2004 9:54 AM  
**To:** Victoria Schmitt  
**Subject:** Albany Co. Landfill

Hi Vicki. I live at 40 Red Fox Drive in the Village of Colonie. This morning there was a terrible smell outside my home of garbage. I called the Village and they said it was from the Albany Co. Landfill. They said the Mayor called the landfill and they were not much help. Is there anything EnCon can do?

Thanks.

# 29 Barker Street - Mrs. Culpitts



Streets98



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MR. EBERT	DATE:	1/27/04
PHONE:	STREET INTERVIEW	TIME:	6:45
ADDRESS	29 BIRCH	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

NOTED Sewer OODOR YESTERDAY Morning -  
 NINE TODAY

**ACTION TAKEN:**

(Empty space for recording actions taken)

CALL RECEIVED BY:





# ALBANY LANDFILL COMPLAINT FORM

NAME:

Shelly

DATE:

2/20/04

PHONE:

TIME:

9:20 AM

ADDRESS

Guilderland

WIND DIRECTION:

TEMPERATURE:

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

cust. states that the odor is really bad in her complex. Been there 4 yrs never had the odor bother her as much as it did last couple of days. Did not want to leave her full name or address. Odor is keeping her from sleeping.

ACTION TAKEN:

CALL RECEIVED BY:

Desiree

## ALBANY LANDFILL COMPLAINT FORM

NAME:	<del>MISSA</del> LONDA KING	DATE:	4/14/04
PHONE:		TIME:	
ADDRESS	80 PITCH PINE RD.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: CONSTANT ODOR DURING RAIN EVENTS.

NO SLEEPER TRUCKS OR TRAILERS.

**ACTION TAKEN:**

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Doolen Christine	DATE:	4/16/04
PHONE:	451-4749	TIME:	11:25
ADDRESS	115-001 Fox Lane	WIND DIRECTION:	
	The View	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

site is really bad - still wants to go  
 on record with this complaint

**ACTION TAKEN:**

CALL RECEIVED BY: *DS*

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Elizabeth Juggers	DATE:	4/19/04'
PHONE:	809-2988	TIME:	9:30am
ADDRESS	5 Pitch Pine	WIND DIRECTION:	
	(Tree Dunes)	TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

Unpleasant odor occasionally

ACTION TAKEN:

CALL RECEIVED BY:

K. Currier



## ALBANY LANDFILL COMPLAINT FORM

NAME:	N/A	DATE:	5/19/04
PHONE:	N/A	TIME:	07:00
ADDRESS	TRUCKS DR.	WIND DIRECTION:	S.
	COLEMAN	TEMPERATURE:	71°

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: DETECTED FEW GARAGE W.A. IN H.H.S.

**ACTION TAKEN:**

INVESTIGATION - FEW NO. CAR. SPEC w/  
 HYPERTON (SAME LOCATION) + THE ABOVE W.A.  
 (W.A. W.A.) (GIVE LATER) < 15 MIN.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	JOE SHUFAT	DATE:	9:45 pm
PHONE:	427-4142	TIME:	5/25/04
ADDRESS	23 Birch Lane	WIND DIRECTION:	South 9
		TEMPERATURE:	65°

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Heavy Rain w/ wind blowing in correct  
direction.

**ACTION TAKEN:**

↓ Explanation problems w/ N50. Indicated that  
problem was not constant; only during specific  
weather conditions.

CALL RECEIVED BY:

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	SANTA FE	DATE:	5/26/04
PHONE:		TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

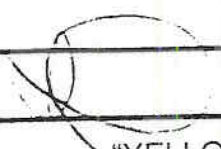
ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

# CALLED TO TALK TO WHAT A GUY  
 FOR THE 1200 WITH THE OIL PROBLEM

**ACTION TAKEN:**

CALL RECEIVED BY:



"YELLOW" RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Ken Panthen @ Village in the Green	DATE:	5/28/04'
PHONE:	457-3751	TIME:	2:30 PM
ADDRESS:	1108 Greenwich Dr.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

COMMENTS:

Ken Panthen - on Board of Directors at Village in the Green (off Rapp Rd. behind Daughters of Sarah)

Just wondering why smell of "Landfill gas" has been considerably worse lately. Has a meeting next month and would ~~at~~ like to be able to explain -

ACTION TAKEN:

✓ So E w/ MR PANTHEN 6/1/04. DISCUSSED GAS COLLECTION IN GENERAL. EXPLAINED THE CURRENT BUSINESS ARRANGEMENT BETWEEN CITY + NEO.

MR. PANTHEN INDICATED THAT HE UNDERSTOOD PROBLEM + THAT THE PROBLEM HAD BEEN GETTING BETTER

CALL RECEIVED BY: K. Nuyes

"YELLOW" - RESPONDER



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:		DATE: June 2	04
PHONE:		TIME: 8:39	
ADDRESS	David CT. Tagelwood	WIND DIRECTION:	None
		TEMPERATURE:	60 -

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: Strong odor from Dump.

ACTION TAKEN:

Rode around didn't smell to bad.

CALL RECEIVED BY:

Steve Watchman

Giebelhaus, Joe

**From:** Victoria Schmitt [vmschmit@gw.dec.state.ny.us]  
**Sent:** Thursday, June 10, 2004 12:01 PM  
**To:** giebej@ci.albany.ny.us  
**Subject:** odors

Just received a complaint about strong landfill odors on the Thruway ramp headed west past the landfill.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	GAIL ROSEN	DATE:	6/24/04
PHONE:	452-3106	TIME:	8:05 AM
ADDRESS	302 Washington Ave. Ex.	WIND DIRECTION:	
	BBL Headquarters	TEMPERATURE:	
	Albany, NY 12203		

**NATURE OF COMPLAINT:**

ODOR 
                 
 LITTER 
                 
 BIRDS 
                 
 OTHER

COMMENTS: Was <sup>so</sup> horrible this morning at 5 am and has not gotten any better since.

**ACTION TAKEN:**

CALL RECEIVED BY:

*Kelly Dwyer*

**Giebelhaus, Joe**

**From:** Victoria Schmitt [vmschmit@gw.dec.state.ny.us]  
**Sent:** Monday, June 28, 2004 11:34 AM  
**To:** giebej@ci.albany.ny.us  
**Subject:** odor complaint

We received an odor complaint from Huckleberry Lane in the Village of Colonia on Friday. They said the odor is getting worse.



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	Marcia Williams	DATE:	7/6/04
PHONE:	452-4466	TIME:	11 am
ADDRESS	251 Washington Ave Ext	WIND DIRECTION:	
	Early Childhood	TEMPERATURE:	
	Education Center		

NATURE OF COMPLAINT:

CDOR

LITTER

BIRDS

OTHER

COMMENTS:

Stench from landfill unbearable today -

ACTION TAKEN:

HARRI Responded - called Marcia back

CALL RECEIVED BY:

Kelly Curran

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joanne Graef	DATE:	7/6/04
PHONE:	456-8420	TIME:	12:30
ADDRESS	5 Hawthorne Circle	WIND DIRECTION:	NE 5 MPH
	Albany, NY	TEMPERATURE:	67°

NATURE OF COMPLAINT:

CDOR

LITTER

BIRDS

OTHER

COMMENTS:

Today went in yard the odor was unbearable. The odor is also in her home.

ACTION TAKEN:

CALL RECEIVED BY:

*Daniel Luruck*



# ALBANY LANDFILL COMPLAINT FORM

NAME:	?	DATE:	7/19/2004
PHONE:		TIME:	1:45
ADDRESS		WIND DIRECTION:	
	9	TEMPERATURE:	

**NATURE OF COMPLAINT:**

CDOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: ~~See~~ 12 + 14 Septic tank  
 located near the lake, starting to smell  
 early morning hours. Device

**ACTION TAKEN:**

Sent L-3 crew to check source  
 50% success - smell about 200 ft  
 from L-3

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARYBETH ABIDIANGELD	DATE:	7/27/04
PHONE:	452-9652	TIME:	6 PM
ADDRESS	13 PITCH PINE RD. (THE PINES)	WIND DIRECTION:	
	ALBANY, NY	TEMPERATURE:	

**NATURE OF COMPLAINT:**

CDOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: LEFT MESSAGE ON MACHINE WONDERING WHY OUR HAS GETTEN SO BAD -

**ACTION TAKEN:**

RETURNED CALL + LEFT MESSAGE

CALL RECEIVED BY:

KD

## ALBANY LANDFILL COMPLAINT FORM

NAME:	SANDRA FOX	DATE:	2/20/04
PHONE:		TIME:	1:21
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

CDOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

Referred Complaint -  
 N. Street Albany

**ACTION TAKEN:**

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Ken Panson?	DATE:	8/2/04
PHONE:	456 0225	TIME:	8:53 AM
ADDRESS	Village in the Green	WIND DIRECTION:	None
BY	Dimon Reality	TEMPERATURE:	Rain 70?
	783-5000		

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** He said he is on the board of Directors, Given the phone # 869-6767 for on site Number for the landfill, ALSO He said, that the methane smell has been very strong for the week, And it has caused complaints. He wanted to call the police if it was a emergency type thing. He would like someone to call him.

**ACTION TAKEN:**

I did not answer the phone, I went around the site, AT 9 PM the site has the same odor as always, The flares are on, NO Alarms, Wells are working.

Called back @ 11:35 PM 8/2/04: no complaint

CALL RECEIVED BY: Watchman





## ALBANY LANDFILL COMPLAINT FORM

NAME:	UNKNOWN	DATE:	8/7/04
PHONE:		TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

LEFT MESSAGE ON MACHINE ASKING FOR A RETURN CALL. NO NAME / NUMBER LEFT ON MACHINE.

**ACTION TAKEN:**

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Korina Kordziejek	DATE:	8/13/04
PHONE:	356-9025	TIME:	10:30 AM
ADDRESS:		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** odor is horrible on Washington Ave.  
 Extension as you get close to Crossgate  
 & are also coming in on the extension road,  
 in the "B" area area

**ACTION TAKEN:**

8/13/04: CALLER PHONE - 1-800-NYS-DEC @ 3:45

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	KEN PULCE	DATE:	8/16/04
PHONE:	869-7709	TIME:	
ADDRESS	8 REDUCED PARK	WIND DIRECTION:	
	OFF CANTON	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: NOTED ODOR LAST NIGHT.

BEEN GETTING WORSE OVER LAST YEAR;

WAS BAD DURING RAIN EVENTS.

**ACTION TAKEN:**

• EXPLAINED SITUATION - PENDING TIME

TABLE FOR PRIORITY

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE @ CROSSCAMP	DATE:	8/19/04
PHONE:	456-0261	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

SEE NOTE 10:00 - 12:00 AM. PATTENS COMPLAINT

**ACTION TAKEN:**

↓ EXPLANED SITUATION & PROVIDED A REFERENCE.

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Lisa Samal	DATE:	8/20/04
PHONE:	446-9954	TIME:	2:40PM
ADDRESS	9 Lakewood Blvd.	WIND DIRECTION:	
	(Street across Central	TEMPERATURE:	
	<del>Ave.</del> Ave., near Grand Mall)		

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

Odor bad at night; not sure if from landfill but smelled some odor at Walmart, so thinks it is from Washington Ave. Ex.

**ACTION TAKEN:**

Explained City's situation and what is being done - may call back next week to talk to Joe.

CALL RECEIVED BY:

*Kelly Curran*





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mrs. Ferras	DATE:	8-23-04
PHONE:	None Given	TIME:	10:13 AM
ADDRESS	5 Hawthorn Cir.	WIND DIRECTION:	Towards Colonie -
		TEMPERATURE:	65-70

**NATURE OF COMPLAINT:**

CDOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** She is going to call people to see what can be done. She is upset. It stinks over there and where she is.

**ACTION TAKEN:**

Made Records checked all the systems. ALL systems are OK. Left site to see about smell. There is a odor at the Dunes. Landfill was sprayed Friday at 3-4 pm. IT rained on Friday night until sat morn.

CALL RECEIVED BY: Steve Watchman.





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Chris Newbern / <sup>Paul</sup> <del>Rosen</del>	DATE:	3/25/04
PHONE:	452-3100 x4203	TIME:	10:10 AM
ADDRESS	BBL Construction & Trade	WIND DIRECTION:	
	302 Washington Ave Ext	TEMPERATURE:	
	Albany, NY		

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Odor is seeping into building through the HVAC system

**ACTION TAKEN:**

CALL RECEIVED BY:

*Kelly Dwyer*





## ALBANY LANDFILL COMPLAINT FORM

NAME:	HOLLY WEGTMAN	DATE:	9/1/04
PHONE:	862-2311	TIME:	10:01 AM
ADDRESS	20 THARSTON LN	WIND DIRECTION:	
	COUNCIL	TEMPERATURE:	

**NATURE OF COMPLAINT:**

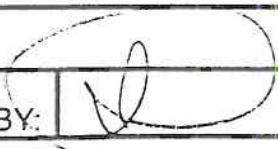
ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

• ODOR IN HOUSE; VERY BAD LAST NIGHT.

**ACTION TAKEN:**

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mara Rose Rozell	DATE:	9-1-04
PHONE:	864-7320	TIME:	12 pm
ADDRESS	28 West Meadow Dr.	WIND DIRECTION:	
	The Runes	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Odor was awful last night: so bad it  
 woke her out of a sound sleep.  
 Do you have any plans of notifying residents  
 about what is being done about this - maybe  
 a mailing of letters?

**ACTION TAKEN:**

	CALL RECEIVED BY:	Kelly Dwyer
--	-------------------	-------------

## ALBANY LANDFILL COMPLAINT FORM

NAME:		DATE:	9/2/04
PHONE:		TIME:	10:04 PM
ADDRESS	ALBANY TERR.	WIND DIRECTION:	
	COLONCE	TEMPERATURE:	

NATURE OF COMPLAINT:

DOOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: • COMPLAINT ON ANSWERING MACHINE

• NAME GIVEN BUT NOT UNDERSTOOD

• PHONE # 9460119689 ??

ACTION TAKEN:

	CALL RECEIVED BY:
--	-------------------





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mrs. Pire	DATE:	9/9/2024
PHONE:	802-1090 vt # 5370	TIME:	1:10
ADDRESS	17 Columbia Ave	WIND DIRECTION:	
	Big Hudson Ave.	TEMPERATURE:	
	NYSDEC		KAVI

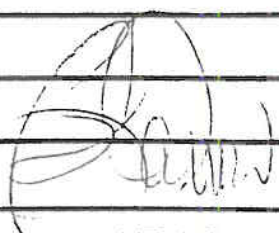
**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Small is terrible

Smelling worse over last few weeks

**ACTION TAKEN:**

	CALL RECEIVED BY:	
--	-------------------	--



## ALBANY LANDFILL COMPLAINT FORM

NAME:	VALERIE FLEMMING	DATE:	9/8/04
PHONE:	429-7787	TIME:	9:00 PM
ADDRESS	VILLAGE ON THE GREEN	WIND DIRECTION:	
	(OFF OF PINE ST / RAMP)	TEMPERATURE:	

NATURE OF COMPLAINT:

NOISE     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: CALLED BACK + QUICKLY EXPLAINED  
 PROBLEM (NYS ALBANY) + AT PLACE  
 TO ADDRESS IT

ACTION TAKEN:

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	KEN KAISON	DATE:	9/8/04
PHONE:	457-3751	TIME:	
ADDRESS	VILLAGE ON THE GREEN	WIND DIRECTION:	
	OFF OF JUNE/REPP	TEMPERATURE:	

**NATURE OF COMPLAINT:**

odor     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

CALLED BACK + EXPLAINED PROBLEM (MR ALBANY) +  
 OUR PLAN TO ADDRESS IT.

**ACTION TAKEN:**

CALL RECEIVED BY:











# ALBANY LANDFILL COMPLAINT FORM

NAME:	Laura Davis	DATE:	9/11/04
PHONE:	456-1064	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

COOR

LITTER

BIRDS

OTHER

COMMENTS:

Smelled much worse

ACTION TAKEN:

3. CALLED BACK + TALKED TO HUSBAND

CALL RECEIVED BY:

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mr. Green	DATE:	9/14/2004
PHONE:		TIME:	1:00
ADDRESS	Lot # 50	WIND DIRECTION:	
	For Run	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

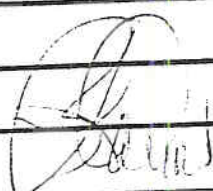
BIRDS

OTHER

COMMENTS: Animals nearby, bad

**ACTION TAKEN:**

CALL RECEIVED BY:



"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	T. J.	DATE:	7/12/91
PHONE:	415-211-1111	TIME:	1:30 PM
ADDRESS:	Deerpark Road	WIND DIRECTION:	SW to NE
		TEMPERATURE:	76°

**NATURE OF COMPLAINT:**

CDOR

LITTER

BIRDS

OTHER

COMMENTS: *Awful*  
*Smells ~~like~~*  
*so bad. I had to go home.*

**ACTION TAKEN:**

*W. H. J. D. P. J.*

CALL RECEIVED BY: *[Signature]*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	[Handwritten Name]	DATE:	[Handwritten Date]
PHONE:	[Handwritten Phone]	TIME:	[Handwritten Time]
ADDRESS	[Handwritten Address]	WIND DIRECTION:	[Handwritten Wind Direction]
		TEMPERATURE:	[Handwritten Temperature]

**NATURE OF COMPLAINT:**

CSOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

[Handwritten Comments]

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**ACTION TAKEN:**

[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

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[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

[Handwritten Action Taken]

CALL RECEIVED BY: [Handwritten Signature]

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Robert Druce	DATE:	9/24/04
PHONE:		TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

CDOR  LITTER  BIRDS  OTHER

COMMENTS:

UPDATE ON ODM Control Plan.

ACTION TAKEN:

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Ann Baumann	DATE:	9/24/04
PHONE:	452 0841	TIME:	9:49
ADDRESS	8 Coralberry Circle (Dunes) 12203	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

COOR

LITTER

BIRDS

OTHER

**COMMENTS:**

the smell is all the time now. Have to close  
house windows. Works in Latham smells  
horrible and getting worse everyday

**ACTION TAKEN:**

\* Return can + space w/ Dunes

CALL RECEIVED BY:

DS

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sandra Fox	DATE:	9-24-04
PHONE:	484-1675	TIME:	10:30 AM
ADDRESS	42 Maryland Ave.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

COOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: Residents of the Linnis are upset about the smell; however at the Polish Community Center last night and is really bad smell!

ACTION TAKEN:

✓ Returned - car Messrs.

CALL RECEIVED BY: K. Kurzer -



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Lisa Pizzenpo	DATE:	9/27/04
PHONE:	4647059 (W)	TIME:	
ADDRESS	22 Warren St	WIND DIRECTION:	
	Albany Ny 12203	TEMPERATURE:	70

**NATURE OF COMPLAINT:**

CSOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

The horrible smell from the landfill is really bad. Wants to know is this safe for them to be around constantly smelling this?

**ACTION TAKEN:**

• Decreased situation; Asked that I stopped.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joe Galu	DATE:	9/28/04
PHONE:	4554775	TIME:	10:30
ADDRESS:		WIND DIRECTION:	SSW/O
	Rapp Rd Arav	TEMPERATURE:	63.2

NATURE OF COMPLAINT:

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS:

People complaining about the odor  
 Also complaining about last week when at a  
 meeting at the Polish Community Center - "odor was  
 atrocious" The smell is worst now that it is  
 raining. He is receiving a lot of calls from Rapp  
 Rd area residents.

ACTION TAKEN:

• Called Bob + discussed situation.

CALL RECEIVED BY: DS

"PINK" - NYSDEC      "YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joe Santos	DATE:	9/30/04
PHONE:		TIME:	6:55 AM
ADDRESS	H. Dues	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

OSOR

LITTER

BIRDS

OTHER

COMMENTS: General area cleanup

**ACTION TAKEN:**

CALL RECEIVED BY:

"YELLOW" - RESPONDER







# ALBANY LANDFILL COMPLAINT FORM

NAME:	LORI FURMAN	DATE:	9/30/04
PHONE:	456-4466	TIME:	8:00 AM
ADDRESS	255 WASHINGTON AVE	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

CSOR

LITTER

BIRDS

OTHER

COMMENTS:

General OIL Complaint.

ACTION TAKEN:

CALL RECEIVED BY:

"DINK" - NYSDEC

"YELLOW" - RESPONDER





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joanne Graef	DATE:	10/1/04
PHONE:	456-8420	TIME:	12:18
ADDRESS	The Dunes	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

The odor is bad - really bad - Constantly putting  
 Carpet fresh on carpets in her home. Wants another  
 answer besides "we're working on it" Is going  
 to call the commissioner to see what can be done  
 about this problem - wants to start a petition  
 with neighbors who have the same complaints.

**ACTION TAKEN:**

\* Spoke to Joanne; Gave her an estimated  
 completion date of 10/15/04.

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Kirsten Barry	DATE:	10/01/04
PHONE:	456-6786	TIME:	10:45
ADDRESS	251 Washington Ave Ext	WIND DIRECTION:	
	Pineview Daycare	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Parents, Children & Teachers are complaining daily of the horrible smell they have been smelling lately. Daycare is losing enrollments because of the smell. Children are having a hard time playing outside because the odor is so bad. Please call and advise what to do and how long that this smell will be lasting.

**ACTION TAKEN:**

"Lost families due to smell"

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Rosealee Sokol	DATE:	10-5-04
PHONE:	842-9795	TIME:	4 <sup>30</sup> pm on answering machine
ADDRESS	14 High Dune Dr. (The Dunes)	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: On-Sundays smell of dump was terrible;  
 what are you going to do about it?

**ACTION TAKEN:**

CALL RECEIVED BY: *KDwyer*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Robert Walker	DATE:	10/20/04
PHONE:	473-3135	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

Smelled odor near Price Chapter Q  
 Western AE. "Just looking for an update"

**ACTION TAKEN:**

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Melvin Emswilk	DATE:	10/2/04
PHONE:	458-6240 / 989-4704 (897 147)	TIME:	11:32
ADDRESS	20 STELLMAN ROAD.	WIND DIRECTION:	
	Village of Greece.	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR 
                 
 LITTER 
                 
 BIRDS 
                 
 OTHER

COMMENTS: RATS IN YARD + HOUSE (IN THE HUNDREDS)  
 SPACE w/ LOW GROUND @ HEALTH DEPT.

**ACTION TAKEN:**

RE

CALL RECEIVED BY:





**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	Jim Casloy	DATE:	10/25/04
PHONE:	459-3262	TIME:	9.11
ADDRESS	6 Victor St.	WIND DIRECTION:	SSW 5
	Albany, 12266	TEMPERATURE:	44.9

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

Complaining about Amell's wants to know how much longer do they have to smell this odor and when is the dump going to be complete?

**ACTION TAKEN:**

CALL RECEIVED BY:

AB



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joe Galu-	DATE:	10/27/04
PHONE:	455 47 75	TIME:	10:17
ADDRESS	Tank McEneny ofc.	WIND DIRECTION:	NE 9
		TEMPERATURE:	48.5

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: Calling about the odor that was  
~~to~~ to be taken care <sup>of</sup> By now but it's not.  
 \* Karen Rogers - Baughn Drive - 456-3229\*  
 Is the resident that he is calling for.

**ACTION TAKEN:**

CALL RECEIVED BY:

*D. Burgio*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Ann Smigel	DATE:	10/27/04
PHONE:	456-4466	TIME:	10:20AM
ADDRESS	Early Childhood Education Center	WIND DIRECTION:	
	Washington Ave. EXT.	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

SMELL OF DUMP IS HORRIBLE TODAY. IT GAGS YOU,  
IS WORSE THAN USUAL-

→ Ann also called Sandra Fix to give complaint-

**ACTION TAKEN:**

Give Ann update on schedule.

CALL RECEIVED BY:

KELLY DWYER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Ken Ranson	DATE:	10/29/04
PHONE:		TIME:	<del>2:17 PM</del> 7:19 AM
ADDRESS	8 RICE TERRACE	WIND DIRECTION:	
		TEMPERATURE:	

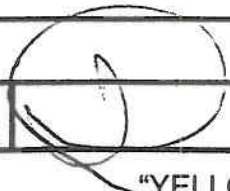
NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: ODD IN HOUSE.

ACTION TAKEN:

CALL RECEIVED BY:









# ALBANY LANDFILL COMPLAINT FORM

NAME:	Fred Dunleigh	DATE:	11-10-04
PHONE:	456-5070	TIME:	2 PM
ADDRESS	Fox Run Lot 41	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

COMMENTS:

Several mice coming up through vents outside

ACTION TAKEN:

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Kirstin Berry	DATE:	10-15-04-
PHONE:	451-6786	TIME:	5 <sup>pm</sup> message on machine
ADDRESS	Pine View Pre-School	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

spoke to us about a month ago regarding odor;  
 it is better, still smell it sometimes;  
 hoping to get an update call -

**ACTION TAKEN:**

\* Getting better over the past week

CALL RECEIVED BY:	K. Wyrer
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## ALBANY LANDFILL COMPLAINT FORM

NAME:	Ellen Rielly	DATE:	12/7/04
PHONE:	454-5873	TIME:	3 PM
ADDRESS	25 West Meadow Dr	WIND DIRECTION:	
	Albany, NY	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Odor in her house

**ACTION TAKEN:**

- ✓ Notice sent DMS
- ✓ Notice sent letter last 2 weeks.
- ✓ Site noted at next monitoring.

NOTE: AILUCCIO, AILUCCI, AILUCCIZ CUT OFF SERVICES

Due to container problem in line. Note drop in

performance pressure.

→ No odor detected during drive-by

CALL RECEIVED BY:

*K. W. [Signature]*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Scott Frush	DATE:	12/10/04
PHONE:	869 3798	TIME:	11:20 AM
ADDRESS	6130 Knott Road	WIND DIRECTION:	NE9
	Boulderland NY 12084	TEMPERATURE:	36.9

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

Complaining about the gas smells + odors  
 got worse lately - has some questions that he  
 would like to ask you

**ACTION TAKEN:**

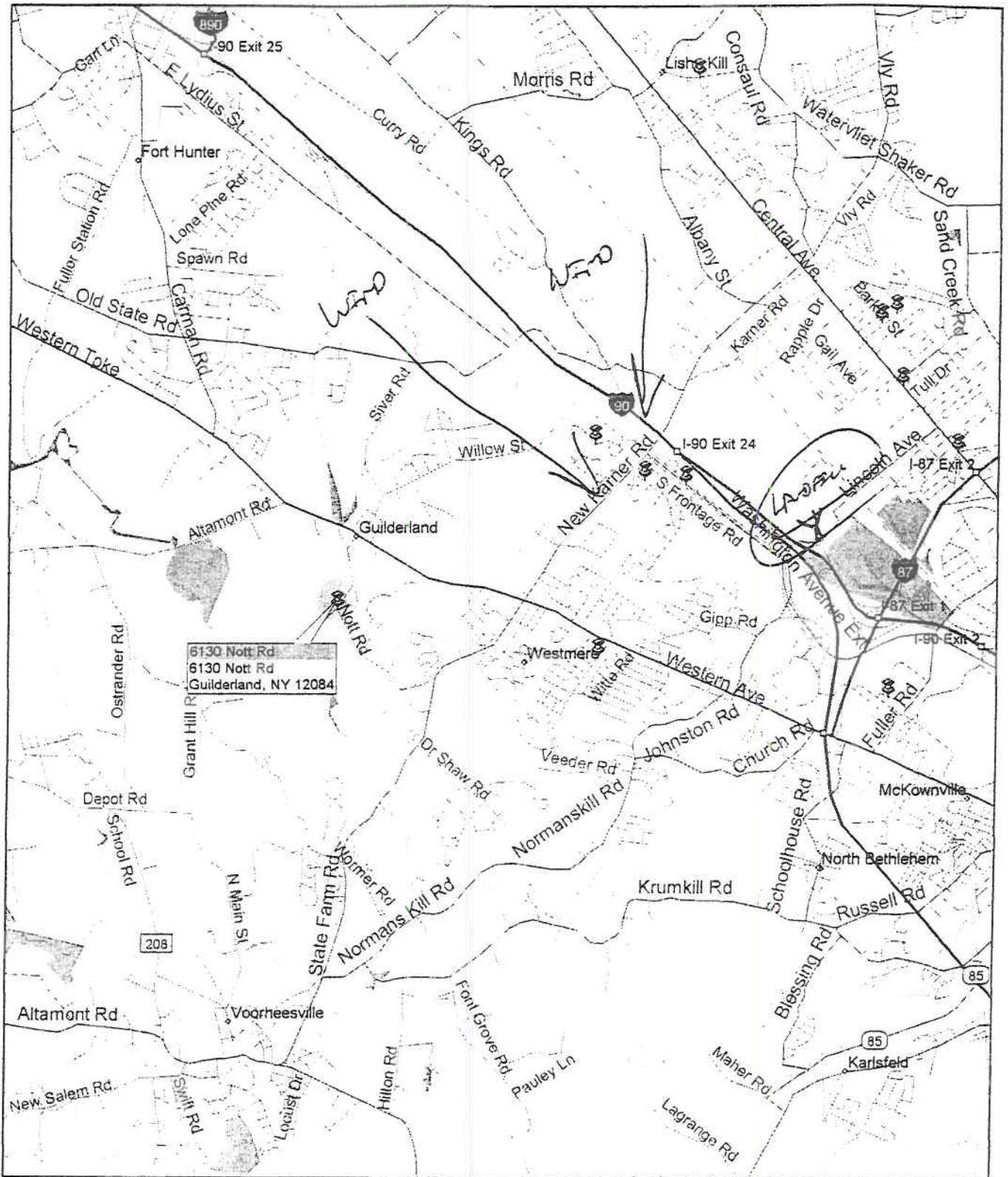
12/10/04: 12:45 PM - NO ANSWER / LEFT MESSAGE

NOTE - WEATHER PATTERN NOT CORRELATE W/ RELATIVE  
 LOCATION OF LANDFILL - SEE ATTACHED MAP +  
 WEATHER MAP.

CALL RECEIVED BY:

*Doree Squire*

6130 Nott Road Guilderland  
Scott Frush 869-3798



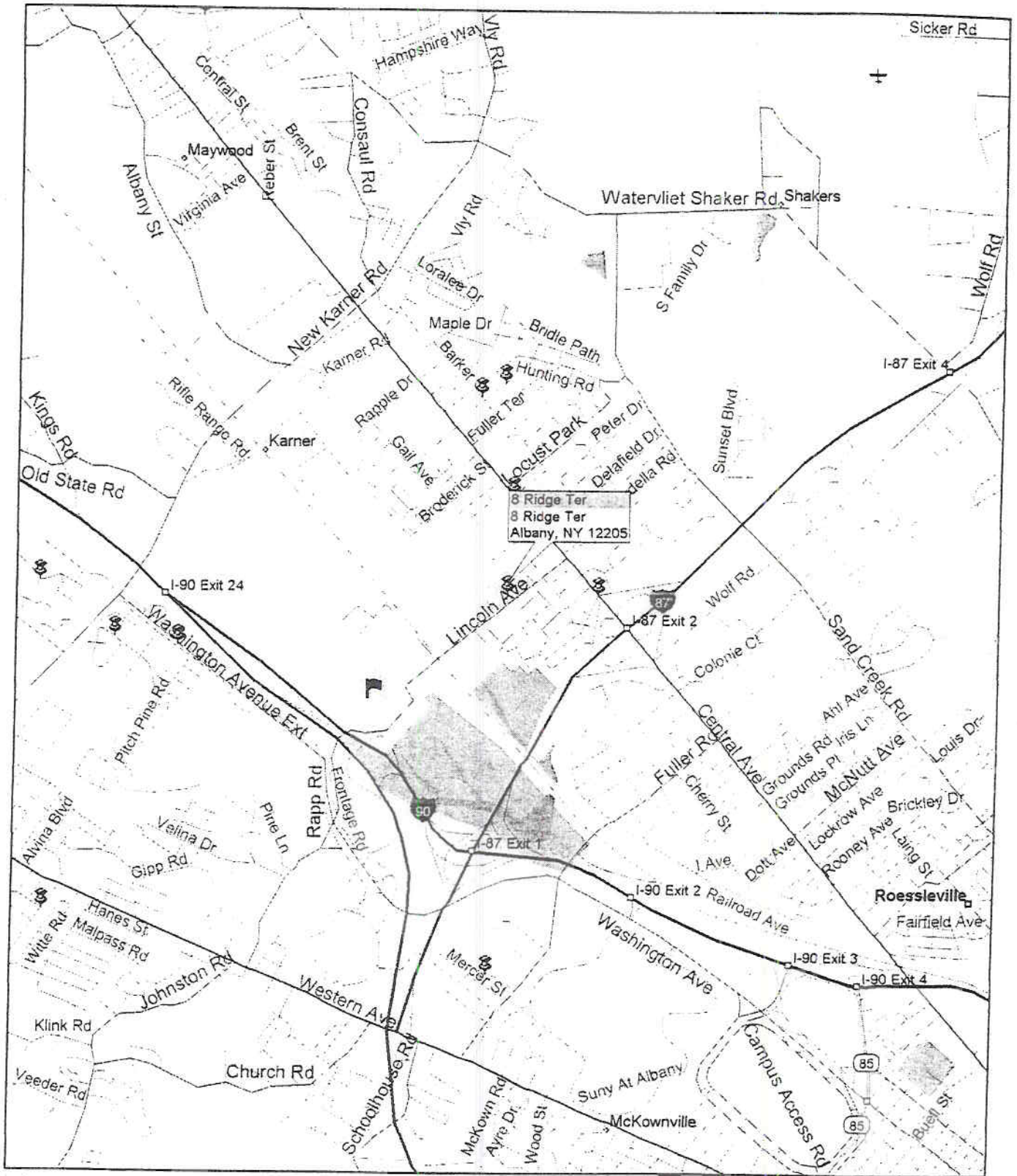
6130 Nott Rd  
6130 Nott Rd  
Guilderland, NY 12084

Streets98





**8 Ridge Terrace**  
Kim Pierce 12/14/04



Streets98



## ALBANY LANDFILL COMPLAINT FORM

NAME:	FRANK SIMON	DATE:	1/7/04
PHONE:		TIME:	10:00 PM
ADDRESS	# 42 FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

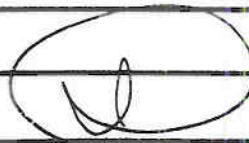
**COMMENTS:**

- NOTICED ODOR + WANTED TO REPORT IT.  
 - LEFT MESSAGE ON MACHINE.

**ACTION TAKEN:**

• STILL WORKING ON GAS CAUSED PROBLEMS.

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE NIBELLA	DATE:	2/1/05
PHONE:	456-0261	TIME:	11:40 AM
ADDRESS		WIND DIRECTION:	.
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: • ONE COMPLAINT

• SAT EVENING ~ 10:00 PM.

• CONCERNED ABOUT ~~BE~~ EFFECT OF  
BUSES

• NOTICED AGAIN THIS MORNING

SIDE NOTE: BIRDS ARE DETECTED!

**ACTION TAKEN:**

• REVIEWED @ 7:00 PM + SPoke w/ STEVE & LORIAN.

• NOTICED PAST STREET SINCE AREA OF REMOVAL; NOT  
LASTING

• INSPECTED SITE: FLARE WORKING, NO OTHER PROBLEMS. NO  
ODOR DETECTED.

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MIKE	DATE:	2/25/05
PHONE:		TIME:	9:15
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

COMMENTS: • NOTICED ODORS DURING LATE AFTERNOON  
ALONG IJ + WASHINGTON AVE EXT.  
• DID NOT REWIND SPEAKER TIMES IN  
PAGES.

ACTION TAKEN:

CALL RECEIVED BY:

## 2005 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 52

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

### Representative Comments:

- 7/21/05 5:30 pm “Man at gate in emotional state. Yelled at watchman about odors, that facility in not in compliance. Reported to be cursing.”  
(Man identified as Mr. Kopek.)

1/4/05 “bad odor, has been recurring problem.”  
Steven Hammond, DEC Central Office

2/8/05 “workers are saying won’t come to work – odor is making them sick.” Owner, Paul Delima Coffee Co, 18 Petra Lane.

3/19/05 “So Strong [odor] – afraid it would ignite and blow up.” Margaret Sims

12/5/05 “Sick of smelling this.” – Charles Morielli



2005  
Complaints

## CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Hammond

ADDRESS: NYS DEC Central Office

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 1/4/05

COMPLAINT RECEIVED BY: Dick Forger / Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: Drive into work / going home

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Downing on South side of landfill

DESCRIPTION OF ODOR: "bad", has been a recurring problem  
over last several months (first noticed as severe / frequent  
11/03)

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Jeff Schmitt

ADDRESS: NRSD EC Central office

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 1/3/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: evening

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Thruway / South side of landfill as driving by

DESCRIPTION OF ODOR: "worst I've witnessed in years" this in context of admission conditions had been better over recent months

ACTIONS TAKEN IN RESPONSE: -



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Sam Syrotinski / Shumaker Engineering

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 1/6/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: Driving by in morning / night

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Thruway / south side of landfill

DESCRIPTION OF ODOR: Odor detected routinely as driving by on way to work morning / coming home to night. Odor described as "Very bad". This complaint was not for specific incident, person will know on call when odor is experienced.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Hammond

ADDRESS: NYSD&C Central Office

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 11/6/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: approximately 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Driving on Glenway going  
from West to East

DESCRIPTION OF ODOR: "bad again this morning"

ACTIONS TAKEN IN RESPONSE: recorded complaint -



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom/Fran Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: 357-2245

DATE: 1/28/05

COMPLAINT RECEIVED BY: -

TIME OF DAY ODOR WAS DETECTED: 6:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: 9-10

LOCATION ODOR WAS DETECTED: Traveling on Thruway going West to east. grew stronger as traveled East. Lost odor as approached Thruway I-190 exit 24.

DESCRIPTION OF ODOR: De-compos. war gases - Muscating

ACTIONS TAKEN IN RESPONSE: Letter written / sent to City informing them conditions were considered a violation of part 360

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Don Corvies

ADDRESS: Albany Co Health Dept

COMPLAINANT'S PHONE NUMBER: 447-4620

DATE: 2/1/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: —

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Cross gates Mall

DESCRIPTION OF ODOR: Call to inform the AGHD received complaint of odors from Albany L/P by a restaurant owner in Cross Gates Mall

ACTIONS TAKEN IN RESPONSE: calling back for more information



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/1/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 5:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: no scale - simply "bad"

LOCATION ODOR WAS DETECTED: driving East to West on  
NYS Thruway

DESCRIPTION OF ODOR: "bad"

ACTIONS TAKEN IN RESPONSE: recording in log

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve DeBella

ADDRESS: Cross Gates Restaurant

COMPLAINANT'S PHONE NUMBER: 456-0261

DATE: 2/2/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: -

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Restaurant located  
near Ruff Road / Western Ave

DESCRIPTION OF ODOR: -

ACTIONS TAKEN IN RESPONSE: returning call of message  
from this individual and contact from  
VACDH regarding this business problems with  
W/F odor - Call originated from Ken Graves



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Albert Sicca / Italian Community Center

ADDRESS: Washington Extension / Ruff Road

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/24/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: —

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Center

DESCRIPTION OF ODOR: Calling to ask whether odors will again this year be as bad as last - made it difficult to have outdoor events - picnic area was a problem - they could not have another year like last!

ACTIONS TAKEN IN RESPONSE: explained changes to hardware in h/e over last 6 weeks - "working on it" - please call @ 357-2245 every time odor is detected - EVERY TIME!

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Phil Solicito

ADDRESS: Scotta N.Y.

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/24/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: approximately 6:00

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: business on Washington  
Avenue Extension - directly South of landfill.

DESCRIPTION OF ODOR: odor was "rank"

ACTIONS TAKEN IN RESPONSE: recorded complaint in log



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: William Clarke

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: 357-2455

DATE: 2/24/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 5:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: "very bad"

LOCATION ODOR WAS DETECTED: driving by on NIS Thruway

DESCRIPTION OF ODOR: "very bad"

ACTIONS TAKEN IN RESPONSE: recorded in log

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Phillip Catchpole

ADDRESS: 3 Pine West Plaza

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/8, 2/9/05

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: message left "Albany landfill"  
Smells

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_





# ALBANY LANDFILL COMPLAINT FORM

NAME:	[REDACTED]	DATE:	2/28/05
PHONE:	456-11695	TIME:	4pm
ADDRESS	Point of Woods	WIND DIRECTION:	Unknown
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

### COMMENTS:

Odor from Landfill has been bad the last couple of days, worse than normal. It always stinks but this is worse wants to know what is being done to get rid of Odor.

### ACTION TAKEN:

CALL RECEIVED BY:

S. Smilde

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE DIBELLA-	DATE:	3/1/05
PHONE:	456-0261	TIME:	
ADDRESS	CROSSCREEK	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: <sup>oo</sup> CROWS ARE BACK

EARLY AM + LATE PM.

<sup>oo</sup> ODORS ARE BETTER THAN IN THE PAST-

ACTION TAKEN:

<sup>oo</sup> USDA <sup>oo</sup>

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Laura Davis	DATE:	3-7-05
PHONE:	456-1064	TIME:	7:54 PM
ADDRESS	Through <del>the</del> Breed Lane.	WIND DIRECTION:	None
	Colonie.	TEMPERATURE:	27 + or -
	The other side of central Ave.		

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** Wants To know when the smell is going away. Its is a bad smell. Please call her to let her know when the smell is going to be gone.

**ACTION TAKEN:**

Report taken by watchmen -  
 Road around landfill the smell isnt. Bad here.

CALL RECEIVED BY: ST.









## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARGARET SIMS	DATE:	3/19/05 (052)
PHONE:	767-2233	TIME:	10:00 PM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

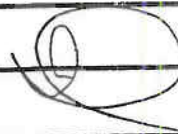
COMMENTS:  $\nabla$  Report taken by P. FORGETA @ DEC +  
 Reported to city @ Noon 3/21/05

$\nabla$  INDICATED Strong COOR @ THRUWAY EXIT  
 24 "SO Strong THAT SHE WAS AFRAID IT  
 WOULD IGNITE + Blow UP"


**ACTION TAKEN:**

• CALLED BACK + LEFT A MESSAGE

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:		DATE:	4/15/05
PHONE:	452-9259	TIME:	1:09 pm
ADDRESS		WIND DIRECTION:	
	Dunes	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

\* HAD SMOELD & AROUS HUNG ABOUT  
 \* AROUND DAY TIME  
 \* HAS NO ACTUAL SMOELD ANYMORE FOR A  
 MONTH!

**ACTION TAKEN:**

\* GIVEN TIME - FRAME OF COMPLAINT, SUTHER UPDATES  
 LOCUS Solved THE PROBLEM.  
 \* SHE WILL CALL BACK IF ODOR IS DETECTED.

CALL RECEIVED BY: 



# ALBANY LANDFILL COMPLAINT FORM

NAME:	[REDACTED]	DATE:	5/3/05
PHONE:	453-1014	TIME:	2:48 PM
ADDRESS	BRUKL AVE	WIND DIRECTION:	
	ALBANY	TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

\* LEFT MESSAGE ON VOICE MAIL

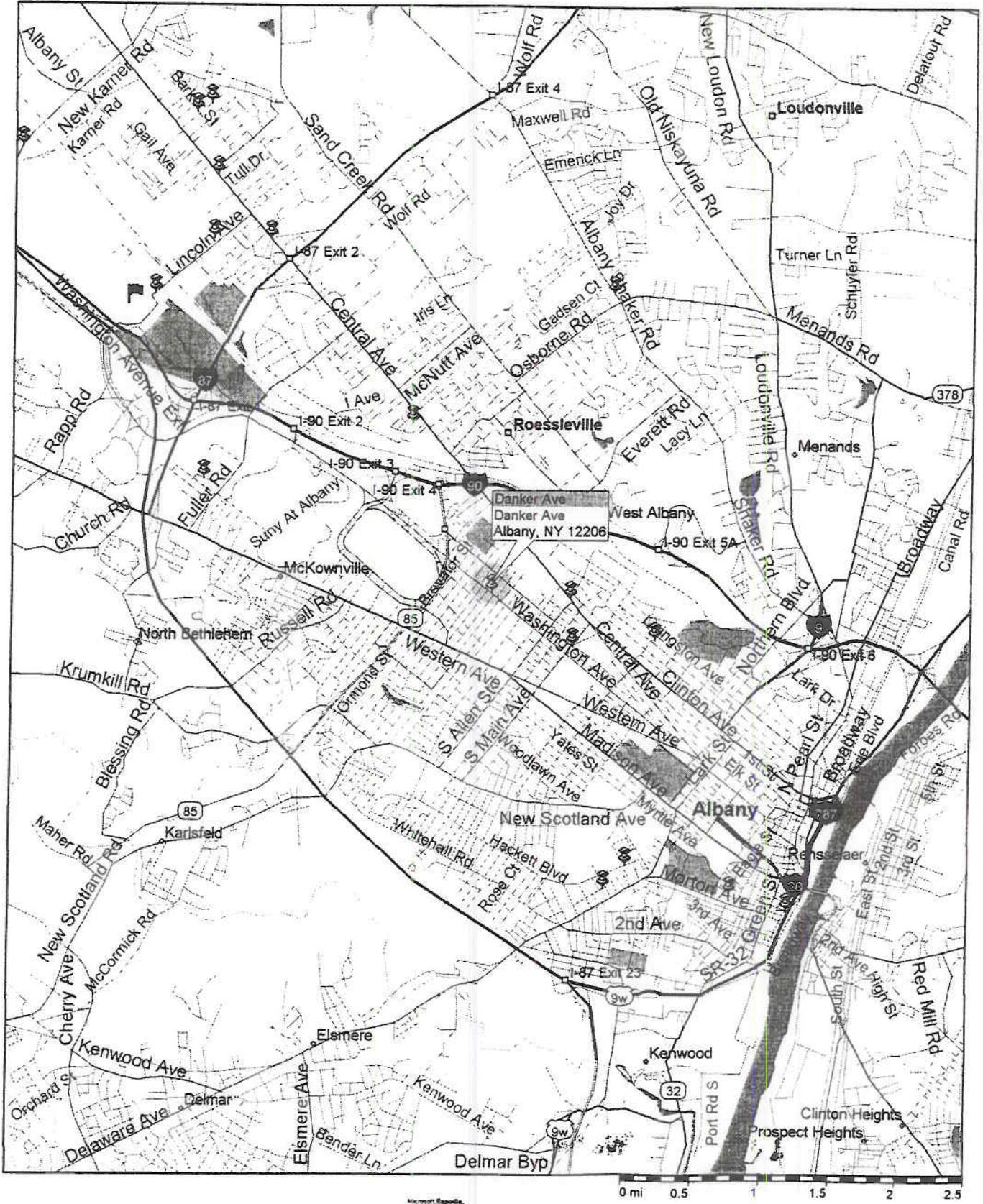
### ACTION TAKEN:

\* RETURNED CALL ON 5/3/05 + 5/4/05; LEFT  
VOICE MAIL; NO RESPONSE FROM RESPONDER

CALL RECEIVED BY:



# Danker Ave Odor Complaint



Microsoft MapData.  
**Streets98**



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Steve Debella	DATE:	5-12-05
PHONE:	456-0621	TIME:	7:35 P.M.
ADDRESS	Crossgate Banquet house	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

very offensive odor, methane smell

ACTION TAKEN:

CALL RECEIVED BY:

*Natasha*

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	DGS	DATE:	5-12-05
PHONE:		TIME:	7:41 pm
ADDRESS	1 Conners Blvd	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

received call about odor "sticks"

ACTION TAKEN:

CALL RECEIVED BY: *watchman*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	DORCEY AMY	DATE:	7/2/05
PHONE:	464-0935	TIME:	10:30
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

FRESH MESH - NEARBY AREA @ PLEASANT CREEK CENTER  
 9:00 AM  
 1-10 ~ 3

**ACTION TAKEN:**

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MR. KOPECK	DATE:	7/21/05
PHONE:		TIME:	~5:30 PM
ADDRESS	LINCOLN AVE	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS:

- MR. KOPECK APPROACHED MAIN GATE IN "EMOTIONAL STATE" + STARTED TO VELLER AT WAREHOUSE ABOUT ODORS, THAT THE FACILITY WAS NOT IN COMPLIANCE + THAT HE WAS CONTACTING THE MEDIA + NYSDEC.
- MR. KOPECK DID NOT IDENTIFY HIMSELF - WAREHOUSE HAD TO KNOW HIM.
- MR. KOPECK WAS REPORTED TO BE CURSING + TELLING @ WAREHOUSE.

**ACTION TAKEN:**

• NO SPECIFICS PROVIDED

CALL RECEIVED BY: 



## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARY SIMON	DATE:	10/3/05
PHONE:		TIME:	1:00 PM
ADDRESS		WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: (1) PEST-HOLE @ ENTRANCE CAUSING SHAKING

IN HOUSE

(2) DESIRE TO BE INVOLVED w/ RESTORE  
PROCESS

(3) WANTED TO KNOW WHY SHE WAS NOT  
INVITED TO FOR R.N. MEETING.

**ACTION TAKEN:**

- PEST HOLE BEING REPAIRED.

- CONTACTED BO GILLEN (DSE); REQUESTED  
THAT HE TAKE TO HIS DRAWING.

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	LINDA ADDISON	DATE:	10/23/05
PHONE:	518-0222 / 518-6417	TIME:	12:03
ADDRESS:		WIND DIRECTION:	
	VILLAGE OF GLENES	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "ODOR IN VILLAGE OF GLENES IS UNBEARABLE &  
 IT HAS BEEN THERE ON AND OFF FOR OVER A YEAR"

**ACTION TAKEN:**

- RECEIVED CALL @ 12:11 PM; LEFT MESSAGE
- ON + OFF ENTIRE SUMMER - "A LITTLE LESS"
- DUNKED DUNKS, LUNCH, FULLER TRUCK,
- WATER FREE IT IS BAD.
- COMMENTED ON EXPANSION PLANS.

→ ASKED HER TO CONTACT W/ ALBANY STATE AIRPORT CDON.

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	Whitten Kanne	DATE:	11-12-05
PHONE:		TIME:	9:17
ADDRESS	Fox Run Estate	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: Hunters on premises

**ACTION TAKEN:**

I went over and asked them not to hunt over there and I would notify the Colonie Police.

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE DEBELLA	DATE:	11/19/05
PHONE:	CROSSGATE RD.	TIME:	7:15 PM
ADDRESS:		WIND DIRECTION:	CALM
		TEMPERATURE:	29

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: ODR BAD OUTSIDE OF BUILDING +  
BEING DRAWN INTO BUILDING.

**ACTION TAKEN:**

- Arrived @ 7:35 + Detailed call @ Crossgate.
- Inspected site - found no odor sources - noise could.
- Inspected site between landfill + Crossgate until 9:00 PM + found no ODR traveling off site.
- Wind was measured to be calm (0 mph).
- Inspected blame strip from 40th to 42th.

CALL RECEIVED BY: 

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Tina Stonefield	DATE:	2/28/05
PHONE:	456-11695	TIME:	4pm
ADDRESS	Point of Woods	WIND DIRECTION:	Unknown
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Odor from Landfill has been bad  
 the last couple of days. worse than  
 normal. It always stinks but this is worse  
 wants to know what is being done  
 to get rid of Odor.

**ACTION TAKEN:**

	CALL RECEIVED BY: <i>S. Smille</i>
--	------------------------------------

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Mary Wicniewski, Kyril W. Jan W., Amanda Palmer

ADDRESS: SO Matt Costa, Fay Fay  
Scotia, AL?

COMPLAINANT'S PHONE NUMBER: —

DATE: 2/28/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 5:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 8-10

LOCATION ODOR WAS DETECTED: Highway traveling west to  
East exiting @ Exit 24

DESCRIPTION OF ODOR: "Dis juring"

ACTIONS TAKEN IN RESPONSE: Inspection - arrived @  
Exit @ 6:30, detected weak odors getting off  
Highway along Washington Ave Exit, in  
Station Community Center parking lot, and  
moderate → Strong getting back onto Highway.  
Northwester storm approaching - significant  
change in wind/pressure.

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Albert Sacca

ADDRESS: Italian Community Center

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/24

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: —

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Center

DESCRIPTION OF ODOR: Calling to express concern  
that continuing conditions which could  
affect their upcoming summer season -  
they hold outdoor activities which  
last summer were a problem

ACTIONS TAKEN IN RESPONSE: —



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve DeBella

ADDRESS: Cross Gates Bungalow House

COMPLAINANT'S PHONE NUMBER: 456-0261

DATE: 3/12/05 7:30pm

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 7:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: @ place of business  
Washington Rd in Elkton

DESCRIPTION OF ODOR: very bad - not as bad  
as today night but detected - tonight  
very bad

ACTIONS TAKEN IN RESPONSE: recorded and will  
follow up with city

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Barre

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: E-mail message

DATE: 3/18/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 8:00

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Thruway Exit 24 Traveling  
East

DESCRIPTION OF ODOR: "stinky"

ACTIONS TAKEN IN RESPONSE: Inspection - did not find  
conditions that constituted a violation - did  
detect odor but not real strong and was  
working fine odor - not real offensive



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Phil Silvestro

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/17/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 6-8:00 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Washington Ave Extension  
North side of road way @ one of businesses

DESCRIPTION OF ODOR: odor was "real bad" on  
this night 3/17/05 and previous night 3/16/05 -  
this is in contrast of it not being too bad  
last few weeks

ACTIONS TAKEN IN RESPONSE: Record Complaint

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Margaret Somo

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: 767-2233

DATE: 3/19/05 @ 10 pm

COMPLAINT RECEIVED BY: Dick Forger

TIME OF DAY ODOR WAS DETECTED: 10 pm

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: driving thru @ Exit 24  
on NYS thruway

DESCRIPTION OF ODOR: "Very bad" "Squeaking" "So strong  
it would ignite and blow up"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Blaize Constantakes

ADDRESS: Region 4

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/23/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 6:00pm 3/22/05; 8:00Am 3/23/05

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: House @ exit 24

DESCRIPTION OF ODOR: "very bad"

ACTIONS TAKEN IN RESPONSE: recorded

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Beave

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/23/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Highway exit 24

DESCRIPTION OF ODOR: "stinky"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Barre

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/24/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 3/24/05 Am (8:00) 3/23/05 6:00pm

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Heavy Gas @ Exit 24

DESCRIPTION OF ODOR: 3/24/05 could detect - not real bad, 3/23/05pm - "gaging"

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Clallen

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/24/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 9:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Storming Exit 24

DESCRIPTION OF ODOR: "seal bad" - came back by @ 12:00 and no real odor detected - regular odor due to equipment fill pipe - there was off gas replacement of 1/2" feed within 15" of pipe

ACTIONS TAKEN IN RESPONSE: —



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Ted Rodak

ADDRESS: Sec Region 4

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/28/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 7:50 Am, 10:45 Am

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Washington Avenue Extension  
between Cross Gates exit and Pine Tree Church  
day care -

DESCRIPTION OF ODOR: Odor was described as being  
similar to bottled gas - thought we possibly  
have been receiving complaints of gas leak -  
this again a complaint of gas containing  
odors similar to sulfur compounds.

ACTIONS TAKEN IN RESPONSE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Folts

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/28/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: late afternoon 4-5:00 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: 2 miles of thruway as  
passing landfill

DESCRIPTION OF ODOR: "Even though it stinks  
every day, this was a particularly bad day"

ACTIONS TAKEN IN RESPONSE: record complaint



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/28/05

COMPLAINT RECEIVED BY: self

TIME OF DAY ODOR WAS DETECTED: 6:30pm / 10:00 pm

SEVERITY OF ODOR ON SCALE OF 1-10: 2-3

LOCATION ODOR WAS DETECTED: Highway as passing location where fire is seen next to thru motion

DESCRIPTION OF ODOR: not strong but very obnoxious - landfill gas odor - not garbage - worse going by @ 6:30 - that was the trouble thru motion obnoxious the odor was even though it was relatively weak - that level is a drive by party would not stay out side if had to smell it - definitely would not be out having a picnic on a nice summer evening

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Snider

ADDRESS: NYS Thruway Night Supervisor

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/30/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: "last night"

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ Exit 24 of NYS Thruway  
^ odor was stronger than usual

DESCRIPTION OF ODOR: Odor was experienced "last night" and came in @ 6:14 AM, and was described as "stronger than usual". Mr. Snider was carbon copying his supervisor of problem and was reporting event.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Bunte

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 12/2/05

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: early evening (5-6:00 pm)

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Highway - on 12/1

DESCRIPTION OF ODOR: \*that thing stunk last night bad\*

ACTIONS TAKEN IN RESPONSE: -

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Cherry Hill

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 12/15/08

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 1:00 pm on 12/14

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Central Ave between hwy 28 and 29th St

DESCRIPTION OF ODOR: smelled like "land fill" - bad

ACTIONS TAKEN IN RESPONSE: -



COUNTY \_\_\_\_\_

DATE: <sup>MON</sup> 12 / 5 / 05

NAME: O'Neill

# REGION 4 AIR COMPLAINT LOG

## COMPLAINANT:

Name: Charles Morielli

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: 869-6654

## COMPLAINT :

TYPE:  Particulates  Opacity  Visible  Odor  Fugitive or Other

Landfill - could smell SUN am 1:00

could smell on Central Avenue sick of smelling this

## ACTION TAKEN :

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Mary Wronowski

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 12/12

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: early evening

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Truway driving East & West

DESCRIPTION OF ODOR: several people in car all smelled objectionable odor - "smelled real bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Mary Barry

ADDRESS: 1145 DEC

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 12/18/05 complaint received

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: early Evening 12/17

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: driving East to West on  
Thruway

DESCRIPTION OF ODOR: "Land fill was rather stinky  
last night."

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MARION S. KURITZ  
HYMAN KURITZ  
100 WHITE PINE DRIVE, #116  
ALBANY, NY 12203-6400  
518/640-9516  
February 3, 2006

FEB 06 2006

Mr. Dick Forgea  
Dept. Environmental Conservation  
1150 N. Westcott Road  
Schenectady, NY 12306

RE: RAPP ROAD LANDFILL ODORS/OTHER OFFENSES

Dear Mr. Forgea,


As residents of the retirement community at Avila, located behind Teresian House on Washington Ave. Extension, we are experiencing noxious odors emanating from the Rapp Road landfill. In addition to the methane gas burning, we find these odors offensive as well as health threatening to the populations in the nearby areas, including the Town of Colonie.

We have organized residents here, as well as collaborating with the Save the Pine Bush group, to record, as of January 13, 2006, and on a continuing basis those odors and other offensive/health threatening events occurring at this site. We will forward these lists on a regular basis to both you and the Albany Common Council representatives involved.

We would hope that these listings will bolster your efforts as Solid Waste Program Director to advocate a better way to dispose of waste materials.

Should you wish to come to our community and address our nearly 225 residents (who vote regularly!) on this issue, please contact me and this can be arranged. We have had Mr. Jack Lauber here who informed us of state-of-the-art waste to energy facilities in many parts of the world... including Syracuse, NY!

Thank you for your efforts and interest.

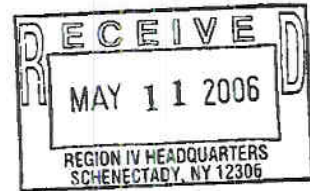
  
Marion S. Kuritz  
Avila Resident







Marion and Hyman Kuritz  
100 White Pine Drive, #116  
Albany, NY 12203-6400  
May 10, 2006



Mr. Thomas R. Reynolds, P.E.  
1150 N. Westcott Road  
Schenectady, NY 12306-2014

Dear Mr. Reynolds,

The new flares at the Rapp Road landfill may be operational, but are not as effective as you and the city had expected.

We have continued to ask our residents at Avila to record their episodes with the air pollutants we experience. These are attached for your information, once again.

After our April 2nd meeting which Mr. Bruce, Albany's Com. of General Services, attended we followed his suggestion that residents call the landfill office directly, 24 hours a day, to have their experiences recorded, so that the city could address the problem immediately. We have diligently done that. We continue to do that. However, the odors continue.

Equally important to us, is the quality of that air carrying the odors. Does it sound healthy to you? Not to our residents! There are other facilities directly in line with the air quality: Teresian House and Daughters of Sarah. Some folks at the Teresian House have asked us for the phone number of the Rapp Rd. landfill office. We have supplied it to them. Clearly, we do not have a record of those phone calls...we have had some feedback from our residents as to the conversations.

