

New York State Department of Environmental Conservation

Division of Solid & Hazardous Materials, Region 8

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Alexander B. Grannis
Commissioner

June 30, 2010

Mr. Joseph Boyles
Special Waste Manager / Casella - Western Region
6653 Herdman Road
Angelica, NY 14709

Mr. Michael Krusen
Deputy County Executive
John H. Hazlett Building
203 Lake Street
PO Box 588
Elmira, NY 14902-0588

Dear Gentlemen:

**RE: Chemung County Landfill
NYSDEC Permit No. 8-0728-00004/00013-0
Profile Information for Special Waste Approvals #2060 and # 2067**

The above referenced document was received by this office via electronic mail on June 1, 2010. The information provided for special waste approval 2060, is by itself adequate to address the Department's questions about the process that generated the waste, and the data that was available for review prior to the landfill accepting the waste for disposal.

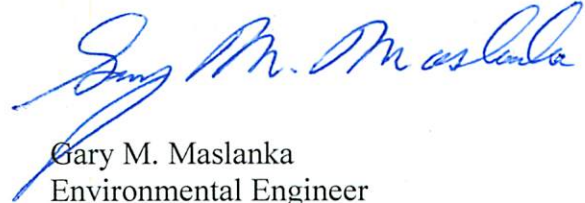
The information provided for special waste approval 2067 was less complete. Only after contacting the Pennsylvania Department of Environmental Protection (PA DEP) was I able to confirm a spill report had been filed verbally and that PA DEP believed there should be no radiological concerns associated with the waste in question.

Based on the information provided in the reports and my conversation with PA DEP staff, this office has no reason to believe unpermitted waste has been disposed of at the landfill through these approvals. However, based on all the facts and circumstances of the Department's inquiry, and particularly to avoid the future need for inquiry into the exact nature of waste *after* its disposal, a new special permit condition must be added to the landfill's current permit, which clarifies the Marcellus drilling waste that can and cannot be accepted for disposal. It is my

understanding that the exact content and wording of this permit condition recently has been agreed upon between the attorneys for the Department and the landfill.

Thank you for your assistance with this matter.

Sincerely,



Gary M. Maslanka
Environmental Engineer
Division of Solid & Hazardous Materials

cc: S. Foti, R8 DSHM
L. Porter, R8 DEP
L. Schwartz, R8 OGC