

Angelo Marcuccio, Environmental Analyst
NYS Department of Environmental Conservation
Region IV Headquarters
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Schenectady, NY 12306

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Albany, New York 12207
(518) 434-ALDC
Fax: (518) 434-9946
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RE:Rapp Road Landfill Expansion Proposal

Dear Mr. Marcuccio:

On behalf of the Albany Local Development Corporation (ALDC), I am writing in support of the landfill expansion proposal now under consideration by the NYS Department of Environmental Conservation. ALDC, is a not-for-profit Corporation formed for the purpose of promoting economic development throughout the City of Albany. Issues such as attracting and retaining businesses, creating new employment opportunities and preserving a high quality of life in our neighborhoods are priorities for this organization. Expanding the landfill and continuing to provide clean, reliable and organized service in the City is an important economic development factor.

The Rapp Road facility provides predictable and reasonably priced waste disposal, not only to the residents, institutions and businesses of the Capital City, but to much of the Capital Region. We understand that the DEC must balance the expansion of this community asset with any adverse potential environmental impacts, a primary concern in this regard being the Albany Pine Bush Preserve. Our understanding is that the Habitat Restoration Plan (HRP), which is an integral part of the landfill expansion proposal, will more than offset any impacts to the Preserve. The HRP represents a major investment in the Pine Bush Preserve that will not proceed without the expansion approval. It is an opportunity to restore hundreds of acres of degraded Pine Bush habitat and, just as importantly, reconnect the hundreds of acres of Preserve to the East of the mobile home park and landfill, to the main body of the Preserve to the West, improving Preserve connectivity and reducing Preserve fragmentation.

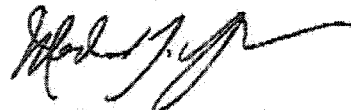
The landfill expansion will provide predictable and reasonably priced waste disposal while the Capital Region Planning Unit develops the long range Solid Waste Management Plan Update, for the next generation of waste management facilities that will ultimately replace the Rapp Road landfill. There appears to be public benefit in the proposed expansion whether you are concerned about regional waste management issues, Pine Bush Preservation issues, or the need for the DEC to work with local governments to provide reasonably priced and sound waste management and disposal practices.

Especially at this time, with New York State government in fiscal crisis and communities and businesses struggling, it would be unfortunate for the NYS DEC not to support this expansion

proposal. The expansion proposal will provide much needed financial relief to the City of Albany and Capital Region, and fund numerous programs that will provide public and environmental benefits to the City, Region, DEC and the Albany Pine Push Preserve.

The proposed landfill expansion is a responsible and sensible course of action for the City and region to pursue. We enthusiastically urge you to support and expedite the approval for the Rapp Road landfill expansion. Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Yevoli", with a long horizontal flourish extending to the right.

Michael J. Yevoli
President

Council Member 8th Ward
JOHN ROSENZWEIG
19 Mohican Place
Albany, New York 12208

Telephone: 518-482-6883
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City of Albany Common Council

Vice Chair
Planning, Economic
Development & Land Use

Member
Law, Buildings & Code
Enforcement
Parks, Recreation & Family
Services

November 28, 2008

Hon. David A. Paterson
Governor
State Capitol Building
Albany, NY 12224

Dear Governor Paterson:

As you are aware, the City of Albany has a landfill expansion permit application pending before the NYS Department of Environmental Conservation. City officials began discussing the need for an expansion of the Rapp Road facilities during late 2005.

The City has reached out to the NYS DEC, the Nature Conservancy, the Albany Pine Bush Commission, the other planning unit communities, and other stakeholder groups. As a result of these discussions The City has changed the location; design and orientation of the expansion, at great expense to the total project cost.

The proposed expansion on Rapp Road would provide about 7 additional years of capacity for the Capital Regions waste. Without the expansion, the facility will be out of capacity at the end of 2009 and, in all likelihood, require the Region's waste to be long hauled to distant landfills at higher costs to the Region.