I am enclosing a letter FYI that our resident wrote for the Save The Pine Bush Newsletter. "A Plan for Planning" covers our hope for the future of this landfill. Do not expand it. Plan for the future.

Your response is always welcome.

Sincerely,

A handwritten signature in cursive script that reads 'Marion S. Kuritz'. The signature is fluid and somewhat stylized.

Marion S. Kuritz

Encl.

**RECORD ANY ODORS FROM THE  
LANDFILL THAT YOU HAVE  
EXPERIENCED HERE**

**THIS DOCUMENT WILL BE SENT TO  
THE NYS DEC SOLID WASTE  
PROGRAM DIRECTOR**

**AVILA LANDFILL COMMITTEE**

**YOUR NAME                      DATE/TIME                      WHAT DID  
    OF EPISODE                      YOU EXPERIENCE?  
PLEASE PRINT!**

Sat. Apr. 1    4:30 AM    odor of damp in light rain, choking!  
4/2    9:45 PM.    Burning smell outside of  
TERESA AVELLINO    patio, closed door, odor coming  
& 4/1    in apt. Have smelled burning smell  
    other times.

4/7    8:00 PM    Washington Ave + Rapp Rd

4/14    6:30 AM - 8:30 AM    Strong dump odor wind in  
    coming in bedroom window  
    Choking!!

UGRA LABS

4/29    9 PM    PUTRID SMELL

4/30    8:05 PM    SAME PUTRID SMELL AS I

ARRIVE HERE - SMELL ON WASH. AV. ARND

CONTINUES ON TO AVILA - IF IT IS NOT

FROM THE DUMP -- WHERE IS IT COMING FROM??

4/29 Fri Eve. 8:30 2 tall flares &  
very bad smell





**RECORD ANY ODORS FROM THE  
LANDFILL THAT YOU HAVE  
EXPERIENCED HERE**

**THIS DOCUMENT WILL BE SENT TO  
THE NYS DEC SOLID WASTE  
PROGRAM DIRECTOR**

**AVILA LANDFILL COMMITTEE**

**YOUR NAME                      DATE/TIME                      WHAT DID  
PLEASE PRINT!                      OF EPISODE                      YOU EXPERIENCE?**

YOUR NAME PLEASE PRINT!	DATE/TIME OF EPISODE	WHAT DID YOU EXPERIENCE?
T. AVELLINO	MORNING 9:00 3/14/06	BAD SMOELL IN HALLWAY (EAST)
Julia Blanchard	3/16/06	bedroom + less in other rooms NOR. EAST exposure      Choking for 2 hrs.
"	3/17/06	Same as yesterday
"	3/19/06	briefly in a.m.
MARION KURITZ	3/23/06 9:25AM	Strong, NOXIOUS odor in parking on Rapp Rd.
Riya Redlich	3/27/06 3:40pm	garbage smell on Rapp Rd. near landfill
Chryl Man	3/28 11 <sup>30</sup> pm	Smell from garbage from APT. 101 till curvy terrace
Ferry Tenaids	3/29	Smell from garbage on Rapp Rd.
TERESA AVELLINO	3/26 1:30AM.	ODOR IN APT. (EAST) BY WINDOW
"	3/27 3:00AM.	ODOR IN APT. (EAST) BY WINDOW
"	3/29 10:00PM.	ODOR IN HALLWAY (WEST) UGH!!
N. Linder	4/1 7:45	ODOR OF BURNING







# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve DeBella  
ADDRESS: Cross Gates Restaurant  
COMPLAINANT'S PHONE NUMBER: —  
DATE: 4/1/06  
COMPLAINT RECEIVED BY: NRZ

TIME OF DAY ODOR WAS DETECTED: PM - 7:30  
SEVERITY OF ODOR ON SCALE OF 1-10: —  
LOCATION ODOR WAS DETECTED: @ business

DESCRIPTION OF ODOR: Smells all around his restaurant - landfill - here to surface kind of smell to it

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/1/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 7:15 (AM or PM?)

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: odor of burning

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Av. 1/6 Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/1/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 4:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor of dump in light rain,  
choking

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/2/06 and 4/1/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:45 PM (4/2/06)

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: burning smell out side of  
pts, closed door and odor coming in  
apt. have smelled burning smell other times.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Kevin Kopeck  
ADDRESS: Lincoln Ave  
COMPLAINANT'S PHONE NUMBER: 209 3333/869-0745  
DATE: 4/8/06  
COMPLAINT RECEIVED BY: SKR

TIME OF DAY ODOR WAS DETECTED: 11:04 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: —

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/06/06

COMPLAINT RECEIVED BY: TJ32

TIME OF DAY ODOR WAS DETECTED: 11:01 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: No description - just that  
smelled landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mr. Healey

ADDRESS: 22 Fuller Terrace

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/6/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 11:01 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: no description - just that smelled landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/7/06

COMPLAINT RECEIVED BY: DRR

TIME OF DAY ODOR WAS DETECTED: 8:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Washington Ave & Rapp Rd

DESCRIPTION OF ODOR: —

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Lynn Gaudio

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/7/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:30

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on Highway traveling west to east next to landfill

DESCRIPTION OF ODOR: really bad, awful, disgusting

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Sam Szyrinski

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/8-9 (over weekend)

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: —

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Exchange 24

DESCRIPTION OF ODOR: Smelly real bad - often  
does going through falls

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Marcia Ellis

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/8/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 1:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: <sup>253</sup> Washington Ave

DESCRIPTION OF ODOR: land fill odor was overwhelming

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/8-9 (over weekend)

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: —

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Exchange 24

DESCRIPTION OF ODOR: smell real bad - smells id  
often going through throwaway toll booths @ 24

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Poussa Ave. Inc.	DATE:	4.2.06
PHONE:		TIME:	mid
ADDRESS	Fox Run	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** Skunk and skunk scented particles etc. coming from the landfill sometime in (last) the week and Fox Run Estate and Fox Run area of odor smells.

**ACTION TAKEN:**

investigated found nothing in the the incident in the Report

CALL RECEIVED BY: *C. Watchman, Trench*

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Steve Synder	DATE:	4-8-06
PHONE:	456-6345	TIME:	12:34am
ADDRESS	Nys Thruway with	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: Steve Synder said he smelled a foul odor he wanted to know if there was a problem with the flare

### ACTION TAKEN:

After making the rounds again I explained to Mr Synder that both of the landfill flares were burning very well and that I didn't smell anything foul other than garbage it's not us.

CALL RECEIVED BY: Watchman



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: No Name

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/12/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:15 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "smells land fill"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Peresa Avelino	DATE:	4-10-06
PHONE:		TIME:	11:31am
ADDRESS	#115 Apt	WIND DIRECTION:	West
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** mcs Avelino called said she smells a slight odor coming from the landfill everyday and shes tired of it.

She said the smell is coming from the west direction.

Mcs Avelino said she was told to call everynight and make a complaint and thats what shes gonna do. She said she watched a television show that told her that landfills are dangerous

**ACTION TAKEN:**

I listened very closely to her & informed her that the place was lit and running well

She said she would still call and make a complaint until the landfill stop smelling.

I told her she was free to do that or call me Joe Gabelius in the mornning.

CALL RECEIVED BY: Jerome Terrell Watchman

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: No name

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/12

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:15 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "smells land fill"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: No name given

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/12/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:15 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smells land fill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
PLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Park Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/14

COMPLAINT RECEIVED BY: WRR

TIME OF DAY ODOR WAS DETECTED: 12:12 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 1 out of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: just a "1 out of 10"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/14/06

COMPLAINT RECEIVED BY: IRR

TIME OF DAY ODOR WAS DETECTED: 6:30-8:30 Am

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: in apartment - coming  
in bedroom window

DESCRIPTION OF ODOR: Strong dump odor - choking

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_





# ALBANY LANDFILL COMPLAINT FORM

NAME:	TERESA	DATE:	4/19/06
PHONE:	N/A	TIME:	7?
ADDRESS	AVILA	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: "SMELLED THE DUMP"

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	JIM LEYNOLD	DATE:	4/19/06
PHONE:	None	TIME:	10:00 AM
ADDRESS	"RETIREMENT COMMUNITY"	WIND DIRECTION:	NORTH.
	ACROSS THE STREET "(AVENUE?)"	TEMPERATURE:	67°

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: NOTICED ~~SMELL~~ TERRIBLE ODOR FROM  
 LANDFILL @ 10:00 AM.  
 LEFT VOICEMAIL B/C NO TELEPHONE #.

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/23/06

COMPLAINT RECEIVED BY: TDK

TIME OF DAY ODOR WAS DETECTED: 5:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 3

LOCATION ODOR WAS DETECTED: on Thruway near  
west end of Greater Albany Landfill

DESCRIPTION OF ODOR: land fill gas odor

ACTIONS TAKEN IN RESPONSE: —



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Neresa Aulon	DATE:	4-23-06
PHONE:		TIME:	6:56 pm
ADDRESS	115 Eastside Aulon	WIND DIRECTION:	
		TEMPERATURE:	47°

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** She told me that she wanted to call up and complain about the odor complaint smell. She keeps smelling. She said she will call everyday.

**ACTION TAKEN:**

I informed her that she needs to call in the morning during business hours and someone would be better able to assist her.

CALL RECEIVED BY:

*Serome Genevieve Watson*

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/23

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 5:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 3

LOCATION ODOR WAS DETECTED: on thruway near  
West end of Greater Albany Landfill

DESCRIPTION OF ODOR: landfill gas odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Marcia Ellis

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/21

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: afternoon on 4/22

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: throwaway driveway to exchange 24

DESCRIPTION OF ODOR: smelled real bad

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Dirk Fargen

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/24

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: after noon on 4/23

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Home Depot parking lot

DESCRIPTION OF ODOR: could smell landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Fuller Terrace / @ work on Killian Rd

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/24

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: 8 out of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: 8 out of 10

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Robert Durkin

ADDRESS: Pinehurst over on Rt 155

COMPLAINANT'S PHONE NUMBER:                     

DATE: 4/24

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10:                     

LOCATION ODOR WAS DETECTED: Washington Ave near  
Lordon House

DESCRIPTION OF ODOR: "smelled bad"

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller terrace / Barker Street

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/24

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 11:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ above intersection

DESCRIPTION OF ODOR: "can smell that smell"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Pinehurst near Rt 155

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/24/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Washington Ave near  
Terrison House

DESCRIPTION OF ODOR: "Smelled bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace / @ work on Killian Rd

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/24/06

COMPLAINT RECEIVED BY: DRR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: 8 out of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "8 out of 10"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Marcia Ellis (DEC)

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/24/06

COMPLAINT RECEIVED BY: JOE

TIME OF DAY ODOR WAS DETECTED: afternoon on 4/22/06

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: thruway driving to exchange 24

DESCRIPTION OF ODOR: "smelled real bad"

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Dick Forgia (DEC)

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/24/06

COMPLAINT RECEIVED BY: NER

TIME OF DAY ODOR WAS DETECTED: afternoon on 4/23

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Home Depot parking lot

DESCRIPTION OF ODOR: could smell landfill

ACTIONS TAKEN IN RESPONSE: —



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace / Barker Street

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/24/06

COMPLAINT RECEIVED BY: TRZ

TIME OF DAY ODOR WAS DETECTED: 11:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ Intersection above

DESCRIPTION OF ODOR: "can smell that smell"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>E. Nove</i>	DATE:	<i>4/26/06</i>
PHONE:	<i>N/A</i>	TIME:	<i>?</i>
ADDRESS	<i>31 Funch Rd</i>	WIND DIRECTION:	
	<i>Concord</i>	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

*Open Complaint -*

**ACTION TAKEN:**

CALL RECEIVED BY: \_\_\_\_\_

# ALBANY LANDFILL COMPLAINT FORM

NAME:	LEDA ADDISON	DATE:	4/26/00
PHONE:	NONE	TIME:	9:15
ADDRESS	29 FURN RD	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

ODORS FROM LANDFILL

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





## ALBANY LANDFILL COMPLAINT FORM

NAME:	TELEAJA	DATE:	4/26/00
PHONE:	640-9515	TIME:	9:00 AM
ADDRESS	ALBANY	WIND DIRECTION:	
	115 EAST SIDE	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: COMPLAINT REGARDING ODOR @ LANDFILL.

**ACTION TAKEN:**

• NO ANSWERS MADE; NO MESSAGE LEFT.

CALL RECEIVED BY:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Holland Ave

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 7:04 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: can smell land fill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26

COMPLAINT RECEIVED BY: JRC

TIME OF DAY ODOR WAS DETECTED: 9:35 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Residence

DESCRIPTION OF ODOR: "complain about odor from  
dump"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26

COMPLAINT RECEIVED BY: JPR

TIME OF DAY ODOR WAS DETECTED: 9:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: "10"

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "Very strong odor, a 10 on a 1-10 scale"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Addison

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/00

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: "11"

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "on 11 on a 1-10 scale", "reeks  
in her house"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Elaine Hawkins

ADDRESS: 31 Fuller Terrace

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 9:35 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Residence

DESCRIPTION OF ODOR: "complain about odor from  
dump"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Sandy Uigars

ADDRESS: 28 Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/06

COMPLAINT RECEIVED BY: JPR

TIME OF DAY ODOR WAS DETECTED: 9:30

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "Very strong odor, a 10 on a 1-10 scale"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:04 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "dump smell is horrific"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Bridgerick Street

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8.53 pm

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "dump stinks"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Holland Ave

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26

COMPLAINT RECEIVED BY: TORR

TIME OF DAY ODOR WAS DETECTED: 7:04 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: can smell landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: corner Fuller Terrace @ corner of Mordella and Sand Creek

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:28 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ above locations

DESCRIPTION OF ODOR: "gas smell"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Broderrick Street

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/26/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:53 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "dump stinks"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:04 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "dump smells is horrific"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 9:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: " 11 "

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: " an 11 on a 1-10 scale, reeks in her house "

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/06

COMPLAINT RECEIVED BY: JR R

TIME OF DAY ODOR WAS DETECTED: 9:35 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: calling to complain about odor from dump

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Van Ness (DEC)

ADDRESS: Peter Drive

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 4

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smelled bad

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Van Ness

ADDRESS: Peter Drive

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/26

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:30

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: smelled bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Lincoln Ave

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/27/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: all last night / not this AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor woke her up - really bad and does not know how much longer they can stand it - pending waiting for home to be built - around all summer, may need to move in interim.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	UNKNOWN	DATE:	4/24/06
PHONE:	UNKNOWN	TIME:	06:45
ADDRESS	UNKNOWN	WIND DIRECTION:	SW/NE 3-7
	BEH RIVER IN PATH	TEMPERATURE:	46

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

COMMENTS: • COMPLAINED TO EMPLOYEE @ GAR ABOUT  
METHANE ODOR (P-HL COSTELLO)  
" WANTED TO KNOW WHY NEW FEARE WAS  
NOT WORKING  
• SAID IF WOULD CALL NEW TO  
" GET SATISFACTION "

**ACTION TAKEN:**

- NO ODORS DETECTED ON BEH RIVER PATH.
- NO ODORS REPORTED DURING TOUR.
- FLARES WERE OPERATING.

CALL RECEIVED BY:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Joan Blubm

ADDRESS: Avla Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/28/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 6 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Parking lot & Patio

DESCRIPTION OF ODOR: Horrible Stench

ACTIONS TAKEN IN RESPONSE:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/28/06

COMPLAINT RECEIVED BY: DRR

TIME OF DAY ODOR WAS DETECTED: 8:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: very bad smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Teresa Alvarez	DATE:	4/29/00
PHONE:	846-9111	TIME:	11:15 AM
ADDRESS:	ALBANY	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS:    \* ON THE EAST SIDE OF FACILITY  
                   \* CAN SEE WASTEWATER.

**ACTION TAKEN:**

CALL RECEIVED BY:





# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/28/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: very loud smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/28/06

COMPLAINT RECEIVED BY: TRK

TIME OF DAY ODOR WAS DETECTED: 6 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Parking lot & Ponto

DESCRIPTION OF ODOR: Horrible Stench

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Vera Rabe

ADDRESS: Hula Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/29/06

COMPLAINT RECEIVED BY: RR

TIME OF DAY ODOR WAS DETECTED: 9 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: putrid smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/30/06

COMPLAINT RECEIVED BY: JOE

TIME OF DAY ODOR WAS DETECTED: 8:05 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Washington Ave into  
Avila Community

DESCRIPTION OF ODOR: putrid smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/31/06 - 5/4/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: until 2 pm 5/4/06

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ apartment

DESCRIPTION OF ODOR: has been breathing, choking, gagging & nauseating gas odors - can not open a window & gone on a lady time - under medical care now which has required prescription medication - truly wonderful

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Snyder

ADDRESS: 145 Thruway

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/30/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 3:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: c. Thruway Exchange 24

DESCRIPTION OF ODOR: landfill odor is heavy  
to night

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom & So Ellen Folts

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/30/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on driveway  
approaching exchange #24

DESCRIPTION OF ODOR: "odor was real bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/30/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 10 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 7

LOCATION ODOR WAS DETECTED: Bedroom in residence

DESCRIPTION OF ODOR: Had to close window - sickening -  
called # given and got recording

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom / Soellen Folts

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/30/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on driveway approaching  
Exchange 24

DESCRIPTION OF ODOR: odor was "real bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Vera Rabe

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 4/30/06

COMPLAINT RECEIVED BY: JRC

TIME OF DAY ODOR WAS DETECTED: 8:05 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Washington Ave into  
Avila Community

DESCRIPTION OF ODOR: putrid smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

August <sup>2006</sup> — 4/2/2007  
12/19/2006

## ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
???	Village of Colonie	—	8/13	over night	unpleasant feeling in throat awful, smells in house
Mary Van Ness	"	—	8/13	last night	swarming eye bugs was really bad
Joe Burns	"	565-5781	8/14	Sun-Mon	28 out of bed days 24 e. night
Brockway	26 Lynn Drive	—	8/14	7:05 pm	smell so bad can not open windows
"	"	"	8/13	during day	Smell so bad can't go out
Honikal	Village of Colonie	—	8/15	10:15 pm	landfill gas coming through not real bad - noticeable
Bill Wilke	Central Ave/Wilson Ave	—	8/16	5:00 AM	maybe a 2
"	@ residence	—	8/16	"	maybe about ~ 1
Sen Humphrey	@ residence	—	8/16	7:25 AM	"dump" smell
Leona Beagle	Benjamin home	—	9/1	11:15 pm	odor is extremely strong
"	"	—	9/17	11:15 pm	smelled the dump
"	"	"	9/19	1:15 pm	Smelled the landfill <span style="font-size: small;">- in bed room and outside</span>
Steve Snyder	Thruway Exit 24	—	9/20	2:02 AM	odor is very heavy
Bill M. Keie	Village Park Drive	—	9/26	7:30 pm	a 1 out of 10
Michael Justice	@ residence	—	9/26	PM	smells very bad
"	@ residence	—	10/4	midnight	close windows so bad
Sen Humphrey	"	—	10/4	8:30 pm	dump smells bad since coming home
Linda	Upper Kings Common @ Pittsford	—	10/4	PM	stinky gases
Mary Currie	Thruway near 15	—	10/6	AM	"stinks"
Rich O'Carroll	Thruway Intersection Central/Rt 155	—	10/6	8:30 pm	Smelled like He-
—	Spring E → W	—	10/13	8:40 pm	landfill odor
Blaise Constantino	Thruway	—	10/17	AM	"it's bad"
Leona Beagle	@ residence	—	10/18	8:30 pm	real bad, husband can smell it - he never does
"	"	—	10/13	PM	"also last Friday"

(12/19 - 12/30. 2006 is in 2007 records due to recording sheets continuity)



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Linden	Town Ave @ home	-	10/19	9:00 AM	smells land fill, not real strong, but smells it
Tom Cullen	Northway <sup>front part of</sup>	-	10/20	PM	smelled bad
Tom Reynolds	Northway <sup>parallel to 4/10</sup>	-	10/22	9:20 AM 5:30 PM	real bad in PM - 6 out of 10
Gerard Burke	Giff Road	-	10/22	4:30 PM	could smell 4/10
Ann Impolci	Washington Ave	-	10/22	PM	smelled bad
Bill Milke	@ home	-	10/23	8:30 AM	maybe 1 or 2 out of 10
anonymous	-	-	10/23	AM	smelled 4/10 in Village - Linden Ave.
-	Guilfordland	-	10/22	7:45 PM	smell was unbelievable
Steve Snyder	Highway #24 <sup>front</sup>	-	10/27	5:25 AM	quite heavy don't put a 7 on a 1-10 scale
Sara Beigel	on Highway <sup>west</sup> → East	-	11/27	9:00 AM	really stunk this morning
Mary Barrie	on Highway	-	10/27	9:00 AM	REALLY BAD today
-	Barker Street <sup>near Centert</sup>	809-0110	10/27	8:00 AM	smelled really bad - awful
Charlie Honickel	Village of Colonie	-	10/29	afternoon	smell was really bad even with high wind
-	Lincoln Ave	-	10/22	noon	stinking day
Bill Milke	Northway and @ home	-	10/30	9:30 PM	about a 1 out of 10
Linda Addison	Fulter Terrace	-	10/31	6:45 AM	6 or 7 out of 10
Bill Milke	@ home	-	10/31	7:31 AM	1 out of 10
Steve DeBella	Crosspike Rd. @ business	456-0261	11/1	5:50 PM	dump highly offensive - real, real bad
Elaine Sull	Washington Ave Ruff Road	456-6480	11/1	5:30 PM	land fill gas
Carl Malcher	Highway <sup>at 20 and</sup>	-	11/2	AM	burnt popcorn - real bad.
Paul Sweeney	McKownville Firehouse	-	11/1	8:30 PM	strong odor - strong enough - sicken quality of life
Joseph Zandon	western turnpike Rescue Squad building at 4" 72	-	11/1	6:30 PM	apparent & heavy
Lisa Burianek	around town	-	11/2	5-6:30 AM	stinking in a neighborhood
Jeff Milke	Washington Ave / Ruff Rd → railroad tracks	376-9471	11/2	7:30 PM	8 out of 10

opposite direction?

even with high wind

quality of life issues. never has smelled it this strong



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Jane Bauer	Parkwood Dr.	-	11/3	7:45 AM	sulfur smell in house very bad - for about year
Jeff M. Koc	Washington / 20 Lincoln Ave		11/3	7:30 PM	awful stench
Mike Justice	30 Beaver Drive		11/4	8:00 AM	smells really gross
Wally M. Kie	Village Park Drive		11/4	10:30 AM	4 out of 10
Anonymous	Rt 155 between Central & Rt 20		11/4	Midnight	really strong smell
Steve DeBelle	Crossgate Rest.	456-0414	11/7	3:30 PM	obnoxious, heavy burning sulfur odor
Ken Lucas	Western Ave <sup>price</sup> <sub>just</sub>	-	11/7	6:30 PM	can smell land fill all over area again
Allen Gieseherder	Washington Ave		11/8	PM	Smelled bad Cross gates
Kueles- <del>xxxxxx</del>	Exchange 24	-	11/8	AM	really bad - made you feel sick
Steve Shaker	Exchange 24		11/8	AM	Smelled bad - what's up
DEC employees -	Exchange 24		11/8	AM	Smelled bad
Tom Reynolds	Rapp Rd <sup>outside</sup> <sub>land fill</sub>		11/9	10:00 AM	Smelled working face, odor of land fill gas
Mary M. Kie	Rapp Rd entrance to land fill		11/6	7:15 PM	worse than ever before sick to stomach
Jeff M. Kie	Rapp Rd -		11/10	2:00 PM	4 out of 10
Mary M. Kie	Rapp Rd entrance to land fill		11/10	6:10 PM	1 out of 10
Avila Resident	@ residence		11/12	PM	smelled very bad
Tom Reynolds	Rapp Rd: Young overpass		11/3	10:00 AM	working face odor
—	Fuller Terrace		11/14	4:30 PM	all afternoon - land fill odor
—	Western Ave		11/15	9:00 AM	- odors -
Teresa	Avila Community		11/15	1:00 PM	smells land fill - not everyday
—	No location		11/15	1:00 PM	smells really bad
Harcus Sz	Western Ave / Stearns		11/15	8:45 AM	medium intensity
Teresa Avila	Avila Residence	640-9515	11/15	11:50 AM	smell in apartment - unbearable outside
Louisa Wilken	Providence St. McKenna		11/16	7:45 AM	This morning pretty strong

## ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Tom Grumbos	Lincoln Ave	-	11/18	3:00pm	can smell 4/10
Bill Wilke	Brit 21 getting on 90		11/18	10:00pm	2 out of 10
Steve Hammond	Thruway	-	11/19	-	real bad - also Sat.
-	Thruway heading west		11/19	7:40pm	strong land fill odor
Steve Hammond	Thruway		11/22	6:30pm	strong landfill smell
Avila-Teresa	Avila		11/22	11:45pm	odor very strong outside of patio
Teresa	Avila		11/22	10:15pm	odor still very strong inside and a
Tom Reynolds	Corey Reynolds, Kuyallicent.		11/23	8:30am	odor weak landfill gas
"	exchange 24 - Am getting off		11/23	11:30am	very strong - objectionable, would
"	@ 11:30 getting on				smell 8 out of 10
Teresa	Avila		11/24	4:45pm	outside smells bad - 8 out of 10
Mary Ann Nass	corner Rt 155 / Central		11/27	9:20am	landfill gas odor - 3 out of 10
Linda	Fawn Ave		11/27	3:40pm	Sulfur smell - coming and going every day but today real bad
Fran Reynolds	Thruway - exchange at		11/27	6:00pm	cell call while going through
no name	"Village"		11/17	11:30pm	odor - particularly bad today
			6	6	just got home - smells real bad, you got to do something about it
Teresa	Avila		11/29	7:30pm	horrible odor - toilet
Leona Beagle	Benjamin Lane		11/30	4:35pm	landfill is blowing up a smell
Teresa	Avila		12/1	9:30pm	odor is absolutely sickening
Mary Ann Nass	Rt 155 / Central		12/2	6:00pm	a 6 out of 10
Leona Beagle	Benjamin Lane		12/3	6:45am	smell in bedroom, smell really bad outside - dump smell
Linda					
<del>Mary Ann Nass</del>	Rt 155 / Central		12/3	5:20pm	stinks to high h ---, h2S



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
No name	Barker St		12/3	7:15pm	an awful odor from h/f
Terresa	Avila		12/4	11:30pm	stinks outside and inside
Mary Van Ness	Cottonwood/Locust		12/5	6:30am	a 3 out of 10
Jack White	Cook's Park		12/7	6:00am → 11:00am	odor started making from Feb 11
Terresa	Avila		12/5	8:30pm	smells burning - inside/outside
Jan Humphrey	31 U.S Court	527-3582	2/5	9:00pm	dump is atrocious in house
—	Lincoln Ave		12/7	10:30am	land fill smells
Mary Ferguson	Petra Lane	452-4451	12/7	-	gulls?
Linda	Rt 155/Central		12/13	6:00 pm	reeks of sulfur
Jan Humphrey	31 U.S Court		12/13	6:30pm	Smells bad inside house
Linda	Fern Ave		12/14	12:30pm	smells @ house
Michael Justice	Barker Drive		12/14	7:00am	smell is terrible - sickening
Terresa	Avila		12/10	8:45pm	burning smell inside/outside
Bill Mike	Wilson Drive		12/11	11:00am	about 1 out of 10
Mary Ferguson	Petra Lane		12/13	-	birds - droppings on car
Megan Givantae	Lincoln Ave		12/16	7:40pm	a 10 out of 10 - dog would not go out
Megan Givantae	Lincoln Ave		2/18	1:15pm	8 out of 10 - garbage odor rotting food
Mary Van Ness	Locust Lane		12/15	6:15AM	4 out of 10
"	Kishikill/Central		2/15	9:00AM	2 out of 10
Kathleen Cize	Miskymna / Calais base	316-2246	2/14	8:51 AM	smell Bled house - never smelled before this Sun
Michelle Detcher	towards Miskymna	372-6385	2/14	10:30AM	smell getting to her
Dave Pickett	Northway Mall		12/18	12:30pm	decomp gas - stinky smell not garbage
Megan Givantae	Lincoln Ave		2/15	9:15 AM	garbage smell 7 out of 10
"	"		2/19	8:30 pm	gas & garbage 10 out of 10

\* access from parking area on Calais where it is now fenced off.



City of Albany Complaint Log - 2006						
DATE	TIME	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
12/4/2006	2:45 PM	DEC	Resident	Lincoln Ave Avila	Colonie	Said it was bad most days (possibly every day), and right now it was very bad, and smelled like rotten eggs/sulfur
12/5/2006	11:30 PM	DEC	Region 4 Division of Air staff	Avila corner of Locust/Cottonwood	Albany	stinks outside and inside
	8:36 AM	DEC		Avila	Colonie	a 3 out of 10
	9:00 PM	DEC	Jen Humphrey	31 Vics Court	Albany	smells like burning, in my apartment and outside
12/6/2006	10:30 AM	DEC		Lincoln Ave	Colonie	odor is atrocious, smells in her house
12/8/2006	12:00 PM	DEC			Colonie	landfill smells (cook park complaint?)
12/9/2006						
12/10/2006						
12/11/2006						
12/12/2006						
12/13/2006						
12/14/2006	6:00 PM	DEC	Jen Humphrey	RI 155/ Central Ave	Colonie	reeks of landfill smell
	6:30 PM	DEC	Jen Humphrey	Fern Ave	Colonie	dump smell is bad and is in her house
	12:30 AM	DEC		Fern Ave	Colonie	could smell dump
					Colonie	Can smell landfill
12/15/2006	7:30 AM	city	Mr. Justice	30 Bauer Ave	Colonie	We did a site visit to Mr. Justice's neighborhood. He did not leave an address. I drove Lincoln Ave @ 7:15 and did not detect anything. Harry went over to the neighborhood at 7:45 and found nothing but noted that someone was burning something in the neighborhood. Not waste nor LFG.
12/16/2006	7:40 PM	DEC		Lincoln Ave	Colonie	said it was a 10 out of 10, and what was interesting, the caller said it was so bad, her dog would not go outside. She did not sound angry, just reporting the information
12/17/2006	1:15 PM	DEC		Lincoln Ave	Colonie	smells really bad, an 8 out of 10, smells like rotting food/garbage, not landfill gas.
12/18/2006						
12/19/2006	12:30 PM	DEC	Region 4 Air Staff	Northway Mall	Albany	decamp gases, smelled real bad (this person is another staff person in our Air Division, who has actually had odor training and was involved with solid waste odor issues in the past (former AT Tur Monitor).
12/20/2006	9:15 AM	DEC		Lincoln Ave	Albany	garbage odor, a 7 out of 10
12/21/2006	10:00 AM	DEC		Homedepot	Albany	in parking lot of homedepot, 2 out of 10
12/22/2006						
12/23/2006						
12/24/2006						
12/25/2006						
12/26/2006	8:00 AM	DEC	BECC Officer	Exit 24	Albany	who lives in the village, so he is familiar with the various landfill odors. Said it was the gas odor.
12/27/2006	10:00 PM	DEC		Avila	Albany	in apartment and outside, "odor enough to kill ya", "so foul", "sickening, I've been in and out of the hospital."
12/28/2006	4:15 PM	DEC		Avila	Albany	foul
12/29/2006	1:30 PM	DEC		Park Drive	Albany	a 3 out of 10
12/30/2006	12:00 PM	DEC		Village Square Plaza	Albany	a 1 out of 10
12/31/2006	2:00 PM	DEC		Robert Drive near Cooks Park	Colonie	stench was overwhelming, really stinks
1/1/2007	6:00 PM	DEC		Avila	Albany	
1/2/2007						
1/3/2007						
1/4/2007						
1/5/2007						
1/6/2007						
1/7/2007						
1/8/2007			City	Lynda Adison	Colonie	Landfill stinks
				29 Fuller Terrace		

Early August 2008

## CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: John Humphrey  
ADDRESS: 31 Vics Court  
COMPLAINANT'S PHONE NUMBER: —  
DATE: 8/2  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 10:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "stench" from landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	JEN HUMPHREY (SP?)	DATE:	8/2/06
PHONE:	527-3582	TIME:	10 PM - (ON MACHINE)
ADDRESS	31 VICKS CT.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

COMMENTS:

The dump smells

ACTION TAKEN:

CALL RECEIVED BY:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda

ADDRESS: corner of Rt 155 / Central Ave

COMPLAINANT'S PHONE NUMBER: -

DATE: 8/3

COMPLAINT RECEIVED BY: TOR

TIME OF DAY ODOR WAS DETECTED: 1:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ address above

DESCRIPTION OF ODOR: repulsive <sup>^</sup> smell is staying in her nose

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Laureen Milke

ADDRESS: Village Park Drive

COMPLAINANT'S PHONE NUMBER: -

DATE: 8/5/06

COMPLAINT RECEIVED BY: TOOR

TIME OF DAY ODOR WAS DETECTED: 9:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: from Walmart Plaza  
along Central to intersection with Lincoln Ave

DESCRIPTION OF ODOR: landfill smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Ms Hayes	DATE:	8/5/06
PHONE:		TIME:	7:10
ADDRESS	BLD 77	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: Ms Hayes complain about it being to dark where she lives, needs more lighting she said, also wants ~~branches~~ the branches pick-up from her property.

### ACTION TAKEN:

Told Ms Hayes that I would pass it onto my boss.

CALL RECEIVED BY: Frank Passano



# ALBANY LANDFILL COMPLAINT FORM

NAME:	MARTINEZ	DATE:	8/18/06
PHONE:		TIME:	11:36
ADDRESS	OMAHA ROAD	WIND DIRECTION:	
	CHENANGO	TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	TUNE PLUM	DATE:	4/29/06
PHONE:	640-9510	TIME:	
ADDRESS	Ave.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

ACTION TAKEN:

CALL RECEIVED BY:

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	TERESA ARDUO	DATE:	8/29/06
PHONE:	640-9515	TIME:	9:50 AM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

**ACTION TAKEN:**

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	JOAN PLUM	DATE:	8/28/06
PHONE:	640-9410	TIME:	3:22 PM
ADDRESS	AVILA	WIND DIRECTION:	
		TEMPERATURE:	

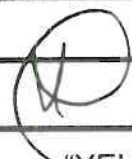
**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: - COMPLAINED ABOUT ODOR OVER LAST  
                   3 NIGHTS.  
                   - REQUEST PHONE NUMBER.

**ACTION TAKEN:**

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Alesia Rosemont	DATE:	9/29/06
PHONE:	None	TIME:	
ADDRESS	None	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	TERRY: AILMA	DATE:	
PHONE:		TIME:	
ADDRESS	AILMA -	WIND DIRECTION:	
	NEAR GARAGES	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

6/29

12:00 AM

8/26

10:00 AM

8/26

11:30 AM

8/10

9:00 AM

8/23

8/24

HOUSE - Foul odor

9/22

8:45.

**ACTION TAKEN:**

CALL RECEIVED BY:



February 2006

## CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Yokanda Casaheri  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 2/2/06  
COMPLAINT RECEIVED BY: TOR

TIME OF DAY ODOR WAS DETECTED: day & night  
SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: in apartment @ Avila

DESCRIPTION OF ODOR: "Carbon Monoxide" ?

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: C. A. Privitera

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 2/2/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: Evening

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: North of Washington Ave on  
Highway Ave about 1/2 mile after turning  
off Washington

DESCRIPTION OF ODOR: Putrefactive - rancid - rotting  
odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

(house)

NAME: h Giminiani (sp)

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 2/2/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 2 pm

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Washington Ave to  
Rupp Road

DESCRIPTION OF ODOR: Pungent odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: house Giminiani

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 2/3/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:30 (Am or Pm?)

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Avila / home  
Hallway on 2nd floor - west wing

DESCRIPTION OF ODOR: Putrid (cloud P.H) odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	STEVE DIZELLA	DATE:	2/21/06
PHONE:		TIME:	4:00 PM.
ADDRESS	CROSSGATED REST.	WIND DIRECTION:	NE 6
		TEMPERATURE:	47°
			OUTCAST

**NATURE OF COMPLAINT:**

ODOR

LITTER

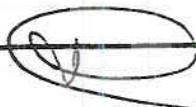
BIRDS

OTHER

COMMENTS: NOTED MAN + CONTACTED ME @ HOME

**ACTION TAKEN:**

• INSPECTED LANDFILL, CROSSGATED REST.  
HOME REST + FOUND NO ODS.  
• ALL FLARES FUNCTIONING

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/8/06

COMPLAINT RECEIVED BY: -

TIME OF DAY ODOR WAS DETECTED: 6:45 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 7/8

LOCATION ODOR WAS DETECTED: along Lincoln/Ruff road  
near King road crossing and again on RT 5  
Control Office near where Northway crosses -  
strongest on Lincoln/Ruff road

DESCRIPTION OF ODOR: strong - had a sludge odor  
to it. Very objectionable

ACTIONS TAKEN IN RESPONSE: -



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Mr. Mrs Mielke, Sr  
ADDRESS: Lincoln Ave (off of)  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 2/8/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 6:30 PM  
SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on Lincoln Ave / Papp Road  
near Cook Park

DESCRIPTION OF ODOR: Smell!

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Kevin Kopach

ADDRESS: 153-A Lincoln Ave

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/8/06

COMPLAINT RECEIVED BY: TJR

TIME OF DAY ODOR WAS DETECTED: 6:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on Lincoln Ave / Page Rd

DESCRIPTION OF ODOR: Smell - STINKS!!!

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Edward Healy  
ADDRESS: 22 Fuller Terrace  
COMPLAINANT'S PHONE NUMBER: 869 2146  
DATE: 2/10/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:40 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Residence

DESCRIPTION OF ODOR: — called to complain odor —

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/10/06

COMPLAINT RECEIVED BY: TJR

TIME OF DAY ODOR WAS DETECTED: 7:40 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Central Ave / Highway  
(Northway)

DESCRIPTION OF ODOR: land fill odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Jim Humphrey  
ADDRESS: 31 Vicks Court  
COMPLAINANT'S PHONE NUMBER: 262 8795  
DATE: 2/13/06  
COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: evening  
SEVERITY OF ODOR ON SCALE OF 1-10: sounded like a 10  
LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: so bad could not go out

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Ed Healy

ADDRESS: 22 Fall Terrace

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/13/06

COMPLAINT RECEIVED BY: TORR

TIME OF DAY ODOR WAS DETECTED: 6:10 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: 5rd

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Patsy Rose

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/13/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 7:00 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: at home but no  
address given

DESCRIPTION OF ODOR: worse than ever has been

ACTIONS TAKEN IN RESPONSE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Addison

ADDRESS: 29 Fuller terrace

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/13/06

COMPLAINT RECEIVED BY: JDR

TIME OF DAY ODOR WAS DETECTED: 7:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: smells like dump

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Bob Kuty

ADDRESS: 5 Nancy Lane

COMPLAINANT'S PHONE NUMBER:                     

DATE: 2/13/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:21 PM

SEVERITY OF ODOR ON SCALE OF 1-10:                     

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: Strong odor

ACTIONS TAKEN IN RESPONSE:



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Frank Conolly

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/12 and 2/13/06

COMPLAINT RECEIVED BY: IRL

TIME OF DAY ODOR WAS DETECTED: afternoon

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Washington Ave Extension  
near Rapp Road

DESCRIPTION OF ODOR: Stunk to high heaven

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Ellen Carpenter

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/15/06

COMPLAINT RECEIVED BY: ERR

TIME OF DAY ODOR WAS DETECTED: 6:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Cross streets Restaurant  
and along Lincoln Ave / Ruffe road

DESCRIPTION OF ODOR: odor is extremely strong

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Ann Simon  
ADDRESS: Papp Road @ landfill entrance  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 2/15/06  
COMPLAINT RECEIVED BY: JOR

TIME OF DAY ODOR WAS DETECTED: 7:30 PM  
SEVERITY OF ODOR ON SCALE OF 1-10: 9 out of a 10  
LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: 10 just that it was a 9 out of

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Frank Connel  
ADDRESS: 2 Benjamin Lane  
COMPLAINANT'S PHONE NUMBER: 869-7617  
DATE: 2/15/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 5:05 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: neighborhood around his  
home - "entire neighborhood"

DESCRIPTION OF ODOR: "Stinks to high heaven"

ACTIONS TAKEN IN RESPONSE:

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Steve Snider - throwaway employee  
ADDRESS: throwaway Exit 24 toll booths  
COMPLAINANT'S PHONE NUMBER: 470 - 7698  
DATE: 2/16/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 1:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ Exit 24 toll booths

DESCRIPTION OF ODOR: odor overpowering in the building

ACTIONS TAKEN IN RESPONSE:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	WATCHMAN RANDY	DATE:	2/19/06
PHONE:	869-6767 Ext 408	TIME:	3 A.M.
ADDRESS	RAPP RD	WIND DIRECTION:	? breezy
	LAND FILL	TEMPERATURE:	Cold

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

Flare went out between 3:30 and 3:55 A.M.

**ACTION TAKEN:**

I (Randy) went back and "according to memo" shut or pushed stop button and turned valve to close. Then I called BARRY 3:55 AM. 2/19/06 this after 5:05 AM. 2/19/06 called J Giebelhaus. comment

Made

CALL RECEIVED BY:

WATCHMAN "RANDY"

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Addison

ADDRESS: 29 Fuller Terrace

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/20/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 11:50 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 5 out of 10

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: Smelling dump

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Ann Snyder  
ADDRESS: ~~670~~ Braderick Street  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 2/20/66  
COMPLAINT RECEIVED BY: IRR

TIME OF DAY ODOR WAS DETECTED: 9:16 AM - and Previous Night  
SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: 2/20 AM on Old Karner Road @ Boxes School; 2/19 PM @ residence.

DESCRIPTION OF ODOR: 2/20 - gas leak 2/19 smell was in her house in bedroom and woke her up

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mr. Boxeric  
ADDRESS: 4278 Albany Street - place of business  
COMPLAINANT'S PHONE NUMBER: 464-5030  
DATE: 2/20/06  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: AM / call was @ 7:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ above address - his  
place of business

DESCRIPTION OF ODOR: odor was real bad, "can't  
go outside"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Bob Snyder

ADDRESS: 60 Broderick Street

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/20/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:30 AM and 2/19 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: University of Albany and  
at residence (2/15)

DESCRIPTION OF ODOR: at University could detect odor -  
then driving home @ Washington Ave / Fuller Canal  
intersection was real bad "borderline". 2/15 @ 10:00 PM  
was so bad made difficult to sleep

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: no name

ADDRESS: no address

COMPLAINANT'S PHONE NUMBER: —

DATE: 2/20/06

COMPLAINT RECEIVED BY: JDR

TIME OF DAY ODOR WAS DETECTED: 10:36 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: —

DESCRIPTION OF ODOR: Atrocious - worse than ever

ACTIONS TAKEN IN RESPONSE: —



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Debbie Coltis

ADDRESS: Barker Street

COMPLAINANT'S PHONE NUMBER: 869 0410

DATE: 2/19 - 2/20 evening/morning

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: over night

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: "gas side" - vomited  
after picking up

ACTIONS TAKEN IN RESPONSE:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: B.M. Mike

ADDRESS: 6 Village Park Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/21/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:50 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 3

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: walked out door and was hit with landfill odor - 3 out of 10 - not real bad, but could clearly detect.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Ed / Sue Sim  
ADDRESS: 4 Milton Court  
COMPLAINANT'S PHONE NUMBER: 869 1742  
DATE: 2/21/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:10 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: smelled really bad

ACTIONS TAKEN IN RESPONSE:

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: \_\_\_\_\_

ADDRESS: 28 Devoe Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/21/00

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 10:06 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: smells landfill gas

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Kathleen Snyder  
ADDRESS: 45 Lincoln Ave  
COMPLAINANT'S PHONE NUMBER: 467-1315  
DATE: 2/27/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:35 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: smells dump

ACTIONS TAKEN IN RESPONSE:

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Karen Barrett

ADDRESS: St. Crisp Drive -

COMPLAINANT'S PHONE NUMBER: 869-3719

DATE: 2/21/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home and @ work  
on Killian Park

DESCRIPTION OF ODOR: took breath away - odor was  
overpowering

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Throwaway Exchange #24 Employees

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/17 - 2/21/06

COMPLAINT RECEIVED BY: TRIR

TIME OF DAY ODOR WAS DETECTED: Typically early AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ Throwaway Exchange #24  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF ODOR: several workers have complained  
odors have been so bad they are becoming  
sick - sick to their stomachs, head aches and  
watering eyes - asking about possible air testing.  
Odor has been described as "overpowering" and making  
them feel nauseous

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Lelkowski - Albany County HD

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: 447-4670

DATE: 2/22/06

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: ACHD Receiving numbers  
odor complaints.

DESCRIPTION OF ODOR: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Van Ness

ADDRESS: Peter Drive

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/22/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: could smell landfill - pretty bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Phil Catchpole - Living Resource

ADDRESS: Pine West Manor, Wash Ave East

COMPLAINANT'S PHONE NUMBER: 869-1870 x 3365

DATE: 2/22/06 C - 256-2929

COMPLAINT RECEIVED BY: Fingler

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: Mostly Inside Building  
Employees feeling Sick

DESCRIPTION OF ODOR:

ACTIONS TAKEN IN RESPONSE:



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Kathy Condon  
ADDRESS: Washington Ave Extension - Sick Building  
COMPLAINANT'S PHONE NUMBER: 869-1870 ext. 3363  
DATE: 2/22/06  
COMPLAINT RECEIVED BY: -

TIME OF DAY ODOR WAS DETECTED: 9:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: odor from @ business  
route along Washington Ave Ext.

DESCRIPTION OF ODOR: odor from landfill causing  
"Sick Building"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Resident

ADDRESS: 131 LINCOLN AVE, COLONIE

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/22/06

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: AT Residence

DESCRIPTION OF ODOR: worst ever, headache

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Jerry Verberny

ADDRESS: 26 Giff RD, Albany

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/22/06

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: AT HOME

DESCRIPTION OF ODOR: causing Asthma symptoms

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Carol Campbell  
ADDRESS: NYS Childcare Council Wash Ave Exit  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 2/22/06  
COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: Morning  
SEVERITY OF ODOR ON SCALE OF 1-10: 10  
LOCATION ODOR WAS DETECTED: In Building

DESCRIPTION OF ODOR: Nauseating

ACTIONS TAKEN IN RESPONSE: Sick EMPLOYEES SENT HOME

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Bill Sambello

ADDRESS: Cas Mem + Old State Rd

COMPLAINANT'S PHONE NUMBER: 356-4257

DATE: 2/22/06

COMPLAINT RECEIVED BY: Bruce O'Neil - AIR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: never smelled this  
odor before

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: EMMA DIXON - First Steps Daycare

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: 869-5186

DATE: 2/22/06

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: In + outside Daycare

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: went let children  
outside due to odors. Parents complaining.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	INADA ADDON	DATE:	8:35 AM.
PHONE:	NONE	TIME:	2/22/06
ADDRESS	NONE	WIND DIRECTION:	
	VOCOMPA	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

NONE      ODOR - (M) SMALL AMOUNT.

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	J. AN	DATE:	2/25/01
PHONE:		TIME:	
ADDRESS	7 Anderson Lane	WIND DIRECTION:	
	Que	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

• 476 8420  
 • One Bag of Garbage

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Fred [unclear]	DATE:	2/22/06
PHONE:	867-870 401-3790	TIME:	9:19
ADDRESS	2 [unclear] [unclear]	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

ODOR IN BUILDING  
 \* [unclear] [unclear] of [unclear]

**ACTION TAKEN:**

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	JANICE	DATE:	2/21/06
PHONE:	421.2906 (WORK)	TIME:	?
ADDRESS	MCKEANVILLE	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: LAST NIGHT MONDAY NIGHT, LANDFILL STUNK  
 HORRIBLY WAKE US UP IT WAS SO BAD, PRETTY  
 SICKENING " NO CALL BACK NECESSARY

**ACTION TAKEN:**

CALL RECEIVED BY:

KELLY DWYER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARCIA MALECKI (SP?)	DATE:	2/22/06
PHONE:	481 4513	TIME:	?
ADDRESS	RAPP ROAD	WIND DIRECTION:	
	"OTHER SIDE OF	TEMPERATURE:	
	WASHINGTON AVE EXT."		

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS: "MY HOUSE REEKED THIS MORNING FROM SMELL  
 OF DUMP. SOMETHING HAS TO BE DONE, AND DONE SOON!"  
 "I CANNOT PUT UP WITH THIS SMELL ANY LONGER!"

**ACTION TAKEN:**

	CALL RECEIVED BY: KELLY DWYER
--	-------------------------------



## ALBANY LANDFILL COMPLAINT FORM

NAME:	GUILDERLAND POLICE DEPT.	DATE:	2/22/06
PHONE:	351-1501	TIME:	8:05 AM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "LARGE ODOR OF METHANE AT GIPP RD & <sup>RUN FE</sup> 155,  
 WHAT SHOULD WE TELL ~~THE~~ FIRE DEPT?"

**ACTION TAKEN:**

CALLED (3PM) AND SPOKE TO SCRATCHER. TOLD HIM  
 SITUATION HERE & GAVE HIM MY DIRECT PHONE #  
 IF HE NEEDS TO GET A HOLD OF ME -

CALL RECEIVED BY:

KELLY DWYER





## ALBANY LANDFILL COMPLAINT FORM

NAME:	Randy (Watchmen)	DATE:	2/28/05
PHONE:	869-6767 (Ext. 408)	TIME:	12:15 A.M.
ADDRESS	Landfill	WIND DIRECTION:	?
	Rapp Rd	TEMPERATURE:	Below Freezing

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

- Flare went out while I was checking to make sure shredder was running.

**ACTION TAKEN:**

- Shut flare down from screen, waited 30 minutes to relight (P.S. Harry C called 12:23 A.M.)  
Relighting was successful 12:40 A.M.

- ~~Flare~~ Flare remained light and running properly for the remainder of my shift.  
(Watchmen out)

CALL RECEIVED BY:

Watchmen Randy

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Jim Humphrey  
ADDRESS: Vics Court  
COMPLAINANT'S PHONE NUMBER: 262-8795  
DATE: 2/23/06  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: smelled landfill

ACTIONS TAKEN IN RESPONSE:

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Kathleen Snyder

ADDRESS: 45 Lincoln Ave

COMPLAINANT'S PHONE NUMBER: 464 1375

DATE: 2/23/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 7:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: smells landfill

ACTIONS TAKEN IN RESPONSE:



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Megan Gene - Matas  
ADDRESS: 160 Lincoln Ave  
COMPLAINANT'S PHONE NUMBER: 452-5734  
DATE: 2/23/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:15

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: "smelled landfill"

ACTIONS TAKEN IN RESPONSE:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Vera Robe

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/26/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 3:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Putrid odor - again

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: John Mc Callie  
ADDRESS: 23 Huckleberry Lane  
COMPLAINANT'S PHONE NUMBER: 869 2043  
DATE: 2/28/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 5:20 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: 'really bad'

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Allen

ADDRESS: River

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 2/28/06

COMPLAINT RECEIVED BY: N/A

TIME OF DAY ODOR WAS DETECTED: 8 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 5

LOCATION ODOR WAS DETECTED: Exit 23 Thruway

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: none



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Szembrot's

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/2/06

COMPLAINT RECEIVED BY: JBR

TIME OF DAY ODOR WAS DETECTED: noon

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on Lincoln Ave

DESCRIPTION OF ODOR: -

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Driver

ADDRESS: Thruway (Exit 23?)

COMPLAINANT'S PHONE NUMBER: -

DATE: 2/28/06

COMPLAINT RECEIVED BY: Dick Forgea

TIME OF DAY ODOR WAS DETECTED: 8:00AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: while driving on Thruway West to East - said odor was around exit 23 - believe she picked it up earlier and called when @ 23 or was confused about what exit she was @

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# 2006 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 482

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

## Distribution by Month 2006 Complaints

January: 13  
February: 58  
March: 46  
April: 72  
May: 40  
June: 20

July: 18  
August: 21  
September: 12  
October: 39  
November: 81  
December: 28

Plus: Feb 2, 2006 letter from the Avila Community with 11 signatures.

## Some Representative Complaints:

2/17-20, 2006 “Several workers have complained of odors so bad they are becoming sick to their stomachs.” “Headaches and watering eyes – asking about possible air testing.” – Thruway Exchange #24 Employees

2/22/06 10 AM “Mostly inside building. Employees feeling sick.” – Phil Catchpol – Living resources, Pine West Plaza, Washington Ave. Ext.

2/22/06 AM “Causing Asthma Symptoms.” -- Jerry Yerkeny



2/22/08 10 AM “Nauseating Sick Employees sent home” – Carol Campfield, NYS Childcare Council, Washington Ave. Ext.

2/22/06 “won’t let children outside. Parents complaining” -- Emma Dixon, First Steps Daycare.

3/16/-3/17, 2006 “Caused choking for 2 hours.” -- Mr. Blanchard, Avila Community.

3/06 (date not included) “Found leak along back road. Pipe has a loud hiss coming from it. Made rounds with Jerome” “ Called Joe to take a look at it.” -- Marty Filkins, Landfill

4/1/06 “Smells all around restaurant – has a sulphur smell to it” Steve De Bella, Crossgates Restaurant

4/27/06 “All last night, odor woke her up... does not know how much longer they can stand it.” Anon.

5/1/08 “Had to close door and window.” Avila Community

4/31-5/4 2006 “has been breathing, choking, gagging – nauseating gas odors.” “under medical care with prescription medications for it.” -- Avila Community

5/15/08 Odor woke her up at 3 am. "Child has respiratory illness" -- Ginny

7/3/06 "One of the kids complained that one of them had a "load" in pants – not a dirty diaper – the landfill." -- Leona Beagle, Benjamin Lane

10/5/08 "Landfill smelled really bad" DEC Attorney

11/2/06 "Apparent and heavy" – Western Turnpike Rescue Squad

11/8/06 "Exit 24 smelled bad." -- DEC employees

11/8/08 "Odor in and out of building" Stan,  
NYSERDA

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Central & Regional Staff

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

today 1/4/06

COMPLAINT RECEIVED BY: \_\_\_\_\_

Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

various times of day - principally  
early evenings

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

2-6

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

North west part of Landfill  
and thorough south of landfill

DESCRIPTION OF ODOR: \_\_\_\_\_

landfill odor - smells "bad"  
several D3G employees over last few weeks have  
noticed landfill odors when traveling -  
themselves a few times on thorough thorough and  
street on Rt 20 South of City's Gates Mall - most  
recent odor detected on 1/2/06

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

recorded here in log



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

[REDACTED]

116 Ruppel Drive (Village of Colonie)

573-4982

1/5/06

Tom Reynolds

evening

-

around home

Very bad - has been bad -  
upset and wants to know what's going on and  
what will be done about it.

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: 

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: weekend of 1/7

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Driving in area and detected landfill odors

DESCRIPTION OF ODOR: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: huff road @ entrance

COMPLAINANT'S PHONE NUMBER: 456 3269

DATE: 1/9/06

COMPLAINT RECEIVED BY: Tom Reynolds

TIME OF DAY ODOR WAS DETECTED: 7:00 pm 1/8/06

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ home - inside and out

DESCRIPTION OF ODOR: so bad concerned about health effects - could not keep it out of house despite it being winter with all windows and doors closed - is health department looking into?

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: 

ADDRESS: Cross gate Roadway

COMPLAINANT'S PHONE NUMBER: 456-0261

DATE: 1/18/66 @ 7:45 Am

COMPLAINT RECEIVED BY: Tom Rippled

TIME OF DAY ODOR WAS DETECTED: 7:45 Am

SEVERITY OF ODOR ON SCALE OF 1-10: 10

LOCATION ODOR WAS DETECTED: @ place of business

DESCRIPTION OF ODOR: very bad - extremely bad

ACTIONS TAKEN IN RESPONSE: called back explained what was going on and that if you don't only reach out to have and if they want a meeting he would be invited - he offered a room for meeting.

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Aula Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 1/18/06

COMPLAINT RECEIVED BY: TPR

TIME OF DAY ODOR WAS DETECTED: 8:10 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Community in Hallway  
by elevator

DESCRIPTION OF ODOR: Strong landfill odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: [REDACTED]

ADDRESS: Hill Community

COMPLAINANT'S PHONE NUMBER: -0

DATE: 1/18/06

COMPLAINT RECEIVED BY: YRR

TIME OF DAY ODOR WAS DETECTED: 8:10 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Walking near dumpsters

DESCRIPTION OF ODOR: Strong land fill odor

ACTIONS TAKEN IN RESPONSE:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: 

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 1/23/06

COMPLAINT RECEIVED BY: RR

TIME OF DAY ODOR WAS DETECTED: 2:40 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ Community - no specific location provided

DESCRIPTION OF ODOR: "odor very strong"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: 

ADDRESS: Alta Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 1/25/06

COMPLAINT RECEIVED BY: DRR

TIME OF DAY ODOR WAS DETECTED: 2:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ Rappel -

DESCRIPTION OF ODOR: Petrid odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

[REDACTED]

*Nika Community*

*1/28/06*

*JRR*

*M. Night 12:15 AM*

*-*

*Rapp Road off Doughters of Sarah*

*disgusting heavy odor -  
Skunk type odor*



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



*Apple behind Terrace Columbia Drive*

*640-8738*

*1/29/80*

*Tom Reynolds*

*8:30 AM*

*9-10*

*landfill gas*

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPLAINT RECEIVED BY: \_\_\_\_\_

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



*Arla Community*

*1/29/06*

*JBR*

*8:30 AM*

*One*

*Patio of Cottage #38*

*Unpleasant / pungent*

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: [REDACTED]

ADDRESS: 107 in Avella

COMPLAINANT'S PHONE NUMBER: -

DATE: 1/31

COMPLAINT RECEIVED BY: TRC

TIME OF DAY ODOR WAS DETECTED: 5:53 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: very bad, was so bad neighbor thought something was on fire.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



July 2006

## CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Leona Beagle

ADDRESS: - Village of Colonie Benjamin Lane

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/3/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 6:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Kids were complaining one of them had "load" in pants - not dirty diaper - landfill!

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Leann Beagle  
ADDRESS: Benjamin Lane  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 7/4  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 12:30 PM  
SEVERITY OF ODOR ON SCALE OF 1-10: -  
LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "smells bad", "house next door is for sale, maybe Jennings should move in", "Hopes in enjoying 4th, they aren't they are inside!"

ACTIONS TAKEN IN RESPONSE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Charlene Hymickal

ADDRESS: Village Offices

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/5/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor is "real bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Jan Humphrey

ADDRESS: 31 Ues Court

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/5/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 9:20 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: at residence

DESCRIPTION OF ODOR: Since Friday 30th - each  
night, including last night, smelled bad  
beginning around 6:30pm

ACTIONS TAKEN IN RESPONSE:

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Mrs. Beckley

ADDRESS: off Lincoln Ave

COMPLAINANT'S PHONE NUMBER: - 869-5675

DATE: 7/6/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: Night

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor occurs repeatedly at night - did not call about single event.

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Charlie Honikal

ADDRESS: near Village Offices

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/8/06

COMPLAINT RECEIVED BY: TRC

TIME OF DAY ODOR WAS DETECTED: noon → 5:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor was real "intense"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Jen Humphrey  
ADDRESS: 31 Ucs Court  
COMPLAINANT'S PHONE NUMBER: 262 - 8795  
DATE: 7/11/06  
COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 8:47 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: This morning Stunk

ACTIONS TAKEN IN RESPONSE:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	MRS. CURTZ	DATE:	7/12
PHONE:	NONE	TIME:	11:30 AM
ADDRESS:	NONE	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

"ODOR FROM LANDFILL"

ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Jan Humphrey  
ADDRESS: 31 U.S. Court  
COMPLAINANT'S PHONE NUMBER: - 527 3582  
DATE: 7/13/06  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: evening  
SEVERITY OF ODOR ON SCALE OF 1-10: -  
LOCATION ODOR WAS DETECTED: @ Residence

DESCRIPTION OF ODOR: in living room - gaging  
very offensive

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Keona Beagle

ADDRESS: Benjamin Lane

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/13/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 11:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: air conditioner on cool  
smell is in house, went out on deck  
and smelled it outside - smelling up the  
driveway.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Heena Beagle  
ADDRESS: Benjamin Lane  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 7/14/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM ≈ 8:30

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smelled bad, can't anything  
be done about it? - discussed @ length what  
is going on - what's been done, what is planned -

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TERRON AUSA	DATE:	7/19/06
PHONE:	640-9515	TIME:	1:45 PM
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

ODOR OUT SIDE.

ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Leona Beagle

ADDRESS: Benjamin Drive

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/24/04

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 7:22 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smells dump in Village

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Corey Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 7/22/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 3 8:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on thruway driving past landfill traveling west to east

DESCRIPTION OF ODOR: she could detect landfill - felt unpleasant but not too bad, person with her in car found it very objectionable

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Addison

ADDRESS: 29 Fuller Terrace Road

COMPLAINANT'S PHONE NUMBER: 265-7340

DATE: 7/24/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:35 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 7 out of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# ALBANY LANDFILL COMPLAINT FORM

NAME:	J. HAMPIKEY	DATE:	7/24/06
PHONE:	NONE	TIME:	10:22 PM.
ADDRESS	31 VIKAS CT	WIND DIRECTION:	
		TEMPERATURE:	


NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

VERIFIABLE - COULD SMELL THE LITTER.

ACTION TAKEN:

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





# ALBANY LANDFILL COMPLAINT FORM

NAME:	TERESA	DATE:	7/24/06
PHONE:		TIME:	
ADDRESS	AVILA	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	JOAN @ AVILA	DATE:	6/4/06
PHONE:	<del>XXXXXXXXXX</del>	TIME:	6 PM
ADDRESS:	640-9510	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

REPORTING FUMES OF DUMP, ALSO SMELLED  
BAD LAST NIGHT, 6/3/06' in AFTERNOON & EVENING

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	KOVACH	DATE:	6/5/06
PHONE:		TIME:	
ADDRESS	153 LINCOLN AVE.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

POTHOLE AT THE END OF DRIVEWAY, IF YOU GUYS  
MAINTAIN THIS, YOU'RE DOING A VERY PISS POOR JOB.  
WILL YOU PLEASE FIX POTHOLE?

(VOICEMAIL ON JOE'S PHONE)

ACTION TAKEN:

CALL RECEIVED BY:

K DWYER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Jerome Terrell	DATE:	6-5-06
PHONE:	864 6767	TIME:	55°
ADDRESS	Landfill	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** I complained to Joe Feradino that it smelled bad tonight I asked if there was any problems with the flare he replied no I told Joe Fer that something wasn't right I didn't know what but I just felt that something was wrong

**ACTION TAKEN:**

I had no vehicle after 2:30 made the rounds walking everything seemed fine until after 4:50am when flare went down before I could report the matter Harry Castello was here he asked how long flare was down I informed him that it just went down and I was about to call him. I told him Donnie Mazzello was having problems with his flare it was popping with orange flame

CALL RECEIVED BY: Jerome Terrell

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Jerome Terrell SR	DATE:	6.6.06
PHONE:	8696767	TIME:	11pm
ADDRESS:	Rupp Rd	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: Landfill still has some odor as last night's shift the flare is burning just as it did last night but there's still a strong odor

**ACTION TAKEN:**

I asked Harry what was wrong why are we getting the strong odor smell all of a sudden he said he didn't know  
I can't ask Joe Gabelhaus he's not speaking to me for whatever the reason

CALL RECEIVED BY:

Wattman  
Jerome Terrell



**ALBANY LANDFILL  
COMPLAINT FORM**

3pm 11pm

NAME:	VIVIAN PISANELLA	DATE:	6/9/06
PHONE:	(518) 456-0719	TIME:	
ADDRESS	AVALIA RES.	WIND DIRECTION:	NE
		TEMPERATURE:	56°

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

COMMENTS: smell Bad she wants  
smell to be taken care of has  
to keep her windows shut

**ACTION TAKEN:**

went to take sound nothing  
out of the normal smell

CALL RECEIVED BY:

J. S. F.



## ALBANY LANDFILL COMPLAINT FORM

NAME:	JENNY RITZ (SP?)	DATE:	6/9/06
PHONE:	869.7569	TIME:	8:02 AM
ADDRESS	? LINCOLN AVE.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

ODOR THIS PAST WEEK UNBEARABLE, LAST NIGHT WAS  
 THE WORST EVER, LOSING NIGHT AFTER NIGHT OF  
 SLEEP - SO IRRITATING, WAKE UP W/ OUR THROATS  
 RAW IRRITATED -

**ACTION TAKEN:**

Took message on Joe's  
 voicemail

CALL RECEIVED BY: *[Signature]*

June 2006

## CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Ann Milke

ADDRESS: on other complaint reports

COMPLAINANT'S PHONE NUMBER: -

DATE: 6/13

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 7:55 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Washington Ave Extension  
grounds where Polish Community Center → onto  
Kings Road up to Mill Road overpass -

DESCRIPTION OF ODOR: "dump stinks"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# ALBANY LANDFILL COMPLAINT FORM

NAME:		DATE:	6/15/06
PHONE:		TIME:	
ADDRESS	8 West Street	WIND DIRECTION:	
	Caenue	TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

ACTION TAKEN:

• Leachate Drowned Moment

CALL RECEIVED BY:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Addison

ADDRESS: 24 Fuller Terrace

COMPLAINANT'S PHONE NUMBER: 265-7340

DATE: 6/16

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 7:15 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 6-7 / of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: obnoxious, smelling dump -  
"What happened to stupid new business?"

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Don Does  
ADDRESS: Lynn Drive off of Lincoln Ave  
COMPLAINANT'S PHONE NUMBER: 869 7116  
DATE: 6/16 cell 928-7742  
COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: ~~10:20 AM~~ last night  
SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: horrendous, all night, terrible, getting worse, what is going on, not very nice, devastating properties, smells terrible

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Dr. Frank Edgan	DATE:	6-25-06
PHONE:	640-9627	TIME:	6:38 am
ADDRESS	Avl:q	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

he said that he smelled a strong  
 odor that woke him up he said that he will  
 continue to call and told him to feel free

**ACTION TAKEN:**

made rounds everything checked out to be  
 fine place becoming fine

CALL RECEIVED BY: *Debra Ferrell*

## ALBANY LANDFILL COMPLAINT FORM

NAME:	LINDA ADRISSON	DATE:	6/29/06
PHONE:	859-6417	TIME:	10:00
ADDRESS	21 Forest Ter.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

\* NO IMPROVEMENT IN THE LAST  
 2 WEEKS.

**ACTION TAKEN:**

\* FOUND P4-20 DAMAGED  
 \* WAS NOT DAMAGED LAST NIGHT  
 \* REPAIRED @ NOW.

CALL RECEIVED BY:





# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mrs. Bodyley

ADDRESS: No address

COMPLAINANT'S PHONE NUMBER: 869-3006 / 869 8575

DATE: 6/29

COMPLAINT RECEIVED BY: GR

TIME OF DAY ODOR WAS DETECTED: 11:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence?

DESCRIPTION OF ODOR: terrible odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: henna Beagle

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 6/29

COMPLAINT RECEIVED BY: TBC

TIME OF DAY ODOR WAS DETECTED: 8:50 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: It's horrible

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Van Ness

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 6/29

COMPLAINT RECEIVED BY: JBR

TIME OF DAY ODOR WAS DETECTED: 6-7:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 6-7 of 10

LOCATION ODOR WAS DETECTED: @ Residence near Village offices

DESCRIPTION OF ODOR: Smelled bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ Richards Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_ 6/29

COMPLAINT RECEIVED BY: \_\_\_\_\_ TRR

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_ 9:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_ @ residence in Village  
of Colonic

DESCRIPTION OF ODOR: \_\_\_\_\_ Horn flying

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Bill Milke

ADDRESS: address on other complaints

COMPLAINANT'S PHONE NUMBER: -

DATE: 6/29

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 2 of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: -

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Szembrot's

ADDRESS: Arila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/2/06

COMPLAINT RECEIVED BY: JBR

TIME OF DAY ODOR WAS DETECTED: noon

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on Lincoln Ave

DESCRIPTION OF ODOR: -

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



March 2006

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda Anderson  
ADDRESS: 29 Fuller Terrace  
COMPLAINANT'S PHONE NUMBER: 869-0222 or 6417  
DATE: 3/2/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:05 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 5 or 6 out of 10

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: smelling dump, a 5 or 6 out of 10

ACTIONS TAKEN IN RESPONSE:

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Fuller Terrace

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/2/06

COMPLAINT RECEIVED BY: TRB

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: "real bad this morning - pungent"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Karren Barrett

ADDRESS: Lives on Stimp Street

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/2/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ work on Killian Park

DESCRIPTION OF ODOR: "bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Debbie Colton's (and husband)

ADDRESS: Barker Street

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/2/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 5:00 AM and 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: "weird"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Gen Humphrey

ADDRESS: 31 Uves Ct

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/2/06

COMPLAINT RECEIVED BY: TRE

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ home

DESCRIPTION OF ODOR: landfill smells this morning

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Carol Chandler

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/3/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 4:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Washington Ave between  
155 and Avila Community Center

DESCRIPTION OF ODOR: Strong dump odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: B.M. Mike

ADDRESS: Park Drive

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/5 and 3/6/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: PM

SEVERITY OF ODOR ON SCALE OF 1-10: 3/2 2 out of 10; 3/3 1 out of ten

LOCATION ODOR WAS DETECTED:  
3/2 - on driveway perpendicular to land fill (directly west)  
3/3 @ residence.

DESCRIPTION OF ODOR: described it as simply a  
scale as stated above

ACTIONS TAKEN IN RESPONSE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Carol Chandler

ADDRESS: Arla Community

COMPLAINANT'S PHONE NUMBER: →

DATE: 3/6/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 4:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: on Lincoln Ave

DESCRIPTION OF ODOR: Strong dump odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Maryann Milke

ADDRESS: Park Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/8/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: evening @ 7:30 and 8:00pm

SEVERITY OF ODOR ON SCALE OF 1-10: 7

LOCATION ODOR WAS DETECTED: on Lincoln/Ruff road  
from Railroad tracks to landfill  
entrance

DESCRIPTION OF ODOR: "Smell very strong" came into  
car even with windows closed

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Burre

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/16/06

COMPLAINT RECEIVED BY: DRR

TIME OF DAY ODOR WAS DETECTED: PM (5:00-6:00 PM)

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on thruway going East to West / bordering landfill

DESCRIPTION OF ODOR: "landfill stink noticeably bad" it was so good I could still smell it lingering in my car after dinner.

ACTIONS TAKEN IN RESPONSE: -

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Amy Martinez

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/7/06

COMPLAINT RECEIVED BY: TRK

TIME OF DAY ODOR WAS DETECTED: 3:00 pm

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Lincoln Ave

DESCRIPTION OF ODOR: smell dump

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Teresa Avellino

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/4/06, 3/6/06, and 3/8/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 6:45 PM, 5:15 PM, and 1:00 PM  
repeatedly

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: smell coming in Apt, outside -

DESCRIPTION OF ODOR: Cannot go far while without  
smelling dump smells, how about fresh air!  
to breathe!

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Van Ness  
ADDRESS: Peter Drive  
COMPLAINANT'S PHONE NUMBER: —  
DATE: 3/7/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 6:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Parents neighborhood  
East of Fuller - i.e. Cherry street

DESCRIPTION OF ODOR: "Smelled real bad"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Amy Markby  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 3/8/06  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 11:45 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Strong smell from dump grass

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Wetrichman (Raud)	DATE:	3/8/06
PHONE:	(518) 269-6767 (426)	TIME:	before 11 P.M.
ADDRESS	Landfill (Kapp Rd)	WIND DIRECTION:	?
		TEMPERATURE:	?

NATURE OF COMPLAINT:

ODOR     
  LITTER     
  BIRDS     
  OTHER

COMMENTS:

Superior Exit 34 called about a pungent landfill odor drifting his way but it seemed to get better within the last 30 minutes

ACTION TAKEN:

documented complaint made a round and saved message. no pungent odor noticed.

CALL RECEIVED BY: Wetrichman (Rauder)



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Julia Blanchard

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/09/06

COMPLAINT RECEIVED BY: JOR

TIME OF DAY ODOR WAS DETECTED: 11:45 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: —

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Julia Blanchard  
ADDRESS: Teresian House apt 205  
COMPLAINANT'S PHONE NUMBER: —  
DATE: 3/9/06  
COMPLAINT RECEIVED BY: EQ

TIME OF DAY ODOR WAS DETECTED: 8:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: in apartment

DESCRIPTION OF ODOR: elderly woman was woken  
from sleep due to bad land fill odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Watchmen (Randy)	DATE:	3/9/16
PHONE:	(518) 819-6767 (412)	TIME:	
ADDRESS	Landfill (Eng Rd)	WIND DIRECTION:	?
		TEMPERATURE:	?

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:** - Flare went out at least 8 times  
 automatically starting itself back up <sup>at least</sup> 6 times  
 - 2 A.M. I "Randy" manually started it back up  
 and also at 4 A.M.

**ACTION TAKEN:**

Check settings, surroundings for  
 any abnormalities, then manually  
 reset flare. 2 A.M. 4 A.M. (Note supervisor  
 (H.C.) called both times)

	CALL RECEIVED BY: Watchmen (Randy)
--	------------------------------------



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME:

Lynne Gaudio (and husband)

ADDRESS:

COMPLAINANT'S PHONE NUMBER:

DATE:

3/11/06

COMPLAINT RECEIVED BY:

TRR

TIME OF DAY ODOR WAS DETECTED:

7:15 PM

SEVERITY OF ODOR ON SCALE OF 1-10:

1

LOCATION ODOR WAS DETECTED:

driving on thruway

DESCRIPTION OF ODOR:

odor was gross - very bad

ACTIONS TAKEN IN RESPONSE:









## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARTY FIKINS	DATE:	3
PHONE:	426-8917	TIME:	11:10 pm
ADDRESS	LAND FILL (Rapp Rd)	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

Found Leak Along Back Rd (POISS)  
 pipe HAS A Leak HITS coming from it  
 MADE Rounds with Jerome 11:01

**ACTION TAKEN:**

Called JCF TO TAKE A LOOK AT  
 SAID He will be in (ASAP)

CALL RECEIVED BY:

*Watchman Marty Fikins*

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Marian Kuritz  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 3/14/06  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 10:05 Am  
SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: @ Washington Ave near  
intersection with Ruff Road

DESCRIPTION OF ODOR: Strong putrid odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Joan Britt

ADDRESS: Arka Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/14/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: a residence

DESCRIPTION OF ODOR: foul egg smell in the hallway  
side of kitchen. There was one other woman  
with her that noticed it

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/14/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 9:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Bad smell in hallway

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Waise Gunwisian (?)

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/15/06

COMPLAINT RECEIVED BY: JR

TIME OF DAY ODOR WAS DETECTED: 2:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Washington Ave / Lincoln Ave

DESCRIPTION OF ODOR: Strong Smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Julia Blanchard

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/16/06 and 3/17/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: none given

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: in apartment, especially  
in bedroom

DESCRIPTION OF ODOR: caused choking for 2 hrs

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/19/06

COMPLAINT RECEIVED BY: TRE

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: -

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF ODOR: "briefly"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Marion Kuritz

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/23/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:25 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Rapp Road

DESCRIPTION OF ODOR: Strong, noxious odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: B. H. Milke

ADDRESS: 6 Village Park Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/25/06

COMPLAINT RECEIVED BY: TROR

TIME OF DAY ODOR WAS DETECTED: 5:00-5:30

SEVERITY OF ODOR ON SCALE OF 1-10: 1 out of 10

LOCATION ODOR WAS DETECTED: Home Dept @ 5:00; on  
Kapp Road @ 5:30-

DESCRIPTION OF ODOR: both times described as a 1  
out of 10

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/26/06

COMPLAINT RECEIVED BY: TORR

TIME OF DAY ODOR WAS DETECTED: 1:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor in apartment

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/27/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 3:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor in apartment

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Teresa Avellino

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/27/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 3:00AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: odor in apartment

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Rita Redlich

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/27/06

COMPLAINT RECEIVED BY: TRC

TIME OF DAY ODOR WAS DETECTED: 3:40 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Rapp Road, near landfill

DESCRIPTION OF ODOR: garbage smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/28/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 11:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: Gula parking lot to South Terrace ??

DESCRIPTION OF ODOR: smell from Garbage

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Kimi Pierce	DATE:	3-28-06
PHONE:		TIME:	8:55 AM
ADDRESS	R AidoE (Ter)	WIND DIRECTION:	
	U	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

MAS Pierce call about a strong odor  
 remaining from Landfill. She said the smell  
 was in her basement only & NOT in her  
 house. She said she has spoken to  
 JOE several times. I then told her  
 I will look into the problem.

**ACTION TAKEN:**

① I made an round looking at try to find  
 any leaks & found none of smell in  
 out of the neighborhood. I then drove  
 over to AidoE tel I could not smell  
 any gas at all

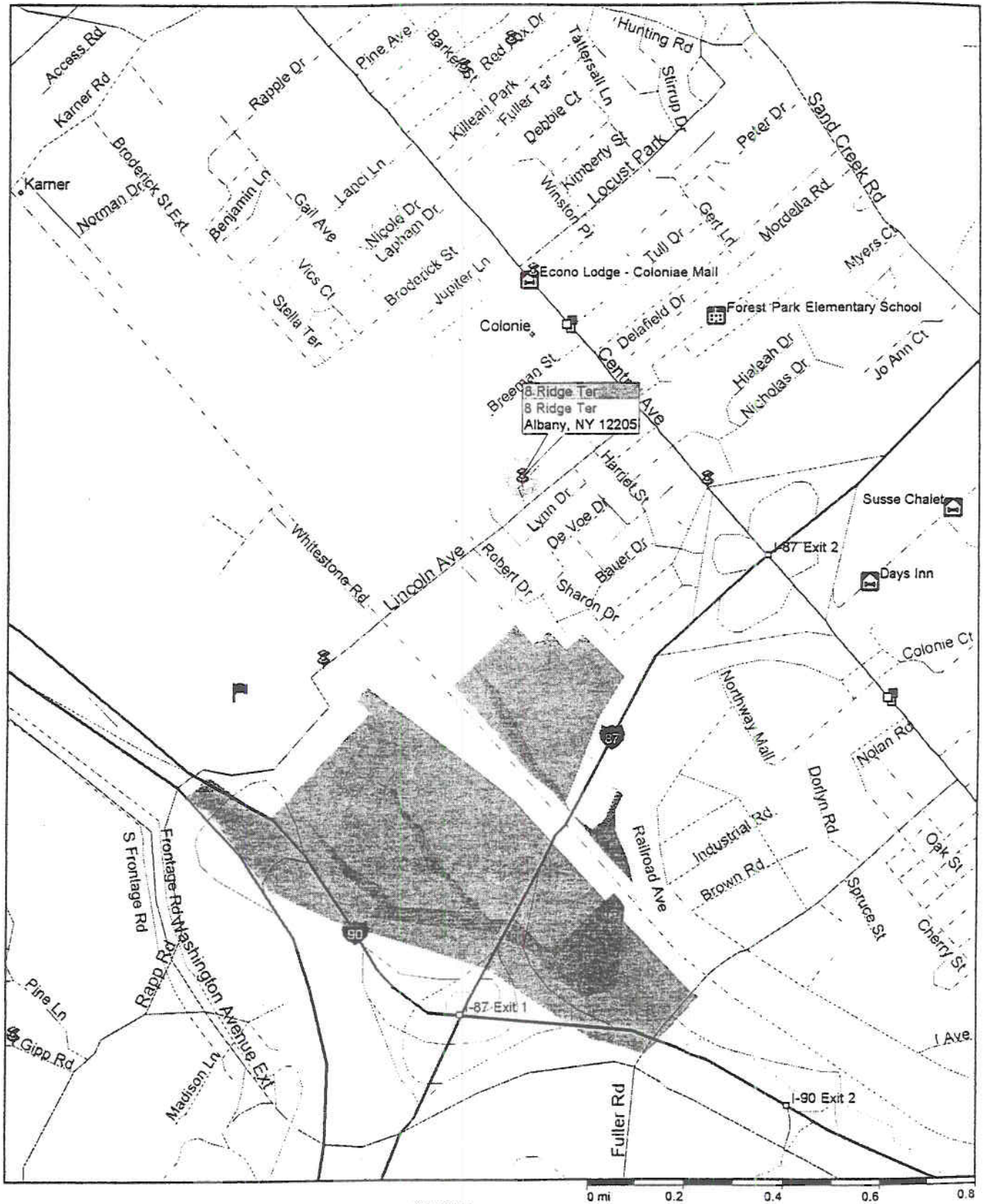
W. AICHMAN

CALL RECEIVED BY:

MARTIN FIKINS



# 3/28/06 Odor Complaint



Streets98

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Charlie Honikel  
ADDRESS: Holland Ave  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 3/28/06  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Holland Ave

DESCRIPTION OF ODOR: "smelled landfill"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_







CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: B.H. Milke  
ADDRESS: Village Park Drive  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 3/28/06  
COMPLAINT RECEIVED BY: TOR

TIME OF DAY ODOR WAS DETECTED: 9:31 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: could smell in house

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Teresa Avellino

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: -

DATE: 3/29/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 10:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Odor in hallway

DESCRIPTION OF ODOR: UGH!!

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Terry Rinaldi

ADDRESS: Ariva Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/29/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: None given

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: Rapp Road

DESCRIPTION OF ODOR: Smell from garbage

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Megan Gemintao

ADDRESS: 160 Lincoln

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/29/06

COMPLAINT RECEIVED BY: SRR

TIME OF DAY ODOR WAS DETECTED: 6:56 PM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: smells pretty bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Hunt z

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 3/30/86

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:32 AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ Residence

DESCRIPTION OF ODOR: "still an odor"

ACTIONS TAKEN IN RESPONSE: —



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve La Bella

ADDRESS: Cross Gates Restaurant

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/31

COMPLAINT RECEIVED BY: AMRR

TIME OF DAY ODOR WAS DETECTED: PM (evening)

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ place of business

DESCRIPTION OF ODOR: odor is here again - smells bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: \_\_\_\_\_

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/1/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 2 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Patio

DESCRIPTION OF ODOR: horrible Stench - Smell  
had to close door & windows

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: T. Avellino

ADDRESS: Hula Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/2/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 9:30 AM - 3:30 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Stayed in - closed Pkto & windows  
awful smell - can not use Pkto - can not  
breathe good - no fresh air inside or out - Please do  
something to correct situation. Avik is residential

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Snyder

ADDRESS: NYS Thruway

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/2/06

COMPLAINT RECEIVED BY: JDR

TIME OF DAY ODOR WAS DETECTED: 6:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ Thruway Exchange 24

DESCRIPTION OF ODOR: It is abnormally high for this time of morning

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



## ALBANY LANDFILL COMPLAINT FORM

NAME:	KUNCEZ, Hanna	DATE:	5/2/06
PHONE:		TIME:	1:15 PM.
ADDRESS	100 WINDY PINE DR.	WIND DIRECTION:	
	FPT 1116	TEMPERATURE:	
	DRIVING ON RAMP ROAD		

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

\* DRIVING ON RAMP ROAD @ 7:30  
 THIS MORNING + SMELLED O.D.R.

**ACTION TAKEN:**

\* O.D.R. VISITED DURING AM TOUR -  
 WAS GARBAGE NOT GAS.

CALL RECEIVED BY:

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: T. Avellino  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 5/3/06

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: \_\_\_\_\_  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 5/1/06  
COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 11:30 AM  
SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_  
LOCATION ODOR WAS DETECTED: Patio  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: John Keyan

ADDRESS: Arila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/4

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: \_\_\_\_\_

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF ODOR: Coughing

\_\_\_\_\_  
\_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: T. Avellino

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/4/06

COMPLAINT RECEIVED BY: TOR

TIME OF DAY ODOR WAS DETECTED: 10:30 Am

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: in apartment

DESCRIPTION OF ODOR: bad odor - maybe left from  
night before

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG

NAME: Joan Blahm

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/31/06 - 5/4/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: until 2 pm 5/4/06

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ apartment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF ODOR: has been breathing, choking, gagging  
I have been having gas odors - can not open a window &  
gone on a long time - under medical care now  
which has required prescription medication - truly  
wonderful.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Charlene Hamilton

ADDRESS: Holland Ave

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/6/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "lovely landfill odor"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Rita Medrich

ADDRESS: Avila Community

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/8/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:00 PM

SEVERITY OF ODOR ON SCALE OF 1-10: 1

LOCATION ODOR WAS DETECTED: Washington Ave Ext going  
towards Rt 155

DESCRIPTION OF ODOR: foul smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Joe Barnes

ADDRESS: 5 Robert Road

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/9/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 9 out of 10

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: "really bad this morning" -  
has smelled it other times recently, and did  
not call, but today was "real bad" - gas  
from time to time smelled it @ K-Mart Plaza  
at 155 -

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Jenny Ritz

ADDRESS: Lincoln Ave

COMPLAINANT'S PHONE NUMBER: 869-7569

DATE: 5/9/06

COMPLAINT RECEIVED BY: JRC

TIME OF DAY ODOR WAS DETECTED: 7:15 AM

SEVERITY OF ODOR ON SCALE OF 1-10: \_\_\_\_\_

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smell is unbelievable, son getting to car pulled shirt up over head so could breathe, disgusting smell, son's asthma has been worse, worse than ever, smell is terrible, awful

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	TATESA Avellino	DATE:	5/9/06
PHONE:		TIME:	5:30pm
ADDRESS	Avala Apts	WIND DIRECTION:	SW
		TEMPERATURE:	64°

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

Smells Bad Had to close

Her windows

ACTION TAKEN:

CALL RECEIVED BY:

Joe Ferrandino

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: T. Avellino  
ADDRESS: Avila Community  
COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_  
DATE: 5/9/06  
COMPLAINT RECEIVED BY: JRP

TIME OF DAY ODOR WAS DETECTED: 5:15 - 11:15 PM  
SEVERITY OF ODOR ON SCALE OF 1-10: 7  
LOCATION ODOR WAS DETECTED: in apartment

DESCRIPTION OF ODOR: Still stinks - sickening, vomit, hy burning  
type of smell - can not open into door or  
windows because of stench - NOT! Hallways  
smell too

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: DEC Employee

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 5/10/06

COMPLAINT RECEIVED BY: TRC

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 2 or 3 out of 10

LOCATION ODOR WAS DETECTED: Thruway Exchange 24

DESCRIPTION OF ODOR: Smelled land fill gas

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Blaise Constantakes

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/10/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 2 or 3 out of ten

LOCATION ODOR WAS DETECTED: Thruway exchange #24

DESCRIPTION OF ODOR: smelled land fill gas

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/10/06

COMPLAINT RECEIVED BY: self

TIME OF DAY ODOR WAS DETECTED: 8:00 and 10:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 2 or 3 out of 10

LOCATION ODOR WAS DETECTED: Thruway traveling both  
East @ 8:00 AM and then going West @ 10:00 AM

DESCRIPTION OF ODOR: landfill gas - not real strong  
at either times, but offensive.

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

**ALBANY LANDFILL  
COMPLAINT FORM**

3pm - 11pm

NAME:	Teresa Avellino	DATE:	5/12/06
PHONE:		TIME:	6:26pm
ADDRESS	Aulia	WIND DIRECTION:	
		TEMPERATURE:	57°

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: Bad smell wake her up  
out of her sleep

**ACTION TAKEN:**

CALL RECEIVED BY: Joe Ferrandino



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: 357-2245

DATE: 5/10/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:00 AM and 11:00 AM

SEVERITY OF ODOR ON SCALE OF 1-10: 2 or 3 out of 10 each time

LOCATION ODOR WAS DETECTED: Highway traveling first west to east, later east to west

DESCRIPTION OF ODOR: landfill gas - not real strong either time, but still offensive

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Joan Plum	DATE:	5/13/5/14
PHONE:	?	TIME:	5/13 PM 5/13 9:15 10:30 PM
ADDRESS	Adila	WIND DIRECTION:	?
		TEMPERATURE:	?

5/1  
10:  
A

**NATURE OF COMPLAINT:**

ODOR     
  LITTER     
  BIRDS     
  OTHER

**COMMENTS:**

It Stinks, can't open windows, doors  
very upset

**ACTION TAKEN:**

drove around normal odor  
 drove over to Adila in personal vehicle  
 couldn't really smell anything did  
 notice it at corner of Rappaport and  
 Washington Ave Extension

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Mrs Kuritz	DATE:	12 <sup>12</sup> pm
PHONE:		TIME:	5-14-06
ADDRESS	Avila	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: She said that she was told to call and report odor complaints against the landfill

**ACTION TAKEN:**

Took and wrote down the complaint as I was instructed by D.E. E.  
 Make sure all is done so we are keeping our operating as normal

CALL RECEIVED BY: *Deanne Powell*



## ALBANY LANDFILL COMPLAINT FORM

NAME:	June Blum	DATE:	5-14-06
PHONE:		TIME:	10:20am
ADDRESS	Avila	WIND DIRECTION:	
	1 <sup>st</sup> floor	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:** Can't open her doors or windows  
 and patio reeks of stink coming from what  
 the landfill is burning.

**ACTION TAKEN:**

Write down complaint as instructed  
 so that matter will be handled.

CALL RECEIVED BY: Deanne Ferrell

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Blaise Constantes

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 5/15/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM - on way to work

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Exchange 24 on Thruway  
and on Thruway

DESCRIPTION OF ODOR: smelled bad

ACTIONS TAKEN IN RESPONSE: —

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Gony	DATE:	5/15/06
PHONE:	869-7569	TIME:	9:40
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: ODOR DETECTED @ 3:00 AM + WIFE  
 Has up.  
 \* Reminds A HOUSE + WANTS TO MAKE A SP.  
 \* CHILD HAS REPS. ILLNESS.

**ACTION TAKEN:**

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Robert D'Amico	DATE:	5/15/06
PHONE:	473- <del>754</del> 3136	TIME:	9:57 Am.
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR 
                 
 LITTER 
                 
 BIRDS 
                 
 OTHER

COMMENTS: \* car @ SUNY A.  
                   \* Left Unattended.  
                   \* ODOR NOTED 5/12/06  
                             ↳ 3:30 PM.

**ACTION TAKEN:**

	CALL RECEIVED BY:	
--	-------------------	--

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Tom Reynolds

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/15/06

COMPLAINT RECEIVED BY: TRK

TIME OF DAY ODOR WAS DETECTED: 9:30 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: Barbe road turning off  
of Washington Ave - for about 1000 feet

DESCRIPTION OF ODOR: walking face odor

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve Hammond

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/15 - 5/16

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 5:45 PM on 5/15/06 and 8 AM 5/16/06

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on NYS Thruway

DESCRIPTION OF ODOR: "landfill emitted bad odors"  
"It was wide spread"

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Barre

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/15 - 5/16/06

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: 5/15 about 5:30PM 5/16/06 AM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: NIS Thruway

DESCRIPTION OF ODOR: "It stunk last night -- and this morning it's still stinking."

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Sen Humphrey

ADDRESS: 31 Dicks Court

COMPLAINANT'S PHONE NUMBER: 262-8795

DATE: 5/17

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 9:41 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smelled bad couldn't go outside -

ACTIONS TAKEN IN RESPONSE:

**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	KIM PIERCE	DATE:	5/17/06
PHONE:	869-7709	TIME:	~ 4 PM
ADDRESS:	8 RIDGE TERRACE	WIND DIRECTION:	
	VILLAGE OF COLONIE	TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: ODOR IS BAD -  
(MESSAGE <sup>LEFT</sup> ON VOICEMAIL)  
NO RETURN PHONE #

ACTION TAKEN:

CALL RECEIVED BY: KELLY DWYER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	LINDA	DATE:	5/18/06
PHONE:		TIME:	?
ADDRESS	FERN AVE.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:** "Remember me? I MOVED TO FERN AVE AND  
 I CAN SMELL THE GODDAM LANDFILL ALL THE WAY  
 DOWN HERE - IT'S ATROTIOS, WHAT THE HELL ARE  
 YOU DOING OVER THERE !? !? "  
 (MESSAGE LEFT ON VOICEMAIL)

**ACTION TAKEN:**

	CALL RECEIVED BY: KELLY DWYER
--	-------------------------------

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Mary Milce  
ADDRESS: 6 U. Way Park Lane  
COMPLAINANT'S PHONE NUMBER: 456-5876  
DATE: 5/19  
COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: 8:28 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Strong smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# ALBANY LANDFILL COMPLAINT FORM

NAME:	JO-ANNE	DATE:	5/22/06
PHONE:	456-8420	TIME:	
ADDRESS	5 HATHORN CIRCLE	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS:

odor problems with the weeklong

ACTION TAKEN:

CALL RECEIVED BY:



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Linda

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 5/23

COMPLAINT RECEIVED BY: TORR

TIME OF DAY ODOR WAS DETECTED: evenings (from time to time)

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: corner of Lincoln / Central Ave

DESCRIPTION OF ODOR: land fill smell

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ALBANY LANDFILL  
ODOR COMPLAINT LOG**

NAME: Lauren Milke

ADDRESS: 6 Village Park Drive

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 5/23/04

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 1:09 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: Smell comes up to house -  
Smells very bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Lauren Milke  
ADDRESS: 6 Village Park Drive  
COMPLAINANT'S PHONE NUMBER: -  
DATE: 5/27  
COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 1:02 PM

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: @ residence

DESCRIPTION OF ODOR: can smell dump @ their house

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Leona Beagle

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 5/28

COMPLAINT RECEIVED BY: TBR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: Smell was horrible

DESCRIPTION OF ODOR: \_\_\_\_\_

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Leona Beagle

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 5/29

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: AM

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: —

DESCRIPTION OF ODOR: doesn't smell good today -  
Memorial Day

ACTIONS TAKEN IN RESPONSE: —

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Leona Beagle

ADDRESS: -

COMPLAINANT'S PHONE NUMBER: -

DATE: 5/30

COMPLAINT RECEIVED BY: TOR

TIME OF DAY ODOR WAS DETECTED: 6:59 AM (time of call)

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: -

DESCRIPTION OF ODOR: smells landfill

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Jane Dwyer	DATE:	11/2/06
PHONE:	869-9644	TIME:	7:45 AM
ADDRESS	19 Parkwood Drive	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

Sulfur odor in Backyard ; smell is even in her house

### ACTION TAKEN:

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Bently	DATE:	11/2/06
PHONE:	N/A	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

Lincoln Ave

ACTION TAKEN:

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	PAUL SIDDONS	DATE:	11/2/05
PHONE:	438-6577	TIME:	9:30
ADDRESS	McKENNAVILLE FLEETING	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

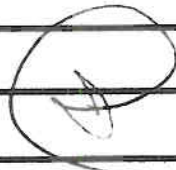
BIRDS

OTHER

COMMENTS: STENCH OF MATTING

### ACTION TAKEN:

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





# ALBANY LANDFILL COMPLAINT FORM

NAME:	YOUNG CASAS	DATE:	11/4/06
PHONE:		TIME:	
ADDRESS	AUSA	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	MIKE JUDGE	DATE:	11/5/02
PHONE:		TIME:	
ADDRESS	30 River Road	WIND DIRECTION:	
	Conestoga	TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sra C NYJLOA	DATE:	11/8/00
PHONE:	862-1090 ext 3211	TIME:	11:15 A
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

*Don*

**ACTION TAKEN:**

\* NEW WELLS BEING BUILT.  
 \* 2 VENT. NOT FUNCTIONING.  
 \* MAIN FLAME DOWN FOR 30 MIN. WHILE TESTING BACK-D.

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Lynda Addison	DATE:	
PHONE:	869-0222 265-7340	TIME:	
ADDRESS	29 Fuller	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

### COMMENTS:

odor 6 or 7 on scale 1 to 10

### ACTION TAKEN:

CALL RECEIVED BY:

Don DeLuca



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Laura WALLEN	DATE:	11/15
PHONE:		TIME:	8:30
ADDRESS	PALMISTONE ST.	WIND DIRECTION:	
	GUARDADO	TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

6/10

ACTION TAKEN:

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	TOLISA ALLEN	DATE:	11/15/06
PHONE:		TIME:	8-30
ADDRESS	ALIA	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	CONWAY, SHANTELL	DATE:	11/15/06
PHONE:	355-2284	TIME:	9:00 AM
ADDRESS	McKNOWLEDGE	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS:

ACTION TAKEN:

CALL RECEIVED BY:





## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARTHA ??	DATE:	11/15/06
PHONE:		TIME:	
ADDRESS	Guadalupe / McKNOWEN	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

NAME & phone for Notifications MAILLETTER.

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	DUN	DATE:	11/19/06
PHONE:		TIME:	3:00 PM
ADDRESS	LEWIS AVE.	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	PAUL SWANNY	DATE:	11/2/06
PHONE:	438-6577	TIME:	9:30
ADDRESS	McKNOWELLE FIREARMS	WIND DIRECTION:	
		TEMPERATURE:	

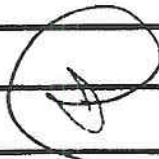
**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: SMELL OF MESSAGE

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>MARIE JUICE</i>	DATE:	<i>11/5/06</i>
PHONE:		TIME:	
ADDRESS	<i>30 Bound Marie Court</i>	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Sara C. MYJLOA	DATE:	11/8/00
PHONE:	862-1090 ext 3211	TIME:	11:15 A
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

*dit*

**ACTION TAKEN:**

\* NEW WELLS GOING IN.  
 \* 2 VENT. NOT FUNCTIONING.  
 \* MAIN FLARE DOWN FOR 30 MIN. WHILE  
 TESTING BACK-UP.

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	TELESA AUREA	DATE:	11/8/06
PHONE:		TIME:	11:30
ADDRESS	AUREA	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

**ACTION TAKEN:**

✓ DRILLING NEW GAS WELLS  
 ✓ 2 VENT. WELLS WORKED AT  
 ✓ MAJOR FLAME DOWN FOR 30 MIN. WELLS  
 TESTING BEING DONE.

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



## ALBANY LANDFILL COMPLAINT FORM

NAME:	ALAN WATERMAN	DATE:	11/22/06
PHONE:		TIME:	7:24
ADDRESS	15 WARD ST	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

"Holes = Smell from Landfill"

**ACTION TAKEN:**

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	Mary Berth	DATE:	11/2/06
PHONE:	N/A	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**


ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

Lincon Ave

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	June Dwyer	DATE:	11/2/06
PHONE:	869-9644	TIME:	7:45 AM
ADDRESS	19 Parkwood Drive	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

sulfer odor in Backyard ; smell is ever in her house

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



**ALBANY LANDFILL  
COMPLAINT FORM**

NAME:	<i>Nrc</i>	DATE:	<i>11/2/06</i>
PHONE:	<i>465-4537 EXT 11</i>	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

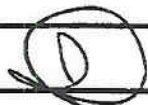
ODOR  LITTER  BIRDS  OTHER

**COMMENTS:**

*• LANDFILL OPEN TODAY ?  
• HHW DAY*

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER













## ALBANY LANDFILL COMPLAINT FORM

NAME:	MARTHA ??	DATE:	11/15/06
PHONE:		TIME:	
ADDRESS	Guadalupe / McKinnis St.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

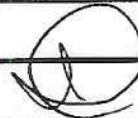
ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

NAME & phone for Neighborhood Newsletter.

**ACTION TAKEN:**

CALL RECEIVED BY:



ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER





## ALBANY LANDFILL COMPLAINT FORM

NAME:	TERESA ANGLA	DATE:	11/23/06
PHONE:		TIME:	6:20 PM.
ADDRESS	AVILA	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**


**ACTION TAKEN:**


CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	ALAN WATERMAN	DATE:	1/22/06
PHONE:		TIME:	7:26
ADDRESS	15 WATER ST.	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

"HURDLES SMELL FROM LANDFILL"

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	None Given	DATE:	11/26/06
PHONE:		TIME:	
ADDRESS	Colony -	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

**COMMENTS:**

\* No odor reported

\* Caller said to "Keep doing what you are doing"

**ACTION TAKEN:**

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TERESA ANARA	DATE:	12/1/06
PHONE:		TIME:	9:30
ADDRESS	ANARA	WIND DIRECTION:	S MPH
		TEMPERATURE:	N.W.

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

"LAND STINKS"

"TERRIBLE SMELL EVERY DAY"

"CAN OPEN THE WINDOWS"

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## ALBANY LANDFILL COMPLAINT FORM

NAME:	DR. PRUADIA	DATE:	12/5/06
PHONE:	640-0651	TIME:	12:30 PM.
ADDRESS	AVALA	WIND DIRECTION:	
		TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

- CALLED REGARDING ODOR ON ROAD BETWEEN WASHINGTON + CORPUS AE.
- SMOELD BAD 12/4/06 @ 9:00 AM.

**ACTION TAKEN:**

- CALLED BACK - NO SUCH PERSON @ #.

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	MRS LIGUORI	DATE:	1/5/07
PHONE:	<del>456-3954</del> (Fax #2?)	TIME:	
ADDRESS	456-3454	WIND DIRECTION:	
	Outdoors Hours	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

BECOMING OF DM + MASH OF  
 RAIN -  
 NO SPREAD TINES / DMJ.

**ACTION TAKEN:**

CALL RECEIVED BY:



9/17/2006 — 12/5/2006  
+ landfill summary report.

DATE	TIME	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
9/17/2006	11:15 PM	Resident		Benjamin Lane	Village	"Smells dump"
9/19/2006	1:12 PM	Linda Beegle Thruway		3 Benjamin Lane Exit 24	Village Albany	"Can smell dump" "Heavy odor"
9/21/2006	8:45 AM	Teresa Avallina		Avila	Albany	"something burning" wind was coming from south/southwest (from avia)
9/22/2006						
9/23/2006						
9/25/2006	8:06 PM Night	Kim Pierce Resident		8 Ridge Terrace Bauer Drive	Colonie Colonie	Joe G. detected slight odor in S-turn and in front of Admin. Bldg. thought it was from NEO "smelled landfill" wind was from W at 13 mph, she lives 3/4 to northeast "landfill continues to smell, very bad"
9/28/2006						
9/29/2006						
9/30/2006						
10/1/2006	5:00 AM	Mary Beth City		Pine View School 30 Bauer Drive	Albany	None detected
10/2/2006	Night	Mike Justice City			Colonie	"odor" from dump was unacceptable last night, 1.05 miles N - NE from the landfill. Winds calm for most of the night.
10/4/2006	6:30 PM	Jen Humfres City		Thruway	Albany	"smelled landfill at 4:30PM and could still smell it at 6:30PM"
10/5/2006	9:00 PM	DEC Attorney DEC Employee		Thruway	Albany	"landfill smelled very bad", driving thruway "real stinky today", driving thruway
10/6/2006						
10/7/2006						
10/8/2006						
10/9/2006						
10/10/2006						
10/11/2006	1:00 AM	Volanda Cavalleri		Avila	Albany	"awakened by odor, windows were closed, could not go back to sleep, feels like she has a cold, cough, chest, runny nose"
10/12/2006	8:30 PM	?			Albany	someone called into DEC "a landfill odor near the corner of RI 155 and Central Ave"
10/13/2006						
10/14/2006	10:00 AM	Teresa Avallina City		Avila	Albany	no details
10/15/2006	2:30 PM	Teresa Avallina City		Avila	Albany	"Woke up from my nap and smelled that horrible, horrible smell. Made me want to vomit."
10/16/2006	8:30 AM	DEC Attorney (Blaza)		Thruway	Albany	"nasal smell, possibly from gas to energy plant"
10/17/2006	9:09 AM	Peter Biesle City		Benjamin Lane	Colonie	"odor in house"
10/18/2006	9:12 AM	Teresa Avallina City		Avila	Albany	"odor in air"
10/19/2006		Ron City		Pine Hills Neighborhood (near Col)	Albany	"Webbing or burning smell. He called the health department and they referred him to us."
10/20/2006						
10/21/2006						
10/22/2006	11:00 PM	Thruway Authority City		Thruway	Albany	Joe on site at 11:25 PM, everything running fine, did not smell anything on site. Randy reported odor strong at S-turn going up GAL. Joe went thruway, smell nothing until hit plant to thruway
10/23/2006						
10/24/2006						
10/25/2006	8:00 AM	Lynn Lyons Colonie Resident		Luis Park Barker St	Colonie Colonie	"Outraged by odors & quality of life" "smells like s-f"
10/26/2006						
10/27/2006						
10/28/2006	Afternoon	Resident		Central Ave / Village Hall	Colonie	No name only a resident of Colonie driving on Rapp Road @ Noon. Noted that it smells on rainy days. "smell really bad even with high winds"
10/29/2006						
10/30/2006	9:30 PM 6:45 AM	Linda Adison City		Village Park Drive Fuller Terrace Village Park Drive	Colonie Albany Colonie	1 out of 10 6/7 out of 10 1 out of 10
10/31/2006	7:30 AM	?			Albany	
11/1/2006	5:15 PM 5:30 PM 8:30 PM	Steve Debelia City		Crossgates Rest. Washington Ave / Rapp Rd RI 20 at Mckonville Firehouse	Albany Albany	dump highly offensive, real, real bad "smelled landfill gas" Strong odor, skunking, quality of life issue, never smelled it so strong at this location
11/2/2006	6:30 PM AM 5-6:30 PM 8:30 PM	Paul Sweeney Mary Bantley City City		Western Turnpike Rescue Squad Thruway Mckonville Lincoln Ave	Albany Albany Colonie	Apparent and heavy Traveling east to west, smelled bad driving around area, stinking in a major way Stench of Methylen



City of Albany Complaint Log - 2006						
DATE	TIME	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
11/20/2006	7:45 AM	City	June Dwyer	19 Parkwood Drive Washington Ave / Rags Rd	Albany	Sulfur odor in backyard up to railroad tracks, 8 out of 10
11/20/2006	7:45 AM	City	Meagan D'Amato	None	None	general odor complaint
11/20/2006	7:30 PM	City	?	120 Lincoln Ave.	Colonia	awful stench
11/20/2006	9:30 AM	City	?	30 Bower Drive	Colonia	smells really gross
11/20/2006	10:30 AM	City	?	Village Park Drive	Colonia	4 out of 10
11/20/2006	12:00 AM	City	?	rt 155	Colonia	between central and rt 20, really strong smell
11/20/2006	11:15 AM	City	Volencia Cavalin	Avila	Colonia	general odor complaint
11/20/2006	11:30 AM	City	Mike Justice	30 Bower Drive	Colonia	6 or 7 out of 10
11/20/2006	3:30 PM	City	Teresa Avallina	29 Fuller	Albany	odor in and out of building
11/20/2006	6:30 PM	City	Sieve Debella	NYSERDA Avila	Albany	obnoxious smell, heavy sulfur smell, doesn't feel he has seen much change with new flare on-line
11/20/2006	6:30 PM	City	?	Crossgates Rest Western Ave.	Albany	Price chopper and crossgates area, can smell landfill
11/19/2006	4:30 PM	DEC	Volencia Cavalin	Fuller Terrace	Colonia	simply said they could smell the landfill
11/19/2006	8:00 AM	DEC	?	Western Ave	Albany	
11/19/2006	12:00 PM	DEC	Teresa Avallina	Avila	Albany	
11/19/2006	2:00 PM	DEC	?	Avila	Albany	it really smelled bad, but the call came into our support person and no name, or location, just that it was right now and was really bad
11/19/2006	11:50 PM	DEC	?	Providence St, McKonville	Albany	small in apartment and unbearable outside
11/17/2006	2:00 PM	DEC	Resident	Lincoln Ave	Colonia	odor pretty strong
11/17/2006	3:00 PM	DEC	Tom	Lincoln Ave	Colonia	Just got home, I live in Village of Colonia, and it smells real bad, you do something about it
11/18/2006	7:40 PM	DEC	?	?	Albany	thruway, strong landfill odor
11/20/2006	7:28 PM	City	Carol Waterman	18 Warren Street	Colonia	"Horrible smell from landfill"
11/22/2006	6:30 PM	DEC	?	Avila	Albany	thruway traveling east to west, strong landfill odor
11/22/2006	10:15 PM	DEC	?	Avila	Albany	odor very strong outside patio
11/23/2006	6:20 PM	DEC	Teresa Avallina	Avila	Albany	odor very strong outside and inside apartment
11/23/2006	8:30 AM	DEC	Tom Reynolds	Thruway	Albany	Exit 24 getting off, weak landfill odor as approaching toll booths
11/24/2006	11:30 AM	DEC	Tom Reynolds	Thruway	Albany	Exit 24 getting on, very strong landfill gas odor as we went through toll booths and traveled for about 1000 ft beyond
11/25/2006	4:45 PM	DEC	?	Avila	Albany	outside smells foul, an 8 out of 10
11/26/2006	9:00 AM	DEC	Region 4 air staff	9:00am, corner of Rt 155/Central	Colonia	corner of Rt 155/Central, landfill gas odor, an 3 out of 10 (this complaint came from one of our Region 4 air staff)
11/27/2006	3:40 PM	DEC	?	Fawn Ave	Colonia	sulfur smell has been coming and going for days, but today is constant and bad
11/28/2006	6:00 PM	DEC	?	Thruway	Albany	Thruway coming on at exchange 24, smells particularly bad today (got this call at home from very reliable source - person that has been coming through this exchange every day for more than 10 years)
11/28/2006	7:35 PM	DEC	?	Avila	Albany	horrible odor, had to cover nose, smelled like a toilet
11/29/2006	4:35 PM	DEC	?	Benjamin Lane	Colonia	landfill is blowing up a smell
11/30/2006	9:30 AM	DEC	?	Avila	Albany	odor is absolutely stinking
12/1/2006	6:00 PM	DEC	Region 4 Division of Air staff	Rt 155/Central	Colonia	6 out of 10
12/2/2006	7:15 AM	DEC	?	Barker St	Colonia	could smell landfill
12/3/2006	6:45 AM	DEC	?	Benjamin Lane	Colonia	small in bedroom with window cracked, checked and dump smell really bad outside
12/4/2006	5:20 PM	DEC	?	Corner of Rt 155/Central	Colonia	smells to high h (normally term would be heaven, but opposite used in this case), hydrogen sulfur smell
12/4/2006	7:15 AM	DEC	Resident	Barker St	Colonia	Said it was bad most days (pass by every day), and right now it was very bad, and smelled like rotten eggs/sulfur
12/4/2006	2:45 PM	DEC	?	Lincoln Ave	Albany	stinks outside and inside
12/5/2006	11:30 PM	DEC	Region 4 Division of Air staff	Avila	Albany	Colonia is 3 out of 10
12/5/2006	6:30 AM	DEC	?	corner of Locust/Cottonwood	Albany	

**CITY OF ALBANY LANDFILL SUMMARY REPORT**  
**MONTH: November**  
**YEAR: 2006**

DATE	TOTAL TONS	TOTAL TONS NO ADC
	0	0.00
	0.00	0.00
11/1	1440.72	1062.22
11/2	1699.27	1039.86
11/3	1358.63	999.03
<b>WK TOTAL</b>	<b>4498.62</b>	<b>3101.11</b>
11/6	1540.51	1101.45
11/7	2114.90	1077.09
11/8	2024.51	978.26
11/9	1594.61	1029.82
11/10	2114.64	956.49
<b>WK TOTAL</b>	<b>9389.17</b>	<b>5143.11</b>
11/13	2365.02	1124.51
11/14	2016.32	1037.68
11/15	1709.49	993.22
11/16	1388.61	971.44
11/17	1623.92	1075.96
<b>WK TOTAL</b>	<b>9103.36</b>	<b>5202.81</b>
11/20	1607.76	1100.76
11/21	1608.90	994.80
11/22	1596.69	1125.71
HOLIDAY	59.06	59.06
11/24	1110.85	940.19
<b>WK TOTAL</b>	<b>5983.26</b>	<b>4220.52</b>
11/27	1441.35	1112.65
11/28	1303.42	1032.46
11/29	1331.09	1072.25
11/30	1705.52	977.41
	0.00	0.00
<b>WK TOTAL</b>	<b>5781.38</b>	<b>4194.77</b>
<b>MONTH TOTAL</b>	<b>34755.79</b>	<b>21862.32</b>



## ALBANY LANDFILL COMPLAINT FORM

NAME:	JANA BATEL	DATE:	9/19/00
PHONE:		TIME:	11:12 AM
ADDRESS	3 BROWN LN	WIND DIRECTION:	
	Village of Chen	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR

LITTER

BIRDS

OTHER

**COMMENTS:**

"CAO SMOKE IN JUNE"

**ACTION TAKEN:**

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TOM GARY	DATE:	9/12
PHONE:		TIME:	4:30 PM
ADDRESS	FOX RUN	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

GARAGE OPEN

### ACTION TAKEN:

• FEELING ALL NORMAL.

• LOW PREE NESTED IN AREA.

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	KIM PRICE	DATE:	9/25/06
PHONE:		TIME:	9:00 PM.
ADDRESS	6 RIDGE TERRACE.	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

# ALBANY LANDFILL COMPLAINT FORM

NAME:	MOM - BOYD	DATE:	10/2/06
PHONE:		TIME:	5:00 AM
ADDRESS	PIRE VIEW NURSOM SLACKS	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR       LITTER       BIRDS       OTHER

### COMMENTS:

- NONE DETECTED :

### ACTION TAKEN:

CALL RECEIVED BY:





# ALBANY LANDFILL COMPLAINT FORM

NAME:	JEN Humery	DATE:	10/4/06
PHONE:	None	TIME:	6:30 PM
ADDRESS	VELOCIE of COURTES.	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

COMMENTS: "Could Smell THE DUMP"

ACTION TAKEN:

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Volanda Cavaleri	DATE:	10/11/06
PHONE:		TIME:	1:00 am
ADDRESS	Avila Retirement	WIND DIRECTION:	
	Community - off Wash Ave	TEMPERATURE:	
	100 White Pine Drive		

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

COMMENTS: awoken by odor, windows were closed, could not go back to sleep. Feels like she has a cold, cough, chest, runny nose

**ACTION TAKEN:**

CALL RECEIVED BY:

Tera Smith 10/11/06

# ALBANY LANDFILL COMPLAINT FORM

NAME:	T. ANGLER	DATE:	10/15/06
PHONE:		TIME:	10:00 Am
ADDRESS	AREA	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TIERSEA ANDREA	DATE:	10/16/06
PHONE:		TIME:	2:30 PM
ADDRESS	ANSA	WIND DIRECTION:	
		TEMPERATURE:	

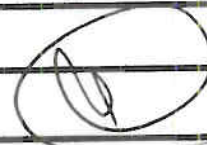
### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: "WAKE UP FROM HER NAP + SMELLED THAT HORRIBLE HORRIBLE ODOR." WANTED TO VOMIT.

### ACTION TAKEN:

CALL RECEIVED BY:



# ALBANY LANDFILL COMPLAINT FORM

NAME:	TELESEA Avenue	DATE:	10/18/06
PHONE:		TIME:	9:12
ADDRESS	Avenue	WIND DIRECTION:	0MPH
		TEMPERATURE:	60.2

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: ODOR IN THE AIR

ACTION TAKEN:

CALL RECEIVED BY:

# ALBANY LANDFILL COMPLAINT FORM

NAME:	LOW	DATE:	10/13/06
PHONE:	422-1850	TIME:	
ADDRESS	NEAR COLVIN AVE	WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

- ODOR  LITTER  BIRDS  OTHER

COMMENTS:

- ROTTING GARBAGE
- WAZZING SMELL / BURNING SMELL
- BURNING SMELL

ACTION TAKEN:

CALL RECEIVED BY:



## ALBANY LANDFILL COMPLAINT FORM

NAME:	Bobby Brock	DATE:	10/18/06
PHONE:		TIME:	9:09 AM
ADDRESS	BENJAMIN LANE	WIND DIRECTION:	0 MPH
	VIEWERS of CURVE	TEMPERATURE:	60.4

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

\* Odor on House

**ACTION TAKEN:**

CALL RECEIVED BY:

## ALBANY LANDFILL COMPLAINT FORM

NAME:	Therway Exitor	DATE:	10/22/00
PHONE:		TIME:	11:15PM
ADDRESS	Therway Exitor	WIND DIRECTION:	N/A
		TEMPERATURE:	N/A

**NATURE OF COMPLAINT:**

ODOR      
 LITTER      
 BIRDS      
 OTHER

**COMMENTS:**

"Odor is overpowering"

**ACTION TAKEN:**

Called Joe G., said he would be in to check things.

- \* CHECKED SITE - NO ODR
- \* NO ODR @ 24 WEST SIDE
- \* ODR @ 24 EAST SIDE

CALL RECEIVED BY: W. Atchman (Randy)



# ALBANY LANDFILL COMPLAINT FORM

NAME:	LYNN LEON	DATE:	10/25/06
PHONE:		TIME:	NONE
ADDRESS	Lewis Park	WIND DIRECTION:	
	Course	TEMPERATURE:	

**NATURE OF COMPLAINT:**

ODOR       LITTER       BIRDS       OTHER

COMMENTS: "DISTURBED BY ODORS + QUALITY OF LIFE"  
 "DEPRECIATION OF HOME... EXPANSION ABSOLUTELY NOT"  
 "LOOKED CONCERN TO ODORS"  
 "NEED TO FIXED THINGS FASTER"  
 "NEED TO PROVIDE POWER"  
 "NEED TO TAKE LANDFILL BACK TO MERRISTA."  
 "OUR CHEMICAL STORES NOT HAVE TO BE"

**ACTION TAKEN:**

"UP WITH IT."  
 "WE GO TO THE MUSEUM + OUR TONGUES BECOME HURT FROM METHANE"  
 "SURRENDERED THERE IS NOT A CLASS ACTION LAWSUIT."  
 "DID NOT KNOW WHERE MR. JENNINGS LIVED BUT HE NEED TO PAY CLOSE ATTENTION"

\*NO SPECIFIC ODOR COMPLAINT\*

CALL RECEIVED BY: 

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



# ALBANY LANDFILL COMPLAINT FORM

NAME:	RESIDENT IN COLONY	DATE:	10/20/04
PHONE:		TIME:	Noon
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: "STINKS ON RAINY DAYS"

ACTION TAKEN:

CALL RECEIVED BY:

# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Joe.</i>	DATE:	<i>11/2/06</i>
PHONE:	<i>465 4337 EXT 11</i>	TIME:	
ADDRESS		WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR

LITTER

BIRDS

OTHER

### COMMENTS:

- LANDFILL OPEN TODAY 2
- HHW DAY

### ACTION TAKEN:

CALL RECEIVED BY:

*(Signature)*

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER

## 2007 Citizen Complaints obtained from Albany Interim Landfill and NYS DEC

Total: 503 for first 3 quarters. Q4 not available.

(Total reflects complaints that were released to Save the Pine Bush, not the total complaints on file.)

1/14/07 6 out of 10. This complaint is from the Region 4 air person in the Village.

1/29/07 “Village smelled dump, making us sick.” – Anon.

2/11/07 “These unburned gases with its penetrating stench pose a health risk to the immediate area...” -- Alan P. Druckmen

3/2/07 “Allowing this situation to continue could adversely affect people with breathing difficulties.”  
Mary R. Haller

2/12/07 “smelled of sulfur chloride?”

3/2/07 8:45 pm “sickening odor, interrupts sleep.”



1/2/07 8:20 am “smelled all morning. Very bad, wife is going to Doctor for stomach problems.” Charles Moriarty

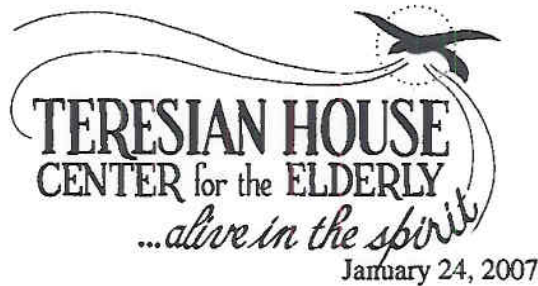
4/16/07 5pm “burning methane smell, industrial.”

4/23/07 Can’t open windows, burning smell – Anon

5/17/07 “sulfur gas smell.” Lynne Lyons

7/14/07 “Three dead animals in my yard.” Jeen Ruthersland

9/17/07 “ Chemical, can’t sleep, paying a lot.” Yolanda Cavalini



**RECEIVED**

JAN 26 2007

**MAYOR'S OFFICE**

Hon. Gerald Jennings  
City Hall, Room 102  
Eagle Street  
Albany, New York 12207

Dear Mayor Jennings; *Jerry*

I am compelled to write and add my voice to the chorus of residents of the area surrounding the Rapp Road landfill who have raised serious concerns regarding the terrible odors produced by the decaying trash. I am particularly concerned with the health of Teresian House residents who will be unable to enjoy our outdoor facilities if these conditions persist into spring and summer. Even now, our residents complain of breathing difficulties – a serious matter for the elderly.

