

# Dunn Mine and C&D Debris Landfill

## Monitoring and Enforcement

NYS Solid Waste and Mined Land Reclamation Programs

Partition Street Extension, Rensselaer

### WHO TO CONTACT



Comments and questions are always welcome and should be directed as follows:

#### LANDFILL-RELATED QUESTIONS:

NYSDEC Region 4  
 1130 N. Westcott Road  
 Schenectady, NY 12306  
 (518) 357-2096  
 Brian Maglienti, P.E.  
 Jonathan A. Whitcomb

#### PERMIT-RELATED QUESTIONS:

R4DEP@dec.ny.gov

#### REPORT ODORS:

24-Hour, Hotline  
 (518) 292-0449

#### FOR INFORMATION ON DEC'S SAMPLING INITIATIVE OF THE DUNN FACILITY:

<https://www.dec.ny.gov/chemical/117071.html>

The New York State Department of Environmental Conservation (DEC) and its State and local partners are committed to protecting the public health and environment of the city of Rensselaer and surrounding community during the ongoing operations of the Dunn facility. DEC continues to rigorously oversee all operations at the facility and has taken actions in response to community concerns and to address any impacts on quality of life.

This update includes the latest information on DEC's ongoing efforts to ensure that operations at the Dunn facility are in compliance with all applicable environmental laws and regulations, and to report on DEC's study of emerging contaminants.

### Enhanced Permit Review

DEC conducts a transparent and thorough review of all applications for environmental permits to ensure the protection of public health and the environment. To receive a permit, a facility must demonstrate it will be compliant with all applicable Federal and State laws and regulations, and that the permit application is technically sound, administratively complete, and responsive to public comments received during the permitting process to the fullest extent permitted by law.

The current DEC permit for the Dunn facility will expire in July 2022. In response to concerns from the community regarding truck traffic, dust, and odor complaints associated with the facility's operations, DEC announced it will subject any permit renewal applications submitted by Dunn to an enhanced permit renewal process as part of the state's ongoing and strict regulatory oversight. The enhanced permit renewal process will provide expanded opportunities for public comment and engagement.

DEC has designated the area on Partition Street leading to the Dunn Landfill as an Environmental Justice area, which means the State will require additional public outreach and direct facility operators to hold public meetings and provide information to community residents consistent with requirements under Commissioner Policy 29 on Environmental Justice. Any determinations made regarding the renewal of the facility's permits will be subject to a public comment period administered by DEC to provide local residents ample opportunity to be heard.

If Dunn submits a timely permit renewal application before its current permit expires, the facility can continue to operate under its existing DEC permit. If DEC determines that the information provided is sufficient to begin public reviews, DEC will provide an opportunity for public comment. Following the public comment period, DEC will review and carefully consider all public comments before determining whether or not to issue the facility a renewed permit.



## Reporting Hotline

Call (518) 292-0449 (24-hour hotline) to report nuisance odors.

DEC took numerous enforcement actions in response to community concerns about Dunn operations and these enforcement actions have led to significant improvements at the facility. Most notably in 2019, DEC required the installation and operation of the enhanced gas collection system that resulted in a decrease in odors and as a result, community odor reports. DEC remains committed to continuing to investigate any issues that may arise. Residents are encouraged to call the Hotline should they experience a significant odor event related to the landfill. This will alert the operator and require the facility to respond and address the issue. In addition, using the Hotline will immediately alert DEC, create a record of the complaint, and allow DEC the opportunity to respond.

## Ongoing PFAS Investigation

New York State is continuing its actions to investigate and clean up emerging contaminants like per-and polyfluoroalkyl substances (PFAS) to ensure New Yorkers have access to clean water.

Emerging contaminants like PFAS do not break down easily and persist in the environment, especially in water. Widespread use and releases of PFAS into the environment has led to PFAS detections in surface water, groundwater, animals, and humans worldwide. As more research is conducted into the prevalence of emerging contaminants in the environment, it is important to determine if a source of the contaminants can be identified in order to mitigate potential continuation of the contamination. DEC and other regulators conduct investigations to determine whether detections of the chemicals are due to specific localized contributing sources, the result of small releases of these chemicals in everyday activities, or the result of other sources.

DEC's ongoing investigations into emerging contaminants across the state have identified older landfills as potential sources of these chemicals in the environment. In response to community concerns, DEC commissioned a study that performed a first phase of surface water sampling in the vicinity of the Dunn landfill, as well as on-site groundwater and leachate sampling, to test for PFAS and other contaminants.

This sampling effort is conducted in two phases: the first phase during wet conditions and the second phase during dry conditions. The first sampling phase (wet conditions) was conducted in the spring and summer of 2021. DEC will conduct the second sampling phase (dry conditions) in

December.

DEC's first phase of the investigation found low levels of PFAS in some nearby surface water and groundwater, although these did not provide a direct link to the Dunn Landfill as a contributor of PFAS or other off-site contamination.

The surface water and groundwater sampled in this study do not serve as sources of drinking water. However, when sampling surface water or groundwater, DEC often uses the state's Maximum Contaminant Levels (MCLs) for public drinking water systems to consider whether additional investigation is necessary.

MCLs of 10 parts per trillion (ppt) for both perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) were not exceeded in any groundwater or surface water samples. The unregulated PFAS chemical, perfluorohexanoic acid (PFHxA), was found at a concentration of 33 ppt in samples from an on-site stormwater basin at the Dunn facility. Stormwater is managed according to the facility's DEC-required Stormwater Protection Plan and the basin is required to be regularly inspected and monitored to ensure it functions as designed to prevent any negative impacts to public health or the environment.

Results from the first sampling phase (wet conditions) are available on DEC's website at:

<https://www.dec.ny.gov/chemical/117071.html>

DEC's investigation is ongoing and the agency will continue to keep the public informed as additional data from the second phase of sampling is compiled.