Expansion of the Rapp Road landfill is complicated and controversial due largely to the facilities proximity to the Albany Pine Bush Preserve. The City of Albany actively supported the creation of the Pine Bush Preserve, has contributed substantially to it in land and financial funding, and sits on the Albany Pine Bush Preserve Commission. We are keenly aware of our responsibility to fully mitigate potential adverse impacts the expansion might have on the Preserve.

The expansion will provide the following:

1. The time to plan for, and get the next generation of regional waste management facilities operational before we exhaust the Rapp Road landfill capacity. To this end we have already started working closely with DEC staff on a Solid Waste Management Plan Modification and Update.

2. The expansion includes a Pine Bush Habitat Restoration Plan that will cost more than the expansion itself, involve the restoration of about 250 acres of land on and around the landfill site, and would be the biggest single investment ever made in the Pine Bush Preserve. The implementation of this plan will more than make up for the loss of 15 acres of City owned property, on the landfill parcel, which was never part of the Pine Bush Preserve, which is needed for the expansion.
3. The continued operation of the landfill will provide the funding needed to implement the next generation of more aggressive waste reduction and recycling programs that we want to implement in partnership with the new administration at DEC. Without the expansion the funding for the habitat restoration plan, improved waste reduction and recycling programs simply won't exist.
4. All of the landfill gas generated, which is a renewable energy source, will be used in gas to energy plants to produce electricity. One plant is already operational, and a second plant is now in the planning stages, anticipated to be on line in late 2009.

Governor, working together with the State of New York, we can make this a win/win situation but there has to be some balance. The City and Region need the additional disposal capacity that the expansion would provide. The last thing we want for the Capital Region is to have to ship our waste by long haul trucks to distant landfills at unpredictable prices. Long haul trucking of municipal waste should be a significant concern to DEC if they are serious about climate change and reducing greenhouse gases.

City officials have put an unprecedented amount of time and effort into preparing all these documents with the input and advice of the NYS DEC staff, in order to put the Department in a position where they will be able to support the proposal and expedite their review process. We hope that you can support the project as well.

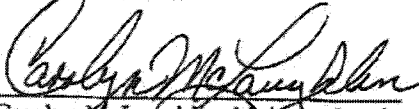
Sincerely,




John Rosenzweig
8th Ward Common Councilman

Sincerely,

Shawn Morris
Council President


Carolyn McLaughlin, Majority Leader
Council Member 2nd Ward

Barbara Smith
Council Member 4th Ward


Richard Conti, President Pro Tempore
Council Member 6th Ward

James Sano
Council Member 9th Ward


Glen Casey
Council Member 11th Ward

Daniel Herring
Council Member 13th Ward

Sandra Fox
Council Member 15th Ward

Dominick Calsolaro
Council Member 1st Ward

Corey Ellis
Council Member 3rd Ward


Willard Timmons
Council Member 5th Ward

Catherine M. Fahey
Council Member 7th Ward

James Scalzo
Council Member 10th Ward

Michael O'Brien
Council Member 12th Ward

Joseph Igoe
Council Member 14th Ward

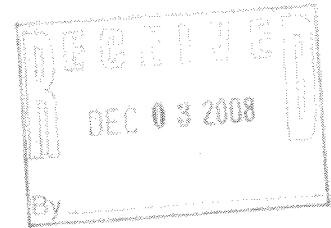


Paula A. Mahan
Town Supervisor

TOWN OF COLONIE

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December 3, 2008

The Honorable Alexander "Pete" Grannis
Commissioner
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Dear Commissioner Grannis:

I am writing on behalf of the residents and business owners of the Town of Colonie to share our concerns about the proposed expansion of the City of Albany's Landfill at Rapp Road. As I'm sure you are well aware, any project of this magnitude is bound to generate significant public interest, and this is exactly the case in this instance.