You must also be aware that the first impression of many visitors who come to Albany via the Thruway is the landfill-mountain odor – hardly an endorsement for attracting a business to move to our city. Something really needs to be done.

I'd like to suggest that you consider convening a "Town Meeting" here at Teresian House whenever your schedule permits. Invitees should include local residents, business people and representatives from Daughters of Sarah and Avila. It would also be useful to include a representative group of specialists who can explain the processes necessary to resolve the problem.

It will be our pleasure to host the meeting and assist with the agenda. Please let me know if you will consider my suggestion.

Sincerely,

Sr. Pauline Brecanier, O' Carm.  
Administrator

*Carmelite Sisters for Aged and Infirm*

200 Washington Avenue Extension ■ Albany, New York 12203 ■ (518) 456-2000



*Note: floor page overlap. I was careful to count by date, content and avoid duplicates*

City of Albany Complaint Log - 2006									
DATE	TIME	Speed	Wind Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS	
1/12/2007	6:00 PM	4.0 E		DEC		Avila	Albany		
1/12/2007	12:00 PM	3.0 WSW		DEC	BECI Officer Lynda Adson	near Cook Park and then Hoodland Ave 29 Fuller Terrace Village	Colonie	real bad at Cook Park and then could just detect the odor to a lesser degree when getting home on Holland. This complaint came from my BECI Officer who has lived in the area for the last 20 years and is very familiar with the different odors that have occurred over time	Count - for Steve
1/12/2007	7:00 PM	5.0 SW		DEC	BECI Officer	Holland Ave Parkwood Drive	Colonie	Landfill stinks Colonie SW 5.1 mph, 39.9 degree, 29.51"	also from bush
1/10/2007	5:30 PM			DEC			Colonie	Colonie very strong Colonie bad odor like rotten eggs landfill stinks	
1/11/2007	2:38 PM			DEC	ANGY Lady	Greenham Ct	Colonie	Said the odors from the landfill were very bad on December 14th, and several days since. Also the odors started getting bad at her home back in June/July, nothing before that time over the last 20+ years they have lived here.	
1/12/2007	2:38 PM			DEC		Greenham Ct	Colonie	It is a 7 out of 10 with landfill gas on Greenham Ct, off of Albany Street. This person is one of several that has been experiencing odors in this neighborhood and she says she will make sure the others also start calling	
1/19/2007	11:20 AM	3.0 WNW		DEC	Tom Reynolds	Schenectady Rd	Albany	she said she was relatively far from the landfill on Schenectady Road (???) not sure where this is, but said she had talk to someone in her area who told her to call if she detected odors, maybe she means State Street and this is connected with the person calling me over off of Albany Street) - very strong odor, a stench	
1/14/2007	2:30 PM	0.0		DEC	Tom Reynolds	Exit 24	Albany	Thruway approaching Exit 24 coming from the West - landfill gas and felt it would have been a 7 or 8 out of 10	
1/14/2007	5:30 PM	0.0		DEC	Tom Reynolds	Exit 24	Albany	Exit ramp at Exchange 24 coming from the West - landfill smells real bad	
1/15/2007	6:30 PM	0.0		DEC	Tom Reynolds	Exit 24	Albany	on the Exchange 24 ramp getting onto the West bound lanes of the Thruway approximately at where the administration building is - landfill gas, maybe a 6 out of 10	
1/17/2007	10:45 PM	3.0 SSE		DEC		Rt 155/ Central Ave	Colonie	ranked really nasty, made her nauseous, contents of the business were complaining	
1/18/2007	8:30 AM	1.0 SE		DEC	Region 4 air staff	Central and Red Fox	Colonie	6 out of 10 - this complaint is from my Region 4 air person who lives in the Village	
1/21/2007	3:00 AM	1.0 NE		DEC		south of Rt. 20 Avila	Albany	odor noticeable woke her up. No name but not "orena"	
1/22/2007	3:00 AM	1.0 NE		DEC		south of Rt. 20 Avila	Albany	Just got a complaint, last two days on the Thruway, going West to East, odor was very bad. The person calling did not give a specific time, but it was on her way to work, so should have been about 8:00am. This was a DEC employee who formally worked here in Region 4. I know her well and her info in the past has been accurate.	
1/29/2007	8:00 AM	2.0 WSW		DEC	Region 4 staff	Thruway	Albany	Thruway traveling West to East - landfill stench is noticeable today	
1/29/2007	8:00 AM	2.0 WSW		DEC		Thruway	Albany	Thruway traveling West to East - smells stronger than usual	
1/24/2007	8:00 PM	2.0 ESE		DEC		Rt. 5	Albany	150Northway - noticeable odor	
1/24/2007	4:00 PM	7.0 WSW		DEC		Thruway	Albany	Colonie Plaza on Rt 5/vo Virginia St. - 10 out of 10	
1/25/2007	9:45 AM	0.0 ESE		DEC		Greenham Ct	Albany	Landfill smells	
1/25/2007	10:50 AM	4.0 NW		DEC	Mrs. Guitz	Lincoln Ave Avila	Colonie	smelled horrible (flame down at this time)	
1/27/2007	6:00 PM	2.0 WNW		DEC		Northway to Rt. 20	Albany	from 5 to 6 pm	
1/28/2007	11:00 AM	2.0 ENE		DEC		Fletcher Rd	Albany	stench	
1/28/2007	1:00 PM	5.0 WNW		DEC		Crossgates Commons	Albany	11:00-12:30 behind Daughters of Sarah - walls of stench	
1/29/2007	6:15 PM	3.0 NNW		DEC		Avila	Albany	stinks foul	
1/29/2007	11:00 PM	14.0 WNW		DEC		Brodnick St	Albany	really bad, really smells tonight	
1/29/2007	PM/AM			DEC		Village	Colonie	Village - smelled dump, making us sick (1/29-30)	
1/29/2007	PM/AM			DEC		Danison St	Colonie	never complains, but really bad especially last night	
1/29/2007	PM/AM			DEC		Danison St	Colonie	called police to find out what was going on, fire company sent out two trucks, EMS unit, police, all odor kept her awake all night. This morning had a sore throat, last night was at Target's Rt 5 and odor was strong there and heard shoppers complaining about the odor as they left store, rotten egg/burnt garbage odor	
1/30/2007	PM/AM			DEC		Village Resident	Colonie	Lincoln Ave/Walker Way - dump smell a 4 out of 10	
1/30/2007	5:15 AM	0.0 WSW		DEC		Lincoln Ave	Colonie	Lincoln Ave/Walker Way - dump smell a 4 out of 10	
1/31/2007	7:00 AM	0.0 WSW		DEC		Berndt Ekins	Colonie	Landfill odor	
2/1/2007									
2/2/2007	7:00 AM			DEC	Steve Snyder - Thruway	Thruway	Albany	rated it a 9 out of 10, reported workers were saying could smell odor half a mile from the interchange Toll Lane in Westmore - each morning this week including today - a discernable odor going North on 87 from 20, and then on ramp to 90E to Washington Ave/SUNY exit - 7:40am - windows closed in car, yet very noxious	
2/3/2007	9:10 PM			DEC	Romano	Lincoln Ave	Albany	general complaint from the owner of Lincoln storage saying it has been bad in the mornings, especially this past Monday	
2/3/2007	4-4:30 PM			DEC	Air Staff	Rt 155 to Lishakill	Albany	Rt 155 to Lishakill along Central Office - a 5 out of 10	
2/3/2007	1:00 PM			DEC	Air Staff	Crossgates Mall	Albany	smelled very bad this complaint came from a different air staff person who has been trained in odor detection)	
2/4/2007	6:30 PM			DEC		Park Drive	Colonie	dump smells about a 1 - 1 out of 10	
2/5/2007	AM			DEC		Village	Colonie	Village - smells awful, causing breathing difficulty both inside and outside of home	
2/6/2007				DEC		Lincoln Ave	Colonie	Lincoln self storage - can "detect" the landfill odor, not real strong	
2/7/2007									
2/8/2007									

45



Letter of Complaint to  
Governor 2/16/07

CCU CORRESPONDENCE #: 200700634  
GOVERNOR'S NUMBER: 1416130

Correspondent:  
Mr. ALAN DRUCKMAN  
5 DAUPHIN DRIVE  
ALBANY, NY 12205

County: Albany

ADDRESSED TO: Governor  
CORRESPONDENCE DATE: 2/16/2007



SUBJECT: CONCERNED ABOUT THE DANGEROUS GASES THAT ARE EMITTING FROM THE RAPP ROAD  
INCINERATING WASTE PLANT

ROUTE DATE	ACTION	ROUTE TO	DUE DATE
02/16/2007	Reply Direct	SCHASSLER THRU MCKEON	

Notes: W/BC:CCY

*Kaw  
2/20*

CC:

New York State  
Department Of Environmental Conservation

*Tom Reynolds  
Please draft a  
response. This is  
only an odor problem  
with. We are  
continuing to investigate  
and make sure City  
has agreed to  
under take air sampling  
and the way  
that Tom?  
5/27/07*

*Schmitt to the Governor  
RD*

**From:** <Linda.Douglas@chamber.state.ny.us>  
**To:** <ccu@gw.dec.state.ny.us>  
**Date:** Fri, Feb 16, 2007 10:44 AM  
**Subject:** 1416130 - Executive Chamber

\*\*\* Please Do Not Reply to this e-mail Message.\*\*\*  
\*\*\* Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. \*\*\*

Alan Druckman  
5 Dauphin Drive  
Albany, NY 12205  
akdruc81@aol.com  
County Albany  
Addressed to: Governor

Issue 1 40330 Landfills

Correspondence Number 1416130  
Date Of Correspondence 02/11/2007  
Date Received 02/11/2007  
Date Entered 02/12/2007  
Referred To DEC  
Date Referred

Routing History

02/16/2007 10:22 AM (Routed By --> Linda Douglas) (Routed Via Outside Agency Email to --> DEC) This correspondence has not been acknowledged. Please determine ANY ACTION YOU DEEM APPROPRIATE on behalf of the Governor and indicate to the GCO router of the action taken. -- Please respond to Linda Douglas

02/12/2007 01:56 PM (Routed By --> Gloria Galea) (Routed Via Hardcopy to --> Linda Douglas)

Alan Druckman

5 Dauphin Drive

Albany, NY 12205

452-2762

There are killers on the horizon in Colonie, NY. They are stealth killers. They cannot be heard. They cannot be seen. They cannot be felt. They accomplish their perilous deeds by

invading our everyday lives.

These stealth killers are not selective. They are equally destructive to adults, children, animals and all living creatures. They are most penetrating when they are outside but can be as destructive inside. They exhibit their destructiveness with an immediate penetrating presence followed by potential lasting effects.

These stealth killers are chemical gases. They are methane, sulfur dioxide, sulfuric acid, nitrogen oxide, mercury to name a few. They enter the air with a penetrating stench of burning garbage and waste. They penetrate surrounding areas of Rapp road, Colone, Pine Bush Preserve, the New York thruway at exit 25 as well as parts of Washington Ave extension.

These toxic gases under healthy conditions are burned off as they leave incineration plants rendering them harmless. This is not the case at the Rapp road incinerating waste plant, Rapp road Albany (formerly ANSWERS plant).

These unburned gases with its penetrating stench pose a health risk to the immediate area. The gases carried off by wind pose a health risk to those beyond the immediate area.

This presents an immediate and long term health concern but there is also a concern of de-valuing local property value. I have a concern regarding the business impact in my surrounding area such as the Italian Community restaurant the American Polish club and other businesses in that corridor. I have concern about the health of the tollbooth takers at exit 25. I have a concern for the visitors to the Pine Bush preserve. I also have a concern for the health of the police and firefighters at the Pine Bush Police/Fire station.

Living close to the incineration plant I have a vested interest and personal concern for the possible devaluing of my property and the health of my family.

It is obvious to this concerned writer that not enough has been or is being done to improve the quality of the Rapp Road incinerator plant and the air quality. There is not enough being done to address this issue to the people within "ground zero". There is not enough being done by the City of Albany. There is not enough being done by the State of New York.

I spoke to Colonie Town Supervisor, Mary Brizzell and as to the Colonie Village Mayor Leek. They both understand the problem and have attempted to address this issue. They both seem frustrated with the lack of an adequate



solution. They both have attempted to resolve the problem with the City of Albany however, so far, little has resulted.

Mayor Leek has had numerous correspondences with the City of Albany since 2004. The results have not been promising. After all, the problem still exists.

It is worse in 2006 then it was in 2005 then it was in 2004.

In 2004, Gov. George Pataki went to Hudson Valley Community College to unveil a project to convert methane gas into electricity. What was the outcome of that meeting?

In August, the state Department of Environmental Conservation fined the city of Albany \$50,000 for failing to control the stink and ordered the city to make expensive improvements to an underground gas piping system. What was the outcome from that?

I am concerned about all of these. I am concerned that there has not been any resolution to this problem. I am concerned about empty promises. I am concerned about the lack of priority given to this health issue am concerned that it is taking this long to have this issue resolved.

I am asking the governor's office to investigate into this issue. Please respond.

Respectfully,

Alan P. Druckman

### VILLAGE OF COLONIE

ALBANY COUNTY  
NEW YORK

VILLAGE HALL  
2 THUNDER ROAD  
COLONIE, NY 12205  
(518) 869-7962  
FAX (518) 484-0389

KATHLEEN A. HAAS  
Clerk/Treasurer  
March 1, 2007

Governor Eliot Spitzer  
Executive Chamber  
Albany, NY 12224

FRANK A. LEAK  
Mayor  
THOMAS J. TOBIN  
Deputy Mayor  
MICHAEL J. AIDALA  
Trustee  
BETTY FLEM  
Trustee  
JACK MURPHY  
Trustee

Re: Rapp Road Landfill Expansion, City of Albany

Dear Governor Eliot Spitzer:

I am writing on behalf of the Village Board of the Village of Colonie, Albany County, and the residents that we serve. The Village Board has authorized me to ~~send this letter~~ requesting your assistance in addressing a significant issue affecting the quality of life within the Village.

Specifically, for many years, the City of Albany landfill, located on Rapp Road, has been the source of significant noxious odors, which travel into the Village of Colonie and significantly affect our residents' use and enjoyment of their properties. On many occasions, activities, including concerts being held at the Village's Cook Park, have been cancelled or curtailed due to the odor from the landfill. In fact, the New York State Department of Environmental Conservation has determined that the odors constituted multiple violations of the City's permits and, as a result, imposed monetary penalties against the City.

I urge you, as our representatives, to assist the Village of Colonie with this matter. After many years, the City of Albany should no longer be permitted to continually infringe upon the use and enjoyment of residents' properties. To date, the efforts undertaken by the City of Albany to address the noxious odors have been ineffectual and woefully inadequate. Given the City's proposed expansion of the landfill, now is the time for the City of Albany to finally and completely remedy the odor emanating from their landfill.

Your assistance with this matter would be greatly appreciated.

Very truly yours,

*Frank Leak*  
Frank Leak, Mayor

\\CW\FDATA\Colonie - Village of\7/10/01\spitzer courts etc letter.doc

(DEC notes attached)



**New York State Department of Environmental Conservation**  
**Executive Office, 14<sup>th</sup> Floor**  
 625 Broadway, Albany, New York 12233-1010  
 Phone: (518) 402-8545 • FAX: (518) 402-8541  
 Website: www.dec.state.ny.us

*150K  
 Nick S.  
 Tom F.  
 Blaise  
 Marisa*

*I think there is  
 already an order  
 letter being  
 drafted.  
 Let's all agree  
 on one  
 we'll use  
 for all.  
 That  
 5/7/07*

<b>IMMEDIATE ATTENTION</b>	
DATE <u>3/7/07</u>	
<b>TO:</b>  <i>Steve Schassler</i>	<b>FROM:</b>  <i>Bev Moras, CCU</i>
Original is also being mailed <u>NO</u>	
	<i>4 pages total</i>

Operator \_\_\_\_\_

Response Requested <input checked="" type="checkbox"/>	As Requested _____	FYI
--	--------------------	-----

MESSAGE <u>CCU #200700934</u> <u>Due 3/16/07</u>
<u>for Comm. Sig (C. Johnson)</u>



CCU CORRESPONDENCE #: 200700934  
GOVERNOR'S NUMBER: 1419767P

Correspondent:  
HONORABLE FRANK LEAK  
VILLAGE OF COLONIE  
2 THUNDER ROAD  
COLONIE, NY 12205

County: Albany

ADDRESSED TO: Governor  
CORRESPONDENCE DATE: 3/1/2007

SUBJECT: REQUESTS DEC TO ASSIST VILLAGE OF COLONIE IN ADDRESSING CONCERNS OF QUALITY OF LIFE WITH PROPOSED EXPANSION OF RAPP ROAD LANDFILL

ROUTE DATE	ACTION	ROUTE TO	DUE DATE
03/07/2007	Commissioner signature	SCHASSLER THRU MCKEON	03/16/2007

Notes:

CC: HAMMOND THRU JOHNSON

New York State  
Department of Environmental Conservation

**From:** <Paige.Kearbey@chamber.state.ny.us>  
**To:** <ccu@gw.dec.state.ny.us>  
**Date:** Wed, Mar 7, 2007 10:21 AM  
**Subject:** 1419767P - Executive Chamber

*Schassler Thos McKern  
 Comm. Sig  
 C: Hammond Thos  
 Johnson*

\*\*\* Please Do Not Reply to this e-mail Message.\*\*\*  
 \*\*\* Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. \*\*\*

The Honorable Frank Leak  
 2 Thunder Road  
 Colonie, NY 12205

County Albany  
 Addressed to: Governor

Issue 1 40330 Landfills

Correspondence Number 1419767P  
 Date Of Correspondence 03/01/2007  
 Date Received 03/06/2007  
 Date Entered 03/07/2007  
 Referred To DEC  
 Date Referred

**Routing History**

03/07/2007 10:18 AM (CC'd By -> Helen Racicot) ( CC'd Via Internal Email to -> Peter Drago, CC'd Via Internal Email to -> Marty Mack, CC'd Via Internal Email to -> Judith Enck)

03/07/2007 10:18 AM (Routed By -> Helen Racicot) (Routed Via Outside Agency Email to -> DEC) THIS CORRESPONDENCE HAS BEEN ACKNOWLEDGED AND IS BEING FORWARDED FOR ANY OTHER ACTION YOU DEEM APPROPRIATE. IF AN ADDITIONAL RESPONSE IS SENT, PLEASE PROVIDE A COPY TO ECO. -- Please respond to Helen Racicot

(See attached file: image1.tif)

2007 MAR - 7 PM 8: 21

RECEIVED BY  
 COMMISSIONER  
 N.Y.S.D.E.C.

Mary R. Haller  
24 Martin Terrace  
Albany, New York 12205

March 2, 2007

Mr. Steve Schassler  
Regional Director  
New York State  
Department of Environmental Conservation  
Region Four  
1130 North Wescott Road  
Schenectady, New York 12306-2014

*Tom R. Haller*  
Marcia - please work w/  
Tom R. don't a response  
that.  
5/26/07

Dear Mr. Schassler;

I am writing to express my concern and disappointment regarding the odors emanating from the landfill operated by the City of Albany on Rapp Road. I have been a resident of the Town of Colonie and have lived continuously at 24 Martin Terrace since 1947. My house is approximately one and one half miles from the landfill.

While the quality of life here has generally been good, conditions have degraded significantly over the past few years due to the smell of decaying trash and garbage from the Rapp Road landfill. At times, the smell is so foul and obnoxious I can not sit outside without becoming sick to my stomach. In fact, the smell can travel even greater distances before it dissipates into the air as my daughter could smell it in her back yard when she lived near Memories Garden Cemetery in Colonie.

Now, the city is requesting DEC authorization to expand the landfill and, while this expansion may be necessary to serve Albany residents, the landfill needs to be a good neighbor to the citizens of Colonie who have been in the area long before the landfill was established at its present location. Odors from the landfill that spread through adjacent neighborhoods are not merely an inconvenience. Allowing this situation to continue, or become worse, could adversely affect people with breathing difficulties. This air pollution would force all residents in the area to seek refuge indoors with the air conditioner constantly running at full power - further contributing to air pollution and energy consumption. Additionally, there is the matter of property values that can be adversely affected by the flow of foul air from the land fill.

I recall newspaper articles about enforcement actions being imposed by DEC against the City of Albany requiring the city to take action to mitigate the odor. These articles suggested that the City would be heavily fined if they failed to take such action. Please advise what steps the city has taken to control the landfill odors and if these measures are in compliance with DEC regulations pertaining to landfill operation and air quality standards. Also, please advise what recourse is available to those of us who are sickened by the landfill odors should they continue unabated.

Thank you for your time and attention to this matter.

Sincerely,

*Mary R Haller*

Mary R Haller

①



City of Albany Complaint Log - 2006

DATE	TIME	Wind Speed	Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
2/1/2007								
2/2/2007	7:00 AM	0.0 SE		DEC	Steve Snyder - Thruway Romano	Thruway Lincoln Ave	Albany	rated it a 9 out of 10, reported workers were saying could smell odor half a mile from the interchange Toll Lane in Westmere - each morning this week including today - a "discernable odor" going North on 87 from 20, and then on ramp to 90E to Washington general complaint from the owner of Lincoln storage saying it has been bad in the mornings, especially this past Monday.
	9:10 PM	0.0 ESE		DEC	Air staff	Rt 155 to Lishakill	Colonia	
	4-4:30 PM	3.0 SE		DEC	Air Staff	Crossgates Mall	Colonia	smelled very bad (this complaint came from a different air staff person who has been trained in odor detection)
2/3/2007	1:00 PM	9.0 SSW		DEC		Park Drive	Colonia	dump smells about a 1 - 1 * out of 10
	6:30 PM	3.0 SSW		DEC		"village"	Colonia	Village - smells awful, causing breathing difficulty both inside and outside of home
2/4/2007								
2/5/2007	AM			DEC		Lincoln Ave	Colonia	Lincoln self storage - can "detect" the landfill odor, not real strong
2/6/2007	7:30 PM	0.0 WSW		DEC		Thruway, Exit 24	Albany	
2/7/2007	5:30 PM	7.0 WSW		DEC		Thruway, Exit 24	Albany	Exchange 24 ramp onto Thruway West bound
2/8/2007	9:15 PM	6.0 SW		DEC		Village Park Drive	Colonia	wife said a 3 out of 10; husband felt it was a 1 out of 10 - landfill gas
2/8/2007								
2/10/2007								
2/11/2007								
2/13/2007								
2/14/2007								
2/15/2007								
2/16/2007								
2/17/2007								
2/18/2007								
2/19/2007	4:20 PM	6.0 SW		DEC		Lincoln Ave	Colonia	small coming from dump
2/20/2007	6:45 PM	0.0 ESE	ESE/ WNW	CITY	Lynda Adson	29 Fuller Terrace	Colonia	Landfill smell was unbearable
	5:30 PM	0.0 ESE		CITY	Megan	160 Lincoln Ave	Colonia	10 out of 10
	5:46 PM	0.0 ESE		DEC		Along Rapp Rd	Albany	strong stench, a 12 out of 10, ridiculous
	6:30 PM	2.0 ESE		DEC		Rapp Rd	Albany	from landfill entrance to railroad tracks on Lincoln Ave - disgusting, a 9 out of 10, really bad
	6:30 PM	7:20PM		DEC		Lincoln Ave	Colonia	10 out of 10
2/21/2007	9:10 PM	0.0 ESE		CITY	Megan	Fuller Rd to Fuller Ter.	Colonia	off the charts, enough to gag you
	10:50 PM			CITY	Mary Milty	Kanyon Park	Colonia	St. Michaels Church on Kanyon Park - odor was bad (this caller is same as the Fuller Road to Fuller Terrace complaint)
2/22/2007				CITY	Jen Humphreht	Lincoln Ave	Colonia	3 out of 10 at 8 am and 1 out of 10 at house
2/23/2007	AM			DEC		Fern Ave	Colonia	could smell landfill
2/25/2007	PM			DEC		Parkwood Drive	Colonia	second night in a row odors have been nauseating about the same time of night
2/26/2007				DEC		Thruway	Albany	stunk this morning, and other mornings all week
2/27/2007	7:40 PM	0.3 SW		DEC		Cross Gates Mall	Albany	odor was real bad
	7:00 PM			CITY	Mary Milite	6 Village Park Drive	Colonia	2-3 out of 10
	6:00 PM			DEC		Village Park Drive	Colonia	2 or 3 out of 10 (same as City complaint)
2/28/2007	5:45 PM			DEC		Lincoln Ave	Colonia	stink is horrendous
3/1/2007	3:00 AM			CITY	Teresa Avalina	Rapp Road	Albany	on Rapp Road from entrance of landfill all the way to Jupiter - 10 out of 10
	10:00 PM			DEC		Avila	Albany	could smell landfill
	6:30 AM			DEC		East of SUNY Campus	Albany	air is not breathable (same as City complaint)
3/2/2007	5:00 PM			DEC		1-907 I-87	Albany	putrid odor, smelled like it was right next door, continuing problem
	3:15 PM			DEC		Lincoln Ave	Colonia	a 10 out of 10
	5:15 PM			DEC		Rapp Road	Albany	Rapp road from entrance to horse farm - 5 out of 10
	8:45 PM			DEC		Avila	Albany	stinking odor, interrupts sleep
3/3/2007	7:25 AM			DEC		Lincoln Ave	Colonia	landfill reeks
3/4/2007	7:30 AM			DEC		Western Ave/ North on I-87	Albany	Western Ave/North on I-87 to Wolf Road Exit - 8 out of 10
3/5/2007	3:00 PM			DEC		Holland Drive	Colonia	not real strong, but noticeable
3/7/2007								

38

City of Albany Complaint Log - 2006

DATE	TIME	Barometric	Wind Speed	Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWIN	COMMENTS
3/1/2007	3:00 AM	30.040	0.0		City	Teresa Avallina	Avilla	Albany	could smell landfill
	10:00 PM	29.864	0.0	ENE	DEC		Avilla	Albany	air is not breathable (same as City complaint)
	6:30 AM	30.083	1.0	W	DEC		East of SUNY Campus	Albany	paid odor, smelled like it was right next door, continuing problem
3/2/2007	5:00 PM	29.372	4.0	WNW	DEC		I-90 I-87	Albany	a 5 out of 10
	3:15 PM	29.313	5.0	WSW	DEC		Lincoln Ave	Colonie	a 10 out of 10
	5:15 PM	29.376	3.0	NW	DEC		Rapp Road	Albany	Rapp road from entrance to horse farm - 5 out of 10
	8:46 PM	29.473	29.473		DEC		Avilla	Albany	sickening odor, interrupts sleep
3/3/2007	7:25 AM	29.515	0.0	ESE	DEC		Lincoln Ave	Colonie	landfill reeks
	7:50 AM	29.513	0.0	ESE	DEC		Western Ave/ North on I-87	Albany	Western Ave/ North on I-87 to Wolf Road Ext. - 8 out of 10
3/5/2007	3:00 PM	29.516	11.0	WNW	DEC		Holland Drive	Colonie	not real strong, but noticeable
3/6/2007	6:00 PM	30.016	7.0	WSW	DEC		Rapp Rd	Colonie	from stable to Colzae Block - 5 out of 10
3/7/2007	7:30 AM	30.206	3.0	SSE	DEC		Rt 155	Colonie	corner of Rt 155 and Watervliet Shaker Road - 1 out of 10
3/8/2007	7:20 AM	29.985	1.0	WSW	DEC		Broderick St	Colonie	Stench
	7:45 AM	29.963	2.0	SE	DEC		Fuller Terrace	Colonie	6 out of 10
3/10/2007									
3/12/2007	7:45 PM	30.173	2.0	SSE	City		160 Lincoln Ave	Colonie	11 out of 10, landfill gas odor
	7:30 PM	30.173	2.0	SW	DEC		160 Lincoln Ave	Colonie	same as above
3/13/2007	6:50 PM	29.680	1.0	WSW	DEC		Lincoln Ave	Colonie	4 out of 10, gas odor
3/14/2007	9:30 AM	30.210	4.0	NW	DEC		Thruway	Albany	Thruway going by landfill traveling West to east - landfill gas odor, obnoxious, 5 out of 10
3/15/2007	12:00 PM	30.150	6.0	NW	DEC		Thruway	Albany	Thruway going past landfill traveling East to West - 5 out of 10 The complaints today were from myself and another Region 4 staff person. The other person indicated they would have likely called it higher than a 5 but didn't offer an actual number.
3/17/2007									
3/18/2007	PM						Lincoln Ave	Colonie	smells bad, kids asthma worse, will be moving soon to get away from problem. This person has called in the past and has been told to call you folks direct, but I don't believe they ever leave. They are renters who's waiting for a home to be constructed. Typically very angry when they call and usually will discuss how the odor aggravates their son's asthma.
3/20/2007									
3/21/2007	7:45 AM	30.644	3.0	WNW	DEC	DEC Investigator	I-87 ramp heading to Toll Booths	Albany	to just past toll booths - real bad, very strong gas odor. Surprised the toll booth workers were not taking action with union reps. This complaint came from my Bureau of Environmental Conservation Investigators person who lives in the Village. No other complaints, either from the toll plaza folks or from the DEC people who drive by on the Thruway on their way to downtown. Not sure what is up with this.
3/22/2007	4:45 PM	30.184	1.0	WNW	DEC		Holland Ave	Colonie	landfill odor, not pleasant at all
3/23/2007	7:45 PM	30.233	0.0	WNW	DEC		Rapp Rd	Albany	around area where there is the hiking trail pull off (closed) - two people in car, one said was a 2 out of 10, second person felt it was a 4 out of 10
3/24/2007	8:40 AM	30.061	6.0	ESE	DEC		Robert Drive	Colonie	big stench, pretty bad this morning
3/25/2007	9:20 AM	30.290	0.0	N	DEC		Avilla	Albany	odor is sickening, unbearable
3/26/2007	5:45 PM	30.214	4.0	SE	DEC		Avilla	Albany	air is still foul
3/27/2007	11:00 PM	29.646	0.0	S	DEC		Avilla	Albany	terrible odor tonight, inside and outside - Was bad all day yesterday.
	10:00 AM	29.941	3.0	ESE	DEC		Broderick	Colonie	foul stench of landfill
	AM						Sand Creek Rd	Colonie	smells bad
	9:00 AM	29.835	1.0	S	DEC		Sand Creek	Colonie	starting at Sand Creek and Delafield and all the way to Central - approaching Central it got worse, was a 7 out of 10 at Delafield/Central
	10:00 AM	29.841	3.0	SE	DEC		Killian Park	Colonie	5 out of 10
3/28/2007	9:57 AM	29.841	3.0	SE	City	Fran Charles 464-9691		Albany	smell is rotten garbage, an 8 out of 10
	1:55 PM	30.136	13.0	WNW	DEC	Linda Addison 864-6417		Albany	stench - is unbearable in their yard, can't work outside more than 5 minutes
	3:30 PM	30.135	11.0	WNW	DEC		Rapp Rd at LF entrance	Albany	
3/29/2007	8:31 AM	30.207	1.0	WNW	DEC		Village Park Drive	Albany	1 out of 10
3/31/2007	9:20 AM	30.184	6.0	NW	DEC		Avilla	Albany	terrible smell
	6:00 PM	30.087	3.0	WNW	DEC		Avilla	Albany	stench particularly bad, worse than earlier in the day
4/1/2007	2:00 PM	29.972	3.0	SE	City	Yolanda		Albany	could smell dump
4/2/2007	8:20 AM	29.787	3.0	SE	DEC		Avilla	Albany	horrible smell, not usual caller
	3:25 PM	29.755	6.0	SSW	DEC		Stella Terrace	Colonie	went for walk for her health and there was a stench from the landfill
4/3/2007	7:48 AM	30.240	2.0	NW	City	Megan	160 Lincoln Ave	Colonie	gas odor 3 out of 10
	7:45 AM	29.958	6.0	W	DEC		Rapp Rd	Albany	gas odor, a 3 out of 10

41



TE	Other Investigated	Odor Detected	TIME	Barometric	Speed	Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
170007			3:00 AM 10:00 AM	30.040 29.864	0.0 0.0 ENE		City DEC	Verica Avellina	Avila East of SUNY Campus 190 187	Albany Albany Albany	could smell landfill air is not breathable (same as City complaint) puffed odor, smelled like it was right next door, continuing problem is 10 out of 10
370007			6:30 AM 29:27Z 3:15 PM 6:45 PM 7:25 AM 3:00 PM	30.083 29.272 29.313 29.276 29.473 29.515 29.513 29.516	1.0 W 4.0 WNW 5.0 WSW 3.0 NW 0.0 0.0 ESE 11.0 WNW		DEC DEC DEC DEC DEC DEC DEC	Albany Albany Albany Albany Albany Albany Albany	Lincoln Ave Rapp Road Avila Lincoln Ave Western Ave North on 1.67 Holand Drive	Albany Albany Albany Albany Albany Albany Albany	could smell landfill air is not breathable (same as City complaint) puffed odor, smelled like it was right next door, continuing problem is 10 out of 10 Rapp Road from entrance to horse farm - 5 out of 10 sickening odor, interrupted sleep small smell smell on 1.67 to Wolf Road East - 8 out of 10 not real strong, but noticeable
470007			6:00 PM	30.016	2.0 WSW		DEC		Rapp Rd	Albany	from above to Colonia Block - 5 out of 10
570007			7:30 AM	30.008	0.0 SW		DEC		corner of Rt 165 and Waterfall Brewery Road - 1 out of 10	Albany	
670007			7:30 AM	29.993	1.0 WSW		DEC		Brookside St	Albany	Smell
870007			7:59 AM	29.983	2.0 SE		DEC		Fuller Terrace	Albany	6 out of 10
170007			7:45 PM	30.173	2.0 SSE		City DEC		160 Lincoln Ave	Colonia	11 out of 10, landfill gas odor
270007			7:30 PM	30.173	2.0 SW		DEC		160 Lincoln Ave	Colonia	same as above
370007			6:50 PM	29.980	1.0 WSW		DEC		Lincoln Ave	Colonia	4 out of 10, gas odor
470007			9:30 AM	30.210	4.0 NW		DEC	DEC	Thruway	Albany	Thruway going by landfill traveling West to east - landfill gas odor, atrocious, 5 out of 10
570007			12:00 PM	30.190	6.0 NW		DEC	DEC	Thruway	Albany	Thruway going past landfill traveling East to West - 5 out of 10 the complaints today were from myself and another Region 4 staff person. The other person indicated they would have likely called it higher than a 5 but didn't offer an actual number.
770007							DEC		Lincoln Ave	Colonia	smells bad, kid's asthma worse, will be moving soon to get away from problem. This person was called in the past and has been told to call you folks direct, but I don't believe they ever have. They are renters while waiting for a home to be constructed. Typically very angry when they call and usually will discuss how the odor aggravates their son's asthma.
870007							DEC				to just past toll booths - real bad, very strong gas odor. Surprised the toll booth workers were not taking action with union reps.
970007							DEC				This complaint came from my Bureau of Environmental Conservation Investigator person who lives in the Village. He other complaints, either from the toll plaza looks or from the DEC people who drive by on the Thruway on their way to downtown. Not sure what is up with this.
170007			7:45 AM	30.044	3.0 WNW		DEC	DEC Investigator	1.87 ramp heading to Toll Booths	Albany	landfill odor, not pleasant at all
270007			4:45 PM	30.184	1.0 WNW		DEC		Holland Ave	Colonia	smell not as bad as above
470007			7:45 PM	30.233	0.0 WNW		DEC		Rapp Rd	Albany	smell not as bad as above
570007			8:40 AM	30.091	0.0 ESE		DEC		Rapp Drive	Albany	big stench, pretty bad this morning
670007			8:20 AM	30.116	4.0 SE		DEC		Avila	Albany	odor is sickening, unbearable
870007			11:00 PM	30.146	4.0 SE		DEC		Avila	Albany	air is still bad
970007			10:00 AM	29.848	0.0 S		DEC		Brookside	Albany	terrible odor tonight, inside and outside. Was bad all day yesterday.
170007			10:00 AM	29.841	3.0 ESE		DEC		Stand Creek Rd	Colonia	four stench of landfill
270007							DEC		Stand Creek Rd	Colonia	smells bad
370007			9:00 AM	29.836	1.0 S		DEC		Stand Creek	Colonia	staining at Stand Creek and Deland and all the way to Central - unbelievable Central if put worse, was a 7 out of 10 at
470007			10:00 AM	29.841	3.0 SE		DEC		Kilian Park	Colonia	Dealand/Central
570007			9:57 AM	30.136	13.0 WNW		City	Prin Charles 464-9691	Kilian Park	Albany	5 out of 10
670007			1:05 PM	30.136	11.0 WNW		DEC	Linda Addison 864-6417	Rapp Rd at LF entrance	Albany	smell is rotten garbage, an 8 out of 10
770007			3:20 PM	30.135	11.0 WNW		DEC		Rapp Rd	Albany	smell is untraceable in these years, can't work outside more than 5 minutes
870007			8:31 AM	30.207	1.0 WNW		DEC		Village Park Drive	Albany	1 out of 10
970007			9:30 AM	30.145	6.0 NW		DEC		Avila	Albany	terrible smell
170007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	smell particularly bad, worse than earlier in the day
270007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
370007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
470007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
570007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
670007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
770007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
870007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
970007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
170007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
270007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
370007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
470007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
570007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
670007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
770007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
870007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
970007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
170007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
270007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
370007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
470007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
570007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
670007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
770007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
870007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
970007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
170007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
270007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
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270007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
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470007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
570007			9:30 AM	30.087	3.0 WNW		DEC		Avila	Albany	could smell dump
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770007											

















## Giebelhaus, Joe

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**From:** Thomas Reynolds [treynol@gw.dec.state.ny.us]  
**Sent:** Tuesday, May 22, 2007 2:53 PM  
**To:** Jason Gorman; giebej@ci.albany.ny.us  
**Subject:** Re: Albany LF Temp. Cover Complete 5-19-07

Not only have I not gotten any complaints, good news, I went by on the Thruway at about 10:00pm Saturday night in the middle of that storm when there was probably relatively low barometric pressure, heavy conditions, rain, little or no wind and not even a hint of a landfill odor. Fresh air all the way past the landfill. This was true again in the morning at about 7:30 (Sunday morning), and at about 6:00pm Sunday night.

I'm flat out encouraged. See you both Thursday.

Tom

>>> "Gorman, Jason" <JGORMAN@cha-llp.com> 5/21/2007 8:53 AM >>>  
Tom,

The temporary cover over the "north" slope of cells 10 and 11 was completed this Saturday (May 19, 2007). Therefore, the construction of the temporary cap is completed. Maloy is now working on stormwater management.

We received one complaint on Friday night from Avila and none the remainder of the weekend, did you get any calls?

Following is a link to the Ballston Spa Bicentennial website  
<http://www.ballstonspanybicentennial.com/>

Thanks, Jason

Jason I. Gorman

Geotechnical Engineer  
Clough Harbour & Associates LLP  
E-mail: [jgorman@cha-llp.com](mailto:jgorman@cha-llp.com)

[www.cloughharbour.com](http://www.cloughharbour.com)



City of Albany Complainant Log

DATE	Type	Color Investigated	Color Detected	TIME	Barometric	Wind Speed	Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
5/12/2007	Guard		slight LF Gas/ garbage	8:00 PM 6:30 PM to 7:40 PM	29.811 29.819	0.0 NW 7.0 WNW		Hollis DEC	Mat Ruth 334-3793 Fred McGee 869-5524	2 Deves Drive Crooks Park Island Ave	Colonia Colonia Colonia	ongoing chemical smell off garbage odor 8 out of 10
5/22/2007				10:20 PM 3:00 AM	29.811 29.734	2.0 W 5.0 NNE		Hollis Hollis	Charlie DEC office M. Cavalary 640-9613	Avila Paulino Ave	Albany Albany	wake up to odor, smells like dirty wet rag in vinegar smell light odor, strong odors slightly burning smell from flare, detected at home generally in morning and evening, can't tell every time smell stamp
5/23/2007			possibly Albany Muscular	8:00 AM-12:00 PM Evening	30.147 30.032	7.0 NNE 7.0 NW		Hollis Hollis	Sara Lederman 456-5097 Verna Shultz 456-1892 Megan Grammatice 452-5734	Paulino Ave 7 Mayhall st 180 Lincoln Ave	Albany Albany	strong garbage smell, like the liquid from a garbage truck, lasted one hr *
5/24/2007			None	8:30 PM	30.336	12.0 NNE		Hollis	Teresa	Avila	Albany	bad odor, stronger when wind blows
5/25/2007			slight LF Gas	1:00 PM 3:45 AM	30.371 30.382	6.0 NE 5.0 NNW		Hollis Hollis	Teresa A	Avila Avila	Albany Albany	smells out on patio, terrible odor smelled throughout the night
5/26/2007			None	7:40 AM	29.779			Hollis	Dexter Caglietta	29 Baskee St	Colonia	Stellar Small, didn't smell at 7:10 AM but smells now, Jason on site at 8:30 AM no odor detected, Dexter indicated odor gone
5/15/2007			None	6:30 AM 7:30 AM	30.199 29.776	3.3 SSE		Hollis Hollis	Liz L Tony Wong Yolanda A	86 Happed Drive 32 Happed Drive Avila	Colonia Colonia Albany	smells very bad, make you sick smelled last 4-5 days, always in the morning sour vinegar smell (complaint called in at 10:30 AM on 5/16/07) Joe and Jason made drive by Happed drive at 6:45 AM and 7:30 AM, no odor detected
5/17/2007			None	5:00 AM 1:30 PM 3:30 AM	29.576 29.500	1.0 W 4.0 SSW		Hollis Hollis Hollis	Yolanda A Lecia Beggs 869-0789 Lynn Lyons Yolanda A	Avila 3 Benjamin Lane 4 Locourt Park Avila	Albany Colonia Albany	sour vinegar smell (complaint called in at 10:30 AM) Garbage smell (on site with minutes, no odor detected, no wind, called back and spoke to man who can not smell due to cold, Leonie Garbage smell (on site with minutes, no odor detected, spoke to her for several minutes inside and out, she continued to smell, later noticed at 12:30 AM due to terrible smell, coughing, opening, hard to breathe, can't go to bed at night front entrance odor very strong, from 1PM to 4:00 PM, make you sick smells in apartment hobby (kites), since all day
5/18/2007			None	9:30 PM	29.727	10.0 NNW		Hollis	Yolanda	Avila	Albany	can't open windows, strong, continuous, garbage smell (wind blowing wrong direction)
5/19/2007			None	10:00 PM to 12:35 PM	30.235	3.0 ENE		Hollis	Michelle	30 Bauer Drive Thruway	Colonia	chemical methane smell garbage smell 7 out of 10
5/20/2007			None	5:00 AM 10:00 AM				DEC staff DEC staff (Charlie)		Avila	Albany	Burning smell (Jason asked if she could still smell, she open window and said no can't smell anything)
5/22/2007			Garage fire down the road	9:10 AM 12:45 PM				Hollis Hollis	Teresa Joan B	Avila Avila	Albany Albany	Burning smell, smells on and off strong dump burning smell, started at 9AM
5/23/2007			None	10:45 PM				Hollis	Michelle	30 Bauer Drive	Colonia	open windows and could smell garbage
5/24/2007			None	10:00 PM				Hollis	Nancy Miller 869-0480	24 Red Fox Drive	Colonia	doesn't know if smoke smell is coming from landfill, wind blowing strong, weak smell, 30 minutes (left message)
5/25/2007			None	6:45 AM				Hollis	Tony	Happed Drive	Colonia	burning garbage smell between Happed and Central
5/26/2007			None	11:00 PM to 12:00 PM				City Hollis	Tracy Langory Lynn Lyons Kathy Vincent	Hawells on Western Ave 4 Locourt Park 10 Locourt Park	Quadrangle Colonia Colonia	10 out of 10, wanted to know how to stop landfill from expanding jumbo raised, sulfur smell, really stinks rotten egg odor for last 15 minutes
5/27/2007			None	8:54 PM				Hollis	Margie Cranhan 255-7780	37 Vy Rd	Colonia	strong garbage smell, like the liquid from a garbage truck, lasted one hr *
5/28/2007			None	5:51 AM				Hollis	Lynn Lyons Megan Grammatice 452-5734	Walmart and LF Entrance 180 Lincoln Ave	Albany Albany	strong sulfur smell at Walmart and at LF entrance (complaint called in on Sunday - day later) called regarding this in her front yard
5/29/2007			None	6:00 PM				City				

POWERS  
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DATE	TIME	TYPE	Odor Investigated	Odor Detected	WIND	WIND	DIR	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
5/19/2007	9:30 PM	REPAIR COVER COMPLETED			29 227'	10.0 HWY		Holmes	Vanessa	Avila	Albany	Carbide
5/21/2007	10:00 PM to 12:30 PM				30 236'	3.0 ENE		Holmes	Maria Justice	30 Baurer Drive	Albany	Carbide
5/22/2007	10:30 PM				30 250'	2.0 NNE		Holmes	DEC staff	Therway	Albany	Carbide
5/23/2007	3:00 AM				30 290'	0.0 SW		Holmes	DEC staff (Charles)	Therway	Albany	Carbide
5/25/2007	10:00 AM				30 286'	4.0 SSE		Holmes	Teresa	Avila	Albany	Carbide
5/27/2007	9:10 AM							Holmes	Teresa	Avila	Albany	Carbide
5/28/2007	12:45 PM							Holmes	Jean B.	Avila	Albany	Carbide
5/30/2007	10:45 PM							Holmes	Maria Justice 869-5045	30 Baurer Drive	Coburn	open windows and could smell garbage
6/1/2007	10:00 PM							Holmes	Henry Miller 869-4180	24 Red Fox Drive	Coburn	doesn't know if smoke smell is coming from landfill, wind blowing strong, weak smell, 30 minutes (not message)
6/2/2007	6:45 AM							Holmes	Tony	Flagged Drive	Coburn	burning garbage smell between Flagged and Central
6/12/2007	11:00 PM to 12:00 PM							Holmes	Tracy Langray	Hewlett/ or Western Ave	Coburn	Guided 10 out of 10, wanted to know how to stop smell from expanding
6/13/2007	8:50 PM							Holmes	Lynn Lyons	4 Locust Park	Coburn	not wanted sulfur smell nearby zones
6/14/2007	6:51 AM							Holmes	Kathy Vincent	15 Locust Park	Coburn	didn't smell sulfur smell for last 15 minutes
6/15/2007	6:00 PM							Holmes	Margaret Conahan 225-7780371 Vg. Rd	Walman and LF Entrance	Coburn	strong garbage smell, like the liquid from a garbage truck, lasted one hr.
6/19/2007	6:00 PM							Holmes	Lynn Lyons	Walman and LF Entrance	Albany	strong sulfur smell at Walman and at LF entrance (complainer, called in on Sunday - last day)
6/20/2007	8:35 PM							Holmes	Carol Waterman	Flagg Rd \$ turn	Albany	bad bad smell
6/21/2007	8:30 PM							Holmes	Lynn Lyons	Flagg Rd \$ turn	Albany	hydrogen sulfide gas smell
6/22/2007	9:30 PM							Holmes	Female	Home trail on Flagg Rd to Cabary	Albany	weak gas smell, went by again at 9PM and was gone
6/23/2007	9:50 PM							Holmes	Maria Justice	French Center	Albany	at street, strong
6/24/2007	11:00 PM							Holmes	Jean Humphrey 527-3582	French Center	Albany	meat smell
6/25/2007	10:00 to 11:10 PM							Holmes	Fairy 869-3672	Fragaria at	Albany	garbage smell
6/26/2007	9:30 PM to 11:30 PM							Holmes	Kelly Young 225-6476	12 Shalutes	Albany	garbage smell, hops coming from landfill
6/27/2007	12:00 AM to 5:00 AM							Holmes	Lynn Lyons	Mar Court	Albany	sulfur smell, hops coming from landfill
6/28/2007	12:00 AM to 5:00 AM							Holmes	Jean B.	Avila	Albany	garbage smell
6/29/2007	1:00 PM							Holmes	Lynn Lyons	Avila	Albany	sulfur gas smell called in on 7/24/07
6/30/2007	29 868'							Holmes	Jean Humphrey	10 Redwood Rd	Albany	3 dead animals in the yard (Hawkeye, Wain Stone D.E.C. copy and food boxes)
7/1/2007	29 967'							Holmes	Teresa A.	Avila	Albany	
7/2/2007	5:0 PM							Holmes	Lynn Lyons	Washington Ave	Albany	strong odor on/off
7/3/2007	4:00 PM							Holmes	Lynn Lyons	Washington Ave	Albany	sulfury gas smell called in on 7/24/07
7/4/2007	29 976'							Holmes	Nancy Miller 869-0480	24 Red Fox Drive	Coburn	smell with air and door's closed, open door to chemical smell (not like LF smell), smelled 2 days ago as well
7/5/2007	8:15 AM							Holmes			Coburn	
7/6/2007	29 853'							Holmes			Coburn	
7/7/2007	5:00 PM							Holmes			Coburn	
7/8/2007	7:30 PM to 8:30 PM							Holmes	Robert Dyrkin 456-0503	East of LF on Access Rd	Albany	stronger than last 4 weeks, even with hot rain, 3 out of 5 sulfur dioxide smells, industrial, by LF entrance
7/9/2007	19:05 AM							Holmes	Carl Village Driv	Cook Park	Albany	ways of strong odor garbage if smell, during concert at park
7/10/2007	5:15 PM							Holmes	Megan Giamatto 452-57160	Lincoln Ave	Albany	bad smell today
7/11/2007	8:50 PM							Holmes	Mary Ann Simons 456-305506	Lincoln Ave	Albany	bad smell today
7/12/2007								Holmes	Megan Giamatto 452-57160	Lincoln Ave	Albany	garbage smell

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City of Albany Complaint Log

DATE	Type	Odor Investigated	Odor Detects	TIME	Barometric	Wind Speed	Dir	AUTHORITY	COMPLAINER	ADDRESS	TOWN	COMMENTS
8/18/2007		(wind wrong dir)		12:00 PM	30.056	17.0	WNW	Hollins	Feresca A	Avila	Albany	opened patio door to burning smell, could not smell inside
8/19/2007												
8/20/2007												
8/21/2007												
8/22/2007												
8/23/2007												
8/24/2007												
8/25/2007												
8/26/2007												
8/27/2007												
8/28/2007												
8/29/2007												
8/30/2007				7:00 PM				Hollins	Caroline Waterman 489-1188	Protek Community Center	Albany	Landfill gas smell, complaint called in on 9/7/07
8/31/2007				12:20 PM	30.098	6.0	NINE	Hollins	Teresa	Avila	Albany	Burning smell
9/1/2007				7:20 PM	30.075	4.0	NINE	Hollins	Jean B	Avila	Albany	"Landfill Sticks"
9/2/2007		(wind wrong dir)		10:30 PM	30.035	3.0	ESSE	Hollins	Jean B	Avila	Albany	Burning smell
9/3/2007												
9/4/2007												
9/5/2007												
9/6/2007												
9/7/2007		during haz day	None					Hollins	Dorothy Coenen 794-7550	L.F. Office	Albany	basic smell from landfill when site came to drop off her used batteries at Haz Day, makes her sick, very sensitive to
9/8/2007												
9/10/2007												
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10/6/2007			Landfill	5:15 PM				Hollins	Jean Bitt 640-9570	Avila	Albany	landfill odor when window open, called back at 5:35 PM odor going away, flare out and restarted due to power out happened, Joe detected an odor on Washington Ave from the Thruway to Home Depot, flare was running when I arrived however it was reported by the watchman that it was down. Likely a loss of power caused the blowers to slow down
10/7/2007												
10/7/2007			Landfill	4:40 PM				Joe	Steve Dufella	Crossgates Road	Albany	removed three sections of interim liner
10/8/2007												
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Included on last page

4

1/6 - 1/2 2007 (106)

### ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Bill Milke	Cosmic P.e Shop		12/9	9:00pm	1/2 out of 10
Charlene Honikel	Exchange #24		12/26	8:00AM	gas odor - so bad would
Teresa Avila	Avila		12/27	10:00pm	odor enough to
Tom Reynolds	Washington Ave		12/29	9:30AM	kill ya, "so bad" sickness
					slight garbage odor
Teresa	Avila		12/29	4:15pm	foul
"	"		12/31	6:00pm	bad
"	"		1/1/07	6:00pm	"
Bill Milke	Park Drive		12/30	1:30pm	30 out of 10
"	Village Square Plaza		12/30	12:00pm	1 out of 10
-	Robert Drive / Cooks Park		12/30	2:00pm	stench was overwhelming
Charlene Honikel	Cook Park		1/6/07	12:00pm	real bad odor - gas
"	Holland Drive		1/6/07	1:00pm	lesser odor @ home
"	Holland Drive		1/9/07	evening	very strong gas odor
Vic Harmon	Parkwood Dr	864-6486 664-4604 388 9007	1/9/07	5:30pm	awful odor - rotten egg
-	Village of Colonie		1/9/07	morning	land fill stinks
Catherine Sears	Greenbush Ct 346 2246		1/11/07	called in from John Stage	- Colonie Supervisor
					has been having odors for just last 6 months - but in December
Cathleen Sears	Greenbush Ct	"	1/12	2:40pm	7 out of 10
?	Schenectady Rd?		1/13	11:20AM	very strong odor stench
Tom Reynolds	Exit 24 ramp - going from West		1/14	2:30pm	7 or 8 out of 10 - decomposing gas
Conny Reynolds	"		1/14	5:30	hand full smells bad
Tom Reynolds	getting on thruway @ 24 - @ Minnesota plant		1/14	6:30	6 out of 10
Linda	Rt 85 / Central		1/17	10:45pm	reeled, really nasty

would think workers would complain to union reps on working conditions

Customers @ business were complaining

22  
106



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
1 Mary Lyn Hess	Central / Red Oak		1/19	8:00 AM	6 out of 10
2 Kathleen Sears	Cobine Plaza - Virginia		1/23	9:00 PM	10 out of 10
3 Mary Berris	Thruway West to East		1/23	8:00 AM	Smells really bad
4 Carl Hoffman	"		1/23	7:30 AM	smell noticeable today
6 Elaine Zerk	"		1/23	8:00 AM	landfill smells - <del>stronger</del> stronger than usual
6 Gerald Burke @ home			1/21	PM	noticeable odor
7 "	I-90 from Northway		1/23	8:00 AM	"
8 Debra Swamy	<del>works near Kassar Rd</del> Thruway	650-7802	1/24	AM PM	landfill smells
9 Kathleen Sears	Greenhous Ct		1/24	10:00 AM	reeks
10 Megan Gimota	Lincoln Ave		1/24	9:45 AM	8 or 9 - sulfur gas smell
11 <del>Jim Hoffman</del>	<del>Putwood Dr</del>	<del>865-24180 669-4608 389-467</del>	1/10	6:30	already recorded
12 Tom Cullen	Northway → Rt 2		1/27	5:00 PM	landfill odor
13 Lisa Baricnek	Fletcher Rd		1/28	11:00 AM	stench
14 "	behind Daughters Sarah		1/28	11:00 - 12:30 PM	watts of stench
15 "	Crossroads Commons		1/28	1-2:00 PM	stench
16 Terreon	Av. Va		1/28	6:15 PM	faul - stinkos
17 Bob Snyder	Broderick St		1/29	11:00 PM	really bad, really smells tonight
18 -	Village		1/25-30	PM/AM	smelled dump - making us sick
19 Ray Mabuski	Denison Ave		1/25-30	PM/AM	never complains, but really bad, especially last night
20 -	Denison Ave		1/25-30	PM/AM	called police, fire, EMS - <del>ready to get</del>
21 Tom Kostack	1090-7863-155 <del>near</del> <del>near</del> Rd		1/20	9:25 AM	fumes from 4/F - <del>ready to get</del>
22	questions about indoor air quality - are there standards?				
23 Jenny Witz	"Village"	608-3845	1/30	11:00 AM	odor last night kept her
24	awake - woke targets last night and it was very bad - heard shoppers complaining and said they were putting scarfs and coats over face to block odor - rotten eggs/burnt garbage				

awake - woke targets last night and it was very bad - heard shoppers complaining and said they were putting scarfs and coats over face to block odor - rotten eggs/burnt garbage



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Ken Lucero	Lincoln Ave/Walker Way		1/30	6:15 AM	a 4 out of 10
Linda's dad	Denison Ave	-	1/29	PM	smelled bad
Steve Gary	Lincoln Storage	869-7261	2/1	9:30 AM	Smelled bad, inside his business
Steve Snyder	Exchange at toll booth		2/2	7:00 AM	a 9 out of 10 <sup>workers like odor and</sup> have been detected 1/2 mile away
General Bucke	Toll house, Westmore		2/2	AM	each morning <sup>this week</sup> a discernable odor
Lisa Baranek	Northway from Rt 20/90E Pump		2/2	7:40 AM	windows up, yet very noxious
Mary Van Ness	Rt 155/Central	High Kill	2/2	9:10 PM	a 6.5 out of 10
Dave Pickett	Greengate Mall		2/2	4-4:30 PM	Smelled very bad
Bill Mike	Old Park Drive		2/3	1 PM	1-1 1/2 out of 10
-	Village		2/3	6:30 PM	Smelled awful, causing breathing
* at faculty both inside/outside of home					
Steve Gary	Lincoln Storage		2/5	AM	can "detect" odor but not strong
Steve Snyder	Thruway Exchange		2/6	8:00 PM	very bad
Frank Reynolds	Exchange at campgrounds		2/7	5:30 PM	not real bad but could smell
Bill Mike	Old Park Drive		2/8	9:15 PM	3 out of 10, Bill said 1 out of 10
Jeff Mike	Ruff Rd		2/20	5:30 PM	10 out of 10 strong stench
Heleen Giannetto	Lincoln Ave		2/19	4:20 PM	Smell coming from damp
Mary Mike	under entrance to railroad		2/20	5:45 PM	9 out of 10, really bad
Heleen Giannetto	Lincoln Ave		2/20	6:30 PM	10 out of 10
Linda Addison	Fuller Rd to Fuller Rd		2/20	6:30-7:00	off the charts, enough to gag you
"	Kenyon Park - St. Michael		2/20	7:20 PM	Odor was bad
Vic Harmon	Parkwood Ave		2/22	9:30 PM	second night in row odors
have been present about same time of night					
Mary Bente	Thruway		2/23	AM	Smell this morning, and other mornings all week



# ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
Gerard Burke	Crossgates Mill		2/25	pm	odor was real bad
Megan Gromates	Lincoln Ave		2/27	6:00pm	stink is horrendous
Mary Ann Milke	William Park Drive		2/27	7:30pm	2 or 3 out of 10
Mary Ann Milke	land fill entrance to dump		2/28	5:45am	10 out of 10
Terresa	Avila		3/1	12:00pm	air is not breathable
Paul Sweeney	neighborhood <sup>east of campus</sup>		3/1	6:30am	fertilizer odor, smelled like
Lisa Burianek	I-90-I-87 interchange		3/2	5pm	it was right next to car, continuing problem
					2 out of 10
Megan Gromates	Lincoln Ave		3/2	3:15pm	10 out of 10
Mary Ann Milke	land fill entrance <sup>to dump</sup>		3/2	5:15pm	5 out of 10
Terresa	Avila		3/2	8:45pm	sickening odor / interrupted sleep
Megan Gromates	Lincoln Ave		3/3	7:25am	land fill reeks
Lisa Burianek	Western Ave / Northon		3/3	7:30am	8 out of 10
					I-87 to west Rd Exit 8
Charlie Honikow	Holland Drive		3/4	3pm	not real strong, but noticeable
Mary Ann Milke	Rapp Rd - stable to <sup>Colony</sup> <sup>Block</sup>		3/7	6:00pm	5 out of 10
Bill Milke	Rt 155 / <sup>Water</sup> <sup>Shed</sup>		3/7	7:30	1 out of ten
Ann Snyder	Ces Broderick Street		3/8	7:20am	"Stench"
Linda Anderson	Fuller terrace		3/8	7:45am	Smelling dump 6 out of 10
Gene Proso	reporting odor?		3/8	11:19am	no location for description
Megan Gromates	Lincoln ave		3/14	6:50am	4 out of 10
Tom Reynolds	Thruway West to East		3/16	7:30am	5 out of 10
"	Thruway East to West		3/16	12:00	"
Ginny Fitz	131 Lincoln		3/18	evening	bad odor - was going to move soon - son's was worse - Fallison said was in car - "disgusting"



## ODOR COMPLAINT LOG

Name	Location	Phone #	Date	Time	Description of odor
<del>Charles Honick</del> Charles Honick	I-87 ramp to all booths		3/21	7:45	real bad, very strong odor. Surprised all booths do not take action through union
Charles Honick	Holland Ave		3/23	4:45pm	not present
Mary Ann Milke	Rupp road - trail end of		3/23	7:45pm	4 out of 10
B.M. Milke	"	"	"	"	2 out of 10
Jack White	Robert Drive		3/24	8:40am	big stench - pretty bad
Teresa	Avila		3/25	9:20am	odor is sickening, unbearable
"	"		3/25	5:45pm	air is still foul
"	"		3/26	11:00pm	terrible odor, inside and out, was bad all day yesterday
Ann Snyder	Go Broderick		3/27	10:00am	foul stench of landfill
—	Sand Creek Rd		3/27	AM	smells bad
Mary Ann Nes	Sand Creek / Delta field				and then all the way on Delta field getting worse when reached Central
			3/27	9:00am	even worse 7 out of 10
Linda Addison	Killiam Park		3/27	10:00am	smells dump 5 out of 10
Megan Grant					
Giann Matteo	Rupp Road		3/28	1:55pm	rotten garbage 8 out of 10
Fred Simon	Rupp Road - at landfill entrance		3/28	3:20pm	is unbearable in their yard, can't work outside for more than 5 minutes
Bill Milke	Village Park Drive		3/30	8:30am	1 out of 10
Teresa	Avila		3/31	9:20am	terrible smell
"	"		3/31	6:00pm	stench particularly bad
Colanda	"		4/2	8:00am	horrible smell
Ch. Village					











# ALBANY LANDFILL COMPLAINT FORM

NAME:	<i>Debra Webster</i>	DATE:	<i>1/31/07</i>
PHONE:	<i>902 Greenwicket Pl.</i>	TIME:	
ADDRESS	<i>486-5090</i>	WIND DIRECTION:	
		TEMPERATURE:	

### NATURE OF COMPLAINT:

ODOR  LITTER  BIRDS  OTHER

COMMENTS: *NONE - MESSAGE ONLY.*

### ACTION TAKEN:

CALL RECEIVED BY:

ORIGINAL - DGS

"PINK" - NYSDEC

"YELLOW" - RESPONDER



STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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In the Matter of the Alleged  
Violations of Article 27  
of the Environmental  
Conservation Law by:

City of Albany,

Respondent

ORDER ON  
CONSENT

File Nos.

