

## OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation  
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[www.dec.ny.gov](http://www.dec.ny.gov)

JAN 24 2018

Linda R. Shaw  
Knauf Shaw LLP  
1400 Crossroads Building  
2 State Street  
Rochester, New York 14614

Dear Ms. Shaw:

Thank you for your January 18, 2018 letter. As you know, in December I wrote a letter to Waste Management of New York, LLC ("WM") to ensure that the company was not only taking seriously the need to expeditiously address the cause(s) of the increased odor problems and its impact on its neighbors, but was aware that I and my staff would be closely monitoring their progress towards resolution. To that end, at my direction, Regional staff are actively overseeing the company's progress and have increased their presence at the facility, both by our assigned Monitor and the project engineer.

DEC also directed WM to increase the frequency and the content of its communication to its neighbors, and are pleased to see the weekly updates which are now available to the public. In terms of the steps being taken to improve the gas collection and control, we are receiving regular updates and are cognizant that many of the measures being taken should be fully implemented in the very near future, some as early as this week. WM has represented to us as well as to the Town that the company will devote whatever resources are necessary to address this matter. I will hold them to that promise. My staff is confident that the actions being taken will greatly improve the situation, but we will also continue to prioritize this matter until it is satisfactorily resolved.

With respect to your request for an enhanced air monitoring program, we have had preliminary discussions with both Town and WM representatives, and all are amenable to designing and implementing a program which can provide reliable information for the public. We expect to shortly receive a request from the Town, generated as a result of the work of its Conservation Board. As you know, it will take some further discussion to address the details of such a program. If you have a consultant who wishes to provide a perspective relative to this proposal, please feel free to have that consultant contact Regional Materials Management Engineer, Greg MacLean. Greg can be reached at (585) 226-5408 at the DEC Region 8 office. We have requested WM to coordinate this as quickly as possible, please see enclosed letter.



Department of  
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Conservation

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Finally, I asked my staff to investigate the vibration event on January 2, 2018. In response to our investigation, WM is implementing some modifications to the flare system to increase its ability to automatically adjust to an increased load of gas should the engines go down in the future, and as a result minimize or eliminate any impacts felt by its neighbors. WM's Community Update of January 22, 2018 represents that the modifications will be complete this week; we will be verifying that this happens.

We stand with the neighbors to the facility, as well as the Town officials, in recognizing that WM must do whatever is necessary to return to a status as a good neighbor, and we expect nothing short of that to be accomplished in the very near future.

Thank you for your attention to this matter.

Sincerely

A handwritten signature in black ink, appearing to read 'Basil Seggos', with a long horizontal line extending to the right.

Basil Seggos  
Commissioner

Enclosure

c: Michael Barker, Perinton Town Supervisor  
Jeffrey Richardson, Sr. District Mgr., Waste Management of NY LLC