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The Perinton Conservation Board (the “PCB”) has completed a further review of Waste Management of New York’s (“WM”) proposed **Surface Emissions and Ambient Air Monitoring Protocol** (Attachment B to the submittal). We note in Attachment B, Appendix A-Surface Emissions Monitoring Plan, page III-2, a list of proposed surface monitoring exclusion areas, which include the following:

1. Active areas of the site. Active areas are those areas that only have daily cover and are being filled with waste. Active areas of the landfill have a larger volume of equipment traffic that poses an unacceptable health and safety risk to an individual in the area.
2. Areas of the landfill with slopes greater than 3:1 (horizontal to vertical). These slopes present a safety hazard to the monitoring technician traversing them.
3. Areas of the site with snow or ice cover. Snow has the potential to cover uneven surfaces in the landfill cover (such as ruts) that could cause the technician to twist or break a leg. Icy slopes are difficult and dangerous to traverse.
4. Areas of the site that are undergoing construction or final cover activities. These areas also have a large volume of equipment traffic, which poses a health and safety risk to the technician performing the scan.
5. Areas of the site where synthetic membranes are installed over older waste and the waste above the synthetic membrane has been in place for less than 5 years, if the area is, active or 2 years if the area is closed or at final grade.
6. Areas of the site with heavy vegetation. Heavy vegetation has the potential to create uneven surfaces that could cause the technician to twist or break a leg.

We take issue with bullets 2, 5, and 6, as follows.

Bullet 2 implies there are slopes at High Acres greater than 3:1. The PCB understands that in the mid to late 1990's High Acres received approval from the NYSDEC to steepen the slopes (approximately 2.5:1) in certain areas of the landfill to account for settlement so that after settlement the slopes would be at approximately 3:1 slopes. If there are currently slopes greater than 3:1 at High Acres these areas should be located on a

topographic mapping of the site in conjunction with identification of the serpentine path to be followed during the surface scans. The perimeter of any steep slope area should be included in the surface scans. At present, Figure CI-01- Surface Emission Monitoring Path does not indicate there are slopes greater than 3:1 on the landfill.

Bullet 5 seems to be taken out of context with 40 CFR 60.755(b)(1) and (2), which state:

- (b) For purposes of compliance with §60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in §60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:
- (1) 5 years or more if active; or
 - (2) 2 years or more if closed or at final grade.

Regardless, the Town's past experience with the High Acres Landfill indicates that waiting to install wells until initial waste has been in place for 5 years will dramatically increase the likelihood of odor impacts to the Town's Residents.