R4-2006-0405-73,

R4-2006-0405-74 and

R4-2006-0405-75

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WHEREAS:

1. The Department of Environmental Conservation ("Department") is empowered to regulate the operation of solid waste management facilities and the disposal of solid waste pursuant to Article 27 of the Environmental Conservation Law ("ECL").
2. Respondent, the City of Albany, owns and operates a solid waste management facility ("landfill") pursuant to the 2000 renewal of a November 1, 1991 permit (#4-0101-00171/00011) at Rapp Road, in the City of Albany, County of Albany ("landfill permit").
3. Regulations at 6 NYCRR 360-1.14(m) require that odors must be effectively controlled so that they do not constitute nuisances or hazards to health, safety or property.
4. Special Permit Condition 27F of the landfill permit provides that the permittee shall effectively control odors so that they do not constitute a nuisance or hazard to health, safety or property.
5. From January 1, 2006 to the present, particularly from February 17, 2006, through February 23, 2006, the Department received numerous complaints from residents of the Village of Colonie, travelers on the New York State Thruway, workers at the New York State Thruway Exit 24 toll booth, and businesses located on Washington Avenue Extension, in the City of Albany, regarding the alleged offensive nature of the odors emanating from the landfill. These complaints range from people being offended, roused from their sleep, one person vomiting, workers being sent home from local businesses, and children at a day care center not being allowed to go outside. A log of these complaints is maintained by the Department as part of its regular course of business.
6. The Department alleges that Respondent has violated 6 NYCRR 360-1.14(m) and Special Condition 27F of the landfill permit.
7. Regulations at 6 NYCRR 360-1.14(j) require the confinement of blowing litter.
8. During a site inspection on March 31, 2006, blown litter was observed on the ground and in the trees surrounding the landfill.
9. The Department alleges that Respondent has violated 6 NYCRR 360-1.14(j).
10. Respondent has affirmatively waived its rights to notice and hearing in the manner provided by law and has consented to the issuing and entering of this Order and agrees to be bound by the terms, provisions and conditions contained herein.



NOW, having considered this matter and being duly advised, **IT IS ORDERED THAT**  
Respondent:

I. Civil Penalty

A. With respect to the aforesaid violations, a civil penalty in the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000) is assessed against the Respondent, with FIFTY THOUSAND DOLLARS (\$50,000) of the civil penalty being suspended conditioned on Respondent's compliance with the terms, conditions and provisions of this Order on Consent. Payment of the remaining FIFTY THOUSAND DOLLARS (\$50,000) of the civil penalty shall be made payable to the "New York State Department of Environmental Conservation" and returned to the Department's Region Four Headquarters with the signed Order in accordance with the following schedule:

- \$10,000 - Due within thirty (30) days of the effective date of the Order;
- \$10,000 - on October 16, 2006;
- \$10,000 - on November 15, 2006;
- \$10,000 - on December 15, 2006; and
- \$10,000 - on January 15, 2007.

Respondent's failure to make a timely payment within five days of the date set forth above shall be a basis for the Department requiring immediate payment of the outstanding balance of the civil penalty owed.

B. Payment of the suspended portion of the civil penalty shall be due within fifteen (15) calendar days of the receipt by the Respondent of a notice of violation from the Department setting forth the violation(s) of the Order. This provision shall not limit the Department's right to seek other remedies provided by law and the applicable regulations for violations of this Order on Consent and ECL Article 27 and regulations, respectively.

C. This provision shall not limit the Department's right to seek other remedies provided by law and the applicable regulations for violations of this Order on Consent and ECL Article 27 and regulations, respectively.

II. Settlement and Reservation of Rights

A. Upon completion of all obligations created in this Order, this Order settles all claims by the Department for civil and administrative relief against the Respondent, including penalties, concerning the violations described in this Order on Consent.

B. Except as provided in subparagraph IIA of this Order, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the civil, administrative, or criminal rights of the Department or of the Commissioner or her designee (including, but not limited to, nor exemplified by, the rights to recover natural resources damages and to exercise any summary abatement powers) or authorities with respect to any party, including Respondent.

C. The existence of this Order or the fact that Respondent participated in activities pursuant to this Order shall not give rise to any presumption of law or fact or create any rights which shall inure to the benefit of any third party. For purposes of this provision, the State is not considered a third party.

### III. Schedule of Compliance

The attached Schedule of Compliance is fully incorporated into and made an enforceable part of this Order on Consent.

### IV. Force Majeure

Respondent shall not be in default of compliance with this Order if it is unable to comply with any provision of this Order solely because of an action of a national government or court, or an act of nature, war, strike, riot or catastrophe, as to any of which the negligence or willful misconduct of Respondent was not a proximate cause or which could not have been avoided by Respondent through the exercise of due care, provided, however, that Respondent shall make its best effort to comply nonetheless and shall, within 48 hours (unless notice is required sooner by State or Federal law), notify the Department by telephone and in writing, pursuant to the communications provision of this Order on Consent, after it obtains knowledge of any such condition or event and requests an appropriate extension or modification of this Order on Consent.

### V. Communications

All communications required herein shall be made to the Department -- DEC Region 4, 1150 North Westcott Road, Schenectady, NY 12306, Attn: Regional Solid Waste Engineer; with a copy to the Regional Attorney's Office, and Respondent - City of Albany, Commissioner of General Services, One Conners Boulevard, Albany, New York 12204-1144.

### VI. Access

Respondent shall allow duly authorized representatives of DEC access to the facility referred to in this Order (including records), without prior notice, at such times as may be desirable or necessary in order for DEC to inspect and determine the status of Respondent's compliance with this Order on Consent or the ECL.

### VII. Indemnification

Respondent shall indemnify and hold DEC, New York State, and their representatives and employees harmless for all claims, suits, damages, and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of the provisions hereof by Respondent, its - directors, officers, employees, servants, agents, successors or assigns.



## VIII. Review of Submittals

A. This Paragraph VIII only applies to documents submitted pursuant to this Order that require Department approval.

B. The Department shall review each of the submittals Respondent makes pursuant to this Order to determine whether it was prepared, and whether the work done to generate the data and other information in the submittal was done, in accordance with this Order and generally accepted technical and scientific principles. The Department shall notify Respondent in writing of its approval or disapproval of the submittal. All Department-approved submittals shall be incorporated into and become an enforceable part of this Order; and Respondent shall implement them in accordance with their respective schedules and terms, as approved.

C. 1. If the Department disapproves a submittal, it shall so notify Respondent in writing and shall specify the reasons for its disapproval. Within the time frame set forth in that written notification, Respondent shall make a revised submittal to the Department that addresses and resolves all of the Department's stated reasons for disapproving the first submittal.

2. After receipt of the revised submittal, the Department shall notify Respondent in writing of its approval or disapproval. If the revised submission is not approvable as submitted, the Department, at its option, may disapprove it or may approve it on condition that Respondent accept such modifications as may be specified by Department to make it approvable. If Respondent does not accept such modifications, the revised submission will be disapproved. If the Department disapproves the revised submittal, Respondent shall be in violation of this Order. If the Department approves the revised submittal, it shall be incorporated into and become an enforceable part of this Order.

D. Respondent shall modify and/or amplify and expand a submittal upon the Department's direction to do so if the Department determines, as a result of reviewing data generated by an activity required under this Order or as a result of reviewing any other data or facts, that further work is necessary. The Department agrees that any modifications it specifies will be reasonable and consistent with customary engineering standards.



IX. Binding Effect

The provisions of this Order shall inure to the benefit of and be binding upon the Department and Respondent.

X. Modification

If Respondent desires that any provision of this Order on Consent be changed, Respondent shall make written application therefor to the Department, setting forth reasonable grounds for the relief sought. The Department shall have absolute discretion but will not arbitrarily withhold consent to the requested change. No change in this Order shall be made or become effective except as set forth by a written order of the Commissioner or the Commissioner's designee.

XI. Entire Order

The provisions of this Order constitute the complete and entire Order issued to the Respondent concerning resolution of the violations identified herein. No term, condition, understanding or agreement purporting to modify or vary any term hereof shall be binding unless made in writing and subscribed by the party to be bound, pursuant to Paragraph X of this Order. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by Respondent shall be construed as relieving Respondent of its obligations to obtain such formal approvals as may be required by this Order.

XII. Effective Date

The effective date of this Order shall be the date it is signed by the Regional Director. The Department will provide Respondent (or Respondent's counsel) with a fully executed copy of this Order on Consent as soon as practicable after this Order on Consent has been signed by the Regional Director.

XIII. Summary Abatement

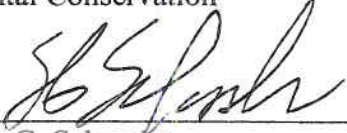
This Order shall not be construed to prohibit the Commissioner or her duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

XIV. Termination

This Order on Consent shall terminate upon complete compliance with the requirements of this Order on Consent, or incorporation of ongoing provisions of the Schedule of Compliance into Respondent's landfill permit upon renewal of same.

DATED: *August 11*, 2006  
Rotterdam, New York

Denise M. Sheehan,  
Commissioner  
New York State Department of  
Environmental Conservation

BY:   
Steve G. Schassler  
Regional Director  
Region 4

City of Albany

Respondent hereby consents to the issuance and entry of the foregoing Order, waives its rights to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: Gerald Jennings  
Mayor, City of Albany

DATE: Aug. 1, 2006

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF )

On the 1 day of August in the year 2006 before me, the undersigned, a Notary Public in and for the State, personally appeared Gerald D. Jennings, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Terrence A. Gorman  
Notary Public

Notary Stamp:

**TERRENCE A. GORMAN**  
Notary Public, State of New York  
Qualified in Albany County  
No. 02GO8140370  
Commission Expires Jan. 30, 2010



STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Alleged  
Violations of Article 27  
of the Environmental  
Conservation Law by:

The City of Albany

ORDER ON  
CONSENT

File Nos.  
R4-1811-95-02

Respondent

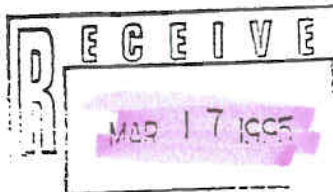
WHEREAS:

1. The Department of Environmental Conservation ("Department") is empowered to regulate the disposal of solid waste and the operation of solid waste management facilities pursuant to Article 27 of the Environmental Conservation Law ("ECL").
2. Respondent, the City of Albany, owns and operates a solid waste management facility ("landfill") pursuant to a November 1, 1991 Permit which is extended pursuant to Section 401 of the State Administrative Procedures Act ("SAPA") at Rapp Road, City of Albany, County of Albany.
3. State solid waste regulations at 6 NYCRR Part 360-1.14(m) provide that: "Odors must be effectively controlled so that they do not constitute nuisances or hazards to health, safety or property".
4. On January 5, 1995, Department staff inspected the landfill and detected the presence of hydrogen sulfide gas, and a fresh garbage smell from the active face of the landfill.
5. The landfill operator alleged that the hydrogen sulfide gas odor was the result of maintenance on the active gas collection system which resulted in the disconnection of a gas conveyance pipeline. Department staff confirmed that the maintenance work caused the presence of hydrogen sulfide gas.
6. The parties agree that the measures described in the Schedule of Compliance will minimize and/or avoid adverse environmental effects from the generation of hydrogen sulfide gas from the landfill.

RECEIVED

FEB 17 1995

CITY OF ALBANY  
PLANNING OFFICE



7. ECL Article 71-2703 provides for civil penalties up to \$2,500 for each violation of Article 27 and regulations, permits and orders issued thereunder.

8. Respondent has affirmatively waived its rights to notice and hearing in the manner provided by law and have consented to the issuing and entering of this Order and agree to be bound by the terms, provisions and conditions contained herein.

NOW, having considered this matter and being duly advised, IT IS ORDERED THAT Respondent:

I. This Order shall not be construed to prohibit the Commissioner or his duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

II. (a) In the event that the Respondent fails to meet any milestone date in the Schedule of Compliance of this Order, unless otherwise agreed to and modified in writing by the Department, the Department may seek judgment against that Respondent by way of a stipulated penalty in the amounts set forth, for each calendar day of violation:

<u>PERIOD OF NON-COMPLIANCE</u>	<u>PENALTY PER DAY</u>
1st day through 30th	\$ 500/day
31st day through 40th	1000/day
41st day through 50th and	1500/day
Each day beyond the 50th day	3000/day

(b) Any penalty under this paragraph shall become due and owing on the 30th calendar after receipt of a written notice from the Department that Respondent is or was in violation of this Order. If payment is not received by the Department on its due date Respondent shall pay interest on the penalty at the annual rate of nine percent on the overdue amount from the day it became due through and including the date of payment.

(c) Penalties shall be paid by check, or money order, made payable to "the Department of Environmental Conservation" and delivered personally or by certified mail, return receipt requested, to the Department.



III. Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from Respondent's fulfillment or attempted fulfillment of the provisions hereof.

IV. The effective date of this Order shall be the date it is executed by the Regional Director.

V. Respondent shall comply with the attached Schedule of Compliance. The Schedule of Compliance is incorporated and made part of the provisions, terms, and conditions of this Order.

VI. Respondent shall not be in default of compliance with this Order if Respondent is unable to comply with any provision of this Order because of an act of God, war, strike, riot or catastrophe as to any of which the negligence or willful misconduct on the part of Respondent was not a proximate cause. Respondent shall notify the Department in writing immediately upon obtaining knowledge of such event, and request an appropriate modification to this Order. Relief under this clause shall not be available if the Respondent fails to timely comply with this notice requirement. No change or modification to this Order shall be made or be effective except as may be specifically set forth in writing by the Department pursuant to the procedure set forth in this paragraph.

VII. If, for any reason, other than identified in paragraph VI., Respondent desires that any provision of this Order be changed, Respondent shall make timely written application therefor to the Department setting forth reasonable grounds for the relief sought, together with any supporting documentation tending to establish such grounds. Such request shall be made as soon as reasonably possible after Respondent learns of the grounds for such relief. No change or modification to this Order shall be made or be effective except as may be specifically set forth in writing by the Department pursuant to the procedure set forth in this paragraph.

VIII. All reports, requests and submissions herein required shall be made in duplicate to the Region 4 Headquarters, New York State Department of Environmental Conservation, 1150 N. Westcott Road, Schenectady, New York, 12306-2014 Attention: Regional Solid Waste Engineer.




IX. For the purpose of insuring compliance with this Order and the ECL duly authorized representatives of this Department shall be permitted access to the landfill and relevant records.

X. The provisions of this Order shall be deemed to bind Respondent, its officials, agents, contractors, employees, successors and assigns, and all persons, firms and corporations acting under or for it.

DATED: Schenectady, New York  
3/20 1995

LANGDON MARSH  
Commissioner  
New York State Department of  
Environmental Conservation

BY:

  
Anthony Adamczyk, P.E.  
Regional Director  
Region IV

CONSENT BY RESPONDENT  
CITY OF ALBANY

Respondent hereby consents to the issuing and entering of this Order, waives its rights to notice and hearing herein and agrees to be bound by the provisions, terms and conditions contained herein.

BY:

  
TITLE: Mayor


DATE: March 14, 1995

STATE OF

ss:

COUNTY OF

On this 14 day of March, 1995 before me personally came Gerald D. Jennings, to me known, who being by me duly sworn did depose and say that he/~~she~~ resides in the City of Albany and that he/~~she~~ is Mayor of the municipality described in and which executed the foregoing instrument, and that he/~~she~~ signed his/~~her~~ name as authorized by said municipality.

  
Notary Public

VINCENT J. McCARDLE, JR.  
Notary Public, State of New York  
Qualified in Albany County  
No. 2597448  
Commission Expires April 30, 1997

## SCHEDULE OF COMPLIANCE

### Hydrogen Sulfide Active Gas Collection System

1. Within five (5) days of the effective date of this Order, Respondent shall quantify the amount of hydrogen sulfide ("gas") in the landfill's active gas collection and treatment system and determine the gas levels and gas flow rates in the system.
2. Within forty-five (45) days of the effective date of this Order, Respondent shall design, construct and operate the active gas collection system so that it is a self-contained closed system if and when it is not functioning. Operating as a self-contained system when not functioning must be an automated response.
3. Within 60 days of the effective date of this Order, Respondent shall submit to the Department for approval an operation and maintenance manual/plan ("plan") for the landfill's active gas collection system. The plan at a minimum must address and identify: routine system operations and maintenance procedures; system safety features/ redundancies; potential causes for system shutdowns; parts inventory and availability; a system schematic; and contingency procedures for system interruption. Respondent shall implement the plan upon Department approval.
4. Within 60 days of the effective date of this Order, Respondent shall submit to the Department for approval an addendum to the existing landfill's Operation/Contingency Plan to describe the Respondent's response to detectable levels of gas. For the purposes of this paragraph, a response refers to a potential health threat either to on and/or off-site targets. This document must include a protocol for immediate notification of this Department, the New York State Department of Health and the Albany County Department of Health of all uncontrolled hydrogen sulfide gas releases.

### Odor Releases

5. Within 90 days of the effective date of this Order, Respondent shall submit to the Department for approval a site odor release study/plan ("odor plan") that at a minimum defines potential odor sources at the City of Albany's Rapp Road Facilities and which identifies possible alternative remedial odor control measures; describes existing systems in place for odor control; and

establishes an expeditious schedule for the "trial testing" of the identified alternatives and implementation of the chosen alternative. As each alternative is tested, the Department must be kept informed of the results.

Closure Plan Review

6. Within 60 days of the effective date of this Order, the Respondent shall develop and submit to the Department for approval a revised final closure plan to address the sideslopes of the landfill.
7. By June 15, 1995, weather conditions permitting, the Respondent shall initiate construction of the north sideslope portion of the closure plan submitted and approved by the Department under this Order. The work required by this paragraph shall be completed by September 30, 1995.

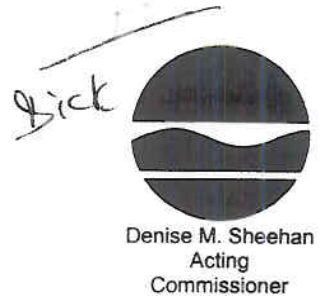


**New York State Department of Environmental Conservation  
Division of Legal Affairs, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2048 • FAX: (518) 357-2087

Website: www.dec.state.ny.us



CERTIFIED - RETURN RECEIPT REQUESTED

7004 1160 0005 0288 5115

May 5, 2005

Ruth E. Leistensnider  
Nixon Peabody LLP  
30 South Pearl Street  
Omni Plaza, Suite 900  
Albany, NY 12207-3497

Re: Order on Consent  
R4-2004-1012-126

Dear Ms. Leistensnider:

Enclosed please find a copy of the fully executed Order on Consent referenced above.

Payment of the civil penalty (\$7,500) is due within fifteen days of the effective date of this Order.

Sincerely,



Blaise W. Constantakes  
Regional Attorney  
Region 4

Enclosure

cc: T. Reynolds

P. Gitlen

J. Reilly, Corporation Counsel, City of Albany

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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In the Matter of the Alleged  
Violations of Article 27  
of the Environmental  
Conservation Law by:

ORDER ON  
CONSENT

City of Albany,  
Respondent

File Nos.  
R4-2004-1012-126

---

WHEREAS:

1. The Department of Environmental Conservation ("Department") is empowered to regulate the disposal of solid waste and the operation of solid waste management facilities pursuant to Article 27 of the Environmental Conservation Law ("ECL").
2. Respondent, the City of Albany, owns and operates a solid waste management facility ("landfill") pursuant to the 2000 renewal of a November 1, 1991 permit (#4-0101-00171/00011) at Rapp Road, City of Albany, County of Albany ("landfill permit").
3. Regulations at 6 NYCRR 360-1.14(m) requires that odors must be effectively controlled so that they do not constitute nuisances or hazards to health, safety or property.
4. Special Permit Condition #27F of the landfill permit provides that the permittee shall effectively control odors so that they do not constitute a nuisance or hazard to health, safety or property.
5. The Department has received many complaints over the past several months from residents of the Village of Colonie, passerbys on the New York State Thruway, workers at the New York State Thruway Exit 24 toll booth, and businesses located on Washington Avenue Extension regarding the odors from the landfill. A log of the complaints is maintained by the Department.
6. Respondent has installed gas collection wells in cells 7, 8 and 9 and further wells are to be constructed.
7. The Department alleges that Respondent has violated regulations at 6 NYCRR 360-1.14(m) and landfill permit special condition 27F.
8. NEO Albany LLC and Minnesota Methane/Albany Energy LLC submitted an April 6, 2004 investigation report ("April 6, 2004 Report") to the Department regarding additional measures to effectively control odors on and off the site.
9. Odors from the landfill have continued in levels that are causing a nuisance to offsite receptors. There is a need to further evaluate the recommendations in the April 6, 2004 Report to determine whether additional measures are required.
10. Regulations at 6 NYCRR 360-1.14(b)(1) require solid waste be prevented from entering surface waters.
11. During an inspection on March 29, 2004, solid waste was observed in the flowing water within a stormwater drainage ditch on the northeast portion of the landfill.

12. The Department alleges that Respondent has violated regulations at 6 NYCRR 360-1.14(b)(1).
13. Regulations at 6 NYCRR 360-1.14(b)(2) and 360-2.17(g) require that leachate be prevented from migrating into surface and/or groundwater.
14. During an inspection on March 29, 2005, leachate was observed pooling in several areas outside the landfill leachate linear system near the north leachate pump house.
15. The Department alleges that Respondent has violated regulations at 6 NYCRR 360-1.14(b)(2) and 360-2.17(g).
16. Regulations at 6 NYCRR 360-1.14(j) requires the confinement of blowing litter.
17. During an inspection on March 29, 2005, blown litter was observed on the ground and in the trees surrounding the landfill.
18. The Department alleges that Respondent has violated regulations at 6 NYCRR 360-1.14(j).
19. Regulations at 6 NYCRR 360-2.17(c) requires a minimum of 6 inches of compacted daily cover material on all exposed surfaces of the landfill at the close of each operating day.
20. During an inspection on March 29, 2005, several locations within the active cells of the landfill were observed to have inadequate daily cover.
21. The Department alleges that Respondent has violated regulations at 6 NYCRR 360-2.17(c).
22. Respondent has affirmatively waived its rights to notice and hearing in the manner provided by law and has consented to the issuing and entering of this Order and agrees to be bound by the terms, provisions and conditions contained herein.



**NOW**, having considered this matter and being duly advised, **IT IS ORDERED THAT** Respondent:

I. Civil Penalty

In respect of the aforesaid violations, a civil penalty in the amount of FIFTY THOUSAND DOLLARS (\$50,000) is assessed against the Respondent for the above violations. FORTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$42,500) of civil penalty is suspended conditioned on Respondent's compliance with the terms, conditions and provisions of this Order on Consent including the Schedule of Compliance and any documents approved thereunder. Payment of the suspended penalty shall be due within fifteen (15) calendar days of the receipt by the Respondent of a notice of violation from the Department which sets out the violations of the Order. This provision shall not limit the Department's right to seek other remedies provided by law and the applicable regulations for violations of this Order on Consent and ECL Article 27 and regulations, respectively. Respondent shall pay SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500) within fifteen days of the effective date of this Order.

II. Settlement and Reservation of Rights

A. Upon completion of all obligations created in this Order, this Order settles all claims for civil and administrative relief, including penalties concerning the violations described in this Order on Consent against Respondent. The issuance of this Order settles all claims for civil and administrative relief, including penalties, for all violations of the ECL, the regulations promulgated thereunder, permits or orders which the Department has actual knowledge as of the effective date of this Order on Consent.

B. Except as provided in Subparagraph II.A of this Order, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the civil, administrative, or criminal rights of the Department or of the Commissioner or his designee (including, but not limited to, nor exemplified by, the rights to recover natural resources damages and to exercise any summary abatement powers) or authorities with respect to any party, including Respondent.

C. The existence of this Order or the fact that Respondent participated in activities pursuant to this Order shall not give rise to any presumption of law or fact or create any rights which shall inure to the benefit of any third party. For purposes of this provision, the State is not considered a third party.

III. Schedule of Compliance

The attached Schedule of Compliance is incorporated into the Order on Consent.

#### IV. Force Majeure

Respondent shall not be in default of compliance with this Order if it is unable to comply with any provision of this Order solely because of an action of a national government or court, or an act of nature, war, strike, riot or catastrophe, as to any of which the negligence or willful misconduct of Respondent was not a proximate cause or which could not have been avoided by Respondent through the exercise of due care, provided, however, that Respondent shall make its best effort to comply nonetheless and shall, within 48 hours (unless notice is required sooner by State or Federal law), notify the Department by telephone and in writing, pursuant to the communications provision of this Order on Consent, after it obtains knowledge of any such condition or event and requests an appropriate extension or modification of this Order on Consent.

#### V. Communications

All communications required herein shall be made to the Department -- DEC Region 4, 1150 North Westcott Road, Schenectady, NY 12306, Attn: Regional Solid Waste Engineer; and Respondent - City of Albany, Commissioner of General Services, One Conners Boulevard, Albany, New York 12204-1144.

#### VI. Access

Respondent shall allow duly authorized representatives of DEC access to the facility referred to in this Order (including records), without prior notice, at such times as may be desirable or necessary in order for DEC to inspect and determine the status of Respondent's compliance with this Order on Consent or the ECL.

#### VII. Indemnification

Respondent shall indemnify and hold DEC, New York State, and their representatives and employees harmless for all claims, suits, damages, and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of the provisions hereof by Respondent, its - directors, officers, employees, servants, agents, successors or assigns.

#### VIII. Review of Submittals

A. This Paragraph VIII only applies to documents submitted pursuant to this Order that require Department approval.

B. The Department shall review each of the submittals Respondent makes pursuant to this Order to determine whether it was prepared, and whether the work done to generate the data and other information in the submittal was done, in accordance with this Order and generally accepted technical and scientific principles. The Department shall notify Respondent in writing of its approval or disapproval of the submittal. All Department-approved submittals shall be incorporated into and become an enforceable part of this Order; and Respondent shall implement them in accordance with their respective schedules and terms, as approved.



C. 1. If the Department disapproves a submittal, it shall so notify Respondent in writing and shall specify the reasons for its disapproval. Within the time frame set forth in that written notification, Respondent shall make a revised submittal to the Department that addresses and resolves all of the Department's stated reasons for disapproving the first submittal.

2. After receipt of the revised submittal, the Department shall notify Respondent in writing of its approval or disapproval. If the revised submission is not approvable as submitted, the Department, at its option, may disapprove it or may approve it on condition that Respondent accept such modifications as may be specified by Department to make it approvable. If Respondent does not accept such modifications, the revised submission will be disapproved. If the Department disapproves the revised submittal, Respondent shall be in violation of this Order. If the Department approves the revised submittal, it shall be incorporated into and become an enforceable part of this Order.

D. Respondent shall modify and/or amplify and expand a submittal upon the Department's direction to do so if the Department determines, as a result of reviewing data generated by an activity required under this Order or as a result of reviewing any other data or facts, that further work is necessary. The Department agrees that any modifications it specifies will be reasonable and consistent with customary engineering standards.

#### IX. Binding Effect

The provisions of this Order shall inure to the benefit of and be binding upon the Department and Respondent.

#### X. Modification

If Respondent desires that any provision of this Order on Consent be changed, Respondent shall make written application therefor to the Department, setting forth reasonable grounds for the relief sought. The Department shall have absolute discretion but will not arbitrarily withhold consent to the requested change. No change in this Order shall be made or become effective except as set forth by a written order of the Commissioner or the Commissioner's designee.



XI. Entire Order

The provisions of this Order constitute the complete and entire Order issued to the Respondent concerning resolution of the violations identified herein. No term, condition, understanding or agreement purporting to modify or vary any term hereof shall be binding unless made in writing and subscribed by the party to be bound, pursuant to Paragraph X of this Order. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by Respondent shall be construed as relieving Respondent of its obligations to obtain such formal approvals as may be required by this Order.

XII. Effective Date

The effective date of this Order shall be the date it is signed by the Regional Director. The Department will provide Respondent (or Respondent's counsel) with a fully executed copy of this Order on Consent as soon as practicable after this Order on Consent has been signed by the Regional Director.

XIII. Summary Abatement

This Order shall not be construed to prohibit the Commissioner or her duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

XIV. Termination

This Order on Consent shall terminate upon complete compliance with the requirements of this Order on Consent, or incorporation of ongoing provisions of the Schedule of Compliance into Respondent's landfill permit upon renewal of same.

DATED: *May 5*, 2005  
Rotterdam, New York

Denise M. Sheehan  
Acting Commissioner  
New York State Department of  
Environmental Conservation

BY:

*Steven G. Schassler*  
Steven G. Schassler  
Regional Director  
Region 4

City of Albany

Respondent hereby consents to the issuance and entry of the foregoing Order, waives its rights to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: Gerald J. Jernigan  
Mayor of City of Albany

DATE: April 22, 2005

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF )

On the 22<sup>nd</sup> day of April in the year 2005 before me, the undersigned, a Notary Public in and for the State, personally appeared Gerald J. Jernigan, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

[Signature]  
Notary Public  
Notary Stamp:

COMMISSIONER OF DEEDS  
COUNTY OF ALBANY  
TERM EXPIRES DEC. 31, 2005

## SCHEDULE OF COMPLIANCE

1. Upon the effective date of this Order, Respondent shall immediately begin maintaining a log of all odor complaints. The log shall include at a minimum the following: Date, Time, Weather Conditions, Location, Time of Odor, Type of Odor. For the first six months following the effective date of this Order, Respondent must submit copies of the log to the Department on a weekly basis. The log shall be completed on a Monday through Sunday basis, and submitted to the Department on Monday of each week, or if Monday is a holiday, the next day.
2. Within 15 days of the effective date of this Order, Respondent shall submit a map, to be reviewed and approved by the Department, identifying off-site locations where daily odor inspections will be performed. After map approval, and until such time as the plan required pursuant to paragraph 8 of this Schedule of Compliance is approved by the Department, respondent shall conduct such off-site inspections and submit a report to the Department on a weekly basis.
3. Within 15 days of the effective date of this Order, Respondent will correct the conditions that allowed the leachate to escape from the landfill liner system.
4. Within 15 days of the effective date of this Order, Respondent will clean up all wind blown litter and properly dispose of it.
5. Within 30 days of the effective date of this Order, Respondent shall submit to the Department an up to date inventory of all known sources of off-site odors resulting from the presence and/or operation of the landfill.
6. Within 30 days of the effective date of this Order, Respondent shall provide the Department with a detailed description of all landfill gas collection and control equipment/systems existing at the landfill regardless of ownership. This description must, at a minimum, include surveyed drawings of all in-place piping, extraction wells, alarms/automated controls, equipment used for management of landfill gasses, and a delineation of operational responsibility for the landfill gas collection and control equipment/systems as between Respondent and NEO Albany, LLC and MM Albany Energy, LLC .
7. Within 60 days of the effective date of this Order, Respondent shall submit to the Department, for its review and approval, a remedial action plan to address each odor source identified in Paragraph 3 above, with an expeditious schedule for implementation.
8. Within 60 days of the effective date of this Order, Respondents shall submit to the Department, for its review and approval, an operation and maintenance plan for the entire landfill's active gas collection and control system. The plan must, at a minimum, include:
  - A.) a schematic of the active gas collection and control systems for the landfill updated when necessary.



B.) routine operations and maintenance procedures for these systems, including a current inventory of all necessary equipment and spare parts;

C.) alarm and notification procedures to be implemented when system interruptions occur. The Department must be notified within 24 hours of the interruption;

D.) procedures to immediately implement contingency (backup) measures for system(s) interruptions and;

E.) a procedure for investigating off-site odor complaints. When deemed necessary by the Department, respondent shall perform a full investigation to identify the problem and make recommendations for its correction within 30 days of Department notice. Within 30 days of the completion of the investigation, respondent must take steps identified in the investigation to remedy the situation. The Department further reserves the right to shorten these time frames based upon the number and severity of the odor complaints.

9. As of the effective date of this Order, Respondent shall ensure that the following provisions are included in all future contracts, leases, arrangements, and agreements regarding the operation and maintenance of the landfill's gas collection and control systems: (1) minimize any disruptions in system operations which may cause odors and ability to take immediate action to mitigate any odors; (2) ensure immediate access to spare parts and equipment.
10. Within 30 days of the effective date of the Order, Respondent shall provide the Department with copies of all contracts, leases, arrangements, or other agreements regarding the landfill's gas collection and control facilities, and shall, thereafter, provide the Department with copies of any modifications or new contracts, leases, arrangements, or other agreements relating to the landfill's gas collection and control system within 30 days of their execution.
11. The Respondent shall cooperate with NEO Albany LCC and Minnesota Methane/Albany Energy LLC ("NEO") in NEO's efforts to meet the requirements of Paragraph 4 of NEO's Schedule of Compliance in Order on Consent R4-2004-1012-127:

*4. Within 30 days of the effective date of this Order, Respondents shall in cooperation with the City of Albany evaluate: whether the April 6, 2004 Report requires further modification to address the ongoing odor issue at the landfill or whether the recommendations in the April 6, 2004 Report have been successfully and completely implemented. A report shall be submitted to the Department by Respondents with conclusions regarding either further actions to abate odors or actions to be taken to implement the recommendations in the April 6, 2004 Report. An expeditious schedule of compliance shall be included in the report for any actions that need to be taken.*

12. Respondent shall implement such activities identified as Respondent's responsibility contained in the report submitted by NEO in accordance with NEO's expeditious schedule unless Respondent proposes alternatives to the NEO recommendations that will achieve the goal of permanently abating the nuisance level odors. Within 30 days of

receipt of the NEO report, Respondent shall either begin the implementation of the recommendations or propose to the Department equivalent measures to achieve the goal of permanently abating the nuisance level odors. Respondent's equivalent measures, if submitted, shall also include an expeditious schedule.

13. Compliance with the Schedule of Compliance shall not be a defense to subsequent allegations of odor violations.

**New York State Department of Environmental Conservation**

**Division of Legal Affairs, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2048 • FAX: (518) 357-2087

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Denise M. Sheehan  
Acting  
Commissioner

CERTIFIED - RETURN RECEIPT REQUESTED

7004 1160 0005 0288 7096

May 5, 2005

Trond Aschehoug  
Senior Vice President & General Manager  
Minnesota Methane  
3005 Douglas Boulevard, Suite 105  
Roseville, CA 95661

Re: Order on Consent  
R4-2004-1013-127

Dear Mr. Aschehoug:

Enclosed please find a copy of the fully executed Order on Consent referenced above.

This will also acknowledge receipt of \$7,500 as payment of the civil penalty pursuant to Paragraph I.

Sincerely,

Blaise W. Constantakes  
Regional Attorney  
Region 4

Enclosure

cc: T. Reynolds

P. Gitlen

J. Reilly, Corporation Counsel, City of Albany

R. Leistensnider



4. The Operation and Maintenance Manual, a component of the March 1996 Part 360 Permit Application, includes the following language:

*The typical gas collection system Operations and Maintenance Manual will also be further developed and updated with respect to the on-going components of the Albany Interim Landfill active gas collection system that will be incorporated into the Project. Appendix B contains a copy of the City's current operations and maintenance plan for the existing Albany Interim Landfill Odor Control System (i.e. active gas collection system). This manual will be used to help affect the transition of the existing Landfill Odor Control System components into the on-going Project gas collection system and for further development of the on-going Project gas collection system operations and maintenance manual.*

5. The City of Albany completed the Albany Interim Landfill active gas collection system on or about January 2000.

6. Respondents failed to update the Typical Gas Collection System Operations and Maintenance Manual as contemplated by Respondents' Operation and Maintenance Manual after the City of Albany completed the Albany Interim Landfill active gas collection system on or about January 2000.

7. The Department alleges that Respondents' failure to update the Typical Gas Collection System Operations and Maintenance Manual is a continuing violation of the permit.

8. Respondents' permit condition 3 provides that:

*If it is determined that the landfill gas recovery system is not capable of effectively controlling odors on and off the site, the permittee will investigate and determine if problems are related to facility operations. If appropriate, the permittee will propose modifications that are compatible with energy recovery.*

9. Respondents' submitted an April 6, 2004 investigation report (April 6, 2004 Report) to the Department regarding additional measures to effectively control odors on and off the site.

10. Odors from the landfill have continued in levels that are causing a nuisance to offsite receptors. There is a need

to further evaluate the recommendations in the April 6, 2004 Report to determine whether additional measures are required.

11. Respondents have affirmatively waived their rights to notice and hearing in the manner provided by law and have consented to the issuing and entering of this Order and agree to be bound by the terms, provisions and conditions contained herein.

NOW, having considered this matter and being duly advised, IT IS ORDERED THAT Respondents:

I. Civil Penalty

A civil penalty in the amount of THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) is assessed against the Respondents for the violations alleged herein. THIRTY THOUSAND DOLLARS (\$30,000) of civil penalty is suspended conditioned on Respondents' compliance with the terms, conditions and provisions of this Order on Consent including the Schedule of Compliance and any documents approved thereunder. Payment of the suspended penalty shall be due within fifteen (15) calendar days of the receipt by the Respondents of a notice of violation from the Department which sets out the violations of the Order. This provision shall not limit the Department's right to seek other remedies provided by law and the applicable regulations for violations of this Order on Consent and ECL Article 27 and regulations, respectively. Respondents shall pay SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500) with the return of the signed and notarized Order to the Department.

II. Settlement and Reservation of Rights

A. Upon completion of all obligations created in this Order, this Order settles only all claims for civil and administrative penalties concerning the violations alleged in this Order on Consent.

B. Except as provided in Subparagraph II.A of this Order, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the civil, administrative, or criminal rights of the Department or of the Commissioner or his designee (including, but not limited to, nor exemplified by, the rights to recover natural resources damages and to exercise any summary abatement powers) or authorities with respect to any party, including Respondents.



### III. Schedule of Compliance

The attached Schedule of Compliance is incorporated into the Order on Consent.

### IV. Force Majeure

Respondents shall not be in default of compliance with this Order if it is unable to comply with any provision of this Order solely because of an action of a national government or court, or an act of nature, war, strike, riot or catastrophe, as to any of which the negligence or willful misconduct of Respondents was not a proximate cause. Respondents shall notify DEC by telephone and in writing within 48 hours of obtaining knowledge of any such event and request an appropriate extension or modification of this Order on Consent.

### V. Communications

All communications required herein shall be made to: Department -- DEC Region 4, 1150 North Westcott Road, Schenectady, NY 12306, Attn: Regional Solid Waste Engineer.

### VI. Access

Respondents shall allow duly authorized representatives of DEC access to the facility referred to in this Order (including records) without prior notice, at such times as may be desirable or necessary in order for DEC to inspect and determine the status of Respondents' compliance with this Order on Consent or the ECL.

### VII. Indemnification

Respondents shall indemnify and hold DEC, New York State, and their representatives and employees harmless for all claims, suits, damages, and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of the provisions hereof by Respondents, their directors, officers, employees, servants, agents, successors or assigns.

### VIII. Review of Submittals

A. 1. All documents which Respondents must submit pursuant to this Order are subject to Department approval.

2. The Department shall review each of the submittals Respondents makes pursuant to this Order to determine whether it was prepared, and whether the work done to generate the data and other information in the submittal was done, in accordance



with this Order and generally accepted technical and scientific principles. The Department shall notify Respondents in writing of its approval or disapproval of the submittal. All Department-approved submittals shall be incorporated into and become an enforceable part of this Order; and Respondents shall implement them in accordance with their respective schedules and terms, as approved.

3. a. If the Department disapproves a submittal, it shall so notify Respondents in writing and shall specify the reasons for its disapproval. Within the time frame set forth in that written notification, Respondents shall make a revised submittal to the Department that addresses and resolves all of the Department's stated reasons for disapproving the first submittal.

b. After receipt of the revised submittal, the Department shall notify Respondents in writing of its approval or disapproval. If the revised submission is not approvable as submitted, the Department, at its option, may disapprove it or may approve it on condition that Respondents accept such modifications as may be specified by Department to make it approvable. If Respondents do not accept such modifications, the revised submission will be disapproved. If the Department disapproves the revised submittal, Respondents shall be in violation of this Order. If the Department approves the revised submittal, it shall be incorporated into and become an enforceable part of this Order.

4. Respondents shall modify and/or amplify and expand a submittal upon the Department's direction to do so if the Department determines, as a result of reviewing data generated by an activity required under this Order or as a result of reviewing any other data or facts, that further work is necessary. The Department agrees that any modifications it specifies will be reasonable and consistent with customary engineering standards.

#### IX. Binding Effect

The provisions of this Order shall inure to the benefit of and be binding upon the Department and Respondents.

#### X. Modification

No change in this Order shall be made or become effective except as set forth by a written order of the Commissioner or the Commissioner's designee.

XI. Entire Order

The provisions of this Order constitute the complete and entire Order issued to the Respondents concerning resolution of the violations alleged herein. No term, condition, understanding or agreement purporting to modify or vary any term hereof shall be binding unless made in writing and subscribed by the party to be bound, pursuant to Paragraph X of this Order. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by Respondents shall be construed as relieving Respondents of its obligations to obtain such formal approvals as may be required by this Order.

XII. Effective Date

The effective date of this Order shall be the date it is signed by the Regional Director.

XIII. Summary Abatement

This Order shall not be construed to prohibit the Commissioner or her duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

XIV. Termination

This Order on Consent shall terminate upon complete compliance with the requirements of this Order on Consent, or incorporation of ongoing provisions of the Schedule of Compliance into Respondent's current permit upon renewal of the same.

DATED: *May 5*, 2005  
Rotterdam/ New York

Denise M. Sheehan  
Acting Commissioner  
New York State Department of  
Environmental Conservation

BY:

  
\_\_\_\_\_  
Steven G. Schassler  
Regional Director  
Region 4





MM Albany Energy LLC

Respondent hereby consents to the issuance and entry of the foregoing Order, waives its rights to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: [Signature]

TITLE: SR. VP & General MGR

DATE: April 29, 2005

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF )

On the 29<sup>th</sup> day of April in the year 2005 before me, the undersigned, a Notary Public in and for the State, personally appeared Trond Aschehoug, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

[Signature]  
Notary Public

Notary Stamp:



## SCHEDULE OF COMPLIANCE

1. Within 60 days of the effective date of the Order, the Respondent shall submit to the Department for approval an updated/revised Operation and Maintenance Manual which addresses the landfill gas collection system contained in the City of Albany Interim Landfill (cells 1 through 5). This manual will include, at a minimum, a full schematic of the Albany Interim Landfill collection system, and a full description of all of the tasks required to properly operate and maintain the City of Albany Interim Landfill's landfill gas collection system.

2. The Respondent shall submit landfill gas collection system operating reports to the Department on a quarterly basis. The first report shall be due April 30, 2005. The quarterly report shall, at a minimum, include the following information: a) total volume of gas being collected in the system(s) as a quarterly average, b) the last gas quality readings from each sampling port in the system, c) identify any collection lines which are closed cause of closure and length of closure; d) describe any failed components of the system, corrective actions to failed components and/or recommendations for system modifications and/or repairs.

3. Within 60 days of the effective date of the Order, the Respondent shall submit a surface emissions monitoring report to the Department by the 7<sup>th</sup> day of each month until notified in writing by the Department to discontinue the reports. In the event of inclement weather (high winds, deep snow, etc.) that would either delay the actual surface emissions monitoring or affect the validity of the monitoring results, the Respondent will notify the Department and perform the surface emissions monitoring, and submit the subsequent report, as-soon-as is practical. The Respondent will perform the surface emissions monitoring per NSPS WW 60.753(d) for greater than 500 parts per million of methane above background on the surfaces of the City of Albany Interim Landfill, and the Wedge once a month at a minimum. Sampling locations will initially be on 30 meter centers across these areas. If there are significant odors detected on the surfaces of these areas, the Department may request more frequent testing. When specific testing is required by the Department, in response to detected odors, the Respondent will perform surface emissions monitoring within 3 working days of the request.

4. Within 30 days of the effective date of this Order, Respondents shall in cooperation with the City of Albany evaluate: whether the April 6, 2004 Report requires further modification to address the ongoing odor issue at the landfill. A report shall be submitted to the Department by Respondents with conclusions regarding either further actions to abate odors or actions to be taken to implement the recommendations in the April 6, 2004 Report. An expeditious schedule of compliance shall be included in the report for any actions that need to be taken.

5. With the return of the signed and notarized Order to the Department, each Respondent shall provide the Department with the names and addresses of the five members holding the most shares or control of the respective, LLC and the name of its manager or managing partner. Service of process or any other correspondence respecting this Order or the site may be sent by the Department to any of the members listed in this paragraph unless the manager or managing partner is designated by the Respondent as accepting service or correspondence regarding the site or this Order.

6. Compliance with the Schedule of Compliance shall not be a defense to subsequent allegations of odor violations.



STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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In the Matter of the Alleged  
Violations of Article 27  
of the Environmental  
Conservation Law by:

City of Albany,

Respondent

ORDER ON  
CONSENT -  
MODIFICATION

File Nos.

R4-2006-0405-73M1,  
R4-2006-0405-74M1 and  
R4-2006-0405-75M1

---

WHEREAS:

1. The Department of Environmental Conservation ("Department") is empowered to regulate the operation of solid waste management facilities and the disposal of solid waste pursuant to Article 27 of the Environmental Conservation Law ("ECL").
2. Respondent, the City of Albany, owns and operates a solid waste management facility ("landfill") pursuant to the 2000 renewal of a November 1, 1991 permit (#4-0101-00171/00011) at Rapp Road, in the City of Albany, County of Albany ("landfill permit").
3. Respondent is subject to the Order on Consent (R4-2006-0405-73, R4-2006-0405-74 and R4-2006-0405-75), dated August 1, 2006 ("Order"). Said Order contains a Schedule of Compliance.
4. By letter dated August 29, 2006, Respondent has requested a modification to that Order's Schedule of Compliance, specifically paragraph (a) therein, and the Department has found good cause for granting that request.
5. Respondent has affirmatively waived its rights to notice and hearing in the manner provided by law and has consented to the issuing and entering of this Order and agrees to be bound by the terms, provisions and conditions contained herein.

**NOW**, having considered this matter and being duly advised, **IT IS ORDERED THAT:**

I. Respondent shall continue to comply with all of the provisions, terms and conditions of the Order, which remains in full force and effect as set forth therein, except where expressly altered by this Modification of that Order.

II. The **Schedule of Compliance** contained in the Order shall be modified to read as follows:

a) Respondent shall **within 45 days** of the effective date of this Order place one foot of compacted soil with a **maximum hydraulic** conductivity of  $1 \times 10^{-4}$  cm/sec over all surfaces of the Interim Landfill and the **Wedge (Cell 6)**, and those areas of Cells 7, 8 and 9 of P4 which have (1) not been closed and capped, and (2) will not be receiving new waste within 30 days of the effective date of this Order. **Within 45 days** of completing placement of this soil, Respondent shall present the Department with their Quality Assurance/Quality Control test results for compaction and hydraulic conductivity in a form similar to those required for construction of the low permeability soil component in a landfill double composite liner (6 NYCRR 360-2.13(j)).

III. The effective date of this Modification of the Order shall be the date upon which it is signed on behalf of the Department.

DATED: *Sept 14*, 2006

Rotterdam, New York

Denise M. Sheehan, Commissioner  
New York State Department of  
Environmental Conservation

BY: *Steve G. Schassler*

Steve G. Schassler  
Regional Director  
Region 4







NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

**DISTRIBUTION ROUTING**  
WHITE COPY—Regional Office  
YELLOW COPY—Central Office  
PINK COPY—Facility  
GREEN COPY—Inspector

FACILITY NAME City of Albany L/R		LOCATION Rapp Road	FACILITY NUMBER 01502	DATE 020806	TIME 1830
INSPECTOR'S NAME Thomas R Reynolds		CODE S	PERSONS INTERVIEWED AND TITLES		
REGION 4	WEATHER CONDITIONS evening -	DEC PERMIT NUMBER			
SHEET 1 OF 1	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360- Attached			

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71,  
and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
(Uncorrected violations must be described in detail and located on a sketch).

\* Driving around vicinity of landfill monitoring  
off site odors -

- detected strong objectionable landfill gas odor on Rapp Road / Lincoln Ave. vicinity of rail road tracks - along 5-700 ft of roadway
- odor was landfill gas, not working stack and had a similar nature to sewage sludge
- detected odor again, much weaker, on Central Ave near where Northway passes over.

Conditions on Lincoln Ave / Rapp Road were considered a violation of 6-NYCRR Part 360-1.14(m)

∴ at meeting with Village of Colonie residents this same evening, several approached me to state they also experienced strong objectionable odors on this night - same location

Thereby acknowledge receipt of the  
Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge (Please print)

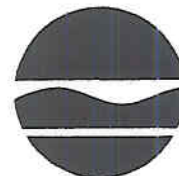
O. A. ... 020806

**New York State Department of Environmental Conservation****Division of Solid and Hazardous Materials, 9<sup>th</sup> Floor**

625 Broadway, Albany, New York 12233-7250

Phone: (518) 402-8651 • FAX: (518) 402-9024

Website: www.dec.state.ny.us

Erin M. Crotty  
Commissioner

September 1, 2004

**VIA FAX**

Mr. Joseph Giebelhaus  
City of Albany Rapp Road SWM Facility  
525 Rapp Road  
Albany, NY 12205

**RE:** City of Albany Rapp Road Landfill Odor Control Measures

Dear Mr. Giebelhaus:

On August 3, 2004, in response to numerous odor complaints regarding the Albany Rapp Road Landfill, this Department sent letters to both the City of Albany and NEO/ Minnesota Methane(MM) requiring the installation of gas collection wells to commence within 21 days of the receipt of the letter. NEO/MM submitted plans and a schedule to proceed with the installation of the wells as requested by this Department. However, on August 18, 2004, this Department received notice from Minnesota Methane that additional gas collection wells will not be installed by them without the written approval of the City of Albany, including confirmation from the City that the Gas Lease and Easement Agreement is still in effect.

As you know, Subdivision 360-1.14(m) and Special Condition #27F of the City's Part 360 landfill permit (modified May 28, 2004) require the City to effectively control odors, so they do not constitute a nuisance or hazard to health, safety or property. Therefore, the City is required to resume the installation of the gas collection wells in accordance with August 3, 2004 letter. The City must provide this Department with a plan/schedule for the installation of the additional gas control measures by September 3, 2004. This plan may account for the delay imposed by NEO/MM, however, it is imperative that these measures be completed as closely as possible to the original schedule.

If you have any questions concerning the above, please contact me at (518) 357-2071.

Sincerely,

Victoria M. Schmitt, P.E.  
Environmental Engineer 2  
Region 4

cc: Willard Bruce, Commissioner  
City of Albany DGS



## Giebelhaus, Joe

---

**From:** Lukowski, Stephen [SLukowski@ALBANYCOUNTY.com]  
**Sent:** Wednesday, February 13, 2002 9:08 AM  
**To:** 'giebej@ci.albany.ny.us'; Kenneth.J.Preusser@aphis.usda.gov  
**Cc:** 'Srheerke@gw.dec.state.ny.us'; 'keparker@gw.dec.state.ny.us'; 'nxheasli@gw.dec.state.ny.us'; Lenehan, Marcia; Peck, Barry; Crucetti, James  
**Subject:** FW: Crows at Crossgates Restaurant

Joe,  
Thanks for looking into this. I don't know if this is landfill related or not. When I think of crows Ken's face comes to mind. By the way, it is very refreshing to be able to refer inquiries and complaints to people such as you and Ken who really care, follow-up, and in most cases resolve the issue(s).

Steve

-----Original Message-----

**From:** Giebelhaus, Joe [mailto:giebej@ci.albany.ny.us]  
**Sent:** Wednesday, February 13, 2002 8:56 AM  
**To:** 'Lukowski, Stephen'; 'Kenneth.J.Preusser@aphis.usda.gov'  
**Cc:** Srheerke@gw.dec.state.ny.us; keparker@gw.dec.state.ny.us; nxheasli@gw.dec.state.ny.us; Giebelhaus, Joe; Lenehan, Marcia; Peck, Barry; Crucetti, James  
**Subject:** RE: Crows at Crossgates Restaurant

Steve & Ken-

I'll speak to Heather today about it. As per my Part 360 permit, I have to keep a log of all landfill complaints; in the future, if you receive any landfill related complaints, please have the individual contact us directly at 869-3651 during normal business hours or 869-6767 any other time.

I'll go over and speak to Steve today.

Thanks

Joe

-----Original Message-----

**From:** Lukowski, Stephen [mailto:SLukowski@ALBANYCOUNTY.com  
<mailto:SLukowski@ALBANYCOUNTY.com> ]  
**Sent:** Tuesday, February 12, 2002 1:46 PM  
**To:** 'Kenneth.J.Preusser@aphis.usda.gov'  
**Cc:** Srheerke@gw.dec.state.ny.us; keparker@gw.dec.state.ny.us; nxheasli@gw.dec.state.ny.us; giebej@ci.albany.ny.us; Lenehan, Marcia; Peck, Barry; Crucetti, James  
**Subject:** Crows at Crossgates Restaurant

Ken,

I just spoke to Steve DiBella, manager Crossgates Restaurant, about a problem that he is experiencing with roosting crows. He said over the last couple of weeks an abnormal number of crows have been coming in to the trees

surrounding his restaurant around 4:00 p.m. and leaving around 9:00 a.m. They are creating a nuisance at the restaurant and parking lot. The restaurant is located at the intersection of Rapp Road and Washington Ave. Ext. next to the Thruway and the City Landfill. I discussed the dispersal programs at Troy and Albany and suggested that he contact you directly to see if you could help him to move them elsewhere. If I can be of any assistance please let me know.

Steve



General Information

Type: Complaint  
 County: Albany  
 Town: City of Albany  
 Street Address: Rapp Rd. Landfill  
 Nature of Complaint: 8920 - Environmental Quality - Air Quality  
 Date Received: 08-03-2004  
 Time Received: 08:45

Complainant

Last Name: [REDACTED]	Street Address: [REDACTED]	Home Phone: [REDACTED]
First Name: [REDACTED]	Town: [REDACTED]	Work Phone: [REDACTED]
	State: [REDACTED]	Cell Phone:
	Zip: [REDACTED]	

Facts and Information provided by Complainant

Rape Rd. Landfill methane smell is very strong. Wants officer to check out.

Possible Responsible Parties Information

Last Name: Rape Rd. Landfill	Street Address:	Homephone:
First Name:	Town:	Workphone:
Middle Name:	State: NY	Cellphone:
Date of Birth:	Zip:	

Closing Information

Prosecutor: None	Tickets	Warrants Executed
Referral Date:	None	Court Ordered Seal Executed

Dispatch Information

Date Entered: 08-03-2004	Approved By: 288(Frank Lauricella)	Case Disposition: Closed
Time Entered: 08-03-2004	Approved Date: 06-16-2005	Date Disposed: 06-05-2005
Officer: 143(John Graves)		Opened By: 143(John Graves)

**From:** Rick Georgeson  
**To:** Clarke, William; Constantakes, Blaise; Cullen, Thomas; Forgea, Richard; Reynolds, Thomas; Schassler, Steven  
**Date:** 3/19/2007 10:05:26 AM  
**Subject:** Gazette Article - Albany Landfill

### **Landfill's neighbors may file suit against city over bad odor**

BY MARY MARTIALAY Gazette Reporter

3/17/07

In 2006, the Village of Colonie Fire Department was called out 12 times for homeowners who'd mistaken the smell of Albany's Rapp Road landfill for a gas leak.

Residents of Avila, a nearby retirement community, logged about 70 "odor incidents" over the course of six months last spring. And the state Department of Environmental Conservation fielded 180 complaints within the last six months.

As it turns out, the stench emanating from the landfill has been wellchronicled by surrounding residents, but until recently, most people tracked their suffering in isolation. That's not so anymore.

Residents around the landfill have begun to organize, largely incensed by the city's application to expand the landfill. In the past week, about 300 residents gathered at the Colonie village Recreation Center for a primer on lawsuits filed by Save the Pine Bush. Mayor Frank Leak said the village has recently sent letters to Gov. Eliot Spitzer, state Sen. Neil Breslin, D-Albany, and Assemblyman Bob Reilly, D-Colonie. Lifelong resident Lynne Lyons is gathering signatures on a petition to stop the expansion of the landfill.

The common goal among them, say residents, is to stop the stench that has intruded on their lives for too long.

"Our main concern is the smell. Everyone is complaining about the smell, and in my neighborhood, that's what it is," Leak said.

"The smell gets into the house. It'll wake you up in the middle of the night," says Megan Giammatteo, who lives on Lincoln Avenue, about a half-mile from the landfill. "There's days when I can't get my dog to go outside. I'll open the door, he'll smell it, he sneezes and backs right up."

Lyons said she is starting to wonder if there is a correlation between the smell and health problems in her family. Lyons had colon cancer, her son had his colon removed after a bout of ulcerative colitis, her mother has a persistent cough and both she and her daughter have asthma. No one in the family smokes, they run air filters in the house and they have no pets.

"I have called the EPA, called the Department of Health, City Hall, every place I can think of, and said, 'Is this right, are we supposed to be breathing this? Has anyone done any tests?' " Lyons said. "I'm just getting sick of it falling on deaf ears."

Leak said he hopes the petitions and complaints and the recent meeting mark the start of substantive citizen pressure that can induce the city to solve the problem.

"At least we're getting some press now, and that's good. We complained, but we could never get any publicity," Leak said.

DEC has fined the city in the past for violating its landfill permit, most recently \$50,000 in August 2006, said DEC spokesman Rick Georgeson.

Georgeson said there is no hard and fast rule for when DEC issues a violation, although one benchmark may be that residents should be able to open their windows and enjoy their property.

"We use our judgment," Georgeson said. "If it's just once, we take that into consideration. We're not just going to fine someone for one violation."

There is no specific number of complaints or measurement used to determine when a fine is levied. The most recent fine was the result of numerous complaints and an agreement with the city to accept the fine, he said.

"There's no single measurement," Georgeson said. "At August '06, we were able to come to agreement with the city."