The current site of the landfill is in very close proximity to the City/Town line and for years residents have registered their concerns and complaints about odor and the potential for long term implications to their health. The problems have not been exclusive to the residential neighborhoods closest to the landfill. In fact, residents miles away from the landfill have reported strong odors emanating from the site.

I trust the City of Albany, and their partners in this endeavor have given consideration to the impact on the residents of our Town and I believe they want to minimize the impact on our quality of life. In spite of that consideration, there still remains great concern within our Town about the Supplemental Draft Environmental Impact Statement (SDEIS) and how it will affect our community.

That is the primary reason I have decided to participate in tonight's hearing, so that I may speak on behalf of the residents to ensure the New York State Department of Environmental Conservation hears their concerns. In the past, Town officials have had minimal input regarding this issue, but as this process moves forward, I urge you to give every consideration to the residents of our Town who will be impacted by this latest expansion of the Rapp Road Landfill.

The effects are significant and their concerns are real. The SDEIS addresses many of the issues that will have the greatest impact, but our residents are looking for assurances from your agency that every avenue to minimize and eliminate the negative impacts of this expansion are explored and implemented.

(MORE)

Many have called to halt any expansion, especially in this historically and environmentally significant preserve. Certainly, we agree there must be a substantial justification for this expansion. But as your partner in government, we insist if this expansion is to go forward then our concerns I have raised in this letter, and others have and will raise, must be addressed.

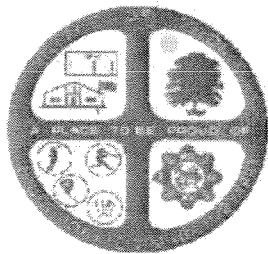
Thank you for your consideration. If I can be of any further assistance in this process, do not hesitate contacting me.

Sincerely,

A handwritten signature in cursive script that reads "Paula A. Mahan".

PAULA A. MAHAN
Town Supervisor

VILLAGE OF COLONIE



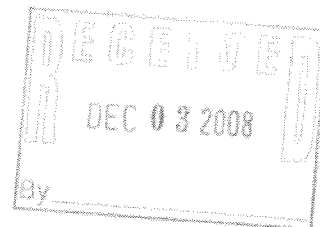
VILLAGE HALL
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COLONIE, NY 12205
(518) 869-7562 FAX (518) 464-0389
FRANK A. LEAK, MAYOR

villagehall@colonievillage.org
www.villageofcolonie.org

THOMAS J. TOBIN
DEPUTY MAYOR
MICHAEL J. AIDALA
TRUSTEE
BETTY FILM
TRUSTEE
JACK MURPHY
TRUSTEE
PAT HURLEY
CLERK

December 3, 2008

The Honorable Alexander "Pete" Grannis
Commissioner of the Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-1011



Re: In the matter of the Application of the Expansion
Of the Rapp Road landfill by the City of Albany

Dear Commissioner Grannis:

Enclosed herewith please find a copy of the statement made by the undersigned regarding our opposition to the expansion of the Rapp Road landfill by the City of Albany made at the Public Hearing held on December 3, 2008.

Please include this statement in the official file of comments made at this hearing.

Very truly yours,

Frank Leak, Mayor
Village of Colonie

Enclosure

STATEMENT MADE BY FRANK LEAK, MAYOR OF THE VILLAGE OF COLONIE ON
DECEMBER 3, 2008 AT THE PUBLIC HEARING HELD BY THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING THE
APPLICATION OF THE CITY OF ALBANY ON THE EXTENSION OF ITS RAPP ROAD
LANDFILL

Good Evening, My name is Frank Leak and I am the Mayor of the Village of Colonie.

Our Village is located adjacent to the landfill, lying immediately to the its northeast. Due to our location we are the municipality most affected by landfill operations. Our Village fire company is a first responder to fire emergencies at the land fill and our residents and businesses are the first to experience the fumes, odors, floating garbage and "critters" that the landfill generates.

