

Talking Points

The deadline for submitting comments is July 21, and they can be submitted via email up to 11:59 PM on July 22, since July 21 is a Sunday.

Various (fragments) Notes to review/address

1. "Solid waste" can contain up to 20% liquid.
 2. Radium-226 emits 4% of its energy as gamma rays, 96% as alpha rays.
 3. Alpha rays do not pass through the skin, let alone the steel walls of a waste hauling truck.
 4. Radiation portals at Hyland use a gamma detector.
 5. Gamma detectors can detect Radium-226 in a waste load, but only if the truck stops at the gate portals and stays motionless for a long enough time to allow the detectors to work. PA landfills detected radiation in shale drilling waste loads about 1,000 times in 2012.
 6. Hyland triggered its radiation detectors twice on the same day in 2011; none in 2012.
 7. Hyland allows its trucks to roll through the gate, not coming to a complete stop.
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There are plenty of potential issues such as, how can Hyland sustain a 50% increase in truck traffic, given the annual/average truck traffic reported in its annual reports. Or: is there any vegetation stress, such as dying trees, near homes affected by soil vapor intrusion of landfill gas (odors in the home)? Or: how's that truck wash working?

One could comment that EPA already considers Marcellus Shale drilling wastes to be TENORM (technically enhanced naturally occurring radioactive materials), so how can DEC conclude that the same wastes are not "processed and concentrated," the NY standard for prohibiting their disposal in a landfill? That's yet another comment. (In other words, shale drilling waste NORM is allowed by DEC to be dumped at Hyland, but not TENORM.)

Has the added exhaust from increasing truck traffic 49% been taken into account? If so, what do the documents you have say about how "significant" that is, when combined with an increasing landfill gas emissions rate? (After all, the public notice says increasing the waste acceptance rate will accelerate gas production, increasing the emission of greenhouse gases; why don't the other hazardous pollutants in

landfill gas also increase?) If not, a comment should be submitted saying the air impacts have not been sufficiently analyzed.

Fugitive dust emissions from unpaved roads can be expected to increase because these roads will

(1) be more heavily traveled, and

(2) will need to be replaced more frequently. Fugitive dust emissions from heavy construction operations will increase because

(3) such equipment will require heavier duty, or

(4) additional heavy equipment will be needed.

(5) Exhaust emissions from such equipment will also increase for the same reasons.

The above could serve as the introductory paragraph for the discussion to be developed. The most effective comments on these issues would conclude (with reference to the application, etc.) that none of the issues was ever meaningfully addressed.

Notes From Gudrun Scott:

- Annual Report 2011 of Hyland states that life capacity of the landfill is 34.3 years -- therefore no need for expansion now
- Annual report 2011 of Hyland-- took drill cuttings 90,000 tons and 2012 took 10,000 tons price for drill cuttings went down
- leachate must be siphoned off the two plastic layers or they will break and 20 gallons /acre /day is allowed -- Hyland produces 400 gallons a day and this leachate is important because radium dissolves in water and it is a known carcinogen and gets into plants and animals since it mimicks calcium which all these living beings absorb all the time and radium sticks around for thousands of years (half life 1,600 years) . **Captured leachate is trucked to the Wellsville Water Treatment plant and smaller amount to Jamestown.**
- Total waste in 2012 was 3,272,433 tons that does not count the daily cover of the waste which can be drill cuttings or "autoshrredder fluff"-- cut up plastics like dashboards and electronics etc.

this landfill is not asking right now for larger footprint, just faster packing in the wastes from 62 trucks a day to 92 trucks a day for a total of about 1/2 million tons a year-- not counting the drill cuttings used for daily cover as they are "beneficial use". The fast filling of course will affect the air quality which we are to comment on. Drill cuttings are four times as dense as other garbage and take up 1/4 of the space of equal tonnage of garbage.

Senator Cecelia Tkaczyk proposed this bill:

<http://www.nysenate.gov/press-release/tkaczyk-proposes-ban-hazardous-fracking-waste-being-shipped-new-york-state>:

"How frack waste will travel," *The Chronicle*, Chester and Goshen NY, May 15, 2013,
<http://chroniclenewspaper.com/apps/pbcs.dll/article?AID=/20130515/NEWS01/130519948/How-frack-waste-will-travel>

Ohio is also considering passing legislation to ban radioactive landfills
<http://ecowatch.com/2013/ohio-landfills-radioactive-fracking-waste/>

for details from DEC on this issue:

http://www.dec.ny.gov/enb/20130508_reg9.html#902320000300002

Roger Downs, Conservation Director for the Sierra Club Atlantic Chapter, said, "New York State has turned a blind eye to the tens of thousands of tons of radioactive drill cuttings and fracking wastes that are trucked from PA every day into NY landfills and treatment facilities."
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For more than five years New York has been struggling to understand the cumulative impacts of high volume hydrofracking. Today we understand the threats much better and a majority New Yorkers believe going forward with fracking is not worth the risk.

These wastes have high levels of heavy metals, carcinogens and other toxic chemicals and compounds, yet they are exempt from the storage and treatment regulations which govern the handling of other hazardous substances.

The black shales that underlie New York and Pennsylvania are known to contain uranium, radium and other toxics hazardous to health, many of which are soluble in water or become airborne as gases;

The DEC should put on hold any permit applications from landfills and waste water treatment plants seeking to expand operations to increase capacity and acceptance rates to facilitate taking more gas drillings wastes, including the applications of the Hyland landfill at 6653 Herdman Road in the Town of Angelica, Allegany County, New York.

Fracking wastewater and leachate from tailings contain hundreds of hazardous and toxic chemicals used in fracking fluid, as well as contaminants from deep within the earth, most notably heavy metals, volatile organic compounds, radioactive elements and salty brine

Most of the leachate from the Highland Landfill in Angelica NY, Allegany County is brought to the Wellsville Water Treatment facility, whereby, after 'treatment' it is released into the Genesee River, which flows North and after passing through Letchworth State Park, agricultural lands, rural communities and Rochester, NY ends up Lake Ontario. Lake Ontario is one the large Great Lakes, which together hold about 20% of THE WORLD'S fresh water.

Because gas drilling and related activities are exempt from disclosure regulations in the Clean Air Act, the Clean Water Act and the Safe Drinking Water Act, we cannot be certain that the treatment plants have the technology to handle and treat the wastewater.