Georgeson compared the process to a "plea bargain — they agree to a fine." He said the department could "bring it to a hearing, but we want to get something done. ... We want to try to fix the problem."

Albany General Services Commissioner Willard Bruce said the city is taking extensive measures to control the odors.

"We're as concerned about it as the residents are. We're as frustrated about it as the residents are,"



Bruce said.

As part of its agreement with the department, the city agreed to several measures, including installation of a plastic liner over portions of the landfill, covering portions with 12 inches of soil, replacing damaged gas collection lines, improving connections between the gas collection system and flares, employing dedicated staff to monitor the system and increasing system vacuums.

Bruce said the city has spent hundreds of thousands of dollars trying to control the smell and will spend upwards of \$1 million this summer to cap nearly 10 acres of landfill under plastic and 5.25 acres under clay. City engineers are also holding weekly meetings at the landfill with the DEC.

"We have proposed measures that are beyond what DEC has asked us to do," Bruce said.

Bruce said Mayor Jerry Jennings has called a meeting with engineers for Monday.

"The mayor is very concerned about this. He wants the engineers to come to City Hall and make a presentation on the technical details," Bruce said. "In spite of their directive to solve the problem regardless of the cost, we're still have the problem."

Bruce said the city has already hired RTP Environmental Associates to undertake air quality tests. He hopes results will be available within several months.

Beginning in April, Bruce said, area stakeholders will be invited to monthly status meetings. He said he has already contacted Albany Common Council member Sandra Fox and hopes to invite representatives of the village and various neighborhoods, including Avila.

"For many years, we operated this landfill without the kind of odor problems we're experiencing now, in away that was acceptable to people in the area," Bruce said. "We're doing everything possible to get back to that."

To complain about smells from the landfill, Georgeson said, residents may call the DEC at 357-2245 or the city of Albany at 869-3651.

At its Wednesday meeting, Save the Pine Bush brought residents together to give them the benefit of the organization's experience in advocating for an issue. Lynne Jackson of Save the Pine Bush said a lawsuit is the best way to force change.

"We have sued again and again and again, and they all hate us. But guess what? We have the Pine Bush Commission," Jackson said.

Tom Ellis of the Citizens Environmental Coalition exhorted residents to keep the pressure on.

"Albany's cash crisis shouldn't become your health crisis," Ellis said.

Save the Pine Bush enlisted the help of their attorney, Peter Henner, in laying out options residents have for a legal fight against the city. Henner, who has practiced environmental law for more than 25 years, explained that citizens can sue for any "tort," or wrong against them.

"It is a nuisance, there are methane flares, gases come out. That's awrong, just as if someone hit you," Henner said. "They have a landfill that, if they operated it properly, wouldn't produce odors."

He said residents may sue based on damage to their health, property value or quality of life. The suit may result in monetary compensation or other redress, he said, but is unlikely to force the city to shut down the landfill.

Henner offered his services as an attorney, with payment based on any money awarded to residents. When asked for a show of hands, however, everyone said the stench is anuisance, but few people seemed immediately interested in suing.









**New York State Department of Environmental Conservation**

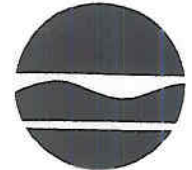
**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us

Tom/Erin



Erin M. Crotty  
Commissioner

February 1, 2005

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Enclosed please find a copy of an 6 NYCRR Part 360 Solid Waste Management Facility Inspection Report for an incident that occurred on January 28, 2005. As indicated on the enclosed report, at approximately 6:30pm on that evening while driving past the City of Albany Rapp Road Landfill, traveling West to East on the New York State Thruway, I experienced off site odors generated by the landfill which were considered to constitute a violation of 6 NYCRR Part 360-1.14(m), odor control, and 6 NYCRR Part 360-2.17(f), decomposition gases.

The odor detected is considered to be the same that has been the subject of complaints the Department has been receiving related to the landfill since Fall 2003. The odor was not believed to be due to "fresh" disposed of waste, rather decomposition gases from its decay.

If you have any questions regarding this incident, please feel free to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
M. Ellis, P.E., Region 4 Legal Affairs  
R. Forgea, P.E., Region 4 Solid Waste Engineer



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

**DISTRIBUTION ROUTING**  
WHITE COPY—Regional Office  
YELLOW COPY—Central Office  
PINK COPY—Facility  
GREEN COPY—Inspector

FACILITY NAME <i>City of Albany Landfill</i>		LOCATION <i>Rupp Road Albany</i>	FACILITY NUMBER	DATE <i>0121805</i>	TIME <i>11845</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODES <i>5</i>	PERSONS INTERVIEWED AND TITLES		
REGION <i>4</i>	WEATHER CONDITIONS <i>30" pending snow storm</i>		DEC PERMIT NUMBER		
SHEET <i>1</i> OF <i>1</i>	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360-			
					Attached

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.  
Additional Violations May Be Noted on Sheet One of this Inspection Report.  
Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
(Uncorrected violations must be described in detail and located on a sketch).

- Inspection in response to complaint from six passengers in car traveling West to East on NYS Thruway exiting @ Exit 24. Complained "land fill smelled awful", Odor was disgusting.
- Exiting Thruway @ approximately 6:45 @ Exit 24 detected weak to moderate landfill odor. Smelled like combination of garbage and decomposition gases.
  - traveled on Washington Avenue Extension south of landfill, on Rupp Road to rail road tracks, into Fox Run Estates to mail boxes, and into Italian Community Center parking lot. Detected weak to moderate odor along Washington Ave Exit, no odor on Rupp road or entrance to Fox Run, and moderate in Community Center's parking lot (got out of car and walked around).
  - when getting back onto Thruway, at approximately 1000 feet west of toll booths detected moderate to strong landfill odor. Odor was more decomposition gases, which is a change from what was detected earlier getting off thruway.

I hereby acknowledge receipt of the  
Facility Copy of this Inspection Report sheet.

*Thomas R. Reynolds P.E.*  
Inspector's Signature

Individual in Responsible Charge (Please print)

REGIONAL OFFICE COPY

Signature

Date



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS

**DISTRIBUTION ROUTING**  
WHITE COPY—Regional Office  
YELLOW COPY—Central Office  
PINK COPY—Facility  
GREEN COPY—Inspector

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

FACILITY NAME <i>City of Albany 4/F</i>		LOCATION —	FACILITY NUMBER <i>01502012805</i>	DATE <i>1/28/05</i>	TIME <i>1:30</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES —		
REGION <i>4</i>	WEATHER CONDITIONS —		DEC PERMIT NUMBER 		
SHEET <i>2</i> OF <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PART(S) 360- Attached		

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch).

\* Driving by land fill @ 6:30 pm going West to East at approximately the mid point of the land fill detected a land fill gas odor. Odor got stronger as traveled East. Odor became strong enough to be considered nauseating. Odor stopped being detected approximately location where you could see toll booths for Exit 24. Odors experienced were considered to constitute a violation of 6 NYCRR Part 360-1.14(m), odor control and 360-2.17(f), decomposition gases

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

*Thomas R. Reynolds P.R.*  
Inspector's Signature

Individual in Responsible Charge (Please print)

Signature

Date





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID WASTE

**6 NYCRR Part 360-2**  
**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**

[For Use at Mixed Solid Waste, Industrial/Commercial, or Ash Landfills]

FACILITY NAME <i>City of Albany 4/P</i>		LOCATION <i>Rapp Road, Albany</i>		FACILITY NO. <i>01501201281051830</i>	DATE <i>01/28/05</i>	TIME <i>1:30</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>			CODE <i>5</i>	PERSONS INTERVIEWED AND TITLES		
REGION <i>4</i>	SHEET <i>1</i>	OF <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WEATHER CONDITIONS <i>overcast, 15°</i>		UNDER ORDER <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71.  
Additional and/or Multiple Violations May be Described on the Attached Continuation Sheet.

Items marked NI indicate no inspection and do not mean no violation has occurred.

C NI V

**FACILITY MANAGEMENT**

- C  NI  V 1. Facility is permitted, under order, or exempt, and solid waste management occurs within approved area. 360-1.5(a), 360-1.7(a),(b), 360-2.13(a)(1),(2)
- C  NI  V 2. Facility operates in accordance with pertinent operational conditions of permit and/or order. 360-1.4(a)(2), 360-1.7(a)
- C  NI  V 3. Incoming solid waste is monitored by a control program, and solid waste materials accepted are those authorized and approved for management at the facility. 360-1.14(f),(r), 360-1.5(b), 360-2.17(k),(l),(m),(n),(p)
- C  NI  V 4. Operator maintains and operates facilities and equipment in accordance with the permit and their intended use. 360-1.14(g),(h)(2),(n), 360-2.17(u)
- C  NI  V 5. Operational records are available where required. 360-1.14(h)(3),(j), 360-2.17(q)
- C  NI  V 6. Operator has a Department-issued Certificate of Attendance for a course in solid waste management procedures, where required. 360-1.14(u)

**OPERATION CONTROL**

- C  NI  V 7. Solid waste, including blowing papers and litter, is sufficiently confined or controlled. 360-1.14(k)
- C  NI  V 8. Dust and odors are effectively controlled and do not constitute an off-site nuisance. 360-1.4(l)
- C  NI  V 9. Vector breeding areas are prevented to the greatest extent practicable. 360-1.14(l)
- C  NI  V 10. Noise levels are controlled to prevent excursions above the allowable levels off-site. 360-1.14(p)
- C  NI  V 11. Open burning occurs only in accordance with a Department-issued restricted burning permit. 360-1.14(q)
- C  NI  V 12. Salvaging is controlled, does not interfere with facility operations and does not create nuisances. 360-1.14(v)

**WATER**

- C  NI  V 13. Solid waste is prevented from entering surface waters and/or groundwaters. 360-1.14(b)(1)
- C  NI  V 14. Leachate is minimized through drainage control or other means and is prevented from entering surface waters. 360-1.14(b)(2), 360-2.17(g)

**ACCESS**

- C  NI  V 15. Access to the facility is strictly and continuously controlled by fencing, gates, signs or other suitable means. 360-1.14(e)
- C  NI  V 16. On-site roads are passable. 360-1.14(m), 360-2.17(s)
- C  NI  V 17. Attendant is present during all operational hours to control public access and receive solid waste. 360-1.14(d)

**WASTE HANDLING**

- C  NI  V 18. Solid waste is placed in layers 2 feet or less in thickness, proper compaction is achieved with 3 passes of appropriately sized equipment and the working face area is the smallest practicable. 360-2.17(b)(1)
- C  NI  V 19. Lift height does not exceed 10 feet. 360-2.17(b)(2)
- C  NI  V 20. First solid waste layer above the leachate collection layer is 5 feet or more in compacted thickness and of a select nature. 360-2.17(b)(3)
- C  NI  V 21. Solid waste preparation measures and/or precautions for asbestos and tanks are provided. 360-2.17(p),(r)

**COVER**

- C  NI  V 22. Daily cover material is suitable in quality, of proper compacted thickness, and is applied and maintained where and when required to control vectors, fires, odors, blowing litter and scavenging. 360-2.17(c)
- C  NI  V 23. Intermediate and final cover system materials are suitable in quality, are of proper compacted thickness, and are applied and maintained where and when required. 360-2.17(d),(e)

**MONITORING**

- C  NI  V 24. Monitoring wells are intact. 360-2.17(a), 360-2.11(a)(8)(v),(c)(1)(i)
- C  NI  V 25. Decomposition gases are monitored and controlled. 360-2.17(f), 360-8.3(c)

**OTHER**

On continuation sheet, identify any other violations.

*Thomas R. Reynolds P.E.*  
Inspector's Signature

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge [Please print]

Signature

Date



**DISTRIBUTION ROUTING**  
WHITE COPY—Regional Office  
YELLOW COPY—Central Office  
PINK COPY—Facility  
GREEN COPY—Inspector

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

FACILITY NAME <i>City of Albany L/R</i>		LOCATION <i>Rapp Road</i>	FACILITY NUMBER <i>01502</i>	DATE <i>020806</i>	TIME <i>1830</i>
INSPECTOR'S NAME <i>Thomas R Reynolds</i>		CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES		
REGION <i>4</i>	WEATHER CONDITIONS <i>evening -</i>		DEC PERMIT NUMBER		
SHEET <i>1</i> OF <i>1</i>	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360-			

Attached

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.  
Additional Violations May Be Noted on Sheet One of this Inspection Report.  
Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch).

*\* Driving around vicinity of landfill monitoring off site odors -*

- detected strong objectionable landfill gas odor on Rapp Road / Lincoln Ave. vicinity of railroad tracks - along 5-700 ft of roadway*
- odor was landfill gas, not working face and had a similar nature to sewage sludge*
- detected odor again, much weaker, on Central Ave near where Northway passes over.*

*Conditions on Lincoln Ave / Rapp Road were considered a violation of 6-NYCCR Part 360-1.14(m)*

*∴ At meeting with Village of Colonie residents this same evening, several approached me to state they also experienced strong objectionable odors on this night - same location*

Whereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

*Thomas R Reynolds P.E.*  
Inspector's Signature

Individual in Responsible Charge (Please print)

REGIONAL OFFICE COPY

Signature

Date

NYSDEC REGION 4 SOLID WASTE SITE INSPECTION

OWNER: City of Albany COUNTY: ALBANY

ADDRESS: RAPP Road INSPECTOR: Fongher

WEATHER: CLOUDY, 32°

DATE: 2/8/06 TIME: 1830

REASON FOR INSPECTION: odor and complaints

FACILITY TYPE: LANDFILL PURPOSE OF INSPECTION: odor complaints

FACILITY #:

PERMIT:

REGISTRATION:

OTHER:

SITE LOCATION:

RESULTS OF INSPECTION:

Strong landfill gas odors along Rapp Rd & Lincoln Ave, north of the landfill.

R. Fongher

REFERRAL:



CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

## City of Albany Landfill Tip Fees

Effective May 1, 2007

<b>ANSWERS TIP FEE:</b>	\$52.00 per ton
<b>COMMERCIAL RATES:</b>	
MSW: Gate Rate	\$70.00 per ton
MSW: 300 + tpd	\$40.00 per ton
C&D	\$80.00 per ton
Sludge	\$70.00 per ton
PCS/ADC	\$25.00 per ton
Truck Dig – Out	\$40.00 per truck
<b>RECYCLING TIP FEES:</b>	
Commingled Paper	\$20.00 per ton
Commingled glass, metal, plastic	\$50.00 per ton
<b>UNACCEPTABLE WASTE DISPOSAL FEES:</b>	
Tires	\$10.00 each
White Goods	\$25.00 each
<b>PERMITS:</b>	
Application Fee:	\$200.00
Truck Permit Fee:	\$100.00 per truck

WITH THE EXCEPTION OF ANSWERS COMMUNITIES, HAULERS MAY ONLY CHARGE TO THEIR OWN ACCOUNTS. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT JOE GIEBELHAUS AT 518-869-3651.



**Source: Albany Landfill Quarterly Reports (Pine Bush Mitigation)**

Section 2 Quantity Solid Waste Disposed (Table)

Pine Bush Mitigation \$ .50/ton 2000-2004

\$ .75/ton 2005-2007

tonnage rates inconsistent qtr to qtr need to determine this

	<b>1999</b>	<b>1999</b>	<b>1999</b>	<b>1999</b>	
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	<b>Total</b>
MSW	25,542.64	30,969.63	63,583.88	62,609.37	<b>182,705.52</b>
C&D					
Asbestos					
Indust (Incl Sludge)	91.86	30.80			<b>122.66</b>
Ash (MSW)					
Sewage Sludge	221.94	504.67	500.41	113.74	<b>1,340.76</b>
PCS	12,363.47	1,791.45	2,175.38	981.77	<b>17,312.07</b>
Other					
<b>Total Tons</b>	<b>38,219.91</b>	<b>33,296.55</b>	<b>66,259.67</b>	<b>63,704.88</b>	<b>201,481.01</b>

	<b>2000</b>	<b>2000</b>	<b>2000</b>	<b>2000</b>	
<b>2000</b>	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	<b>Total</b>
City MSW	4,699.30	6,437.70	5,963.76	5,291.53	<b>22,392.29</b>
City (DGS)	1,495.83	3,857.83	3,489.69	2,517.14	<b>11,360.49</b>
City (other)	1,365.20	15.21	-	844.92	<b>2,225.33</b>
Gov't (\$60)	5,801.52	7,583.77	7,658.68	6,847.31	<b>27,891.28</b>
Comm (\$45-\$55)	26,588.79	55,690.09	43,227.54	31,767.83	<b>157,274.25</b>
Coupon Sales(\$55)	572.37	893.04	725.36	655.65	<b>2,846.42</b>
Sludge (\$50)	298.00	311.82	582.36	317.15	<b>1,509.33</b>
Landfill (PCS (rate))	7,004.22	11,898.55	10,020.80	15,326.02	<b>44,249.59</b>
<b>Total</b>	<b>47,825.23</b>	<b>86,688.01</b>	<b>71,668.19</b>	<b>63,567.55</b>	<b>269,748.98</b>
PB (\$0.50/ton))	39,157.81	74,477.64	61,065.03	47,924.38	<b>222,624.86</b>

MSW	53,059.28	73,583.54	57,092.68	47,612.74	<b>231,348.24</b>
C&D	694.03	894.10	656.80	311.64	<b>2,556.57</b>
Asbestos					
Indus (incl sludge)					
Sewage Sludge	298.00	311.82	582.46	317.15	<b>1,509.43</b>
PCS	1,403.06	11,898.55	10,020.80	15,326.02	<b>38,648.43</b>
Other					
<b>Total Tons</b>	<b>55,454.37</b>	<b>86,688.01</b>	<b>68,352.74</b>	<b>63,567.55</b>	<b>274,062.67</b>

	<b>2001</b>	<b>2001</b>	<b>2001</b>	<b>2001</b>	
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	<b>Total</b>
City MSW		6,476.75	5,721.09	5,852.56	<b>18,050.40</b>
City (DGS)		3,080.86	2,462.18	1,777.01	<b>7,320.05</b>
City (other)		-	-	-	
Gov't (\$60)		7,142.20	6,718.93	6,682.05	<b>20,543.18</b>
Comm (\$45-\$50)		66,214.14	62,400.57	45,845.16	<b>174,459.87</b>
Coupon Sales(\$50)		770.17	858.49	970.08	<b>2,598.74</b>
Sludge (\$50)	298.00	404.06	583.13	413.08	<b>1,698.27</b>

Ind Inc Ind Sludge			25.46		<b>25.46</b>
Sewage Sludge	290.76	353.62	598.18	623.43	<b>1,865.99</b>
PCS	14,665.04	20,116.81	14,225.70	19,436.87	<b>68,444.42</b>
ADC	11,903.45	12,958.41	16,326.69	14,996.19	<b>56,184.74</b>
Total T Disposed	69,226.90	93,920.71	97,851.84	99,786.69	<b>360,786.14</b>

	2006	2006	2006	2006	Total
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
City MSW	7,186.21	8,148.65	8,756.97	7,475.40	<b>31,567.23</b>
City (DGS)	182.43	155.06	434.95	115.04	<b>887.48</b>
City Other					-
Gov't (\$52)	6,530.38	7,446.44	7,255.93	7,351.17	<b>28,583.92</b>
Comm (\$38-\$80)	50,991.38	51,027.82	51,613.90	50,200.86	<b>203,833.96</b>
C&D					-
Coupon Sales(\$58)	365.53	626.83	444.22	380.97	<b>1,817.55</b>
Sludge (\$70)	198.87	583.36	319.73	308.50	<b>1,410.46</b>
LF PCS rate	10,324.42	20,480.09	20,990.70	21,727.90	<b>73,523.11</b>
LF ADC Rate	16,218.33	19,485.89	15,385.30	15,369.49	<b>66,459.01</b>
Total	91,997.55	107,954.14	105,201.70	102,929.33	<b>408,082.72</b>
PB (\$0.75/ton))	65,255.93	67,404.80	68,505.97	65,523.44	<b>266,690.14</b>

MSW	64,102.29	66,475.77	65,180.51	62,841.28	<b>258,599.85</b>
C&D	1,153.64	2,030.20	2,224.29	8,090.29	<b>13,498.42</b>
Asbestos					-
Ind Inc Ind Sludge					-
Sewage Sludge\$70	198.87	319.73	583.36	308.50	<b>1,410.46</b>
PCS	10,324.42	20,990.70	19,166.34	15,369.49	<b>65,850.95</b>
ADC	16,218.33	15,385.30	20,799.64	16,319.77	<b>68,723.04</b>
Total T Disposed	91,997.55	105,201.70	107,954.14	102,929.33	<b>408,082.72</b>

	2007	2007	2007	2007	Total
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
City MSW	6,808.39	8,600.99	7,981.68		<b>23,391.06</b>
City (DGS)	86.49	474.47	267.83		<b>828.79</b>
City Other					-
Gov't (\$52)	6,562.63	8,004.88	7,805.81		<b>22,373.32</b>
Comm (\$42-\$58)	48,187.25	47,393.62	46,282.57		<b>141,863.44</b>
C&D (\$66)					-
Coupon Sales(\$58)	234.68	286.41	347.12		<b>868.21</b>
Sludge (\$58)	313.33	341.39	517.53		<b>1,172.25</b>
LF PCS rate	22,860.92	6,114.67	17,342.44		<b>46,318.03</b>
Cover Material			14,417.84		<b>14,417.84</b>
ADC Rate	4,351.01	2,493.51	406.50		<b>7,251.02</b>
Total	89,404.70	73,709.94	95,369.32	-	<b>258,483.96</b>
PB (\$0.75/ton))	61,879.44	64,760.37	62,685.01		<b>189,324.82</b>
MSW	60,416.75	63,396.61		error higher	<b>168,222.19</b>
C&D	1,462.69	1,913.06	1,276.18	find	<b>4,651.93</b>
Asbestos					-



Asbestos					-
Indus (incl sludge)	14.47		68.18		82.65
Sewage Sludge	257.61	398.27	825.67	750.47	
PCS	3,647.27	13,883.98	21,595.86	24,386.18	63,513.29
ADC	7,868.04	17,551.08	17,361.60	20,306.40	63,087.12
Total T Disposed	65,845.35	99,230.38	106,185.00	106,199.61	377,460.34

	2004	2004	2004	2004	
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
City MSW	7,058.48	9,168.44	8,633.96	7,846.96	32,707.84
City (DGS)	237.56	357.34	225.09	211.91	1,031.90
City Other	16,511.94	3,872.93	1,678.23	1,176.79	23,239.89
Gov't (\$52)	5,455.10	6,592.85	6,692.50	7,206.96	25,947.41
Comm (\$42-\$58)	47,236.89	42,480.96	42,248.93	35,173.96	167,140.74
C&D (\$66)				2,701.53	2,701.53
Coupon Sales(\$58)	491.48	344.36	426.14	390.56	1,652.54
Sludge (\$58)	244.23	351.70	589.32	266.08	1,451.33
LF PCS rate	10,343.61	31,657.35	28,835.59	17,341.12	88,177.67
LF ADC Rate				16,339.72	16,339.72
Total	87,579.29	94,825.93	89,329.76	88,655.59	360,390.57
PB (\$0.50/ton))	60,479.51	58,943.95	58,226.62	54,708.67	232,358.75
MSW	59,291.26	56,594.28	56,143.41	50,830.35	222,859.30
C&D	1,188.25	2,349.67	2,083.21	2,701.53	8,322.66
Asbestos					
Indus (incl sludge)					
Sewage Sludge	244.23	351.70	589.32	266.07	1,451.32
PCS	10,343.61	18,459.05	14,308.23	17,341.12	60,452.01
ADC	16,511.94	17,071.23	16,205.59	17,516.51	67,305.27
Total T Disposed	87,579.29	94,825.93	89,329.76	88,655.58	360,390.56

	2005	2005	2005	2005	
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
City MSW	6,831.05	8,898.05	8,616.05	7,773.38	32,118.53
City (DGS)	243.45	590.79	403.20	212.78	1,450.22
City Other					-
Gov't (\$52)	6,438.43	7,278.02	7,418.38	7,253.63	28,388.46
Comm (\$42-\$58)	28,438.89	43,230.83	49,605.10	47,998.91	169,273.73
C&D (\$66)				1,047.58	1,047.58
Coupon Sales(\$58)	315.83	494.18	658.54	443.38	1,911.93
Sludge (\$58)	290.76	353.62	598.18	623.43	1,865.99
LF PCS rate	23,528.48	20,116.81	14,225.70	19,436.87	77,307.86
LF ADC Rate	3,040.48	12,958.41	16,326.69	14,996.56	47,322.14
Total	69,127.37	93,920.71	97,851.84	99,786.52	360,686.44
PB (\$0.75/ton))	42,267.65	60,491.87	66,701.27	64,729.66	234,190.45
MSW	41,313.47	57,793.56	65,369.41	63,682.52	228,158.96
C&D	1,054.18	2,698.31	1,306.40	1,047.68	6,106.57
Asbestos					-



Landfill (PCS (rate))		8,765.32	10,593.33	18,425.33	<b>37,783.98</b>
Total		92,853.50	89,337.72	79,965.27	<b>262,156.49</b>
PB (\$0.50/ton))		83,684.12	78,161.26	61,126.86	<b>222,972.24</b>
MSW		81,143.19	77,498.24	68,337.09	<b>266,807.49</b>
C&D	694.03	2,540.45	2,503.76	2,445.50	<b>8,183.74</b>
Asbestos		0.40			
Indus (incl sludge)					
Sewage Sludge	298.00	404.06	752.91	424.17	<b>1,879.14</b>
Total T Disposed	40,821.00	84,088.50	80,759.91	71,151.52	<b>276,820.93</b>

	<b>2002</b>	<b>2002</b>	<b>2002</b>	<b>2002</b>	<b>Total</b>
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
City MSW	6,340.63	8,142.05	7,925.20	7,256.18	<b>29,664.06</b>
City (DGS)	162.39	623.70	329.61	145.91	<b>1,261.61</b>
Gov't (\$60)	5,901.38	6,759.44	6,676.35	6,725.56	<b>26,062.73</b>
Comm (\$45-\$50)	49,517.32	50,493.77	41,320.33	32,690.81	<b>174,022.23</b>
Coupon Sales(\$50)	826.63	774.44	544.57	489.81	<b>2,635.45</b>
Sludge (\$50)	388.08	442.14	859.28	307.30	<b>1,996.80</b>
Landfill (PCS (rate))	15,422.32	12,727.12	24,381.04	30,219.64	<b>82,750.12</b>
Total	78,558.75	79,962.66	82,036.38	77,835.21	<b>318,393.00</b>
PB (\$0.50/ton))	62,748.35	66,793.40	56,796.06	47,308.27	<b>233,646.08</b>
MSW	57,890.74	62,760.67	53,577.48	57,200.20	<b>231,429.09</b>
C&D	1,839.19	1,808.82	3,218.50	1,653.71	<b>8,520.22</b>
Asbestos	2.42	1.40			
Indus (incl sludge)	3,406.47	2,222.40			
Sewage Sludge		442.14	859.28	307.30	
PCS	14,578.73	10,014.28	14,801.45	24,509.78	<b>63,904.24</b>
ADC		2,712.94	9,579.59	11,375.06	<b>23,667.59</b>
Total T Disposed	65,183.82	79,962.66	82,036.30	95,046.05	

	<b>2003</b>	<b>2003</b>	<b>2003</b>	<b>2003</b>	<b>Total</b>
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
City MSW	6,638.77	8,879.01	8,506.16	7,732.10	<b>31,756.04</b>
City (DGS)	141.07	415.53	244.19	118.56	<b>919.35</b>
Gov't (\$60)	5,903.44	7,735.48	8,216.38	8,009.05	<b>29,864.35</b>
Comm (\$45-\$50)	28,703.99	49,815.33	49,013.54	44,601.87	<b>172,134.73</b>
Coupon Sales(\$58)	1,511.67	551.60	421.60	294.98	<b>2,779.85</b>
Sludge (\$58)	298.08	398.27	825.67	750.47	<b>2,272.49</b>
LF ADC PCS rate	3,647.27	31,435.06	38,957.46	44,692.58	<b>118,732.37</b>
Total	46,844.29	99,230.28	106,185.00	106,199.61	<b>358,459.18</b>
PB (\$0.50/ton))	42,898.94	67,396.95	66,401.87	60,756.56	<b>237,454.32</b>
MSW	53,148.98	65,746.38	64,754.41	59,509.53	<b>243,159.30</b>
C&D	890.98	1,650.57	1,579.28	1,247.03	<b>5,367.86</b>

Ind Inc Ind Sludge				-
Sewage Sludge	313.33	341.39	517.53	<b>1,172.25</b>
PCS	22,860.92	6,114.67	17,342.44	<b>46,318.03</b>
ADC	4,351.01	185.92	406.50	<b>4,943.43</b>
Total T Disposed	89,404.70	71,951.65	-	<b>225,307.83</b>

# Trash deal raises stink

## Agreement to lower hauler's dumping fees criticized as Rapp Road facility nears capacity

By **BRIAN NEARING**, Staff writer

First published: Sunday, October 22, 2006

ALBANY -- With a crisis looming over the city's rapidly filling Rapp Road dump, Mayor Jerry Jennings quietly made a deal with the biggest customer to truck in more trash and pay less.

Then, as garbage flooded in from Allied Waste Services, Jennings pushed for additional space at the landfill by expanding it into the Pine Bush Preserve.

In a lesson on the perils of garbage economics, the city -- which has staked its fiscal well-being on millions of dollars earned from the dump -- made a double-edged bargain in May 2005: More trash for cash today while hastening the judgment day when there is no room left at Rapp Road. That day is projected to arrive in 2009.

As the clock ticks, Albany's decade-old plan for a new regional dump in Coeymans is stymied amid opposition from town officials and residents. Chances that the 363-acre site city taxpayers purchased there for \$5.2 million will be ready in time appear increasingly remote.

It's not just a city problem. Eleven other municipalities that form a trash-collecting consortium called ANSWERS -- with nearly 125,000 residents -- rely on the Rapp Road dump and are paying full freight. They will find themselves in a trash dilemma if Albany can't add landfill space.

Last week, the mayor defended his agreement to cut Allied's tipping fee from \$46 a ton to \$38, a 17 percent reduction. The two-year pact came after the company -- the nation's second-largest hauler -- threatened to load its garbage onto trains bound for an Allied-owned megadump in South Carolina.

"Those guys held us hostage," the mayor said. "If we don't have the \$6 million a year that we get from Allied, I have to lay off workers. It would impact the city's budget dramatically. This was a short-term step to maintain liquidity."

Jennings does not need Common Council approval to set dumping fees, or for any other city contract.

Allied dumping shot up after the price break, from 85,000 tons in 2004 to 140,000 tons last year, the equivalent of 11,000 garbage trucks.

The Times Union conducted a computerized analysis of a quarter-million dump bills dating to 2001.

With headquarters in Scottsdale, Ariz., and annual revenues of \$14 billion, Allied operates dumps and transfer stations in 37 states.



Garbage hauled to Albany by the company now accounts for almost half of the \$13 million in fees earned annually by the city.

This year, Allied is on pace to dump 175,000 tons, which would account for more than half of all incoming garbage.

"It is like we are running the landfill for the benefit of Allied," said 2nd Ward Common Council member Dominick Calsolaro. "I am amazed this kind of deal was done more than a year ago, when they were out there yelling that we were running out of landfill space and it was an emergency, and we had to expand into the Pine Bush.

"Instead, we should be extending the life of the landfill by taking less garbage. That would be a benefit to the citizens of Albany, who wouldn't have to pay for a new landfill so soon."

Jennings' proposed budget includes \$9 million to expand the landfill in 2008.

Neither Calsolaro nor 12th Ward Council member Michael O'Brien, chairman of the General Services Committee that oversees the dump, knew about the Allied deal before being informed of it by the Times Union.

In response to a question from O'Brien during a budget presentation to the council on Monday, General Services Commissioner Bill Bruce said the city was charging commercial haulers "in the \$60s."

In a subsequent interview with the Times Union, Bruce said he included a line on the Allied rate in a spreadsheet about Rapp Road finances that he had provided to city lawmakers in June.

On Wednesday, the mayor backed his commissioner. "It's not my fault that they didn't read it after they asked for it," Jennings said with a shrug.

Environmentalists, who last year fended off Jennings' first two Pine Bush expansion plans and are battling a third, see double-dealing and a squandered chance for the city to wean itself from trash cash.

"We have been betrayed," said Lynne Jackson, secretary of Save the Pine Bush, which has fought for years to limit development in the unique ecology of sand dunes and scrub pines left behind after the last Ice Age.

"All the time the city officials have been pleading poverty, saying that they have to have the beautiful Pine Bush because they are running out of space, and behind our backs they make this deal to sell the landfill for half the price," Jackson said.

The deal also caught Rensselaer Mayor Daniel Dwyer by surprise. His city and 10 other communities -- Altamont, Berne, Bethlehem, Guilderland, Green Island, Knox, New Scotland, Rensselaerville, Watervliet and Westerlo in Albany County -- pay \$52 a ton to dump, or about 27 percent more than Allied.



"It's the first that I've heard of this," said Dwyer, when told of it by the Times Union. "I'd have to look into it before I have a reaction." Last month, the mayor blamed Albany dump fees when he backed a hike in garbage pickup bills for city property owners.

Bruce said Albany gave Allied a discount after the dump's second-largest customer -- Houston, Texas-based Waste Management -- discontinued most of its Rapp Road deliveries in early 2005. It was a \$2 million-a-year hit for Albany.

Waste Management now takes nearly all the garbage it collects locally to the second-largest dump in the state, the High Acres landfill, near Rochester. The company still dumps a minimal amount at Rapp Road.

Albany looked to its largest customer to fill the gap. "When we approached Allied Waste about providing us with additional waste, they said they were interested, just not at the price they were paying," said Bruce.

A local Allied official said the company made a good business decision and actually did the city a favor by staying.

"We were literally days away from opening up our rail transfer station in Schenectady when the city approached us about more garbage," said Allied's local manager, Robert Griffin. "We had invested more than a million dollars."

Griffin said the vast majority of the garbage comes from the four-county Capital Region.

Allied could again threaten to leave. The company still has large cranes in place at its transfer station on Weaver Street in Schenectady that can hoist garbage-filled tractor-trailers onto flatbed rail cars.

Griffin said Allied "had no idea" rival Waste Management was pulling its trash out of Albany last year, which gave Allied its leverage over Jennings.

Less than a month after signing the Allied deal, the Jennings administration raised the rate for all other commercial haulers -- including Waste Management -- to \$70 a ton. City Solid Waste Manager Joe Giebelhaus sent a June 13 letter to dump customers blaming the increase on "restrictive" tonnage limits imposed by the state, along with increased demand.

However, the state-imposed daily limit of 1,050 tons at Rapp Road has not changed since 2000.

Bruce defended Allied's \$38 rate as "market driven." But a national company that tracks dump rates contradicts that. In New York, the median dumping fee is \$75 a ton, according to Jay Busbee, a managing director of Chartwell Information Publishers in San Diego.

That rate can be about \$20 less for large customers, but it's been "many, many years since it has been (\$38) in New York state," said Busbee. The Allied rate, however, nearly matches the \$39 median rate charged by South Carolina landfills, according to Chartwell research.

And despite Giebelhaus' claim that demand is up, there is actually a glut of dump space in the state. In New York, eight privately owned dumps had capacity for 39 million tons in 2004, up from 27.5 million in 2000, according to the Department of Environmental Conservation. Part of this increase occurred when Waste Management expanded its High Acres dump. During that same period, 22 municipal landfills saw capacity rise from 40 million tons to 54 million tons.

That extra space could boost competition for trash even more in coming years as both private and public dump owners drop prices to attract a reliable flow of garbage.

At the Capital Region's other large municipal landfill, in Colonie, the lowest rate for large commercial haulers like Allied is \$57 a ton, said Joe Stockbridge, town environmental services director.

"I couldn't afford to do it for \$38 a ton," said Stockbridge. "I'd be losing money or wasting value. Our landfill is a limited resource. You don't want to sell capacity when there is a glut."

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## Waste rates

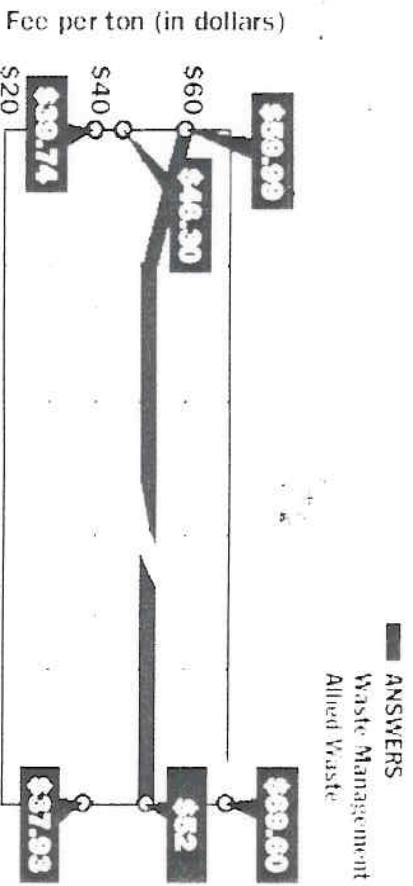


PHOTO BY JOHN CARL D'ANNIBALE

JEFF BOYER



Articles

years, should.

## Stink over Albany landfill justified

Albany's Rapp Road landfill may have never been a good neighbor, but the more it's been allowed to expand and the closer it's gotten to residents of the village of Colonie, the worse it's become for the people who live in that area. Since the city seems unable to figure out how to solve the dump's growing odor issue -- and, to its credit, it has tried -- it shouldn't be allowed to expand, as Mayor Jerry Jennings has proposed.

The landfill is a huge source of revenue for the city -- \$13 million a year -- derived from accepting garbage from all over New York and places as far away as Arizona. That's the reason it keeps filling up as fast as it does, and why the mayor keeps looking to enlarge it. But there are no good places to grow this dump -- it's either going to affect the ecologically sensitive Pine Bush or the lives of more neighbors. (Imagine a stench so obnoxious that a dog wouldn't even want to go outside!)

But it's no less of an injustice to force such a nightmare on taxpayers than it is the Karner Blue butterfly, so the state should refuse the city's request to expand. It's time to relocate, or to at least stop accepting outside garbage. It's also time to balance the city's budget in a more responsible manner.

---

**REACH US 2345 Maxon Road Extension, PO**



CITY OF ALBANY LANDFILL  
Documented Odor Complaint Log

DATE REC'D	NAME	ODOR LOCATION	PHONE #
✓ 7/28/04	[REDACTED]	Nicole Drive, Colonie	869-6173
C 7/27/04	[REDACTED]	Pitch Pine Road	
C 7/26/04	[REDACTED]	Hawthorne Circle	
✓ 7/22/04	[REDACTED]	Rapple Drive, Colonie	452-7041
7/13/04	Bill Clarke	Thruway	
✓ 7/10/04	[REDACTED]	Washington Avenue Extension	
C 7/6/04	[REDACTED]	Washington Avenue Extension	
C 7/6/04	[REDACTED]	Hawthorne Circle	
✓ 6/28/04	[REDACTED]	Huckleberry Lane, Colonie	
C 6/24/04	[REDACTED]	Washington Ave Extension	
✓ 6/10/04	[REDACTED]	Thruway	
✓ 6/3/04	[REDACTED]	Tanglewood Drive, Colonie	
C 6/2/04	[REDACTED]	David Court, Colonie	
✓ 5/28/04	Vickie Schmitt	Thruway	
✓ 5/20/04	Vickie Schmitt	Thruway	
C 5/18/04	[REDACTED]	Tanglewood Drive	
C 4/19/04	[REDACTED]	● Pitch Pine	
✓ 4/2/04	[REDACTED]	Crossgate Commons & Thruway	
✓ 1/26/04	[REDACTED]	● Red Fox Drive, Colonie	
✓ 1/16/04	[REDACTED]	● Thoroughbred Lane, Colonie	letter
✓ 11/5/03	[REDACTED]	Washington Avenue Extension	
✓ 11/5/03	Steve Hammond	Thruway	
✓ 8/20/03	[REDACTED]	Richards Drive, Colonie	



CITY OF ALBANY LANDFILL  
Documented Odor Complaint Log

DATE REC'D	NAME	ODOR LOCATION	PHONE #
9/23/04	[REDACTED]	Ridge Terrace, Colonie	869-7709
9/22/04	Jeff Schmitt	Thruway	
9/21/04	[REDACTED]	Fuller Terrace, Colonie	
✓ 9/20/04	[REDACTED]	Village of Colonie	letter
✓ 9/17/04	Jeff Schmitt	Thruway	
✓ 9/16/04	Albany Co. Health Dept.	Washington Ave Ext.	
✓ 9/8/04	Jeff Schmitt	Thruway	
✓ 9/5/04	[REDACTED]	Washington Avenue Extension	
○ 8/25/04	[REDACTED]	Hawthorne Circle	
○ 8/25/04	[REDACTED]	Washington Ave Extension	
8/23/04	[REDACTED]		
8/23/04	[REDACTED]	Hawthorne Circle	
8/20/04	[REDACTED]	Village of Colonie	
8/20/04	[REDACTED]	Lockrow Blvd, Colonie	446-9954
8/19/04	[REDACTED]	Fuller Road	437-9781
8/19/04	[REDACTED]	Washington Ave Extension	456-0261
8/18/04	[REDACTED]	Pine Bush Day Care	
✓ 8/17/04	[REDACTED]	Village of Colonie	
8/16/04	[REDACTED]	Ridge Terrace	869-7709
○ 8/12/04	[REDACTED]	Village in the Green	
○ 8/9/04	[REDACTED]	Rapple Drive	869-0553
○ 8/7/04	[REDACTED]		
○ 8/3/04	[REDACTED]	Woodridge Street	473-3136
○ 8/3/04	[REDACTED]	Washington Ave Ext. & Thruway	356-9025
✓ 7/29/04	Rob Davies	Thruway	
✓ 7/29/04	[REDACTED]	Willow Avenue, Colonie	869-0556

CITY OF ALBANY LANDFILL  
Documented Odor Complaint Log

DATE REC'D	NAME	ODOR LOCATION	PHONE #
9/9/04	Ms. Pyl	17 Columbia Circle	
9/8/04	Jeff Schmitt	Thruway	
9/5/04	Bob Phaneuf	Washington Avenue Extension	
9/1/04	[REDACTED]	20 Thouroughbred Lane	
8/25/04	[REDACTED]	Hawthorne Circle	
8/25/04	[REDACTED]	Washington Ave Extension	
8/23/04	[REDACTED]		
8/23/04	[REDACTED]	Hawthorne Circle	
8/20/04	anonymous	Village of Colonie	
8/20/04	[REDACTED]	Lockrow Blvd, Colonie	446-9954
8/19/04	[REDACTED]	Fuller Road	437-9781
8/19/04	Steve @ Crossgates	Washington Ave Extension	456-0261
8/18/04	[REDACTED]	Pine Bush Day Care	
8/17/04	Anonymous woman	Village of Colonie	
8/16/04	[REDACTED] e	[REDACTED] Ridge Terrace	869-7709
8/12/04	[REDACTED]	Village in the Green	
8/9/04	[REDACTED]	[REDACTED] Rapple Drive	869-0553
8/7/04	anonymous		
8/3/04	[REDACTED]	24 Woodridge Street	473-3136
8/3/04	[REDACTED]	Washington Ave Ext. & Thruway	356-9025
7/29/04	Rob Davies	Thruway	
7/29/04	[REDACTED]	Willow Avenue, Colonie	869-0556
7/28/04	[REDACTED]	Nicole Drive, Colonie	869-6173
7/27/04	[REDACTED]	Pitch Pine Road	
7/26/04	[REDACTED]	Hawthorne Circle	
7/22/04	[REDACTED]	Rapple Drive, Colonie	452-7041



Albany LF -0001

CITY OF ALBANY LANDFILL  
Documented Odor Complaint Log

DATE REC'D	NAME	ODOR LOCATION	PHONE #
10/28/04	[REDACTED]	Washington Ave and Fuller Road	
10/27/04	Blaise Constantakes	Thruway	
10/25/04	Vickie Schmitt	Washington Ave Ext. and Rapp Rd.	
10/25/04	[REDACTED]	Village of Colonie	869-2102
10/25/04	Steve Hammond	Thruway	
10/13/04	Jeff Schmitt	Exit 24 Thruway ramp	
10/8/04	Vickie Schmitt	Old State Road and Route 155	
10/8/04	Bob Phaneuf	Hampshire Way	
9/30/04	Anonymous/Spills Hotline	Crossgates Mall and Route 155	
9/30/04	[REDACTED]	the Dunes	
9/30/04	[REDACTED] @ BBL	Washington Ave Extension	
9/29/04	Pineview Preschool	Washington Avenue Ext.	
9/28/04	[REDACTED]	Rapp Road Area	
9/27/04	Don Bell/Thruway Authority	Thruway/Exit 24 Toll Plaza	
9/27/04	[REDACTED]	[REDACTED] Warren Street	
9/24/04	[REDACTED]	the Dunes	
9/24/04	[REDACTED]	the Dunes/Polish Community Center	
9/23/04	[REDACTED]	8 Ridge Terrace, Colonie	869-7709
9/22/04	Jeff Schmitt	Thruway	
9/21/04	[REDACTED]	Fuller Terrace, Colonie	869-6417
9/20/04	Frank Leak, Mayor	Village of Colonie	letter
9/17/04	Jeff Schmitt	Thruway	
9/16/04	Albany Co. Health Dept.	Washington Ave Ext.	
9/14/04	[REDACTED]	Fox Run	
9/12/04	[REDACTED]	off Lincoln Avenue	
9/10/04	[REDACTED]	17 Columbia Circle	



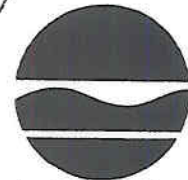
**New York State Department of Environmental Conservation  
Regional Administration, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2073 • FAX: (518) 357-2593

Website: www.dec.state.ny.us

*May Book*



Denise M. Sheehan  
Commissioner

May 18, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, New York 12205

Dear Mr. Giebelhaus:

Enclosed please find copies of recent off-site odor complaints we have received in relation to the City of Albany Landfill. I believe based upon the date of the last group of complaints I forwarded, and the date of some of the complaints enclosed, there may be duplication. Of particular note in this group of complaints are those received from residents who live in the Avila community, many of these individuals are reporting physical effects in addition to stating simply how offensive the odors are.

Please feel free to contact me at 357-2245 if you would like to discuss the information forwarded, or this matter in general.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

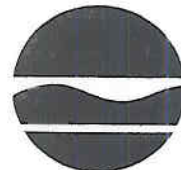
Enclosure

cc: R. Groves, P.E., Albany County Department of Health

w/o Enclosures

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer

51e



Erin M. Crotty  
Commissioner

**New York State Department of Environmental Conservation**

**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us

November 7, 2003

Mr. Joseph Giebelhaus  
Solid Waste Manager  
City of Albany Rapp Road SWM Facility  
Rapp Road  
Albany, NY 12205

Re: Albany Rapp Road Landfill Odor Complaints

Dear Mr. Giebelhaus:

As you know, the Department is receiving an increasing number of landfill odor complaints primarily from daily commuters using the New York State Thruway near the Exit 24 interchange as well as from offices located on Washington Avenue Extension west of Rapp Road. Landfill odors have also been reported on the southbound side of the Northway around exit 2W and on Richards Drive off Lincoln Avenue.

Although odor problems can be intermittent, and at times more subjective than quantitative in nature, the number of complaints being received necessitates that the City actively pursue a remedy.

The Department is therefore requesting that the City provide the following information to this office no later than 15 days following receipt of this letter:

1. an assessment of the current gas management system including a description of any equipment planned for installation and a schedule for such; and
2. an inventory of all potential sources of off-site odors resulting from the all phases of the Albany Rapp Road Landfill which shall include monitoring odors at the working face following the application of the daily cover to assess whether the daily cover is functioning adequately to control odors.

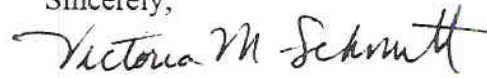
In addition, effective upon receipt of this letter, the City must notify me at (518)357-2071 or by email of each occurrence of flare outages and provide an explanation, in writing, of the time, reason and remedy no later than 24 hours following each occurrence.

Mr. Joseph Gibelhaus

Page 2

The Department will consider enforcement action should the above items not be provided as requested. If you have any questions concerning the above please let me know.

Sincerely,



Victoria M. Schmitt, P.E.  
Environmental Engineer  
Region 4



clay book

**New York State Department of Environmental Conservation**  
**Office of Environmental Quality, Region 4**  
1150 North Westcott Road, Schenectady, New York 12306-2014  
**Phone:** (518) 357-2045 • **FAX:** (518) 357-2398  
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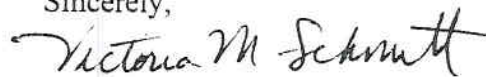
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Mr. Joseph Giebelhaus

Page 2

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Sincerely,

A handwritten signature in black ink that reads "Victoria M. Schmitt". The signature is written in a cursive style with a large, stylized "V" and "M".

Victoria M. Schmitt, P.E.  
Environmental Engineer  
Region 4

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "Vicki Schmit" <vmschmit@gw.dec.state.ny.us>  
**Date:** 4/16/04 1:20PM  
**Subject:** Rapp Road Update

Vickie -

Much has transpired since we last spoke & I think I should give you a quick update -

- \* Odor complaints are on the rise. The Dunes has been logging complaints (3 or 4 so far this month). They coincide with wind patterns. Nothing is noticeable on site or around the perimeter but I am sure my nose is shot.
- \* Cell 11 is under active gas collection. The air leaks that were delaying the hook-up have been addressed. I did one round of sampling & found 55% methane & no O2. We are using one of the small flare/blower combos for now.
- \* The ECOSORB units are out of storage & the mechanics are going through them. Two should be ready by the close business today.
- \* Minnesota Methane is here to repair condensate drain #2. The stone was silted over (again) thereby preventing condensate to drain out which in turn, reduces their gas volumes
- \* MM has repaired the cap on the Thruway side. Grass seed has been planted.
- \* MM has requested a meeting with the City to address odor concerns (next week sometime). I would like to invite you to that meeting so that you can air your grievances directly to those in control.
- \* Surface Monitoring - I started to sample gas readings in uncapped areas of the landfill. I am using a 100' grid pattern to locate areas of concern. I probe down 2' through cover materials and attach my GEM to the probe. So far, I found one 'hot spot' in cell 7 (55% CH4) but the remainder of the area was 'clean' (<0.5%). On the AIL, the entire top was giving me 39% - 60% CH4, indicating inadequate vacuum pressure. MM is aware of it & admitted that several of the horizontals in the AIL are watering out. Based on what happens at the meeting above, should MM not agree to install verticals ASAP, the City will regardless of our business arrangement.

I'll let you know about the meeting.

Joseph C. Giebelhaus  
Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, NY 12205  
518-869-3651  
518-869-6825 (fax)

**CC:** "Quirk, Chris" <quirkc@ci.albany.ny.us>, "Ruth Liestensnider" <rleistensnider@nixonpeabody.com>, "Stiglmeier, Gary" <stiglg@ci.albany.ny.us>, "Bruce, Bill" <brucew@ci.albany.ny.us>



# REGION 4 AIR COMPLAINT LOG

## COMPLAINANT:

Name: 525 1. [REDACTED]

Address: 525 2. \_\_\_\_\_

City: 525 3. \_\_\_\_\_

Zip Code: 525 4. \_\_\_\_\_

Telephone: 525 5. 437-9781

## COMPLAINT:

525 \_\_\_\_\_ TYPE: 020 (Particulate), 030 (Opacity), 040 (Visible),  
050 (Odor), 060 (Fugitive or Other)

525 1. Suburban Propane, Fuller Rd. -- thought it might be coming from there

525 2. propane smell on way to work ~ 4:45am works on WA AVE extension across from SUNY

525 3. gone on now for over 1 year

525 4. \_\_\_\_\_

525 5. sometimes can smell it in the building at work

525 6. \_\_\_\_\_

525 7. \_\_\_\_\_

525 8. \_\_\_\_\_

## ACTION TAKEN:

8/27/04

542 1. Talked to complainant -- told her it could be from

542 2. Albany Landfill

542 3. \_\_\_\_\_

542 4. \_\_\_\_\_

542 5. \_\_\_\_\_

542 6. \_\_\_\_\_

542 7. \_\_\_\_\_

542 8. \_\_\_\_\_

542 \_\_\_\_\_ : FURTHER ACTION NOT REQUIRED

KEYED: 1 1



**DISTRIBUTION ROUTING**  
 WHITE COPY—Regional Office  
 YELLOW COPY—Central Office  
 PINK COPY—Facility  
 GREEN COPY—Inspector

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

FACILITY NAME Albany Landfill		LOCATION Rapp Road	FACILITY NUMBER D1502	DATE 100804	TIME 1000
INSPECTOR'S NAME Vickie Schmitt		CODE S	PERSONS INTERVIEWED AND TITLES Joe Geibelhaus		
REGION 4	WEATHER CONDITIONS Sunny 50°		DEC PERMIT NUMBER		
SHEET 1 OF 1	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360- Attached			

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.  
 Additional Violations May Be Noted on Sheet One of this Inspection Report.  
 Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
 (Uncorrected violations must be described in detail and located on a sketch).

- new shredder - 2200 cu yd. compaction
- working on well #17, three more to be installed
- header pipe being installed on west side PAIL
- propane tanks - propane sent to flare
- Freon certification received - new removing freon from appliances in Transfer Station

Odors noted on way to landfill at corner of old State Rd and Rt. 155.

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

Vickie Schmitt  
 Inspector's Signature

\_\_\_\_\_  
 Individual in Responsible Charge (Please print)  
 Signature \_\_\_\_\_ Date \_\_\_\_\_

**From:** Victoria Schmitt  
**To:** Giebelhaus, Joe  
**Date:** 4/19/04 2:51PM  
**Subject:** Re: Rapp Road Update

Joe, let me know when the meeting is. Dick and I will both be there, also someone from our Central Office may attend. We are not available this Thursday.

Victoria M. Schmitt, P.E.  
NYSDEC - Region 4  
1150 North Westcott Road  
Schenectady, NY 12306  
(518)357-2071

>>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 04/16/04 01:17PM >>>  
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- \* Odor complaints are on the rise. The Dunes has been logging complaints (3 or 4 so far this month). They coincide with wind patterns. Nothing is noticeable on site or around the perimeter but I am sure my nose is shot.
- \* Cell 11 is under active gas collection. The air leaks that were delaying the hook-up have been addressed. I did one round of sampling & found 55% methane & no O2. We are using one of the small flare/blower combos for now.
- \* The ECOSORB units are out of storage & the mechanics are going through them. Two should be ready by the close business today.
- \* Minnesota Methane is here to repair condensate drain #2. The stone was silted over (again) thereby preventing condensate to drain out which in turn, reduces their gas volumes
- \* MM has repaired the cap on the Thruway side. Grass seed has been planted.
- \* MM has requested a meeting with the City to address odor concerns (next week sometime). I would like to invite you to that meeting so that you can air your grievances directly to those in control.
- \* Surface Monitoring - I started to sample gas readings in uncapped areas of the landfill. I am using a 100' grid pattern to locate areas of concern. I probe down 2' through cover materials and attach my GEM to the probe. So far, I found one 'hot spot' in cell 7 (55% CH4) but the remainder of the area was 'clean' (<0.5%). On the AIL, the entire top was giving me 39% - 60% CH4, indicating inadequate vacuum pressure. MM is aware of it & admitted that several of the horizontals in the AIL are watering out. Based on what happens at the meeting above, should MM not agree to install verticals ASAP, the City will regardless of our business arrangement.

I'll let you know about the meeting.

Joseph C. Giebelhaus  
Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, NY 12205



**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "Vicki Schmit" <vmschmit@gw.dec.state.ny.us>  
**Date:** 7/13/04 1:52PM  
**Subject:** FW: Odor at Rapp Road Landfill

Vickie -

Below is FYI. It will be in the monthly report for July.

Joe

> -----Original Message-----

> From: Ron Graef [SMTP:ron\_c\_g@yahoo.com]  
> Sent: Tuesday, July 13, 2004 9:52 AM  
> To: Giebelhaus, Joe  
> Subject: Re: Odor at Rapp Road Landfill  
>

> Thank you for your response to my e-mail. I have also  
> received a reply from Mr. Bruce. We will continue to  
> monitor our neighborhood air quality and advise you of  
> any change due to ordors. Thank you again for your  
> explanation and concern.

> Ron and JoAnne Graef

> --- "Giebelhaus, Joe" <giebej@ci.albany.ny.us> wrote:

> > Mr. Graef -

> >

> > I apologize for the delay in responding to your  
> > complaint; I was away last  
> > week and only found out about it today.

> >

> > The City is keenly aware of the problem at the  
> > landfill. The City has been  
> > suffering from the short-comings of the private  
> > corporation responsible for  
> > the collection and management of gas on site. The  
> > firm itself has recently  
> > come out of bankruptcy court; in the interim, the  
> > City has been taking  
> > steps to manage the problem.

> >

> > The City is required to conduct perimeter monitoring  
> > on a daily basis and  
> > record/report each complaint we receive. To date,  
> > our instruments have not  
> > observed any gas on site - however - regardless of  
> > what instruments tell us,  
> > the human senses are far more sensitive to the odor  
> > than what can be  
> > accurately measured in the field.

> >

> > We are actively working to address odor concerns and  
> > feedback from our  
> > neighbors is critical in evaluating the efforts that  
> > we undertake.  
> > Temperature, humidity, air pressure, wind direction  
> > and time of day all play



**CLOUGH, HARBOUR  
& ASSOCIATES LLP**  
ENGINEERS, SURVEYORS, PLANNERS  
& LANDSCAPE ARCHITECTS

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www.cloughharbour.com

September 3, 2004

Ms. Victoria M. Schmitt, P.E.  
NYSDEC Region 4  
1150 N. Westcott Road  
Schenectady, NY 12306

SEP - 7 2004

**RE: Albany Interim Landfill – Gas Collection Network Improvements/ Closure Prep Plan  
Rapp Road Waste Management Facility – Albany, New York  
CHA Project # 12306.1009.1502**

Dear Ms. Schmitt:

On behalf of the City of Albany (City), Clough, Harbour & Associates LLP (CHA) has prepared this response to your letter dated September 1, 2004 regarding odor issues and installation of odor control measures at the Rapp Road Waste Management Facility. Due to Minnesota Methane's (MM) refusal to install gas collection wells as requested by your correspondence dated August 3, 2004 and in accordance with their correspondence dated August 12, 2004, CHA has prepared the attached Gas Collection Network Improvement / Closure Prep Plan to comply with your request and is currently working to obtain a contractor to complete the construction of these improvements under the emergency exception of the General Municipal Law. It should be noted that the City is taking it upon themselves to perform this work as you requested although MM has an independent obligation to control odor emissions under their Part 360 permit number 4-0101-00273/00001.

The Gas Collection Network Improvement / Closure Prep Plan includes the installation of 20 vertical gas collection wells, installation of header pipes and associated laterals to the vertical gas collection wells and installation of a horizontal gas collection trench. The vertical gas collection wells will be installed to varying depths to ensure they do not disturb the baseliner system. The horizontal gas collection trench will be installed along the southern portion of the cell in lieu of vertical wells due to the shallow depth of the baseliner system in this area. The horizontal gas collection trench will be installed in accordance with current installation practices performed by the City. Upon installation of the wells, laterals and headers, each well will be placed under vacuum and readings of gas quality, pressure, temperature and flow will be performed. Based on the data obtained from these readings the wells will be "tuned" to provide the most effective gas extraction. The wells will be monitored regularly to ensure continued effective gas extraction.

The City understands the urgency in completing the installation of the wells to eliminate odor emissions from the landfill. Since receipt of the MM's refusal to perform the installation of the wells the City has developed the Gas Collection Network Improvements / Closure Prep Plan and is currently working to obtain an "emergency contract" to complete the well installation. However, completion of these improvements will be beyond the original scheduled completion date indicated by MM. The City will make every effort to expedite the completion of this work to ensure compliance with their landfill permit. Tentatively a contractor is available to start the well installation the week September 20, 2004; however the City will continue to look for a contractor to start this work at an earlier date. The current completion date of September 27, 2004 proposed by MM will be delayed until the beginning of October based on this proposed start date.



