

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Regional Director, Region 8

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April 24, 2018

Mr. Jeffrey Richardson  
Sr. District Manager  
Waste Management of NY, LLC  
425 Perinton Parkway  
Fairport, NY 14450-9104

Dear Mr. Richardson:

Re: Odor Issue

I write this to memorialize the current position of my staff and I with respect to the efforts to abate to a satisfactory level the odor issues that have been a major concern for the last several months.

First, I acknowledge that, to date, Waste Management ("WM") has complied with the letter of the Notice of Violation issued by my office on February 2, 2018. We appreciate that level of cooperation shown by WM. But the ultimate objective and expectation, as WM has represented to the public as well as to DEC, is that WM will continue to take all steps necessary to abate the odors to a level that is consistent with prior years and which most members of the community would find acceptable, given their proximity to a landfill.

Further, we recognize that the installation of the new, more durable geo-membrane cover is not yet complete, and that the final lift of cell 11 and placement of cover to reach appropriate grades also remains underway. It has been represented to us by WM, and my staff also expects, that completion of both those measures will result in a significant improvement in odor control. With that said, however, the observations made by DEC staff over the last several weeks, including in recent days makes clear that, at least under certain conditions, odors persist at a level that cannot be considered acceptable going forward.

While not every "bad" day is the same, DEC personnel has, in general, corroborated the trend reported by the public that on days when a high number of complaints is received, early morning (approximately 6:00 a.m. to 9:00 a.m.) and late evening (approximately 8:00 p.m. to 10:00 p.m.) are problematic, with nearly no issue existing between those times. This trend is consistent, despite WM conducting normal operations after 9:30 a.m., while not operating at 8:00 p.m.



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We are requesting that WM place a focus on its operating practices when beginning its day, as well as the condition in which the site is left at closing, and provide any recommendations for addressing this trend going forward. While we expect improvement from the remaining measures currently being taken, we would be remiss if we failed to consider any additional measures that would aid in minimizing the likelihood of a problem once the geo-membrane is in place and you are off the top of Cell 11.

Thank you for your prompt attention to this matter. I look forward to your continued cooperation in resolving this problem, and will contact you soon to schedule a time to discuss the status of these matters in further detail.

Very truly yours,



Paul J. D'Amato  
Regional Director

cc: Michael Barker, Perinton Town Supervisor (by email)  
Sandy Pagano, Macedon Town Supervisor (by email)  
Scott Foti  
Lisa Schwartz