

**Subject:** Comment on Hyland Landfill Part 360 and Title 5 air Permit

**From:** Ross Scott <w.ross.scott@gmail.com>

**Date:** 1/30/15 4:42 PM

**To:** David Denk <DEP.R9@dec.ny.gov>

Dear Mr. Denk,

This comment supplements the comment I previously sent to Mary Hohman on July 22, 2013 (attached).

I believe that the characterization of Pennsylvania drilling wastes contained in the January 15, 2015 provided by the PA DEP's TECHNOLOGICALLY ENHANCED NATURALLY OCCURRING RADIOACTIVE MATERIALS (TENORM) STUDY REPORT, (attached) both requires DEC to add one or more additional permit conditions, and to withdraw the SEQRA Negative Declaration currently on file.

Permit Conditions:

My earlier comment noted that the draft modified Part 360 permit relied on a leachate management plan that had not been updated since 2003, before any Marcellus drilling wastes were being trucked to the landfill. In that connection, I commend you to the Recommendations for Future Actions reached by the Study Report with regard to landfills at page 9–12:

**9.2.3 Landfills**

● **Evaluate and, if necessary, modify the landfill disposal protocol for sludges/filter cakes and other solid waste-containing TENORM.**

** Conduct additional radiological sampling and analyses and**

**radiological surveys at all facilities that treat leachate from landfills that accept waste from O&G operations to determine if there are areas of contamination that require remediation; if it is necessary to establish radiological effluent discharge limitations; and if the development and implementation of a spill policy is necessary.**

**☒ Add total Ra (Ra-226 and Ra-228) to the annual suite of contaminants of concern in leachate sample analyses.**

A key finding in the Synopsis preceding the report is that:

**"However, filter cake from facilities treating O&G wastes are a potential radiological environmental impact if spilled, and there is also a potential long-term disposal issue."**

As far as I know, according to the documents Hyland has filed with the DEC, none of this has been considered. I saw nothing in either the current nor the expanded permit that would prohibit sludges/filter cakes from being deposited, nor any test protocol that would determine the radium content of the drilling wastes deposited at the landfill. Because all radium in nature (and in drilling wastes) is found in solution as a radium salt, the liquid content of the drilling waste slurries will drain through the solid material of the landfill and come out the bottom as leachate, there to be trucked off to the Wellsville Waste Water Treatment Plant.

SEQRA:

Based on the foregoing, the Negative Declaration should be withdrawn, and the expansion categorized as a Type 1 action, and an EIS prepared.

Yours Truly,

/s/

W. Ross Scott, Esq.  
1759 Hawks Road  
Andover, NY 14806  
607-478-8000



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Ross Scott <[w.ross.scott@gmail.com](mailto:w.ross.scott@gmail.com)>

Ross Scott Law Firm

— Attachments: —

Mary Hohmann – Hyland Permit comment.pdf	27.7 KB
PA-DEP-TENORM- Study_Report_Rev._0_01-15-2015.pdf	5.6 MB
W_Ross_Scott.vcf	217 bytes