

## **IMPORTANT!**

**Comment Period is open on proposed increase of tonnage for Hyland Landfill, one of Five in NY State permitted to accept tailings and other waste from fracking operations.**

**Radiation concerns for area residents as well as everyone downstream of the Genessee River!**

### **Background/Basics:**

Landfill Concerns pertaining to and  
HYLAND LANDFILL in Angelica, NY

The Hyland landfill in Angelica, NY filed applications to the DEC on May 8, 2013 to be able to increase the tonnage of accepted waste at their facility. The Hyland Landfill has a permitted life (at current trends) of 34 more years. Hyland, owned and operated by Casella Waste Services is one of 5 landfills in NY State permitted to accept solid waste from fracking (High Volume Horizontal Hydrofracking or HVHF) operations in Pa. and other states. Hyland has been accepting tailings from hydrofracking operations since 2009.

The frack wastes coming to Hyland are mainly ‘drill cuttings’ consisting of a mix of rock, wet sand, mud and brine impact soil from the part of the well bore that surrounds the shale from which natural gas is extracted. Most of the debris from the drilling process is left on-site as it is not hazardous and requires no special disposal. If the drill cuttings that are brought to The Hyland Landfill in Angelica, NY were not hazardous, they too would also be left on-site as there would be no reason for the industry pay to transport them from drill pads to the landfills of other states for disposal.

Drill cuttings are known to be radioactive, containing Radium-226 as well as other radioisotopes with levels that have been measured to be 25x that of natural background radiation levels. Though not classified as hazardous, the Marcellus shale formations, surrounding rocks, minerals and related waste products from drilling are not only radioactive, but can contain high levels of heavy metals,

carcinogens and other toxic chemicals and compounds. Drill cuttings are not classified as hazardous because of exemptions provided to the gas and oil industries from federal laws such as the Clean Water Act and the Clean Air Act. Drill cuttings permitted in landfills are exempt from the storage and treatment regulations which govern the handling of other hazardous substances, raising concern over environmental and public safety.

Also exempt from the same environmental laws is the treatment of the leachate (fluid that settles out) from gas and oil operations. Solid waste by regulation can be comprised of no more than 20% fluid. While a certain amount of leachate is expected to escape the landfill into the ground or streams in the surrounding area, most is captured and kept in holding ponds until transported to water treatment facilities in New York State. Most of the leachate from the Hyland landfill is taken to the Wellsville Water Treatment facility **before eventual discharge into the Genesee River**. Leachate from fracking operations can contain levels of radiation many times greater than the tailings, as radium-226 is water soluble. Standard Water Treatment facilities such as the one in Wellsville are not equipped to properly handle hazardous and radioactive wastes.

**The comment period for the public to respond** to the proposals in the application was originally to end on June 7, 2013, but was extended to June 21, and again to **July 21, 2013** due to requests by area residents wishing to have time to review the proposal and its potential implications. The current deadline of July 21, for submitting comments is not expected to be further extended, but it is extremely important we press for a Public Hearing.

**Comments must be submitted by the deadline to:**

**Mary E. Hohmann,  
NYSDEC, 182 East Union Ste 3,  
Allegany, NY 14706-1328.**

**DEC's phone number is: (716) 372-0645.**

**Comments can be sent on or before July 21 by email to:  
r9dep@gw.dec.state.ny.us**

Application ID:

9-0232-00003/00002 (Article 27, Title 7 Solid Waste Management)

And

Application ID:

9-0232-00003/00012 (Article 19, Air Title V Facility)

For details from DEC go to:

[http://www.dec.ny.gov/enb/20130508\\_reg9.html#902320000300002](http://www.dec.ny.gov/enb/20130508_reg9.html#902320000300002)

Gary Abraham, the attorney representing CCAC (Concerned Citizens of Allegany County) on this issue has posted resources and information, including Hyland's application, draft permits, additional supporting materials and a detailed account of the background at <http://www.garyabraham.com/Hyland.html> .

THE ISSUES ARE CONFRONTING US FROM ALL SIDES, ANF THERE IS MUCH TO DO, BUT PLEASE PASS THIS INFO ALONG AND TAKE TIME TO COMMENT TO THE DEC. BY JULY 21. DO INCLUDE A PLEA FOR A PUBLIC HEARING.