I have long been concerned about the City's attempts to expand landfill operations because of a history of operating problems with the landfill and the City's inability or lack of motivation to solve these problems. While recently, the City has been receptive to working on the odor issue and those efforts have improved the situation, I feel that those efforts have been motivated by this application for the expansion and that once their request is granted, it will be a return to business as usual. The odors will return, the loose garbage will blow in the wind and we will be where we started, saddled with obnoxious odors, complaints from residents suffering with allergies, asthma and other respiratory illnesses, the inability of residents to enjoy their yards or open their windows and we, Village government, will be powerless to remedy the situation. It is our belief that City administration, based upon past conduct, simply doesn't care about the little Village of Colonie!

By way of information, the Village is home to over 9,000 residents and many businesses. Our community is middle class with most homes being described as "starter homes" in other

more affluent communities. Residents take pride in their properties and make many improvements so that they might continue to live in the Village.

Within a mile from the landfill boundary, we have an urban park, Cook Park, which has been improved with Little League and Babe Ruth baseball fields where over 1,000 young people spend their summers playing ball. They bring their parents, grandparents, aunts, uncles and friends to cheer them on. We have an outdoor amphitheater where we conduct a series of free summer concerts drawing thousands of music lovers. We have other Village functions there including Halloween hayrides, the Mayor's Cup Run, Family Fun Day, Boy Scout encampments and other community service events. We have new pavilions with outdoor barbeque facilities, bocce courts, horseshoe pits and other outdoor amenities. We have walking trails where residents can exercise and enjoy walking their pets. Our Park has been improved with State, Town and Village funds and provides a unique recreational opportunity for town and village residents. It is the epitome of an urban park.

Some nights the smell at the Park from the landfill is so bad that people leave because they cannot tolerate the obnoxious, sickening fumes of decomposing garbage. These fumes migrate over all residential and business properties located on the south side of Central Avenue and can extend almost to Sand Creek Road on a muggy July evening. Consider the odor of a single garbage can left in the sun for several days and multiply that terrible odor by several hundred times. That is the smell of which I speak.

Central Avenue is home to many restaurants and motels bringing many visitors to the Capital District vacation and business, or just a night at a favorite restaurant. Our business owners comment that their food and lodging facilities are less pleasing when the aroma of the

landfill greets a patron when they exit their air conditioned car.

I am not confident that your agency will deny the City's application to expand its landfill, if for no other reason that all of the trash generated by State government located in Albany is deposited in the City's landfill. Likewise, the City seems to view the landfill as a profit center to generate revenue to support government operations and approval is another form of State aid without the need for State funds.

I would urge, however, that any permit or approval be conditioned with meaningful restrictions on the kind and amount of refuse which can be deposited and regular inspections which will protect the surrounding communities from the problems of the past. Limit the amount of refuse that can be delivered from outside the capital area. Insure that the cap to be placed on the crown of the landfill be thick and impervious to erosion, cracks and severe weather. And be clear that additional extensions on to surrounding Pine Bush lands will not be granted.

Having listened to many other sources, I understand that there are many other issues facing this application such as the proximity of the landfill to an underground aquifer, proximity to other sources of public drinking water, protected wetlands, endangered species and the ecology of the Pine Bush. All of these issues are important and should be carefully considered by your agency and you should insure that the City's conclusions are supported by strong and complete scientific evidence.

The issues presented by this expansion for the Village of Colonie are more simple than these other issues. We do not use the landfill, our water supply is not impacted by it and as located now, the landfill is not developed within the bounds of the Village. However, our residents cannot escape the odor migrating from the site and need the protection of strict

regulation with no further expansion of this facility to have any chance to have full enjoyment of its public recreational facilities and private rights associated with home ownership in the Village of Colonie.

I urge you to consider our needs as the municipality closest to the landfill but without any other protection for its residents except your vigilance and the adoption of strict controls for the operation of the landfill and this proposed expansion.