

Residents Take Chemung County Landfill Worries to the Judge

Concerns include pests, odor, radiation and groundwater contamination

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Two weeks after the Chemung County Legislature voted to amend the landfill agreement between the county and Casella Waste Systems, residents finally had their say in front of a judge. On Tuesday, April 27, close to 50 people showed up at a Department of Environmental Conservation (DEC) adjudicatory hearing to protest both the increase in tonnage the landfill can accept and the disposal of radioactive Marcellus drilling waste at the landfill.

Larry Shilling, a district manager for Casella, explained that the company wants to increase the annual tonnage for all waste from 120,000 to 180,000. "This [hearing] isn't about expanding the facility," he said, "and it's not about disposal of drill cuttings."

Deputy county executive Michael Krusen noted that since privatizing operations at the landfill, local taxes have gone down and the appearance of the grounds has improved. "The operators have proven themselves more than adequate," he said.

Next-door neighbor Joe Morrison disagrees. His property borders the landfill and he is tired of picking up garbage that ends up in his front yard. Morrison got so fed up with Casella's slovenliness that he began recording problems in a notebook.

Pest and Odor Concerns

Holding up a photo of the view from his front porch, Morrison said, "I've noted 217 violations in the past two years." He cited problems with birds, rats, and odor. "And when I complained to the DEC, they told me that it was my mistake for living next to the landfill. But I was there first!" Morrison sputtered. "I've been living there for 60 years ... way longer than the landfill!"

Nine-year-old Reese Wood spends a lot of time with her grandparents, who live near the landfill. "It already smells bad outside," she said. "And right now the garbage trucks don't stop to pick up what they drop."

What will happen when even more garbage is trucked in, Wood asked? She worries that there will be so much truck traffic that she won't be able to ride her bicycle.

"The problem is that the people making the decisions don't live next to the landfill," said Linda Stevens. She loves to garden, but too often the pervasive odor and bird droppings force her indoors. Recently she has had problems with her well, needing to pour chlorine down the well to disinfect it. And now, Stevens said, rats have invaded her home.

Another resident complained about the noisy "bird-bangers", percussive noises set off to scare the gulls. Add to that the noise of the truck traffic, with their back-up alarms, and it's a noisy place to try to live.

Aquifer Issues

Robin Stroman, a member of Residents for the Preservation of Lowman and Chemung (RFPLC), lives three miles from the landfill. By her calculations, that puts her right in the middle of the “pollution plume”.

Unfolding a large map of the area, Stroman pointed out the extent of the aquifer underlying the landfill. This aquifer, she explained, is unconfined. That means it is open to receive water from the surface and, in this case, drains directly into the Chemung River. The aquifer, Stroman pointed out, is extremely susceptible to contamination. Based on these reasons Stroman recommended that DEC not allow the landfill to increase the amount of waste they accept.

Dr. Earl Robinson, a local historian and member of RFPLC, pointed out that the landfill began as a gravel pit. It was not sited through any DEC process, Robinson said, adding his concerns about aquifer contamination. The landfill, he noted, is only a few yards from the Chemung River, and a number of nationally recognized historical sites lie within a half-mile of the landfill.

Radioactive Drill Cuttings

Joe Wilson is concerned that Casella’s acceptance of radioactive drill cuttings will set a precedent for other landfills. The Chemung County Landfill is a municipal solid waste disposal facility, he noted, not adequate for hazardous waste.

“The placement of radioactive waste in a municipal facility is not in accordance with the state laws,” Wilson said. If it weren’t for the exemptions the oil and gas industry enjoys, the drill cuttings and other Marcellus waste would be classified as “hazardous”.

“Our county executive characterized these drill cuttings as just wet soil,” said Horseheads resident Susan Multer. But they are full of heavy metals as well as radioactivity. “When the liner of the landfill rips, surrounding soil and water will become contaminated,” Multer said. Resulting contamination would affect people far beyond Chemung County, she added.

Earlier in the hearing, Casella representative Shilling acknowledged the lack of information about the levels of radioactivity in Marcellus drill cuttings. He passed out copies of an analysis that Casella requested CoPhysics to conduct. “The information we saw indicate it [radiation] would not be an issue,” Shilling said.

According to the CoPhysics study, the level of radiation in the drill cuttings ranged from 2.1 pico Curies/gram (pCi/g) for Radium-226 to 14.2 pCi/g for Potassium-40. Background levels for local soil and rock are 0.9 pCi/g for Radium-226 and 24.1 pCi/g for potassium. These levels fall below the EPA cleanup guidelines for unrestrictive use (5 pCi/g above background), the study notes.

Some residents are not so sure. A recent study by Radioactive Waste Management Associates (RWMA) recommends against land-filling Marcellus drill cuttings and waste. Their analysis of rock cuttings from NY wells found Radium concentrations of 12 to 24 pCi/g or higher. Dr. Marvin Resnikoff, who authored the analysis, expressed concerns regarding the potential for radioactive isotopes to leach from the landfill, pass through the Elmira wastewater treatment plant and contaminate the Chemung River.

What’s Next

On April 27 Gary Maslanka, environmental engineer from DEC Region 8 Division of Solid and Hazardous Materials, sent a letter to Casella requesting further information about some of the drilling waste they have accepted. Casella accepted waste from two spills at Marcellus sites in PA, and DEC wants analytical analysis of samples taken from the waste prior to its disposal. DEC also asked for a radiological analysis. Casella has until June 1 to respond.