*Offices Throughout the United States*



The City continues to work towards reducing odor emissions from the landfill following the Gas Management Plan and believes the installation of the wells will have a significant impact on reducing odor emissions from the landfill. If you have any questions or need any additional information, feel free to contact me at (518) 453-2851.

Very truly yours,

**CLOUGH, HARBOUR & ASSOCIATES LLP**  
*ENGINEERS, SURVEYORS, PLANNERS*  
*& LANDSCAPE ARCHITECTS*



Warren A. Harris IV, P.E.  
Associate

WAH/jig  
Attachment

cc: Bill Bruce, City of Albany  
Chris Quirk, City of Albany  
Joe Giebelhaus, City of Albany (w/ attachments)  
Gary Stiglmeier, City of Albany  
Ruth E. Leistensnider, Esquire, Nixon, Peabody LLP (w/ attachments)

K:\12306\OdorEvaluation(1009)\collection system response letter.doc



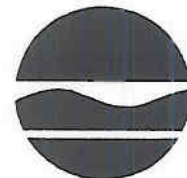
**New York State Department of Environmental Conservation**

**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Denise M. Sheehan  
Acting  
Commissioner

March 3, 2005

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Enclosed please find a copy of an 6 NYCRR Part 360 Solid Waste Management Facility Inspection Report dated February 28, 2005. This inspection was performed in response to our receiving a complaint that all six individuals traveling in a car on the NYS Thruway, West to East, getting off at Exit 24 at approximately 5:30pm on the same evening experienced odors they reported to be "disgusting."

As indicated on the enclosed report, at the time of my inspection at approximately 6:45pm, traveling West to East on the New York State Thruway, getting off at Exit 24 approximately 1000 before the toll booths, I experienced weak to moderate landfill odors (on a scale of 1 to 10, a "3"). The detected odor was considered to be a mix of fresh garbage and decomposition gases. After passing through the toll booths I proceeded to travel on the section of Washington Avenue Extension immediately South of the landfill, on Rapp Road North to the rail road tracks, into the former Fox Run Estates, and into the Italian Community Center's parking lot (where I parked and walked around for several minutes). As I traveled along this route I detected weak landfill odors along Washington Avenue Extension (1-2), and moderate landfill odors in the Community Center's parking lot (3). At approximately 7:30pm while getting back onto the NYS Thruway at Exit/Entrance 24, approximately 1000 feet West of the toll-booths, I experienced the strongest off-site landfill odors which were considered to be moderate to strong (6). The odor detected getting back onto the Thruway was considered to be predominantly landfill decomposition gases.

The Italian Community Center's parking lot was specifically included in this inspection in response to a phone call received last week from the Center asking whether or not the bad odor conditions from the landfill they experienced last Spring and Summer would be continuing into the upcoming warmer season. They expressed deep concern given the nature of their facility, it was explained they hosted outdoor functions which have been impacted by past objectionable off-site landfill odors

The odor detected on this occasion, in combination with a formal complaint, is considered a violation of 6 NYCRR Part 360-2.14(m). This complaint and detected offsite landfill odors is consistent



with continuing complaints the Department has been receiving since Fall 2003. If you have any questions regarding this incident, please feel free to contact me at 357-2245.

Sincerely,



Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
M. Ellis, P.E., Region 4 Legal Affairs  
R. Forgea, P.E., Region 4 Solid Waste Engineer



CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES  
ONE CONNERS BOULEVARD  
ALBANY, NEW YORK 12204-2514  
(518) 432-1144  
FAX 427-7499  
WWW.ALBANYNY.ORG

Gerald D. Jennings  
Mayor

Willard A. Bruce  
Commissioner

Nicholas J. D'Antonio  
Deputy Commissioner

March 4, 2004

**VIA CERTIFIED MAIL**

NEO Albany, LLC  
c/o Corporation Service Company  
80 State Street  
Albany, New York 12207

Re: ***Odor Complaints, Rapp Road Landfill  
NYS Dept. of Environmental Conserv. Correspondence***

Dear Sirs:

Throughout the fall of 2003, numerous complaints regarding odors associated with the City of Albany's Rapp Road landfill were received. By letters dated November 7, 2003, Victoria Schmitt, P.E., of the Region 4 office of the New York State Department of Environmental Conservation, notified the City and Mr. Joseph Mauro of Minnesota Methane, on behalf of MM Albany Energy, LLC, of these odor complaints, and requested specific responses from the City and MM Albany Energy, LLC, within 15 days of the date of the letter. I am enclosing a copy of that correspondence for your reference.

Ms. Schmitt's November 7, 2003 letter to Mr. Mauro noted that there had been many outtages of the flare located at the MM Albany Energy facility on site, and that those outtages may have contributed to the odor problem. Ms. Schmitt's letter to Mr. Mauro specifically requested MM Albany Energy prepare a report, pursuant to Special Condition #3 of Part 360 permit for the facility, investigating the odor problems and determine whether the odor problems are related to facility operations, and propose modifications to the operation of the facility to control off-site odors. Ms. Schmitt's letter requested that such a report be provided no later than 15 days from receipt of the letter. Ms. Schmitt's letter also requested an explanation for the discrepancy between the current staffing of the facility, and the facility's approved Operation and Maintenance Manual.



NEO Albany, LLC

March 4, 2004

Page 2

The City provided a timely response, as requested by Ms. Schmitt, on November 20, 2003. The City has been advised by DEC that it has not received any response to Ms. Schmitt's letter from Mr. Mauro or MM Albany Energy, LLC, other than occasional e-mails regarding the operation of the flare.

Complaints regarding odors from the Rapp Road landfill have continued since Ms. Schmitt's letter. Although some complaints regarding odors relate to a "garbage" smell, it is the City's understanding that the vast majority of the complaints relate to landfill gas.

Pursuant to Section 3.2(a) of the Gas Lease and Easement Agreement between the City of Albany and NEO Albany, LLC, dated as of September 18, 1995 (the "Agreement"), NEO Albany LLC is required to operate the project, as defined in the Agreement, in accordance with applicable law. Section 3.2(b) of the Agreement requires that NEO Albany LLC maintain, or cause to be maintained, the project in good condition and repair, and in accordance with applicable law, and that all repairs are the responsibility and obligation of NEO Albany LLC. Section 3.2(c) of the Agreement requires NEO Albany, at its sole cost an expense, to make such alterations, modifications, additions or replacements to the project as may be required by a change in law, such that the project complies with applicable laws and requirements.

It is the City's position that the persistent problems with landfill gas odors at the Rapp Road Landfill is as a result NEO Albany LLC's failure to operate or maintain the facility in compliance with the requirements of the Agreement, or applicable laws. Furthermore, the failure to respond to Ms. Schmitt's letter within the 15 days requested is a failure on the part of NEO Albany LLC to operate and maintain the facility in compliance with applicable laws. As a result, the City maintains that NEO Albany, LLC is currently in violation of the Agreement, and demands that NEO Albany LLC takes such steps as are necessary to remedy this situation, including, without limited to, all steps necessary to abate the landfill gas odors arising from NEO's facility.

In the event the City incurs any costs arising out of this situation, please be advised that the City will seek indemnity from NEO Albany, LLC pursuant to the provisions of Section 8.1(a) of the Agreement. In addition, please be advised that the City will also seek indemnification, pursuant to the provisions of Section 8.2(a) of the Agreement, on the grounds that the landfill gas odors, and the landfill gas itself, is a pollutant or contaminant, and hence a Hazardous Material, as that term is defined under the Agreement.

By this letter, the City is demanding that you provide to the City, within 30 days of the date of this letter, a plan to remedy the problems with landfill gas odors at the



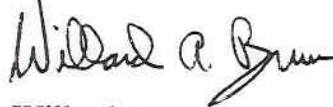
NEO Albany, LLC  
March 4, 2004  
Page 3

Rapp Road Landfill. The City expects that this plan will include a comprehensive evaluation of the operation of the Project, with specific steps to be taken to correct the situation, and a timeline to correct the operation of the project with a goal towards complete control of landfill gas odors no later than May 31, 2004. Pursuant to Section 3.2 of the Agreement, the costs associated with any repairs, modifications or upgrades to the Project necessary for the Project to remain in compliance with Applicable Laws are the sole responsibility of NEO Albany LLC.

Please be advised that in the event these measures are not undertaken, either by NEO Albany LLC or its sublessee, MM Albany Energy, LLC, the City intends to seek appropriate relief in Supreme Court ordering that these measures be undertaken, and will seek other relief as may be appropriate, including recovery of its attorneys fees.

I look forward to hearing from you.

Very truly yours,



Willard A. Bruce  
Commissioner of General Services

cc: MM Albany Energy, LLC (via certified mail)  
Victoria M. Schmitt, P.E.  
Joseph Giebelhaus  
Gary F. Stiglmeier, Esq.  
Lyon Credit Corporation  
Hudson United Bank

file

**New York State Department of Environmental Conservation**  
**Division of Solid and Hazardous Materials, 9<sup>th</sup> Floor**  
625 Broadway, Albany, New York 12233-7250  
Phone: (518) 402-8651 • FAX: (518) 402-9024  
Website: www.dec.state.ny.us



October 4, 2004

Mr. Joseph Giebelhaus  
City of Albany Rapp Road SWM Facility  
525 Rapp Road  
Albany, NY 12205

**RE:** City of Albany Rapp Road Landfill Closure Plan and Part 360 Variance Request

Dear Mr. Giebelhaus:

This Department has received the following documents prepared and submitted by Clough Harbour & Associates (CHA) on behalf of the City of Albany:

1. Albany Interim Landfill Phase I Closure Plans dated July 2004;
2. Technical Specifications for the Rapp Road Waste Management Facility Albany Interim Landfill Phase I Closure dated June 2004;
3. Application for Variance from 6NYCRR Part 360 dated July 12, 2004;
4. Albany Interim Landfill Phase I Closure Cover System Stability dated September 24, 2004.

These documents address the closure of approximately three acres of the P-4 Expansion area of the Albany Rapp Road Landfill. The plans show that the proposed cover system will be constructed with a 40 mil LLDPE geomembrane placed over a 6 inch soil cushion on slopes greater than 25% but less than 33%. The Part 360 variance has been requested to allow the thickness of the barrier protection layer placed above the geomembrane to be reduced to 12 inches from the 24 inches required under subparagraph 360-2.13(r)(2)(iii).

The variance application states that the specified soil cushion underlying the geomembrane is sufficiently well drained to preclude frost heave damage to the geomembrane. The application also states that the grass species specified all have root penetration depths of 12 to 15 inches which will not interfere with the geomembrane.

The Department has reviewed these documents and concurs that the approval of the requested variance will not compromise the performance of the cover system, therefore, the above closure plans and variance are approved.

If you have any questions concerning the above, please contact me at (518) 357-2071.

Sincerely,

Victoria M. Schmitt, P.E.  
Environmental Engineer 2  
Region 4

**Giebelhaus, Joe**

**From:** Thomas Reynolds [trreynol@gw.dec.state.ny.us]  
**Sent:** Friday, March 18, 2005 11:21 AM  
**To:** giebej@ci.albany.ny.us  
**Cc:** Richard Forgea; Thomas Cullen  
**Subject:** RE: odors 3/12/05

Hello,

With the wonderful tool of E-mails it is possible to keep you up-to-date on complaints we receive regarding landfill odors. Last night I was informed it has been "real bad" the last two nights (Wednesday and Thursday) on Washington Avenue Extension, at approximately 8:00pm; and I also got a complaint that it was bad this morning on the Thruway exiting at Exit 24. I responded to this morning's complaint by inspecting the area around 9:00am. I found no odor along Washington Avenue Extension, a working face odor on Rapp Road as I was crossing over the Thruway, and then looped out around so I could return back to the office by way of the Thruway and got a stronger working face odor approximately 1000 feet from the toll booths traveling West. None of these odors were considered strong enough and/or objectionable enough to constitute a violation of 360-1.14(m). The odor occurring at night was described to be more like decomposition gasses, which are typically more offensive even when not considered to be very strong. Will keep you posted regarding any further complaints and/or inspections that we perform. In the case when conditions during an inspection are considered to constitute a violation, a letter will accompany the forwarding of the facility copy of the inspection report.

Tom

>>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 03/15/05 02:12PM >>>  
Yes, I caught on to that. That was the first time I meeting him.

FYI - I know you are stopping by tomorrow.....you know that Kelly is having an ANSWERS meeting tomorrow, right?

Joe

> -----Original Message-----

> From: Thomas Reynolds [SMTP:trreynol@gw.dec.state.ny.us]

> Sent: Tuesday, March 15, 2005 1:37 PM

> To: giebej@ci.albany.ny.us

> Subject: RE: odors 3/12/05

>

> I've been just holding my own myself, sick since Saturday. I like that

> you think of them as elves since this landfill gas is a magical business

> at best.

>

> Not sure you caught my comments to CHA as we were all leaving the other

> day. I took a moment to again compliment Keith for what in my 18 years

> in this business thought was the very best work in looking for and

> controlling explosive gases in soils I've ever seen. Clay soils are not

> garbage, and I'm not sure these problems will translate, or even if



> Keith at CHA is working on the landfill gas problems, but I sure hope  
> so  
> (not that the others don't know what they are doing).  
>  
> Hope to see you tomorrow.  
>  
> >>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 03/15/05 12:20PM >>>  
> Tom -  
>  
> I was sick as a dog & could not get to the landfill BUT.....  
>  
> A low pressure system moved in over the weekend. The fact that  
> odors  
> are  
> present and a low came in indicates that the collection system is  
> not  
> strong  
> enough.  
>  
> The elves at CHA are coming up with a solution (involving re-routing  
> the  
> connection to the header). I have the quote for parts together & it  
> is  
> going out after I eat.  
>  
> I owe him a call back as well....after lunch.  
>  
> Joe  
>  
> > -----Original Message-----  
> > From: Thomas Reynolds [SMTP:trreynol@gw.dec.state.ny.us]  
> > Sent: Tuesday, March 15, 2005 11:50 AM  
> > To: giebej@ci.albany.ny.us  
> > Subject: odors 3/12/05  
> >  
> > Got a message left on my phone that Steve Debella at the Cross  
> Gates  
> > Banquet House had noticeable odors on Friday night, not too bad,  
> but  
> > noticeable; then on Saturday night at about 7:30 they were very  
> bad.  
> > I  
> > have not talked to Mr. Debella yet since his restaurant was closed  
> > yesterday. I plan on calling him this afternoon. He commented on  
> the  
> > phone message that it has been "pretty good lately" and then real  
> bad  
> > again Saturday night.  
> >  
> > While it apparently was not so good on Saturday night, last night  
> one  
> > of the individuals I know who drives by the landfill on the  
> Thruway  
> > reported "no odor" when they went by at 5:30, at 7:00, and again  
> when  
> > driving by at about 9:30 (no, they are not just driving by to  
> monitor  
> > the landfill, it just worked out this way last night).  
> >  
> > I am still expecting to be out to the landfill tomorrow morning,  
> hope  
> > I  
> > see you then.

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "Thomas Reynolds" <treynol@gw.dec.state.ny.us>  
**Date:** 1/10/2006 7:28:56 AM  
**Subject:** RE: recent odor complaints

Tom -

I will be at my 8 hour haz-mat refresher all day today but I think we should get together to go over the over-all gas management plan. Are you coming to the ANSWERS meeting tomorrow? We could meet after that.....

We have three problems attributing to the odor problem -

\* Current blower/flare is running at maximum. Valves are wide open. 55% CH4 and 0% O2. With blower running at max, wide open valves and those results, we need more blower capacity. The new skid is due next week. After that, the only thing holding us up is EPA. We figure we could be fully operational by Feb 1 but it depends on EPA approval.

\* One of our horizontals was watered out. Temp fix this morning with a more permanent one this afternoon. The line outside of the waste sagged and caused a water slug to form. I drained it out this morning at 6:30. It should be ok until Harry can get over there and re-grade.

\* Pump Station #1 is down. The pumps are good - we think it is a blockage in the discharge line near the pumps. I have a contractor here today to drop a valve and jet. Hopefully, that will do it. Odor problems occur from holding the leachate in the landfill and lack of drainage in the condensate line. We have been using a vac truck to haul leachate out but that is a 'drop in the bucket'.....

Sorry I have not been more proactive about keeping you informed about the pump station but we have been working 10 to 12 hour days trying to find the problem. I think the odor problem is primarily a lack of blower capacity. It was supposed to be in place mid-December but delays are causing the problem.

Joe

> -----Original Message-----

> From: Thomas Reynolds [SMTP:treynol@gw.dec.state.ny.us]

> Sent: Monday, January 09, 2006 4:20 PM

> To: giebej@ci.albany.ny.us

> Subject: recent odor complaints

>

> I have gotten a few more complaints in the last few weeks than normal.  
> It's not just an increase in number, but also in their nature; if I was to  
> rate the odors based upon the descriptions given they sound like they have  
> been 12's on a 1-10 scale. The latest was from Maryanne Simon, seems she  
> had a problem at about 7:00pm last night, she said the odor was so bad  
> that it came into the house even with everything shut tight in an attempt  
> to keep it out. Under the circumstances of how severe the odor was, she  
> was asking about whether there was air testing that could be done to  
> determine whether there were health risks associated with odors that  
> strong. I had a similar complaint last week from an individual from the  
> Village of Colonie, Rapple Drive, who was very upset about the odors she  
> has been experiencing at her home recently.

>





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

**DISTRIBUTION ROUTING**  
WHITE COPY—Regional Office  
YELLOW COPY—Central Office  
PINK COPY—Facility  
GREEN COPY—Inspector

FACILITY NAME City of Albany -/R		LOCATION Rapp Road	FACILITY NUMBER 01502	DATE 020806	TIME 1830
INSPECTOR'S NAME Thomas R Reynolds		CODE S	PERSONS INTERVIEWED AND TITLES		
REGION 4	WEATHER CONDITIONS evening -	DEC PERMIT NUMBER			
SHEET 1 OF 1	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360-			
					Attached

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
(Uncorrected violations must be described in detail and located on a sketch).

\* Driving around vicinity of landfill monitoring off site odors -

- detected strong objectionable landfill gas odor on Rapp Road / Lincoln Ave. vicinity of railroad tracks - along 5-700 ft of roadway - odor was landfill gas, not working face and had a similar nature to sewage sludge
- detected odor again, much weaker, on Central Ave near where Northway passes over.

Conditions on Lincoln Ave / Rapp Road were considered a violation of 6-NYCCR Part 360-1.14(m)

∴ at meeting with Village of Colonie residents this same evening, several approached me to state they also experience strong objectionable odors on this night - same location

Whereby acknowledge receipt of the  
Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge (Please print)

*T. R. Reynolds P.E.*  
Inspector's signature



**New York State Department of Environmental Conservation**

**Regional Administration, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2073 • FAX: (518) 357-2593

Website: www.dec.state.ny.us



April 11, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

Enclosed please find copies of recent neighbor complaints in relation to off site landfill odors from the City of Albany Landfill received/conveyed to the Department. These complaint logs are being forwarded for your information.

Please feel free to contact me at 357-2245 if you would like to discuss the information forwarded, or this matter in general.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

w/o Enclosures

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve La Bella

ADDRESS: Cross Gates Restaurant

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 3/31

COMPLAINT RECEIVED BY: AMR

TIME OF DAY ODOR WAS DETECTED: PM (evening)

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ place of business

DESCRIPTION OF ODOR: odor is here again - smells  
bad

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Steve DeBella

ADDRESS: Cross Gates Restaurant

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/11/06

COMPLAINT RECEIVED BY: JRR

TIME OF DAY ODOR WAS DETECTED: PM - 7:30

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: @ business

DESCRIPTION OF ODOR: Smells all around his  
Restaurant - Landfill - New to sulfur  
kind of smell to it

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Lynn Gaudio

ADDRESS: \_\_\_\_\_

COMPLAINANT'S PHONE NUMBER: \_\_\_\_\_

DATE: 4/7/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 7:30

SEVERITY OF ODOR ON SCALE OF 1-10: -

LOCATION ODOR WAS DETECTED: on highway traveling west to east next to landfill

DESCRIPTION OF ODOR: really bad, awful, disgusting

ACTIONS TAKEN IN RESPONSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CITY OF ALBANY LANDFILL ODOR COMPLAINT LOG

NAME: Marcia Ellis

ADDRESS: —

COMPLAINANT'S PHONE NUMBER: —

DATE: 4/8/06

COMPLAINT RECEIVED BY: TRR

TIME OF DAY ODOR WAS DETECTED: 1:30 pm

SEVERITY OF ODOR ON SCALE OF 1-10: —

LOCATION ODOR WAS DETECTED: <sup>253</sup> Washington Ave

DESCRIPTION OF ODOR: land fill odor was overwhelming

ACTIONS TAKEN IN RESPONSE: —

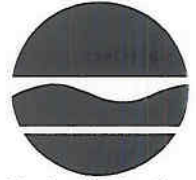
**New York State Department of Environmental Conservation**

**Regional Administration, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2073 • FAX: (518) 357-2593

Website: www.dec.state.ny.us



Denise M. Sheehan  
Commissioner

April 27, 2006

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, New York 12205

Dear Mr. Giebelhaus:

Enclosed please find copies of recent neighbor complaints in relation to off site landfill odors from the City of Albany Landfill received/conveyed to the Department. As you can see there were several reporting severe conditions during the evening of April 26, 2006.

These complaint logs are being forwarded for your information. Please feel free to contact me at 357-2245 if you would like to discuss the information forwarded, or this matter in general.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4 Solid Waste

Enclosure

w/o Enclosures

cc: W. Bruce, Commissioner of General Services, City of Albany  
B. Constantakes, Esq., Region 4 Attorney  
T. Cullen, P.E., Region 4 Engineer  
R. Forgea, P.E., Region 4 Solid Waste Engineer



Ostrov



Michael D. Zagata  
Commissioner

New York State Department of Environmental Conservation  
REGION 4  
1150 North Westcott Road, Schenectady, New York 12306  
Telephone: (518) 357-2045  
Facsimile: (518) 357-2398

September 19, 1995

Willard Bruce, Commissioner  
Department of Public Works  
City of Albany  
One Conners Boulevard  
Albany, New York 12204-2514

Dear Mr. Bruce:

Enclosed please find 6 NYCRR Part 360 Solid Waste Management Facility Inspection Reports for the dates August 22, 1995 and August 24, 1995. These inspections were performed in response to an odor complaint received from a Whitestone Village resident on August 22, 1995. As indicated on the August 22, 1995 report, during the initial inspection a noticeable release of hydrogen Sulfide was detected on-site that was corrected on August 23, 1995 by LTI staff. Also on the report for the initial visit is an indication that a "potential" off-site dust problem existed.

The issue of off-site dust was not specifically raised with Harry Costello on these occasions. The principal reason for these noted inspections was to address odor impacts. While on-site it was observed there was an effort to control the dust with the watering truck; but the combination of the unusually dry summer and the wind conditions on these occasions were reducing the effectiveness of this measure to control the problem.

In an August 25, 1995 phone conversation with a Whitestone resident I was informed the off-site dust was so severe it was necessary for them to move inside their home and close the windows. They said being outside with the blowing dust was causing their eyes to hurt.

Based on my observations during the two inspections, it would be difficult to argue such claims.

Cliff / Pete / Tom

This is a subjective statement without personal <sup>made</sup> knowledge supporting the statement of the residents (necessary). It doesn't belong in an inspection report transmitted letter. The letter shall have concluded with the last sentence. The letter shall have stated the facts of the inspection if you ~~wanted~~ wanted to describe wind conditions of dust problems. It appears the second paragraph did that.

I will be repeating my inspections over the next few weeks to inspect for this specific problem and discuss this issue with the landfill's operator, Harry Costello. If there are any questions regarding the enclosed reports, or issues raised above, please do not hesitate to contact me at 357-2045.

Sincerely,



Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/djp-ALBANY

Enclosures

cc: W. Clarke, NYSDEC Region 4  
P. Mack, P.E., NYSDEC Region 4  
R. Ostrov, NYSDEC Region 4 ✓

~~New~~ York State Department of Environmental Conservation

REGION 4

1150 North Westcott Road, Schenectady, New York 12306

Telephone: (518) 357-2045

Facsimile: (518) 357-2398

FILE COPY



Michael D. Zagata  
Commissioner

October 27, 1995

Willard Bruce, Commissioner  
Department of Public Works  
City of Albany  
One Conners Boulevard  
Albany, New York 12204-2514

Dear Mr. Bruce:

Over the last few weeks, and even in the last few days, we have received an increase in the number of odor complaints from residents in the Whitestone Village. It has been our practice depending upon the time of day the complaint is received, to either immediately go out that day, or first thing the next morning.

On a few of these occasions it was obvious the complaint was related to exhaust fumes from the active gas collection system's flare unit. It was found the exhaust from this unit was blowing directly toward homes in Whitestone Village. This problem has been discussed with Harry Costello at the Landfill; it has been agreed there will be an effort that when wind directions and strengths dictate, the flare unit will be temporarily shut down (at most several hours) and secured. This practice will be used providing it does not result in excess landfill gases escaping from the landfill surface in turn becoming a problem. It is believed the temporary shutting down of the flare under these conditions will be an adequate solution to this particular problem. Provisions need to be made at the landfill with either City or LTI staff to accommodate days that Harry is not on site.

A more difficult problem is the one discovered during an October 25, 1995 inspection (6 NYCRR Part 360 Inspection Report enclosed) made in response to a resident odor complaint. As indicated on the Inspection Report odors were found in a portion of the Village to be strong enough that if there was not an Order on Consent to address this occurrence, they would have been recorded as a violation of 6 NYCRR Part 360-1.14(1). I believe this incident is the result of the landfill operation being directly upwind of the Village on the high crest of the Northern side of the Interim Landfill. On this occasion I was able to stand in the Village and look right up at the active placement of waste directly above me only a few hundred feet away.



There is provision for this occurrence in the March 20, 1995 Order on Consent between the City and the Department. Continuing odor problems at the Interim Landfill are addressed in provision No. 5 of the Order through a requirement for a "site odor release study/plan ("odor plan")." It was a requirement in the Order for the odor plan to identify "possible alternative remedial odor control measures." The odor plan was submitted and at least one alternative was identified; addition of masking agents to shredding lines 1, 2 and 3 wetting systems. In light of the continuing number of odor complaints received by our office, and the fact that odors have in turn been detected in the Village that would constitute a violation of 6 NYCRR Part 360-1.14(1); it is appropriate for the Department to request the City at this time develop and implement the identified "alternative."

The City should immediately evaluate additional alternatives in the form of operational changes that could be implemented now, that could provide relief from the odor impacts that were found during conditions experienced during my October 25, 1995 inspection. Changes to be considered could take into account the conditions noted on this occasion; gusty wind moving South to North, landfilling directly on North crest immediately above the Village. I understand it is important to landfill in this area if the City is to be able to consider completing closure of the North face during Spring/Summer 1996. It may only be necessary to move away from this area for a short time while you develop a means of introducing "deodorizing" agents into the shredder lines.

We are available to meet with representatives of the City at your convenience to discuss this matter. It is firmly believed the problem of off-site odor impacts can be overcome if our technical staffs are allowed to continue working together in the cooperative atmosphere we always have in the past.

Sincerely,



Thomas B. Reynolds, P.E.  
Environmental Engineer II  
Region 4

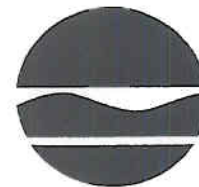
TRR/djp-ODOR

Enclosure

cc: Gregg Nolte, P.E., City of Albany  
Harry Costello, City of Albany  
Peter Mack, P.E., Region 4  
Robert Ewing, Region 4  
Rich Ostrov, Esq., Region 4  
Gene Kelly, Esq., Region 4

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

REGION 4 HEADQUARTERS  
1150 NORTH WESTCOTT ROAD  
SCHENECTADY, NEW YORK 12306  
Tel: (518) 357-2045 Fax: (518) 357-2398



Michael D. Zagata  
Commissioner

November 4, 1996

*Tom* → *Tom R*  
*If we need a meet*  
*letter, lets say when*  
*we expect proposals*  
*for odor control.*  
*John*

Gregg Nolte, P.E., Deputy Commissioner  
Department of General Services  
City of Albany  
One Conners Boulevard  
Albany, New York

Dear Mr. Nolte:

It appears, based upon our recent inspections and information provided by residents of Whitestone Village, the recent closure efforts on the East face of the Interim Landfill has remediated the stronger and more objectionable odors which were impacting Whitestone Village this past Summer. If and when these stronger odors have been encountered during recent inspections, they have been intermittent, and in very localized areas (such as landfill gas collection exits from the landfill's side slope).

While this more severe odor, due to it's potentially containing Hydrogen Sulfide, represented our most immediate concerns, we still see the off site impacts of odors from the working face as a serious concern. We continue to receive complaints (perhaps once per week) of the occurrence of working face ("garbage") odors in Whitestone Village. This past weekend the complaint was that the odors were so bad they caused a number of people to become sick. Last week we even received a complaint of objectionable odors from a person visiting a resident of the Village. Our own experiences with this problem have so far been limited to the landfill boundaries. But on more than one occasion this odor has been found to be strong and offensive enough to conclude if it was moving past site boundaries towards the Village, it would be causing off-site nuisance impacts.

Please keep in mind that while the Consent Order before the City has specific actions to be taken to control the stronger and more offensive decomposition gases (potentially containing Hydrogen Sulfide), the working face odors are also addressed, but in more esoteric terms. The Order requires the City to identify their presence and propose means to control them. Because the Order does not contain specific actions to be taken to address the working face odors, it should not be interpreted that the Department does not consider them a serious concern. We have the same expectation that these odors will be controlled and do not cause adverse impacts on the residents of Whitestone Village in the form of being a nuisance.



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

---

REGION 4 HEADQUARTERS  
1150 NORTH WESTCOTT ROAD  
SCHENECTADY, NEW YORK 12306  
Tel: (518) 357-2045 Fax: (518) 357-2398



November 4, 1996

Gregg Nolte, P.E., Deputy Commissioner  
Department of General Services  
City of Albany  
One Conners Boulevard  
Albany, New York

Dear Mr. Nolte:

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Albany, New York

Dear Deputy Commissioner:


In recent months we have contacted you in writing to address odor complaints, and forward inspection reports indicating violations related to operations at the City of Albany's Interim Landfill. In these letters you were informed we would be increasing our inspections specifically to determine if there was a "continuing" problem of off-site odors from the landfill in the vicinity of the east end of the sound wall which separates the Interim Landfill and the Fox Run residential area. Enclosed with this letter please find a 6 NYCRR Subpart 360-2 Solid Waste Management Facility Inspection Report for September 5, 1997, which has indicated on it a violation of 6 NYCRR Part 360-1.14(m), off site odor.

The inspection on this occasion was in response to a specific complaint that recently odors were occurring on almost a daily basis in the Southeast corner of Fox Run; typically beginning late afternoon and carrying into early evening. This is a typical time of day for landfill odor problems to occur. As indicated on the enclosed report, we concurred with there being an odor problem on the date of our inspection. While at first the odor encountered was moderate and intermittent, after a short while it became very offensive and caused us to move away from the area quickly.

In response to what is becoming established as a "continuing" problem, we will continue to concentrate field/inspection efforts in the area at the east end of the sound wall. When odors are encountered, they will be reflected as a "violation" on an 6 NYCRR Subpart 360-2 Inspection Report, and forwarded to the City.

If there are any questions regarding this matter, as always, I am available to discuss this issue at your convenience.

Sincerely,



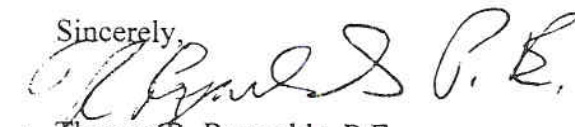
Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/ml-odor3

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If there are any questions regarding this matter, as always, I am available to discuss this issue at your convenience.

Sincerely,



Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/ml-odor3

New York State Department of Environmental Conservation

REGION 4

1150 North Westcott Road, Schenectady, New York 12306

Telephone: (518) 357-2045

Facsimile: (518) 357-2398



Michael D. Zagata  
Commissioner

October 27, 1995

Willard Bruce, Commissioner  
Department of Public Works  
City of Albany  
One Conners Boulevard  
Albany, New York 12204-2514

Dear Mr. Bruce:

Over the last few weeks, and even in the last few days, we have received an increase in the number of odor complaints from residents in the Whitestone Village. It has been our practice depending upon the time of day the complaint is received, to either immediately go out that day, or first thing the next morning.

On a few of these occasions it was obvious the complaint was related to exhaust fumes from the active gas collection system's flare unit. It was found the exhaust from this unit was blowing directly toward homes in Whitestone Village. This problem has been discussed with Harry Costello at the Landfill; it has been agreed there will be an effort that when wind directions and strengths dictate, the flare unit will be temporarily shut down (at most several hours) and secured. This practice will be used providing it does not result in excess landfill gases escaping from the landfill surface in turn becoming a problem. It is believed the temporary shutting down of the flare under these conditions will be an adequate solution to this particular problem. Provisions need to be made at the landfill with either City or LTI staff to accommodate days that Harry is not on site.

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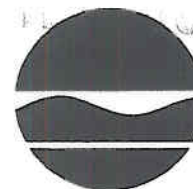
New York State Department of Environmental Conservation

REGION 4

1150 North Westcott Road, Schenectady, New York 12306

Telephone: (518) 357-2045

Facsimile: (518) 357-2398



Michael D. Zagata  
Commissioner

March 8, 1996

Willard Bruce, Commissioner  
Department of Public Works  
City of Albany  
Albany, New York

Dear Commissioner Bruce:

Enclosed please find copies of 6 NYCRR Part 360 Solid Waste Management Facility Inspection Reports resulting from site visits to the City's Interim Landfill on February 16, 1996, February 27, 1996 and March 1, 1996. As indicated in the respective reports, the inspections performed last week were for the express purpose of evaluating impacts from the 60-70 mile/hour winds that occurred in the Capital District on February 24-26, 1996. There have been several complaints from resident(s) in Whitestone Village regarding wind blown litter resulting from this event.

As expected, the high winds have caused an adverse impact on surrounding areas from blowing litter beyond the Interim Landfill's "foot print." The greatest impact area is in the Northeast corner of the site, immediately behind the leachate collection/storage tanks. The impact area appears to be several hundred feet long and tens of feet deep. The majority of the blowing litter was captured by the first line of trees it encounter, often in branches between 10-30 feet off the ground.

We realize it is not possible for any type of solid waste management facility (landfill, transfer station, composting operation, ...) to be designed and/or operated to accommodate winds as strong as were encountered on this occasion. We will assess this incident by the efforts made towards its' remediation, this will within reason, include the time it takes for conditions to return to "normal." While we have received repeated complaints regarding present conditions, we acknowledge under "normal" operations it is unusual for significant amounts of blowing litter to be found off site and/or on the landfill's perimeter.

Since this litter problem occurred, weather conditions (snow and cold) have existed which are expected to hamper remediation efforts. We will continue to monitor this situation closely and discuss clean-up progress directly with landfill staff. In the interim, while we understand it has already been done, a very careful public litter should be performed one more time. The greatest complaint we received regarded the litter that was "in" the Village, not what was visible on perimeter areas.



If there are any questions regarding this matter, please do not hesitate to contact me at 357-2045.

Sincerely,



Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/djp-alb

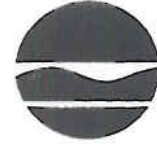
Enclosures

cc: H. Costello, City of Albany  
T. Cullen, P.E., Region 4 Solid Waste Engineer  
G. Nolte, P.E., Deputy Commissioner, City of Albany  
R. Ostrov, Esq., Region 4 Attorney

Tom R/File

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

REGION 4 HEADQUARTERS  
1150 NORTH WESTCOTT ROAD  
SCHENECTADY, NEW YORK 12306  
Tel: (518) 357-2045 Fax: (518) 357-2398



**John P. Cahill  
Commissioner**

September 10, 1997

Gregg Nolte, P.E., Deputy Commissioner  
Department of Public Works  
City of Albany  
One Conners Boulevard  
Albany, New York

Dear Deputy Commissioner:

In recent months we have contacted you in writing to address odor complaints, and forward inspection reports indicating violations related to operations at the City of Albany's Interim Landfill. In these letters you were informed we would be increasing our inspections specifically to determine if there was a "continuing" problem of off-site odors from the landfill in the vicinity of the east end of the sound wall which separates the Interim Landfill and the Fox Run residential area. Enclosed with this letter please find a 6 NYCRR Subpart 360-2 Solid Waste Management Facility Inspection Report for September 5, 1997, which has indicated on it a violation of 6 NYCRR Part 360-1.14(m), off site odor.

The inspection on this occasion was in response to a specific complaint that recently odors were occurring on almost a daily basis in the Southeast corner of Fox Run; typically beginning late afternoon and carrying into early evening. This is a typical time of day for landfill odor problems to occur. As indicated on the enclosed report, we concurred with there being an odor problem on the date of our inspection. While at first the odor encountered was moderate and intermittent, after a short while it became very offensive and caused us to move away from the area quickly.

In response to what is becoming established as a "continuing" problem, we will continue to concentrate field/inspection efforts in the area at the east end of the sound wall. When odors are encountered, they will be reflected as a "violation" on an 6 NYCRR Subpart 360-2 Inspection Report, and forwarded to the City.

If there are any questions regarding this matter, as always, I am available to discuss this issue at your convenience.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/ml-odor3

FILE COPY

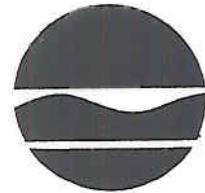
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

REGION 4 HEADQUARTERS

1150 NORTH WESTCOTT ROAD

SCHENECTADY, NEW YORK 12306

Tel: (518) 357-2045 Fax: (518) 357-2398



John P. Cahill  
Commissioner

November 21, 1997

Gregg Nolte, P.E., Deputy Commissioner  
Department of General Services  
City of Albany  
One Conners Boulevard  
Albany, New York 12204

Dear Deputy Commissioner:

Earlier this Fall we received a letter from the City identifying several measures that would be undertaken at the Rapp Road landfills to address off site odor concerns. One of these measures was to extend the existing sound barrier wall on the Interim Landfill's Northern perimeter.

In recent days there have been a number of off site odor complaints made by residents in the Fox Run Estates. In response, we performed an inspection on November 18, 1997. The resulting 6 NYCRR Part 360 Solid Waste Facilities Inspection Report is enclosed. It is indicated on this inspection report that we detected strong landfill gas odors in the upper Northeast corner of the existing Interim Landfill. These odors were also found to be down off of the slope traveling in the direction of the East end of the sound wall. This discovery, combined with efforts made to date to control this problem, leads to the conclusion that other remedial measures be quickly implemented or the only solution remaining will be a 6 NYCRR Part 360 cap over the remainder of the existing Interim Landfill.

You are aware it has been our position extension of the sound wall would reduce or eliminate effects from these occurrences. It would help us in determining our response to this problem if within five working days of the date on this letter, you could provide us with a schedule for completing construction of the sound wall extension. As always, I am available at your convenience to discuss this or any other issue regarding the City's solid waste management activities.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

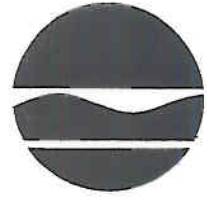
TRR/djp-gregg

cc: W. Bruce, Commissioner, Department General Services, City of Albany  
H. Costello, City of Albany  
P. Mack, P.E., Region 4 Engineer  
T. Cullen, P.E., Region 4 Solid Waste Engineer  
R. Ewing, Region 4



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

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John P. Cahill  
Commissioner

November 21, 1997

*Tom R  
FVI  
Good Advice*  
*Tom C*  
*Good letter but*  
*Tom should be*  
*careful solving problems*  
*if does not work*  
*DRC*  
*said it would*

Gregg Nolte, P.E., Deputy Commissioner  
Department of General Services  
City of Albany  
One Conners Boulevard  
Albany, New York 12204

Dear Deputy Commissioner:

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Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/djp-gregg

- cc: W. Bruce, Commissioner, Department General Services, City of Albany
- H. Costello, City of Albany
- P. Mack, P.E., Region 4 Engineer ✓
- T. Cullen, P.E., Region 4 Solid Waste Engineer
- R. Ewing, Region 4

**New York State Department of Environmental Conservation**

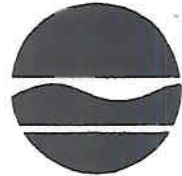
**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us

*Tom R. / file*



John P. Cahill  
Commissioner

November 22, 1999

Mr. Harry Costello  
City of Albany  
One Conners Boulevard  
Albany, New York

Dear Mr. Costello:

Enclosed please find the information we recently discussed relating to active landfill open air [working face] deodorizing systems. While the majority of this material is "trade" information, given the number of different companies offering such technology and "case" histories of facilities utilizing it, there appears to be some credibility that this technology could offer assistance with controlling off-site odors at the City of Albany's Rapp Road Landfills.

There will probably never be any single measure that will allow a landfill that is proximate to a residential neighborhood to be fully successful in controlling off-site odor impacts. But perhaps a combination of adequate daily/intermediate cover, capturing/controlling decomposition gases during active filling, controlling the rate of waste flow into the landfill, special handling practices for particular waste types (i.e. waste water plant sewage sludge), and perhaps with a properly designed and operated active landfill gas deodorizing system; together these measures can provide an adequate degree of odor control that will allow increased tipping rates without the result of causing off-site adverse odor nuisance impacts.

If you have any questions regarding this technology, or specifically would like to discuss the enclosed materials, please do not hesitate to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4

cc: G. Nolte, P.E., Deputy Commissioner, Department of General Services, City of Albany  
P. Mack, P.E., Region 4 Engineer  
T. Cullen, P.E., Region 4 Solid Waste Engineer

TRR/vc



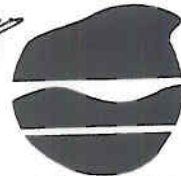
*New York State Department of Environmental Conservation*

**Office of Environmental Quality, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us



Erin M. Crotty  
Commissioner

July 18, 2001

Joseph C. Giebelhaus, Solid Waste Manager  
City of Albany  
Department of General Services  
One Conners Blvd.  
Albany, New York 12204

Dear Mr. Giebelhaus:

We are in receipt of the June, 2001 "Albany Interim Landfill Fox Run Estates Air Monitoring Program" and "Albany Interim Landfill Odor Responder Form." The third item on the Odor Responder Form is "Description of Odor Complaint and Corrective Action." Under this item the typical comment has been "No complaint made to LTI", our question is whether in light of this statement, would complaints made directly to the City appear on these reports? It was my understanding that in the past, these reports did not include complaints made directly to the City, but this oversight would be corrected and we would be receiving a record of all complaints made relating to the Rapp Road operation(s). It is a requirement of the City's Interim Landfill (P-4 Expansion) Part 360 Permit that we receive copies of all odor complaints made relating to this facility.

Please confirm in writing within two weeks of receiving this letter specifically what the reports we have been receiving reflect, in relation to odor complaints made by landfill neighbors. If the reports have been deficient in providing copies of complaints made directly to the City, these additional reports, dating back to a minimum of January 1, 2001, must be submitted to this office, care of Richard Forgea, P.E., Region 4 Solid Waste Engineer, within three weeks of receiving this letter.

If there are any questions regarding this matter, please do not hesitate to contact me at 357-2245.

Sincerely,

Thomas R. Reynolds, P.E.  
Environmental Engineer  
Region 4

cc: W. Bruce, Commissioner, Department of General Services, City of Albany  
R. Forgea, P.E., Region 4 Solid Waste Engineer

TR:jh\odorreports.wpd





DISTRIBUTION ROUTING	
WHITE COPY	Regional Office
YELLOW COPY	Central Office
PINK COPY	Facility
GREEN COPY	Inspector

# SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT Continuation Sheet

FACILITY NAME <i>Albany Interim 4/E</i>		LOCATION <i>Ridge Road</i>	FACILITY NO. <i>01502042</i>	DATE <i>2/28/88</i>	TIME <i>1:30 P</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		PERSONS INTERVIEWED AND TITLES <i>see sheet 1</i>			
REGION <i>4</i>	WEATHER CONDITIONS <i>Sun 65°</i>		DEC PERMIT NUMBER		
SHEET <i>2</i> of <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PART(S) 360--		

Violations of Part 360 are Subject to Applicable Civil, Administrative, and Criminal Sanctions Set Forth in ECL Article 71.  
Additional Violations May be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
[Uncorrected violations must be described in detail and located on a sketch].

\* Inspecting Interim operations and discuss with Greg Wolte/Harry discovery that cap on west end of Greater Albany 4/E may be "lacking". Found during More trench installation of gas collection header on far west end of GAL there was no barrier layer - Walked area with both Harry and Greg so they understood area where we had concern. They would investigate.

\* They informed me More trench was coming back to install more recovery wells/collection headers - RUST already called me.

\* operations explained on sheet 1 - all filling up.

*Thomas R. Reynolds P.E.*  
Inspector's Signature

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge (Please print)

Signature



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PINK COPY	Facility
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# SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT

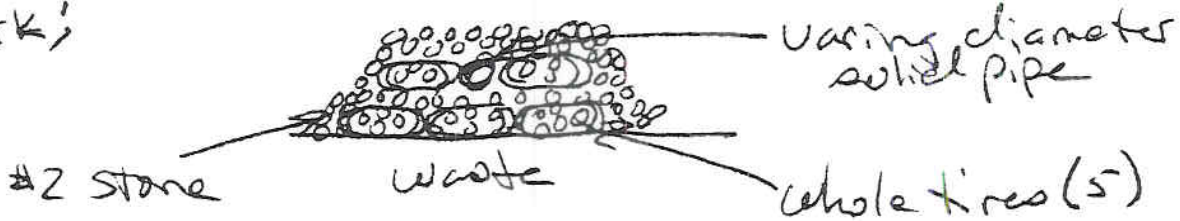
## Continuation Sheet

FACILITY NAME <i>Albany Intern 1/2</i>		LOCATION <i>Cap Rd Albany</i>	FACILITY NO. <i>015020423981</i>	DATE <i>075</i>	TIME <i>075</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES <i>see sheet 1</i>		
REGION <i>4</i>	WEATHER CONDITIONS <i>Sun 60</i>		DEC PERMIT NUMBER		
SHEET <i>2</i> of <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360— Attached			

Violations of Part 360 are Subject to Applicable Civil, Administrative, and Criminal Sanctions Set Forth in ECL Article 71. Additional Violations May be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. [Uncorrected violations must be described in detail and located on a sketch].

on working face observing construction of horizontal gas collection lines. Rocho / Phil of LTI performing work;



\*very simple, quick

Construction - tires are used as fill to reduce stone volume - also adds a little stability to system

Two varying sized pipes - gas is collected at loose fittings between pipes.

\*walked working area - daily cover only adequate, not as good as in past.

\*cell filling rapidly

\*talked a few minutes with Harry Costello - general - will bury bottom of new section of sand wall tomorrow.

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

*T.R. Reynolds*  
Inspector's Signature

Individual in Responsible Charge (Please print)

Signature

Date





# SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT

## Continuation Sheet

DISTRIBUTION ROUTING	
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PINK COPY	Facility Inspector
GREEN COPY	

FACILITY NAME <i>Albany Interim L/F</i>		LOCATION <i>Rugg Road</i>	FACILITY NO. <i>011502042878</i>	DATE <i>8/10/00</i>	TIME
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>	CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES <i>see below</i>			
REGION <i>L</i>	WEATHER CONDITIONS		DEC PERMIT NUMBER		
SHEET <i>2</i> of <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360--			Attached

Violations of Part 360 are Subject to Applicable Civil, Administrative, and Criminal Sanctions Set Forth in ECL Article 71.  
Additional Violations May be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
[Uncorrected violations must be described in detail and located on a sketch].

*Inspection - attending a tour of NEO land fill to energy facility - presenters are Greg North - City; Tom Mansian - NEO (Commonwealth); Dave Hansen, sub to NEO. Others present as part of tour representing City, NYSDEC, EFC.*

*Tour started @ Administration building, then through NEO energy plant (Cut engines); then finished up on top looking down over entire operation.*

*\* Encountered very strong working face garbage odor when walking across Shredder plant parking lot. Wind direction was west to east so Fox Run Estates would not be a target on this occasion. Odor is surprisingly strong.*

*Thomas R. Reynolds P.E.*  
Inspector's Signature

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

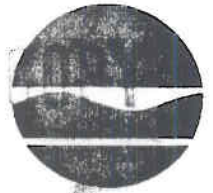
\_\_\_\_\_  
Individual in Responsible Charge (Please print)  
\_\_\_\_\_  
Date



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

REGION 4 HEADQUARTERS  
1150 NORTH WESTCOTT ROAD  
SCHENECTADY, NEW YORK 12306  
Tel: (518) 357-2045 Fax: (518) 357-2398

FILE



John P. Cahill  
Acting Commissioner

January 14, 1997

Gregg Nolte, P.E., Deputy Commissioner  
Department of General Services  
City of Albany  
One Conners Boulevard  
Albany, New York

Dear Deputy Nolte:

The purpose of this letter is to address several of the October 29, 1996 Order on Consent requirements. Specifically, this letter addresses the City's requirement to submit the "Odor Plan," the "Landfill Gas Control System Health and Safety Plan," the closure of the Interim Landfill's East face, and the submission of the daily odor logs.

The Odor Plan is acceptable. The Health and Safety Plan is to address the potential Hydrogen Sulfide on-site. In requiring such a plan we would assure such considerations were made part of daily activities at the facility. The City must be satisfied that this plan provides an adequate level of protection for landfill personnel and assure it is followed. We are reviewing this document to familiarize ourselves with on-site safety protocol.

We inspected the Interim Landfill's East face capping. After reviewing the Construction Certification Report for this work, we will evaluate compliance with the October 29, 1996 Order on Consent. There has been minor damage due to severe storms resulting in erosion of the finished grades, but this occurrence is not viewed as compromising the integrity of the cap.

The Order requires that daily odor logs be submitted to the Department on a "monthly basis." To date we have not received any daily logs. The past due logs are to be submitted to the Department by January 29, 1997. We recognize the keeping and submitting of daily odor logs is a new exercise for the City. However, they need to be submitted on a timely basis to allow us to be responsive to any odor complaints.

There is also a long standing requirement for similar reporting of the liquid flows in the Interim Landfill's secondary leachate collection and removal system. Permit Special Condition No. 15 of the existing Part 360 permit for the Interim Landfill requires such reporting. This information has not been provided in a monthly reporting format as was specified. It is our present intention to include this same requirement in the "Draft" Permit Special Conditions presently being developed for the Interim Landfill

Expansion. Whether this new permit is issued, or the existing one remains in effect, this permit requirement exists and must be addressed. A report containing all outstanding information is due by February 14, 1997.

If there are any questions regarding the content of this letter, as always, please do not hesitate to contact me at 357-2045.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Reynolds P.E.", written in a cursive style.

Thomas R. Reynolds, P.E.  
Environmental Engineer II  
Region 4

TRR/djp-order.mem

cc: T. Cullen, P.E., Region 4 Solid Waste Engineer  
R. Ostrov, Esq., Assistant Region 4 Attorney  
R. Ewing, Region 4

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

REGION 4 HEADQUARTERS  
1150 NORTH WESTCOTT ROAD  
SCHENECTADY, NEW YORK 12306  
Tel: (518) 357-2045 Fax: (518) 357-2398



August 13, 1997

Gregg Nolte, P.E., Deputy Commissioner  
Department of Public Works  
City of Albany  
One Conners Boulevard  
Albany, New York 12204

Dear Deputy Commissioner:

A few months ago the City received a letter from this office conveying an 6 NYCRR Part 360 Solid Waste Management Facilities Inspection Report for the Interim Landfill which had indicated an "Violation" regarding 6 NYCRR Part 360-1.14(m), off site odor impacts. At the time you were informed we would be responding by increasing our efforts to inspect for this particular problem at the East end of the landfill's sound wall. Due to the time spent providing increased accessibility on-site to Quality Assurance/Quality Control staff during construction of the Interim Landfill Expansion, it was not possible to devote adequate time to inspecting for this operations concern.

It has been brought to my attention recently there continues to be a "nuisance" concern related to landfill working face odors impacting the Southeast corner of Fox Run (formerly Whitestone Village). The complaints have regarded claims of effecting an individual's health, in response this person has been referred to the Albany County Health Department, the contact person is Ron Groves, P.E., at 447-4620.

This letter is being sent to assure the City is well informed of our actions regarding this matter; with the near completion of the Interim Landfill Expansion, we again have time to devote to this problem. We will again be concentrating field/inspection efforts to address this potential operations problem. As stated in our earlier letter, when odors are encountered in the area at the East end of the sound wall, we will indicate an "violation" of 6 NYCRR Part 360-1.14(m) on an inspection report and forward this to the City.





CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES  
ONE CONNERS BOULEVARD  
ALBANY, NEW YORK 12204-2514  
TELEPHONE (518) 432-1144  
FAX 427-7499

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

September 22, 1997

Thomas E. Reynolds, P.E.  
Environmental Engineer II  
New York State Dept. of  
Environmental Conservation, Region 4  
1150 North Westcott Road  
Schenectady, NY 12306

Dear Mr. Reynolds:

In response to your recent fax communications regarding steps the City is taking to mitigate odors at the Rapp Road Landfill, we propose to undertake the following actions:

1. Intermediate cover soil of at least a one-foot depth will be placed over solid waste brought to grade at the top of the Albany Interim Landfill. The northeast quarter will be covered with soil during the week of September 22, 1997, and remaining areas will be covered as soon as they can be brought to final grade. As you know, very little space remains in the Albany Interim Landfill, so this action will be accomplished within a short time frame.
2. We will move the active landfilling operation as quickly as possible into the expansion area which is farther away from sensitive receptors and less likely to create complaints related to odors from daily operations.
3. We will complete remaining pipe connections to the uppermost horizontal extractors in the Albany Interim Landfill. We will open all extraction valves to their full open positions except in cases where excessive air intrusion and temperature rise is created by this action. We will continue to extract gas at the maximum safe levels in order to minimize emissions of landfill gas from the site.

---

4. The City has begun design work for extension of the barrier wall between the landfill and Fox Run Estates. The wall will be extended to the east where most complaints occur. A proposed design for the wall extension will be submitted to the Department for review by October 24, 1997.

5. We will study potential downwash impacts to exhaust gases from the landfill gas flare and take mitigation steps if required. The work plan for the flare exhaust impact study will be submitted for Department review by November 15, 1997.

We believe that these actions comprehensively address all complaints and negative impacts that we are currently aware of and, as always, we will endeavor to work with the Department and the public to maintain appropriate environmental standards.

Sincerely,



Gregg D. Nolte, P.E.  
Deputy Commissioner

cc. Bill Bruce



# SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT Continuation Sheet

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GREEN COPY	Inspector

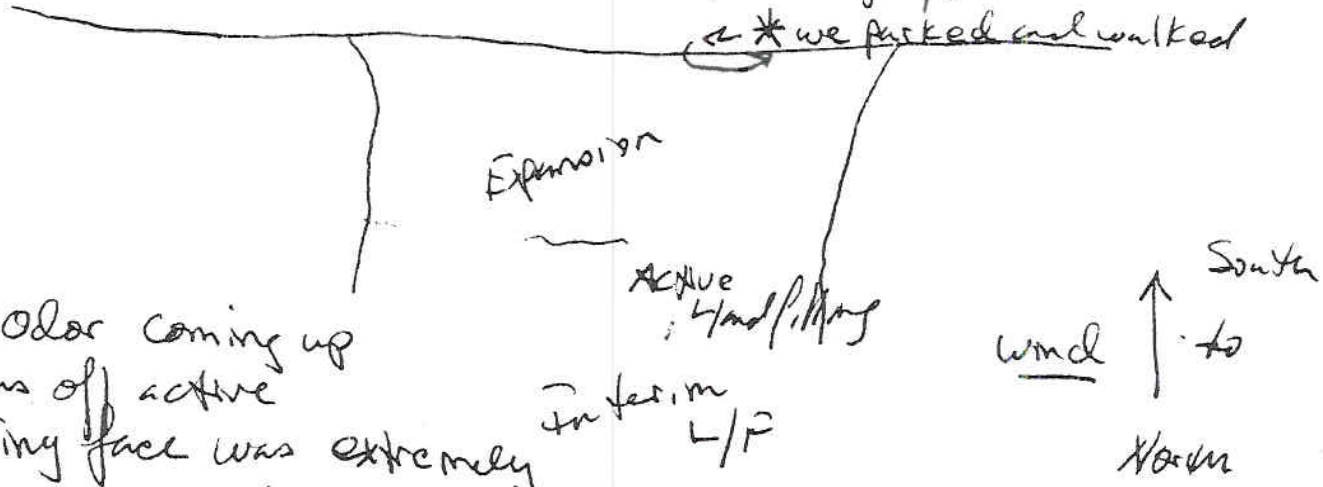
FACILITY NAME <i>Albany Interim L/F Rapp Road</i>		LOCATION <i>Rapp Road</i>		FACILITY NO. <i>01507</i>	DATE <i>051278</i>	TIME <i>10:00</i>
INSPECTOR'S NAME <i>Thomas K Reynolds</i>		CODE <i>5</i>	PERSONS INTERVIEWED AND TITLES <i>see sheet</i>			
REGION <i>4</i>	WEATHER CONDITIONS <i>Sun 65-70°</i>		DEC PERMIT NUMBER			
SHEET <i>3</i> of <i>3</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PART(S) 360--			

Violations of Part 360 are Subject to Applicable Civil, Administrative, and Criminal Sanctions Set Forth in ECL Article 71.  
Additional Violations May be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
[Uncorrected violations must be described in detail and located on a sketch].

*After meeting John Felt man, Tom Callen, Bill Clarke and myself drove to top of Greater Albany L/F to observe operation of Interim Expansion.*

*Greater Albany L/F*



*\* Odor coming up to us off active working face was extremely strong - very objectionable - we stopped along Washington Ave Extension - could detect garbage odor, but not as strong as up near L/F. Difficult considering strength detected to call violation without complaint.*

*Thomas K Reynolds P.E.*  
Inspector's Signature

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge [Please print]

Signature

Date

FACILITY COPY





DISTRIBUTION ROUTING  
DATE TIME REGION  
REVISIONS  
DATE TIME REGION  
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**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

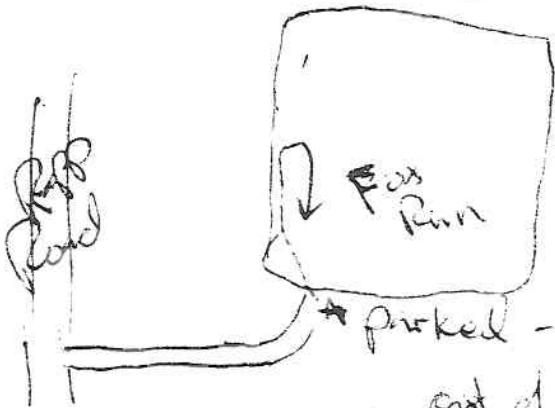
FACILITY NAME <i>Albany Interim 4/2</i>		LOCATION <i>Pop Road Albany</i>	FACILITY NUMBER <i>01510207069911</i>	DATE <i>11/11</i>
INSPECTOR'S NAME <i>Thomas R Reynolds</i>		CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES	
REGION <i>4</i>	WEATHER CONDITIONS <i>Het, Humid, mild wind</i>	DEC PERMIT NUMBER		
SHEET <i>1</i>	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PART(S) 360-		

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 21, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations (Uncorrected violations must be described in detail and located on a sketch)

*\*Inspection in response to complaint of odors in Fox Run Estates -  
Interim 4/2  
Sound wall*



*\* parked - smelled garbage as soon as got out of car/truck - got stronger as walked South towards landfill - about half way into Fox Run car was approaching strength of a working face - violation of off-site odor nuisance 1.14*

*\* Went into landfill - drove up on top of "hedge" South side looking down into fill area - observed two (2) Champyne 100 yd<sup>3</sup> walking floor trailers dumping - ? from where?*

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet

*[Handwritten Signature]*  
Inspector's Signature

Individual in Possession of This Report, Please Print

Signature

SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT  
Continuation Sheet

FACILITY NAME Albany Interim 4/R		LOCATION Rupp Road	FACILITY NUMBER 011 15 10 12	DATE 1/2/24/99	TIME 0940
INSPECTOR'S NAME Thomas R Reynolds		CODE S	PERSONS INTERVIEWED AND TITLES Ted Williams		
REGION 4	WEATHER CONDITIONS Clear 15°	DEC PERMIT NUMBER			
SHEET 2	CONTINUATION SHEET ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360- Attached			

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71,  
and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations.  
(Uncorrected violations must be described in detail and located on a sketch).

Inspection in Fox Run Estates in response to resident's complaints regarding birds (crows/starlings) and odors

• Detected only faint "garbage" odor in Southwest corner  
not a violation

• large bird population of both crows and starlings along Southern border Fox Run - 1000's starlings, > 500 crows  
Crows were often on ground in peoples yards.  
Roadways, driveways and cars had many droppings -  
Population not controlled - violation of 360-1.14(e).

• 1000's of starlings also on closed landfill slopes and on the working face.

I hereby acknowledge receipt of the  
Facility Copy of this Inspection Report sheet

Individual in Responsible Charge (Please Print)

Signature

92 Reynolds R. E.  
Inspector's Signature

Date



**6 NYCRR Subpart 360-2**  
**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**

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[For Use at Mixed Solid Waste Landfills, Industrial/Commercial Waste Monofills, or Ash Residue Monofills]

FACILITY NAME <i>Silver King Intercom 712</i>		LOCATION <i>Rupp Rd Albany</i>		FACILITY NO. <i>01151012</i>	DATE <i>11/22/99</i>	TIME <i>0940</i>
INSPECTOR'S NAME <i>Thomas R. Coyne</i>		CODE <i>5</i>	PERSONS INTERVIEWED AND TITLES <i>Ted Williams NYSDDEC Central Office</i>			
REGION <i>4</i>	WEATHER CONDITIONS <i>Clear, 15°</i>		DEC PERMIT NUMBER			
SHEET <i>1</i> of <i>1</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PART(S) 360—		Attached	

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Air Acts. Additional and/or Multiple Violations May be Described on the Attached Continuation Sheet.

This form is a record of conditions which are observed in the field at the time of inspection  
Items marked NI indicate no inspection and do not mean no violation has occurred.

PART 360 PERMIT       ORDER ON CONSENT       EXEMPT       COMPLAINT

C	NI	V	FACILITY MANAGEMENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Solid waste management facility is authorized and management occurs within approved area. 360-1.5(a); 360-1.7(a)(1),(b); 360-8.3(d)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Incoming solid waste is monitored by a control program for unauthorized waste, and solid waste materials accepted are those authorized and approved for management at the facility:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Hazardous/Low-Level Radioactive Wastes. 360-1.5(b); 360-2.17(m)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Control Program. 360-1.14(e)(1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Department Approved Facility for Specific Wastes. 360-1.14(r); 360-2.17(l),(p)(1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	d. Bulk Liquids. 360-2.17(k)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	e. Whole Tires. 360-2.17(v)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	f. Lead Acid Batteries. 360-2.17(w)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Operator maintains and operates facility components and equipment in accordance with the permit and their intended use:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Maintenance of Facility Components/Site Grading. 360-1.14(f)(1); 360-2.17(h),(u)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Adequate Equipment. 360-1.14(f)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Operational records are available where required:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Unauthorized Solid Waste Records. 360-1.14(i)(1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Self Inspection Records. 360-1.14(i)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Permit Application Records. 360-1.14(i)(3)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	d. Monitoring Records. 360-1.14(i)(4)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	e. Facility Operator Records. 360-1.14(u)(1)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	f. Fill Progression Log. 360-2.9(e)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	g. Primary Leachate Collection and Removal System Logs. 360-2.9(j)(3)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	h. Asbestos Waste Site Plan. 360-2.17(p)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	i. Random Waste Collection Vehicle Inspection Records. 360-2.17(q)
<b>OPERATION CONTROL</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Solid waste, including blowing litter, is sufficiently confined or controlled. 360-1.14(j)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Dust is effectively controlled, and does not constitute an off-site nuisance. 360-1.14(k)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. On-site vector populations are prevented or controlled, and vector breeding areas are prevented. 360-1.14(l)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Odors are effectively controlled so that they do not constitute a nuisance. 360-1.14(m)
<b>WATER</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Solid waste is prevented from entering surface waters and/or groundwaters. 360-1.14(b)(1)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Leachate is minimized through drainage control or other means and is prevented from entering surface waters. 360-1.14(b)(2); 360-2.17(g)
<b>ACCESS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Access to the facility is strictly and continuously controlled by fencing, gates, signs, natural barriers or othersuitable means. 360-1.14(d)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. On-site roads are passable. 360-1.14(n); 360-2.17(s)
<b>WASTE HANDLING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. Solid waste is spread in layers 2 feet or less in thickness, proper compaction is achieved with 3 passes of appropriately sized equipment, and the working face area is the smallest practicable. 360-2.17(b)(1)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Lift height does not exceed 10 feet, slope is at least 4 percent and no more than 33 percent, and wastes are placed and graded in accordance with fill progression plan. 360-2.17(b)(2)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15. Solid waste preparation measures and/or precautions are provided:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. Stabilized/Dewatered Sludges. 360-2.17(n)



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PINK COPY—Facility  
GREEN COPY—Inspector

**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

FACILITY NAME <i>Albany Intern 4/P</i>		LOCATION <i>Rupp Rd</i>	FACILITY NUMBER <i>01502</i>	DATE <i>020800</i>	TIME <i>114</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE & PERSONS INTERVIEWED AND TITLES <i>S Ted Williams, NYDEC Central Office</i>			
REGION <i>4</i>	WEATHER CONDITIONS <i>Sim 25-30 -</i>		DEC PERMIT NUMBER		
SHEET <i>2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PART(S) 360-			
<i>2</i> OF <i>2</i>		Attach			

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch)

#5. Violation of 360-1.14(j), blowing litter - there are a large number of blown plastic bags / plastic in trees and on fence structures in an easterly direction from the wedge up to an estimated 500-800' distance from the boundary of the active cell.

#16. Violation of 360-2.17(c), daily cover. On the southeast corner of the wedge it was observed that chips appear to be used as an "alternative" daily cover. 360-2.1 specifies use of 6" of soil or an alternative approved by the Department; pine chips have not been approved at this facility for this purpose. In addition, in general there is a fair amount of exposed waste in areas where it may be considered by the City adequate cover has been placed. This condition may in part be cause of blowing litter and excess SW

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

*Thomas R. Reynolds P.E.*  
Inspector's Signature

\_\_\_\_\_  
Individual in Responsible Charge (Please print)  
\_\_\_\_\_  
Signature

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**6 NYCRR Subpart 360-2**  
**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**

(For Use at Mixed Solid Waste Landfills, Industrial/Commercial Waste Monofills, or Ash Residue Monofills)

FACILITY NAME <i>Albany Tintorm 4/E</i>		LOCATION <i>Rupp Rd</i>	FACILITY NUMBER <i>01151020208100</i>	DATE <i>11175</i>
INSPECTOR'S NAME <i>Thomas R. Reynolds</i>		CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES <i>Ted Williams, NYSDIE Central Office</i>	
REGION <i>4</i>	WEATHER CONDITIONS <i>Sun/W/ze 25-30° little wind</i>		DEC PERMIT NUMBER	
SHEET <i>1 OF 2</i>	CONTINUATION SHEET ATTACHED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PART(S) 360-  Attached	

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts. Additional and/or Multiple Violations May Be Described on the Attached Continuation Sheet.

This form is a record of conditions which are observed in the field at the time of inspection.  
Items marked NI indicate no inspection and do not mean no violation has occurred.

PART 360 PERMIT     ORDER ON CONSENT     EXEMPT     COMPLAINT

- |                                     |                          |                          |   |
|-------------------------------------|--------------------------|--------------------------|---|
| <b>C</b>                            | <b>NI</b>                | <b>V</b>                 | <b>FACILITY MANAGEMENT</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Solid waste management facility is authorized and management occurs within approved areas. 360-1.5(a); 360-1.7(a)(1),(b); 360-8.3(d).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Incoming solid waste is monitored by a control program for unauthorized waste, and solid waste materials accepted are those authorized and approved for management at the facility:                                |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Hazardous/Low-Level Radioactive Wastes. 360-1.5(b); 360-2.17(m).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Control Program. 360-1.14(e)(1).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Department Approved Facility for Specific Wastes. 360-1.14(r); 360-2.17(l),(p)(1).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | d. Bulk Liquids. 360-2.17(k).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | e. Whole Tires. 36-0-2.17(v).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | f. Lead Acid Batteries. 360-2.17(w).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Operator maintains and operates facility components and equipment in accordance with the permit and their intended use:  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Maintenance of Facility Components/Site Grading. 360-1.14(f)(1); 360-2.17(h),(u).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Adequate Equipment. 360-1.14(f)(2).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Operational records are available where required:  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Unauthorized Solid Waste Records. 360-1.14(i)(1).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Self Inspection Records. 360-1.14(i)(2).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Permit Application Records. 360-1.14(i)(3).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | d. Monitoring Records. 360-1.14(i)(4).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | e. Facility Operator Records. 360-1.14(u)(1).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | f. Fill Progression Log. 360-2.9(e).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | g. Primary Leachate Collection and Removal System Logs. 360-2.9(j)(3).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | h. Asbestos Waste Site Plan. 360-2.17(p)(2).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | i. Random Waste Collection Vehicle Inspection Records. 360-2.17(q).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>OPERATION CONTROL</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Solid waste, including blowing litter, is sufficiently confined or controlled. 360-1.14(j).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Dust is effectively controlled, and does not constitute an off-site nuisance. 360-1.14(k).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. On-site vector populations are prevented or controlled, and vector breeding areas are prevented. 360-1.14(l).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Odors are effectively controlled so that they do not constitute a nuisance. 360-1.14(m).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>WATER</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Solid waste is prevented from entering surface waters and/or groundwaters. 360-1.14(b)(1).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Leachate is minimized through drainage control or other means and is prevented from entering surface waters. 360-1.14(b)(2); 360-2.17(g).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>ACCESS</b>   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. Access to the facility is strictly and continuously controlled by fencing, gates, signs, natural barriers or other suitable means. 360-1.14(d).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 12. On-site roads are passable. 360-1.14(n); 360-2.17(s).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>WASTE HANDLING</b>   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. Solid waste is spread in layers 2 feet or less in thickness, proper compaction is achieved with 3 passes of appropriately sized equipment, and the working face area is the smallest practicable. 360-2.17(b)(1). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. Lift height does not exceed 10 feet, slope is at least 4 percent and no more than 33 percent, and wastes are placed and graded in accordance with fill progression plan. 360-2.17(b)(2).                          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 15. Solid waste preparation measures and/or precautions are provided:   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Stabilized/Dewatered Sludges. 360-2.17(n).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Asbestos Waste. 360-2.17(p)(3).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Tanks. 360-2.17(r).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>COVER</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 16. Daily cover material is suitable in quality, of proper compacted thickness, and is applied and maintained where and when required to control vectors, fires, odors, blowing litter, and scavenging. 360-2.17(c).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 17. Intermediate cover material suitable in quality, of proper compacted thickness, and is applied and maintained where and when required. 360-2.17(d).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 18. Final cover system material is suitable in quality, of proper compacted thickness, and is applied and maintained. 360-2.17(e).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>MONITORING</b>   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 19. Monitoring wells are intact. 360-2.17(a); 360-2.11(a)(8)(v),(c)(1)(i).  |



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**SOLID WASTE MANAGEMENT FACILITY INSPECTION REPORT**  
**Continuation Sheet**

PLANT NAME <i>Sandy Interim 4/F</i>	LOCATION <i>Rupp Rd</i>	FACILITY NUMBER <i>01502</i>	DATE <i>07/1/00</i>	TIME <i>1200</i>
INSPECTOR'S NAME <i>Wm R Reynolds</i>	CODE <i>S</i>	PERSONS INTERVIEWED AND TITLES <i>see sheet 1</i>		
WEATHER CONDITIONS <i>Sun 80</i>	DEC PERMIT NUMBER			
CONTINUATION SHEET ATTACHED <i>2</i>	PART(S) 360- <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Attached

Violations of Part 360 are Subject to Applicable Civil, Administrative and Criminal Sanctions Set Forth in ECL Article 71, and as Appropriate, the Clean Water and Clean Air Acts.

Additional Violations May Be Noted on Sheet One of this Inspection Report.

Provide site sketches, clarification, supplemental information, locations of photographs or samples and/or locations of violations. (Uncorrected violations must be described in detail and located on a sketch).

#16- poor daily cover on Plateau of Interim 4/F just North of Working face. Area has received some soil as attempt @ daily cover - inadequate - Soil on area may cover 30-40% of waste - area had strong odor believed to be contributing to off-site odor problems. Areas where PosiShell for the most part adequate for exception of some of the slope areas near top of land fill.

\*Odor very strong at new working face - combination of poor daily cover and size of working face. Wind to the East, no close targets so not an issue on this occasion.

I hereby acknowledge receipt of the Facility Copy of this Inspection Report sheet.

Individual in Responsible Charge (Please print)

Signature

Date

*Wm R Reynolds*  
19. Monitor's Signature

REGIONAL OFFICE COPY





**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 2/13/03 8:00AM  
**Subject:** RE: daily cover

Vickie-

I just wanted to let you know that we have not ignored your request. We have placed 7000 gallons of Posishell on that slope in the last 2 days.

What you are seeing from the thruway is a weakness with Posishell. Normally, we hit the waste from both the top and bottom of the slope to get maximum coverage. Due to a the limits of the pumps (they only shoot 100'), we need to spray from the top of the slope down the hill. As a result, when you look up from the bottom of the hill you can't see the Posishell on the waste.

We have PCS on the way today to cover it.

Joe

-----Original Message-----

**From:** Victoria Schmitt [mailto:vmschmit@gw.dec.state.ny.us]  
**Sent:** Monday, February 10, 2003 2:02 PM  
**To:** giebej@ci.albany.ny.us  
**Subject:** daily cover

Hi Joe, could you please have some daily cover placed on cell 7 facing the thruway. All the litter blown into the trees looks bad enough (which I realize was beyond your control and cannot be fixed at this time), so it might help if the garbage was covered better.  
Thank you.

Vickie

**From:** "Gibelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "Victoria Schmitt" <vmschmit@gw.dec.state.ny.us>  
**Date:** 3/18/03 3:19PM  
**Subject:** RE: cover and litter

Vickie-

I just got this message this morning - I think your server was having problems because I sent you the ALRs Friday & they were bounced back to me.

John & I just spent the afternoon coating the east side with Posi-shell; we pulled hoses down the hill so that we could shoot up the hill and get the angle on the waste. We put 3500 gallons on a ~8000 square foot area. We will do the same tomorrow on the south side. If they doesn't make them happy, I don't know what will. I don't think it will look any different from the Thruway but we did our best; up close it meets spec. We can order a brown coloring agent to add to the Posi-shell if that will ease the visual impact.

Dirt is not a good option now; we can't get the trucks close without fear of flipping them over. We tried and it almost happened.

On the litter in the trees, we are waiting for the ground to dry a little more before renting the lift. We used a loader and got quite a bit. Once we are done with the Posi-shell, the trees are next.

Joe

-----Original Message-----

From: Victoria Schmitt [mailto:vmschmit@gw.dec.state.ny.us]  
Sent: Monday, March 17, 2003 8:29 AM  
To: giebej@ci.albany.ny.us  
Subject: cover and litter

Joe,

Good Morning and Happy St. Patrick's Day. Did that cover material you said was on its way arrive yet? I drove by the landfill yesterday, and it could definitely use more cover. Also, could you please have the blowing litter removed from the trees by the end of this week? Thank you.

Vickie



**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 4/30/03 12:40PM  
**Subject:** RE: Cover material, blowing litter and odors

Vicki-

Do you have an address for the person with the odor complaint? I need to have some more info before I can diagnose the problem (relative location to the landfill). The flare bid package is out right now & we should have better control over the gas within 6 weeks. We normally don't deploy the odor control devices until June but I'll have the mechanics get them out of storage and

As far as the cover situation goes, I noted the same problem & discussed the issue with the operators. Once again, they are having a reverse-slope difficulty with Posishell. We did posi-shell the face & we are in the process of placing contaminated soil on the entire slope (500 tpd+).

Blowing litter has been and is being addressed in several ways. Obviously, proper application of daily cover; if it is not done correctly, someone is getting suspended. We are purchasing a litter vac in the coming months so when we do have a problem, we can attack it with faster results. Finally, our labor situation is going to greatly improve; the set of laborers we have now refuse all overtime. We are excising a clause in their contract to force overtime in these situations (for example, high winds during the day). The litter you saw Sunday was a result of a change in wind direction Friday afternoon; no one would stay to address it.

Your complaints are not falling on deaf ears. I don't want to make excuses but overall, we have a discipline problem here that is manifesting into compliance issues.

Joe

-----Original Message-----

From: Victoria Schmitt [mailto:vmschmit@gw.dec.state.ny.us]  
Sent: Wednesday, April 30, 2003 9:55 AM  
To: giebej@ci.albany.ny.us  
Subject: Cover material, blowing litter and odors

Just wanted to let you know that I have been requested to address the following complaints regarding the Albany Landfill.

Two things going on with Albany landfill, other than it is now visible from Washington Avenue near Crossgates . . .

A couple of weekends ago, I drove past on the Thruway on a Sunday and the working face was a disaster. There was no evidence of daily cover, and there was litter in the trees everywhere.

The second thing is that someone I know asked who to complain to about odors. She lives not far away and has never even noticed odors before, but

says it's becoming unbearable all of a sudden. Could be where they're working, could be the lack of cover, whatever . I gave her the number and told her to call Tom.

the odor i get often is gas...i also see that the daily cover is missing late in the afternoon, early evening.... with the inherent bird population enjoying dinner.

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 6/2/03 2:59PM  
**Subject:** RE: odors

Vickie-

As we discussed, I don't believe that the source of the odors is the ALL (cells 1 - 6). We have active gas collection in those cells with the exception of the current lift (we have gone ~30' vertically since the last set of horizontal collectors have been installed). As we move the working face, we will install as per the plan.

I believe that the odors are actually coming from cells 7, 8, & 9. Those cells have horizontal collectors installed per our permit conditions however we do not have a vacuum on the horizontal collectors; the City intends to acquire a flare skid for this purpose in the near future. The waste mass is +/- 3 years old, not under sufficient vacuum & given its proximity to the Thruway, I believe that 7, 8, & 9 are the primary cause of the odors.

The majority of the C&D screenings are going directly into cell 11; roughly 60 tons of 250 are going to the ALL each day.

As of now, the City is going to throw out the bids received for the flare (\$229k for a \$65k purchase). We are going to re-bid with a less sophisticated bid within 2 weeks.

As we discussed, we will do our best to limit the application of this material into areas that are not under active gas collection. Just to clarify, regardless of the flare situation, horizontal collectors can not be installed into the waste mass yet; we have not achieved sufficient elevation from the floor of the cell.

Right now, I have 2 odor machines on the north wall (the third is down for repairs). I will place 1 along the South/East fence line ASAP & the third there when it is repaired.

Joe

-----Original Message-----

From: Victoria Schmitt [mailto:vmschmit@gw.dec.state.ny.us]  
Sent: Monday, June 02, 2003 1:58 PM  
To: giebej@ci.albany.ny.us  
Cc: baletj@ci.albany.ny.us  
Subject: odors

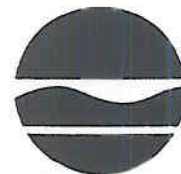
Joe, I passed by the landfill twice yesterday on the Thruway, and noticed strong hydrogen sulfide odors. Are you using processed C&D debris for daily cover on the ALL. I am concerned that the use of processed C&D debris for daily cover in this area could be causing odor problems since you are now placing waste that does not have active gas collection in close proximity. Please discontinue the use of processed C&D debris for daily cover over the ALL immediately. Thank you.

Vickie



certified mail  
return receipt requested  
for Mr. Mauro  
at Queens County  
Environmental  
Department  
7003 0500 0001 7330 2841  
November 7, 2003

**New York State Department of Environmental Conservation**  
**Office of Environmental Quality, Region 4**  
1150 North Westcott Road, Schenectady, New York 12306-2014  
**Phone:** (518) 357-2045 • **FAX:** (518) 357-2398  
**Website:** www.dec.state.ny.us



Erin M. Crotty  
Commissioner

CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
7003 0500 0001 7330 2841

November 7, 2003

Mr. Joseph Mauro  
Minnesota Methane/United Gasco  
Three Brick Plant Road  
East Brunswick, NJ 08816

Re: Albany Rapp Road Landfill Odor Complaints

Dear Mr. Mauro:

Recently, this Department has been receiving an increasing number of landfill odor complaints primarily from daily commuters using the New York State Thruway near the Exit 24 interchange as well as from offices located on Washington Avenue Extension west of Rapp Road. Department staff are also aware of many outages of the flare located at the Minnesota Methane Albany Landfill Gas Recovery and Combustion Plant (MMAL Gas Plant) which may be attributing to the odor complaints.

The Department has determined that the MMAL Gas Plant is not effectively controlling odors off the site of the landfill. Therefore, as stated under Special Condition #3 of the NYSDEC Part 360 permit issued for the MMAL Gas Plant, Minnesota Methane is required to investigate and determine if the odor problems are related to facility operations and propose modifications to the operation of the facility that will effectively control odors off-site. The Department is hereby requesting Minnesota Methane to submit a response addressing Special Condition #3 no later than 15 days following the receipt of this letter.

In addition, the approved MMAL Gas Plant Operations and Maintenance (O&M) Manual dated March 1996 states that the operation of the gas plant will require a plant operator and a landfill gas well field technician. The Department is aware that the gas plant is not staffed as stated in the approved O&M Manual. Please explain this discrepancy from the approved O&M manual in the requested response.

Mr. Joseph Mauro

Page 2

Lastly, effective upon receipt of this letter, Minnesota Methane is required to operate and maintain on a continuous basis the MMAL gas flare, and must notify me at (518)357-2071 or by email of each occurrence of flare outages. Also, a written explanation must be provided to this office, of the time, reason and remedy no later than 24 hours following each occurrence of a flare outage.

The Department will consider enforcement action should the above items not be provided as requested and within the indicated time frames.

If you have any questions concerning the above please contact me at (518) 357-2071 or email address : [vmschmit@gw.dec.state.ny.us](mailto:vmschmit@gw.dec.state.ny.us).

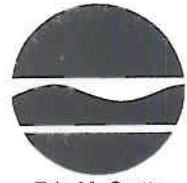
Sincerely,



Victoria M. Schmitt, P.E.  
Environmental Engineer  
Region 4

cc: Mr. Ben Heuser, Minnesota Methane  
Mr. Joseph Giebelhaus, City of Albany

day book



Erin M. Crotty  
Commissioner

## New York State Department of Environmental Conservation

### Office of Environmental Quality, Region 4

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • FAX: (518) 357-2398

Website: www.dec.state.ny.us

November 7, 2003

Mr. Joseph Giebelhaus  
Solid Waste Manager  
City of Albany Rapp Road SWM Facility  
Rapp Road  
Albany, NY 12205

Re: Albany Rapp Road Landfill Odor Complaints

Dear Mr. Giebelhaus:

As you know, the Department is receiving an increasing number of landfill odor complaints primarily from daily commuters using the New York State Thruway near the Exit 24 interchange as well as from offices located on Washington Avenue Extension west of Rapp Road. Landfill odors have also been reported on the southbound side of the Northway around exit 2W and on Richards Drive off Lincoln Avenue.

Although odor problems can be intermittent, and at times more subjective than quantitative in nature, the number of complaints being received necessitates that the City actively pursue a remedy.

The Department is therefore requesting that the City provide the following information to this office no later than 15 days following receipt of this letter:

1. an assessment of the current gas management system including a description of any equipment planned for installation and a schedule for such; and
2. an inventory of all potential sources of off-site odors resulting from the all phases of the Albany Rapp Road Landfill which shall include monitoring odors at the working face following the application of the daily cover to assess whether the daily cover is functioning adequately to control odors.

In addition, effective upon receipt of this letter, the City must notify me at (518)357-2071 or by email of each occurrence of flare outages and provide an explanation, in writing, of the time, reason and remedy no later than 24 hours following each occurrence.

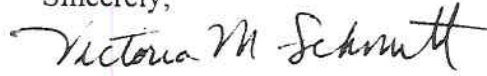


Mr. Joseph Giebelhaus

Page 2

The Department will consider enforcement action should the above items not be provided as requested. If you have any questions concerning the above please let me know.

Sincerely,

A handwritten signature in black ink that reads "Victoria M. Schmitt". The signature is written in a cursive style with a large initial "V" and a long horizontal stroke at the end.

Victoria M. Schmitt, P.E.  
Environmental Engineer  
Region 4

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 1/13/04 7:05AM  
**Subject:** RE: capacity

Vickie-

1,811,057 cubic yards as of 1/1/04. January 2008 is the conservative number....based on 1500 lbs./cubic yard & 1250 tpd (includes cover material). We routinely observe 1900 lbs./cubic yard; last survey we were up to 2600 lbs./cubic yard.

Cell 5 is still in progress; we had what I thought was a pump failure, then a problem with the meter. I cleared the lines and both seem to be functioning properly. As of Friday, we were at 133.75 (which is down); I had someone else read the meter yesterday and the value is lower than the number I reported for Friday. Let me check it myself this morning.

NEO's flare is down again. According to Don, the header is watered out up to second highest drain lateral up from the plant. I get the feeling that there is a design or construction defect in the header that is allowing both O2 and surface water to enter his system. Anecdotally, it seems that when it rains, he gets watered out. When it is dry, he is chasing a phantom O2 leak - sounds like a cracked pipe to me. The pipe is placed in MSW without any protection (stone) so shifting is not out of the question.

Obviously, this is a serious concern for the City. As you know, the City is in the middle of commencing a law suit for breach of contract. I am meeting with everyone in my chain of command this afternoon on several different issues. I am going to propose that we conduct a repair & deal with NEO later (...you have 24 hours or you are out...).

I'll keep you posted.

Joe

> -----Original Message-----

> From: Victoria Schmitt [SMTP:vmschmit@gw.dec.state.ny.us]  
> Sent: Monday, January 12, 2004 11:14 AM  
> To: giebej@ci.albany.ny.us  
> Subject: capacity

>

> Do you have an estimate of the remaining capacity at the Albany  
> Landfill? What's going on with the cell 5 ALRs?

COPIES TO  
SCHASSER,  
HAMMOND,  
TUFFEY -

Honorable Frank A. Leak  
Mayor  
Village of Colonie  
2 Thunder Road  
Colonie, New York 12201

30 Thoroughbred Lane  
Colonie, New York 12201  
January 16, 2004

Dear Mayor Leak,

We are concerned about a problem we are experiencing in Colonie. In the past several weeks, there have been several times we have noticed a very foul odor in the air. Recently, this odor was so pungent it scared us, and we called the police department in case it was a gas leak.

The fire engines arrived, and several fire fighters. They told us that they recognized the odor as the coming from the Albany City landfill. This is outrageous! We remember that a few years ago this landfill was supposed to be closed as it was overcapacity. Mostly likely, they have received some sort of extension to continue dumping there, but that does not mean it should be permitted to impinge on the quality of life for people living in Colonie.

We hope that your office is in contact with Mayor Jennings office in an effort to find a satisfactory solution. If the landfill continues to grow and destroy the quality of life in Colonie, we are concerned for the health, and safety of our family and other residents. Additionally, it can't be good for property values if the area is avoided by homebuyers due to a reputation for an odor so foul that residents can't go outside in their yards. This is a landfill located in an urban area, and as such should be looked at closely for health and safety concerns in a densely populated area.

It is time that Colonie actively advocate that the City of Albany be responsible with their trash disposal and close their overfilled landfill in a way that will not ruin the quality of life for village residents. Please keep us informed on what is happening with this situation. Thank you for your efforts.

Most Sincerely,

*Steve and Laura Davis*  
Mr. and Mrs Steven Davis

Cc: Carl Johnson, Deputy Commissioner, NYS Dept. of Environmental Conservation

JAN 21 2004





**From:** Victoria Schmitt  
**To:** Giebelhaus, Joe  
**Date:** 4/19/04 2:51PM  
**Subject:** Re: Rapp Road Update

Joe, let me know when the meeting is. Dick and I will both be there, also someone from our Central Office may attend. We are not available this Thursday.

Victoria M. Schmitt, P.E.  
NYSDEC - Region 4  
1150 North Westcott Road  
Schenectady, NY 12306  
(518)357-2071

>>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 04/16/04 01:17PM >>>  
Vickie -

Much has transpired since we last spoke & I think I should give you a quick update -

\* Odor complaints are on the rise. The Dunes has been logging complaints (3 or 4 so far this month). They coincide with wind patterns. Nothing is noticeable on site or around the perimeter but I am sure my nose is shot.

\* Cell 11 is under active gas collection. The air leaks that were delaying the hook-up have been addressed. I did one round of sampling & found 55% methane & no O2. We are using one of the small flare/blower combos for now.

\* The ECOSORB units are out of storage & the mechanics are going through them. Two should be ready by the close business today.

\* Minnesota Methane is here to repair condensate drain #2. The stone was silted over (again) thereby preventing condensate to drain out which in turn, reduces their gas volumes

\* MM has repaired the cap on the Thruway side. Grass seed has been planted.

\* MM has requested a meeting with the City to address odor concerns (next week sometime). I would like to invite you to that meeting so that you can air your grievances directly to those in control.

\* Surface Monitoring - I started to sample gas readings in uncapped areas of the landfill. I am using a 100' grid pattern to locate areas of concern. I probe down 2' through cover materials and attach my GEM to the probe. So far, I found one 'hot spot' in cell 7 (55% CH4) but the remainder of the area was 'clean' (<0.5%). On the AIL, the entire top was giving me 39% - 60% CH4, indicating inadequate vacuum pressure. MM is aware of it & admitted that several of the horizontals in the AIL are watering out. Based on what happens at the meeting above, should MM not agree to install verticals ASAP, the City will regardless of our business arrangement.

I'll let you know about the meeting.

Joseph C. Giebelhaus  
Solid Waste Manager  
City of Albany  
Department of General Services  
525 Rapp Road  
Albany, NY 12205

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 6/1/04 2:05PM  
**Subject:** RE: H2S Odors

Vickie -

I checked my calendar - the little flare was out when I came in Friday morning (5/21). My guess is that it blew itself out on Thursday after I left for the day; the blower does not automatically shut off if there is a drop in temp at the tip so it was continually blowing gas.

I was tuning the line (trying to get more gas) Thursday (5/20) & apparently allowed too much fuel to pass so the flare went out - hours after I left. None of my crack security team called to let us know it was out so the blower pushed raw gas right through the flare all night.

I re-adjusted & it has been running fine since.

I think there have been some big improvements in the last few weeks; as far as the City's gas goes, I hope all of our problems will be addressed in the next closure phase (I have seen a draft of the bid so we are well on our way). The cap will obviously help control odors. Three locations have been identified in cells 7, 8, & 9 for vertical wells. The header extension will give us greater vacuum on 10/11.

We are currently filling the lift we need to be at for the next round of horizontals in 10/11; if all goes well, we should have a second line to draw from in the next 2 - 3 weeks.

Believe me when I tell you that I know about the correlation between ADC & H2S. I did some soil probes in cell 11 (after the flare was installed) & found little in the way of gas (.5% CH<sub>4</sub>, 19% O<sub>2</sub>).

Overall, when speaking with the residents, I am getting a sense that it situation has been getting better over the last few weeks; most are calling now about an odor they noted several weeks ago.

Joe

> -----Original Message-----

> From: Victoria Schmitt [SMTP:vmschmit@gw.dec.state.ny.us]  
> Sent: Tuesday, June 01, 2004 11:55 AM  
> To: giebej@ci.albany.ny.us  
> Subject: RE: H2S Odors

>

> Can you send or fax (357-2398) me a copy of the Thank you letter.

> Thanks.

>

> The odors were detected on May 20th- around 3:00 pm - it was sunny and  
> about 75 degrees -very strong H2s odor

>

> and May 28th - around 11:45 am - partly cloudy and about 75 degrees -  
> odor not as strong.

>

> I'm concerned about C&D ADC causing these odors. It's really important



> that sufficient gas collection is provided in the cells where processed  
> C&D is used for ADC.  
>  
> >>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 06/01/04 11:39AM >>>  
> Vickie-  
>  
> I have 3 complaints and one thank you for May. 2 from the Washington  
> Ave  
> area and one from Tanglewood in Colonie.  
>  
> Regarding cells 10 & 11, we have one line installed and under vaccume  
> with  
> a small flare/blower combination. That line will be tied into the  
> main  
> header with our large flare as part of the closure of cells 7/8/9. Our  
> next  
> round of horizontals are due for installation in this lift.  
>  
> If you detected something, could it be weather/time related? I was in  
> at  
> 5:30 this morning and detected an odor right at the working face but  
> no  
> where else. I expected an odor given the weather.  
>  
> Any idea on what time you smelled the H2S?  
>  
> Joe  
>  
> > -----Original Message-----  
> > From: Victoria Schmitt [SMTP:vmschmit@gw.dec.state.ny.us]  
> > Sent: Tuesday, June 01, 2004 10:51 AM  
> > To: giebej@ci.albany.ny.us  
> > Subject: H2S Odors  
> >  
> > Hi Joe,  
> >  
> > The last two Fridays I have noticed H2S odors on the thruway west of  
> > Exit 24. Do you know what would be causing this? What's going on in  
> > Cells 10 and 11? Have you gotten any odor complaints?

Albany CF odor

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "Vickie Scmitt (E-mail)" <vmschmit@gw.dec.state.ny.us>  
**Date:** 6/4/03 7:36AM  
**Subject:** Landfill Gas

Vickie-

To expand on our conversation, the agreement between the City and NEO allows NEO the right to refuse the gas for purposes of power generation. NEO has 'grandfathered' tax credits from the use/destruction of gas produced from the AIL; use or destruction of the gas from P4 endangers their tax credit. We have cracked open the header from 7, 8, & 9 several times in the past however NEO closes it back down in a matter of days.

Given NEO's focus is on power generation & not environmental compliance, the City decided to embark on gas management for the new areas of the landfill. We have had issues in the past where areas of the landfill under the control of NEO were not under full vacuum because of engine performance issues relating to a specific well or header. As such, we were hoping to implement a system where by, should NEO shut down or not manage 100% of their field, the City would be in a position to 'pull' gas from the entire site.

City released a bid for the acquisition and installation of an appropriately sized flare. The bids came back two to three times the estimated value. The City is throwing out the bids.

As an interim solution, John Balet is on the way to Colonie to look at the large utility flare they have sitting idle. From what I understand, one of the reasons why it is sitting idle is that it does not work. While John is there, he is going to get a spare point-source flare they have. We will be acquiring a small blower to provide vacuum on cells 7, 8, & 9. I expect that all fabrication will be complete by this Friday.

Regarding complaints, I know indicated that you are receiving quite a few. The City has only received one odor related complaint in the month of May. Can you please have the individual contact us directly when the problem is noted? The numbers are 869-3651 during normal business hours and 869-6767 nights, weekends, holidays. I need to document them and react; self inspection only goes so far so please have them call.

Thank you.

Joseph Giebelhaus  
Solid Waste Manager  
City of Albany  
Department of General Services  
518-869-3651 (phone)  
518-869-6825 (fax)  
giebej@ci.albany.ny.us

**CC:** "Bruce, Bill" <brucew@ci.albany.ny.us>, "Marsolais, John" <marsoj@ci.albany.ny.us>

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Vicki Schmit'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 7/13/04 1:52PM  
**Subject:** FW: Odor at Rapp Road Landfill

Vickie -

Below is FYI. It will be in the monthly report for July.

Joe

> -----Original Message-----

> From: Ron Graef [SMTP:ron\_c\_g@yahoo.com]  
> Sent: Tuesday, July 13, 2004 9:52 AM  
> To: Giebelhaus, Joe  
> Subject: Re: Odor at Rapp Road Landfill

>  
> Thank you for your response to my e-mail. I have also  
> received a reply from Mr. Bruce. We will continue to  
> monitor our neighborhood air quality and advise you of  
> any change due to ordors. Thank you again for your  
> explanation and concern.

> Ron and JoAnne Graef  
> --- "Giebelhaus, Joe" <giebej@ci.albany.ny.us> wrote:  
> > Mr. Graef -

> >  
> > I apologize for the delay in responding to your  
> > complaint; I was away last  
> > week and only found out about it today.

> >  
> > The City is keenly aware of the problem at the  
> > landfill. The City has been  
> > suffering from the short-comings of the private  
> > corporation responsible for  
> > the collection and management of gas on site. The  
> > firm itself has recently  
> > come out of bankruptcy court; in the interim, the  
> > City has been taking  
> > steps to manage the problem.

> >  
> > The City is required to conduct perimeter monitoring  
> > on a daily basis and  
> > record/report each complaint we receive. To date,  
> > our instruments have not  
> > observed any gas on site - however - regardless of  
> > what instruments tell us,  
> > the human senses are far more sensitive to the odor  
> > than what can be  
> > accurately measured in the field.

> >  
> > We are actively working to address odor concerns and  
> > feedback from our  
> > neighbors is critical in evaluating the efforts that  
> > we undertake.  
> > Temperature, humidity, air pressure, wind direction  
> > and time of day all play





**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 8/17/04 10:52AM  
**Subject:** (possibly spam: 6.8700) RE: Gas Collection System

Vickie -

I don't believe that they are contractually bound to seek our approval.

If you have any comments, please get them out as soon as possible.

Thanks

Joe

> -----Original Message-----

> From: Victoria Schmitt [SMTP:vmschmit@gw.dec.state.ny.us]  
> Sent: Tuesday, August 17, 2004 9:41 AM  
> To: giebej@ci.albany.ny.us  
> Subject: Re: Gas Collection System

>  
> I heard the odors were really bad yesterday. I received two complaints  
> from the Village of Colonie: yesterday from [REDACTED] Ridge Terrace,  
> and this morning a woman located north of Central Avenue by Saddlewood  
> school.

>  
> Do you have any comments on MM's 8/12 submittal. Are they  
> contractually required to have the City's approval to proceed?

>  
> >>> "Giebelhaus, Joe" <giebej@ci.albany.ny.us> 08/17/04 08:55AM >>>  
> Vickie -

>  
> Due to the heavy rains, we are having difficulty maintaining vacuum on  
> all  
> of the horizontals. The horizontals are acting like trenches; all  
> the  
> water is running to and through them.

>  
> Hopefully they will drain down in the next few hours and we will have  
> some  
> better performance.

>  
> Joseph C. Giebelhaus  
> Solid Waste Manager  
> City of Albany  
> Department of General Services  
> 525 Rapp Road  
> Albany, NY 12205  
> 518-869-3651  
> 518-869-6825 (fax)

**From:** "Giebelhaus, Joe" <giebej@ci.albany.ny.us>  
**To:** "'Victoria Schmitt'" <vmschmit@gw.dec.state.ny.us>  
**Date:** 10/1/04 3:14PM  
**Subject:** RE: odor complaint

Vickie -

I already spoke with her. I gave her a target completion date of 10/15.

We have 8 wells done & the pipe crew is starting on Monday. Jason is having Moretrench seal off the wells a little better (and making sure that when they start one, they finish it by the end of the day). I was just up there and it really did not smell that bad.

FYI - Mike Breslin sent a letter to the Village of Colonie providing them with an update on the current status of the project (how he is involved, we don't know.....). Regardless, Colonie sent it to the TU so be on the look-out over the next couple of days.

Joe

> -----Original Message-----

> From: Victoria Schmitt [SMTP:vmschmit@gw.dec.state.ny.us]

> Sent: Friday, October 01, 2004 3:04 PM

> To: giebej@ci.albany.ny.us

> Subject: odor complaint

>

> Joe, I received a complaint from [REDACTED] of the Pineview

> Preschool. She said they are losing customers due to the landfill odors.

> I gave her your phone number.







CITY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES

GERALD D. JENNINGS  
MAYOR

WILLARD A. BRUCE  
COMMISSIONER

## City of Albany Landfill Tip Fees

Effective May 1, 2007

**ANSWERS TIP FEE:** \$52.00 per ton

**COMMERCIAL RATES:**

MSW: Gate Rate	\$70.00 per ton
MSW: 300 + tpd	\$40.00 per ton
C&D	\$80.00 per ton
Sludge	\$70.00 per ton
PCS/ADC	\$25.00 per ton
Truck Dig – Out	\$40.00 per truck

**RECYCLING TIP FEES:**

Commingled Paper	\$20.00 per ton
Commingled glass, metal, plastic	\$50.00 per ton

**UNACCEPTABLE WASTE DISPOSAL FEES:**

Tires	\$10.00 each
White Goods	\$25.00 each

**PERMITS:**

Application Fee:	\$200.00
Truck Permit Fee:	\$100.00 per truck

**WITH THE EXCEPTION OF ANSWERS COMMUNITIES, HAULERS MAY ONLY CHARGE TO THEIR OWN ACCOUNTS. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT JOE GIEBELHAUS AT 518-869-3651.**

7254 NYSDEC INITIAL SPILL REPORT FORM  
Region: 4 - Schenectady  
Responder:  
#: 444

Spill No.: 0407254  
Report Date: 09/30/04  
Spill Class:  
Closed Date:

Caller Information  
Name: ANNYOMOUS  
Agency:

Notifier Information  
ANNYOMOUS

Phone #: ( ) -

( ) -

Call Date: 09/30/04 11:07 hrs

Call RCVD Date: 09/30/04 11:07 hrs

Material(s) Spilled	Class	Amount Spilled	Amount Recov	DER Code	CASNO
METHANOL (Methyl or Wood)	HazMat	0 Gal	0	0032	00067561

Name: Spill Location  
ANSWERS PALNT  
Address: RAPP ROAD  
ALBANY CO: Albany  
Contact:  
Phone:

Potential Spiller Information  
ANSWERS PALNT  
RAPP ROAD  
ALBANY, NY

Spill Cause: Other Resource Affect: Air  
Spill Source: Other Non Comm/Institutional Notifier: Citizen  
PBS No.: Waterbody:

*Central Hudson*

Caller Remarks:  
CALLER SAYS THAT THE SMELL HAS BEEN SO STRONG, HANGING OUT HER CLOTHES, AND  
DRIVING OUT OF CROSSGATES MALL, PEOPLE ARE COVERING THERE NOSES; IT SEEMSS TO BE  
AROUND 7-10PM AT NIGHT THE WORSE: ALSO DRIVING ON 155 YOU CAN SMEEL: THINKS  
SOMEONE SHOULD CHECK:  
\*\*\*\* End of Report \*\*\*\*

*Landfill Issue*

*Referred to Solid waste.*

*I gave this report to Lynne Lyons  
This is my report.*



**PETER HENNER**  
**ATTORNEY AND COUNSELOR AT LAW**  
P.O. BOX 326  
CLARKSVILLE, NEW YORK 12041-0326  
(518) 768-8232  
Fax: (518) 768-8235  
[peter@peterhenner.com](mailto:peter@peterhenner.com)  
WEB SITE: [peterhenner.com](http://peterhenner.com)

\*

via facsimile transmission (357-2460) and regular mail

December 5, 2008

Mr. Angelo Marcuccio, Environmental Analyst  
New York State Department of Environmental Conservation  
Region 4 Headquarters  
1130 North Westcott Rd.  
Schenectady, NY 12306

Re: City of Albany Rapp Road Landfill Expansion, DEC permit numbers 4-0101-00171/00011,  
00013, 00015 and 00016, and Storm Water Management Permit.

Dear Mr. Marcuccio:

I am the attorney for Save the Pine Bush, a well known environmental organization that has been active in opposing the three previous expansions of the City of Albany's Rapp Road Landfill. Save the Pine Bush is opposed to the latest expansion, the so-called "eastern expansion" and will be submitting formal comments explaining the basis for our opposition, both with respect to the regulatory issues pertaining to the necessary permits, and also with respect to the adequacy of the environmental review performed pursuant to the New York State Environmental Quality Review Act (SEQRA).

I am writing to make two separate requests: 1) DEC should extend the deadline for the submission of written comments, from December 15 to January 31, and 2) DEC should commit to scheduling an adjudicatory hearing, to be presided over by an Administrative Law Judge (ALJ) from the Department's Office of Hearings and Mediation Services. By scheduling the matter for an adjudicatory hearing, the critical determination as to whether opponents of the landfill have raised substantive and significant issues will be made by an ALJ, pursuant to the standards set forth in 6 NYCRR 624.4 (c), subject to an appeal to the Commissioner pursuant to §624.8 (d). Such a hearing would replace the Department's apparent intention to have Staff decide whether the issues raised by the public warrant a hearing. Staff would utilize unknown and secret standards, with no opportunity for any administrative appeal.

DEC 08 2008

### **Need for an extension of the comment deadline**

The City submitted this latest application for a Part 360 permit modification for the Rapp Road Landfill in July 2007. This application was extensively reviewed by DEC staff and was subject to at least two rounds of comments, as memorialized in the responses to comments from the City's consultant, Clough Harbor and Associates (CHA), on April 3, 2008 and June 30, 2008. In addition to the two formal comment letters which are available on the Landfill's website, DEC also had the opportunity for extensive comments and interactions with the City's consultant, pertaining to the contents of the Part 360 permit application, as well as with respect to the other associated permits and the SDEIS. However, the public did not have any opportunity to review these documents until the fall of 2008, when they were ultimately posted on the website.

In late September or early October, DEC made a determination of completeness, effectively stating that, from DEC's perspective, all regulatory requirements have been met (see 6 NYCRR § 621.2 (f), defining "complete applications"). Evidently, it took DEC, with its extensive staff and professional expertise, over a year to determine that the City's application met all regulatory criteria. Nevertheless, the public, when first advised of the notice of complete application, by notice dated October 6, 2008, was initially only given until November 7, 2008 to respond. Even though the deadline was subsequently extended until December 15, 2008, a little over two months is insufficient to file comprehensive comments because of the extensive materials that must be reviewed, especially since it took DEC staff as long as it did to complete its review.

I have submitted a Freedom of Information Law (FOIL) request, on behalf of Save the Pine Bush, to obtain access to other documents that are part of the Department's records. I believe that it is essential for Save the Pine Push to review the FOILED materials before preparing comments on the City's application. I have been advised, by letter from Region 4 Records Access Coordinator Toni Mauceri, that the requested records will not be available until December 17. In practice, this means that I can expect a phone call on or about December 17, advising me that the records are available, and that arrangements will need to be made to either review them at the DEC office, or have them sent to a copy center and copies made for me. Given that the following week is Christmas week, this would mean that I cannot reasonably expect to be able to obtain access to these records until early January 2009.

Under these circumstances, an extension until January 31 is warranted, both because of the volume of paper that the public needs to review, and because of the specific need for Save the Pine Bush to review the information obtained pursuant to the FOIL request. If this request is granted, the public will have from October 6, 2008 to January 31, 2009, a total of four months, compared to the 15 month period that DEC Staff reviewed the application (not including any additional time that DEC Staff had to review the issues before the filing of the application in July 2007).

### **Need for an adjudicatory hearing**

According to the notice of hearing, "the Department will make a determination of whether substantial or significant issues have been raised as defined in 6 NYCRR Part 621

Uniform Procedures and whether an adjudicatory hearing issues conference should be scheduled before an Administrative Law Judge." The notice does not indicate what standards the Department will apply to make this determination, and it appears that there are no provisions for any review of the determination. Furthermore, information about the Department Staff's decision making process will presumably be exempt from disclosure under FOIL, under the "intra-agency" exemption (Public Officers Law § 87 (2) (g)).

Thus, the Department is apparently planning to rely on a secret decision-making process, without any standards or right to appeal, to determine a critical issue of tremendous importance, not only to the advocates for the preservation of the Pine Bush, but also to thousands of people who live in close proximity to the landfill, and to the Village and Town of Colonie, who have both expressed strong opposition and concern about the landfill expansion.

On November 1, 1999, Save the Pine Bush, by letter from its then counsel, Lewis Oliver, submitted a 28 page single-spaced letter, referring to evidence that would be presented by Save the Pine Bush's experts, and discussing, at considerable length, the regulatory issues involved in the City's request for a third landfill expansion. Mr. Oliver's letter addressed several issues that are raised again in the City's latest request for a variance from Part 360 regulations: 1) the siting of a landfill over a principal aquifer, and 2) the intention not to use 12 inches of intermediate soil cover. Mr. Oliver also discussed the failure of the Part 360 application to consider: 1) alternatives (§ 360-2.3 (i)), 2) the requirement regarding siting of a landfill that might contribute to the taking of an endangered species (§ 360-1.7 (a) (1)), and 3) the inadequacy of the mitigation plan (§ 360-1.8 (b)). Mr. Oliver specifically requested that DEC convene an adjudicatory hearing, to give the public in general, and Save the Pine Bush in particular, an opportunity to demonstrate that adjudicatory issues actually existed. At the conclusion of the SEQRA process, on February 28, 2000, Mr. Oliver submitted a second letter, 24 pages long, once again pointing out the relevant issues.

Unfortunately, DEC did not conduct an adjudicatory hearing, and instead issued the permit with no further opportunity for public input. Even though Save the Pine Bush had presented lengthy material, with extensive citations to the relevant regulatory criteria, the Department did not provide the public an opportunity to file a formal petition for party status and to present argument that substantive and significant issues existed that might have precluded the issuance of a permit.

The determination of DEC to issue a permit in 2000 was ultimately affirmed by the courts. The lower court specifically deferred to the expertise of DEC Staff and discounted the evidence presented by Save the Pine Bush with respect to the issue of the variances. On appeal, the Appellate Division did not reach the merits of the issue, choosing instead to decide the case on the grounds of laches.

The experience of the litigation in 2000 demonstrates that the public can only have a meaningful opportunity to be heard with respect to the technical issues if it has an opportunity to present them to an independent Administrative Law Judge who will be able to consider the technical merits of the issues. Department decisions as to environmental issues, especially technical issues pertaining to landfill regulations, are entitled to judicial deference. Because such



decisions are likely to be upheld by the courts, it is critical that the decision-making process be open and transparent, and that the public must have an opportunity to have their concerns fairly considered. DEC should not hide behind the deference that might be given to an administrative agency to shield a particular applicant from public criticism and to prevent environmental organizations from having their concerns considered.

The notice of a complete application did not specify that the public comments must raise significant and substantive issues. It is not clear, from the notice, whether the comments to be submitted must meet the standards to raise adjudicatory issues set forth in Part 624 in order for Staff to determine to conduct an adjudicatory hearing. Instead, the public may be lulled into believing that their comments will be considered under a general standard, without having to meet specific criteria to warrant an adjudicatory hearing. The public may also believe that DEC will provide a further opportunity to raise issues with the specificity required to require an adjudicatory hearing. However, if DEC Staff simply decides, as it did in 1999-2000, that it does not want to conduct an adjudicatory hearing by whatever standard Staff decides to use, the public will be deprived of an opportunity to have their issues fairly heard.

In order to avoid this danger, and to ensure DEC processes are transparent and fair, and in order to have the relevant decision with respect to the issues made by an independent ALJ, who will consider the technical issues involved in this permit application, Save the Pine Bush respectfully urges DEC to commit itself to conduct an adjudicatory hearing, and to give any interested parties the opportunity to raise issues at an issues conference, in accordance with the provisions of 6 NYCRR 624.4.

Based upon the experience in 2000, it appears that the Department may dismiss any issues that we may raise, and refuse, without reason or explanation, to conduct an adjudicatory hearing. Although Save the Pine Bush will identify the issues, including the propriety of the variances that the City of Albany is once again seeking, we are very concerned that our request will fall on deaf ears, as it did in 2000. This is especially true since, given the shortness of time, it will be very difficult for our comments to achieve the same level of specific detail, to incorporate expert opinion, and to elaborate on the basis of our opposition to the project and the grounds which would require the Department to deny the permit or to impose significant conditions upon it. These problems can and should be resolved by making it clear that interested parties will have an opportunity to subsequently file petitions for party status in the context of an adjudicatory proceeding under Part 624.

### **Conclusion**

In the interest of assuring a full and fair opportunity for the review of this project, the Department should take one or both of the two above-described actions. If the Department commits to convene an adjudicatory hearing, at which all interested parties will have the opportunity to file for party status and to make the requisite showing before an Administrative Law Judge that there are significant and substantial issues which could warrant the denial of the necessary permits for the proposed landfill expansion, the Department will achieve the worthy goal of a transparent review of the project, and the public can have some confidence in the fairness of the review. In addition, even if the Department is not willing to commit itself

to convene an adjudicatory hearing at this time, at the very least, the Department should extend the deadline, and make it clear that the Department will review the comments according to the same criteria utilized to determine whether to conduct an adjudicatory hearing with respect to any specific issue that is raised.

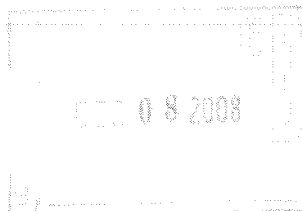
Of course, the best course of action, which Save the Pine Bush respectfully urges, is to both extend the deadline for comments on the complete application, and for the Department to commit to notice the application for an adjudicatory hearing, where all interested parties will have the opportunity to file Petitions for party status, in accordance with the criteria of Part 624.

Very truly yours,



Peter Henner

c: Peter Grannis, Commissioner DEC  
Val Washington, Deputy Commissioner, Remediation and Materials Management  
Gene Kelly, Regional Director, DEC Region 4  
Paula A. Mahan, Supervisor, Town of Colonie  
Frank Leak, Mayor, Village of Colonie





# Save the Pine Bush, Inc.

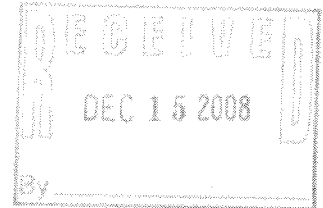
223 South Swan St., Albany, New York 12202

Voice 518/434-1954 Fax 434-6659 Email [pinebush@aol.com](mailto:pinebush@aol.com)

Web <http://www.savethepinebush.org>

December 15, 2008

Angelo A. Marcuccio  
Environmental Analyst  
NYS Department of Environmental Conservation  
Division of Environmental Permits, Region 4  
1130 North Westcott Road  
Schenectady, NY 12306-2014



RE: Proposed Landfill Expansion in the Pine Bush

Dear Mr. Marcuccio,

The City of Albany is proposing to spend \$41 million over five years on capital expense for the new landfill expansion. Yet, there are people in this world who are so poor, they eat crumbs of bread.

In his book *Son of Mountains*, Yassin Aref said: "my mother, whenever she saw a tiny piece of bread on the floor, would quickly pick it up and say, "Astragfiro Allah," which means "I ask God's forgiveness for this impiety." Then she would kiss the crumb of bread and eat it.

There is something really wrong in our society when we spend \$41 million to bury our garbage, yet some people are so poor, they eat crumbs of bread off the floor.

Save the Pine Bush asks that the NYS Department of Environmental Conservation deny the permit for the City of Albany to expand the landfill in the ecologically rare inland pine barrens ecosystem, the Pine Bush.

DEC Commissioner Thomas Jorling, in his 1990 decision to allow the first landfill expansion in the Pine Bush, stated "I cannot envision any set of circumstances that would justify the extension of the life of this interim landfill or the approval of another such facility in any other part of the Albany Pine Bush."

With this statement made eighteen years ago, DEC Commissioner Jorling promised the public that no more landfills would be built in the Pine Bush. It



is time that DEC lived up to this promise, and immediately disapprove the City of Albany's proposed landfill expansion.

Garbage is a valuable resource. It is not something to be "thrown away" or buried in a ecologically unique sensitive area. When Save the Pine Bush first became aware of the City of Albany's proposal to expand the landfill, we went to the Albany Common Council on repeated occasions and asked, begged, the City to have open, public meetings to discuss the issue of "what to do with the garbage."

Instead, the Albany Common Council stuffed cotton in their ears and refused to listen to us. So, in 2007, Save the Pine Bush dedicated almost every one of our monthly meetings to the issue of garbage, and invited in a great variety of speakers to discuss all different aspects of what to do with the garbage.

The City of Albany has consistently worked to exclude the public from the discussion of how best to manage the City's municipal solid waste.

In addition, the NYS Department of Environmental Conservation has not been any more open in the process. One hearing has been held on this proposed expansion. NYS DEC gave the public barely seven weeks to review the mountain of documents pertaining to the proposed expansion, when their own scientists had more than a year to review these highly technical documents. NYS DEC refused to give Save the Pine Bush a hard copy of these documents. No meeting was held with the public to explain the project. It seems that everything the government officials could do to exclude the public, they have done. The issue of what to do with the garbage is too important to the health and well-being of the public to exclude the public from the process.

Losing another 15 acres of Pine Bush ecosystem is too much. The Pine Bush ecosystem is being destroyed a few acres at a time. In cases like this, the project sponsor, says, "well, its only 15 acres." It is the cumulative impact of loss of the Pine Bush that will eventually kill the Pine Bush.

The proposed restoration plan is obscene. The idea of spending \$12.5 million on "restoring" the landfill to the Pine Bush, is outrageous. Several neighborhoods in the City of Albany are suffering from the blight of vacant buildings and all of the social consequences that follow from such a neglect in infrastructure. Twelve and half million to restore vacant buildings in downtown Albany would be a tremendous assistance. Save the Pine Bush objects to the cost of the proposed restoration.

Our specific objections are two-fold:

First, NYS DEC should deny the City of Albany Application for a Variance from 6 NYCRR 360-2.12( C) (1)(ii) prohibiting landfilling beyond December 31, 1995 over areas identified as a principal aquifer. Please see the attached documentation.

Second, the stench of the landfill is simply horrid. People living nearby and not so nearby are gravely affected by the smell. No one should have to live with this. Save the Pine Bush submits the attached landfill complaints and other records to document how the landfill neighbors are affected. A landfill should not be sited so near so many people. The degradation in the quality of life caused by the landfill for the residents is immoral. It is unconscionable. One of the roles of government is to protect the public. Expanding the landfill, with its stench, is not protecting the public.

Some people living near the landfill believe that the only reason the City began working on reducing the stench of the landfill in 2007 is because the City is applying to expand the landfill. They are afraid that if the City gets a permit for the expansion, that the City will go back to "business as usual" — meaning back to the stench.

People living near the landfill have made the following statements to the landfill personnel:

2/22/06 "won't let children outside. Parents complaining" -- Emma Dixon, First Steps Daycare

"All last night, odor woke her up... does not know how much longer they can stand it." Anon.

4/31-5/4 2006 "has been breathing, choking, gagging – nauseating gas odors." "under medical care with prescription medications for it." -- Avila Community

2/8/05 "workers are saying won't come to work – odor is making them sick." Owner, Paul Delima Coffee Co, 18 Petra Lane.

7/21/05 5:30 pm "Man at gate in emotional state. Yelled at watchman about odors, that facility is not in compliance. Reported to be cursing." (Man identified as Mr. Kopek.)

5/15/08 Odor woke her up at 3 am. "Child has respiratory illness" -- Ginny

How can the NYS DEC in this day and age let this go on? People should not have to suffer like this. Children cannot go outside to play. People losing business. People can't sleep. Bad enough this proposed expansion will destroy more Pine Bush. But, worse is the suffering this proposed expansion will cause the people living any where near the landfill.

The City of Albany has known for a long time about this problem. The complaints and consent orders go back more than a decade. In the Solid Waste Management Facility Inspection Report of May 12, 1998, Tom Reynolds commented about the fact that the City was taking in the maximum amount of garbage allowed when he wrote "right now the City is lowering tipping fees to increase incoming waste to increase revenues." In addition, he noted "Coeyman's - not yet abandoned, but not going well."

Perhaps it is this last statement of Mr. Reynolds that is the most telling: by May of 1998, the City of Albany knew that they would never get a landfill sited in Coeymans. Yet, the City maintained the fiction that it was going to have a long-term plan for solid waste in its 2000 expansion plan, and now in its 2008 expansion application. If NYS DEC approves this expansion, Save the Pine Bush fully expects that the City will be back in five years asking for a fifth expansion. The City has no long-term plan for solid waste, other than to keep dumping garbage in the Pine Bush.

Save the Pine Bush urges the NYS DEC to deny the proposed landfill expansion. Instead, the City of Albany should adopt a rational solid waste policy that recognizes that municipal solid waste is a resource. All efforts should be made to reduce, reuse, and then, recycle.

Thank you very much.

Sincerely,

Bert Schou  
Volunteer, Save the Pine Bush

Lynne Jackson  
Volunteer, Save the Pine Bush



